



ORDINANCES
OF
THE PROVINCE OF TRANSVAAL
1927

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AN ORDINANCE

Ord. No. 1
of 1927.

To apply a Sum not exceeding £600,000 on Account for the service of the Province of Transvaal during the Year ending on the 31st day of March, 1928.

(Assented to 22nd March, 1927.)

(Date of operation, 30th March, 1927.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

1. On and after the first day of April, 1927, there may be issued out of the Provincial Revenue Fund such sums of money not exceeding in the aggregate the sum of six hundred thousand pounds as may from time to time be required for the service of the Province in respect of the year ending on the 31st day of March, 1928, until such time as provision is made therefor by the Council in an Appropriation Ordinance.

£600,000 may be issued out of the Provincial Revenue Fund.

2. All sums issued under the provisions of this Ordinance shall be deemed to be advances on account of grants to be made in an Appropriation Ordinance for the year ending the thirty-first day of March, 1928, and immediately on the commencement of such Appropriation Ordinance, this Ordinance shall cease to have effect and issues already made hereunder shall be deemed to be issues under that Appropriation Ordinance, and shall be accounted for in accordance with the provisions thereof: provided that no services upon which expenditure has not been incurred during the financial year ending the thirty-first day of March, 1927, or for which there is no statutory authority shall be deemed to be authorized under this Ordinance.

Issues under this Ordinance to be deemed advances in anticipation.

3. This Ordinance may be cited for all purposes as the Appropriation (Part 1927-1928) Ordinance 1927.

Short title.

Ord. No. 2
of 1927.

AN ORDINANCE

**To apply a further sum of money not exceeding £96,697
for the service of the Province of Transvaal for the
period from the 1st day of April, 1926, to the 31st
day of March, 1927.**

—————
(Assented to 22nd March, 1927.)

—————
(Date of operation, 30th March, 1927.)

—————
(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal
as follows:—

Provincial Revenue Fund charged with £96,697. **1.** The Provincial Revenue Fund of Transvaal is hereby charged towards the services of the said Province for the period from the 1st day of April, 1926, to the 31st day of March, 1927, both days inclusive, with a further sum not exceeding ninety-six thousand six hundred and ninety-seven pounds in addition to the sums provided for by the Appropriation (1926-1927) Ordinance, 1926.

How money is to be applied. **2.** The money granted by this Ordinance shall be applied to the purposes and for the services expressed in the schedule annexed hereto according to the Votes and Sub-heads particularly specified and set forth in the Estimates of Additional Appropriation for the said period as approved of by the Provincial Council.

Short title. **3.** This Ordinance may be cited for all purposes as the Additional Appropriation (1926-1927) Ordinance, 1927.

Schedule.

**Ord. No. 2
of 1927.**

Number of Vote.	Service.	Column 1.	Column 2.
		£	£
3	For salaries and expenses in respect of Hospitals and Charitable Institutions, including Poor Relief ... Including the undermentioned services :— Grant to Schweizer Reneke Cottage Hospital Grant to Middelburg Hospital Grant to Lydenburg Hospital Grant to Rustenburg Hospital Grant to Duivelskloof Hospital Grant to Hope Convalescent Home for Children Grant to Pretoria Benevolent Society Grant to St. George's Home for Boys, Johannesburg Grant to Vrouwen Zending Bond	16,613	150 600 50 2,500 70 45 200 8 45
5	For salaries and expenses in respect of Miscellaneous Services Including the undermentioned service :— Grant to Kruger National Park	875	875
6	For expenses in respect of Interest and Redemption	55,979	
7	For expenses in respect of Capital Expenditure Including the undermentioned services :— Unemployment... .. Special grant from Union Government for Road Construction Construction of Main Reef Road	23,230	7,081 12,214 3,935
		£96,697	

AN ORDINANCE

To amend the Companies Tax Ordinance, 1923.

**Ord. No. 3
of 1927.**

(Assented to 8th June, 1927.)

(Date of operation, 29th June, 1927.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows :—

1. Section *thirteen* of the Companies Tax Ordinance 1923 (hereinafter referred to as the principal law) shall be and is hereby repealed and the following section substituted therefor :—

Amendment of section 13 of principal law.

Ord. No. 3
of 1927.

“ 13. If any Company neglects or fails to pay any tax due under this Ordinance within the period prescribed, there shall be added to the amount payable by way of penalty for every month or part of a month during which it shall be in default a sum calculated at the rate of 10 per cent. of the amount of the tax, provided that the amount of such penalty shall not exceed the amount of the tax.”

Amendment
of section 14
of principal
law.

2. Section *fourteen* of the principal law shall be and is hereby amended by the insertion after the word “imposed” in the first line of the words: “and any penalty incurred.”

Short title.

3. This Ordinance may be cited for all purposes as the Companies Tax Amendment Ordinance, 1927, and shall be read as one with the principal law and any amendment thereof.

Ord. No. 4
of 1927.

AN ORDINANCE

To Consolidate and Amend the Law relating to the Election of Members of Municipal Councils in the Province of Transvaal.

(Assented to 14th June, 1927.)

(Date of operation, 1st January, 1928.*)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

PRELIMINARY.

Repeal of
laws.

1. The laws mentioned in the First Schedule to this Ordinance shall be and are hereby repealed.

Interpreta-
tion of
terms.

2. In this Ordinance unless inconsistent with the context—

“Administrator” shall mean the officer appointed under sub-section (1) of section *sixty-eight* of the South Africa Act 1909 or any amendment thereof, acting on the advice and with the consent of the Executive Committee of the Province;

“commencement of this Ordinance” shall mean the date on which this Ordinance came into operation;

* See section 140.

**Ord. No. 4
of 1927.**

- “ council ” shall mean the council of a municipality constituted under and by virtue of the provisions of the Local Government Ordinance;
- “ he,” “ him,” “ his ” and “ himself ” shall include the pronouns “ she,” “ her ” “ her ” and “ herself ” respectively ;
- “ Local Government Ordinance ” shall mean the Local Government Ordinance 1926 and any amendment thereof ;
- “ magistrate ” shall mean the magistrate of a magisterial district or sub-district in which a municipality is situate, and in the case of a municipality situate within a portion of a magisterial district for which an additional magistrate has been appointed, the term “ magistrate ” shall include also such additional magistrate ;
- “ municipality ” shall mean the area or district under the control and jurisdiction of a town council or of a village council whose members are elected under the provisions of this Ordinance ;
- “ rateable property ” shall mean any property rateable under the provisions of the Local Authorities Rating Ordinance 1912 and any amendment thereof ;
- “ town clerk ” shall mean the person for the time being lawfully acting in the capacity of town clerk of any municipality ;
- “ town council ” shall mean a council constituted under and by virtue of the provisions of Chapter I of the Local Government Ordinance ;
- “ village council ” shall mean a council constituted under and by virtue of the provisions of Chapter VIII of the Local Government Ordinance.

3. (1) This Ordinance shall apply, in the manner and to the extent prescribed herein, to the election of members of the councils of municipalities constituted town and village councils under the Local Government Ordinance, and to the election of any council hereafter constituted a town or village council under the provisions of that Ordinance.

Application
of Ordin-
ance.

(2) The provisions of Chapters I, II and XII shall apply to the elections of members of town and village councils.

(3) The provisions of Chapters III to X (inclusive) shall apply to the elections of members of town councils only, provided that the Administrator may from time to time by proclamation in the *Provincial Gazette* apply to the elections of members of any village council all of the said provisions *mutatis mutandis* in lieu of the provisions of Chapter XI.

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of 1927.

(4) The provisions *mutatis mutandis* of Chapters III to X (inclusive) shall be and are hereby applied to the elections of members of the Innesdale Village Council in lieu of the provisions of Chapter XI.

(5) The provisions of Chapter XI shall apply only to the elections of members of village councils other than the Innesdale Village Council and any other village council to the election of members of which the provisions of Chapters III to X (inclusive) have in terms of sub-section (3) been made to apply, provided that the Administrator may from time to time by proclamation in the *Provincial Gazette* apply any or all of the provisions *mutatis mutandis* of sections *sixty-four to seventy-three* (inclusive) to the elections of members of any village council in addition to the provisions of Chapter XI.

CHAPTER I.

TOWN AND VILLAGE COUNCILLORS.

Qualifica-
tions of
councillors.

4. Any person, male or female, qualified to be registered as a voter at elections of councillors under this Ordinance shall be qualified to be elected a councillor.

Disqualifi-
cation.

5. No person whose estate is in liquidation or under assignment in trust for his creditors, no person whose estate is sequestrated as insolvent and who has not obtained his rehabilitation, no person of unsound mind declared as such by a competent court, and no person who is disqualified by this Ordinance shall be capable of being elected, or if elected of continuing to be, a councillor.

Further
disqualifica-
tion.

6. No person holding any office or place of profit under or in the gift of the council, nor the spouse of such person, shall be capable of being elected or of continuing to be a councillor; provided that the provisions of this section shall not apply to a medical practitioner who is also a councillor and who is requested to act for the council by a majority of two-thirds of the council and with the consent of the Administrator, nor to the spouse of any such medical practitioner.

Circum-
stances in
which
councillor
vacates his
office.

7. Any councillor who shall cease to possess the qualifications by this Ordinance required or who is a paid agent for a candidate at any municipal election under this Ordinance during his term of office, or who shall become disqualified under this Ordinance, shall *ipso facto* vacate his office, and the mayor or the chairman of the village council as the case may be shall at the next meeting of

the council declare any such vacancy which may have occurred; and in case any person elected a councillor shall die or become disqualified under the terms of this Ordinance, or cease to be qualified to be a councillor, or shall resign, or shall refuse to accept the office of councillor, or in case of any vacancy occurring under Chapter IV of the Local Government Ordinance or in any manner whatever, then such vacancy shall forthwith be filled up in manner directed by this Ordinance, but subject nevertheless to the provisions hereinafter made as to vacancies occurring within three months of the annual election referred to in section *twenty-four* or in section *one hundred and thirty-six*; provided always that a councillor whose seat shall have been declared vacant by the mayor or the chairman as the case may be may apply by motion to the Supreme Court, Transvaal Provincial Division, and if such court be not sitting then to a judge of the Supreme Court to have such declaration set aside; notice of the intention to make such application and the grounds thereof shall be given to the town clerk within two days after such declaration, and the application shall be made within fourteen days thereafter. Any councillor declared disqualified under the provisions of section *thirty-one* of the Local Government Ordinance from continuing to be a councillor shall have the same right of appeal as is hereinbefore provided.

**Ord. No. 4
of 1927.**

CHAPTER II.

VOTERS IN MUNICIPALITIES UNDER TOWN AND VILLAGE COUNCILS.

8. (a) Every white person, male or female, being a British subject of the age of twenty-one years and upwards who shall have resided within the municipality for a period of six months immediately preceding the publication of the notice mentioned in section *sixteen* or in sub-section (5) of section *one hundred and twenty-three* as the case may be or his application to be registered on the the voters' roll in terms of section *nineteen* of this Ordinance shall subject to the disqualifications hereinafter set out be entitled to be enrolled on the voters' roll for the municipality, provided that no person shall at any one time be enrolled on the voters' roll in more than one ward or in more than one municipality.

Qualification
of voters.

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of 1927.

(b) Every person, being qualified in all respects as aforesaid except that of residence, who is the registered owner of rateable property within the municipality and does not hold the said property with one or more persons in undivided shares and who is not disqualified under section *ten* or section *eleven* hereof shall be entitled upon application to be enrolled on the voters' roll in respect of the ward in which the said property is situated, provided that if such person is the registered owner of rateable property in more than one of the wards of the municipality he shall be entitled to elect the ward in which he will vote, and should he decline or fail to make such election he shall be registered as a voter in such of the said wards as the person framing the voters' roll shall decide, and provided further that if any ward in which he is registered as a voter is divided into polling districts his name shall be registered as a voter in the polling district decided upon by the person framing the voters' roll.

Who may
vote.

9. No person whose name does not appear on the voters' roll for the time being in force shall be entitled to vote at any election under this Ordinance.

Disqualifica-
tion.

10. No person of unsound mind declared as such by a competent court shall while of unsound mind be capable of being registered as a voter or of recording his vote at any election under this Ordinance.

Further
disqualifica-
tions.

11. The following persons shall not be entitled to be enrolled on the voters' roll for the municipality nor qualified to vote at any election held under this Ordinance :—

- (1) Persons at any time convicted of murder, or until the lapse of three years from the date of the expiration of the sentence for any crime for which the punishment is imprisonment with hard labour without the option of a fine, unless a free pardon shall have been granted ;
- (2) white persons cohabiting with native or coloured persons.

CHAPTER III.

WARDS AND POLLING DISTRICTS.

Division of
Municipality
into wards.

12. (1) (a) Every municipality shall be divided into wards, and whenever it shall become necessary to divide into wards a municipality

which is not already so divided, the Administrator shall appoint a commission of one or more persons to prepare a scheme for determining the boundaries of such wards, and notice of the sitting of such commission shall be published in the *Provincial Gazette* and in at least one newspaper circulating in such municipality.

(b) The boundaries of the wards of a municipality shall be determined in such a manner that the number of voters in each ward shall, as far as possible, be equal, but that the number of voters shall not in the case of any such ward be more than 15 per cent. above or more than 15 per cent. below that mean number of voters which represents exact equality all fractions being disregarded. The provisions of this paragraph shall govern every subsequent alteration or adjustment under this section.

(2) Every such scheme shall be published in the *Provincial Gazette* and in at least one newspaper circulating in the municipality once a week during three consecutive weeks, and when approved by the Administrator with or without modification, shall come into operation from a date to be notified by proclamation under this section.

(3) Whenever a municipality has been divided into wards, such wards may be increased in number or the boundaries of existing wards may be from time to time altered upon petition presented to the Administrator after a resolution of the council of such municipality passed at a special meeting called for the purpose, and whenever the council shall petition for any such increase or alteration of wards it shall with its petition transmit to the Administrator proposals for any apportionment of the existing councillors rendered necessary by such increase or alteration. Every such petition for an increase or alteration of wards with any proposals for apportionment of councillors may be approved by the Administrator with or without modifications, and subject to the provisions of sub-section (6) hereof shall take effect when so approved from a date to be notified by proclamation under this section, and from such date every councillor then in office shall hold office for the ward assigned to him for the remainder of the period for which he was elected.

(4) A council may in like manner petition the Administrator to decrease the number of wards of a municipality; provided that any decrease approved by the Administrator shall only take effect in respect of the next ensuing annual election;

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—
Section 12.

and provided further that the number of wards of a municipality shall not be so decreased as to affect the period of office for which any councillor shall have been elected. With any such petition the council shall transmit to the Administrator its proposals for—

(a) the apportionment among the altered wards of such councillors as do not go out of office at the date of such annual election ; and

(b) the fixing of the wards in respect of which the said annual election shall be held.

Every such petition may be approved by the Administrator with or without modifications, and every councillor in office at the date of the election hereinbefore referred to shall hold office for the ward assigned to him for the remainder of the period for which he was elected.

(5) Notwithstanding anything in this section contained the Administrator whenever he shall exercise the powers conferred upon him by any law of altering the boundaries of a municipality or adjusting the boundaries of adjoining municipalities, may as consequential upon such alteration or adjustment, increase or decrease the number of wards or alter and adjust the boundaries thereof, and may subject to the provisions of sub-section (6) hereof apportion the councillors representing any wards so altered or adjusted among such wards ; provided that unless the Administrator shall otherwise decide no such increase, decrease, alteration or adjustment of wards or apportionment of councillors shall take effect except upon a scheme prepared and published as provided in sub-sections (1) and (2) hereof.

(6) If the number of wards into which the municipality is divided is increased, and if on such increase the boundaries of the wards are altered, then on the occasion of every such increase and alteration the Administrator may by proclamation in the *Provincial Gazette* declare which wards shall be deemed to be new wards within the meaning of section *twenty-two* and the councillors holding office at the date of such increase and alteration shall be apportioned among the altered wards (not being new wards) in accordance with the provisions of sub-section (3) or sub-section (5) hereof as the case may require ; provided always that the period for which any councillor holds office shall not be affected by such apportionment.

(7) At the first election of councillors for any ward which is or has been declared to be a new ward, three councillors shall be elected for such ward.

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One of such councillors (being the one who stands first on the poll) shall continue in office until the day of the third annual election next ensuing and no longer and one of such councillors (being the one who stands second on the poll) shall continue in office until the day of the second annual election next ensuing and no longer and the remaining councillor (being the one who stands third on the poll) shall continue in office until the day of the first annual election next ensuing and no longer; and in case there are two or more candidates who have received an equal number of votes at the said poll, or in case there is no poll, the returning officer shall determine by lot which of the candidates shall be elected for a period terminating on the day of the first second or third of such annual elections respectively. For the purpose of this sub-section the last Wednesday in October shall be the day of the annual election.

(8) Every division of a municipality into wards, and every alteration or adjustment of the boundaries of such wards, and every increase in the number of wards under the powers of this section, shall be notified by proclamation of the Administrator in the *Provincial Gazette*.

(9) Every municipality divided into wards under any law repealed by this Ordinance, shall continue to be so divided and the present boundaries of wards and of polling districts (if any) of such municipality shall remain until any alteration shall have been effected under this Ordinance.

13. (1) The Administrator may on the application of a council divide any ward into so many polling districts as he may deem necessary, and may in like manner from time to time increase or decrease the number of such districts, or alter or adjust the boundaries thereof. Polling districts.

(2) Every division of a ward into polling districts and every alteration or adjustment of the boundaries of such districts shall be notified by proclamation of the Administrator in the *Provincial Gazette*.

(3) The Administrator may appoint a commission of one or more persons to prepare a scheme for determining the boundaries of such districts and notice of the sitting of such commission shall be published in the *Provincial Gazette* and in at least one newspaper circulating in the municipality.

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Power of Administrator to order steps to be taken where matters unprovided for.

14. If in connexion with the division of any municipality into wards or the division of wards into polling districts or the alteration of the boundaries of the wards or polling districts of any municipality, or the increase in the number of them or the apportionment of councillors among wards any matter shall arise for which this Ordinance does not sufficiently provide, the Administrator may order all such steps to be taken with regard to the election of councillors or otherwise as may be necessary to meet the circumstances of the case and may fix the period for which any councillor to be elected for any ward is to hold office so that the general intent and purpose of the Ordinance may have effect.

CHAPTER IV.

MAKING OF VOTERS' ROLL BY TOWN COUNCILS.

Provisions for making of voters' roll and amendment of such roll from time to time.

15. (1) (a) The council shall during the months of April and May 1928 and thereafter once every three years in the said months of April and May cause a list to be made of all persons qualified to be enrolled on the voters' roll under the provisions of this Ordinance; the said list shall be sub-divided into as many parts as there are wards of the said municipality and each part shall show in alphabetical order the full name, residential address and occupation of every voter qualified to vote within the ward to which such part refers.

(b) Whenever the number of wards of a municipality have been increased, decreased or the boundaries altered or otherwise adjusted, the council shall as soon as possible after such increase, decrease, alteration or other adjustment cause such alterations of the voters' roll to be made as may be necessary to show in each part thereof (representing the various wards of the municipality) the particulars of voters resident in each ward.

(2) Whenever any ward has been divided into polling districts, or any increase, decrease, alteration or adjustment of such districts has been made under the provisions of section *thirteen* hereof, the council shall compile from the voters' roll of such ward a register of voters for each polling district, consisting of the voters of the ward resident in such polling district.

(3) The Administrator may—

(a) order all such steps to be taken with regard to the preparation of the first voters' roll for any

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—
Section 15.

municipality to which the provisions of this Ordinance may hereafter become applicable as he may deem necessary to meet the circumstances of the case; provided that any expenses incurred in consequence of any order made by the Administrator hereunder shall be borne by the council of the municipality concerned. The provisions of sections *sixteen*, *seventeen* and *eighteen* of this Ordinance shall apply *mutatis mutandis* to the preparation of such first voters' list;

(b) fix the months of April and May of any subsequent year within a period of three years from the date of the completion of such first voters' roll as the months in which the council shall frame the next roll in accordance with the provisions of this Ordinance.

(4) The town clerk shall, during the months of January April and July of each and every year (not being the year in which the triennial voters' roll is drawn up) publish a notice once a week for three consecutive weeks in at least one newspaper circulating in the municipality inviting attention to the provisions of section *nineteen* of this Ordinance and intimating that he will receive applications from qualified persons for enrolment as voters on the voters' roll.

(5) (a) Save as is provided in paragraph (b) hereof every voter shall be registered in the ward where he resides and shall vote at one of the polling stations provided for such ward; provided that where a division has been made into polling districts every voter shall be registered in the polling district where he resides and shall vote at the polling station provided for such polling district but shall be permitted to vote at any other polling station in the ward in which he is registered, other than the polling station of the polling district in which he is registered, if before voting he shall sign a declaration in the form prescribed in the Second Schedule to this Ordinance;

(b) subject to the provisions of paragraph (b) of section *eight* hereof every voter, being the registered owner of rateable property who is not resident in the municipality, shall be registered in the ward in which the said property is situated and shall vote at the polling station provided for the polling district in which he is registered as a voter.

(c) all declarations referred to in paragraph (a) hereof shall be taken by the presiding officer of

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the polling station at which such person desires to vote and shall be kept by such officer and forwarded to the returning officer and shall be open to inspection by the public at all reasonable times for a period of three months after the election ;

(d) any person who wilfully makes a false statement in such declaration shall be guilty of an offence and liable on conviction to a fine not exceeding £25 (twenty-five pounds) or in default of payment to imprisonment with or without hard labour for a period not exceeding three months.

(6) Any person who has been registered as a voter in respect of any ward may after any annual election and not later than the thirty-first day of August thereafter, apply to the town clerk for the transfer of his name as a voter from such ward to another ward in the municipality and upon receipt of such application the town clerk shall so transfer the name of such person provided he is satisfied that such person resides in such other ward and provided further that such transfer shall not entitle such person to vote at any election to fill a casual vacancy where such election takes place within two months of his application for such transfer.

(7) The voters' roll in force in a municipality at the commencement of this Ordinance shall subject to the provisions of section *nineteen* hereof be the voters' roll of such municipality until a new roll has been made amended and settled in terms of this Ordinance.

Notices of
objection to
list.

16. The town clerk shall cause every list framed under the provisions of sub-section (1) (a) of section *fifteen* hereof to be deposited in the municipal offices at the principal post offices and at the magistrate's office for inspection by the public, and shall cause to be published in one or more newspapers circulating in the municipality a notice that all objections and claims to be enrolled will be heard and determined at some time and place to be therein stated ; such time shall be not less than fourteen days after the first publication of the said notice.

Appoint-
ment of
court to
determine
objections

17. The magistrate, or some advocate of the Supreme Court to be appointed by the Administrator, shall hear and determine all claims and objections, and may enrol the names of any voters which have been omitted from the voters' roll, and strike out the names of all persons not entitled to be enrolled ; provided that no person's name shall be struck out

until such person shall have had two clear days' notice of the investigation of his qualification, and shall be heard in regard thereto should he so desire, either personally or by an advocate, solicitor, or duly admitted law agent. The hearing and determining of such claims and objections may be adjourned from time to time and the decision on any such claim or objection may be brought on appeal by motion to the Supreme Court or any judge thereof if notice thereof be given by any interested person within two clear days after the declaration of such decision. The court or judge hearing such application may uphold or reverse the said decision, and may make such order as to costs as to such court or judge may seem right. The remuneration of the advocate appointed by the Administrator as aforesaid shall be fixed by the Administrator and shall be a charge on the funds of the municipality.

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18. Subject to the provisions of the next succeeding section the list when so settled and amended shall be the voters' roll for the municipality until the next roll shall in like manner be completed, and such roll shall be deemed and taken to be conclusive and the only proof of the right of every person enrolled therein to vote for the election of councillors

Roll to be in force until new one framed.

19. (1) Any person who is not on the voters' roll in force for the time being in a municipality, may at any time apply to the town clerk thereof, in the form prescribed in the Third Schedule hereof to be enrolled as a voter, and the council on being satisfied that such person is qualified under this Ordinance, or any amendment thereof, to be so enrolled, shall cause the name of such person to be placed on the voters' roll; provided always that—

Provisions for addition of names to voters' roll.

(i) if the council shall refuse the said application such decision of the council shall be subject to appeal as if it were a decision of the magistrate or advocate given under section *seventeen* of this Ordinance;

(ii) no person shall be enrolled under this section as a voter in respect of any ward upon an application made after the thirty-first day of August and before the date of the annual election in any year or in the case of by-elections after the publication of a notice of any by-election in such ward under section *thirty* of this Ordinance until such by-election shall have been held;

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(iii) the non-enrolment of any voter upon an application made under this section shall not invalidate any election held after the date of such application.

(2) If any person making application hereunder is registered as a voter in some other municipality the town clerk shall, upon enrolling the name of such person as a voter, notify the town clerk of such other municipality and thereupon the latter shall delete the name of such voter from the voters' roll of that municipality. The expression "municipality" as used in this sub-section shall include a municipality under a village council.

(3) Any person making application to be placed on the voters' roll whose application has been rejected in terms of this Ordinance shall be duly notified forthwith of such rejection.

(4) Any person who wilfully makes any false statement on the form prescribed in the schedule mentioned in sub-section (1) hereof, shall be guilty of an offence and liable on conviction to a fine not exceeding fifteen pounds (£15) or in default of payment to imprisonment with or without hard labour for a period not exceeding one month.

Voters' roll deposited for inspection.

20. Every voters' roll framed or amended under the provisions of this chapter shall be deposited at the municipal office for inspection by the public during office hours.

CHAPTER V.

ELECTION OF TOWN COUNCILLORS.

Election of councillors.

21. (1) The council shall consist of three councillors for each ward elected in the manner hereinafter prescribed.

(2) Every councillor holding office at the commencement of this Ordinance may continue to hold office until the expiration of the period for which he was elected.

Provision for election of councillors to represent "new" wards.

22. Should at any time the number of wards be increased under the provisions of this Ordinance, then upon such increase the number of councillors shall be increased by three for each ward by which the number of wards is increased, and the election of councillors for the new wards shall take place



as soon as possible after such wards have been created and on a date to be fixed by the Administrator by proclamation in the *Provincial Gazette* in manner hereinafter provided for the election of councillors at an annual election.

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23. The first election of councillors of any municipality to which the provisions of this Ordinance may hereafter become applicable shall take place in manner hereinafter prescribed on such date as may be notified by the Administrator by proclamation in the *Provincial Gazette* and three councillors shall be elected for each ward. One of such councillors (being the one who stands first on the poll) shall continue in office until the day of the third annual election held in accordance with the provisions of section *twenty-four* and no longer and one of such councillors (being the one who stands second on the poll) shall continue in office until the day of the second of such annual elections and no longer, and the remaining councillor (being the one who stands third on the poll) shall continue in office until the day of the first of such annual elections and no longer; and in case there are two or more candidates who have received an equal number of votes at the said poll, or in case there is no poll, the returning officer shall determine by lot which of such candidates shall be elected for a period terminating on the day of the first second and third of the said annual elections respectively.

First
election
of coun-
cillors.

24. After the first election of councillors as aforesaid and in the case of town councils presently elected under the Municipal Elections Ordinance 1912 and amendments thereof there shall be an annual election of councillors which shall take place on the last Wednesday in the month of October of each and every year for the purpose of electing councillors to replace an equal number of councillors retiring from office on account of the expiration of their period of office and also for the purpose of filling up such casual vacancies as may be required to be filled up under the provisions of section *twenty-seven* of this Ordinance.

Annual
election of
councillors.

25. (1) The councillors elected at every annual election to fill the vacancies caused by the retirement of councillors owing to the expiration of the period of office for which such last-named councillors were elected shall continue in office until the day of the third annual election next ensuing, and the councillor elected to fill a casual vacancy requiring to be filled up under section *twenty-seven* of this Ordinance whether such election shall take place

Duration of
office of
councillors
elected at
annual elec-
tions.

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acceptance thereof given under his own hand or that of his duly qualified agent to the person calling for nominations not later than twelve o'clock noon of the day appointed for receiving the same.

(b) If the number of candidates for any ward who are nominated as aforesaid does not exceed the number of councillors to be elected for such ward such candidates shall be deemed and taken to be elected on the day of nomination.

(c) In the event of the number of nominations for any ward exceeding the number of councillors to be elected for such ward the town clerk or other person appointed to be returning officer as aforesaid shall forthwith cause a notice to be published in one or more newspapers circulating in the municipality stating the names of the candidates nominated, the day upon which a poll will be taken for the election not being less than six days or more than fourteen days from the date of such notice nor less than twenty-one days from the date of the notice calling for nominations, the number of vacancies to be filled, and the places where the poll will be taken. And the poll shall take place accordingly and shall commence at 8 o'clock a.m. and close at 9 o'clock p.m.

Casual
vacancies in
certain cir-
cumstances.

32. (a) If there shall be no nominations received, or if the number of candidates deemed to be elected in terms of sub-section (b) of section *thirty-one* hereof shall be less than the number of vacancies to be filled, the vacancies or the remaining vacancies shall be deemed to be casual vacancies which shall be filled in accordance with the provisions of section *twenty-seven* hereof.

(b) If after further nominations have been called for to fill such casual vacancies no nominations are received or fewer nominations are received than the number of vacancies to be filled it shall be lawful for the Administrator to appoint any duly qualified person or persons to be a member or members of the council in order to make up the number of members required.

(c) If, after the polling day has been fixed for an election in any ward, any duly nominated candidate thereat dies before the poll has commenced, the returning officer shall, upon being satisfied of the fact of the death, withdraw so far as it concerns that ward, the notice fixing the polling day, and all proceedings relating to the said election shall be commenced afresh in precisely the same manner as if a casual vacancy had occurred; provided that no fresh

nomination shall be necessary in the case of a candidate who was duly nominated at the time when the said notice was withdrawn.

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CHAPTER VI.

THE POLLING.

33. For the purpose of any election there shall be one polling station at some convenient place within each ward, or if such wards have been divided into polling districts there shall be one polling station within each polling district. Notice shall be given by the returning officer in one or more newspapers circulating in the district and also by affixing it to the municipal notice board or the public door of the town office of the places where the polling stations shall be.

Election
arrange-
ments.

For all elections the returning officer shall provide such compartments desks ballot boxes ballot papers stamping instruments copies of register of voters and other things; appoint presiding officers and polling officers, and do such other acts and things and make such arrangements to facilitate the taking of the poll as he may deem advisable for effectually conducting the election; and everything done by the returning officer shall be at the expense of the council and shall be paid out of the funds of the municipality.

34. The presiding officer and other officers at the polling station shall keep order thereat shall regulate the number of voters to be admitted at a time and shall exclude all other persons except the returning officer the clerks the candidates the agents of the candidates and the constables on duty.

Presiding
officer.

35. If after a poll has been appointed at any election any candidate nominated for election shall be desirous of retiring from the candidature he may not later than twelve noon on the fourth day before the day of polling sign and deliver a notice of his retirement to the returning officer who on receipt of such notice shall if the number of candidates is by such retirement reduced to the number of persons to be elected at such election declare the remaining candidates to be on that day duly elected and if the said number is not so reduced shall omit the name of the person so retiring from the list of candidates and such person shall not be capable of being elected at such election. If the number of candidates is by such retirement reduced below the number of persons to be elected the provisions of section *thirty-two* of this Ordinance shall *mutatis mutandis* apply.

In case
candidate
desires to
retire from
contest.

Ord. No. 4 Candidates' agents.
of 1927.

36. Every candidate may, if he think fit, appoint by writing under his hand a person to represent him at the polling station to see that the votes are fairly taken and may also appoint in writing not more than two agents to represent him at the counting of the votes by the returning officer.

Inquiries as to right to vote.

37. No inquiry shall be made at any election as to the right of any person to vote except that the polling officer shall put to every voter the following questions :

- (1) Are you the person whose name appears as A.B. on the voters' roll of voters in this ward ?
- (2) Have you already voted at this election in the capacity in which you now claim to vote ?

And no person who shall refuse to answer any such questions or who shall not answer the first of such questions in the affirmative and the second of such questions absolutely in the negative shall be permitted to vote.

Penalty for false answers.

38. Any person who shall wilfully make a false answer to any of these questions shall be liable to a penalty not exceeding fifty pounds to be recovered in the court of the magistrate, or in default of payment to imprisonment for a term not exceeding three months.

Voter required to vote without delay at polling stations.

39. Every voter coming to record his vote shall vote without undue delay and any voter who delays unduly in recording his vote may unless he shall forthwith proceed to vote upon being thereunto required by the presiding officer be compelled to hand to the presiding officer any ballot paper which he may have received and be removed from the polling station upon the instruction of the presiding officer. Such voter shall not be entitled to vote at the election, but such ballot paper shall be treated as a spoilt paper under section *forty-two* hereof and the presiding officer shall endorse upon such ballot paper the words "Returned under section *thirty-nine* of the Municipal Elections Ordinance."

Number of votes to be given by voter.

40. Every voter shall have as many votes as there are candidates to be elected for the ward in which he is enrolled as a voter, and such voter shall be obliged to record a vote for at least one of such candidates. Should any voter record on his ballot paper more than one vote for any candidate such votes shall be deemed and counted as one vote only.

41. The voting at all elections held under the provisions of this Ordinance shall be by ballot which shall be conducted in substance and as nearly as is material as follows :

Manner of voting.

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(a) The presiding officer or any polling officer at the polling station in each ward or polling district as the case may be shall ascertain that the person coming to vote is a voter enrolled upon the voters' roll for that ward or polling district and having ascertained that such person is so enrolled and his number on such roll, shall enter his number upon the counterfoil in the ballot paper book and shall then tear out the ballot paper corresponding to such counterfoil and having stamped the same with a perforated stamp provided for that purpose shall hand it to the voter. And every ballot paper shall be in the form set forth in the Fourth Schedule to this Ordinance with such printed instructions as the council may approve ;

(b) when the voter has received such ballot paper on which shall be printed in alphabetical order the names of all the duly nominated candidates at such election he shall take the same to the compartment and desk provided for that purpose and signify for whom he desires to vote by secretly placing a cross opposite the name of every candidate whom he wishes elected not exceeding the number to be elected at such election. He shall then fold the ballot paper so that the perforated stamp may be visible and having held up the ballot paper so that the polling officer can recognize the perforated mark shall drop the ballot paper in the ballot box placed in front of the polling officer ;

(c) should the voter either sign his name on the ballot paper or make any mark or write any word by which he can become identified such ballot paper shall be considered blank and not taken into account.

42. If a voter inadvertently spoils a ballot paper he may return it to the presiding officer who shall if satisfied of such inadvertence give him another paper and retain the spoiled paper and the spoiled paper shall be immediately cancelled and endorsed with the words "Returned under

Spoiled ballot papers.

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section *forty-two* of the Municipal Elections Ordinance” and the fact of such cancellation shall be noted upon the counterfoil.

Voters
incapacitated
by blindness
or other
physical
cause.

43. Any presiding officer on the application of any voter who is unable to read or who is incapacitated by blindness or other physical cause from voting in manner prescribed by this Ordinance shall before such agents of the candidates as may be present cause the vote or votes of such voter to be marked on a ballot paper or papers in manner directed by such voter and the ballot paper or papers to be placed in the ballot box and the name and number on the voters' roll of every voter whose vote is marked in pursuance of the terms of this section and the reason why it is so marked shall be entered on a list in this Ordinance called the “list of votes marked by the presiding officer.”

Tendered
ballot papers

44. If a person representing himself to be a particular voter applies for a ballot paper after another person has voted as such voter, the applicant shall upon duly answering the questions permitted by this Ordinance to be asked of voters at the time of polling be entitled to mark a ballot paper in the same manner as any other voter, but the ballot paper (hereinafter called a tendered ballot paper) shall not be put in the ballot box, but shall be given to the presiding officer appointed for that purpose and endorsed by him with the name of the voter and his number on the voters' roll, and set aside in a separate packet, and shall not be counted by the returning officer and the name of the voter and his number on the roll shall be entered in a list in this Ordinance called the “tendered votes list.”

Sealing up
of ballot
boxes, etc.

45. Every presiding officer as soon as practicable after the close of the poll shall, before such agents of the candidates as shall be present, make up into separate packets sealed with his own seal and the seals of such agents of the candidates as desire to affix their seals—

- (1) each ballot box entrusted to him unopened but with the key attached ;
- (2) the unused and spoiled ballot papers placed together ;
- (3) the tendered ballot papers ;
- (4) the marked copies of the voters' roll and the counterfoils of the ballot papers ;

(5) the tendered votes list and the list of votes marked by him as presiding officer and a statement of the number of voters whose votes are so marked ;

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and shall deliver such packets to the returning officer.

The packets shall be accompanied by a statement made by each presiding officer showing the number of ballot papers entrusted to him and accounting for them under the heads of ballot papers in the ballot box unused spoiled and tendered ballot papers.

46. Upon receipt of the aforesaid packets from such presiding officer by the returning officer the latter shall take charge of them and shall in the presence only of such candidates and such agents of the candidates as may be in attendance (not exceeding two agents of each candidate) open the ballot boxes and ascertain the result of the poll by counting the votes given to each candidate and shall forthwith declare the candidate or candidates who are elected under the provisions of this Ordinance according to the vacancies to be filled up. In the event of the number of votes being found to be equal for any two or more candidates all of whom cannot be declared elected to fill an ordinary or casual vacancy in the council as the case may be the returning officer shall by lot immediately determine the election. The decision of the returning officer shall be final subject to reversal on petition to or action in the Supreme Court praying that the election be set aside.

Declaration
of poll.

47. The returning officer shall reject and not count any ballot papers which—

What ballot
papers shall
be rejected.

- (a) do not bear the official mark ;
- (b) give votes to more candidates than the voter is entitled to vote for ;
- (c) bear any writing or mark by which a voter can be identified otherwise than is in this Ordinance prescribed ;
- (d) are unmarked or void for uncertainty ;
- (e) are returned under section *thirty-nine* of this Ordinance.

48. The returning officer shall endorse "rejected" on any ballot paper which he may reject as invalid, and shall add to the endorsement "rejection objected to" if an objection to his decision is in fact made by or on behalf of any candidate.

Marking of
rejected
ballot papers.

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Sealing up
of papers by
returning
officer.

49. The returning officer shall immediately after the declaration of the poll enclose in separate packets the counted and rejected ballot papers. He shall not open any sealed packet of tendered ballot papers or marked copy of the voters' roll and counterfoils but shall proceed, before such agents of the candidates as are present to reseal after examination each of the sealed packets received by him from the presiding officers. All the packets aforesaid together with a certificate stating the names of the councillors declared to be elected, shall be enclosed together in one sealed packet and delivered to the town clerk who shall safely keep such sealed packet for six months after the expiration whereof the said packet and all papers contained therein shall be destroyed in the presence of two councillors.

Sealed papers
to remain
unopened.

50. No such sealed packet as aforesaid shall be opened during the said period of six months unless by order of the Supreme Court or any judge thereof; and if any person shall contrary to the provisions hereof wilfully break the seal or open any such packet he shall upon conviction be liable to a penalty of fifty pounds and to imprisonment with or without hard labour for a period not exceeding three months, and on failure to pay the fine to a further period of imprisonment for three months.

The
Administrator
may make
regulations
and issue
instructions.

51. The Administrator shall have power from time to time to issue instructions and make regulations for the purpose of more effectually carrying out the provisions of this Ordinance as to the proceedings for election by ballot provided that such instructions and regulations are not inconsistent with its terms.

Immaterial
mistakes not
to affect the
validity of
elections.

52. No election shall be declared invalid by reason of any mistake or non-compliance with the terms of this Ordinance if it appears to the court having cognizance of the question that the election was conducted in accordance with the principles laid down in this Ordinance and that such mistake or non-compliance did not affect the result of the election.

CHAPTER VII.

ELECTORAL EXPENDITURE.

Electoral
expense.

53. "Electoral expense" in this and the next succeeding chapter includes all moneys expended or expenses incurred by or on behalf of any candidate at or in connexion with any election.

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| <p>54. No electoral expense shall be allowed except in respect of the following matters :—</p> <ol style="list-style-type: none"> (1) Purchasing electoral rolls ; (2) printing advertising publishing issuing and distributing addresses by the candidate, posters and other printed matter requesting the support of voters, and notices of meetings ; (3) stationery messages postages and telegrams ; (4) one committee room for each polling station ; (5) public meetings and halls therefor ; (6) scrutineers ; (7) one election agent for each candidate or for any number of joint candidates ; (8) one polling agent at each polling station and no more ; (9) one clerk and one messenger for conducting business in each committee room and the hire of one telephone and one typewriting machine for each committee room ; (10) the reasonable and actual personal expenses of the candidate which shall not exceed fifty pounds. (11) the hire of vehicles. | <p>Expense allowed.</p> | <p>Ord. No. 4 of 1927.</p> |
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| <p>55. No electoral expenses shall be allowed in respect of any election in excess of the following rates :—</p> <ol style="list-style-type: none"> (1) For each candidate one hundred pounds and a further two pounds for every one hundred enrolled voters over and above five hundred ; (2) where there are two or more joint candidates at an election : <ol style="list-style-type: none"> (a) for any one of such candidates the full amount mentioned in sub-section (1) ; (b) for each of the remaining joint candidates one-fourth of the amount mentioned in sub-section (1). | <p>Amount of expenditure allowed.</p> |
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Where the same election agent is appointed by or on behalf of two or more candidates at an election or where two or more candidates by themselves or any agent or agents hire or use the same committee room for such election or employ or use the services of the same clerks messengers or polling agents at such election or publish a joint address or joint circular or notice at such election those candidates shall be deemed for the purposes of this enactment to be joint candidates at such election ; provided that—

- (i) the employment and use of the same committee room clerk messenger or polling agent if accidental or casual or of a trivial

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and unimportant character shall not be deemed of itself to constitute persons joint candidates ; (ii) nothing in this enactment shall prevent candidates from ceasing to be joint candidates ; (iii) where any excess of expense above the maximum allowed for one of two or more joint candidates has arisen owing to his having ceased to be a joint candidate or to his having become a joint candidate after having begun to conduct his election as a separate candidate and such ceasing or beginning was in good faith and such excess is not more than under the circumstances is reasonable and the total expenses of such candidate do not exceed the maximum amount allowed for a separate candidate such excess shall be deemed to have arisen from a reasonable cause within the meaning of the provisions respecting the allowance by the court of an exception from the provisions of this Ordinance which would otherwise make an act an illegal practice and the candidate and his election agent may be relieved accordingly from the consequences of having incurred such excess of expenses.

Payments to candidates.

56. All moneys provided by any person other than the candidate for any electoral expense shall be paid directly to the candidate personally.

Sending in and payment of claims for election expenses.

57. (1) Every payment made by an election agent whether by himself or a sub-agent in respect of any expenses incurred on account of or in respect of the conduct or management of an election shall except where less than forty shillings in all in any one account be vouched for by a bill stating the particulars and by a receipt.

(2) Every claim against a candidate at an election or his election agent in respect of any expenses incurred on account of or in respect of the conduct or management of such election which is not sent in to the election agent within the time limited by this Ordinance shall be barred and shall not be paid.

(3) Except as by this Ordinance permitted the time limited by this Ordinance for sending in claims shall be twenty-one days after the day on which the candidates returned are declared elected.

(4) All expenses incurred by or on behalf of a candidate at an election which are incurred on account of or in respect of the conduct or management of such election shall be paid within the time limited by this Ordinance and not otherwise.

(5) Except as by this Ordinance permitted the time limited by this Ordinance for the payment of such expenses as aforesaid shall be thirty days after the day on which the candidates returned are declared elected.

(6) If the election agent in the case of any claim sent to him within the time limited by this Ordinance disputes it or refuses or fails to pay it within the said period of thirty days such claim shall be deemed to be a disputed claim.

(7) The claimant may if he thinks fit bring an action for a disputed claim in any competent court and any sum paid by the candidate or his agent in pursuance of the judgment or order of such court shall be deemed to be paid within the time limited by this Ordinance and to be an exception from the provisions of this Ordinance requiring claims to be paid by the election agent; provided that for the purposes of this sub-section "competent court" shall include "magistrate's court."

(8) On cause shown to the satisfaction of the court such court on application by the claimant or by the candidate or his election agent may by order give leave for the payment by a candidate or his election agent of a disputed claim or of a claim for any such expenses as aforesaid although sent in after the time in this section mentioned for sending in claims or although the same was sent in to the candidate and not to the election agent.

(9) Any sum specified in the order of leave may be paid by the candidate or his election agent and when paid in pursuance of such leave shall be deemed to be paid within the time limited by this Ordinance.

58. Within forty days after the result of any **Returns,** election has been declared every candidate at such election and in the case of joint candidates such candidates jointly shall complete in the form shown in the Fifth Schedule hereto before a justice of the peace or a commissioner of oaths and file with the returning officer a true return of his or their electoral expenses showing—

- (a) all moneys provided for electoral expenses under section *fifty-six* ;
- (b) all payments made supported by bills and receipts hereinafter referred to as vouchers ;
- (c) all disputed and unpaid claims.

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Publication
and
inspection of
returns.

59. The returning officer at an election shall as regards all returns and vouchers filed pursuant to this chapter—

(1) forthwith publish in the *Provincial Gazette* particulars of the total amount of the electoral expenses of the candidate arranged under the headings of the paragraphs in section *fifty-four* ;

(2) keep the returns and vouchers open for public inspection without fee at reasonable hours for three months after filing ;

(3) during the same period supply copies of or extracts from the return and vouchers at sixpence per folio of seventy-two words.

Failure to
file return
of election
expenses.

60. (1) A candidate declared to be elected under the provisions of this Ordinance who fails to file within the period prescribed in section *fifty-eight* hereof the return required by the said section shall, after the expiry of that period, not sit or vote as a town councillor until he has filed the said return by leave of the Supreme Court on petition presented under section *sixty-two* of this Ordinance.

(2) The returning officer shall prosecute in the magistrate's court any unsuccessful candidate who has failed to file the said return, and the said candidate shall be liable to a fine of fifty pounds and in default of payment to imprisonment for a period of one month, unless the magistrate is satisfied that his failure to file the said return has arisen from illness or inadvertence or any reasonable cause of a like nature and not from any want of good faith.

Candidate to
prove that he
has not
incurred
illegal
expense.

61. If on petition to the Supreme Court against the return of a candidate it shall be proved that the return required in section *fifty-eight* has not been duly rendered or if there shall be proved any electoral expense on any matter other than the matters allowed by section *fifty-four* or in excess of the rates allowed by section *fifty-five* the election shall be declared void unless the candidate shall satisfy the court that such expense was neither directly nor indirectly incurred by him or by some one as his agent or representative or that he had neither directly nor indirectly sanctioned countenanced nor approved of the same in any way.

Failure to file
return.

62. Notwithstanding anything contained in the last preceding section if any candidate prove to the Supreme Court that his failure to file a return or voucher as required by section *fifty-eight* has

arisen from illness or inadvertence or any reasonable cause of a like nature and not from any want of good faith; or that any error omission or false statement in the return or vouchers filed has similarly arisen the court may permit the filing of the return or vouchers or of a new return or fresh vouchers or the amendment of the return or vouchers filed and may exonerate the candidate from all liability in the matter.

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63. (1) Not later than twelve noon of the day of nomination at an election a person shall be named by or on behalf of each candidate as his agent for such election in this Ordinance referred to as the election agent.

(2) A candidate may name himself as election agent and thereupon shall so far as circumstances admit be subject to the provisions of this Ordinance both as a candidate and an election agent and any reference in this Ordinance to an election agent shall be construed to refer likewise to the candidate acting in his capacity of election agent.

(3) Not later than twelve noon of the day of nomination the full name and address of the election agent of each candidate shall be declared in writing by the candidate or some other person on his behalf to the returning officer and the returning officer shall forthwith give notice of the name and address of every election agent so declared by publication in a newspaper circulating in the municipality and if no such declaration in writing shall be so made as aforesaid the candidate shall be deemed and taken to be his own election agent and may make no other appointment of an election agent for the purposes of this Ordinance.

(4) One election agent only shall be appointed for each candidate or any number of joint candidates but the appointment may be revoked and in the event of such revocation the candidate shall be deemed and taken to be his own election agent unless such revocation takes place on or before the day of nomination or not less than three clear days before the day appointed for the taking of the poll in which case the candidate may forthwith upon such revocation declare in writing to be delivered in no case less than three clear days before the day of polling to the returning officer that he appoints another election agent whose name and address shall forthwith be notified by the returning officer by publication in a newspaper circulating in the municipality.

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(5) The election agent of a candidate shall appoint every polling agent scrutineer clerk and messenger employed for payment on behalf of the candidate at an election and hire every committee room hired on behalf of such candidate.

CHAPTER VIII.

CORRUPT AND ILLEGAL PRACTICES.

Definition of
corrupt
practices.

64. "Corrupt practice" means any of the following offences: treating undue influence bribery and personation and aiding abetting counselling and procuring the commission of any of such offences.

Treating
defined.

65. (1) Every person who corruptly by himself or by any other person either before during or after an election directly or indirectly gives or provides or pays wholly or in part the expense of giving or providing any meat drink entertainment lodging or provision to or for any person for the purpose of corruptly influencing that person or any other person to give or refrain from giving his vote at the election or on account of such person or any other person having voted or refrained from voting or being about to vote or refrain from voting at such election; and

(2) every voter who corruptly accepts or takes any such meat drink entertainment lodging or provision;

shall be deemed guilty of treating.

Undue
influence
defined.

66. (1) Every person who directly or indirectly by himself or by any other person on his behalf makes use of or threatens to make use of any force violence or restraint or inflicts or threatens to inflict by himself or by any other person any temporal or spiritual injury damage harm or loss upon or against or does or threatens to do any detriment to any person in order to induce or compel such person to vote or refrain from voting or on account of such person having voted or refrained from voting at any election; and

(2) every person who by abduction duress or any fraudulent device or contrivance impedes or prevents the free exercise of the franchise by any voter or thereby compels induces or prevails upon any voter either to give or to refrain from giving his vote at any election;

shall be deemed guilty of undue influence.

Bribery
defined.

67. (1) Every person who directly or indirectly himself or by his agent gives lends or agrees to give or lend or offers promises or promises to

procure or to endeavour to procure any money or valuable consideration to or for any voter or to or for any person on behalf of any voter or to or for any other person in order to induce any voter to vote or refrain from voting or corruptly does any such act as aforesaid on account of such voter having voted or refrained from voting at any election ;

(2) every person who directly or indirectly himself or by his agent gives lends or agrees to give or lend or offers promises or promises to procure or to endeavour to procure any money or valuable consideration to or for any voter or to or for any person on behalf of any voter or to or for any other person for acting or joining in any procession before or during any election ;

(3) every person who directly or indirectly himself or by his agent gives or procures or agrees to give or procure or offers promises or promises to procure or to endeavour to procure any office place or employment or any profit advancement or enrichment to or for any voter or to or for any person on behalf of any voter or to or for any other person in order to induce such voter to vote or refrain from voting or corruptly does any such act as aforesaid on account of any voter having voted or refrained from voting at any election ;

(4) every person who directly or indirectly himself or by his agent makes any such gift loan offer promise procurement or agreement as aforesaid to or for any person in order to induce such person to procure or endeavour to procure the return of any person to serve as a councillor or the vote of any voter at any election ;

(5) every person who upon or in consequence of any such gift loan offer promise procurement or agreement procures or engages promises or endeavours to procure the return of any person to serve as a councillor or the vote of any voter at any election ;

(6) every person who advances or pays or causes to be paid any money to or to the use of any other person with the intent that such money or any part thereof shall be expended in bribery at any election or who knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election ; provided always that this enactment shall not extend or be construed to any money paid or agreed to be paid for or on account of any lawful expenses bona fide incurred at or concerning any election ;

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(7) every voter who before or during any election directly or indirectly himself or by his agent receives agrees or contracts for any money gift loan or valuable consideration office place or employment for himself or for any other person for voting or agreeing to vote or for refraining or agreeing to refrain from voting at any election ;

(8) every person who after any election directly or indirectly himself or by his agent receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting at any election ;

(9) every person who either directly or indirectly himself or by his agent corruptly conveys or transfers any property or pays any money to any person for the purpose of enabling him to be qualified as a councillor or registered as a voter thereby to influence his vote at any future election and every candidate or other person who either directly or indirectly pays any money on behalf of any voter for the purpose of inducing him to vote or refrain from voting and every person on whose behalf and with whose privity any such conveyance transfer or payment as in this section is mentioned is made shall be deemed guilty of bribery ; and

(10) every candidate who himself or by his agent convenes or holds any meeting of voters in any house licensed for the sale of liquors under the Liquor Licensing Ordinance 1902 and any amendment thereof shall be deemed guilty of bribery ; provided that nothing in this sub-section shall apply to any part of such premises which is ordinarily let or used for the purpose of chambers or offices shops or other business premises or the holding of public meetings if such part has a separate entrance from and no direct communication with any part of the premises from which any intoxicating liquor or refreshment is sold or supplied.

Personation defined.

68. Every person who at any election applies for a ballot paper in the name of some other person whether that name is that of a person living or dead or of a fictitious person or who having voted once at any such election applies at the same election for a ballot paper in his own name shall be guilty of personation.

Punishment of candidate personally or by his election agent guilty of a corrupt practice.

69. If upon the trial of an election petition under Chapter X hereof the court finds that any corrupt practice has been committed in reference to such election by or with the knowledge and consent of any agent of a candidate at such election the election of such candidate shall if he has been elected

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be null and void; and if such offence has been committed by or with the knowledge and consent of the candidate or his election agent then in addition to such election being declared null and void such candidate shall not be capable for a period of five years of being elected as a councillor for any municipality or of holding any judicial appointment or appointment as justice of the peace.

70. (1) A person who commits any corrupt practice other than personation or aiding abetting counselling or procuring the offence of personation shall on conviction be liable to imprisonment with or without hard labour for a term not exceeding two years or to a fine not exceeding five hundred pounds.

Punishment
of a person
guilty of
corrupt
practices.

(2) A person who commits the offence of personation or of aiding abetting counselling or procuring the commission of that offence shall on conviction be liable to imprisonment with or without hard labour for a period not exceeding two years.

(3) A person who is convicted of any corrupt practice shall in addition to any punishment hereinbefore provided be incapable during the period of five years from the date of his conviction of being enrolled as a voter or elected as a councillor for any municipality or of holding any judicial appointment or appointment as justice of the peace and if elected a councillor his seat shall be vacated from the time of such conviction.

ILLEGAL PRACTICES.

71. (1) If any person votes or induces or procures any person to vote at any election knowing that he or such person is prohibited by this or any other Ordinance from voting or is not qualified or has ceased to be qualified to vote at such election he shall be guilty of an illegal practice.

Voting by
prohibited
persons and
publishing of
false
statements of
withdrawal
to be illegal.

(2) Any person who before or during an election knowingly publishes a false statement of the withdrawal of a candidate at such election for the purpose of promoting or procuring the election of another candidate shall be guilty of an illegal practice.

72. Every person who at any time after the publication of the notice referred to in section *thirty* of this Ordinance and before the close of the poll referred to in section *thirty-one* publishes or exposes or causes to be published or exposed to public view any document or writing or printed matter containing any untrue statement defamatory of any candidate and calculated to influence the vote of any voter shall be guilty of an illegal practice.

Illegal
practice.

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Use of
committee
room in house
for sale of
intoxicating
liquor or
refreshment
to be illegal
hiring.

80. It shall not be lawful to use :

(a) any premises on which the sale by retail of any intoxicating liquor is authorized by a licence ;

(b) any premises where any intoxicating liquor is sold or is supplied to members of a club society or association ;

or any part of any such premises as a committee room for the purpose of promoting or procuring the election of a candidate at an election.

Every person who --

hires or uses any such premises or any part thereof for a committee room ; or
lets such premises or part knowing that it was intended to use the same as a committee room ;

shall be guilty of illegal hiring.

Provided that nothing in this section shall apply to any part of such premises which is ordinarily let or used for the purpose of chambers offices or shops or other business premises or the holding of public meetings if such part has a separate entrance from and no communication with any part of the premises from which any intoxicating liquor or refreshment is sold or supplied as aforesaid.

Punishment
of illegal
payment or
hiring.

81. Without prejudice to the provisions hereinbefore contained as to the offence of bribery :

(1) a person guilty of the offence of illegal payment or hiring shall on summary conviction be liable to a fine not exceeding fifty pounds ; and in default of payment to imprisonment with or without hard labour for a period not exceeding three months ;

(2) a candidate or an agent of a candidate who is personally guilty of an offence of illegal payment or hiring shall be guilty of an illegal practice.

Actions for
liquor or
refreshment
supplied at
elections not
to be
maintainable.

82. No action or suit shall be maintainable by any licensed publican or any owner or keeper of any shop booth tent or other place of entertainment against any candidate or any agent of any such candidate for any liquor food or refreshment of any kind whether for man or beast supplied upon the credit of any such candidate or agent during the progress of any election under this Ordinance.

EXCUSES AND EXCEPTIONS FOR CORRUPT OR
ILLEGAL PRACTICES OR ILLEGAL PAYMENT
AND HIRING.

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83. When upon the trial of an election petition the court finds that a candidate at such election has been guilty by his agents of the offences of treating and undue influence and illegal practice or of any of such offences in reference to such election and further that the candidate has proved :

Report exonerating candidate in certain cases of corrupt and illegal practice by agents.

(a) that no corrupt or illegal practice was committed at such election by the candidate himself and the offences mentioned in the said finding were committed contrary to his orders and without his sanction or connivance ;

(b) that such candidate took all reasonable means for preventing the commission of corrupt and illegal practices at such election ;

(c) that the offences mentioned in the finding were of a trivial unimportant and limited character ; and

(d) that in all other respects the election was free from any corrupt or illegal practice on the part of the candidate ;

then the election of such candidate shall not by reason of the offences mentioned in the report be void nor shall the candidate be subject to any incapacity under this Ordinance.

84. When it appears to the court that any act or omission of a candidate at any election, or of his agent, or of any other person, which would, by reason of being a payment, engagement or contract in contravention of this Ordinance, or of otherwise being in contravention of any of the provisions of this Ordinance, be, but for this section, an illegal practice, payment or hiring, arose from inadvertence or from accidental miscalculation or from some other reasonable cause of a like nature, and in any case did not arise from any want of good faith and under the circumstances it seems to the court to be just that the candidate and the agent and other person or any of them should not be subject to any of the consequences under this Ordinance of such act or omission the court may make an order allowing such act or omission to be an exception from the provisions of this Ordinance which would otherwise make the same an illegal practice payment or hiring and thereupon such candidate agent or person shall not be subject to any of the consequences under this Ordinance of the said act or omission.

Power of court to except innocent act from being illegal practice, etc.

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DISQUALIFICATION OF ELECTORS.

Prohibition
of persons
guilty of
corrupt or
illegal
practices, etc.,
from voting.

85. Every person guilty of a corrupt or illegal practice or of illegal payment or hiring at an election is prohibited from voting at such election and if any such person votes his vote shall be void.

Prohibition
of disqualified
persons from
voting.

86. Every person who in consequence of conviction or of the report of the court has become under this Ordinance or any other law for the time being in force relating to corrupt or illegal practices incapable of voting at any election is prohibited from voting at such election and his vote shall be void if any such person vote.

LIMITATION OF TIME FOR PROSECUTIONS.

Limitation
of time for
prosecution
of offence.

87. (1) A proceeding against a person in respect of the offence of a corrupt or illegal practice or any other offence against this chapter shall be commenced within six months after the offence was committed or if it was committed in reference to an election with respect to which a petition is tried by the court shall be commenced within six months after the offence was committed or within three months after the report of the court hearing an election petition is made whichever period last expires so that it be commenced within two years after the offence was committed.

(2) For the purpose of this section the issue of a summons warrant writ or other process shall where the service or execution of the same on or against the alleged offender is prevented by the absconding or concealment or act of the alleged offender be deemed to be the commencement of a proceeding but save as aforesaid the service or execution of the same on or against the alleged offender and not the issue thereof shall be deemed to be the commencement of the proceeding.

Persons
charged with
corrupt
practice may
be found
guilty of
illegal
practice, etc.

88. Any person charged with a corrupt practice may if the circumstances warrant such finding be found guilty of an illegal practice and any person charged with an illegal practice may be found guilty of that offence notwithstanding that the act constituting the offence amounted to a corrupt practice and a person charged with illegal payment or hiring may be found guilty of that offence notwithstanding that the act constituting the offence amounted to a corrupt or illegal practice.

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OTHER OFFENCES.

89. Every person who shall be ordered by the presiding officer to leave the polling station under the provisions of section *thirty-nine* and shall refuse to do so shall be guilty of an offence and liable to a fine not exceeding ten pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding one month.

Persons ordered by presiding officer to leave polling station.

90. Every person who interrupts obstructs or disturbs the proceedings at an election shall be guilty of an offence and liable to the penalties in the last preceding section mentioned.

Obstructing elections.

91. (1) Every returning officer who after having accepted office as such wilfully neglects or refuses to perform any of the duties which by the provisions of this Ordinance he is required to perform shall for every such offence be liable to a penalty not exceeding two hundred pounds.

Penalty for neglect by returning officer, etc.

(2) Every justice of the peace presiding officer or other officer or person who wilfully neglects or refuses to perform any of the duties which by the provisions of this Ordinance he is required to perform shall for every such offence be liable to a penalty not exceeding fifty pounds.

92. Every presiding officer or other person who places or is privy to placing in a ballot box a ballot paper which has not been lawfully handed to and marked by a voter or forges or counterfeits or fraudulently defaces or destroys any ballot paper or the official mark thereon shall be guilty of an offence and shall be liable on conviction to be imprisoned for any period not exceeding two years with or without hard labour. Proof that a greater number of ballot papers is found in a ballot box or is returned by a presiding officer as having been received at a polling place than the number of voters who voted at such polling place shall be prima facie evidence that the presiding officer at such polling place was guilty of an offence against this section.

Tampering with ballot papers and ballot boxes.

93. Every person shall be liable to a penalty not exceeding one hundred pounds or to be imprisoned for any period not exceeding twelve months with or without hard labour who :

Wilfully making or procuring a false claim.

(1) wilfully or knowingly makes delivers or sends to any officer appointed to revise the roll of

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voters any claim which is false in any material particular ; or

(2) wilfully causes or procures or is in any wise concerned in the making delivering or sending of any such claim.

Penalty for unfastening fold of ballot paper.

94. (1) Every returning officer presiding officer polling clerk scrutineer or other person who knowingly and wilfully unfastens the fold upon a ballot paper within which the number of a voter is written unless he is by the lawful command of some competent court or other tribunal required so to do ; and

(2) every returning officer presiding officer polling clerk or scrutineer who attempts to ascertain or discover or directly or indirectly aids in ascertaining or discovering the person for whom any vote is given except in the case of a person voting openly or who having in the exercise of his office obtained knowledge of the person for whom any voter has voted discloses such knowledge unless in answer to some question put in the course of proceedings before some competent court or other tribunal ; and

(3) every returning officer presiding officer polling clerk or scrutineer who places upon any ballot paper any mark or writing not authorized by this Ordinance :

shall be guilty of an offence and on conviction thereof shall be liable to imprisonment for any period not exceeding twelve months with or without hard labour.

Penalty for breaking seal of or opening parcel.

95. Except as authorized by this Ordinance every person who knowingly and wilfully breaks the seal of or opens any such sealed parcel as is hereinbefore mentioned unless he is by the lawful command of some competent court or other tribunal required so to do or to produce some portion of the contents of such parcel shall be deemed guilty of an offence and on conviction shall be liable to imprisonment for any period not exceeding twelve months with or without hard labour.

CHAPTER X.

HEARING OF ELECTION PETITIONS.

Election petitions may be presented to Supreme Court.

96. A petition complaining of an undue election of a councillor for any ward of a municipality by reason of want of qualification disqualification corrupt or illegal practice irregularity or otherwise may be presented to the Supreme Court by :

(1) an enrolled voter in such municipality ;

- (2) some person claiming to have had a right to be elected at such election; or
 (3) some person alleging himself to have been a candidate at such election.

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Such petition is hereinafter referred to as an election petition.

97. With respect to the presentation of an election petition under this Ordinance the following provisions shall apply : Provisions as to such petitions.

(1) the petition shall be signed by the petitioner or all the petitioners if more than one :

(2) the petition shall be presented within sixty days after the result of the election has been declared by the returning officer ;

(3) presentation of a petition shall be made by filing it with the Registrar of the Supreme Court ;

(4) at the time of the presentation of the petition or within seven days afterwards security for the payment of all costs charges and expenses that may become payable by the petitioner :

(a) to any person summoned as a witness on his behalf ; or

(b) to the member whose election or qualification is complained of (who is hereinafter referred to as the respondent) ;

shall be given by or on behalf of the petitioner ;

(5) the security shall be to the amount of three hundred pounds ; it shall be given either by recognizance to be entered into by any number of sureties not exceeding four or by a deposit of money with the Registrar of the Supreme Court or partly in one way and partly in the other.

98. Notice in writing of the presentation of a petition under this Ordinance and of the nature of the proposed security accompanied by a copy of the petition shall within ten days after the presentation of the petition be served by the petitioner on the respondent either personally or by leaving the same at his usual or last known dwelling-house or place of business and it will be lawful for the respondent where the security is given wholly or partially by recognizance by notice in writing to be served upon the petitioner in manner aforesaid within twenty-one days Service of petition on respondent.

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from the date of the service on him of such notice to object to such recognizance on the ground that the sureties or any of them are insufficient or that a surety is dead or that he cannot be found or that a person named in the recognizance has not duly acknowledged the same.

How objections to security to be dealt with;

99. Any objection made to security given shall be heard and decided by the Supreme Court of this Province or by a judge thereof. If any objection to the security is allowed it shall be lawful for the petitioner within a further time to be fixed by the court or judge not exceeding ten days to remove such objection by a deposit of such sum of money as may be deemed proper by the said court or judge to make the security sufficient.

If on objection made the security is decided to be insufficient and such objection is not removed in manner hereinbefore mentioned no further proceedings shall be had on the petition; otherwise on the expiration of the time limited for making objections or on the sufficiency of the security being established after objection made the petition shall be deemed to be at issue.

Registrar of court to make list of petitions.

100. The Registrar of the Supreme Court shall as soon as may be make out a list of petitions under this Ordinance presented to the court and which are at issue placing them in the order in which they were presented and shall keep at his office a copy of such list hereinafter referred to as the election list open to the inspection of any person making application for inspection thereof. Such petitions shall be tried in the order in which they stand in such list unless the court shall otherwise order.

TRIAL OF A PETITION.

Provisions for the trial of election petitions.

101. With respect to the trial of election petitions under this Ordinance the following provisions shall apply :

(1) every election petition shall be tried with open doors ;

(2) the trial of election petitions may take place in any civil term upon any day prescribed by any rule or order of court ; provided that the court to which it has been presented may upon the application of any of the petitioners or respondents fix any day in or out of term for such trial ;

(3) notice of the time and place at which an election petition will be tried shall be given by the Registrar of the Supreme Court

to the parties concerned not less than fourteen days before the day on which the trial is to be held ;

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(4) the court may adjourn the trial from time to time and from place to place ;

(5) where on the trial of an election petition praying the court to determine that some other person than the respondent is entitled to be declared duly elected in place of the respondent it is proved that any person who voted for the respondent was bribed or treated or subjected to undue influence by any one on behalf of the respondent or that such person was guilty of personation or of an illegal practice payment or hiring every vote given for the respondent by such person shall be deducted from the total number of votes given for the respondent at the election ;

(6) at the conclusion of the trial of any election petition the court shall determine whether the respondent was duly elected or whether any and if so what person other than the respondent was or is entitled to be declared duly elected ; if the court shall determine that the respondent was duly elected such election shall be and remain as valid as if no petition had been presented against the same. If the court shall determine that the respondent was not duly elected but that some other person was or is entitled to be declared duly elected the respondent shall forthwith be deemed to have vacated his seat and the court shall forthwith certify such determination to the Administrator who shall thereupon by proclamation in the *Provincial Gazette* declare such other person duly elected. If the court shall determine that the respondent was not duly elected and that no other person was or is entitled to be declared duly elected the seat of the respondent shall forthwith be deemed to be vacant and the court shall forthwith certify such determination to the Administrator who shall thereupon command that a new election shall take place for the purpose of filling up such vacancy and like proceedings shall take place in regard to such new election as are provided in regard to annual elections under this Ordinance.

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When seat
claimed for
another
person than
the
respondent.

102. On the trial of a petition under this Ordinance complaining of an undue election or return and claiming the seat for some person the respondent may give evidence to prove that the election of such person was undue in the same manner as if he had presented a petition complaining of such election.

PROCEEDINGS.

Form of
petition.

103. An election petition under this Ordinance shall be in such form and state such matters as may be prescribed by rule of court.

Conditions
when two or
more joint
candidates
are
respondents.

104. Two or more joint candidates may be made respondents to the same petition and such petition shall be filed as one petition and be tried at the same time but for all the purposes of this Ordinance such petition shall be deemed to be a separate petition against each respondent.

Petitions
relating to
same election
to be heard
together.

105. When under this Ordinance more petitions than one are presented relating to the same election or return all such petitions shall in the list of petitions be bracketed together and shall be dealt with as one petition but such petition shall stand in the election list in the place where the last of such petitions would have stood if it had been the only petition presented unless the court or a judge thereof shall otherwise direct.

WITNESSES.

Summoning
witnesses.

106. Witnesses shall be summoned and sworn in the same manner as in a trial before the Supreme Court and shall be subject to the same penalties for perjury.

Witness not
summoned
may be
examined.

107. On the trial of an election petition under this Ordinance the court may examine any witness or any person in court although such witness or person is not called or examined by any party to the petition. After the examination of a witness as aforesaid by the court such witness may be cross-examined by or on behalf of the petitioner and respondent or either of them.

Witness not
entitled to
refuse to
answer
because he
may criminate
himself but
protected
from
consequences
of such
answer.

108. No person who is called as a witness at the trial of any election petition shall be excused from answering any question relating to any corrupt or illegal practice at or connected with any election then forming the subject of inquiry on the ground that the answer thereto may criminate or tend to criminate himself; provided that where any witness shall answer every question relating to any matters aforesaid which he shall be required by the court to

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answer and the answer to which may criminate or tend to criminate him he shall be entitled to receive from the court under the hand of the registrar a certificate stating that such witness was upon his examination required by the said court to answer questions or a question relating to the matters aforesaid the answers or answer to which criminated or tended to criminate him and had answered all such questions or question; and if any indictment or action be at any time thereafter pending in any court against such witness for any offence under this Ordinance committed by him previous to the time of his giving his evidence and at or in relation to which the witness may have been so examined the court shall on production and proof of such certificate stay the proceedings in such indictment or action; provided that no statement made by any person in answer to any question put to him by or before such court shall except in cases of indictment for perjury be admissible in evidence against him in any proceedings civil or criminal.

109. The reasonable expenses incurred by any person appearing to give evidence at the trial of an election petition under this Ordinance according to the scale usually allowed to witnesses on the trial of civil actions in the Supreme Court in this Province may be allowed to such person and such expenses shall be deemed to be costs of the petition.

Witnesses
expenses.

WITHDRAWAL AND ABATEMENT OF ELECTION PETITIONS.

110. An election petition under this Ordinance shall not be withdrawn without the leave of the court and after such notice has been given as such court may direct.

Petition not
to be
withdrawn
without
leave.

111. On the hearing of the application for withdrawal any person who might have been a petitioner in respect of such election to which the petition relates may apply to the court to be substituted as a petitioner for the petitioner so desirous of withdrawing the petition.

Substitution
of petitioner
may be
asked for.

112. The court may if it think fit substitute as a petitioner any such applicant as aforesaid and may further if the proposed withdrawal is in the opinion of the court induced by any corrupt bargain or consideration by order direct that the security given on behalf of the original petitioner shall remain as security for any costs that may be incurred by the substituted petitioner

Court may
order
substitution.

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- When fresh security required.
113. If no such order is made with respect to the security given on behalf of the original petitioner security to the same amount as would be required in the case of a new petition and subject to the like conditions shall be given on behalf of the substituted petitioner before he proceeds with his petition and within fourteen days after the order of substitution.
- Substituted petitioners.
114. Subject as aforesaid a substituted petitioner shall stand in the same position as nearly as may be and be subject to the same liabilities as the original petitioner.
- Costs of withdrawn petitions.
115. If a petition is withdrawn the petitioner shall be liable to pay the costs of the respondent
- Consent of co-petitioners required for withdrawal.
116. When there are more petitioners than one no application to withdraw a petition shall be made without the consent of all the petitioners.
- Abatement by death.
117. An election petition under this Ordinance shall be abated by the death of the sole petitioner or petitioners but such abatement shall not affect the liability of the petitioner or petitioners to the payment of costs previously incurred.
- Consequence of abatement.
118. On the abatement of a petition any person who might have been a petitioner in respect of the election to which the petition relates may within twenty-one days after such abatement apply to the Supreme Court or any judge thereof to be substituted as a petitioner and such court or judge may thereupon if it or he thinks fit substitute as a petitioner any such applicant who is desirous of being substituted and on whose behalf security to the same amount is given as is required in the case of a new petition.
- Respondent who has given notice that he will not oppose cannot appear.
119. A respondent who has given notice that he does not intend to oppose the petition shall not be allowed to appear or to act as a party against such petition in any proceedings thereon and shall not sit or vote in the council to which he had been elected pending the result of the trial of the petition and the court shall in all cases in which such notice has been given report the same to the mayor.
- Costs.
- Court to decide as to costs.
120. All costs charges and expenses of and incidental to the presentation of a petition under this Ordinance and to the proceedings consequent

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thereon shall be defrayed by the parties to the petition in such manner and in such proportions as the court before which the same is tried or to be tried may determine regard being had to the disallowance of any costs charges or expenses which may in the opinion of the court have been caused by vexatious conduct unfounded allegations or unfounded objections on the part either of the petitioner or the respondent and regard being had to the discouragement of any needless expense by throwing the burden of defraying the same on the parties by whom it has been caused whether such parties are or are not on the whole successful.

121. The costs may be taxed and recovered in the same manner as the costs of an ordinary action at law in the Supreme Court in this Province. Taxation of costs.

122. If any petitioner in an election petition presented under this Ordinance shall neglect or refuse for the space of one month after demand to pay to any person summoned as a witness on his behalf or to the respondent any sum certified to be due to him for his costs charges or expenses and if such neglect or refusal be proved to the satisfaction of the court to which such petition was presented every person who has entered into a recognizance relating to such petition under the provisions of this Ordinance shall be held to have made default in his said recognizance and the registrar of the said court shall thereupon certify such recognizance to be forfeited and execution may thereupon by leave of the said court be sued out thereon at the suit of any such witness or respondent from time to time as occasion may require. Neglect to pay witnesses.

CHAPTER XI.

VOTERS' LIST AND ELECTIONS OF VILLAGE COUNCILS.

123. (1) Within one month after the date of a proclamation under the Local Government Ordinance establishing a village council the magistrate or some other person appointed by the Administrator shall frame a list of all persons who are qualified in accordance with section *eight* of this Ordinance to vote at the election of a village council and who are not disqualified under section *ten* or section *eleven*. Framing of voters' list.

The said first voters' list may be amended by the magistrate or other person appointed and such list shall be open for inspection at the office of the magistrate or other person for fourteen days before

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the day of the election of members of the council, provided that no amendment of the said list shall be made within a period of seven days before the day of the election.

(2) The cost of framing such list shall be at the charge of the council.

(3) Notwithstanding the repeal of section *one hundred and twenty-one* of the Local Government Ordinance the voters' list framed thereunder shall be and remain the voters' list until a new list is drawn up hereunder.

(4) Every voters' list subsequent to the lists referred to in sub-sections (1) and (3) hereof shall be drawn up by the council before the fifteenth day of August in each and every year.

(5) The council shall immediately after drawing up the said list by notice posted outside the office of the council notify that a copy of the said list is open for inspection at the said office, and a copy of such list shall be open to inspection at the said office, during office hours, for a period of fourteen days. The said notice shall also intimate that on a certain date, being not less than seven days after the expiration of the said fourteen days, and at an hour and place to be therein set forth, claims to be inserted on, or objections to the said list will be heard and determined.

(6) The chairman and two other members of the council shall, on the day notified, in open session hear all such claims and objections and determine thereon, and may adjourn from time to time as may be necessary.

(7) The revised list certified by the chairman shall be and remain the voters' list in force and shall not be added to or altered until a new list is drawn up hereunder.

Fixing the
number of
members.

124. The Administrator may fix and from time to time increase or decrease the number of councillors of any village council and every such increase or decrease shall be notified by proclamation in the *Provincial Gazette*, provided that the number of councillors for any village council shall not be less than three nor more than twelve, and further shall be a number which is a multiple of three.

Present
councillors.

125. Every councillor holding office at the commencement of this Ordinance may continue to hold office until the expiration of the period for which he was elected.

126. (1) Elections of village councils shall be held during the month of October in each year in the manner hereinafter provided.

Date of annual election of village councils and notice of meeting of election.

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(2) The magistrate or such other person as may be appointed by the Administrator (hereinafter referred to as the presiding officer) shall, subject to the provisions of sub-section (1), fix the day for holding the election, and not less than fourteen days before the day so fixed, he shall publish a notice in a newspaper circulating within the municipality, and cause such notice to be affixed at a place approved by the presiding officer and at such other conspicuous places within the municipality as the presiding officer may deem convenient.

(3) Such notice shall summon a public meeting of the persons enrolled upon the voters' list of the municipality to nominate and elect councillors.

(4) Every such notice shall specify the hour and place within the municipality at which the meeting will be held and the meeting shall be held at the hour and place so specified. The said notice shall also specify the duration of the said meeting.

127. At the time and place specified in the notice the presiding officer shall attend and shall preside at the meeting held.

Presiding officer to preside.

128. Any person enrolled upon the voters' list of the municipality and present at such meeting may propose for election as a village councillor any person qualified to be elected, and every such proposal shall, before it is submitted to the meeting, be seconded by some other person enrolled upon the voters' list of the municipality and present at such meeting. The person so proposed and seconded shall be deemed to be duly nominated as soon as he shall personally at the meeting or in writing by letter or telegram have signified his acceptance of nomination. If the number of persons duly nominated be no more than the number of councillors to be elected, the presiding officer shall then and there declare the persons so nominated to be elected, but if the number of persons duly nominated be more than the number of councillors to be elected, the presiding officer shall at a time and place and on a date to be then and there fixed by him, such date being not later than fourteen days from the date of the said meeting, then and there proceed to take a poll of the enrolled voters in manner provided in the next succeeding section.

Nomination of candidates for election.

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of 1927. holding
election.

129. (1) The presiding officer shall read out to the meeting the names of the persons duly nominated. Each voter present at the meeting shall in turn come to the desk where the presiding officer is sitting, and on satisfying the presiding officer that his name is on the voters' list for the municipality and that he has not already voted at the election then being held, shall record on a slip of paper duly perforated or officially marked by the presiding officer and handed to the voter by him the names of the persons nominated for whom he wishes to vote not exceeding the number of persons to be elected. The voter shall then deposit the slip of paper in a box provided for the purpose. The meeting shall be closed at the expiry of six hours from the hour specified as the time of meeting, unless there shall be any enrolled voter present who shall not have recorded his vote; in which case the presiding officer shall have power to prolong the meeting until every such voter shall have recorded his vote; provided that where the aggregate number of voters on any voters' list is less than two hundred and fifty the number of hours allowed for the duration of the meeting as aforesaid may in the discretion of the presiding officer be reduced to not less than four hours if due notification of such reduction was given in the notice referred to in section *one hundred and twenty-six* hereof.

(2) The presiding officer shall then open the box and proceed to count the votes so recorded and shall declare the persons who have received the greatest number of votes to be duly elected in the order of the number of votes recorded for them. In the event of the number of votes recorded for any two or more candidates being found to be equal and in the event of the equality affecting the result of the election, the presiding officer shall by lot determine which shall be declared duly elected. The presiding officer shall then enclose the voting papers in a sealed packet and retain possession thereof, and shall after a period of three months destroy its contents. The presiding officer shall not at any time disclose the manner in which any voter has recorded his vote.

(3) All expenditure necessarily incurred by the presiding officer in connexion with the nominations for and the holding of any election shall be borne by the council.

Provisions
in case of
election
irregularly
held.

130. (1) Any voter may lodge an objection against the election of any one or more persons whom the presiding officer has declared duly elected under the last two preceding sections. Such objection

shall be lodged with the presiding officer within seven days after the declaration of election, and shall state in writing the grounds of the objection, and the presiding officer on receiving such objection shall thereupon make such inquiries as he may think fit and shall in his discretion allow or disallow such objection.

(2) If any election shall be set aside by the presiding officer in consequence of his allowing any such objection, or if by reason of any failure or neglect or any other cause whatever any meeting for the election of councillors shall not be held, then and in every case the presiding officer shall, as soon as possible after any such event or failure shall have been notified to him call meetings of electors for the purposes of nominating and electing a councillor or councillors as in manner hereinbefore provided.

131. In the event of a vacancy occurring as a result of any of the circumstances specified in section *seven* the chairman of the council shall notify any such vacancy to the magistrate, who shall, except in the circumstances mentioned in the first proviso to this section, forthwith summon a meeting of enrolled voters for the municipality for the purpose of filling up such vacancy in the manner hereinbefore provided; provided that if any such vacancy shall occur within three months prior to the first day of November in the year in which the councillors go out of office such vacancy shall not be filled but shall continue until the next general election is held; provided further that if there shall be more than three vacancies they shall be filled up at a special election held for the purpose and conducted in manner in this Ordinance provided.

Casual
vacancies.

132. If from any cause there shall not be elected the requisite number of councillors at any election held under this chapter the Administrator may appoint any person or persons to be a councillor or councillors in order to make up the number required for the council and may prescribe the period during which persons so appointed shall hold office as councillors.

Provisions
in case of
failure to
elect
members.

133. The first election under this Ordinance of village councils constituted under sub-section (2) of section *one hundred and sixteen* of the Local Government Ordinance shall take place on or between such days as may be fixed by the Administrator by proclamation in the *Provincial Gazette*, and on the issue of such proclamation, the presiding officer shall fix a day in accordance with the terms of such

First
election.

**Ord. No. 4
of 1927.**

Periods of
office of
councillors
elected at
first election.

proclamation for holding the election, and shall issue such notice as is prescribed by section *one hundred and twenty-six*.

134. At any such first election one-third of the councillors elected, being those who stand highest on the poll, shall continue in office for a period of three years, and the one-third of the councillors elected who stand next highest on the poll, shall continue in office for a period of two years, and the remaining third of the councillors elected shall continue in office for a period of one year; provided that in any case in which the councillors who have received an equal number of votes and cannot on that account be placed in the first, second or third divisions of councillors aforesaid, or if there be no poll, it shall be determined by lot which councillors shall continue in office respectively for three or two years or one year. The presiding officer in declaring the result of the election shall further declare the respective periods for which the councillors are elected.

Adminis-
trator may
fix periods
of office.

135. In the case of such first election the Administrator may, notwithstanding anything in the preceding section contained, prescribe the periods for which each division of councillors elected at such first election shall continue in office.

Annual
election of
councillors.

136. After any such first election of councillors and in the case of every village council there shall be an annual election of councillors which shall take place in the month of October of each and every year for the purpose of electing councillors to replace an equal number of councillors retiring from office on account of the expiry of their period of office and also for the purpose of filling up such casual vacancies as may be required to be filled up under the provisions of section *one hundred and thirty-one*; provided that in the case of village councils constituted under sub-section (2) of section *one hundred and sixteen* of the Local Government Ordinance the Administrator may, by proclamation in the *Provincial Gazette*, declare that the election of councillors subsequent to the first election shall not take place until the month of October of the year subsequent to the year in which such first election is held.

Duration of
councillors'
term of
office.

137. (1) The councillors elected at every annual election to fill the vacancies caused by councillors retiring owing to the expiry of their period of office shall hold office for a period of three years, and a councillor elected to fill a casual vacancy requiring to be filled up under section *one hundred and thirty-one*, whether or not such election shall take place

at the annual election, shall hold office for the remainder of the period for which the councillor who has vacated office and whom he succeeds would have otherwise continued in office.

Ord. No. 4
of 1927.

(2) In any annual election at which councillors are to be elected to fill casual vacancies, the vacancies caused by the retirement of councillors due to the expiry of their periods of office shall be deemed to be filled by the candidates who receive the largest number of votes at the election. The other elected candidates shall be deemed to fill casual vacancies in the order and according to the number of votes recorded for each, so that the candidate, who has of such other elected candidates received the greatest number of votes shall be deemed to succeed the councillor, who if he had not vacated office would have continued longest in office. In case the matter cannot be determined as aforesaid owing to the equality in the votes recorded for two or more candidates or owing to there being no poll, it shall be determined by lot by the presiding officer.

CHAPTER XII.

MISCELLANEOUS.

133. Notwithstanding the repeal of the Municipal Elections Ordinance 1912 and amendments thereof and of sections *one hundred and nineteen to one hundred and thirty-five* (inclusive) of the Local Government Ordinance all acts done, proclamations issued, or proceedings taken respectively under those Ordinances before the commencement of this Ordinance shall be deemed to have been done issued or taken under the provisions of this Ordinance.

Validation of proclamations issued, proceedings taken, etc., under laws repealed.

139. If through any error accident or omission anything required by law to be done in the preparation of any voters' roll or in the conduct of any election is omitted to be done or is not done in the manner or within the time fixed by law the Administrator may order all such steps to be taken as may be necessary to rectify any such error accident or omission or may validate anything which may have been irregularly done in matter or form so that the intent and purpose of this Ordinance may have effect.

Validation of irregularities in connexion with elections.

140. This Ordinance may be cited for all purposes as the Municipal Elections Ordinance 1927 and shall come into operation on the first day of January 1928.

Title and date of coming into operation.

Ord. No. 4
of 1927.

First Schedule.

Section One.

REPEAL OF LAWS.

The Municipal Elections Ordinance (No. 8) of 1912 ;
The Municipal Elections Amendment Ordinance (No. 2) of 1914 ;
The Municipal Elections Further Amendment (No. 2) Ordinance (No. 10) of 1914 ;
The Municipal Elections Amendment Ordinance (No. 4) of 1918 ;
The Municipal Elections (Annual Elections, 1917) Amendment Ordinance (No. 9) of 1917 ;
The Municipal Elections Amendment Ordinance (No. 13) of 1925 ;
Sections *one hundred and nineteen to one hundred and thirty-five* (inclusive) of the Local Government Ordinance.

Second Schedule.

Section fifteen (5) (a).

I.....of.....hereby declare as follows :—

(1) That I am the person whose name appears in the Voters' Roll for Polling District No.....of the Ward.....of the.....Municipality under No.....

(2) That I have not voted at this election at any other polling station.
As witness my signature.....

Before me,

Place..... Presiding Officer.
Date.....

Third Schedule.

Section nineteen.

To the Town Clerk,

Municipality of.....

I hereby apply to have my name placed on the voters' roll of the Municipality of.....under the provisions of section *nineteen* of the Municipal Elections Ordinance, 1927.

(1) My full name is.....
(State whether Mr., Mrs., or Miss.)

(2) I am a white person and a British subject of full age.

(3) I reside at present at.....

(4) My occupation is that of a.....

* (5) I have resided within this Municipality for a period of six months immediately prior to this date.

* (6) I am the owner of rateable property within the Municipality.

* (7) I am not registered as a voter in this or in any other Municipality.

* (8) I am registered at present as a voter in the Municipality of.....

Witness.....

.....
Signature of Applicant.
Address.....
Date.....

* Delete whichever is inapplicable.

Fourth Schedule.

Ord. No. 4
of 1927.

Section forty one.

FORM OF FRONT OF BALLOT PAPER.

Counterfoil No..... NOTE.—The counterfoil is to have a number to correspond with that on the back of the ballot paper.	1.	BROWN. (John Brown, of.....Street, *.....Merchant)	
	2.	JONES. (Henry Jones, of.....Street, *.....Attorney.)	
	3.	ROBINSON. (George Robinson, of.....Street, *.....Grocer.)	
	4.	SMITH. (Frederick Smith, of.....Street, *.....Broker.)	

FORM OF BACK OF BALLOT PAPER.

No.....

Election for Town Council of*.....

NOTE.—The number on the back of the ballot paper is to correspond with that in the counterfoil

* Here insert name of town.

Fifth Schedule.

Section fifty-eight.

FORM OF RETURN OF ELECTORAL EXPENSES.

I, A.B., candidate at the election for the Council of the Municipality ofon the.....day of.....make the following return respecting my electoral expenses at the election :—

Receipts. £ s. d.

Received of J. K.....

(Here set out the name and description of every person, club, society, or association from whom any money was received in respect of expenses.)

Expenditure.

Paid G.H., my election agent.....

Paid to I.J., clerk, for.....days' services.....

Paid to K.L., scrutineer, at.....

Paid to I.J., clerk, for.....days' services.....

(The names and descriptions of the agent and every clerk and scrutineer and the sum paid to each must be set out separately.)

Ord. No. 4
of 1927.

Paid to the following persons in respect of goods supplied or work and labour done :
(The name and description and the nature of the goods supplied or the work and labour done by each must be set out separately.)

Paid hire of rooms for holding public meetings.....
Paid hire of rooms for holding committee meetings..
Paid for miscellaneous matters... ..

(The name and description of each person to whom any sum is paid, and the reason for which it was paid to him, must be set out separately.)

In addition to the above, I am aware of the following disputed and unpaid claims, viz. :—

By T.U., for.....
(Here set out the name and description of each person whose claim is disputed, and the amount of the claim and the goods work or other matter on the ground of which the claim is based.)

£ s. d.

Except as appears from the above, I have not and to the best of my knowledge and belief, no person has made on my behalf any payment, or given, promised, or offered any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election.

I have paid the sum of.....pounds altogether and no more for the purpose of the election and except as specified above no money security or equivalent for money has to my knowledge or belief been paid, advanced, given, or deposited by any one to any other person for the purpose of defraying any expenses incurred on my behalf on account of or in respect of the conduct or management of the said election.

I do solemnly swear (or affirm) that to the best of my knowledge and belief the above is a full and true return of my expenses as candidate at the said election.

.....
(Signature of Candidate, C.D.)

Signed and sworn (or affirmed) this.....day of.....
before me.....

.....
(E.F., Justice of the Peace.
(Commissioner of Oaths.)

AN ORDINANCE

Ord. No. 5
of 1927.

**To apply a further sum not exceeding £300,000 on Account
for the Service of the Province of Transvaal during
the Year ending on the 31st day of March, 1928.**

(Assented to 13th June, 1927.)

(Date of operation, 29th June, 1927.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal
as follows :—

1. On and after the first day of April 1927 there may be issued out of the Provincial Revenue Fund such sums of money not exceeding in the aggregate the sum of three hundred thousand pounds as may from time to time be required for the service of the Province in respect of the year ending on the 31st day of March, 1928, until such time as provision is made therefor by the Council in an Appropriation Ordinance.

£300,000
may be issued
out of the
Provincial
Revenue
Fund.

2. All sums issued under the provisions of this Ordinance shall be deemed to be advances on account of grants to be made in an Appropriation Ordinance for the year ending the thirty-first day of March, 1928, and immediately on the commencement of such Appropriation Ordinance, this Ordinance shall cease to have effect and issues already made hereunder shall be deemed to be issues under that Appropriation Ordinance, and shall be accounted for in accordance with the provisions thereof; provided that no services upon which expenditure has not been incurred during the financial year ending the thirty-first day of March, 1927, or for which there is no statutory authority shall be deemed to be authorized under this Ordinance.

Issues under
this
Ordinance
to be deemed
advances in
anticipation.

3. This Ordinance may be cited for all purposes as the Second Appropriation (Part 1927-1928) Ordinance 1927.

Short title.

Ord. No. 6
of 1927.

AN ORDINANCE

To Amend the Transvaal Hospital Nurses' Pensions
Ordinance, No. 13 of 1919.

(Assented to 18th June, 1927.)

(Date of operation, 6th July, 1927.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows :—

Amendment
of Section 3
of Ordinance
No. 13 of
1919.

1. Section *three* in the Transvaal Hospital Nurses' Pensions Ordinance No. 13 of 1919, shall be and is hereby amended as follows :—

(1) by the deletion in the last paragraph of sub-section (3) of the words "in so far as payment has not already been made in terms of the next succeeding sub-section" ;

(2) by the repeal of sub-section (4).

Refund of
contributions.

2. Every probationer who at the date of the coming into force of this Ordinance was contributing to the fund and who so desires shall be refunded the amount of her own contributions to the fund with interest at the rate of three per cent. per annum and the contributions paid by the Administration in respect of such probationer shall be refunded to revenue with interest at the rate of three per cent. per annum.

Short title.

3. This Ordinance may be cited for all purposes as the Transvaal Hospital Nurses' Pensions Amendment Ordinance, 1927.

AN ORDINANCE

Ord. No. 7
of 1927.

To amend the Motor Vehicle Ordinance, 1915.

(Assented to 28th June, 1927.)

(Date of operation, 20th July, 1927.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows :—

1. Sub-section (9) of section *two* of the Motor Vehicle Ordinance 1915 as amended from time to time (hereinafter called the principal Ordinance) shall be and is hereby repealed and the following new sub-section substituted therefor :—

Amendment
of section 2
of principal
Ordinance.

“(9) (a) The registering authority of any area wherein are situate the business premises of any bona fide manufacturer of or dealer in motor vehicles may assign to such manufacturer or dealer on his application a minimum of five (5) and a maximum of ten (10) numbers, and issue certificates of registration in respect thereof. Upon production of such certificates to the issuer of licences, and upon payment of a sum of £1. 10s. for each number so issued, should the manufacturer or dealer be a manufacturer of or dealer in motor-cars, and upon payment of the sum of 10s. for each number issued to a manufacturer of or dealer in motor-cycles, there shall be issued to such manufacturer or dealer licences for the calendar year or portion thereof next ensuing. A clearance certificate shall be issued in respect of each number allotted and such certificate shall be stamped with the letter “D” or “M” as the case may be. These numbers so allotted to a manufacturer or dealer together with the clearance certificate issued in respect thereof shall be changeable from one vehicle to another in the possession of such manufacturer or dealer, but shall not be transferable from the manufacturer or dealer to another person. Provided further that after the 30th June in each year the fees for such licences shall be half the annual fees.

(b) If the manufacturer or dealer sells or otherwise disposes of his business the purchaser or other person so becoming the owner

**Ord. No. 7
of 1927.**

thereof shall notify the registering authority, who shall issue to such purchaser or other person new certificates of registration in respect of the numbers previously assigned to the manufacturer or dealer disposing of such business, and upon production of such certificates and the former owner's licences new licences for the remainder of the calendar year in the name of the purchaser or other person aforesaid shall be issued, without payment of any fees. The former owner's licences shall be retained by the issuer of licences.

(c) The registering authority shall issue to any manufacturer or dealer to whom a licence has been issued for the year 1927 in accordance with the provisions of the sub-section hereby repealed, seven numbers in the case of a manufacturer or dealer in motor-cars and ten numbers in the case of a manufacturer or dealer in motor-cycles, and no charge shall be made for such numbers. The numbers so issued may be used until the 31st December, 1927, as though they were issued under paragraph (a) hereof."

Amendment
of section 3
of principal
Ordinance.

2. Sub-section (a) of section *three* of the principal Ordinance shall be and is hereby amended by the insertion after the word "uses" of the words "or causes or allows to be used."

Amendment
of section 4
of principal
Ordinance.

3. Section *four* of the principal Ordinance shall be and is hereby amended as follows:—

(a) By the repeal of paragraph (c) of sub-section (2) and the substitution therefor of the following new paragraph:—

(c) has attained the age of seventeen years.

(b) By the insertion in sub-section (2) of the following new paragraph:—

(f) resides within the area of jurisdiction of the Examining Body to which application is made.

(c) By the addition of the following words at the end of sub-section (2):—

Wherever it shall appear to the satisfaction of the issuer of licences that licence issued to any person has been lost or destroyed, it shall be competent for such

issuer of licences on payment of a fee of two shillings and sixpence to issue a duplicate of such licence with the word "duplicate" endorsed thereon. Such licence shall be signed in the space provided in the presence of the issuer of licences.

(d) By the addition of the following new sub-sections :—

(5) Application for a temporary licence shall be made to the issuer of licences in whose area the applicant resides.

(6) Any applicant for a driver's licence or for a temporary licence who shall give false or inaccurate information to the issuer of licences or to the examining body shall be guilty of an offence, and any licence issued to such person may be cancelled by a magistrate, and the person whose licence has been so cancelled shall be deemed to be unlicensed.

4. Section *five* of the principal Ordinance shall be and is hereby repealed and the following new section substituted therefor :—

Repeal of section 5 of principal Ordinance and substitution of new section.

5. Any person who has in his possession a current motor vehicle licence authorizing him to use such vehicle in any other Province of the Union or elsewhere shall be entitled to use such vehicle during the currency of such licence within the Province of Transvaal for a continuous period of three months from the date of first entering the Province without taking out a motor vehicle licence under the provisions of this Ordinance, provided such vehicle is not used for plying for hire. The provisions of this section shall *mutatis mutandis* apply to any person who has in his possession a current licence to drive a motor vehicle in any other Province of the Union or elsewhere, provided that such licence shall be subject to the provisions of this Ordinance relative to suspension endorsement or disqualification.

5. Section *six* of the principal Ordinance shall be and is hereby amended as follows :—

Amendment of section 6 of principal Ordinance.

(a) By the deletion in sub-section (1) of the words "this Ordinance or of an offence under any other law in respect of circumstances relating to the driving of a motor vehicle."

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of 1927.

and by the substitution therefor of the following words :—

“sub-section (3) of section *four* and sections *eight, nine, ten, eleven, twelve, fourteen, fifteen* and *sixteen* of this Ordinance, or of an offence under any other law involving negligent or careless driving of a motor vehicle.”

(b) By the addition of the following new sub-section :—

(4) any court may cancel any driver's licence upon proof that the holder of the licence is afflicted with any physical defect as would constitute grounds under paragraph (e) of sub-section (2) of section *four* of this Ordinance for the refusal of a certificate of competence by an examining body.

Amendment
of section 14
of principal
Ordinance.

6. Section *fourteen* of the principal Ordinance shall be and is hereby amended by the addition of the following sub-section ; the section as originally enacted being regarded as sub-section (1) :—

(2) The owner of any motor vehicle who wilfully refuses upon demand of a police officer or municipal officer in uniform to supply him with the name and address of any person who was driving or in charge of his motor vehicle at any particular date and time, shall be guilty of an offence against this Ordinance, and liable, upon conviction, to the penalties prescribed therefor.

Repeal of
section 15
of principal
Ordinance
and substitution
of new
section.

7. Section *fifteen* of the principal Ordinance shall be and is hereby repealed, and the following new section substituted therefor :—

15. (1) Any person who without the knowledge or consent of the owner or person in lawful charge of a motor vehicle—

- (a) sets the machinery thereof in motion ;
- (b) places a motor vehicle in gear ;
- (c) in any way interferes with the machinery, accessories or parts of any motor vehicle ;

shall be guilty of an offence and liable on conviction to the penalties prescribed in section *seventeen* of this Ordinance.

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of 1927.

(2) Any person who without the knowledge or consent of the owner or person in lawful charge of any motor vehicle rides in or drives the same shall be guilty of an offence and shall be liable on conviction to the following penalties :—

- (a) In respect of the first offence to a fine of twenty-five pounds.
- (b) In respect of a second or subsequent offence to a fine of one hundred pounds.

In default of payment of any fine imposed under this sub-section the offender may in addition to any other period of imprisonment which may be lawfully imposed, be sentenced, in respect of (a) to a period not exceeding three months' imprisonment with hard labour; in respect of (b) to a period not exceeding six months with hard labour.

8. Section *nineteen* of the principal Ordinance shall be and is hereby amended by the addition of the following new paragraphs (h) and (i), paragraph (h) as originally enacted being regarded as paragraph (j) :—

Amendment
of section 19
of principal
Ordinance.

- (h) prohibiting the use of any lamp or lighting device unless such lamp or device has been approved by the Administrator and such approval notified in the *Provincial Gazette* ;
- (i) for constituting a committee or committees for the purpose of advising the Administrator on any matters connected with the use of motor vehicles and matters incidental thereto and for the conduct of the proceedings of such committee or committees.

9. Notwithstanding anything to the contrary in any law relating to municipal government or any by-law framed thereunder no motor-bus, motor char-a-banc, or other like motor vehicle licensed as a public vehicle shall be used for the purpose of conveying passengers except on a route approved by the Commissioner of Police or other officer authorized by him, and no such vehicle shall stop for the purpose of picking up or setting down passengers except at such places as may be prescribed by the Commissioner or other officer authorized by him. The provisions of this section shall apply to such local authority areas as the Administrator may by proclamation declare.

Routes to be
approved by
police.

10. This Ordinance may be cited for all purposes as the Motor Vehicle Amendment Ordinance, 1927.

Short title.

Ord. No. 8
of 1927.

AN ORDINANCE

To amend the Shop Hours Ordinance 1923.

(Assented to 29th June, 1927.)

(Date of operation, 2nd August, 1927.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows :—

Amendment
of section 3
of principal
Ordinance.

1. Sub-section (1) of section *three* of the Shop Hours Ordinance No. 5 of 1923 (hereinafter called the principal Ordinance) shall be and is hereby amended :

(1) In paragraph (*c*) by the deletion of the words "Thursday and Friday" and the substitution thereof of the words "Wednesday and Thursday."

(2) By the deletion of paragraph (*d*) and the substitution thereof of the following new paragraph :—

(*d*) later than one o'clock in the afternoon of Saturday, or seven o'clock in the evening of Friday ; with the exception of butcher shops which shall be closed at six o'clock in the evening of that day.

(3) In sub-section (2) by the deletion of the figure "7" and the substitution thereof of the figure "6."

Amendment
of section 4
of principal
Ordinance.

2. The schedule in sub-section (*a*) of section *four* of the principal Ordinance shall be and is hereby amended :

(1) Under the heading "Restaurants" by the deletion of the word "Wednesdays" and the substitution thereof of the word "Saturdays."

(2) Under the heading "Dairies" by the deletion of the word "Wednesdays" and the substitution thereof of the word "Saturdays."

(3) Under the heading "Native and Asiatic eating-houses, etc.," by the deletion of the word "Wednesdays" and the substitution thereof of the word "Saturdays."

(4) Under the heading "Native Shops" by the deletion of the words "Thursdays Fridays" and the substitution thereof of the words "Wednesdays Thursdays," and the deletion of the word "Saturdays" and the substitution thereof of the word "Fridays."

(5) Under the heading "Chemists" by the deletion of the words "Thursdays Fridays" and the substitution therefor of the words "Wednesdays Thursdays," and the deletion of the word "Wednesdays" and the substitution therefor of the word "Saturdays."

Ord. No. 8
of 1927.

3. Section *seven* of the principal Ordinance shall be and is hereby amended : Amendment of section 7 of principal Ordinance.

(1) In paragraph (*b*) of sub-section (1) by the deletion of the word "Saturdays" and the substitution therefor of the word "Fridays."

(2) In paragraph (*b*) of sub-section (2) by the deletion of the words "Thursdays and Fridays" and the substitution therefor of the words "Wednesdays and Thursdays."

(3) In paragraph (*c*) of sub-section (2) by the deletion of the word "Wednesdays" and the substitution therefor of the word "Saturdays."

(4) In paragraph (*d*) of sub-section (2) by the deletion of the word "Saturdays" and the substitution therefor of the word "Fridays."

4. This Ordinance may be cited for all purposes as the Shop Hours Amendment Ordinance 1927. Short title.

AN ORDINANCE

Ord. No. 9
of 1927.

To provide for the Control of Horse Racing and Betting.

(Assented to 28th June, 1927.)

(Date of operation, 1st September, 1927.*)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows :—

1. In this Ordinance, unless inconsistent with the context— Definitions.

"Administrator" shall mean the officer appointed under section *sixty-eight* of the South Africa Act, 1909, and any amendment thereof acting on the authority of the Executive Committee ;

"bet" shall mean the staking of any money or valuable thing by or on behalf of or expressly or impliedly promised, undertaken or agreed

* Proclamation No. 53, *Provincial Gazette* dated 17th August, 1927, page 173.

**Ord. No. 9
of 1927.**

Section 1.

to be paid or given to any person as or for the consideration for any assurance, undertaking, promise or agreement, express or implied, to pay or give thereafter any money or valuable thing on any event or contingency of or relating to any race, foot race, cycle race, motor-cycle race, motor race, fight, game, sport, or exercise, or on any event or contingency whatsoever or as or for the consideration for securing the paying of any money or valuable thing on any such event or contingency whatsoever as aforesaid ;

“ bookmaker ” includes any person who carries on the business of or acts as a bookmaker or turf commission agent, or who gains or endeavours to gain his livelihood wholly or partly by betting or making wagers ;

race ” shall mean any horse, pony or galloway race ;

“ race card ” shall mean the official programme issued for sale and for the use of the public on a race day by a person licensed to hold race meetings ;

“ racecourse ” shall mean any land licensed under this Ordinance for the holding of race meetings ;

“ race day ” shall mean in the area comprised in a radius of eighteen miles from the General Post Office, Johannesburg, any Saturday or any public holiday from the hour of ten o'clock in the forenoon till six o'clock in the afternoon, and any other day on which a race meeting may legally be held unless such days be Christmas Day, Good Friday, or Ascension Day. In any part of the Province outside that area “ race day ” shall have the same meaning, but save as aforesaid, Wednesday shall also be a race day ;

“ race meeting ” shall mean any gathering of the public or of the members of any association of persons to watch a race or races if the date and place of holding the same have been notified by public advertisement or private invitation ;

“ street ” includes (1) any enclosed or unenclosed land (not being a house or racecourse or licensed whippet course) ; (2) any thoroughfare and any highway, road, lane, footway or passage whether a thoroughfare or not, on any public or private land ;

“totalizator” shall mean the instrument, machine, or contrivance commonly known as a “totalizator” or any other instrument, machine, or contrivance of a like nature, or any scheme for enabling any number of persons to make bets with one another on principles of a like nature ;

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Whenever, in this Ordinance, the expressions “foot race,” “motor-cycle race,” “cycle race,” or “motor race,” or “shooting, running or boxing contests” are used, those expressions shall only include races or contests—

- (a) the place whereof is a place to which the public or the members of any club or association have access, or which the public or such members frequent, or to which the public or such members come by invitation ; and
- (b) the date whereof has been fixed beforehand.

CHAPTER I.

LICENSING OF RACECOURSES.

2. (1) The Administrator may from time to time, upon application in writing to him, grant a licence to any person to hold race meetings on any land in the Province which is in lawful occupation of that person ; such licence shall be in respect of such land which shall, during the period of validity of such licence, be deemed to be a licensed racecourse.

Licensing of
racecourses.

(2) Every such licence shall be valid for one year from date of issue thereof unless withdrawn under this section.

(3) A licence shall not be granted until rules and regulations under which the race meetings to be held in terms of such licence will be carried on have been approved by the Administrator, provided that any such rules and regulations approved under any law repealed by this Ordinance shall be regarded as having been approved under the provisions of this section.

(4) Any licence may be withdrawn by the Administrator if the holder is convicted of any offence under this Ordinance.

(5) Every licence in the case of an association, shall be issued in the name of the secretary or other like officer and may be transferred at the request of the association to the successor in office of the licensee.

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(6) Every licence shall be produced on the demand of any police officer above the rank of sergeant, and any person who fails to produce such licence shall be guilty of an offence.

(7) The licensee shall be entitled to exclude from any racecourse any person in accordance with the rules and regulations approved under this section, and any person who re-enters a racecourse in contravention of the powers herein vested in the licensee shall be guilty of an offence.

(8) Any licence to hold race meetings which is in force at the date of the commencement of this Ordinance shall be of full force and effect until its expiry as though it were issued under the provisions of this Ordinance.

Conditions of
licence.

3. The following conditions shall be attached to any licence to hold race meetings :—

(a) No person shall be admitted to a racecourse on any day on which a race meeting is being held without the payment of a minimum charge of five shillings unless such person shall be in possession of a certificate issued by or on the authority of the licensee certifying that such person is a bona fide owner or trainer or bona fide employed in connection with the meeting or is a member of the club or association holding the meeting and has paid to the licensee an annual subscription the amount of which shall have been fixed by the club or association and approved of by the Administrator or is a person for whose admission to a racecourse without such payment authority has been given by the Administrator to such club or association ;

(b) no person under the age of twenty-one years other than jockeys shall be admitted to the racecourse on any day on which a race meeting is being held ;

(c) no race meetings shall be held by the licensee other than on the racecourse mentioned in the licence ;

provided that the provisions of paragraphs (a) and (b) of this section shall not apply in the case of racecourses situate outside a radius of twenty-five miles from the General Post Office, Johannesburg, and outside the Municipality of Pretoria.

4. Any person to whom any licence to hold race meetings has been issued shall be guilty of an offence if he holds or permits to be held more than fifteen race meetings during the currency of his licence or any renewal thereof or if he breaks or permits to be broken any condition attached to a licence or if he fails to take such precautions as may be necessary to ensure that such conditions are complied with.

Number of
race
meetings.

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5. Any person shall be guilty of an offence who—
(a) takes part in, or aids and abets any other person in taking part in a race meeting except upon a licensed racecourse and upon a race day ;
(b) sells or offers for sale or circulates a race-card except on a racecourse and upon a race day or sells or offers for sale a race card notifying races to be run other than at the race meeting then and there being held.

Prohibition
of racing and
publication
of race card
except on
racecourse.

For the purpose of this section the holding of any race meeting shall be deemed an aiding and abetting in the taking part in a race whether or not any race be run and every person who in any way organizes or arranges the race meeting shall be deemed to hold that meeting.

6. Whenever Christmas Day falls upon a Saturday or whenever a race meeting has been fixed for any particular race day and the weather or any unforeseen circumstance prevents or renders undesirable the holding or continuation of that meeting on that day the Commissioner of Police may in his absolute discretion give to the person who has organized that meeting permission in writing to hold the meeting or continuation of the meeting on a racecourse on another day other than on Good Friday or Ascension Day and such permission shall be a defence to any charge under section *five*.

Postpone-
ment or con-
tinuation of
race meeting
in certain
circum-
stances.

7. (1) Notwithstanding anything to the contrary in this Ordinance the Administrator may issue to any person a licence to hold a race meeting on any day except Christmas Day, Good Friday, or Ascension Day at an approved place outside a radius of 25 miles from Johannesburg and outside the Municipality of Pretoria and issue of such licence shall be a defence to any charge under section *five*.

Licence may
be issued for
one day.

(2) The Administrator may likewise grant to any person in possession of a licence special permission to hold a race meeting on any day except Christmas Day, Good Friday, or Ascension Day; provided that the number of meetings held by such person during the currency of the licence shall not exceed fifteen.

Special per-
mission to
hold race
meetings.

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CHAPTER II.

LICENSING OF TOTALIZATORS.

Licensing of
totalizators.

8. (1) The Administrator may upon written application issue to the holder of any licence to hold race meetings a licence to use a totalizator or totalizators on a race day upon a site on a racecourse approved by the Commissioner of Police. Such licence may be revoked by the Administrator if default be made in complying with any provision of this section or if the totalizator be used at any site not approved as aforesaid by the Commissioner of Police.

(2) Every transaction effected by means of the totalizator must be registered on a ticket board which shall be in such form as is approved by the Commissioner for Inland Revenue and which shall be in the uninterrupted view of the public.

Duty payable
in respect of
totalizator
takings.

(3) There shall be payable to the Commissioner for Inland Revenue for the benefit of the Provincial Revenue Fund by the licensee—

(a) a duty calculated at the rate of four and a half per cent. of the gross takings of each totalizator in respect of which a licence has been issued; and

(b) a duty calculated at the rate of two per cent. of the net takings of each such totalizator which after a dividend therefrom has been declared are undistributed either because no fractional part of a shilling is declared as dividend, or because no tickets entitling the holders to a dividend were disposed of; and

(c) a duty calculated at the rate of two per cent. of all such dividends as are unpaid three months after they were declared.

For the purpose of this sub-section "net takings" shall mean the gross takings, less the amount deducted as totalizator commission and duty payable under paragraph (a), but such commission and duty shall not together exceed twelve and one half per cent. of the gross takings of any one totalizator.

(4) A sworn statement on a form to be prescribed by the Commissioner for Inland Revenue showing all such particulars as are mentioned in sub-section

(3) shall be made by the licensee. The statement aforesaid shall be transmitted by the licensee to the Commissioner within twenty-one days after every race day on which a totalizator was used.

(5) The licensee shall enter or cause to be entered regularly in a book kept for the purpose all such particulars as aforesaid and permit the inspection of such book at all reasonable times by any person duly authorized in writing thereto by the Commissioner for Inland Revenue and any licensee who refuses to allow such inspection shall be guilty of an offence.

(6) If a licensee make default in transmitting such statement as aforesaid within the time prescribed he shall be liable to pay treble the amount due under this section.

9. The Administrator may authorize any person lawfully holding a race meeting to keep open premises approved by the Commissioner of Police for five hours on each of the next succeeding two week days (public holidays not being reckoned) after that race meeting and it shall be lawful to settle bets in those premises on those days and during such hours.

Premises for settling of bets.

10. (1) Any police officer of or above the rank of sergeant or any person duly authorized thereto by the Administrator may enter upon any racecourse or upon any premises mentioned in the last preceding section and if he has reasonable grounds for suspecting that a contravention of this Ordinance is taking place or has taken place may enter upon any premises whatever.

Police may enter racecourse or premises.

(2) Any person who shall resist, hinder, or obstruct any such officer in the exercise of his powers under this Ordinance shall be guilty of an offence.

CHAPTER III.

RESTRICTION OF BETTING.

11. (1) Any person shall be guilty of an offence against this Ordinance who—

Restriction of betting—
Penalties.

(a) bets upon the result of any race unless the bet be made upon a racecourse on a race day either at sites on that racecourse approved by the Commissioner of Police or by means of a totalizator in respect of which a licence has been issued under section *eight* (1) and on in either case a race actually taking place

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on that racecourse on the day upon which the bet is made, or in or from the place opened under the provisions of section *twenty* of this Ordinance or at a whippet race meeting held under licence issued under the provisions of section *three* of the Whippet Racing (Control) Ordinance, 1926 ;

(b) bets at any time or place upon the result of any "foot race," "cycle race," "motor-cycle race," "motor race," or any shooting, running, or boxing contest or prize fight ;

(c) being over twenty-one years of age, bets at any time or place with any person under that age. The person betting with such person under the age of twenty-one shall be deemed to have known that such person was an infant unless he proves that he had reasonable grounds for believing such person to be of full age.

(2) Any person who is guilty of an offence against this section shall be liable—

(a) in the case of a first conviction to pay a fine of not less than £25 and not exceeding £50, or in default of payment to undergo three months' imprisonment with hard labour, or to both such fine and imprisonment ;

(b) in respect of a second conviction to pay a fine of not less than £50 and not exceeding £100, or in default of payment to undergo six months' imprisonment with hard labour or to both such fine and imprisonment ;

(c) in the case of a third or subsequent conviction to pay a fine of not less than £100 and to undergo imprisonment with hard labour for a period of six months.

Restriction as
to place.

12. (1) No house, office, room, or other place shall be opened, kept, or used for the purpose of the owner, occupier, or keeper thereof, or any person using the same, or any person procured, or employed by or acting for or on behalf of such owner, occupier or keeper, or person using the same, or any person having the care or management or in any manner conducting the business thereof, betting with persons resorting thereto.

In this sub-section "resorting thereto" includes applying direct or by the agency of another person by letter, telegram or any other means of correspondence, or by means of the telephone.

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(2) No house, office, room, or other place shall be opened, kept, or used at any time for the purpose of any money or valuable thing being received by or on behalf of the owner, occupier, or keeper, or any other person whatsoever as or for the consideration for—

(a) any assurance, undertaking, promise, or agreement, express or implied, to pay or give thereafter any money or valuable thing on any event or contingency of or relating to any race, foot race, cycle race, motor-cycle race, motor race, fight, game, sport, or exercise, or on any event or contingency whatsoever; or

(b) securing the paying or giving by some other person of any money or valuable thing on any such event or contingency.

13. (1) Whosoever opens, keeps, or uses any house, office, room, or other place for any of the purposes mentioned in section *twelve*, or knowingly and wilfully permits the same to be opened, kept, or used by any other person for any of such purposes, or has the care or management of, or in any manner assists in conducting the business of any such house, office, room, or place opened, kept, or used for any such purpose, shall be liable on conviction :—

Person who
opens or keeps
place—
Penalties.

(a) in the case of a first conviction to pay a fine of not less than £50 and not exceeding £100, or in default of payment to undergo imprisonment with hard labour for a period of not less than three months, or to both such fine and imprisonment;

(b) in the case of a second or any subsequent conviction to pay a fine of not less than £100, or in default of payment to undergo six months' imprisonment with hard labour or to both such fine and imprisonment.

(2) Every person found in such house, office, room, or place, without lawful excuse, the proof of which shall be on such person, shall be liable on conviction to a fine of not less than £10 or two months' imprisonment with hard labour, and not exceeding £50 or six months' imprisonment with hard labour.

(3) All moneys, coins, notes, cheques, I.O.U.'s, or other writings for securing the payment of money, and all books, lists, cards, or other documents relating to racing or betting found in such house, room, office, or place, shall on conviction of any offender under the provisions of this section be forfeited to the Administrator.

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Owner who
uses place for
betting, etc.—
Penalties.

14. Whosoever being the owner or occupier of any house, office, room, or place opened, kept, or used for any of the purposes mentioned in section *twelve*, or a person acting for him, or on his behalf, or as his manager or assistant—

(a) receives, directly or indirectly, any money or valuable thing—

(1) as a deposit on any bet on condition of paying any sum of money or valuable thing on the happening of any event or contingency of or relating to any race, foot race, cycle race, motor-cycle race, motor race, or fight, game, sport, or exercise, or contingency whatsoever; or

(2) as or for the consideration for any assurance, undertaking, promise, or agreement, express or implied, to pay or give thereafter any money or valuable thing on any such event or contingency; or

(b) gives any acknowledgment, note, security, or draft on the receipt of any money or valuable thing paid or given as aforesaid purporting or intended to entitle the bearer or any other person to receive any money or valuable thing on the happening of any such event or contingency whatsoever, shall be liable on conviction :—

(1) in the case of a first conviction to pay a fine of not less than £50 and not exceeding £100, or in default of payment to undergo imprisonment with hard labour for a period of not less than three months and not exceeding six months;

(2) in the case of a second or any subsequent conviction to pay a fine of not less than £100 and not exceeding £200 or in default of payment to undergo imprisonment with hard labour for a period of not less than six months but not exceeding twelve months or to both such fine and imprisonment.

Frequenter of
place—
Penalties.

15. (1) Every person who frequents, uses, or is in any street for the purpose of any money or valuable thing being received by or promised to such person or on his behalf :—

(a) as or for the consideration for any assurance, undertaking, promise, or agreement, express or implied, to pay or give thereafter any money

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or valuable thing on any event or contingency of or relating to any race, foot race, cycle race, motor-cycle race, motor race, fight, game, sport, or exercise or on any event or contingency whatsoever ;

(b) as or for the consideration for securing the paying or giving by some other person of any money or valuable thing on any such event or contingency as aforesaid ;

(2) shall be liable on conviction—

(a) in the case of a first conviction to pay a fine of not less than £25 and not exceeding £50, or in default of payment to undergo imprisonment with hard labour for a period of three months ;

(b) in the case of a second or any subsequent conviction to pay a fine of not less than £50 and not exceeding £100 or in default of payment to undergo six months' imprisonment with hard labour or to both such fine and imprisonment.

16. Any person who prints, publishes, exhibits, sells, circulates, distributes, or gives away or causes to be printed, published, exhibited, sold, circulated, distributed, or given away any newspaper or document containing or purporting to contain any notice or intimation by or on behalf of any person, company or club as to betting on or the betting odds in connexion with any race in any part of the Province of Transvaal or elsewhere whether such notice contains or purports to contain any information in connexion with betting on any race as aforesaid either before or after such race was run shall be liable on conviction to pay a fine of not less than £20 and not exceeding £50 or in default of payment to undergo imprisonment with hard labour for a period of not less than three months but not exceeding six months ; provided that nothing in this section shall be deemed to make it an offence to publish, exhibit, sell, circulate, distribute or give away any newspaper printed and published outside the Province of Transvaal containing any such notice, or intimation as to any race run outside the Province of Transvaal.

Prohibition of documents relating to betting—
Penalties.

In the absence of proof to the contrary, the person, company, or club named in such notice or intimation shall be deemed to have caused to be printed, published, exhibited, sold, circulated, distributed, or given away such notice or intimation on his or its behalf.

17. Any person who prints, writes, publishes, exhibits, sells, circulates, distributes, gives away or causes to be printed, written, published, exhibited,

Prohibition of documents relating to persons who lay bets—
Penalties.

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sold, circulated, distributed, or given away any newspaper, placard, handbill, card, writing, or notice (whether published, printed, or written in the Province of the Transvaal or elsewhere) whereby—

(a) it is made to appear that such person or any other person will if required—

(1) bet in connexion with any intended race in any part of the Province of the Transvaal or elsewhere; or

(2) give information or advice directly or indirectly as to the probable result of any such race; or

(3) give information or advice directly or indirectly as to the betting odds on any such race; or

(b) any information or advice is given or purports to be given—

(1) as to the probable result of any such race; or

(2) as to the betting on any such race unless the result thereof has been determined;

shall be liable on conviction to pay a fine of not less than £20 and not exceeding £50 or in default of payment to undergo imprisonment with hard labour for a period of not less than three months but not exceeding six months provided that nothing in this or the last preceding section shall apply to the publication of information with regard to a prosecution for an offence. Provided that nothing in this section shall be deemed to make it an offence—

(a) to publish, exhibit, sell, circulate, distribute, give away or cause to be published, exhibited, sold, circulated, distributed or given away any newspaper, printed and published outside the Province of Transvaal containing information as to any race run outside the Province of Transvaal;

(b) for any bookmaking members of the place referred to in sub-section (1) of section *twenty* to communicate by telegram with any member of the said place giving information as to the betting on any race in reply to a definite request to such member for such information;

(c) to print, write, publish, exhibit, sell, circulate, distribute or give away any newspaper or other document containing information as to the weights allotted to the horses nominated for any race.

18. Any person who makes a bet with or wagers with or sells or delivers any ticket, card, or thing mentioned in this Ordinance to, or who applies for or receives any such ticket, card, or thing for any person who is apparently an infant shall, if such person is an infant, be deemed to have known such person was an infant, unless he proves that he had reasonable grounds for believing, and did believe such person to be of full age and shall be guilty of an offence and shall be liable on conviction to the penalties laid down in section *fifteen* of this Ordinance.

Infants may not bet.

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19. Any person who—

Bookmaker's agent.

- (a) acts as a turf commission agent ;
- (b) acts as an agent for a bookmaker for the purpose of betting save as is provided in any regulation made under sub-section (i) of section *twenty-three* ;
- (c) acts for gain as an intermediary between any person and a bookmaker for the purpose of betting save as is provided in any regulation made under sub-section (i) of section *twenty-three* ;
- (d) being a bookmaker, pays or gives or promises to pay or give, either directly or indirectly, any money or valuable thing to any person in consideration of such person or any other person making bets with such bookmaker or other bookmaker ;

shall be guilty of an offence and shall be liable on conviction to pay a fine not exceeding £25 or in default of payment to undergo imprisonment with or without hard labour for a period not exceeding three months.

20. (1) Notwithstanding anything to the contrary in this Ordinance the Administrator may authorize a committee (hereinafter referred to as Transvaal Tattersalls) constituted in manner hereinafter prescribed to keep open on such days and at such times as may be prescribed by regulation a place approved by the Administrator wherein or wherefrom bets may be made and settled on the result of any race.

Appointment of committee (Tattersalls).

(2) It shall be lawful for any male white person over the age of twenty-one years to make bets on the result of any race at the place referred to in sub-section (1) of this section ; provided that such person has paid to the Committee constituted under section *twenty-one* of this Ordinance such subscription and for such period as may be prescribed by the Administrator by regulation.

Ord. No. 9 of 1927. Constitution of committee. **21.** (1) The committee as aforesaid shall be constituted as follows:—

(a) Two members shall be elected at a meeting consisting of one representative of each person or association of persons in possession of a licence to hold race meetings under the provisions of this Ordinance on a racecourse within a radius of twenty-five miles from the General Post Office, Johannesburg, and within the Municipality of Pretoria. The date, place and time of meeting as aforesaid shall be determined by the Administrator who shall appoint a person to convene and preside over such meeting;

(b) one member shall be elected at a meeting consisting of persons who are licensed and operate as bookmaker members of Transvaal Tattersalls; provided that if a cubicle is occupied by more than one such member only one of such members shall be entitled to vote at such meeting. The date, place and time of the meeting shall be determined by the Administrator who shall appoint a person to preside over such meeting. Notice of such meeting shall be published in the *Provincial Gazette* and any person who, at the date of such meeting, is in possession of a licence as aforesaid, shall be entitled to vote at such meeting;

(c) three members shall be appointed by the Administrator;

(d) one member shall be elected at a meeting of persons who are ordinary members of Transvaal Tattersalls. The date, place and time of the meeting shall be determined by the Administrator, who shall appoint a person to convene and preside over such meeting. Notice of such meeting shall be published in the *Provincial Gazette*, and any person who, at the date of such meeting, is an ordinary member of Transvaal Tattersalls but not a bookmaker member nor a licensed clerk shall be entitled to vote at such meeting.

(2) If for any reason members are not elected as provided in this section on or before the date fixed by the Administrator for such election the Administrator may appoint any person or persons in addition to those mentioned in paragraph (c) hereof in order that the committee may consist of seven members.

(3) Notwithstanding the repeal of the Betting Ordinance, 1918, the committee constituted under the provisions of that Ordinance shall continue in office until the 31st October, 1927, as though such committee were constituted under the provisions of this Ordinance.

22. Any Committee constituted under the provisions of the preceding section shall hold office until the 31st October in the year following the date of its first meeting and a committee shall thereafter be constituted annually in manner hereinbefore provided. Any member thereof may be removed from office by the Administrator without any reason being given or assigned for such removal. Any vacancy in the committee shall be filled by the Administrator and the person appointed to fill such vacancy shall hold office for the period for which the retiring member was appointed.

Period of
office of
committee.

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of 1927.

23. The Administrator may make, alter and rescind regulations for the carrying out of the objects of this Ordinance and in particular in respect of the following matters:—

Regulations.

(a) For the management and control of any place opened under the provisions of section *twenty* of this Ordinance, including the regulation of betting and settling of bets therein;

(b) for the conduct of meetings of any committee constituted under the provisions of section *twenty-one* of this Ordinance, and for prescribing the duties of such committee or sub-committees appointed by such committee;

(c) for prescribing the hours during which any place opened under the provisions of section *twenty* of this Ordinance may be kept open for the making and settling of bets, and for securing police supervision in respect of such place and for giving powers of entry to police or other officials and for the ejection of drunken, noisy, or disorderly persons;

(d) for prescribing fees or allowances to members of the committee constituted under section *twenty-one* of this Ordinance and the manner of and conditions of appointment, salaries and privileges of servants of such committee;

(e) for prescribing the manner in which the accounts of any committee constituted under the provisions of section *twenty-one* of this Ordinance shall be kept and for the audit of such accounts by such officer as may be appointed by the Administrator;

(f) for ensuring that no unqualified person shall bet at any place opened in accordance with the provisions of section *twenty* of this Ordinance and for prescribing the conditions under which any bookmaker shall be permitted to make bets and for fixing the amount and class of security to be lodged by such bookmakers;

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—
Section 23.

(g) for empowering any committee constituted under the provisions of section *twenty-one* of this Ordinance to settle any disputes which may arise in connexion with the carrying on of betting ;

(h) for determining how the funds or assets of any committee constituted under the provisions of section *twenty-one* of this Ordinance shall be administered and how any profits shall be applied ;

(i) for ensuring that no person shall bet on behalf of any other person at any place opened in accordance with the provisions of section *twenty* of this Ordinance except with the written consent of the committee constituted under section *twenty-one* of this Ordinance ;

(j) for empowering the committee constituted under section *twenty-one* to exclude from membership of the place referred to in section *twenty* of this Ordinance any person whom the said committee might consider undesirable ;

(k) for prescribing the conditions which shall apply to the issue of any licence issued under sub-section (1) of section *eight* ;

(l) for prescribing the form of nomination and the manner of conducting of any election of members of the committee referred to in section *twenty* and generally for the conduct of any such election ;

(m) notwithstanding anything to the contrary in this Ordinance, for empowering and if necessary instructing the committee constituted under section *twenty-one* of this Ordinance to publish or issue for publication (and to govern the manner of such publication) any information as to the betting on any intended race in the Transvaal Province or elsewhere which the said committee might consider desirable.

Any person contravening the provisions of any regulation framed under the provisions of this section or any other provision in this Ordinance in respect of which no penalty is specifically provided shall be guilty of an offence and shall be liable on conviction to pay a fine not exceeding £25 or in default of payment to undergo imprisonment with or without hard labour for a period not exceeding three months. Notwithstanding the repeal of the Betting Ordinance, 1918, any regulations made thereunder shall remain of full force and effect until such regulations are altered or rescinded under the provisions of this Ordinance.

24. The following laws shall be and are hereby Repeal.
repealed :—

- Horse Racing and Betting Restriction Act, 1909.
- Horse Racing and Betting Restriction Amendment Ordinance, 1917.
- Horse Racing and Betting Restriction Further Amendment Ordinance, 1918.
- Horse Racing and Betting Restriction Further Amendment (No. 2) Ordinance, 1918.
- Betting Ordinance, 1918.
- Horse Racing and Betting Restriction Amendment Ordinance, 1921.
- Horse Racing and Betting Restriction Amendment Ordinance, 1922.
- Betting Amendment Ordinance, 1922.

25. This Ordinance may be cited for all purposes Short title.
as the Horse Racing and Betting Ordinance, 1927,
and shall come into operation on such date as the
Administrator may by Proclamation declare.*

* Proclamation No. 53, *Provincial Gazette* dated 17th August, 1927,
page 173.

AN ORDINANCE

Ord. No. 10
of 1927.

To amend the **General Dealers (Control) Ordinance,**
No. 12 of 1926.

Assented to 28th June, 1927.)

(Date of operation, 19th October, 1927.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal
as follows :—

1. In this Ordinance “principal Ordinance” shall Definition.
mean the General Dealers (Control) Ordinance,
No. 12 of 1926.

2. Section two of the principal Ordinance shall be Amendment
and is hereby amended by the insertion of the of section 2
following new paragraph (3) :— of principal
Ordinance.

(3) No general dealer shall in the course of any
year transfer his business from the premises
in which such business was conducted at the time
of the issue of the licence in respect of that
business for that year to other premises unless
and until he has obtained a certificate in respect
of the new premises ; such certificate shall be
applied for and may be issued in the manner

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provided in this Ordinance. Any general dealer who so transfers his business before he is in possession of a certificate as herein provided shall be guilty of an offence and shall be liable on conviction to the penalties prescribed in section *nine* of this Ordinance.

Amendment of section 5 of principal Ordinance.

3. Section *five* of the principal Ordinance shall be and is hereby amended by the addition of the following words, the section as originally enacted being regarded as sub-section (1) :—

(2) Every applicant for a certificate in respect of a new licence shall also exhibit in a prominent place on the premises in which the business is proposed to be carried on a notice of his intention to apply for such certificate in such form and during such period as may be prescribed by the Administrator by regulation.

Amendment of section 6 of principal Ordinance.

4. Section *six* of the principal Ordinance shall be and is hereby amended by the addition at the end thereof of the following new paragraph (c) :—

(c) that in the case of a kaffir eating-house or native restaurant in the opinion of the local authority or board concerned the number of kaffir eating-houses or native restaurants is in excess of the requirements of the neighbourhood.

Amendment of section 7 of principal Ordinance.

5. Section *seven* of the principal Ordinance shall be and is hereby amended by the deletion of the word "licence" and the substitution therefor of the word "certificate."

Amendment of section 12 of principal Ordinance.

6. Section *twelve* of the principal Ordinance shall be and is hereby amended—

(a) by the insertion after the word "in" in the first line of the section of the following words: "granting a certificate";

(b) by the deletion of the word "it" in the second line of the section and substituting therefor the words "such licence."

Repeal of section 14 of principal Ordinance and substitution of new section.

7. Section *fourteen* of the principal Ordinance shall be and is hereby repealed and the following new section substituted therefor :—

14. (1) If an application for a certificate has been refused on the grounds specified in sub-section (2) of section *six* the local authority or board shall not consider an application from the same applicant in respect of the same premises until after the expiration of six months from the date of such refusal.

(2) If an application for a certificate has been refused on the grounds specified in sub-section (3) of section *six* the local authority or board

shall not consider an application from the same applicant in respect of the same or any other premises until after the expiration of a period of six months from the date of such refusal.

(3) If an application for a certificate has been refused on any of the grounds specified in paragraph (a) of section *six* the local authority or board shall not consider an application from the same applicant in respect of the same premises or any other premises for the carrying on of a business where articles of food or drink are produced prepared used or sold for human consumption until the expiration of a period of twelve months from the date of such refusal.

(4) If an application for a certificate has been refused on the grounds specified in paragraph (b) of section *six* the local authority or board shall not consider an application from the same or any other applicant in respect of the same premises for the carrying on of a business where articles of food or drink are produced prepared used or sold for human consumption until the expiration of a period of twelve months from the date of such refusal.

(5) If an application for a certificate in respect of a licence for a kaffir eating-house or native restaurant has been refused on the ground specified in paragraph (c) of section *six* of this Ordinance the local authority or board shall not consider an application for such a certificate from the same or any other applicant in respect of the same premises until after the expiration of six months from the date of such refusal.

8. It shall not be lawful for any receiver of revenue to make any endorsement under the provisions of section *three* of the Registration of Businesses Act No. 36 of 1909 (Transvaal), of a change of premises unless the licensee produces a certificate issued under the provisions of the principal Ordinance and such certificate shall be applied for in the manner prescribed in that Ordinance.

Change of
premises,
production of
certificate.

9. This Ordinance may be cited for all purposes as the General Dealers (Control) Amendment Ordinance, 1927, and shall be read as one with the principal Ordinance.

Short title.

Ord. No. 11
of 1927.

AN ORDINANCE

To amend the Roads Ordinance, No. 5 of 1912,

(Assented to 28th June, 1927.)

(Date of operation, 1st September, 1927.*)

(English copy, signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

Definitions.

1. In this Ordinance—

“principal Ordinance” means the Roads Ordinance No. 5 of 1912;

“amending Ordinance” means the Roads Amendment Ordinance No. 8 of 1913.

Amendment of section 7 of principal Ordinance.

2. Sub-section (2) of section *seven* of the principal Ordinance shall be and is hereby amended by the addition of the following words: “Any person who uses any road while temporarily or partially closed under the provisions of this section shall be guilty of an offence.”

Amendment of section 14 of principal Ordinance.

3. Section *fourteen* of the principal Ordinance shall be and is hereby amended by the addition of the following words: “Any person who uses any road referred to in this section or in sections *fifteen* and *sixteen* while under construction or repair shall be guilty of an offence.”

Amendment of section 26 of principal Ordinance.

4. Section *twenty-six* of the principal Ordinance shall be and is hereby repealed and the following new section substituted therefor:—

“26. If in the opinion of the magistrate an application made under the provisions of the preceding section is reasonable he shall transmit such application to the Administrator who shall thereupon appoint a commission of not more than three disinterested persons to inquire into the merits of the said application and report to him thereon.”

Amendment of section 61 of principal Ordinance.

5. Section *sixty-one* of the principal Ordinance shall be and is hereby amended by the deletion of the words “Chairman of the Road Board of the District” and the substitution therefor of the word “Administrator.”

* Proclamation No. 58, *Provincial Gazette* dated 24th August, 1927, page 196.

6. Section *two* of the amending Ordinance shall be and is hereby amended by the deletion of paragraph (b) and the substitution therefor of the following new paragraph :—

Amendment of section 2 of amending Ordinance.

Ord. No. 11 of 1927.

“(b) When approaching, passing, or in being overtaken by any other vehicle, provided that the driver of the overtaking vehicle shall have given adequate warning of his approach.”

7. This Ordinance may be cited for all purposes as the Roads Amendment Ordinance 1927 and shall come into operation on such date as the Administrator may declare by Proclamation in the *Provincial Gazette*.*

Short title.

* Proclamation No. 58, *Provincial Gazette* dated 24th August, 1927, page 196.

AN ORDINANCE

Ord. No. 12 of 1927.

To apply a further sum of money towards the service of the Province of Transvaal during the year ended on the 31st day of March, 1926, to defray certain unauthorized expenditure.

(Assented to 22nd July, 1927.)

(Date of operation, 10th August, 1927.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows :—

1. The Provincial Revenue Fund is hereby charged with the sum of thirty-seven thousand six hundred and ninety-two pounds sixteen shillings and elevenpence to meet certain expenditure over and above the amounts appropriated for the service of the Province for the year ended on the 31st day of March, 1926. Such expenditure is set forth in the schedule to this Ordinance and will be found more particularly specified on page 21 of the Report of the Provincial Auditor of Accounts for the year 1925-1926 and in the Report of the Select Committee on Public Accounts No. T.P.S.C. 1 of 1927.

Provincial Revenue Fund charged with £37,692. 16s. 11d.

2. This Ordinance may be cited for all purposes as the Unauthorized Expenditure (1925-1926) Ordinance, 1927.

Short title.

Ord. No. 12
of 1927.**Schedule.**

No. of Vote.	Service.	Column 1.	Column 2.
1	For expenses in respect of General Administration	£2,936 16 3	—
3	Grant to Rustenburg Hospital ...	—	£324 0 0
4	For expenses in respect of Roads and Local Works	25,908 3 7	—
7	For expenses in respect of Capital Expenditure on :— Unemployed	—	8,523 17 1

Ord. No. 13
of 1927.**AN ORDINANCE**

To apply a sum not exceeding £4,312,954 towards the Service of the Province of Transvaal during the year ending on the 31st day of March, 1928.

(Assented to 6th August, 1927.)

(Date of operation, 17th August, 1927.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows :—

Provincial Revenue Fund charged with £4,312,954.

1. The Provincial Revenue Fund is hereby charged with such sums of money as may be required for the service of the Province during the year ending the 31st day of March, 1928, not exceeding in the aggregate the sum of four million three hundred and twelve thousand nine hundred and fifty-four pounds, as follows :—

To defray normal or recurrent expenditure.....	£3,855,756
To defray capital or non-recurrent expenditure.....	£457,198

How money to be applied.

2. The money appropriated by this Ordinance shall be applied to the services detailed in the schedule hereto, and more particularly specified in the Estimates of Expenditure (No. T.P. 4 and 5 of 1927) as approved by the Provincial Council, and subject to section *three* hereof and to no other purpose.

Administrator may authorize variations.

3. With the approval of the Administrator, acting with the consent of the Executive Committee, a saving on any sub-head of a vote may be made available to meet excess expenditure on any other sub-head or expenditure on a new sub-head of the

same vote, provided that no excess shall be incurred on the sums appearing in column 2 of the schedule hereto, nor shall savings thereon be available for any purpose other than that for which the money is hereby granted.

**Ord. No. 13
of 1927.**

4. This Ordinance may be cited for all purposes as the Appropriation (1927-1928) Ordinance, 1927.

Schedule.

<i>No. of Vote.</i>	<i>Service.</i>	<i>Column</i>	<i>Column</i>
		1.	2.
		£	£
1.	For salaries and expenses in respect of General Administration.....	86,690	—
	Including the undermentioned service:—		
	Grants-in-aid to Public Libraries.....	—	1,500
2.	For salaries and expenses in respect of Education Including the undermentioned grants:—	2,678,311	—
	Aided Farm Schools.....	—	4,400
	Private Schools.....	—	4,117
	Education of native children.....	—	61,450
3.	For salaries and expenses in respect of Hospitals and Charitable Institutions, including Poor Relief.....	450,393	—
	Including the undermentioned grants:—		
	Bochem Hospital.....	—	90
	De la Rey Memorial Hospital, Lichtenburg.....	—	500
	Duivelskloof Hospital.....	—	393
	East Rand Hospital.....	—	5,000
	Elim Hospital.....	—	1,000
	Ermelo Hospital.....	—	500
	Heidelberg Hospital.....	—	650
	Hope Convalescent Home for Children..	—	1,600
	Jane Furze Memorial Hospital.....	—	237
	Lydenburg Hospital.....	—	3,200
	Middelburg Hospital.....	—	875
	M'phahlele Native Hospital.....	—	140
	Paul Kruger Memorial Hospital, Rustenburg.....	—	1,975
	Potchefstroom Cottage Hospital.....	—	1,100
	Roodepoot-Maraisburg Hospital.....	—	500
	Sabie Hospital.....	—	200
	Schweizer Reneke Cottage Hospital.....	—	400
	South African Hospital.....	—	150
	Standerton Hospital.....	—	350
	Victoria Maternity Hospital, Pretoria....	—	850
	Wolmaransstad Hospital.....	—	1,000
	Expansion (Hospitals).....	—	6,000
	Benoni Benevolent Society.....	—	500
	Boksburg Benevolent Society.....	—	200
	Brakpan Benevolent Society.....	—	160
	Children's Aid Society, Johannesburg.....	—	1,350
	Children's Refuges, Johannesburg.....	—	389
	Dutch Reformed Church Committee for Poor Whites.....	—	2,500

Ord. No. 13 of 1927.	No of Vote.	Service.	Column	Column
			1. £	2. £
		Epworth Children's Homes.....	—	135
		Germiston Benevolent Society.....	—	495
		Germiston Child Welfare Society.....	—	90
		Good Shepherd's Home, Johannesburg..	—	195
		Guild of Loyal Women, Johannesburg— Guild Cottage.....	—	270
		Home for Old People, Krugersdorp.....	—	315
		House of Mercy, Irene.....	—	315
		Johannesburg Children's Home.....	—	874
		Johannesburg Hospital, Samaritan Fund	—	150
		King Edward VII. Order of Nurses.....	—	180
		Langlaagte Orphanage.....	—	2,250
		League of South African Mothers.....	—	900
		Louis Botha Home for Children.....	—	720
		Pilgrims Rest Benevolent Society.....	—	200
		Pretoria Benevolent Society.....	—	2,000
		Pretoria Child Welfare Society.....	—	90
		Potchefstroom and District Children's Aid and Benevolent Society.....	—	960
		Princess Christian's Home, Pretoria.....	—	203
		Rand Aid Association.....	—	11,125
		Rescue Home, Pretoria.....	—	495
		Roodepoort and District Aid Association	—	200
		Salvation Army.....	—	395
		St. George's Home for Boys, Johannesburg	—	548
		St. Mary's Orphanage, Johannesburg.....	—	225
		Springs and District Red Cross Benevolent and Children's Aid Society.....	—	150
		Vrouwen Zending Bond.....	—	225
		West Rand Distress Fund.....	—	135
	4.	For salaries and expenses in respect of Roads and Local Works.....	299,871	—
		Including the undermentioned service:— Grants-in-aid to Local Authorities.....	—	21,600
	5.	For salaries and expenses in respect of Miscel- laneous Services.....	5,179	—
		Including the undermentioned service:— Grant-in-aid to National Park.....	—	3,000
	6.	For expenses in respect of Interest and Redemp- tion.....	335,312	—
	7.	For expenses in respect of Capital Expenditure Including the undermentioned services:— Buildings.....	457,198	—
		Bridges.....	—	276,569
		Land.....	—	56,498
		Roads.....	—	6,500
		Roads.....	—	39,850
		Unemployment.....	—	20,000
		Warmbaths Improvements.....	—	8,000
		Special Grant from Union Government for Road Construction.....	—	34,781
		Expenditure under Municipal Main Roads Ordinance, No. 13 of 1926.....	—	15,000

AN ORDINANCE

Ord. No. 14
of 1927.

To provide for the payment of Retiring Pensions and Financial Benefits to certain persons serving in Provincial Hospitals of Transvaal, and to certain School Board Officials.

(Assented to 30th July, 1927.)

(Date of operation, 1st October, 1927.*)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

1. In this Ordinance unless inconsistent with the context—

Inter-
pretation
of terms.

“actuary” means a Fellow of the Institute of Actuaries of London or of the Faculty of Actuaries in Scotland or any other person recognized as an actuary by the Governor-General;

“Administrator” means the officer appointed under sub-section (1) of section *sixty-eight* of the South Africa Act, 1909, or any amendment thereof, acting on the advice and with the consent of the Executive Committee of the Province;

“Administration” means the Transvaal Provincial Administration;

“annuity” means the annual sum payable during the lifetime of a retired or retiring officer;

“fixed date” means the date fixed under this Ordinance for the establishment of the fund;

“the fund” means the fund established under this Ordinance;

“medical officer” means any duly qualified medical practitioner or practitioners approved by the Administration;

“officer” means a person employed in a permanent and whole-time capacity in one of the offices or posts described in the schedule to this Ordinance;

“this Ordinance” includes regulations;

“pension” includes an annuity or gratuity or both as the context requires;

“pensionable emoluments” include—

(a) salary;

(b) ration allowances or the value of free rations;

* Proclamation No. 62, *Provincial Gazette* dated 7th September, 1927, page 314.

Ord. No. 14
of 1927.

- (c) allowances for quarters or the estimated value of free quarters ;
- (d) uniform allowance or the estimated value of free uniforms ;
- (e) laundry allowance or the estimated value of free laundry ;

but do not include—

- (i) any local allowance for the cost of living ; or
 - (ii) a climatic allowance ; or
 - (iii) any special remuneration which an officer may receive for performing special duties or while acting in an office, whether permanently or temporarily vacant ; or
 - (iv) any transport or subsistence allowance ; or
 - (v) fees, honoraria, or bonuses of any kind ; or
 - (vi) overtime payments ; or
 - (vii) any other allowance not herein specified ;
- “ prescribed ” means prescribed by, or under the authority of this Ordinance or any other law ;
- “ regulation ” means a regulation made and in force under this Ordinance ;
- “ revenue ” means the Provincial Revenue Fund as constituted under section *eighty-nine* of the South Africa Act, 1909 ;
- “ salary ” means the annual pay of an officer and includes any special or personal allowance attached to a particular office if the allowance, when granted, be specially declared by the Administration to be part of pensionable emoluments ;
- “ superannuation ” means in relation to any officer the attainment of the age fixed by this Ordinance for retirement of such an officer.

Establish-
ment of the
fund.

2. (1) There shall be established as from a date to be fixed by proclamation in the *Provincial Gazette* a fund to be called the Transvaal Hospital and School Board Officials Pension Fund and such fund shall consist of—

- (a) contributions made by officers in accordance with the provisions of this Ordinance ;
- (b) sums and interest paid out of revenue in accordance with the provisions of this Ordinance ;
- (c) any other sums which under this Ordinance are to be credited to the fund.

(2) All amounts contributed or paid to the fund shall be lodged with the Administration to the credit of the fund in a separate deposit account, and any balances not required for current purposes shall be devoted to the purchase of stock of the Union of South Africa, the Province of Transvaal, or any local authority in the Province of Transvaal, subject to the approval of the Public Debt Commissioners

and the Administration; provided that if any investment produces a lower rate of interest than four per cent. per annum a sum equal to the deficiency shall, as soon as the deficiency is ascertained be paid from revenue to the fund.

**Ord. No. 14
of 1927.**

3. (1) Every officer appointed on or after the fixed date save as provided in sub-sections (2) and (3) of this section and subject to the production of a satisfactory certificate by a medical officer, shall as from the date of his appointment make contributions to the fund in accordance with the following scale :—

Contributions
by officers
appointed
on or after
the fixed
date.

Age last birthday at commencement of pensionable service.	Per cent. of pensionable emoluments :	
	Males.	Females.
Under 30 years.....	4	5·25
30 years.....	4·1	5·40
31 „	4·2	5·55
32 „	4·3	5·70
33 „	4·4	5·85
34 „	4·5	6·0
35 „	4·6	6·2
36 „	4·7	6·4
37 „	4·8	6·6
38 „	4·9	6·8
39 „	5·0	7·0

(2) An officer appointed on or after the fixed date whose age is at the date of appointment forty years or over, may, within three months after the date of his appointment, elect to make contributions to the fund, but it shall not be obligatory upon him to do so.

Provided that all the contributions in respect of any period within which under this sub-section such an officer has been making his election shall be paid by the officer at the end of the month in which he notifies his intention of contributing, notwithstanding anything to the contrary in this Ordinance contained.

Provided further that a male officer whose age at the date of his appointment is forty years or over shall, if he elect to contribute, make contributions to the fund in accordance with the following scale :—

Age last birthday at commencement of pensionable service.	Per cent. of his pensionable emoluments.
40 years.....	5·1
41 „	5·2
42 „	5·3
43 „	5·4
44 „	5·5
45 „	5·6
46 „	5·7
47 „	5·8
48 „	5·9
49 „	6·0

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and provided further that a female officer whose age at the date of her appointment is forty years or over shall, if she elect to contribute, make contributions to the fund in accordance with the following scale :—

Age last birthday at commencement of pensionable service.	Per cent. of her pensionable emoluments.
40 years.....	7·2
41 „	7·4
42 „	7·6
43 „	7·8
44 „	8·0

(3) No contributions to the fund shall be made by an officer or person—

- (a) while under the age of sixteen years ; or
- (b) whose age on appointment in the case of males is fifty years or over and in the case of females forty-five years or over ; or
- (c) whose pensionable emoluments amount to less than ninety pounds per annum ; or
- (d) engaged for the completion or performance of specific work ; or
- (e) remunerated solely by fees or allowances.

Provided that nothing in this or any other section of this Ordinance contained shall be construed as preventing an officer who has, by reason of the removal of any of the disabilities referred to in this sub-section, become eligible to make contributions, from contributing to the fund.

(4) In the case of a person who is eligible for permanent appointment and who may be employed temporarily on or after the fixed date in an office or post specified in the schedule to this Ordinance, or appointed on probation, the person may be given the option of contributing in respect of his temporary or probationary service. Such option shall be exercised within one month from the date of his being called upon by the Administration to do so. If he elects so to contribute, contributions shall be made as from the date of his first appointment (whether temporarily or on probation) and the total contributions from the due date shall anything to the contrary notwithstanding in this Ordinance contained, be recovered from the next succeeding payment of salary, and if he elects not to contribute, or fails to make his election within the prescribed period, he shall not at any future date be permitted to contribute in respect of such temporary or probationary service ; provided that, if for any reason the person is not appointed permanently or if his

appointment on probation is not confirmed, the said contributions shall be regarded as made erroneously and shall be refunded to him without interest.

**Ord. No. 14
of 1927.**

4. (1) Every officer employed at the fixed date shall subject to the production of a satisfactory certificate by a medical officer be eligible to contribute to the fund in respect of the whole or part of his past continuous employment subsequent to the 31st December, 1904; provided that his age at the date from which he elects to contribute to the fund does not exceed fifty years in the case of male and forty-five years in the case of female officers.

Officers employed at fixed date eligible to contribute to the fund and contributions by such officers.

(2) An officer who elects to contribute to the fund shall make contributions to the fund in accordance with the scales prescribed in sub-sections (1) and (2) of section *three*.

(3) (i) An officer who elects to contribute to the fund under this section shall be called upon by the Administration to intimate in writing within a reasonable period to be specified by the Administration what period (if any) of his past continuous employment subsequent to the 31st December, 1904, he desires to have reckoned for purposes of pension. The Administration shall then decide whether or not that period or any portion thereof may be counted as continuous employment for pension purposes, and if it be decided that the officer is entitled to count such period or portion thereof, the officer shall pay to the fund an amount equal to his own contributions at the prescribed rate from the date approved by the Administration up to the date in respect of which the first monthly deduction is made.

(ii) The Administration shall contribute to the fund interest compounded annually up to the fixed date at the rate of four and one half per cent. on the amounts mentioned in the preceding paragraph together with an amount equal to the contributions of the officers with interest compounded annually at the rate of four and one half per cent. from the dates approved by the Administration up to the dates in respect of which the first monthly deduction is made.

(4) An officer who is eligible to contribute to the fund under the provisions of this section or the next succeeding section but does not elect so to contribute shall not be entitled at any time to receive any pension or other benefit whatsoever either from the fund or from revenue.

Ord. No. 14 of 1927.

Contributions by, and payment of gratuities to officers with not less than ten years' service at fixed date.

5. (1) Every officer employed at the fixed date who has been employed continuously for a period of not less than ten years may, in place of contributing to the fund in accordance with the provisions of section *four*, elect to make contributions to the fund at the rate of four per cent. of his pensionable emoluments in respect of employment from the fixed date.

(2) An officer who elects to contribute to the fund under this section shall be called upon by the Administration to intimate in writing, within a reasonable period to be specified by the Administration, the period during which he claims to have had continuous employment subsequent to the 31st December, 1904, and any such period or any portion thereof that the Administration shall then decide may be counted as continuous employment for pension purposes shall be regarded as continuous employment for the purpose of this section.

(3) (i) Notwithstanding anything to the contrary in this Ordinance contained any officer who elects to contribute to the fund under this section shall, on retirement for the reasons described in sections *nine, ten, eleven*, or sub-section (b) of section *thirteen*, receive in place of the benefits prescribed a gratuity of one month's pensionable emoluments at the rate he was receiving at the time of retirement for each two years of continuous employment for the first ten years of such employment and a gratuity of one month's such pensionable emoluments for each additional year of such employment.

(ii) The Administration shall pay to the fund the present value computed actuarially as at the fixed date of such portions of these gratuities as are in respect of employment prior to the fixed date.

Method of contributions by officers.

6. (1) Every contribution of an officer to the fund shall be made by monthly deductions from his pensionable emoluments, and in the case of contributions from officers which may be made in respect of any period prior to that in respect of which the first monthly deduction is made, the first complete instalment shall be deemed to have commenced as from the day next before such date and each further complete instalment to have been paid on the last day of each month immediately preceding the last such instalment and continue in regular order until the last instalment has been paid.

(2) Every officer shall pay into the fund either by a single payment or by instalments approved by the Administration to be completed before the attainment

of the retiring age such arrears as may be due by him. Such arrears shall as from the fixed date bear interest at the rate of four and one-half per cent. per annum compounded annually and such interest shall continue to be payable on the balance of arrears outstanding until such time as the whole of the arrears shall have been liquidated.

Provided that where payment of such arrear contributions is taking place by instalments and the officer shall die or leave the service before he shall have completed such arrear payments, then any benefits from the fund to which the officer or his representatives are entitled shall be calculated upon the whole period of his continuous employment in respect of which he has elected to contribute, and in the case where a refund or gratuity is payable the balance of arrears outstanding, including interest, shall be deducted from such a refund or gratuity and in the case where an annuity is payable the instalments outstanding shall be deducted from the annuity payments and if death occurs before these are completed, the balance outstanding shall be deducted from any payments from the fund to which his representatives are entitled.

(3) An officer shall continue to contribute to the fund while on leave with full pay, or with pay less than full pay, and his contributions shall continue to be on his full pensionable emoluments. An officer may on application be permitted to contribute in respect of any authorized leave of absence without pay on the basis of his pensionable emoluments for the calendar month immediately preceding the commencement of his leave without pay; but such application must be made and the amount due in respect thereof must be actually paid by the officer within one month of his return to duty, provided that the officer may on making written application be permitted to refund the amount in six or less monthly instalments deducted from the pensionable emoluments payable to him. Failing such application and such payment by the officer no contributions shall be collected or be payable in respect of any period of leave without pay, and no such period shall be reckoned in calculating the period of his pensionable employment.

(4) An officer shall continue to contribute to the fund whilst absent on sick leave with pay. If sick leave be granted with full pay or with pay less than full pay, contributions shall be payable on his full pensionable emoluments. The provisions of sub-section (3) shall *mutatis mutandis* apply in respect of contributions while on sick leave without pay.

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of 1927.**

—
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Contributions by the Administration.

7. From and after the fixed date there shall be paid out of revenue to the fund—

(a) a sum equal to the aggregate of the current contributions made by officers or persons to the fund ;

(b) the amounts due by the Administration mentioned in paragraph (ii) of sub-section (3) of section *four* ;

(c) interest at the rate of four per cent. per annum on the daily average uninvested balance of the fund ;

(d) the amount due by the Administration in respect of gratuities as provided in paragraph (ii) of sub-section (3) of section *five*.

The payments referred to in sub-sections (a) and (c) of this section shall be made to the fund monthly. The Administration shall pay into the fund over a period of ten years from the fixed date such equal or approximately equal monthly instalments as are required to make good the amounts due under paragraphs (b) and (d).

Method of calculation of annuity.

8. Subject to the provisions of this Ordinance, any annuity payable out of the fund shall be based on the average pensionable emoluments of the retiring officer for the whole period of his contributions or for the last thirty years thereof whichever period may be the shorter, and shall be calculated at the rate of one-sixtieth of those average pensionable emoluments for each year of contribution.

Provided that—

(a) no annuity shall be paid out of the fund to any officer until contributions have been made by him in respect of a period of ten years or more ;

(b) the officer is in other respects entitled to an annuity under this Ordinance ;

(c) the total annuity paid to any officer who is entitled to an annuity under any provision of this Ordinance shall not be at a lesser rate than £60 per annum.

For the purposes of this section the period of contributions shall be calculated by the year and month and fractions of a month shall be disregarded.

Retirement at or after the prescribed ages upon annuity.

9. (1) A male officer who has attained the age of sixty years and a female officer who has attained the age of fifty-five years shall have the right to retire and shall be required so to retire unless it is desirable in the public interest to retain such officer in his office or post over that age, and in that event such an officer may from time to time with the approval of the Administrator after consultation with the medical officer be retained for further periods (not

exceeding one year at a time) up to the age of sixty-five years, after which age no officer shall be retained in an office or post.

Ord. No. 14
of 1927.

Provided that a return of male officers retained after the age of sixty years and female officers retained after the age of fifty-five years shall be laid before the Provincial Council within fourteen days of the commencement of every ordinary session thereof; and provided further that if any officer is retained in a temporary capacity after reaching the age of sixty-five years, any benefits which have accrued under this Ordinance or any amendment thereof to such officer shall be withheld until he finally leaves the service.

(2) A male officer who has attained the age of fifty-five years and a female officer who has attained the age of fifty years may be required to retire on pension, but all payments made of any annuity before the officer has reached the age at which he is entitled to retire under sub-section (1) of this section shall be paid out of revenue and not out of the fund.

10. (1) An officer who, having contributed to the fund in respect of a period of ten years or more, is found by the Administration acting upon the advice of a medical officer on the grounds of permanent ill-health caused without his own default to be unfit to discharge efficiently the duties of his office or post shall be temporarily retired and shall be entitled to receive in respect of his completed period of contributions an annuity as is provided in section *eight*.

Retirement upon an annuity before the prescribed age on grounds of ill-health.

(2) If an officer to whom an annuity has been granted under sub-section (1) of this section be certified by a medical officer within two years after his temporary retirement to be fit for duty and is still under the age of superannuation he may be required to resume duty in his former or in any other office or post. If he refuses to resume duty without reasonable cause the annuity provided under sub-section (1) shall cease. Provided that—

- (a) the pensionable emoluments attaching to the office or post shall not be less than the pensionable emoluments drawn by him immediately prior to his temporary retirement;
- (b) the office or post in which he is required to resume duty is not of a lower grade than that from which he is temporarily retired;
- (c) any annuity which he was drawing at the time of resuming duty shall determine;

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(d) on his final retirement he shall be entitled for the purposes of annuity to add together the periods of employment prior to and subsequent to his temporary retirement if he contributes to the fund during that subsequent period.

If on the expiration of two years from the date of his temporary retirement an officer has not been required to resume duty or is still medically unfit for duty he shall be deemed to have finally retired.

Retirement
upon an
annuity
owing to re-
organization.

11. (1) An officer who has contributed to the fund in respect of a period of ten years or more, if retired

(a) owing to the abolition of his office or post ; or

(b) owing to reduction or reorganization or re-adjustment of offices or staff ; or

(c) because his removal would facilitate improvements in organization ; or

(d) because the Administration considers that he has become unfitted for performing efficiently the duties of his office or post from causes not within his own control and not attributable to the performance of his official duties ;

shall be entitled to receive in respect of his completed period of contributions an annuity calculated as is provided in section *eight*. All payments of such annuity made before such an officer attains the retiring age prescribed under section *nine* shall be paid out of revenue and not out of the fund, but all such payments after he attains that age shall be made out of the fund.

(2) No such annuity shall be granted unless the Administration shall have previously approved of the retirement of the officer for one of the reasons described in sub-section (1) of this section.

BENEFITS OTHER THAN ANNUITIES.

Return of
contributions.

12. An officer shall be entitled, on application, to a return of the whole of his own contributions to the fund at the prescribed rate together with simple interest calculated at the rate of three per cent. per annum if he has completed three years' continuous employment and at the rate of four per cent. per annum if he has completed five years' continuous employment and at the rate of five per cent. per annum if he has completed ten years' continuous employment if he retires from any cause whatsoever, unless the retirement be under the provisions of sections *ten*, *eleven*, *thirteen*, or *sixteen* and on the payment of such sum the said officer shall have no further claim upon the fund. Provided that in the

case of an officer dismissed for fraud or dishonesty no interest shall be allowed and the Administration may deduct from any sum thus payable the amount of any loss which the Administration may have sustained by reason of such fraud or dishonesty. Any such deduction shall be refunded to revenue.

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13. An officer shall be entitled, on application, to the payment of a sum equal to twice the amount of his own contributions at the prescribed rate to the fund, without interest if—

Return of
twice the
amount of
contributions.

(a) he retires for reasons described in sections *ten* or *eleven* but before he has completed contributions to the fund in respect of a period of ten years; or

(b) being a female officer with not less than five years' continuous employment she is discharged on her marriage, or if she voluntarily retires in contemplation of her marriage and marries within three months after her retirement;

and on payment of the sum aforesaid the said officer shall have no further claim on the fund.

ANNUITIES, GRATUITIES, OR RETURN OF
CONTRIBUTIONS TO REPRESENTATIVES OF DECEASED
OFFICERS.

14. (1) Subject to the provisions of sub-section (3) of this section, if an officer dies before his retirement there shall be paid to or for the benefit of the persons mentioned in sub-section (3) a gratuity equal to twice the amount of his contributions to the fund without interest; provided that in the case of an officer who has elected to contribute to the fund under the provisions of section *five* there shall be paid a gratuity as prescribed in paragraph (i) of sub-section (3) of section *five*.

Gratuity in
event of
death before
or soon after
retirement.

(2) Subject to the provisions of sub-section (3) of this section, if any officer who has retired on an annuity under this Ordinance, die within five years after the date of his retirement, there shall be paid to or for the benefit of the persons mentioned in sub-section (3) either the annuity which such officer, if he had not died, would have drawn during the unexpired period of five years aforesaid, or a gratuity equal to the difference between a sum equal to five times that annuity and the annuity payments actually made to him or on his behalf before death.

(3) The gratuity or annuity under sub-section (1) or (2) shall only be paid when the deceased officer leaves a wife or minor children or failing a wife or minor children any children or relatives or other persons dependent upon him. In every such case

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of 1927.

the payment shall be made to or for the benefit of one or more of such persons and the selection of the person or persons shall be in the discretion of the Administration.

(4) When the said annuity or gratuity has been paid, the Administration and the fund shall be exempt from any further payment.

(5) Notwithstanding anything to the contrary in this section contained if an officer die before his retirement or after he has retired on an annuity and shall not leave any such persons as described in sub-section (3) of this section there shall be paid to any person or persons nominated by him in a will an amount equal to his own contributions together with simple interest calculated at the rate of three per cent. per annum if he had at the date of his death completed three years' continuous employment and at the rate of four per cent. if he had completed five years' continuous employment and at the rate of five per cent. if he had completed ten years' continuous employment, less the amount, if any, which he may have received in respect of annuity.

Pensions payable from revenue.

15. The pensions or other benefits payable under the next two succeeding sections shall be charged upon and payable out of revenue.

Pensions to officers retiring in consequence of injury, etc., received in discharge of duty.

16. (1) If an officer who makes contributions to the fund would at his retirement at the age of superannuation have been entitled to an annuity but is compelled to retire before attaining that age by reason of severe bodily injury or permanent ill-health occasioned without his default in the discharge of and specially attributable to his official duties the Administration shall grant him a pension at the following rate, namely :—

(a) If it appear to the Administration after consultation with the medical officer that his capacity to contribute to the support of himself and his dependents is totally destroyed, an annuity of not less than half his average annual pensionable emoluments during the whole period of his contributions ;

(b) if it appear to the Administration after consultation with the medical officer that his capacity to contribute to the support of himself and his dependents is materially impaired, an annuity at the rate of at least one-sixtieth of his average annual pensionable emoluments during the whole period of his contributions for each year of employment, and calculated upon those emoluments ; provided that the contributions made to the fund both by the said

officer himself and in respect of the said officer from revenue together with simple interest at four per cent. per annum shall be paid to revenue out of the fund.

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(2) Notwithstanding the provisions of sub-section (1) of this section in the case of an officer who has elected to contribute to the fund under the provisions of section *five* and who is compelled to retire before attaining the age of superannuation for the reasons described in sub-section (1) of this section the Administrator may grant him such gratuity as he may deem adequate ; provided that there shall be paid to revenue out of the fund the gratuity prescribed on paragraph (i) of sub-section (3) of section *five*.

17. If an officer who makes contributions to the fund loses his life either from an injury sustained or from illness contracted in the circumstances described in the last preceding section, the Administration shall grant to or for the benefit of such persons as are described in sub-section (3) of section *fourteen* such annuity or gratuity as the necessities of the case may require, but such annuity shall in no case exceed one-half of his average pensionable emoluments during the whole period of his contributions.

Annuities to relatives of officers dying in consequence of injuries, etc., received in discharge of duty.

Provided that the amount of the contributions made to the fund both by the said officer himself and in respect of the said officer from revenue together with simple interest at four per cent. per annum or in the case of an officer who elected to contribute under the provisions of section *five* the amount of the gratuity prescribed in paragraph (i) of sub-section (3) of section *five* shall be paid to revenue out of the fund.

Provided further that the provisions of sub-section (3) of section *fourteen* shall *mutatis mutandis* apply in respect of the selection of the person or persons to whom the pension shall be granted.

Provided further that any such annuity shall cease—

- (a) in the case of a widow on her remarriage ;
- (b) in the case of a minor who is a male on his attaining the age of eighteen years ; and
- (c) in the case of a minor who is a female on her attaining the age of twenty-one years, or marrying under that age.

FINANCIAL.

Ord. No. 14
of 1927.

Accounts.

18. (1) The Administration shall cause full and true accounts of the fund to be kept showing separately—

(a) all sums of money received or due and disbursed or repayable in respect of contributing officers or persons and particulars of the matters and things for which these sums of money have been received or disbursed ;

(b) the dates of payment of the first and all subsequent contributions, together with all chronological and other particulars necessary to admit of proper accounts of the fund being kept in accordance with this Ordinance and the regulations, and to admit of an actuarial valuation of the fund being made at any time ;

(c) all sums of money due to or from revenue in connection with the fund ;

(d) all other matters of account provided for or contemplated in this Ordinance and the regulations.

(2) The Administration shall cause the books and accounts of the fund to be balanced up to the thirty-first day of March in every year, and balance-sheet to be prepared, showing the assets and liabilities of the fund at the date when the balance-sheet is framed.

Quinquennial
valuation
of fund.

19. (1) The fund shall be valued as at the thirty-first day of March, 1932, and every five years thereafter by an actuary. The actuary shall report direct to the Administration, which shall submit such report to the Provincial Council, and shall in his report state the data and processes used in his investigation and valuation. He shall separately value the assets and liabilities of the fund, and shall declare any surplus or deficiency which appears thereon, shall state his opinion why that surplus or deficiency (as the case may be) has arisen and as to the steps which in his opinion should be taken to deal with it.

(2) If the actuary's valuation discloses a substantial surplus beyond the requirements likely to arise under this Ordinance or any amendment thereof, the benefits shall be increased or the contributions shall be reduced in such manner as the Provincial Council may direct. If the actuary's valuation discloses a substantial deficiency, the deficiency shall be met, if necessary, in such manner as the Provincial Council may direct.

Provided that no person to whom a pension has been granted shall, in the case of an annuity, have it reduced, or in the case of a gratuity, be called upon to repay any portion thereof.

Provided further that the contributions from revenue shall never be at a lower rate than is for the time being prescribed as payable by officers.

20. The business of the fund shall be conducted by the Administration, and the cost of administering the fund and of any investigations and matters incidental thereto shall be borne out of revenue. Funds to be administered by Administration.

GENERAL.

21. (1) The period of employment in respect of which a pension shall under this Ordinance be reckoned, except as specially provided for in section *ten*, shall be continuous. Period of employment for pension purposes.

(2) A continuous period of employment shall include the time spent—

- (a) on actual duty ;
- (b) on authorized leave of absence ;
- (c) under suspension if followed by reinstatement in the same or another office or post.

(3) A continuous period of employment shall not be regarded as interrupted by authorized leave of absence without pay, but the time spent on such leave shall not be reckoned in calculating a pension unless the officer has contributed for such period to the fund ; save in respect of the continuous employment prior to the fixed date of officers who have elected to contribute under the provisions of section *five*.

22. If any officer be granted an annuity under this Ordinance and be thereafter employed with his own consent in the Public Service or under the Railways and Harbours Administration or any Provincial Administration or under the Administration of the Mandated Territory then while that subsequent employment continues the annuity shall cease if the emoluments of his office in such subsequent employment be equal to or greater than the emoluments of his office or post previous to the grant of the annuity. If the emoluments of his office in such subsequent employment be less than the emoluments of his office or post previous to the grant of the annuity, so much of the annuity as may not exceed the difference between those emoluments shall be payable. On the termination of the said subsequent employment the whole annuity shall again become payable. Officers re-employed—Annuity to cease or be reduced during period of re-employment.

Ord. No. 14 Benefits to
of 1927. permanent
non-
pensionable
officers.

23. (1) An officer who is not eligible for membership of the fund established by this Ordinance and for whom no pension provision is made in any other law, and who has held for a period of at least two years an office or post described in the schedule to this Ordinance may, on retirement upon the grounds of superannuation, ill-health, reorganization or retrenchment, be paid a gratuity equivalent to four per cent. of the emoluments drawn by him during the period of his continuous service.

The terms "emoluments" and "continuous service" shall be taken to mean such emoluments and such service as would be taken into account in computing the pension of a pensionable officer.

(2) The gratuities payable shall be charged upon and paid out of revenue.

(3) Such officers shall retire at the ages at which they would be required to retire if they were contributors to the fund established by this Ordinance.

Pensions,
etc., not
assignable or
executable.

24. No pension, or right to a pension, shall be capable of being assigned or transferred or otherwise ceded, or of being pledged or hypothecated, nor shall the same or any contributions made by an officer be liable to be attached or subjected to any form of execution under a judgment or order of a court of law, and in the event of the beneficiary attempting to assign, transfer, or otherwise cede or to pledge or hypothecate a pension or right to a pension, payment of the same may be withheld, suspended, or entirely discontinued, if the Administration so determines; provided that the Administration may before payment of any annuity or gratuity is made to an officer, deduct any sums which may be due to the Administration by such officer.

How pensions
affected by
insolvency.

25. (1) If the estate of any officer in receipt of an annuity is sequestrated or surrendered or assigned for the benefit of his creditors the annuity shall forthwith determine; provided that in any such case, all or any part of the annuity may be paid to or for the benefit of all or any of the following persons, namely, such officer, his wife or any minor children, or failing a wife or minor children to any children or other relatives or persons dependent on him for maintenance. If the payment is to such officer it shall be for his own personal use and may not in any way be attached or appropriated by the trustee in insolvency or by his creditors, anything to the contrary notwithstanding in any law relating to insolvency.

(2) Whenever an annuity has determined under this section it shall be revived on rehabilitation of the insolvent and he shall receive an annuity at

the same rate and under the same conditions as before the sequestration, surrender, or assignment together with any arrears that may be due.

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of 1927.**

26. (1) If an officer in receipt of an annuity is convicted before any court of any crime or offence, and is sentenced therefor to death or to any term of imprisonment exceeding twelve months without the option of a fine, the annuity shall cease to be paid to such officer; provided that the annuity or any portion thereof may during such person's imprisonment be paid to or for the benefit of his wife or minor children or, failing a wife or minor children, to any children or relative or other persons dependent on him, and the selection of such person or persons shall be in the discretion of the Administration.

Pensions on conviction.

(2) Whenever the payment of any annuity has ceased under sub-section (1) of this section it shall be revived on the discharge of the pensioner from prison and he shall receive the annuity at the same rate and under the same conditions as before his imprisonment.

27. If any retired officer be found to have made wilfully a false statement for the purpose of obtaining a pension knowing the statement to be false then the Administration may order that the right to any pension to which he has become entitled, or any annuity of which he is in receipt shall be suspended, reduced or forfeited; provided that he shall not receive owing to the exercise of the powers of this section less, in the case of an annuity, than the annual value calculated actuarially of any sum contributed by him or less, in the case of a gratuity, than the actual sum contributed by him in accordance with this Ordinance.

Power to reduce or suspend pensions.

28. The Administration may at the request of the recipient and subject to the production of a satisfactory certificate by a medical officer commute such portion of any annuity as does not exceed one-third thereof by a single cash payment calculated actuarially according to the period for which the recipient may be expected to draw the annuity. In the event of the retirement taking place before the recipient has attained the prescribed age for retirement, no greater sum shall be paid out of revenue than would in the ordinary course be so paid if the annuity had not been commuted and the recipient had lived to attain the age from which the annuity would be paid out of the fund.

Commutation of annuities.

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When sections 16 or 17 do not apply.

29. If under the provisions of the Workmen's Compensation Act No. 25 of 1914 or any amendment thereof an officer or his dependents as therein defined obtains compensation as therein defined or if at common law any officer or his dependents obtain damages in respect of any such circumstances as are described in section *sixteen* or *seventeen* of this Ordinance then the provisions of the said section *sixteen* or *seventeen* shall not apply.

Section 31 of Ordinance No. 13 of 1919 not to apply to certain officers appointed after the fixed date.

30. The provisions of this Ordinance shall apply to every officer appointed on or after the fixed date to a post described in the schedule to this Ordinance as nursing orderly or male nurse. Such officers shall not be entitled to receive on retirement the benefits prescribed in sub-sections (1) and (2) of section *thirty-one* of the Transvaal Hospital Nurses' Pensions Ordinance, 1919.

Providing for refund of moneys paid out in the case of discharged officers reinstated in an office or post.

31. Any officer who after ten years' continuous employment is compelled to retire and is subsequently reinstated may on the recommendation of the Administration, and subject to the approval of the Provincial Council, during the period for which he was not employed be deemed to have been absent on leave without pay and may resume his contributions to the fund, provided that he refunds all moneys received by him on the occasion of his retirement, together with such interest as the Administration may decide but shall not be permitted to contribute to the fund in respect of the period during which he was not employed.

Providing for recognition of service of officers transferred from service of one Province to another.

32. (1) If an officer resigns before reaching the prescribed age and is appointed to an office or post on the staff of a hospital or school board of another Province of the Union, and if the period between the date of his resignation in the Transvaal and the assumption of duty in the other Province is not more than one year, the Administration shall on application being made by such officer decide whether the whole or part of the period during which such officer has contributed to the fund may be regarded as pensionable employment. If the Administration decide that the whole or part of such officer's employment is to be reckoned as pensionable employment, such officer shall on reaching the prescribed retiring age, provided he has continued on the staff of a hospital or school board of such other Province or has only ceased to do so on account of ill-health or on account of reaching the retiring age prescribed for officers in such Province be entitled to the payment of an annuity based on his average pensionable emoluments for the whole period of his contributions

to the fund or for the last thirty years thereof, whichever may be the shorter, and any such annuity shall be calculated at the rate of one-sixtieth of these average pensionable emoluments for each year of contribution.

**Ord. No. 14
of 1927.**

(2) The provisions of sub-section (1) of this section shall not take effect unless the other Province or Provinces of the Union to which the officer transfers his services have made similar provisions for hospital and school board officials transferred from their service to the service of a hospital or school board in the Transvaal; provided that until such provision has been made, an officer who has satisfactory service in another Province may be allowed to contribute to the fund in respect of so much of his service as the Administration may approve, provided that the officer's own contributions at the prescribed rate and the contributions which would have been made from revenue in respect of such approved service if the officer had been employed in the Transvaal shall be paid by the officer together with interest at the rate of five per cent. per annum compounded annually up to the date of payment.

33. (1) Any person who has been serving in the Public Service of the Union, or under any Provincial Administration or under the Administration of the Mandated Territory and who is transferred from such service to an office or post described in the schedule to this Ordinance and whose age on transfer is under forty years shall contribute to the fund at the scales prescribed in sub-section (1) of section *three*.

Providing for recognition of service of officers transferred from certain services.

(2) Any person transferred as aforesaid whose age on transfer is forty years or over may, within three months after the date of his transfer, elect to contribute to the fund but it shall not be obligatory upon him to do so.

Provided that all the contributions in respect of any period within which under this sub-section such person has been making his election shall be paid by the officer at the end of the month in which he notifies his intention of contributing notwithstanding anything to the contrary in this Ordinance contained.

Provided further that any person who elects to contribute under this sub-section shall make contributions in accordance with the scales prescribed in sub-section (2) of section *three*.

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of 1927.

(3) Any person transferred as aforesaid, whose age on transfer is fifty years or over, shall be allowed to contribute to the fund from the date of his transfer notwithstanding anything contained in paragraph (b) of sub-section (3) of section *three*; provided that the basis of contribution to the fund shall be fixed by the Administration after consultation with the actuary.

(4) Any person who is transferred as aforesaid shall be allowed to reckon his service in the Public Service of the Union or under any Provincial Administration or under the Administration of the Mandated Territory, or a portion of it, as continuous with his future service; provided that the officer's own contributions at the prescribed rate and the contributions which would have been made from revenue in respect of such service shall be paid by or on behalf of the officer together with interest at the rate of five per cent. per annum compounded annually up to the date of payment.

Regulations. **34.** The Administrator may make regulations not inconsistent with the provisions of this Ordinance for the efficient carrying out of the objects of this Ordinance.

Power to add to, alter, or amend schedule. **35.** The Administrator may at any time and from time to time by proclamation in the *Provincial Gazette* add to, alter, or amend the schedule to this Ordinance.

Saving as to gratuity already paid. **36.** Notwithstanding anything in this Ordinance contained no period of service for which a pension has already been received by an officer shall be reckoned as service for pension purposes.

Short title and date of operation. **37.** This Ordinance may be cited for all purposes as the Transvaal Hospital and School Board Officials Pensions Ordinance, 1927, and shall commence and come into operation on a date fixed by proclamation in the *Provincial Gazette*.*

* Proclamation No. 62, *Provincial Gazette* dated 7th September, 1927, page 314.

Schedule.

**Ord. No. 14
of 1927.**

OFFICES AND POSTS WHICH SHALL BE PENSIONABLE.

Barberton Hospital.

Secretary.

Boksburg Hospital.

House Surgeon.
Secretary-Superintendent.
Clerk.
Clerical Assistant.
Typist.
Storekeeper.
Seamstress.
Assistant Seamstress.
Laundress.
Assistant Laundress.
Cook.
Assistant Cook.

Germiston Hospital.

Secretary.
Typist.
Cook.
Assistant Cook.

Johannesburg Hospital.

Superintendent.
Chief Clerk and Accountant.
Cashier.
Clerk.
Clerical Assistant.
Typist.
Almoner.
Senior Resident Medical Officer.
Chief Dispenser.
Assistant Dispenser.
Engineer.
Assistant Engineer.
Electrician.
Mechanician.
Lay Assistant.
X-ray Assistant.
House Steward.
Masseur.
Storeman.
Compound Manager.
Assistant Compound Manager.
Laundry Superintendent.
Sterilizer Attendant.
Telephone Attendant.

Laundry Checker.
Kitchen Superintendent.
Cook.
Assistant Cook.
Nursing Orderly.
Male Nurse.
Seamstress.
Assistant Seamstress.

Klerksdorp Hospital.

Cook.

Krugersdorp Hospital.

Secretary.
Typist.
Cook.
Assistant Cook.

Pietersburg Hospital.

Secretary.
Cook.

Pretoria Hospital.

Superintendent.
Resident Secretary.
Chief Clerk.
Clerical Assistant.
Typist.
Dispenser.
Assistant Dispenser.
Radiographer.
Assistant to Radiographer.
Assistant Radiographer.
Masseur.
Storekeeper.
Telephone Operator.
Cook.
Seamstress.
Assistant Seamstress
Boiler Attendant.
Male Nurse.
Nursing Orderly.

School Boards.

Secretary.
Clerk.
Typist.

Ord. No. 15
of 1927.

AN ORDINANCE

To amend further the Shop Hours Ordinance
No. 5 of 1923.

(Assented to 30th July, 1927.)

(Date of operation, 31st August, 1927.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows :—

Special provision for certain shops.

1. Notwithstanding anything contained in the Shop Hours Ordinance No. 5 of 1923 as amended (hereinafter called the principal Ordinance) the opening and closing hours of shops as prescribed therein shall be observed in any area situate outside the five-mile radius prescribed in section *one* of the principal Ordinance.

Penalty.

2. Any person who shall open or keep or permit to be open a shop in contravention of the preceding section shall be guilty of an offence and shall be liable on conviction to the penalties prescribed in section *twelve* of the principal Ordinance.

Short title.

3. This Ordinance may be cited for all purposes as the Shop Hours Further Amendment Ordinance 1927.

Ord. No. 16
of 1927.

AN ORDINANCE

To amend the Local Authorities Rating Ordinance, 1912,
in certain respects.

(Assented to 30th July, 1927.)

(Date of operation, 14th September, 1927.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows :—

Interpretation of terms.

1. In this Ordinance the words "principal Ordinance" and "amending Ordinance" shall be taken to mean respectively the Local Authorities Rating Ordinance No. 6 of 1912 and the Local Authorities Rating Amendment Ordinance No. 1 of 1916.

2. (1) Section *three* of the principal Ordinance shall be and is hereby amended in the following respects—

Amendment
of section
3 of
principal
Ordinance.

Ord. No. 16
of 1927.

(a) by the addition thereto of the following new definition:—

“ ‘Freeholders licence interest’ shall mean and include any right of the owner of proclaimed land to receive a portion of—

- (i) the claim licence moneys payable in respect of such land ;
- (ii) the licence moneys payable in respect of residential, trading, and industrial stands granted on such land under the Precious and Base Metals Act, 1908, and any amendment thereof or any prior law ;
- (iii) the rents payable under section *three* of the Bewaarplaats Moneys Application Act 1917 ;
- (iv) the rents payable under sub-section (3) of section *four* of the Transvaal Mining Leases and Mineral Law Amendment Act 1918 ;
- (v) the rents as and when payable in respect of any surface rights granted under Chapter IX of the Precious and Base Metals Act 1908 and any amendment thereof.”

(b) by the deletion of sub-section (5) of the definition of “interest in land” and the substitution therefor of the following new sub-section:—

- “ 5. (i) Any user of proclaimed land whether held under a claim licence or other mining title or not for residential purposes or for purposes not incidental to mining operations.
- (ii) Any occupation, by reason of the existence thereon of buildings and improvements, of proclaimed land or land which although held under mining title is not proclaimed, where no lawful authority for such occupation under any law relating to the exploitation of precious and base metals exists, and where such buildings and improvements are used for residential purposes or for purposes not incidental to mining operations.”

Ord. No. 16
of 1927.

Section 2.

(c) by the addition to the definition of " interest in land " as amended by section *two* of Ordinance No. 4 of 1917 of the two following new sub-sections :—

" (8) Any freeholder's licence interest as herein defined ;

" (9) Any occupation of buildings and improvements (not being on land in a lawfully established township) whether movable or immovable used for residential purposes or for purposes not incidental to mining operations, situate on proclaimed land or on land which though held under mining title is not proclaimed in respect of the erection, maintenance, or occupation of which buildings and improvements no lawful authority under the provisions of any law relating to the exploitation of precious and base metals exists. ' Occupation ' for the purposes of this definition shall mean the actual occupation of or the exercising of ownership in respect of such buildings and improvements."

(d) by the addition thereto of the following new definition :—

" ' Open proclaimed land ' for the purposes of this Ordinance shall mean and include all proclaimed land (that is to say land proclaimed a Public Digging under the Precious and Base Metals Act 1908 or Law No. 15 of 1898 or a prior law, provided such land has not been lawfully deproclaimed) which is not held under mining title or surface right and which has not been reserved or granted for any purpose under the Precious and Base Metals Act 1908 and any amendment thereof."

(e) by the addition to the definition of " owner " as amended by section *three* of Ordinance No. 4 of 1917 of the following new sub-sections to be numbered (6) and (7) the present sub-section (6) to be numbered (5) :—

" (6) (a) Any person in occupation of buildings and improvements (not being in a lawfully established township) whether movable or immovable used for residential purposes or for purposes not incidental to mining operations, situate on proclaimed

land or on land which though held under mining title is not proclaimed, and in respect of the erection maintenance or occupation of which buildings and improvements no lawful authority under the provisions of any law relating to the exploitation of precious and base metals exists. 'Occupation' for the purposes of this definition shall mean the actual occupation of or the exercising of ownership in respect of such buildings and improvements.

(b) Any person, who, by reason of his exercising ownership in buildings and improvements situate thereon, occupies proclaimed land or land which although held under mining title is not proclaimed, where no lawful authority for such occupation under any law relating to the exploitation of precious and base metals exists and where such buildings and improvements are used for residential purposes or for purposes not incidental to mining operations."

"(7) Any person to whom has been assigned the right to receive in respect of any proclaimed land the whole or any portion of the following :

- (i) the claim licence moneys payable in respect of such land ;
 - (ii) the licence moneys payable in respect of residential, trading, and industrial stands granted on such land under the Precious and Base Metals Act, 1908, and any amendment thereof or any prior law ;
 - (iii) the rents payable under section *three* of the Bewaarplaats Moneys Application Act, 1917 ;
 - (iv) the rents payable under subsection (3) of section *four* of the Transvaal Mining Leases and Mineral Law Amendment Act, 1918 ;
 - (v) the rents as and when payable in respect of any surface rights granted under chapter IX of the Precious and Base Metals Act, 1908, and any amendment thereof."
- (f) by the amendment of the definition of "Rateable Property" as amended by sections

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four and *ten* of the amending Ordinance section *four* of Ordinance No. 4 of 1917, and section *three* hereof as follows:—

(i) by the insertion in definition B thereof immediately at the end of and outside the brackets after the word “hereunder” of the following words:—

“Open proclaimed land as hereinbefore defined as well as”

(ii) by the insertion after the words “voluntary contributions” in paragraph (2) under A and in paragraph (2) under B of the words: “or for hospitals in receipt of a subsidy or grant-in-aid from the Provincial Administration.”

(2) Section *three* of the amending Ordinance shall be and is hereby repealed.

Amendment
of section 4
of amending
Ordinance.

3. Section *four* of the amending Ordinance shall be and is hereby amended by the deletion from the definition of “rateable property” of the words:—

“Any right of the owner of proclaimed land to receive a portion of the claim licences payable in respect of such land, and further such owner’s present and reversionary rights to the surface of such land”

and by the substitution therefor of the words:—

“the freeholder’s licence interest as defined by section *three* of the principal Ordinance.”

Repeal.

4. The Local Authorities Rating Further Amendment Ordinance (No. 12) of 1918 and the Local Authorities Rating Amendment Ordinance (No. 9) of 1919 shall be and are hereby repealed.

Repeal of
section 5 of
amending
Ordinance
and
enactment of
new section
4 to
principal
Ordinance.

5. Section *five* of the amending Ordinance shall be and is hereby repealed and the following new section *four* to the principal Ordinance shall be and is hereby enacted:—

“4. (1) The local authority shall from time to time but not less than once in every three years cause a valuation of all rateable property within the district to be made, provided, however, that should such valuation not be completed until after the expiry of the three years aforesaid the local authority shall not then impose any rate on any previous valuation but on such valuation when completed; provided further

that such valuation shall not be invalidated by reason of not having been completed within such term of three years.

(2) The local authority shall by resolution appoint one or more competent persons to compile such valuation before he or they shall enter upon his or their duty.

(3) The Administrator may from time to time by proclamation in the *Provincial Gazette* and subject to the provisions of the next succeeding sub-section apply the following provisions to any local authority other than to any of the local authorities mentioned in the third schedule to this Ordinance for any period not less than five years and for that period the provisions of sub-section (1) hereof shall not apply to such local authority :—

(a) The local authority shall from time to time but not less than once in every five years cause a valuation of all rateable property within the district to be made, provided, however, that should such valuation not be completed until after the expiry of the five years aforesaid the local authority shall not then impose any rates on any previous valuation but on such valuation when completed ; provided further that such valuation shall not be invalidated by reason of not having been completed within such term of five years.

(4) Before the Administrator shall exercise the power conferred upon him under the last preceding sub-section the local authority desirous of having the provisions of paragraph (a) thereof applied to it shall furnish him with—

(a) a certified copy of the resolution of the local authority to petition for the application of the said provisions ;

(b) a certificate under the hand of the town clerk that the said resolution was agreed to by not less than two-thirds of the members of the local authority and was published at least once a week during three successive weeks in the *Provincial Gazette*, and in one or more newspapers circulating in the municipality ;

(c) copies of any objections against the local authority's proposal or, if none has been lodged, a statement to that effect."

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—
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of 1927.

Third
schedule to
principal
Ordinance.

6. The following schedule shall be and is hereby enacted as the third schedule to the principal Ordinance :—

THIRD SCHEDULE.

Local Authorities to which the provisions of paragraph (a) of section *four* (3) of the Ordinance may not be applied :—

Town Council of Benoni.
” ” Boksburg.
” ” Brakpan.
” ” Germiston.
” ” Johannesburg.
” ” Krugersdorp.
” ” Potchefstroom.
” ” Pretoria.
” ” Roodepoort-Maraaisburg.
” ” Springs.

Amendment
of section
8 of
amending
Ordinance.

7. Section *eight* of the amending Ordinance shall be and is hereby amended as follows :—

(1) by the following alterations to sub-section (3) :—

(a) delete all the words following the words “ mining operations ” in the twelfth line and substitute therefor the words “ whether by persons engaged in such operations or otherwise as well as upon the site value of the land.”

(b) add the following further proviso :—

“ and provided further, however, that no rate shall be levied upon the value of any improvements upon an industrial stand (whether upon land held under claim licence or other mining title or not) granted for the purpose of carrying on the works enumerated in sub-section (1) (c) of section *seventy-nine* of the Precious and Base Metals Act, 1908, as amended by section *twenty-six* of the Transvaal Mining Leases and Mineral Law Amendment Act, 1918, save and except when and as a rate is levied upon the value of improvements within the municipality in terms of the next succeeding sub-section.”

(2) by the deletion in paragraph (i) of sub-section (4) of the words :—

“ the rate shall not exceed in the aggregate three pence in the pound.”

and by the substitution therefor of the words following:—

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“ the total of the sum produced by the rate on the value of improvements and by the additional rate on site value shall not exceed the sum which a rate of three pence in the pound would produce calculated on the whole of the rateable value in any municipality.”

8. (1) Within sixty days calculated from the coming into operation of this Ordinance all buildings and improvements (not being in a lawfully established township), whether movable or immovable, used for residential purposes or for purposes not incidental to mining operations and situate on proclaimed land, and in respect of the erection, maintenance, and occupation of which no lawful authority exists under the provisions of the Precious and Base Metals Act of 1908 or any amendment thereof, shall be registered by the respective owners thereof (as defined in the principal Ordinance) or their respective agents for the management thereof in a register to be kept for that purpose at the office of the local authority, which register shall contain particulars of such buildings and improvements and a description and the extent of the land occupied by the full names and addresses of such owners, and their agents (if any) for the management of such buildings and improvements.

Certain buildings and improvements to be registered with local authority.

(2) Any sale, exchange, or alienation of such buildings and improvements shall be registered in manner prescribed in the preceding sub-section by the parties to such sale, exchange, or alienation within fourteen days from the date thereof.

(3) The person in whose name such buildings and improvements shall be registered as provided in the two preceding sub-sections hereof shall be liable for the payment of all rates due in respect thereof and notwithstanding any sale, exchange, or alienation (unless registered as provided in the preceding sub-section) such buildings and improvements shall be liable to be attached and sold in execution in satisfaction of the amount of such rates.

(4) The local authority may refuse to register the sale, exchange, or alienation of any such buildings and improvements as provided in sub-section (2) hereof unless and until the sums and charges (as mentioned and referred to in section *forty-nine* of Ordinance No. 11 of 1926) which may be due to the local authority in respect thereof shall have been paid.

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(5) Every occupier of any such buildings and improvements shall have a right of action to recover from the person from and under whom he holds such buildings and improvements, so much as was paid by or recovered from him as and for rates in respect of such buildings and improvements and land in terms of the provisions of the principal Ordinance and any amendment thereof.

(6) Any person failing to perform the obligations imposed on him in terms of sub-sections (1) and (2) hereof shall be guilty of an offence and shall be liable upon conviction to a penalty not exceeding £50 (fifty pounds sterling) or to imprisonment with or without hard labour for a period not exceeding three months.

Short title. 9. This Ordinance may be cited for all purposes as the Local Authorities Rating Amendment Ordinance, 1927, and shall be read as one with the Local Authorities Rating Ordinance, 1912, and any amendment thereof.

Ord. No. 17
of 1927.

AN ORDINANCE

To amend the Transvaal Teachers' Pensions Ordinance No. 5 of 1916, as previously amended from time to time.

(Assented to 15th August, 1927.)

(Date of operation, 1st July, 1927.)*

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

Definitions. 1. In this Ordinance "principal Ordinance" means the Transvaal Teachers' Pensions Ordinance No. 5 of 1916 as amended by Ordinance No. 15 of 1918, Ordinance No. 15 of 1919, Ordinance No. 4 of 1923, Ordinance No. 9 of 1924, and Ordinance No. 12 of 1925, and any expression to which a meaning has been attached in the principal Ordinance in and for the purposes thereof, bears, when used in this Ordinance, the same meaning unless a contrary intention clearly appears or unless another meaning has been assigned to that expression in this Ordinance.

* See section 20.

“Officers contributing as at the commencement of this Ordinance” includes a person in respect of whom the Director of Education certifies that he was at the commencement of this Ordinance eligible to become an officer and to contribute and had for reasons outside his control not become a contributor as at the commencement of this Ordinance.

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2. (1) Notwithstanding anything in the principal Ordinance contained every officer contributing as at the commencement of this Ordinance shall as from the commencement of this Ordinance and every officer not so contributing as at the commencement of this Ordinance shall as from the commencement of his pensionable service pay contributions to the fund in accordance with the following scales, but subject always to the provisions of the principal Ordinance relating to the payment of such contributions and of arrear contributions and interest; provided that this sub-section shall in no way apply to contributions due from officers contributing as at the commencement of this Ordinance in respect of any period prior to the commencement of this Ordinance.

Contributions
by officers
to fund.

(a) In respect of male officers the scale of contributions shall be:—

Age Last Birthday at Commencement of Pensionable Service.	Per cent. of Pensionable Emoluments.
Under 40 years.....	5·25
40 „	5·5
41 „	5·7
42 „	5·9
43 „	6·1
44 „	6·3
45 „	6·5
46 „	6·7
47 „	6·9
48 „	7·1
49 „	7·3

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(b) In respect of female officers whose prescribed age for retirement is 55 years, the scale of contributions shall be:—

Age last Birthday at Commencement of Pensionable Service.	Per cent. of Pensionable Emoluments.
Under 35 years.....	6·75
35 „	7
36 „	7·25
37 „	7·5
38 „	7·75
39 „	8
40 „	8·3
41 „	8·6
42 „	8·9
43 „	9·2
44 „	9·5

(c) In respect of female officers whose prescribed age for retirement is 60 years, the scale of contributions shall be in accordance with paragraph (a) of this sub-section.

(2) Notwithstanding anything contained in section *twenty-two* of the Transvaal Teachers' Pensions Amendment Ordinance No. 15 of 1918, every officer who has elected to contribute to the fund in terms of the Transvaal Teachers' Pensions Ordinance No. 5 of 1916 shall as from the commencement of this Ordinance, pay contributions to the fund in accordance with the scales specified in sub-section (1) of this section, but subject always to the provisions of the Transvaal Teachers' Pensions Ordinance No. 5 of 1916 relating to the payment of such contributions and of arrear contributions and interest; provided that this sub-section shall in no way apply to contributions due in respect of any period prior to the commencement of this Ordinance.

Contributions
by Adminis-
tration.

3. Notwithstanding anything in the principal Ordinance contained the contributions payable by the Administration in respect of every officer contributing as at the commencement of this Ordinance shall, as from the commencement of this Ordinance, and the contributions payable by the Administration in respect of every officer not so contributing as at the commencement of this Ordinance shall as from the commencement of his pensionable service be at the rates prescribed in the last preceding section, but subject always to the provisions of the principal Ordinance relating to the payment of such contributions and of arrear contributions and interest and to the payment of other sums by the Administration; provided that this section shall in no way apply to contributions

due in respect of officers contributing as at the commencement of this Ordinance in respect of any period prior to the commencement of this Ordinance.

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of 1927.

4. Sub-section (2) of section *two* of the principal Ordinance shall be and is hereby amended by the deletion of the words "in the Province of Transvaal" immediately after the words "Local Authority" and the substitution therefor of the words "in the Union of South Africa."

Amendment
of section 2
of principal
Ordinance.

5. Sub-section (3) of section *three* of the principal Ordinance shall be and is hereby amended by the deletion of the word "forty" and by substituting therefor the word "forty-five."

Amendment
of section 3
of principal
Ordinance.

6. Notwithstanding anything contained in the second proviso of sub-section (1) of section *four* of the principal Ordinance with reference to the terms on which the officers referred to therein have been allowed to contribute to the fund, the board shall decide upon such amended terms as it may deem equitable after consultation with the actuary, and such amended terms shall have effect as from the commencement of this Ordinance.

Amendment
of section 4
of principal
Ordinance.

7. Sub-section (2) of section *six* of the principal Ordinance shall be and is hereby amended by the deletion of the following words:—"if the arrears are paid in one sum or monthly if the arrears are paid in instalments."

Amendment
of section 6
of principal
Ordinance.

8. Section *seven* of the principal Ordinance shall be and is hereby amended:

Amendment
of section 7
of principal
Ordinance.

(1) in paragraph (*b*) by the deletion of the word "monthly" and the substitution therefor of the word "annually";

(2) in paragraph (*c*) by the deletion of the word "three" and the substitution therefor of the word "four."

9. (1) Sub-section (1) of section *eight* of the principal Ordinance shall be and is hereby amended by the deletion of the words "whole period of his contributions or for the last thirty years thereof whichever period may be the shorter" and by substituting therefor the words "last seven years of his period of contributions to the fund."

Amendment
of section 8
of principal
Ordinance.

(2) The provisions of the preceding sub-section shall apply as from the commencement of this Ordinance to an officer who has been retired on an annuity after the first day of January, 1926; provided that they shall not apply to an officer who retired after that date and prior to the commencement of

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this Ordinance if such officer has reached the prescribed age for retirement before the first day of January, 1926.

(3) Notwithstanding anything contained in section *twenty-two* of the Transvaal Teachers' Pensions Amendment Ordinance No. 15 of 1918, the provisions of this section shall apply to an officer who has elected to contribute to the fund in terms of the Transvaal Teachers' Pensions Ordinance No. 5 of 1916.

New provisions for retiring age of female officers.

10. (1) Notwithstanding anything contained in section *nine* or any other section of the principal Ordinance, wherever the principal Ordinance provides that the prescribed age for retirement of a female officer shall be fifty years, such prescribed age shall as from the commencement of this Ordinance, be fifty-five years.

(2) The first proviso to sub-section (2) of section *nine* of the principal Ordinance shall be and is hereby amended by the deletion of the word "fifty" and by substituting therefor the word "fifty-five."

(3) Sub-section (3) of section *nine* of the principal Ordinance shall be and is hereby amended by the deletion of the word "forty-five" and by substituting therefor the word "fifty."

(4) Notwithstanding anything contained in section *twenty-two* of the Transvaal Teachers' Pensions Amendment Ordinance No. 15 of 1918, the provisions of this section shall apply to an officer who has elected to contribute to the fund in terms of the Transvaal Teachers' Pensions Ordinance No. 5 of 1916.

Amendment of section 14 of principal Ordinance.

11. Sub-section (2) of section *fourteen* of the principal Ordinance shall be and is hereby amended by the deletion of the words "difference between a sum equal to five times that annuity and the annuity payments actually made to him or on his behalf before his death" and by substituting therefor "sum of the annuity payments during such unexpired portion of the period of five years aforesaid."

Amendment of section 18 of principal Ordinance.

12. Section *eighteen* of the principal Ordinance shall be and is hereby repealed and the following new section substituted therefor :—

"There shall be a Pensions Board constituted as follows :—

(1) two members appointed by the Administrator ;

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(2) a member appointed by the Provincial Council who shall be chairman ;

(3) a member appointed by the Transvaalse Onderwysersvereniging who shall be a contributor to the fund ;

(4) a member appointed by the Transvaal Teachers' Association who shall be a contributor to the fund ;

(5) a member appointed by the Transvaal High School Teachers' Association who shall be a contributor to the fund.

Provided that the member appointed by the Provincial Council to the Board as heretofore constituted shall remain in office and be chairman of the Board as constituted in terms of this section until his successor is appointed."

13. Section *twenty* of the principal Ordinance shall be and is hereby repealed and the following new section substituted therefor :—

Amendment
of section 20
of principal
Ordinance.

"The members of the Board shall cease to hold office one month after the date of first meeting of a new Provincial Council ; provided that a retiring member shall be eligible for reappointment and shall continue in office until the authority which appointed him has appointed a successor in office or reappointed him."

14. Section *twenty-two* of the principal Ordinance shall be and is hereby amended by the deletion of the proviso therein.

Amendment
of section 22
of principal
Ordinance.

15. Section *twenty-four* of the principal Ordinance shall be and is hereby repealed and the following new section substituted therefor :—

Amendment
of section 24
of principal
Ordinance.

"The chairman of the Board shall have a deliberative vote and in the case of equality of votes he shall also have a casting vote. Four members of the Board shall constitute a quorum. Meetings shall be held at least once in every two months. Minutes of proceedings of meetings shall be kept."

16. Sub-section (1) of section *twenty* of the Transvaal Teachers' Pensions Amendment Ordinance No. 15 of 1918 shall be and is hereby amended by the deletion of the words "whole period of his contributions to the fund or for the last thirty years thereof whichever may be the shorter" and by substituting therefor the words "last seven years of his period of contributions to the fund."

Amendment
of section 20
of Ordinance
No. 15 of
1918.

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of 1927.

Extension
of
application
of section 20
of Ordinance
No. 15 of
1918.

Provision for
readmission
to fund of
transferred
officers.

17. Section *twenty* of the Transvaal Teachers' Pensions Amendment Ordinance No. 15 of 1918 shall *mutatis mutandis* apply to teachers transferred to or from the service of the Department of Education of the Union or of the mandated territory.

18. Any officer who was a contributor to the fund and who was transferred from the service of the Education Department to the service of the Union Department of Education and has been subsequently transferred or reappointed to a post on the regular teaching staff of the Education Department may subject to the approval of the Board and subject to the provisions of the principal Ordinance as from time to time amended be readmitted to the fund on the same terms and conditions as existed at the date of transfer to the Union Department of Education and retain his existing and accruing rights; provided that—

(1) the officer shall repay to the fund the amount which was paid out of the fund on his behalf to the Union Education Department together with interest at the rate of five per cent. per annum compounded annually from the date of withdrawal to the date of repayment;

(2) the officer's own contributions at the prescribed rate and the contributions which would have been made from revenue shall be paid by the officer together with interest at the rate of five per cent. per annum compounded annually in respect of the periods—

(a) during which he was serving under the Union Department of Education; and

(b) from the date he was transferred to the service of the Education Department up to the date in respect of which the first monthly deduction is made.

Any sums payable by law from any other pension or provident fund in respect of such officer may be utilized towards the liquidation of the amounts payable by the officer to the fund.

Officers
transferred
to or from
Public
Service.

19. (1) Any person who has been serving in the Public Service of the Union and who is transferred from such service to the regular teaching staff of the Department and whose age on transfer is under forty years in the case of males or under thirty-five in the case of females shall contribute to the fund at the scales prescribed in sub-section (1) of section *two*.

(2) Any person transferred as aforesaid whose age on transfer is forty years or over in the case of males, or thirty-five years or over in the case of females may, within three months after the date of his transfer, elect to contribute to the fund but it shall not be obligatory upon him to do so.

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Provided that all the contributions in respect of any period within which under this sub-section such person has been making his election shall be paid by the officer at the end of the month in which he notifies his intention of contributing notwithstanding anything to the contrary in the principal Ordinance contained.

Provided further that any person who elects to contribute under this sub-section shall make contributions in accordance with the scales prescribed in section *two*.

(3) Any person transferred as aforesaid, whose age on transfer is fifty years or over in the case of males, or forty-five years or over in the case of females, shall be allowed to contribute to the fund from the date of his transfer notwithstanding anything contained in the principal Ordinance; provided that the basis of contribution to the fund shall be fixed by the Board after consultation with the actuary.

(4) Any person who is transferred as aforesaid shall be allowed to reckon his service in the Public Service of the Union or a portion of it approved by the Board as continuous with his future service; provided that the officer's own contributions at the prescribed rate and the contributions which would have been made from revenue in respect of such service shall be paid by or on behalf of the officer together with interest at the rate of five per cent. per annum compounded annually up to the date of payment.

(5) If an officer is transferred to the Public Service of the Union the Administration may pay to the Treasury on behalf of such officer an amount not greater than double his contributions together with interest at five per cent. compounded annually.

20. This Ordinance may be cited for all purposes as the Transvaal Teachers' Pensions Amendment Ordinance 1927, and shall be deemed to have commenced and to have come into operation as from the first day of July, 1927.

Short title
and date of
operation.

Ord. No. 18
of 1927.

AN ORDINANCE

To amend further the Motor Vehicle Ordinance, 1915,
in certain respects.

(Assented to 15th August, 1927.)

(Date of operation, 14th September, 1927.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal
as follows:—

Amendment
of section 4
of principal
Ordinance.

1. Section *four* of the Motor Vehicle Ordinance 1915 (hereinafter referred to as the principal Ordinance) shall be and is hereby amended by the addition of the following new paragraph to sub-section (1):—

“Anything to the contrary in this Ordinance notwithstanding any licence issued after the commencement of this Ordinance authorizing a native, as defined in the Local Government Ordinance, 1926, or any amendment thereof, to drive a motor vehicle, shall only entitle the holder thereof to drive a motor vehicle if persons other than Europeans are carried; and it shall not be lawful for any native, as defined aforesaid, who has, prior to the commencement of this Ordinance, been granted a licence authorizing him to drive a motor vehicle, to drive such vehicle after the 31st December, 1927, if persons other than non-Europeans are carried. Any native who drives a motor vehicle on any public road in contravention of the provisions of this section shall be guilty of an offence.”

Amendment
of section 11
of principal
Ordinance;

2. Section *eleven* of the principal Ordinance shall be and is hereby amended by the addition of the following new sub-section after sub-section (2) thereof; the numbers of the subsequent sub-sections of the said section being regarded as Nos. (4) and (5) respectively.—

(3) No driver of a motor-cycle shall carry more than one passenger on his motor-cycle, and such passenger shall sit on the pillion. Every pillion used for passengers shall be provided with suitable foot-rests.

Short title.

3. This Ordinance may be cited for all purposes as the Motor Vehicle Further Amendment Ordinance, 1927.

AN ORDINANCE

Ord. No. 19
of 1927.

To provide for the Establishment of a Roads Fund and for matters incidental to the Construction and Maintenance of Roads, including the Imposition of Increased Taxation in respect of Motor Vehicles.

(Assented to 30th July, 1927.)

(Date of operation, 1st October, 1927.*)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

1. In this Ordinance unless inconsistent with the context:—

Definitions.

“Administrator” shall mean the officer appointed under section *sixty-eight* of the South Africa Act, 1909, acting on the authority of the Executive Committee.

“District” shall mean the area for which a road board has been constituted.

“Provincial road” shall mean any public road as defined in the Roads Ordinance 1912 which has been proclaimed as such by the Administrator in the *Provincial Gazette*.

2. There shall be established a roads fund (hereinafter called the fund), which fund shall be used for the construction and maintenance of Provincial roads and for the payment of interest and redemption charges on capital funds applied to the construction of such roads. The amount of such capital funds to be borrowed in any one year shall not exceed the sum of £60,000.

Establishment of fund.

3. (1) There shall be paid from the Provincial Revenue Fund into the fund the following minimum amounts in respect of the financial years stated:—

Monies to be credited to fund.

1927-28.....	£87,500
1928-29.....	100,000
1929-30.....	110,000
1930-31.....	117,500
1931-32.....	125,000
1932-33.....	132,500
1933-34.....	140,000
1934-35.....	147,500

During the financial year ending the 31st March, 1936, and in the following financial years until such time as otherwise determined by the Provincial Council the amount shall be £155,000.

* Proclamation No. 71, *Provincial Gazette* dated 21st September, 1927, page 364.

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of 1927.**

(2) If the amount of revenue paid to and retained by the Administrator under the provisions of section *seven* exceed in any year one-half of the amount so collected in respect of licences issued to persons residing outside the area of jurisdiction of a local authority by more than the amount specified in sub-section (1) hereof as required to be paid into the fund in respect of that year, the amount by which the amount so specified is exceeded shall also be paid into that fund from the Provincial Revenue Fund.

Charges
against fund.

4. (a) There may be charged against the fund :

- (i) the moneys required to be provided for interest and redemption charges on loans raised specifically for the construction of Provincial roads on a twenty years' basis of repayment ;
- (ii) an amount of 8 per cent. per annum on the cost of construction of such roads from the date of the completion of such construction which shall be applied to the maintenance of such roads ; provided that any part of such amount not spent in any one year may be carried over as a balance to the following year, but may not be applied to any other purpose.

(b) Any sums remaining in the fund after the moneys required to be provided under sub-section (a) of this section have been provided may be applied to the construction of Provincial roads ; provided that an amount of 8 per cent. per annum on the cost of construction of such roads from the date of completion of such construction shall also be charged against the fund, and shall be applied to the maintenance of such roads.

Control of
fund.

5. The fund shall be controlled by the Administrator.

Amendment
of section 2 of
Ordinance
No. 6 of 1915.

6. Section *two* of the Motor Vehicle Ordinance 1915 as amended shall be and is hereby amended by the deletion of sub-sections (4) and (6) and the substitution therefor of the following new sub-sections :—

“(4) The owner of every motor vehicle so registered shall obtain from the registering authority a certificate of registration in respect of which he shall be required to pay for the benefit of the Provincial Revenue Fund, if such vehicle is a motor-cycle a fee of ten shillings and if it is any motor vehicle other than a motor-cycle a fee of one pound. Such certificate of registration shall not require renewal and on production of such certificate by such owner to the issuer of licences and upon payment of the

licence fee hereinafter provided there shall be issued to him a licence for the calendar year or the portion thereof next ensuing. Provided that no such licence need be taken out until the expiry of any motor vehicle licence lawfully issued by any local authority under any law or regulation in force prior to the commencement of this Ordinance. Whenever it shall appear to the satisfaction of the registering or licensing authority that the certificate or licence issued to any person has been lost or destroyed it shall be competent for such authority, on payment of a fee of two shillings and sixpence, to issue a duplicate of such certificate or licence with the word 'duplicate' written thereover. "(6) The annual licence fees in respect of motor vehicles shall from and after the commencement of this Ordinance be as follows :—

	£	s.	d.
(a) For every motor-cycle without side-car	1	0	0
(b) For every side-car or similar attachment	0	10	0
(c) (1) For every motor-car a basic charge of	2	0	0
(2) For every unit of horse-power or portion thereof	0	1	0
(3) For every 100 lb. of weight to the nearest 100 lb.	0	2	0

In calculating the horse-power of a motor-car the formula known as the Dendy Marshall formula shall be followed viz. :—

$$\frac{D^2 \times S \times N}{200,000} = \text{horse-power.}$$

In which formula :—

D signifies=Diameter of cylinder in millimetres ;

S signifies=Length of piston stroke in millimetres ;

N signifies=Number of cylinders.

For electric motor-cars the horse-power shall be calculated according to the normal output of the battery. Before issuing a new licence for a motor-car the licensing authority may require production of such car or of a certificate of the weight and horse-power thereof by an expert approved by such authority. In case of dispute the decision of the Government Electrical Engineer shall be final."

Ord. No. 19
of 1927.

Section 6.

Ord. No. 19 of 1927. Repeal of section 18 of Ordinance No. 6 of 1915 and substitution of new section.

7. Section *eighteen* of the Motor Vehicle Ordinance 1915 shall be and is hereby repealed and the following section substituted therefor:—

18. (1) All fees received in respect of any licences and registration certificates issued under the provisions of this Ordinance shall be paid to the Administrator provided that—

(a) in respect of the amount of licence fees paid during any financial year by persons residing within the area of any municipality as defined in this Ordinance (hereinafter in this paragraph called "such amount");

where such amount does not exceed twice the amount paid by such persons during the financial year ended the 31st March, 1927, one-half of such amount shall be refunded out of the Provincial Revenue Fund to the local authority concerned and where such amount does exceed twice the amount paid by such persons during the said financial year the amount paid by such persons during the said financial year together with one-sixth of the excess of such amount over twice the amount paid by such persons during the said financial year shall be refunded out of the Provincial Revenue Fund to the local authority concerned;

(b) in respect of the amount of licence fees collected by any local authority on behalf of the Administrator from persons residing outside the area of its jurisdiction one-twentieth of the amount so collected shall be paid to the said local authority.

(2) All fines recovered for any offence under this Ordinance or any regulations framed thereunder shall be the property of the local authority having control under the Local Government Ordinance, 1926, of the area in which the offence was committed. Where there is no local authority having control of such areas as aforesaid such fines shall be paid into the Provincial Revenue Fund.

(3) For the purposes of this section "financial year" shall mean the twelve months' period ending on the 31st March of any year.

Short title.

8. This Ordinance may be cited for all purposes as the Roads Fund Ordinance 1927 and shall come into operation on a date to be fixed by the Administrator by Proclamation in the *Provincial Gazette*.*

* Proclamation No. 71, *Provincial Gazette* dated 21st September, 1927, page 364.

AN ORDINANCE

Ord. No. 20
of 1927.

To amend the Pounds Amendment Ordinance, No. 10
of 1926.

(Assented to 15th August, 1927.)

(Date of operation, 14th September, 1927.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of
Transvaal as follows:—

1. Section *three* of the Pounds Amendment Ordinance, No. 10 of 1926, shall be and is hereby amended by the deletion in line 11 of the word “within” and the substitution therefor of the words “not less than,” and in line 12 by the deletion of the word “of” and the substitution therefor of the word “after.”

Amendment
of section 3 of
Ordinance
No. 10 of
1926.

2. This Ordinance may be cited for all purposes as the Pounds Amendment Ordinance, 1927.

Short title.

AN ORDINANCE

Ord. No. 21
of 1927.

To amend the Education Act, 1907.

(Assented to 2nd September, 1927.*)

(Date of operation, 14th September, 1927.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

1. Section *five* of the Education Act, 1907 (herein-after called the principal law), shall be and is hereby amended by the addition of a new paragraph (*f*) after paragraph (*e*):—

Amendment
of section 5
of principal
law.

“establish or maintain or make grants in aid of schools either within or without the Province of Transvaal for the education of children who are in ill-health or are physically deficient.”

Existing paragraph (*f*) becomes paragraph (*g*).

* See Proclamation No. 232, *Union Gazette* dated 9th September, 1927, page 567.

Ord. No. 21
of 1927.

Amendment
of section 16
of principal
law.

2. Section *sixteen* of the principal law as amended by section *two* of Ordinance No. 16 of 1916, shall be and is hereby amended by the addition of the following new sub-section (3) :—

“ Anything to the contrary in this section notwithstanding, the Administrator may, if the circumstances appear to him to be of a special character, establish or maintain a school where there is reasonable ground for believing that the number of children on the roll of such school will average not less than fifteen throughout the year and the Director shall not order that such school be no longer recognized as a primary school until the roll falls below an average of fifteen children for any year, such average being calculated as aforesaid, unless the Administrator shall determine that the circumstances of a special character no longer apply in the case of such a school in which case the provisions of sub-section (2) shall apply.”

Amendment
of section 17
of principal
law.

3. Section *seventeen* of the principal law as amended by section *five* of Ordinance No. 7 of 1912 and by section *three* of Ordinance No. 16 of 1916 shall be and is hereby amended by the addition of the following new sub-section (b) :—

“ Anything to the contrary in this section notwithstanding, but subject to the provisos (1), (2), (3), (4), (5), (6), and (7) of the preceding sub-section, the Administrator may, if the circumstances appear to him to be of a special character, make a grant on behalf of each child of the age of six and upwards on the roll of any such school as is referred to in this section where there is reasonable ground for believing that the number of children on the roll of such school will average not less than six throughout the year, provided that if the number of children on the roll of such school remains below an average of six for any six months, such average calculated as aforesaid, the Director may, after first obtaining the opinion of the board of the district in which such school is situated, order that such school be no longer recognized as an aided school; and thereupon such school shall cease to be an aided school for the purposes of this Act or any regulation.”

Repeal of
section 21 of
principal law,
and
substitution
of new
section.

4. Section *twenty-one* of the principal law shall be and is hereby repealed and the following section substituted therefor :—

“ (1) The board shall enforce the provisions in this law contained with regard to compulsory

attendance at school and for that purpose the Administrator may appoint so many officers as may be approved by him to be attendance officers.

(2) The duties of an attendance officer shall subject to the general control of the Department and under the supervision of the board concerned be to warn any persons of the consequences of any such offence as aforesaid, to obtain information relative to the attendance at school of children whose attendance at school is required by section *nineteen* of this law or relative to any alleged grounds of exemption from such attendance and any other duties which may be prescribed by the Department."

Ord. No. 21
of 1927.

5. Section *nine* of the Education Act Further Amendment Ordinance No. 7 of 1912 shall be and is hereby amended in sub-section (2) by the deletion of the words "or an attendance officer appointed under the provisions of section *twenty-one* of the principal law."

Amendment
of Section 9
of Ordinance
No. 7 of 1912.

6. Section *twenty-two* of the principal law shall be and is hereby amended by the deletion of sub-section (1) and the substitution of the following new sub-section therefor:—

Amendment
of section 22
of principal
law.

"(1) The board shall, on receipt of a certificate from the attendance officer that section *nineteen* or section *twenty* of this law has been contravened, decide by resolution whether or not a prosecution against such person shall be instituted."

7. Section *sixty-seven* of the principal law as amended by section *two* of Act No. 28 of 1908, shall be and is hereby amended by the addition of the following sub-section (3):—

Amendment
of section 67
of principal
law.

"(3) (a) If two schools are (or prior to the coming into operation of this Ordinance have been) amalgamated either by the closing of one of these schools, and the transfer of the major portion of its staff and pupils to the other school or by the closing of both schools and the transfer of the major portions of the staff and pupils to a new school, the existing committees shall cease to function and a new committee for the amalgamated school may be constituted in one or other of the following ways as may be determined by the Administrator after consultation with the board or boards concerned—

(i) by election by the parents as prescribed in sub-section (1) of section *sixty-seven*; or

Ord. No. 21
of 1927.

(ii) by appointment by the Administrator out of the committees of the schools amalgamated on a basis which shall be as nearly as possible proportionate to the sizes of the schools amalgamated.

(b) Where more than two schools are so amalgamated the above procedure shall *mutatis mutandis* apply.

Any committee constituted in terms of this sub-section shall remain in office for such period, not exceeding three years, as the Administrator may prescribe."

Provision of special classes or schools for backward children.

8. Notwithstanding anything in the principal law or any amendment thereof contained, the Administrator may provide that any child in respect of whom regular attendance at a school is imposed by section *nineteen* of the principal law shall receive instruction in a special class or in a special school, provided that, in the opinion of the Director, it is in the interest of such child to receive instruction in such special class or school.

Short title.

9. This Ordinance may be cited for all purposes as the Education Act Amendment Ordinance, 1927.

**Ord. No. 21
van 1927.**

ontvangen in een besondere klas of school, mits, volgens de opinie van de Direkteur, het in het belang van zulk een kind is om onderricht in zulk een besondere klas of school te ontvangen.

Korte tittel. 9. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Onderwyswet Wysigings-ordonnansie, 1927.

6. Artikel *twee-en-twintig* van die hoofwet is en word hierby gewysig deur die deurahaling van subartikel (1) en die vervanging daarvan deur die volgende nuwe subartikel :—

Wysiging van Artikel 22 van die hoofwet.

Ord. No. 21 van 1927.

“(1) De Raad zal na ontvangst van een rapport van de schoolbezoekbeampte dat artikel *negentien* of artikel *twintig* van deze wet overtreden is, bij besluit beslissen of zulk een persoon al dan niet gerechtelik vervolgd zal worden.”

7. Artikel *sewen-en-sestig* van die hoofwet soos gewysig deur artikel *twee* van Wet No. 28 van 1908, is en word hierby gewysig deur byvoeging van die volgende subartikel (3) :—

Wysiging van Artikel 67 van die hoofwet.

“(3) (a) Als twee scholen geamalgameerd worden (of voor het in werking treden van deze Ordonantie geamalgameerd zijn) hetzij door de sluiting van een van deze scholen en door het overplaatsen van het grootste gedeelte van het personeel en de leerlingen naar een nieuwe school, of door de sluiting van beide scholen en de overplaatsing van het grootste gedeelte van de staf en de leerlingen naar een nieuwe school zullen de bestaande schoolkommissies ophouden in funktie te zijn en kan een nieuwe schoolkommissie voor de geamalgameerde schoolsamen-gesteld worden op een van de volgende manieren zoals de Administrateur zal vasstellen na overleg met de betrokken schoolraad of schoolraden :—

- (i) Door een verkiezing door de ouders zoals voorgeschreven in subartikel (1) van artikel *zeven en zestig*; of
- (ii) door benoeming door de Administrateur uit de schoolkommissies van de geamalgameerde scholen op een basis die zoveel mogelijk na verhouding zal wezen van de grootte van de geamalgameerde scholen.

(b) Waar meer dan twee scholen alzo geamalgameerd zijn zal bovengenoemde procedure *mutatis mutandis* van toepassing zijn.

Een schoolkommissie die samengesteld wordt in termen van dit subartikel zal in funktie blijven voor een zodanig tijdperk, ten hoogste drie jaar, als de Administrateur zal vaststellen.

8. Ongeacht enige bepaling die voorkomt in de hoofwet of enige wijziging daarvan, kan de Administrateur voorziening maken dat alle kinderen die overeenkomstig artikel *negentien* van de hoofwet een school geregeld moeten bezoeken, onderricht zullen

Verskaffing van spesiale klasse of skole vir agterlike kinders.

Ord. No. 21
van 1927.

(4), (5), (6) en (7) van die voorgaande subartikel, kan de Administrateur als de omstandigheden hem toeschijnen van biezondere aard te zijn, subsidie verlenen voor elk kind in de ouderdom van zeven jaar en daarboven, op de registers van enige zodanige school bedoeld in dit artikel, waar redelike grond bestaat om te geloven dat het aantal kinderen op de registers van zulk een school gemiddeld niet minder dan zes, het gehele jaar door, zal bedragen, met dien verstande dat als het aantal kinders op de registers van zulk een school beneden een gemiddelde van zes voor enige zes maanden blijft, welk gemiddelde op bovengenoemde wijze berekend wordt, de Direkteur, nadat hij eerst de opinie ingewonnen heeft van de schoolraad van het distrikt waarin zulk een school gelegen is, bevelen kan dat zulk een school niet langer als een ondersteunde school erkend zal worden; en daarop zal zulk een school ophouden een ondersteunde school te zijn voor de doeleinden van deze Wet of enige regulatie."

Herroeping
van Artikel
21 van die
hoofwet en
vervanging
deur nuwe
artikel.

4. Artikel *een-en-twintig* van die hoofwet is en word hiermee herroep en die volgende artikel word daarvoor in die plek gestel:—

"(1) De Raad zal de bepalingen van deze wet met betrekking tot verplicht schoolbezoek streng handhaven en voor dat doel kan de Administrateur zoveel amptenaren benoemen als hij zal goedkeuren om schoolbezoek-beambten te zijn.

(2) De werkzaamheden van de schoolbezoek-beambte zullen, onderworpen aan de algemene kontrole van het Departement, en onder toezicht van de betrokken raad zijn om ouders te waarschuwen voor de gevolgen van enige bovengenoemde overtreding, om inlichtingen te verkrijgen betreffende het schoolbezoek dat vereist word door artikel *negentien* van deze wet of betreffende enige beweerde redenen voor vrijstelling van zulk schoolbezoek, en enige andere werkzaamheden die het Departement zal voorschrijven."

Wysiging
van Artikel
9 van Ordon-
nansie No 7
van 1912.

5. Artikel *nege* van die Onderwyswet Verdere Wysigings Ordonnansie, No. 7 van 1912, is en word hierby gewysig in subartikel (2) deur die deurhaling van die woorde "of een schoolbezoekbeambte benoemd wordt onder de voorzieningen van artikel *een en twintig*."

'N ORDONNANSIE

Ord. No. 21
van 1927.

Tot wysiging van die Onderwyswet, 1907.

(Goedgekeur 2 September 1927.*)

(Datum van inwerkingtree, 14 September 1927.)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal as volg:—

1. Artikel *vyf* van die Onderwyswet, 1907 (hierna die hoofwet genoem) is en word hierby gewysig deur die byvoeging van 'n nuwe paragraaf (*f*) na paragraaf (*e*):—

Wysiging van Artikel 5 van die hoofwet.

“scholen oprichten of onderhouden of subsidie verlenen voor scholen hetzij binnen of buiten de Provincie Transvaal voor het onderwijs van kinderen die een slechte gezondheid of een lichaamsgebrek hebben.”

Bestaande paragraaf (*f*) word paragraaf (*g*).

2. Artikel *sestien* van die hoofwet soos gewysig deur artikel *twee* van Ordonnansie No. 16 van 1916, is en word hierby gewysig deur die byvoeging van die volgende nuwe subartikel (3):—

Wysiging van Artikel 16 van die hoofwet.

“Ongeacht iets in strijd daarmee in dit artikel kan de Administrateur, als de omstandigheden hem van biezondere aard toeschijnen, een school oprichten of in stand houden waar daar redelike grond is om te geloven dat het aantal kinderen op de registers van zulk een school gemiddeld niet minder dan vijftien, het gehele jaar door, zal bedragen en de Direkteur zal niet gelasten dat zulk een school niet langer als een lagere school erkend zal worden voordat de inschrijving beneden een gemiddelde van vijftien kinderen daalt voor enig jaar, welk gemiddelde op bovengenoemde wijze berekend wordt, tenzij de Administrateur bepaalt dat de omstandigheden van biezondere aard niet meer van toepassing zijn in het geval van zulk een school, in welk geval de bepalingen van subartikel (2) van toepassing zullen zijn.”

3. Artikel *sewentien* van die hoofwet, soos gewysig deur artikel *vyf* van Ordonnansie No. 7 van 1912 en deur artikel *drie* van Ordonnansie No. 16 van 1916 is en word hierby gewysig deur die byvoeging van die volgende nuwe subartikel (*b*):—

Wysiging van Artikel 17 van die hoofwet.

“Ongeacht iets in strijd daarmee in dit artikel maar onderworpen aan bepalingen (1), (2), (3),

* Sien Proklamasie No. 232, *Staatskoerant* gedateer 9 September 1927, bladsy 567.

- Ord. No. 19** Korte tittel. 8. Hierdie Ordonnansie mag vir alle doeleindes
van 1927. aangehaal word as die Weëfonds Ordonnansie, 1927,
en sal in werking tree op 'n datum deur die Admini-
strateur per Proklamasie in die *Prowinsiale Koerant*
bepaal te word.*

* Proklamasie No. 71, *Prowinsiale Koerant* gedateer 21 September 1927,
bladsy 364.

Ord. No. 20
van 1927.

'N ORDONNANSIE

Tot wysiging van die Skutte Wysigings Ordonnansie
No. 10 van 1926.

(Goedgekeur 15 Augustus 1927.)

(Datum van inwerkingtree, 14 September 1927)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Trans-
vaal as volg :—

- Wysiging
Artikkel 3
van Ordon-
nansie No. 10
van 1926.
1. Artikel *drie* van die Skutte Wysigings
Ordonnansie No. 10 van 1926 is en word hierby
gewysig deur in reël 13 die woorde “binnen
twaalf dagen van” te skrap en te vervang deur
die woorde “niet minder dan twaalf dagen na.”
- Korte tittel. 2. Hierdie ordonnansie mag vir alle doeleindes
aangehaal word as die Skutte Wysigings Ordon-
nansie, 1927.

7. Artikel *agtien* van die Motorvoertuie Ordonnansie sal wees en word hierby herroep en die volgende artikel daarvoor in die plaas gestel :—

“ 18. (1) Al die foie ontvang van enige lisensies en registrasiesertifikate uitgereik kragtens die bepalings van hierdie Ordonnansie sal aan die Administrateur betaal word, mits dat—

Herroeping van artikel 18 van Ordonnansie No. 6 van 1915 en inplaastelling van nuwe artikel.

Ord. No. 19 van 1927.

(a) ten opsigte van die bedrag van lisensiefooi betaal gedurende enige finansiële jaar deur persone woonagtig binne die gebied van enige munisipaliteit soas in hierdie Ordonnansie omskrewe (hierna in hierdie paragraaf ‘sulk bedrag’ genoem) :—

Waar sulke bedrag nie meer bedra nie as tweemaal die bedrag deur sulke persone betaal gedurende die finansiële jaar geëindig die 31ste Maart 1927, die halfte van sulke bedrag uit die Prowinsiale Inkomstefonds aan die betrokke Plaaslike Outoriteit sal terugbetaal word, en waar sulke bedrag wel die bedrag tweemaal oorskry deur sulke persone betaal gedurende die genoemde finansiële jaar die bedrag deur sulke persone betaal gedurende die genoemde finansiële jaar tesaam met een-sesde van die meerdere van sulke bedrag bo tweemaal die bedrag deur sulke persone betaal gedurende die genoemde finansiële jaar uit die Prowinsiale Inkomstefonds aan die betrokke Plaaslike Outoriteit sal terugbetaal word.

(b) ten opsigte van die bedrag van lisensiefooi ingevorder deur enige plaaslike outoriteit ten behoeve van die Administrateur van persone woonagtig buite sy jurisdiksiegebied een-twintigste van die aldus ingevorderde bedrag aan die genoemde plaaslike outoriteit sal betaal word.

(2) Al die boetes ingevorder vir enige oortreding kragtens hierdie Ordonnansie of enige regulasies daaronder opgemaak sal die eiendom wees van die plaaslike outoriteit wat kragtens die Plaaslike Bestuur Ordonnansie 1926 die beheer het oor die gebied waarin die oortreding begaan was. Waar geen plaaslike outoriteit bestaan nie wat beheer het oor sulke voorsegde gebiede, sal sulke boetes in die Prowinsiale Inkomstefonds gestort word.

(3) Vir die doeleindes van hierdie artikel sal ‘finansiël jaar’ beteken die twaalfmaandse tydperk wat eindig op 31 Maart van enig jaar.”

Ord. No. 19
van 1927.

—
Art. 6.

fooi van een pond. Sulk registrasiesertifikaat sal nie vernuut behoef te word nie, en op vertoon van sulk sertifikaat deur sulk eienaar aan die uitreiker van lisensies en teen betaling van die hierna bepaalde lisensiefooi sal aan hom 'n lisensie uitgereik word vir die kalenderjaar of die eersvolgende gedeelte daarvan. Mits dat geen lisensie behoef uitgeneem te word nie tot afloop van enige motorvoertuig-lisensie wettig deur enige plaaslike outoriteit uitgereik kragtens enige wet of regulasies van krag voor die aanvang van hierdie Ordonnansie. Wanneer ten genoegte van die registrerende of lisensierende outoriteit sal blyk dat die sertifikaat of lisensie uitgereik aan enig persoon verloor of verniel is, sal sulke outoriteit bevoeg wees, teen betaling van 'n fooi van twee sielings en sespennies, 'n duplikaat van sulk sertifikaat of lisensie uit te reik met die woord 'duplikaat' daaroor geskrewe.

(6) Die jaarlikse lisensiefooi vir motorvoertuie sal, van en na die aanvang van hierdie Ordonnansie wees as volg:—

	£	s.	d.
(a) Vir ieder motorrywiél sonder sykar	1	0	0
(b) Vir iedere sykar en soortgelik aanhangsel	0	10	0
(c) (1) Vir iedere motorkar 'n grondbelasting van	2	0	0
(2) Vir iedere eenheid perde krag of gedeelte daarvan	0	1	0
(3) Vir iedere 100 lb. gewig tot die naaste 100 lb.	0	2	0

By berekening van die perdekrá van 'n motorkar sal die formule bekend as die Dendý Marshall-formule gevolg word, t.w. :—

$$\frac{D^2 \times S \times N}{200,000} = \text{perdekrá};$$

in watter formule :—

D beteken=Diameter van silinder in millimeters;

S beteken=Lengte van pistonslag in millimeters;

N beteken=Aantal silinders.

Vir elektriese motorkarre sal die perdekrá bereken word na gelang van die normale vermoë van die battery, voordat 'n nuwe lisensie vir 'n motorkar uitgereik word kan die lisensierende outoriteit vertoning van sulke kar vorder of van 'n sertifikaat van die gewig en perdekrá daarvan deur 'n deskundige deur sulke outoriteit erken. In geval van geskil sal die beslissing van die Goewerments Elektriese Ingenieur finaal wees."

Gedurende die finansiële jaar wat eindig op 31 Maart 1936, en die in volgende finansiële jare tot sulke tyd as anders deur die Prowinsiale Raad sal bepaal word, sal die bedrag £155,000 wees.

Ord. No. 19
van 1927.

(2) Indien die bedrag aan inkomste betaal aan en behou deur die Administrateur kragtens die bepalings van artikel *sewe* in enig jaar die helfte van die bedrag aldus ingevorder aan lisensies uitgereik aan persone woonagtig buite die jurisdiksiegebied van 'n plaaslike outoriteit oorskry met meer as die bedrag omskrewre in subseksie (1) hiervan as benodig betaal te word in die fonds vir die jaar, sal die bedrag waarmee die aldus omskrewre bedrag oorskrede is ook in die fonds uit die Prowinsiale Inkomstefonds betaal word.

4. (a) Daar kan op die fonds belas word :—

Laste op
fonds.

(i) die gelde nodig verskaf te word vir rente en aflossingskoste op lenings spesifiek opgeneem vir die aanleg van Prowinsiale Weë op 'n twintigjarige basis van terugbetaling ;

(ii) 'n bedrag van 8 persent per jaar op die koste van aanleg van sulke weë vanaf die datum van die voltooiing van sulke aanleg, wat sal aangewend word tot die onderhoud van sulke weë, mits dat enig deel van sulke bedrag nie in enig enkel jaar gespandeer nie kan oorgebring word as 'n saldo op die volgende jaar, dog mag nie vir enig ander doel aangewend word nie ;

(b) enige somme wat in die fonds bly nadat voorien is in die gelde wat moet verskaf word kragtens subseksie (a) van hierdie artikel, kan aangewend word vir die aanleg van Prowinsiale Weë, mits dat 'n bedrag van 8 persent per jaar op die koste van aanleg van sulke weë vanaf die datum van voltooiing van sulke aanleg ook op die fonds sal belas word, en sal aangewend word vir die onderhoud van sulke weë.

5. Die Fonds sal onder beheer wees van die Administrateur.

Beheer van
Fonds.

6. Artikel *twee* van die Motorvoertuig Ordonnansie, 1915, soas gewysig, sal wees en word hierby gewysig deur skrapping van subseksies (4) en (6), en deur die volgende nuwe subseksies daarvoor in die plaas te stel :—

Wysiging van
artikel 2
van Ordonnansie No. 6
van 1915.

“(4) Die eienaar van ieder motorvoertuig aldus geregistreer sal van die registrerende outoriteit 'n registrasiesertifikaat verkry waarvoor hy ten behoeve van die Prowinsiale Inkomstefonds sal moet betaal, indien sulk voertuig 'n motorrywiël is 'n fooi van tien sielings en indien dit enig motorvoertuig is ander as 'n motorrywiël, 'n

Ord. No. 19
van 1927.

'N ORDONNANSIE

Om voorsiening te maak vir die stigting van 'n Weëfonds en vir sake wat voortvloei uit die aanleg en onderhoud van weë insluitende die oplegging van verhoogde belasting op motorvoertuie.

(Goedgekeur 30 Julie 1927.)

(Datum van inwerkingtree, 1 Oktober 1927.*)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal as volg:—

Definiesies.

1. In hierdie Ordonnansie sal, tensy in stryd met die samehang:—

“Administrateur” beteken die amptenaar benoem kragtens artikel *ag-en-sestig* van die Suidafrika Wet, 1909, wat handel op gesag van die Uitvoerende Komitee.

“Distrik” beteken die gebied waarvoor 'n Weëkommissie is ingestel.

“Prowinsiale Weg” beteken enige publieke weg soas omskrewe in die Weë Ordonnansie, 1912, wat as sulks deur die Administrateur in die *Prowinsiale Koerant* geproklameer is.

Stigting van fonds.

2. Daar sal 'n Weëfonds gestig word (hierna die Fonds genoem), watter fonds sal aangewend word vir die aanleg en onderhoud van Prowinsiale Weë en vir die betaling van rente en aflossingskoste op kapitaalfondse bestee aan die aanleg van sulke weë. Die bedrag van sulke kapitaalfondse wat in enig enkel jaar sal geleen word sal hoogstens die som van £60,000 bedra.

Gelde op fonds gekrediteer te word.

3. (1) Daar sal uit die Prowinsiale Inkomstefonds in die fonds die volgende mienimum bedrae betaal word vir die genoemde finansiële jare:—

1927-28.....	£87,500
1928-29.....	100,000
1929-30.....	110,000
1930-31.....	117,500
1931-32.....	125,000
1932-33.....	132,500
1933-34.....	140,000
1934-35.....	147,500

* Proklamasie No. 71, *Prowinsiale Koerant* gedateer 21 September 1927, bladsy 364.

'N ORDONNANSIE

Ord. No. 18
van 1927.

Tot verdere wysiging van die Motorvoertuig Ordonnansie, 1915, in sekere opsigte.

(Goedgekeur 15 Augustus 1927.)

(Datum van inwerkingtree, 14 September 1927.)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal as volg:—

1. Artikel vier van die Motorvoertuig Ordonnansie 1915 (hierna die Hoofordonnansie genoem) sal wees en word hierby gewysig deur die volgende nuwe paragraaf aan subseksie (1) toe te voeg:—

Wysiging van artikel 4 van hoofordonnansie.

“Nietteenstaande enigiets daarmee in strijd in deze Ordonnansie, zal enige licentie uitgereikt na de aanvang van deze Ordonnansie machtigende 'n naturel, zoals omschreven in de Plaatselik Bestuur Ordonnansie, 1926, of enig amendement daarop, 'n motorvoertuig te drijven, de houder daarvan slechts het recht geven 'n motorvoertuig te drijven indien personen andere dan Europeanen vervoerd worden; en geen naturel, zoals omschreven als voorszgd, aan wie vóór de aanvang van deze Ordonnansie 'n licentie verleend was hem machtigende 'n motorvoertuig te drijven, zal gerechtigd zijn zulk voertuig na de 31ste Desember 1927 te drijven, indien personen andere dan niet-Europeanen vervoerd worden. Enig naturel welke 'n motorvoertuig op enige publieke weg drijft in strijd met de bepalingen van dit artikel zal schuldig zijn aan 'n overtreding.”

2. Artikel elf van die hoofordonnansie sal wees en word hierby gewysig deur toevoeging van die volgende nuwe subseksie na subseksie (2) daarvan; die nommers van die volgende subseksies van die genoemde artikel beskou te word respektiewelik as Nos. (4) en (5):—

Wysiging van artikel 11 van hoofordonnansie.

(3) 'n Drijver van 'n motorrijwiel zal niet meer als een passagier op zijn motorrijwiel vervoeren en zulk passagier zal op het kussen zitten. Ieder kussen gebruikt voor passagiers zal van doelmatige voetplanken voorzien zijn.

3. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Motorvoertuig Verdere Wysigings Ordonnansie, 1927.

Korte tiitel.

**Ord. No. 17
van 1927.**

Verder met dien verstande dat enig persoon die verkies om krachtens dit subartikel bij te dragen, zal bijdragen overeenkomstig de schalen die in artikel twee voorgeschreven zijn.

(3) Enig persoon die aldus overgeplaatst wordt en wiens ouderdom bij overplaatsing vijftig jaar of daarboven is in het geval van onderwijzers, of vijf en veertig jaar of daarboven in het geval van onderwijzeressen, zal toegestaan worden om tot het fonds bij te dragen vanaf de datum van zijn overplaatsing, ongeacht enige bepaling in de Hoofd-ordonnantie, met dien verstande dat de basis van bijdragen tot het fonds vastgesteld zal worden door het Pensioenbestuur na overleg met de Aktuaris.

(4) Enig persoon die aldus overgeplaatst wordt zal toegestaan worden om zijn diensttijd in de Staatsdienst van de Unie, of een gedeelte daarvan goedgekeurd door het Pensioenbestuur, als onafgebroken met zijn toekomstige diensttijd te rekenen; met dien verstande dat de ambtenaar zijn eigen bijdragen tegen het voorgeschreven tarief en de bijdragen die gemaakt zouden zijn uit de Inkomsten ten opzichte van zodanige diensttyd, betaald zullen worden door, of ten behoeve van, die ambtenaar, tezamen met samengestelde interest tegen vijf persent, jaarliks berekend, tot op de datum van betaling.

(5) Als een amptenaar overgeplaatst word naar de Staatsdienst van de Unie, kan de Administratie ten behoeve van zulk een amptenaar aan de Thesaurie een bedrag betalen niet groter dan tweemaal zijn bijdragen tezamen met samengestelde interest tegen vijf persent jaarliks berekend.

Kort tiel en datum van in-werking-tree.

20. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Transvaalse Onderwysers Pensioene Wysigingsordonnansie, 1927, en sal geag word te begin 't en in werking getrec te het op die eerste dag van Julie 1927.

van verplasing na die Unie-Departement van Onderwys en sy bestaande en oplopende regte behou; met dien verstande dat—

**Ord. No. 17
van 1927.**

(1) die amptenaar aan die Fonds sal terugbetaal die bedrag wat vir hom uit die Fonds betaal was aan die Unie-Departement van Onderwys, saam met samegestelde rente teen vyf persent per jaar, jaarliks bereken, vanaf die datum van terugtrekking tot die datum van terugbetaling.

(2) die amptenaar se eie bedraes teen die voorgeskrewe tarief en die bydraes wat uit die inkomste sou betaal gewees het, sal deur die amptenaar betaal word saam met samegestelde rente teen vyf persent per jaar, jaarliks bereken, ten opsigte van die tydperke :—

(a) Gedurende welke hy gedien het onder die Unie-Departement van Onderwys; en

(b) vanaf die datum waarop hy verplaas is na die diens van die Departement van Onderwys tot aan die datum ten opsigte waarvan die eerste maandelikse aftrekking gemaak is.

Enige somme wat kragtens die wet verskuldig is uit enige ander Pensioen- of Voorsieningsfonds ten opsigte van sulke amptenare, mag gebruik word vir die vereffening van die bedrae wat die amptenare aan die Fonds moet betaal.

19. (1) Enig persoon die in de Staatsdienst van de Unie was en die uit die dienst overgeplaatst wordt naar het vaste Onderwijsend Personeel van het Departement en wiens ouderdom bij overplaatsing onder veertig jaar is in het geval van onderwijzers, of onder vijf en dertig in het geval van onderwijzeressen, zal tot het fonds bijdragen volgens de schalen die voorgeschreven zijn in sub-artikel (1) van artikel twee.

Ambtenaren overgeplaatst naar of van de Staatsdienst.

(2) Enig persoon die aldus overgeplaatst wordt en wiens ouderdom bij overplaatsing veertig jaar of daarboven is in het geval van onderwijzers, of vijf en dertig jaar of daarboven in het geval van onderwijzeressen, kan binnen drie maanden na datum van zijn overplaatsing, verkieszen om tot het fonds bij te dragen, maar hij zal niet verplicht wezen om dit te doen.

Met dien verstande dat alle bijdragen ten opzichte van enig tijdperk waarbinnen krachtens dit sub-artikel zulk een persoon zijn keuze gedaan heeft, door de ambtenaar betaald zullen worden op het eind van de maand waarin hij kennis geeft van zijn voornemen om bij te dragen, ongeacht enige bepaling in de Hoofdordonantie die daarmee in strijd is.

- Ord. No. 17 van 1927.** Wysiging van artikel 20 van die Hoofordonnansie.
- 13.** Artikel *twintig* van die Hoof-Ordonnansie is en word hierby herroep en die volgende word daarvoor in die plek gestel:—
 “De leden van het Bestuur zullen ophouden zitting te hebben een maand na de datum van de eerste zitting van een nieuwe Provinciale Raad, met dien verstande dat een aftredend lid in aanmerking zal komen voor herbenoeming en in funktie zal blijven tot dat de autoriteit die hem benoemd heeft, een opvolger voor hem benoemd of hem herbenoemd heeft.”
- Wysiging van artikel 22 van die Hoofordonnansie.
- 14.** Artikel *twee-en-twintig* van die Hoof-Ordonnansie is en word hierby gewysig deur die deurhaling van die beperking daarin.
- Wysiging van artikel 24 van die Hoofordonnansie.
- 15.** Artikel *vier-en-twintig* van die Hoof-Ordonnansie is en word hierby herroep en die volgende word daarvoor in die plek gestel:—
 De Voorzitter van het Bestuur zal 'n beraadslagende stem hebben en in geval van staking van stemmen, zal hij ook een beslissende stem hebben. Vier leden van het Bestuur zullen een kworum uitmaken. Minstens eenmaal in iedere twee maanden zullen er vergaderingen gehouden worden. Notulen van de verrichtingen op de vergaderingen zullen gehouden worden.
- Wysiging van artikel 20 van Ordonnansie No. 15 van 1918.
- 16.** Subartikel (1) van artikel *twintig* van die Transvaalse Onderwysers Pensioene-Wysigingsordonnansie No. 15 van 1918, is, en word hierby gewysig deur die deurhaling van die woorde “het gehele tydperk van zijn bijdragen tot het fonds of voor de laatste dertig jaren er van welk het kortst moge zijn” en deur daarvoor in die plek te stel die woorde “de laatste zeven jaren zijner bijdragen tot het fonds.”
- Uitbreiding van die toepassing van artikel 20 van Ordonnansie No. 15 van 1918.
- 17.** Artikel *twintig* van die Transvaalse Onderwysers Pensioene-Wysigingsordonnansie No. 15 van 1918 sal *mutatis mutandis* van toepassing wees op onderwysers wat verplaas word na of van die diens van die Departement van Onderwys van die Unie of van die gebied wat onder mandaat gebring is.
- Voorsiening vir weertoe-lating tot die fonds van amptenare wat verplaas is.
- 18.** Enige amptenaar wat 'n bydraer tot die fonds was en wat verplaas is uit die diens van die Departement van Onderwys na die diens van die Unie-Departement van Onderwys en later verplaas of herbenoem is na 'n pos op die vaste onderwyserstaf van die Departement van Onderwys, mag, onderworpe aan die goedkeuring van die Pensioenbestuur, en onderworpe aan die bepalings van die hoofordonnansie soos van tyd tot tyd gewysig, weer tot die Fonds toegelaat word op dieselfde terme en voorwaardes as bestaan het op die datum

ouderdom vanaf die begin van hierdie Ordonnansie, vyf-en-vyftig jaar wees.

(2) Die eerste beperking by subartikel (2) van artikel *nege* van die Hoofordonnansie, is, en word hierby gewysig deur die deurahaling van die woord "vijftig" en deur daarvoor in die plek te stel die woorde "vijf en vijftig".

(3) Subartikel (3) van artikel *nege* van die Hoofordonnansie is, en word hierby gewysig deur die deurahaling van die woorde "vijf en veertig" en deur daarvoor in die plek te stel die woord "vijftig."

(4) Ongeag enige bepaling in artikel *twee-entwintig* van die Transvaalse Onderwysers Pensioene-Ordonnansie No. 15 van 1918, sal die bepalings van hierdie artikel van toepassing wees op 'n amptenaar wat verkies het om tot die fonds by te dra in terme van die Transvaalse Onderwysers Pensioene-Ordonnansie No. 5 van 1916.

11. Subartikel (2) van artikel *veertien* van die Hoofordonnansie is en word hierby gewysig deur die deurahaling van die woorde "het verschil tussen een som gelijk aan vijfmaal dat jaargeld en de jaargelduitkeringen werkelijk aan hem of voor hem betaald voor zijn overlijden" en deur daarvoor in die plek te stel "de som van de jaargelduitkeringen gedurende zodanig onverstreken gedeelte van het bovengenoemde tijdperk van vijf jaar."

Wysiging van artikel 14 van die Hoofordonnansie.

12. Artikel *agtien* van die Hoof-Ordonnansie is en word hierby herroep en die volgende word daarvoor in die plek gestel:

Wysiging van artikel 18 van die Hoofordonnansie.

"Er zal een Pensioenfonds-Bestuur bestaan samengesteld als volgt:

- (1) twee leden die benoemd zullen worden door de Administrateur;
- (2) een lid dat benoemd zal worden door de Provinciale Raad en die Voorzitter zal wezen;
- (3) een lid dat benoemd zal worden door de Transvaalse Onderwijzersvereniging, die een bijdrager tot het fonds zal zijn;
- (4) een lid dat benoemd zal worden door de "Transvaal Teachers' Association," die een bijdrager tot het fonds zal zijn;
- (5) een lid dat benoemd zal worden door de Transvaalse Vereniging van Onderwysers van Middelbare Scholen, die een bijdrager tot het fonds zal zijn.

Mits dat het lid benoemd door de Provinciale Raad tot het Bestuur zoals voorheen samengesteld zitting zal blijven behouden en Voorzitter zal zijn van het Bestuur zoals samengesteld in termen van dit artikel totdat zijn opvolger benoemd wordt."

- Ord. No. 17 van 1927.** Wysiging van artikel 4 van die Hoofordonnansie. **6.** Ongeag enige bepaling in die tweede beperking van subartikel (1) van artikel vier van die Hoofordonnansie betreffende die terme waarop die daarin vermelde amptenare toegelaat is tot die fonds by te dra sal die Pensioenbestuur sulke gewysigde terme vasstel as hulle billik mag ag na oorleg met die aktuaris, en sulke gewysigde terme sal van krag wees vanaf die begin van hierdie Ordonnansie.
- Wysiging van artikel 6 van die Hoofordonnansie. **7.** Subartikel (2) van artikel ses van die Hoofordonnansie is, en word hierby gewysig deur die deurahaling van die volgende woorde: "indien de achterstallige bijdragen in een som betaald worden, of maandeliks indien de achterstallige bijdragen in termijnen betaald worden."
- Wysiging van artikel 7 van die Hoofordonnansie. **8.** Artikel sewe van die Hoof-Ordonnansie is en word hierby gewysig:—
(1) In paragraaf (b) deur die deurahaling van die woorde "maandeliks byeengenomen" en
(2) in paragraaf (c) deur die deurahaling van die woord "drie" en daarvoor in die plek te stel die woord "vier."
- Wysiging van artikel 8 van die Hoofordonnansie. **9.** (1) Subartikel (1) van artikel ag van die Hoofordonnansie is en word hierby gewysig deur die deurahaling van die woorde "het gehele tijdperk zijner bijdragen of om de laatste dertig jaren er van welk der tijdperken het kortste zal zijn" en deur daarvoor in die plek te stel die woorde "de laatste zeven jaren zijner bijdragen tot het fonds."
(2) Die bepalings van die vorige subartikel sal vanaf die begin van hierdie Ordonnansie van toepassing wees op 'n amptenaar wat op 'n jaargeld afgedank is na die eerste dag van Januarie 1926: met dien verstande dat hulle nie van toepassing sal wees nie op 'n amptenaar wat afgetree het na genoemde datum en voor die begin van hierdie Ordonnansie as sodanige amptenaar die voorgeskrewe ouderdom vir aftreding bereik het voor 1 Januarie, 1926.
(3) Ongeag enige bepaling in artikel twee-en-twintig van die Transvaalse Onderwysers Pensioene Wysigings-ordonnansie No. 15 van 1918, sal die bepalings van hierdie artikel van toepassing wees op 'n amptenaar wat verkies het om tot die fonds by te dra in terme van die Transvaalse Onderwysers Pensioene-Ordonnansie No. 5 van 1916.
- Nuwe bepalings vir die aftredingsouderdom van vroulike amptenare. **10.** (1) Ongeag enige bepaling in artikel nege of enige ander artikel van die Hoofordonnansie, sal, waar ook al die Hoofordonnansie voorskryf dat die voorgeskrewe ouderdom vir afdanking van 'n vroulike amptenaar vyftig jaar is, so 'n voorgeskrewe

(c) Ten opsigte van vroulike amptenare van wie die voorgeskrewe ouderdom vir afdanking 60 jaar is, sal die skaal van bydraes wees ooreenkomstig paragraaf (a) van hierdie subartikel.

**Ord. No. 17
van 1927.**

(2) Ongeag enige bepaling in artikel *twee-entwintig* van die Transvaalse Onderwysers Pensioene Wysigingsordonnansie No. 15 van 1912, sal elke amptenaar wat verkies het om tot die fonds by te dra in terme van die Transvaalse Onderwysers Pensioene-Ordonnansie No. 5 van 1916, vanaf die begin van hierdie Ordonnansie, bydraes tot die Fonds betaal ooreenkomstig die skale wat gespesifiseer is in subartikel (1) van hierdie artikel, maar steeds onderworpe aan die bepalings van die Transvaalse Onderwysers Pensioene-Ordonnansie No. 5 van 1916 betreffende die betaling van sulke bydraes en van agterstallige bydraes en rente; met dien verstande dat hierdie subartikel in geen opsig van toepassing sal wees op bydraes verskuldig ten opsigte van enige tydperk voor die begin van hierdie Ordonnansie nie.

3. Ongeag enige bepaling in die Hoofordonnansie sal die bydraes verskuldig deur die Administrasie ten opsigte van elke amptenaar wat bydra by die begin van hierdie Ordonnansie, vanaf die begin van hierdie Ordonnansie, en die bydraes wat deur die Administrasie verskuldig is ten opsigte van elke amptenaar wat nie bydra by die begin van hierdie Ordonnansie nie, vanaf die begin van sy pensioendraende dienstyd wees teen die tariewe wat voorgeskryf is in die vorige artikel, maar steeds onderworpe aan die bepalings van die Hoofordonnansie betreffende die betaling van sulke bydraes en van agterstallige bydraes en rente en die betaling van ander somme deur die Administrasie; met dien verstande dat hierdie artikel in geen opsig van toepassing sal wees op bydraes verskuldig ten opsigte van amptenare wat by die begin van hierdie Ordonnansie bydra vir enige tydperk voor die begin van hierdie Ordonnansie nie.

Bydraes deur die Administrasie.

4. Sub-artikel (2) van artikel *twee* van die Hoofordonnansie is en word hierby gewysig deur die deurhaling van die woorde "in de Provinsie Transvaal" onmiddellik na die woorde "plaatselik bestuur" en daarvoor in die plek te stel die woorde "in de Unie van Zuid-Afrika.

Wysiging van artikel 2 van die Hoofordonnansie.

5. Subartikel (3) van artikel *drie* van die Hoofordonnansie is, en word hierby gewysig deur die deurhaling van die woord "veertig" en deur daarvoor in die plek te stel die woorde "vijf en veertig."

Wysiging van artikel 3 van die Hoofordonnansie.

Ord. No. 17
van 1927.

die Direkteur van Onderwys sertifiseer dat hy by die begin van hierdie Ordonnansie bevoeg was om 'n amptenaar te word en om by te dra en buite sy skuld geen bydraer geword het by die begin van hierdie Ordonnansie nie.

Bydraes deur
amptenare
tot die fonds.

2. (1) Ongeag enige bepaling van die hoofwet sal elke amptenaar wat bydra by die begin van hierdie Ordonnansie, vanaf die begin van hierdie Ordonnansie en elke amptenaar wat nie bydra by die begin van hierdie Ordonnansie nie, vanaf die begin van sy pensioendraende dienstyd, bydraes tot die fonds betaal ooreenkomstig die volgende skale, maar steeds onderworpe aan die bepalings van die hoofordonnansie betreffende die betaling van sulke bydraes en van agterstallige bydraes en rente, met dien verstande dat hierdie subartikkel in geen opsig van toepassing sal wees op bydraes verskuldig deur amptenare wat bydra by die begin van hierdie Ordonnansie vir enige tydperk voor die begin van hierdie Ordonnansie nie.

(a) Ten opsigte van manlike amptenare sal die skaal van bydraes wees :—

Ouderdom laaste Verjaarsdag by begin van Pensioendraende Dienstyd.	Persent van Pensioen- draende Emolumente.
Onder 40 jare.....	5·25
40 „	5·5
41 „	5·7
42 „	5·9
43 „	6·1
44 „	6·3
45 „	6·5
46 „	6·7
47 „	6·9
48 „	7·1
49 „	7·3

(b) Ten opsigte van vroulike amptenare van wie die voorgeskrewe ouderdom vir afdanking 55 jaar is, sal die skaal van bydraes wees :—

Ouderdom laaste Verjaarsdag by begin van Pensioendraende Dienstyd.	Persent van Pensioen- draende Emolumente.
Onder 35 jaar.....	6·75
35 „	7
36 „	7·25
37 „	7·5
38 „	7·75
39 „	8
40 „	8·3
41 „	8·6
42 „	8·9
43 „	9·2
44 „	9·5

wordt in artikel *negen en veertig* van Ordonantie No. 11 van 1926) welke daarvoor mogen verschuldigd zijn aan de plaatselike autoriteit zullen betaald zijn.

(5) Iedere bewoner van enige zulke gebouwen en verbeteringen zal 'n recht van aktie hebben tot invordering van de persoon van en onder wie hij zulke gebouwen en verbeteringen houdt van zoveel als door hem betaald of van hem ingevorderd was aan en voor belastingen ten opzichte van zulke gebouwen en verbeteringen en grond in termen van de bepalingen van de Hoofdordonantie en enig amendement daarop.

(6) Enig persoon welke verzuimt de verpligtingen na te komen aan hem opgelegd in termen van subsekties (1) en (2) hiervan zal schuldig zijn aan 'n overtreding en zal bij veroordeling bloodstaan aan 'n straf van hoogstens £50 (vijftig ponden sterling) of aan gevangenisstraf met of zonder harde arbeid voor 'n tydperk van hoogstens drie maanden.

9. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Plaaslike Bestuur Belasting Wysigings Ordonnansie, 1927, en sal as een gelees word met die Plaatselik Bestuur Belastingen Ordonnantie, 1912 of enige amendement daarop.

Ord. No. 16
van 1927.

'N ORDONNANSIE

Tot wysiging van die Transvaalse Onderwysers Pensioene-Ordonnansie No. 5 van 1916, soos van tevore van tyd tot tyd gewysig.

(Goedgekeur 15 Augustus 1927.)

(Datum van inwerkingtree, 1 Julie 1927.*)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal as volg:—

1. In hierdie Ordonnansie beteken "hoofdordonnansie" die Transvaalse Onderwysers Pensioene-Ordonnansie No. 5 van 1916, soos gewysig deur Ordonnansie No. 15 van 1918, Ordonnansie No. 15 van 1919, Ordonnansie No. 4 van 1923, Ordonnansie No. 9 van 1924, en Ordonnansie No. 12 van 1925 en enige uitdrukking waaraan 'n betekenis geheg is in die hoofdordonnansie vir die doeleindes daarvan, het, wanneer dit in hierdie Ordonnansie gebruik word, dieselfde betekenis tensy 'n teenoorgestelde bedoeling duidelik blyk of tensy 'n ander betekenis aan daardie uitdrukking in hierdie Ordonnansie toegeken is.

"Amptenare wat bydra by die begin van hierdie Ordonnansie" sluit in 'n persoon betreffende wie

Ord. No. 17
van 1927.

* Sien artikel 20.

**Ord. No. 16
van 1927.**

en daarvoor die volgende woorde in die plaas te stel:—

“het totaal van de som opgebracht door de belasting op de waarde van verbeteringen en door de additionele belasting op liggingswaarde zal hoogstens de som zijn welke 'n belasting van drie pennies in het pond zou opbrengen berekend op het geheel van de belastbare waarde in enige municipaliteit.”

Sekere geboue en verbeteringe geregistreer te word met plaaslike outoriteit.

8. (1) Binnen zestig dagen gerekend van de inwerkingtreding van deze Ordonantie zullen alle gebouwen en verbeteringen (niet zijnde in 'n wettig gevestigd dorp), hetzij roerend of onroerend, gebruikte voor woondoeleinden of voor doeleinden niet verwant aan mijnbewerkingen en staande op geproklameerde grond, en ten opzichte van de oprichting, onderhoud en okkupatie waarvan geen wettige machtiging bestaat krachtens de bepalingen van de Edele en Onedele Metalen Wet van 1908 of enig amendement daarop, geregistreerd zijn door de respektiewe eigenaren daarvan (zoals in de Hoofdordonantie omschreven) of hun respektiewe agenten voor het beheer daarvan in 'n register voor dat doel aangehouden te worden op het kantoor van de plaatselike autoriteit, welk register besonderheden zal inhouden van zulke gebouwen en verbeteringen en 'n omschrijving en de grootte van de geokkupeerde grond en de volle namen en adressen van zulke eigenaren, en van hun agenten (indien enige) voor het beheer van zulke gebouwen en verbeteringen.

(2) Enige verkoop, ruiling of vervreemding van zulke gebouwen en verbeteringen zal geregistreerd worden op de wijze zoals voorgeschreven in de voorafgaande subsektie door de partijen tot zulke verkoop, ruiling of vervreemding binnen veertien dagen van de datum daarvan.

(3) De persoon op wiens naam zulke gebouwen en verbeteringen zullen geregistreerd zijn zoals bepaald in de twee voorafgaande subsekties zal aansprakelik zijn voor de betaling van alle belastingen daarop verschuldigd en niettegenstaande enige verkoop, ruiling of vervreemding (tenzij geregistreerd zoals bepaald in de voorafgaande subsektie) zulke gebouwen en verbeteringen zullen blootstaan aan in beslagname en aan gerechtelike verkoop ter voldoening van die bedrag van zulke belastingen.

(4) De plaatselike autoriteit kan weigeren de verkoop, ruiling of vervreemding van enige zulke gebouwen en verbeteringen zoals bepaald in subsektie (2) hiervan te registreren tenzij en totdat de sommen en kosten (zoals genoemd en waarnaar verwezen

(c) kopieën van enige bezwaren teen het voorstel van de plaatselike autoriteit of, indien geen ingekomen zijn, 'n verklaring te dien effekte."

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van 1927.

6. Die volgende skedule sal wees en word hierby vasgestel as die derde skedule tot die hoofordonnansie :—

Derde
skedule tot
hoofordon-
nansie.

Derde Schedule.

Plaatselike Autoriteiteit waarop de bepalinge van paragraaf (a) van artikel vier (3) van de Ordonnansie niet mogen toegepast worden.

Stadsraad van Benoni.
Stadsraad van Boksburg.
Stadsraad van Brakpan.
Stadsraad van Germiston.
Stadsraad van Johannesburg.
Stadsraad van Krugersdorp.
Stadsraad van Potchefstroom.
Stadsraad van Pretoria.
Stadsraad van Roodepoort-Maraisburg.
Stadsraad van Springs.

7. Artikel ag van die wysigingsordonnansie sal wees en word hierby gewysig as volg :—

Wysiging van
artikel 8 van
wysigings-
ordonnansie.

(1) Deur die volgende veranderings in subseksie (3) :—

(a) Skrap al die woorde wat volg op die woord "mijnbewerkinge" in die veertiende reël en stel daarvoor in die plaas die woorde "hetzij door personele welke zulke bewerkinge verrichten of anderszins zowel als op de liggingswaarde van de grond."

(b) Die volgende verdere voorwaarde toe te voeg :—

"En mits verder, echter, dat geen belasting zal geheven worden op de waarde van enige verbeteringe op 'n industriële standplaas (hetzij op grond gehoude onder claimlicentie of ander mijnrecht of niet) verleend voor het doel van uitvoeren van de werke genoemde in subseksie een (c) van artikel negen en zeventig van de Edele en Onedele Metalen Wet 1908, zoals gewijzigd door artikel zes en twintig van de Transvaal Mynhuurkontrakten en Mineralen Wet Wijzigings Wet, 1918, behalve wanneer 'n belasting geheven wordt op de waarde van verbeteringe binne de municipaliteit in termene van de eerstvolgende subseksie."

(2) Deur in paragraaf (i) van subseksie (4) te skrap die woorde :—

"de belasting bij elkaar genomen niet meer zal bedragen dan drie pennies in het pond"

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—
Art. 5.

doch op zulke waardering wanneer voltooid ; mits verder dat zulke waardering niet ongeldig zal verklaard worden omdat hij niet voltooid was binnen zulke termijn van drie jaar.

(2) De plaatselike autoriteit zal bij besluit een of meer bevoegde personen benoemen om zulke waardering zamen te stellen voordat hij of zij met zijn of hun plicht zullen aanvangen.

(3) De Administrateur kan van tijd tot tijd door proklamatie in de *Provinciale Koerant* en met in achtnaam van de bepalingen van de eerstvolgende subsektie de volgende bepalingen toepassen op enige plaatselike autoriteit andere dan op enige van de plaatselike autoriteiten genoemd in de derde schedule tot deze ordonantie voor enig tydperk van minstens vijf jaar en voor dat tydperk zullen de bepalingen van subsektie (1) hiervan niet op zulke plaatselike autoriteit toepasselik zijn :—

(a) De plaatselike autoriteit zal van tyd tot tyd, doch niet minder als eenmaal in iedere vijf jaar 'n waardering laten maken van al het belastbaar eigendom binnen het distrikt, mits echter, dat mocht zulke waardering niet voltooid zijn na verloop van de voorzegde vijf jaar de plaatselike autoriteit dan geen belasting zal opleggen op enige voorafgaande waardering, doch op zulke waardering wanneer voltooid ; mits verder dat zulke waardering niet ongeldig zal verklaard worden omdat hij niet voltooid was binnen zulke termijn van vijf jaar.

(4) Voordat de Administrateur zal gebruik maken van de bevoegdheid aan hem toegekend krachtens de laatst voorafgaande subsektie zal de plaatselike autoriteit welke wenst dat de bepalingen van paragraaf (a) daarvan op haar toepasselik gemaakt wordt hem voorzien van—

(a) 'n gecertifiseerd afschrift van het besluit van de plaatselike autoriteit vragende om de toepassing van de genoemde bepalingen ;
(b) 'n certifikaat onder de hand van de stadsklerk dat het genoemde besluit door niet minder dan twee-derde van de leden van de plaatselike autoriteit was aangenomen en minstens eenmaal per week gedurende drie achtereenvolgende weken gepubliseerd was in de *Provinciale Koerant* en in een of meer nieuwsbladen sirkulerende in de municipaliteit ;

(f) Deur wysiging van die definiesie van "Belastbaar eigendom" soas gewysig deur artikels *vier* en *tien* van die wysigingsordonnansie, artikel *vier* van Ordonnansie No. 4 van 1917, en artikel *drie* hiervan as volg:—

(i) Deur opname in definiesie B daarvan onmiddellik op die end en buite die hakies na die woord "verklaren" van die volgende woorde:—

"Open geproklameerde grond zoals hierin te voren omschreven zowel als"

(ii) Deur opname na die woorde "vrywillige bijdragen" in paragraaf (2) onder A en in paragraaf (2) onder B van die woorde "of voor hospitalen in 't genot van 'n subsidie of hulptoelage van de Provinciale Administratie."

(2) Artikel *drie* van die wysigingsordonnansie sal wees en word hierby herroep.

3. Artikel *vier* van die wysigingsordonnansie sal wees en word hierby gewysig deur in die definiesie van "belastbaar eigendom" die volgende woorde te skrap:—

Wysiging van artikel 4 van wysigingsordonnansie.

"enig recht van de eigenaar van geproklameerde grond tot het ontvangen van een gedeelte van de claimlicenties betaalbaar met betrekking tot zodanige grond, en verder de tegenwoordige en terugvallende rechten van zodanige eigenaar op de oppervlakte van zodanige grond"

en daarvoor in die plaas te stel die woorde:—

"die eigendomsbezitters licentiebelang zoals omschreven door artikel *drie* van de hoofordonantie."

4. Die Plaaslik Bestuur Belastings Verdere Wysigings Ordonnansie (No. 12) van 1918 en die Plaaslik Bestuur Belastings Wysigings Ordonnansie (No. 9) van 1919 sal wees en word hierby herroep.

Herroeping.

5. Artikel *vyf* van die wysigingsordonnansie sal wees en word hierby herroep en die volgende nuwe artikel *vier* op die hoofordonnansie sal wees en word hierby vasgestel:—

Herroeping van artikel 5 van wysigingsordonnansie en vasstelling van nuwe artikel 4 op hoofordonnansie.

"4. (1) De plaatselijke autoriteit zal van tijd tot tijd, doch niet minder als eenmaal in iedere drie jaar 'n waardering laten maken van al het belastbaar eigendom binnen het distrikt, mits, echter, dat mocht zulke waardering niet voltooid zijn na verloop van de voorzegde drie jaar de plaatselijke autoriteit dan geen belasting zal opleggen op enige voorafgaande waardering,

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niet tot mijnbewerkingen behorende, staande op geproklameerde grond, of op grond welke ofschoon gehouden onder mijnrecht niet geproklameerd is en ten opzichte van de oprichting, het onderhoud of de okkupatie van welke gebouwen en verbeteringen geen wettige machtiging krachtens de bepalingen van enige wet betrekking hebbende op de ontginning van edele en onedele metalen bestaat. 'Okkupatie' zal voor het doel van deze definitie betekenen de werkelijke okkupatie van of de uitoefening van bezitrecht ten opzichte van zulke gebouwen en verbeteringen."

(b) Enig persoon welke, ter oorsake van zijn uitoefening van zijn bezitrecht in gebouwen en verbeteringen daarop gelegen, geproklameerde grond okkupeert of grond welke ofschoon gehouden onder mijnrecht niet geproklameerd is waar geen wettige machtiging bestaat voor zulke okkupatie krachtens enige wet betrekking hebbende op de ontginning van edele en onedele metalen, en waar zulke gebouwen en verbeteringen gebruikt worden voor woon-doeleinden of voor doeleinden niet aan mijnwerkingen verwant."

"(7) Enig persoon aan wie het recht toegewezen is om ten opzichte van enig geproklameerde grond het geheel of enig gedeelte van de volgende te ontvangen :

- (i) De claimlicenties gelden betaalbaar ten opzichte van zulke grond ;
- (ii) de licentiegelden betaalbaar ten opzichte van woon-, handels- en industriële standplaatsen toegestaan op zulke grond krachtens de Edele en Onedele Metalen Wet 1908 en enig amendement daarop of enige vroegere wet ;
- (iii) de huurgelden betaalbaar krachtens artikel *drie* van de Bewaarplaatsgelden Aanwendings Wet 1917 ;
- (iv) de huurgelden betaalbaar krachtens subsektie (3) van artikel *vier* van de Transvaal Mijnhuurkontrakten en Mineralen Wet Wijzigings Wet, 1918 ;
- (v) de huurgelden als en wanneer betaalbaar ten opzichte van enige bovengrondsrechten toegestaan krachtens Hoofdstuk IX van de Edele en Onedele Metalen Wet 1908, en enig amendement daarop.

(c) deur toevoeging tot die definisie van "belang in grond" soas gewysig deur artikel twee van Ordonnansie No. 4 van 1917 van die twee volgende nuwe subseksies :—

(8) Enig eigendomsbezitters licentiebelang soals, hierin omschreven.

(9) Enige okkupatie van gebouwen en verbeteringen (geen zijnde op grond in 'n wettig gevestigd dorp) hetzij verplaatsbaar of onverplaatsbaar gebruikte voor bewoningsdoeleinden of voor doeleinden niet tot mijnbewerkingen behorende, staande op geproklameerde grond of op grond welke ofschoon gehouden onder mijnrecht niet geproklameerd is ten opzichte van die oprichting, onderhoud en okkupatie van welke gebouwen en verbeteringen geen wettige machtiging krachtens de bepalingen van enige wet welke betrekking heeft op de ontginning van edele en onedele metalen bestaat. 'Okkupatie' zal voor het doel van deze definitie betekenen de werkelijke okkupatie van of de uitoefening van bezitrecht ten opzichte van zulke gebouwen en verbeteringen."

(d) deur daaraan die volgende nuwe definisie toe te voeg :—

" 'Open geproklameerde grond' zal voor het doel van deze Ordonantie betekenen en insluiten alle geproklameerde grond (dat is te zeggen grond geproklameerd als 'n Publieke Delverij krachtens de Edele en Onedele Metalen Wet van 1908 of Wet No. 15 van 1898 of 'n vroegere wet, mits dat zulke grond niet wettig gedeproklameerd was) welke niet gehouden wordt onder mijnrecht of bovengrondsrecht permit en welke niet gereserveerd of toegestaan is voor enig doel krachtens de Edele en Onedele Metalen Wet van 1908 en enig amendement daarop."

(e) Deur toevoeging tot die definisie van "eigenaar" soas gewysig deur artikel drie van Ordonnansie No. 4 van 1917 van die volgende nuwe subseksies, genommer te word (6) en (7), die bestaande subseksie (6) te word genommer (5) :—

"(6) (a) Enig persoon in okkupatie van gebouwen en verbeteringen (niet zijnde op grond in 'n wettig gevestigd dorp) hetzij verplaatsbaar of onverplaatsbaar, gebruikte voor bewoningsdoeleinden of voor doeleinden

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Ord. No. 16 Wysiging van
van 1927. artikel 3 van
hoofordon-
nansie.

2. (1) Artikel *drie* van die hoofordonnansie sal wees en word hierby gewysig in die volgende opsigte :—

(a) Deur daaraan die volgende nuwe definisie toe te voeg :—

“ ‘ Eigendomsbezitters licentiebelaag ’ zal beteken en insluit enig reght van de eigenaar van geproklameerde grond op ontvangst van ’n gedeelte van—

(i) de claimlicenties gelden betaalbaar ten opzichte van zulke grond ;

(ii) de licentiegelden betaalbaar ten opzichte van woon-, handels- en industriële standplaatsen toegestaan op zulke grond krachtens de Edele en Onedele Metalen Wet 1908 en enig amendement daarop of enige vroegere wet ;

(iii) de huurgelden betaalbaar krachtens artikel *drie* van de Bewaarplaatsgelden Aanwendings Wet 1917 ;

(iv) de huurgelden betaalbaar krachtens subseksie (3) van artikel *vier* van de Transvaal Mijnhuurkontrakten en Mineralen Wet Wijzigings Wet, 1918 ;

(v) de huurgelden als en wanneer betaalbaar ten opzichte van enige bovengrondsrechten toegestaan krachtens Hoofdstuk IX van de Edele en Onedele Metalen Wet, 1908, en enig amendement daarop.”

(b) Deur skrapping van subseksie (5) van die definisie van “ belag in grond ” en daarvoor die volgende nuwe subseksie in die plaas te stel :—

“ 5. (i) Enige gebruiker van geproklameerde grond hetzij gehoude onder ’n kleimlicentie of ander mijnrecht of niet voor woondoel-einden of voor doeleinden welke niet tot mijnbewerkinge behore.

(ii) Enige okkupatie ter oorzake van het bestaan daarop van gebouwe en verbeteringe, van geproklameerde grond of grond welke ofschoon gehoude onder mijnrecht niet geproklameerd is, waar geen wettige machtiging voor zulke okkupatie bestaat krachtens enige wet betrekking hebbende op de ontginning van edele en onedele metale, en waar zulke gebouwe en verbeteringe gebruikte wordte voor woondoel-einden of voor doeleinden niet aan mijnbewerkinge verwant.”

'N ORDONNANSIE

Ord. No. 15
van 1927.

Tot verdere wysiging van die Winkelure Ordonnansie
No. 5 van 1923.

(Goedgekeur 30 Julie 1927.)

(Datum van inwerkingtree, 31 Augustus 1927.)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal as volg :—

1. Nietenstaande enigiets vervat in die Winkelure Ordonnansie No. 5 van 1923, soas gewysig, (hierna die hoof-ordonnansie genoem) sal die opening en sluitingsure van winkels soas daarin voorgeskrewe nagekom word in enig gebied gelege buite die vyf myle radius voorgeskrewe in artikel *een* van die hoof-ordonnansie.

Spesiale
bepaling vir
sekere
winkels.

2. Enig persoon wat 'n winkel sal oop of oop hou of vergun oop te wees in stryd met die voorgaande artikel sal skuldig wees aan 'n oortreding en sal by veroordeling blootstaan aan die strawwe voorgeskrewe in artikel *twaaif* van die hoof-ordonnansie.

Straf.

3. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Winkelure Verdere Wysigings Ordonnansie, 1927.

Korte Tietel.

'N ORDONNANSIE

Ord. No. 16
van 1927.

Tot wysiging van die Plaaslike Bestuur Belasting Ordonnansie, 1912, in sekere opsigte.

(Goedgekeur 30 Julie 1927.)

(Datum van inwerkingtree, 14 September 1927.)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal as volg :—

1. In hierdie Ordonnansie sal die woorde "hoof-ordonnansie" en "wysigings ordonnansie" geag word te beteken respektiewelik die Plaaslik Bestuur Belasting Ordonnansie No. 6 van 1912 en die Plaaslik Bestuur Belasting Wysigings Ordonnansie No. 1 van 1916.

Verklaring
van uitdruk-
kings.

Ord. No. 14
van 1927.

SKEDULE.

BETREKKINGS EN POSTE WAT PENSIOENDRAENDE SAL WEES.

<i>Barberton Hospitaal.</i>	Waskontroleur.
Sekretaris.	Kombuis Superintendent.
	Kok.
<i>Boksburg Hospitaal.</i>	Assistent Kok.
Huisheelkundige.	Verplegingsoppasser.
Sekretaris-superintendent.	Verpleger.
Klerk.	Naaister.
Klerklike assistent.	Assistent Naaister.
Tikster.	
Magasynmeester.	<i>Klerksdorp Hospitaal.</i>
Naaister.	Kok.
Assistent Naaister.	<i>Krugersdorp Hospitaal.</i>
Wasvrou.	Sekretaris.
Assistent Wasvrou.	Tikster.
Kok.	Kok.
Assistent Kok.	Assistent Kok.
<i>Germiston Hospitaal.</i>	<i>Pietersburg Hospitaal.</i>
Sekretaris.	Sekretaris.
Tikster.	Kok.
Kok.	
Assistent Kok.	<i>Pretoria Hospitaal.</i>
<i>Johannesburg Hospitaal.</i>	Superintendent.
Superintendent.	Resident Sekretaris.
Hoofklerk en Boekhouer.	Hoofklerk.
Kassier.	Klerklike Assistent.
Klerk.	Tikster.
Klerklike assistent.	Apteker.
Tikster.	Assistent Apteker.
Aalmoesnier.	Radiografis.
Senior Resident Geneeskundige.	Assistent van Radiografis.
Hoofapteker.	Assistent Radiografis.
Assistent-apteker.	Masseur.
Ingenieur.	Magasynmeester.
Assistent-ingenieur.	Telefonis.
Elektrisiën.	Kok.
Werktuigkundige.	Naaister.
Leke-assistent.	Assistent Naaister.
X-strale Assistent.	Keteloppasser.
Huishofmeester.	Verpleger.
Masseur.	Verplegingsoppasser.
Magasynkneg.	
Kompoundbestuurder.	<i>Skoolrade.</i>
Assistent Kompoundbestuurder.	Sekretaris.
Wassery Superintendent.	Klerk.
Steriliseer Oppasser.	Tikster.
Telefonis.	

volgens die skale voorgeskrewe in subseksie (2) van artikel *drie*.

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van 1927.

(3) Enig persoon oorgeplaas as voorsé, wie se leeftyd by oorplasing vyftig jare of daarbo is, sal toegestaan word tot die fonds by te dra vanaf die datum van sy oorplasing nieteenstaande enigiets daarmee in stryd in subseksie (3) (b) van artikel *drie*.

Mits dat die basis van hydrae deur die Administrasie na oorleg met die aktuaris sal bepaal word.

(4) Aan enig persoon wat oorgeplaas is as voorsé sal toegestaan word sy diens in die Staatsdiens van die Unie of onder enige Prowinsiale Administrasie of onder die Administrasie van die mandaatgebied, of 'n gedeelte daarvan, as onafgebroke met sy toekomstige diens te reken, mits dat die amptenaar se eie hydrae teen die voorgeskrewe skaal en die hydrae wat sou gemaak gewees het uit inkomste ten opsigte van sulke diens betaal sal word deur of ten behoeve van die amptenaar tesaam met rente teen vyf persent per jaar jaarliks bymekaar geneem tot op die datum van betaling.

34. Die Administrateur mag regulasies maak nie in stryd met die bepalings van hierdie Ordonnansie nie vir die doelmatige toepassing van die bedoelings van hierdie Ordonnansie. Regulasies.

35. Die Administrateur mag te eniger tyd en van tyd tot tyd per proklamasie in die *Prowinsiale Koerant* die Skedule tot hierdie Ordonnansie aanvul, verander of wysig. Bevoegdheid
Skedule aan
te vul, te
verander of
te wysig.

36. Nieteenstaande enigiets in hierdie Ordonnansie vervat, sal geen dienstydperk waarvoor reeds 'n pensioen ontvang is deur enig amptenaar gereken word as diens vir pensioendoeleindes nie. Uitsondering
wat betref
reeds
betaalde
vrywillige
gawe.

37. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Transvaal Hospitaal en Skoolraad Amptenare Pensioene Ordonnansie 1927 en sal aanvang en in werking tree op 'n datum per proklamasie in die *Prowinsiale Koerant* vasgestel.* Korte titel
en datum
van in
werking-
treeding.

* Proklamasie No. 62, *Prowinsiale Koerant* gedateer 7 September 1927, bladsy 314.

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pensioendraende emolumente vir die gehele tydperk van sy bydrae tot die fonds of vir die laaste dertig jare daarvan, wat van hulle die kortste mag wees, en enig sulk jaargeld sal bereken word teen een-sestigste van die gemiddelde pensioendraende emolumente vir elk jaar bydrae.

(2) Die bepalings van subseksie (1) van hierdie artikel sal nie van toepassing wees nie tensy die andere Provinsie of Provinsies van die Unie waarna die amptenaar sy dienste oorbring soortgelyke voorsienings gemaak het vir hospitaal en skoolraad amptenare oorgegaan uit hulle diens na die diens van 'n hospitaal of skoolraad in Transvaal; mits dat totdat sulke bepaling gemaak is, 'n amptenaar wat bevredigende diens het in 'n andere Provinsie kan toegestaan word tot die fonds by te dra ten opsigte van soveel van sy diens as die Administrasie mag goedkeur, mits dat die amptenaar sy eie bydrae teen die voorgeskrewe skaal en die bydraes wat uit die inkomste sou gemaak gewees het ten opsigte van sulke goedgekeurde diens indien die amptenaar in diens gewees is in Transvaal, deur die amptenaar sal betaal word tesaam met rente teen vyf persent per jaar jaarliks bymekaar geneem tot op die datum van betaling.

Erkenning
van diens van
amptenare
oorgeplaas
uit sekere
dienste.

33. (1) Enig persoon wat in die diens was van die Staatsdiens van die Unie, of onder enige Prowinsiale Administrasie of onder die Administrasie van die mandaatgebied en wat uit sulke diens oorgeplaas is in 'n betrekking of pos omskrewe in die eerste skedule tot hierdie Ordonnansie en wie se leeftyd by oorplasing onder veertig jare is, sal tot die fonds bydra teen die skale voorgeskrewe in subseksie (1) van artikel drie.

(2) Enig persoon oorgeplaas as voorsê, wie se leeftyd by oorplasing veertig jare of daarbo is kan, binne drie maande na die datum van sy oorplasing, verkies tot die fonds by te dra dog hy sal nie verplig wees sulks te doen nie.

Mits dat al die bydrae ten opsigte van enig tydperk binne watter kragtens hierdie subseksie sulk persoon sy keuse gemaak het betaal sal word deur die amptenaar op die end van die maand waarin hy kennis gee van sy voorneme om by te dra, niteenstaande enigiets daarmee in stryd in hierdie Ordonnansie vervat.

Mits verder dat enig persoon wat verkies by te dra kragtens hierdie subseksie bydrae sal maak

as omskrewre is in artikels *sestien* en *sewentien* van hierdie Ordonnansie, dan sal die bepalings van die genoemde artikels *sestien* of *sewentien* nie van toepassing wees nie.

Ord. No. 14
van 1927.

30. Die bepalings van hierdie Ordonnansie sal toepaslik wees op ieder amptenaar benoem op of na die vasgestelde datum tot 'n pos omskrewre in die Skedule tot hierdie Ordonnansie as Verplegings-oppasser of Verpleger. Sulke amptenare sal nie geregtig wees by uittreding die voordele te geniet nie voorgeskrewre in subseksie (1) en (2) van artikel *een-en-dertig* van die Transvaal Hospitaal Verpleegsters Pensioene Ordonnansie, 1919.

Artikel 31
van die
Transvaal
Hospitaal
Verpleeg-
sters
Pensioene
Ordonnansie
1919 nie
toepaslik te
wees nie op
sekere
amptenare na
die vasge-
stelde datum.

31. Enig amptenaar wat na tien jare onafgebroke diens verplig is uit die diens te tree en later weer aangestel word kan, op aanbeveling van die Administrasie, en met die goedkeuring van die Prowinsiale Raad, geag word gedurende die tydperk vir watter hy buite diens was, afwesig gewees te het op verlof sonder salaris en mag sy hydrae tot die fonds hervat, mits dat hy al die gelde deur hom ontvang by sy uittreding terugbetaal, tesaam met sulke rente as die Administrasie mag besluit, dog aan hom sal nie toegestaan word nie tot die fonds by te dra ten opsigte van die tydperk gedurende watter hy nie in die diens was nie.

Terugbetaling
van gelde
uitbetaal in
die geval van
ontslae
amptenare
weer aange-
stel in 'n
betrekking
of pos.

32. (1) Indien 'n amptenaar bedank voordat hy die voorgeskrewre leeftyd bereik het en benoem word tot 'n betrekking of pos op die staf van 'n hospitaal of skoolraad van 'n andere Provinsie van die Unie, en indien die tydperk tussen die datum van sy bedanking in Transvaal en die diensaanvaarding in die andere Provinsie nie langer is as een jaar nie, dan sal die Administrasie op applikasie deur sulk amptenaar gemaak beslis of die gehele of deel van die tydperk gedurende watter sulk amptenaar tot die fonds het bygedra kan beskou word as pensioenbare diens. Indien die Administrasie beslis dat die gehele of 'n deel van die diens van sulk amptenaar sal gereken word as pensioenbare diens, dan sal sulk amptenaar by bereiking van die voorgeskrewre leeftyd, mits dat hy op die staf van 'n hospitaal of skoolraad van sulke andere Provinsie gebly het of daarmee het opgehou alleen weens swakke gesondheid of deurdat hy die aftredende leeftyd bereik had voorgeskrewre vir amptenare in sulke Provinsie, geregtig wees op die betaling van 'n jaargeld gebaseer op sy gemiddelde

Erkenning
van diens van
amptenare
oorgegaan
van diens van
die ene
Provinsie na
'n andere.

**Ord. No. 14
van 1927.**

Mits dat die jaargeld of enig gedeelte daarvan gedurende sulk tydperk van gevangenisstraf kan betaal word aan of ten behoeve van sy eggenote of minderjare kinders of, in geval daar geen eggenote of minderjarige kinders bestaan nie, aan enige kinders of bloedverwante of and'ere persone van hom afhankelik, en die keuse van sulk persoon of persone sal wees na diskresie van die Administrasie.

(2) Telkens wanneer die betaling van enig jaargeld het opgehou kragtens subseksie (1) van hierdie artikel sal dit weer van krag word by ontslag van die gepensioeneerde uit die gevangenis en hy sal die jaargeld ontvang tot 'n selfde bedrag en op dieselfde voorwaardes as voor sy gevangenisskap.

Bevoegdheid tot verlaging of skorsing van pensioene.

27. Indien enig afgetrede amptenaar bevind word opsetlik 'n valse verklaring gemaak te hê vir die doel 'n pensioen te verkry wetende dat die verklaring vals was, dan kan die Administrasie gelas dat die reg op enig pensioen waarop hy geregtig was geword, of enig jaargeld wat hy geniet, sal geskors, verminder of verbeurd verklaar word.

Mits dat hy weens die uitvoering van die bevoegdhede van hierdie artikel, in die geval van 'n jaargeld, nie minder sal ontvang as die werklike waarde wiskundig bereken van enige som deur hom bygedra nie, of minder, in die geval van 'n vrywillige gawe, as die werklike som deur hom bygedra ooreenkomstig hierdie Ordonnansie.

Omsetting van jaargeld

28. Die Administrasie mag op versoek van die begunstigde en onderwerp aan die vertoning van 'n voldoende sertifikaat van 'n geneeskundige, sulk gedeelte van enig jaargeld as wat nie meer as eenderde daarvan bedra nie in 'n enkele kontantbetaling omsit wiskundig bereken na gelang van die tydperk gedurende watter die begunstigde kan verwag word die jaargeld te trek. In die geval dat die uittreding plaas het voordat die begunstigde die leeftyd voorgeskrewe vir uittrekking bereik het, sal geen groter som uit inkomste betaal word nie as in die gewone loop van omstandighede aldus sou betaal word indien die jaargeld nie was omgesit nie en die begunstigde geleef had tot bereiking van die leeftyd van watter af die jaargeld uit die fonds sou betaal word.

Wanneer artikels 16 en 17 nie van toepassing is nie.

29. Indien kragtens die bepalings van die Werkliede Vergoedings Wet No. 25 van 1914, of enig amendement daarop 'n amptenaar of sy afhankelikes soas daarin omskrewe vergoeding ontvang soas daarin omskrewe of indien volgens die gewone wet enig amptenaar of sy afhankelikes skadevergoeding verkry ten opsigte van enige sulke omstandighede

(3) Sulke amptenare sal die diens verlaat op die leeftyde waarop van hulle sou verlang word die diens te verlaat indien hulle bydraers was tot die fonds deur hierdie Ordonnansie gestig.

Ord. No. 14
van 1927.

24. Geen pensioen of reg op 'n pensioen, sal kan toegewys of oorgedra of op andere wyse oorgedaan of verpand of onder verband geplaas word nie, nog sal hulle of enige bydrae gemaak deur 'n amptenaar kan in beslag geneem of onderwerp word aan enige vorm van eksekusie kragtens 'n vonnis of bevel van 'n geregshof, en in die geval dat die begunstigde trag 'n pensioen of reg op 'n pensioen toe te ken, oor te dra of op andere wyse oor te maak of te verpand, kan die betaling daarvan geweier, uitgestel of heeltemal ophou indien die Administrasie sulks bepaal: Mits dat die Administrasie voordat betaling van enig jaargeld of vrywillige gawe aan 'n amptenaar gemaak word, enige somme wat deur sulk amptenaar aan die Administrasie mag verskuldig wees, kan aftrek.

Pensioene, ens., nie oordraagbaar of beslag op te lê.

25. (1) Indien die boedel van enig amptenaar in die genot van 'n jaargeld gesekwestreer of afgestaan of oorgegee word ten behoeve van sy krediteure, dan sal die jaargeld onmiddellik ophou; mits dat in enig sulk geval die gehele of enig deel van die jaargeld mag betaal word aan of ten behoeve van alle of enige van die nagenoemde persone, naamlik sulk amptenaar, sy eggenote of enige minderjarige kinders of in geval daar geen eggenote of minderjarige kinders bestaan nie, aan enige kinders of andere bloedverwante of persone van hom vir onderhoud afhanklik. Indien die betaling aan sulk amptenaar geskied dan sal dit vir sy eie persoonlike gebruik wees en mag op generlei wyse in beslag geneem of toegeëien word deur die beheerder in die insolvente boedel of deur sy krediteure nie, niteenstaande enigiets daarmee in stryd in enige wet wat op insolvensie betrekking het.

Hoe pensioene deur insolvensie getret word.

(2) Telkens wanneer 'n jaargeld het opgehou kragtens hierdie artikel, sal dit by rehabilitasie van die insolvent weer van krag word en hy sal 'n jaargeld ontvang van 'n selfde bedrag en op dieselfde voorwaardes as voor die sekwestrasie, afstand of oorgawe tesaam met enige agterstallige bedrae wat mag verskuldig wees.

26. (1) Indien 'n amptenaar in die genot van 'n jaargeld deur enig hof skuldig bevind word aan enige misdad of oortreding, en daarvoor ter dood veroordeel is of tot enige termyn van gevangenisstraf van meer as twaalf maande sonder die keuse van 'n boete, dan sal die jaargeld ophou aan sulk amptenaar betaalbaar te wees.

Pensioene by veroordeling.

Ord. No. 14
van 1927.

(2) 'n Onafgebroke dienstydperk sal insluit die tyd bestee—

(a) in werklike diens ;

(b) aan gemagtigde afwesigheidsverlof ;

(c) aan skorsing indien gevolg deur heraanstelling in dieselfde of 'n andere betrekking of pos.

(3) 'n Onafgebroke dienstydperk sal nie beskou word as afgebreek deur gemagtigde afwesigheidsverlof sonder salaris nie, dog die tyd aan sulke verlof bestee sal nie in aanmerking kom by berekening van 'n pensioen nie tensy die amptenaar vir sulke tydperk tot die fonds het bygedra ; behalwe ten opsigte van die onafgebroke diens voorafgaande aan die vasgestelde datum van amptenare wat verkies het by te dra kragtens die bepalinge van artikel *vyf*.

Op nuut aangestelde amptenare. Jaargeld op te hou of te verminder gedurende tydperk van heraanstelling.

22. Indien aan enig amptenaar 'n jaargeld kragtens hierdie Ordonnansie toegeken word en daarna uit vrye wil oorgaan in die staatsdiens of in diens van die Spoorweë en Hawens Administrasie of van enige Prowinsiale Administrasie, of onder die Administrasie van die mandaatgebiede, dan sal, so lang die latere diens voortduur die jaargeld ophou indien sy emolumente van sy betrekking in sulke volgende diens gelyk is aan of groter is as die emolumente verbind aan sy betrekking of pos voorafgaande aan die toekenning van die jaargeld. Indien die emolumente verbind aan sy betrekking in sulke latere diens minder is as die emolumente van sy betrekking of pos voorafgaande aan die toekenning van die jaargeld, dan sal soveel van die jaargeld as wat die verskil tussen hierdie emolumente nie te bo gaan nie, betaalbaar wees. By beëindiging van die genoemde latere diens sal die gehele jaargeld weer betaalbaar word.

Voordele aan vaste nie-pensioenbare amptenare.

23. (1) 'n Amptenaar wat nie in aanmerking kom nie vir lidmaatskap van die fonds gestig deur hierdie Ordonnansie en vir wie geen pensioenvoorsiening gemaak is in enige andere wet nie, en wat vir 'n tydperk van minstens twee jare 'n betrekking of pos beklee het genoem in die Eerste Skedule tot hierdie Ordonnansie kan, by uittreding op grond van ouderdomspensioenering, swakke gesondheid, reorganisasie of ontslag, 'n vrywillige gawe betaal word gelyk aan vier persent van die emolumente deur hom getrek gedurende die tydperk van sy onafgebroke diens. Die uitdrukkinge "emolumente" en "onafgebroke diens" sal geag word, sulke emolumente en sulke diens te beteken as wat in aanmerking sou geneem word by berekening van die pensioen van 'n pensioenbare amptenaar.

(2) Die vrywillige gawes betaalbaar sal belas word op en betaal word uit die inkomste.

(d) al die andere sake wat verantwoordings betref genoem in of bedoel deur hierdie Ordonnansie en die regulasies.

Ord. No. 14
van 1927.

(2) Die Administrasie sal sorgdra dat die boeke en verantwoordings van die fonds afgesluit word tot op die een-en-dertigste dag van Maart in ieder jaar, en vir opmaking van 'n balansstaat, aantoonende die bate en laste van die fonds op die datum waarop die balansstaat is opgemaak.

19. (1) Die fonds sal deur 'n aktuaris geskat word as op die een-en-dertigste dag van Maart 1932, en iedere vyf jare daarna. Die aktuaris sal direk aan die Administrasie rapporteer, wat sulk rapport aan die Prowinsiale Raad sal oorlê, en sal in sy rapport die gegewens en prosesse vermeld wat hy by sy ondersoek en waardering gevolg het. Hy sal die bate en laste van die fonds afsonderlik waardeer, en sal enig surplus of tekort, wat daarop bestaan, aantoon, hy sal sy opinie gee deur watter oorsaak die surplus of tekort (na gelang van omstandighede) ontstaan is, en die stappe wat volgens sy mening dien geneem te word vir die vereffening daarvan.

Vyfjarige
waardering
van fonds.

(2) In geval dat die waardering van die aktuaris 'n ruim surplus aantoon bo die vorderings wat na alle waarskynlikheid kragtens hierdie Ordonnansie of enig amendement daarop sou kan ontstaan, dan sal die voordele verhoog of die bydrae verlaag word op sulke wyse as die Prowinsiale Raad kan bepaal. Indien die waardering van die aktuaris 'n ruim tekort aantoon, dan sal hierdie tekort, so nodig, op sulke wyse gedek word as die Prowinsiale Raad kan bepaal.

Mits dat niemand aan wie 'n pensioen verleen was, in die geval van 'n jaargeld, dat jaargeld sal verlaag word nie, of in die geval van 'n vrywillige gawe, van hom sal gevorder word enig gedeelte daarvan terug te betaal.

Mits verder dat die bydrae uit inkomste nooit minder sal bedra nie as ten tyde voorgeskrewe as betaalbaar aan amptenare.

20. Die beheer van die fonds sal deur die Administrasie gevoer word, en die koste van beheer van die fonds eh van enige ondersoekings en daaraan verwante sake sal deur die inkomste gedra word.

Fondse deur
Admini-
strasie beheer
te word.

ALGEMEEN.

21. (1) Die dienstydpark waarvoor kragtens hierdie Ordonnansie 'n pensioen sal bereken word sal, soas spesiaal bepaal is in artikel *tien*, onafgebroke wees.

Dienstyd-
perk vir
pensioen-
berekening.

Ord. No. 14 Jaargelde
van 1927. aan bloed-
 verwante van
 amptenare
 wat sterwe
 as gevolg van
 verwondings,
 ens opge-
 doek in die
 uitvoering
 van hulle
 diens.

17. Indien 'n amptenaar wat tot die fonds bydrae sy lewe verlies hetsy weens 'n verwonding opgedaan of weens siekte ontstaan onder die omstandighede omskrewre in die laasvooraangaande artikel, sal die Administrasie aan of ten behoewe van sulke persone as genoem word in subseksie (3) van artikel *veertien* sulk jaargeld of vrywillige gawe toeken as die omstandighede van die geval mag vereis, dog sulk jaargeld sal in geen geval meer bedra as die halfte van sy gemiddelde pensioendraende emolumente gedurende die gehele tydperk van sy bydrae nie; mits dat die bedrag van die bydrae gemaak aan die fonds so wel deur die genoemde amptenaar self en ten behoewe van die genoemde amptenaar uit die inkomste tesaam met enkele rente teen vier persent per jaar of in die geval van 'n amptenaar wat verkies het by te dra kragtens die bepalings van artikel *vyf* die bedrag van die vrywillige gawe voorgeskrewe in subseksie (3) (1) van artikel *vyf* aan die inkomste uit die fonds sal betaal word; mits verder dat die bepalings van subseksie (3) van artikel *veertien mutatis mutandis* toepaslik sal wees ten opsigte van die keuse van die persoon of persone aan wie die pensioen sal verleen word; mits verder dat enig sulk jaargeld sal ophou—

- (a) in die geval van 'n weduwee by haar hertrou;
- (b) in die geval van 'n manlike minderjarige sodra hy die leeftyd van agtien jare bereik; en
- (c) in die geval van 'n vroulike minderjarige sodra sy die leeftyd van een-en-twintig jare bereik, of onder dié leeftyd trou.

FINANSIEEL.

Rekeninge.

18. (1) Die Administrasie sal volledige en ware verantwoordings van die fonds laat hou, afsonderlik aantoonende—

- (a) al die geldsomme ontvang of verskuldig en uitgegee of terugbetaalbaar ten opsigte van bydraende amptenare of persone en besonderhede van die sake en dinge waarvoor hierdie geldsomme ontvang of uitbetaal was;
- (b) die datums van betaling van die eerste en al die volgende bydrae, tesaam met al die kronologiese en andere besonderhede wat nodig is vir die behoorlike byhouding van die verantwoordings van die fonds ooreenkomstig met hierdie Ordonnansie en die regulasies, en opdat 'n wiskundige waardering van die fonds te eniger tyd kan gemaak word;
- (c) al die somme verskuldig aan of deur die inkomste in verband met die fonds;

volbring had en teen vyf persent indien hy tien jare onafgebroke diens volbring had, minus die bedrag, indien enig, wat hy aan jaargeld mag ontvang het.

Ord. No. 14
van 1927.

15. Die pensioene of andere voordele betaalbaar kragtens die twee eersvolgende artikels sal belas word op en betaalbaar wees uit inkomste.

Pensioene
betaalbaar
uit
inkomste.

16. (1) Indien 'n amptenaar wat tot die fonds bydra, by sy uittreding op die leeftyd van ouderdomspensioenering geregtig sou gewees het op 'n jaargeld dog verplig is uit die diens te tree voordat hy die leeftyd bereik weens sware liggaamlike verwonding of permanente swakke gesondheid buite sy skuld veroorsaak in die uitvoering van en spesiaal toeskryfbaar aan sy offisiële pligte, sal die Administrasie aan hom 'n pensioen verleen teen die volgende skaal, naamlik :—

Pensioene
aan
amptenare
wat uittree
weens
verwonding,
ens.,
opgedoen in
die uit-
voering van
diens.

(a) Indien die Administrasie blyk na oorleg met die geneeskundige amptenaar dat sy vermoë by te dra tot die onderhoud van homself of sy afhanklikes totaal vernietig is, 'n jaargeld van minstens die helfte van sy gemiddelde jaarlikse pensioendraende emolumente gedurende die gehele tydperk van sy bydrae ;

(b) indien die Administrasie blyk na oorleg met die geneeskundige amptenaar dat sy vermoë om by te dra tot die onderhoud van homself en sy afhanklikes werklik verswak is, 'n jaargeld van minstens een-sestigste van sy gemiddelde jaarlikse pensioendraende emolumente gedurende die gehele tydperk van sy bydrae vir elk jaar diens, en bereken op hierdie emolumente ; mits dat die bydrae aan die fonds gemaak so wel deur die genoemde amptenaar self en ten behoeve van die genoemde amptenaar uit die inkomste tesaam met enkele rente teen vier persent per jaar aan die inkomste uit die fonds sal betaal word.

(2) Nieteenstaande die bepalings van subseksie (1) van hierdie artikel kan die Administrateur aan 'n amptenaar wat verkies het tot die fonds by te dra kragtens die bepalings van artikel *vyf* en wat verplig is uit die diens te tree voordat hy die leeftyd van ouderdomspensioenering bereik om die redes genoem in subseksie (1) van hierdie artikel, sulke vrywillige gawe verleen as hy mag voldoende ag ; mits dat aan die inkomste uit die fonds die vrywillige gawe sal betaal word voorgeskrewe in subseksie (3) (1) van artikel *vyf*.

Ord. No. 14
van 1927.

JAARGELDE, VRYWILLIGE GAWES, OF TERUGBETALING
VAN BYDRAE AAN VERTEENWOORDIGERS VAN
OORLEDE AMPTENARE.

Vrywillige
gawe in
geval van
oorlyde voor
of kort na
uittreding.

14. (1) Met inagname van die bepalings van subseksie (3) van hierdie artikel, sal, indien 'n amptenaar sterf voordat hy die diens verlaat het, aan of ten behoewe van die persone genoem in subseksie (3) 'n vrywillige gawe betaal word gelyk aan tweemaal die bedrag van sy bydrae aan die fonds sonder rente ; mits dat in die geval van 'n amptenaar wat verkies het tot die fonds by te dra kragtens die bepalings van artikel *vyf*, 'n vrywillige gawe sal betaal word soas voorgeskrewe in subseksie (3) (i) van artikel *vyf*.

(2) Met inagname van die bepalings van subseksie (3) van hierdie artikel, sal, indien 'n amptenaar wat kragtens hierdie Ordonnansie op 'n jaargeld uitgetree is, sterwe binne vyf jare na die datum van sy uittreding, aan of ten behoewe van die persone genoem in subseksie (3) of die jaargeld wat sulke amptenaar, indien hy nie was oorlede nie, sou getrek hê gedurende die nie-afgelope tydperk van vyf jare voorsê, betaal word, of 'n vrywillige gawe gelyk aan die verskil tussen 'n som gelyk aan vyf maal die jaargeld en die jaargeldbetalings werklik aan hom gemaak of ten behoewe van hom voor oorlyde.

(3) Die vrywillige gawe of jaargeld kragtens subseksie (1) of (2) sal alleen betaal word wanneer die oorlede amptenaar 'n vrou of minderjarige kinders nalaat of indien hy geen vrou of minderjarige kinders nalaat nie, enige kinders of bloedverwante wat van hom afhanklik is. In ieder sulke geval sal die betaling gedaan word aan of ten behoewe van een of meer van sulke persone en die keuse van die persoon of persone sal na diskresie van die Administrasie geskied.

(4) Wanneer die gesegde jaargeld of vrywillige gawe betaal is, sal die Administrasie en die fonds van enige verdere betaling onthef wees.

(5) Nieteenstaande enigiets daarmee in stryd in hierdie artikel vervat, sal, indien 'n amptenaar sterwe voor sy uittreding of nadat hy uitgetree is op 'n jaargeld en geen sulke persone as omskrewe in subseksie (3) van hierdie artikel sal nalaat nie, aan enig persoon of persone deur hom in 'n testament genomineer 'n bedrag betaal word gelyk aan sy eie bydrae tesaam met enkele rente bereken teen drie persent per jaar indien hy op datum van sy oorlyde drie jare onafgebroke diens volbring had en teen vier persent indien hy vyf jare onafgebroke diens

geregtig wees ten opsigte van sy volbragte tydperk van bydrae 'n jaargeld te ontvang bereken soas bepaal in artikkel *ag*. Al die betalings aan sulke jaargeld gemaak voordat sulke amptenaar die aftredende leeftyd bereik voorgeskrewe kragtens artikkel *nege*, sal uit die inkomste betaal word en nie uit die fonds nie, dog al sulke betalings nadat hy die leeftyd bereik sal uit die fonds betaal word.

(2) Geen sulke jaargeld sal toegeken word nie tensy die Administrasie vooraf die uittreding van die amptenaar om een van die redes omskewe in subseksie (1) van hierdie artikkel sal goedgekeur het.

VOORDELE ANDERE AS JAARGELDE.

12. 'n Amptenaar sal op aanvraag reg het op terugbetaling van al sy eie bydrae tot die fonds teen die voorgeskrewe skaal tesaam met enkele rente bereken teen drie persent per jaar indien hy drie jare onafgebroke diens volbring het en teen 'n skaal van vyf persent per jaar indien hy tien jare onafgebroke diens volbring het indien hy om enige oorsaak watter ook, uit die diens tree, tensy die uittreding val onder die bepaling van artiekels *tien*, *elf*, *dertien* of *ses-tien* en op betaling van sulke som sal die amptenaar geen verdere vordering op die fonds hê nie. Mits dat indien 'n amptenaar ontslaan word weens bedrog of oneerlikheid geen rente sal toegestaan word nie en die Administrasie kan van enige som aldus betaalbaar die bedrag aftrek van enig verlies wat die Administrasie mag gelyk het ter oorsake van sulke bedrog of oneerlikheid. Enige sulke aftrekking sal aan die Inkomste terugbetaal word.

Terug-
betaling van
bydrae.

13. 'n Amptenaar sal op versoek geregtig wees op betaling van 'n som gelyk aan tweemaal die bedrag van sy eie bydrae teen die voorgeskrewe skaal aan die fonds, sonder rente indien—

Terug-
betaling van
tweemaal die
bedrag van
bydrae.

(a) hy uit die diens tree om die redes genoem in artiekels *tien* en *elf*, dog voordat hy tot die fonds vir 'n tydperk van tien jare het bygedra ;
of

(b) sy, 'n vroulike amptenaar synde met minstens vyf jare onafgebroke diens, by haar huwelik ontslaan is, of indien sy vrywillig uit die diens tree om in die huwelik te tree, en trou binne drie maande na haar uittreding ;

en op betaling van die voornoemde som sal die gesegde amptenaar geen verdere vordering op die fonds het nie.

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Uittreding
op 'n jaargeld
voor die
voorge-
skrewe
leeftyd op
grond van
swakke
gesondheid.

10. (1) 'n Amptenaar wat tot die fonds bygedra het vir 'n tydperk van tien jare of meer, en wat deur die Administrateur handelende op die advies van 'n geneeskundige op grond van swakke gesondheid ontstaan buite sy eie skuld bevind word ongeskik te wees die pligte aan sy betrekking of pos verbind na behore te vervul sal tydelik uittree en sal geregtig wees ten opsigte van sy voltooide tydperk van bydrae op 'n jaargeld soas bepaal in artikel *ag*.

(2) Indien 'n amptenaar aan wie 'n jaargeld verleen is kragtens subseksie (1) van hierdie artikel, deur 'n geneeskundige binne twee jare na sy tydelike uittreding verklaar word bekwaam te wees sy werk te verrig en nog onder die leeftyd van ouderdomspensioenering is, kan van hom verlang word sy diens te hervat in sy vroeëre of in enige andere betrekking of pos. Indien hy weier sy diens te hervat sonder billike redes, dan sal die jaargeld bepaal kragtens subseksie (1) ophou.

Mits dat—

(a) die pensioendraende emolumente aan sy betrekking of pos verbind nie minder sal wees nie as die pensioendraende emolumente deur hom getrek voor sy tydelike uittreding ;

(b) die betrekking of pos waarin van hom verlang word sy diens te hervat nie van 'n laer graad is nie as die waaruit hy tydelik uitgetree is ;

(c) enig jaargeld wat hy getrek het ten tyde van hervatting van diens sal ophou ;

(d) hy by sy finale uittreding reg sal hê, vir die doel van jaargeld die dienstydperke byeen te voeg voor en na sy tydelike uittreding indien ny gedurende die latere tydperk tot die fondse bydra.

Indien van 'n amptenaar na verloop van twee jare vanaf die datum van sy tydelike uittreding nie verlang word nie weer in diens te tree of nog geneeskundig ongeskik is om diens te doen, dan sal hy geag word finaal uit die diens getree te hê.

Uittreding
op jaargeld
weens re-
organisasie.

11. (1) 'n Amptenaar wat vir 'n tydperk van tien jare of meer tot die fonds het bygedra, sal, indien ontslaan—

(a) weens opheffing van sy betrekking of pos ; of

(b) weens vermindering of reorganisasie of vereffening van betrekking of staf ; of

(c) omdat sy ontslag verbeterings in organisasie sou vergemaklik ; of

(d) omdat die Administrasie van oordeel is dat hy onbekwaam geword is die pligte aan sy betrekking of pos verbind na behore te vervul weens oorsake buite sy toedoen en nie toe te skrywe aan die waarneming van sy offisiële pligte nie ;

kortste mag wees, en sal bereken word teen een-
sestigste van dié gemiddelde pensioendraende emolu-
mente vir elk jaar bydrae.

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Mits dat—

- (a) geen jaargeld uit die fonds aan enig ampte-
naar sal betaal word nie totdat deur hom oor
'n tydperk van tien jare of meer bygedrae is ;
- (b) die amptenaar in andere opsigte geregtig is
op 'n jaargeld kragtens hierdie Ordonnansie ;
- (c) dat die totale jaargeld betaal aan enig
amptenaar wat op 'n jaargeld geregtig is kragtens
enige bepaling van hierdie Ordonnansie nie teen
'n geringer skaal as £60 per jaar sal wees nie.

Vir die doeleindes van hierdie artikel sal die
tydperk van bydrae by die jaar en maand bereken
word en breuke van 'n maand sal nie meegereken
word nie.

9. (1) 'n Manlik amptenaar wat die leeftyd van
sestig jare bereik het en 'n vroulike amptenaar wat
die leeftyd van vyftig jare bereik het sal die reg het
uit die diens te tree en sal verplig wees aldus uit te
tree tensy dit in die publieke belang gewens is sulk
amptenaar in sy betrekking of pos bo die leeftyd in
diens te hou, en in die geval kan sulk amptenaar van
tyd tot tyd met die goedkeuring van die Admini-
strateur na oorleg met die mediese amptenaar vir
verdere tydperke (van hoogstens telkens een jaar)
tot die leeftyd van vyf-en-sestig jare in diens gehou
word, na watter leeftyd geen amptenaar in enige
betrekking of pos sal gehandhaaf bly nie.

Uittreding
op of na die
voor-
geskrewe
leeftyd op
jaargeld.

Mits dat 'n opgawe van manlike amptenare in
diens gehou na die leeftyd van sestig jare en vroulike
amptenare in diens gehou na die leeftyd van vyftig
jare binne veertien dae vanaf die aanvang van iedere
gewone sessie daarvan voor die Prowinsiale Raad sal
gelê word ; en mits verder dat indien enig amptenaar
in diens is gehou in 'n tydelike hoedanigheid na
bereiking van die leeftyd van vyf-en-sestig jare,
enige voordele wat kragtens hierdie Ordonnansie of
enig amendement daarop aan sulk amptenaar toekom,
sal ingehou word totdat hy finaal die diens verlaat.

(2) Van 'n manlik amptenaar wat die leeftyd van
vyf-en-vyftig jare bereik het en van 'n vroulike
amptenaar wat die leeftyd van vyftig jare bereik het
kan verlang word op pensioen uit te tree, dog al die
betalings gemaak aan enig jaargeld voordat die
amptenaar die leeftyd bereik het waarop hy reg het
uit die diens te tree kragtens subseksie (1) van hierdie
artikel sal uit die inkomste en nie uit die fonds betaal
word nie.

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van enig gemagtigd afwesigheidsverlof sonder salaris op die basis van sy pensioenbare emolumente vir die kalendermaand onmiddellik voorafgaande aan die aanvang van sy verlof sonder salaris; dog sulk versoek moet gedaan en die bedrag ten opsigte daarvan verskuldig moet deur die amptenaar betaal word binne een maand na sy hervatting van diens, mits dat die amptenaar op skriftelik versoek kan vergun word die bedrag terug te betaal in ses of minder maandelikse paaiemente afgetrek van die aan hom verskuldigde pensioendraende emolumente. Indien die amptenaar sulk versoek en sulke betaling nie doen nie sal geen bydrae ingevorder of betaalbaar wees nie ten opsigte van enig verloftydperk sonder salaris, en sulk tydperk sal nie meegereken word nie by berekening van die tydperk van sy pensioendraende diens.

(4) 'n Amptenaar sal tot die fonds bly bydra tydens afwesig op siekteverlof met salaris. Indien siekteverlof verleen word met vol salaris of met salaris minder as vol salaris, sal bydrae betaalbaar wees op sy volle pensioendraende emolumente. Die bepalinge van subseksie (3) sal *mutatis mutandis* toepaslik wees ten opsigte van bydrae tydens op siekteverlof sonder salaris.

Bydrae
deur die
Admini-
strasie.

7. Van en na die vasgestelde datum sal uit die Inkomste aan die fonds betaal word —

- (a) 'n som gelyk aan die totaal van die lopende bydrae deur amptenare of persone aan die fonds gestort;
- (b) die bedrae verskuldig deur die Administrasie genoem in subseksie (3) (ii) van artikel vier;
- (c) rente teen 4 persent per jaar op die daelike gemiddelde onbelegde saldo van die fonds;
- (d) die bedrag verskuldig deur die Administrasie ten opsigte van vrywillige gawe soas bepaal in subseksie (3) (ii) van artikel vyf.

Die betalings genoem in paragrafe (a) en (c) van hierdie artikel sal maandeliks aan die fonds geskied. Die Administrasie sal aan die fonds oor 'n tydperk van tien jare vanaf die vasgestelde datum sulke gelyke of tennaasteby gelyke maandelikse paaiemente betaal as nodig is die bedrae verskuldig kragtens (b) en (d) aan te suiwer.

Wyse van
berekening
van
jaargeld.

8. Met inagnam van die betalings van hierdie Ordonnansie, sal enig jaargeld uit die fondse betaalbaar gebaseer word op die gemiddelde pensioendraende emolumente van die uittredende amptenaar oor die gehele tydperk van sy bydrae of oor die laaste dertig jare daarvan, watter tydperk ook die

(ii) Die Administrasie sal aan die fonds die teenwoordige waarde wiskundig bereken as op die vasgestelde datum van sulke gedeeltes van hierdie vrywillige gawes betaal as wat betrekking het op diens voor die vasgestelde datum.

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6. (1) Iedere bydrae van 'n amptenaar tot die fonds sal geskied deur maandelikse inhoudings van sy pensioendraende emolumente, en in die geval van bydrae van amptenare wat mag gemaak word ten opsigte van enig tydperk voorafgaande aan die waarvoor die eerste maandelikse inhouding plaas het, sal die eerste kompleete termyn geag word aangevang te het van die volgende dag, voor sulke datum en iedere verdere kompleete termyn as synde betaal op die laaste dag van elke maand onmiddellik aan die laaste sulke termyn voorafgaande in die matige volgorde totdat die laaste termyn betaal is.

Wyse van
bydrae deur
amptenare.

(2) Ieder amptenaar sal in die fonds hetsy deur 'n enkele betaling of deur paaielemente goedgekeur deur die Administrasie afgeloop te wees voor bereiking van die aftredende leeftyd sulke agterstallige bedrae betaal as deur hom mag verskuldig wees. Sulke agterstallige bedrae sal vanaf die vasgestelde datum rente dra teen vier en 'n halwe persent per jaar jaarliks bymekaar geneem en sulke rente sal betaalbaar bly op die saldo van agterstallige bedrae tot sulke tyd as waarop die geheel van die agterstallige bedrae sal vereffen wees.

Mits dat waar betaling van sulke agterstallige kontribusies per paaielemente plaas het en die amptenaarsterf of die diens verlaat voordat hy sulke agterstallige betalings voltooi het, dan sal enige voordele uit die fonds waarop die amptenaar of sy verteenwoordigers reg hê bereken word op die gehele tydperk van sy onafgebroke diens ten opsigte waarvan hy verkies het by te dra en in die geval waarin 'n terugbetaling of vrywillige gawe verskuldig is, sal die saldo van agterstallige bedrae, met inbegrip van rente, afgetrek word van sulke terugbetaling of vrywillige gawe en in die geval waarin 'n jaargeld betaalbaar is sal die agterstallige paaielemente afgetrek word van die jaargeldbetalings en indien oorlyde plaas het voordat hulle voltooi is, sal die agterstallige saldo afgetrek word van enige betalings uit die fonds waarop sy verteenwoordigers geregtig is.

(3) 'n Amptenaar sal voortgaan tot die fonds by te dra tydens op verlof met vol salaris, of met salaris minder as vol salaris, en sy bydrae sal op die volle pensioendraende emolumente bly. Aan 'n amptenaar kan op versoek toegestaan word by te dra ten opsigte

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bedrag betaal gelyk aan sy eie bydrae teen die voorgeskrewe skaal vanaf die datum deur die Administrasie goedgekeur tot op die datum ten opsigte waarvan die eerste maandelikse korting gemaak is.

(ii) Die Administrasie sal tot die fonds rente bydra jaarliks bymekaar geneem tot op die vasgestelde datum teen vier en 'n halwe persent op die bedrae genoem in die voorafgaande paragraaf; tesaam met 'n bedrag gelyk aan die bydrae van die amptenare met rente jaarliks bymekaar geneem teen vier en 'n halwe persent vanaf die datum deur die Administrasie goedgekeur tot die datums ten opsigte waarvan die eerste maandelikse korting gemaak is.

(4) 'n Amptenaar wat in aanmerking kom tot die fonds by te dra kragtens die bepalings van hierdie artikel of die eersvolgende artikel dog nie verkies aldus by te dra nie, sal nie geregtig wees op ontvangs van enig pensioen of ander voordeel watter ook uit die fonds of uit die inkomste nie.

Bydrae deur
en betaling
van
vrywillige
gawe aan
amptenare
met
minstens
tien jare
diens op
vasgestelde
datum.

5. (1) Ieder amptenaar in diens op die vasgestelde datum wat vir 'n tydperk van minstens tien jare onafgebroke in diens gewees is, kan in plaas van tot die fonds by te dra ooreenkomstig die bepalings van artikel vier, na keuse tot die fonds bydra teen vier persent van sy pensioendraende emolumente ten opsigte van diens vanaf die vasgestelde datum.

(2) 'n Amptenaar wat verkies tot die fonds by te dra kragtens hierdie artikel sal verplig wees binne 'n redelike tydperk deur die Administrasie voorgeskrewe te word, skriftelik kennis gee van die tydperk waarvoor hy aanspraak maak dat hy onafgebroke diens gehad het na die 31ste Desember 1904, en enig sulke tydperk of enig gedeelte daarvan waartoe die Administrasie dan sal besluit as wat kan getel word as onafgebroke diens vir pensioendoeleindes sal beskou word as onafgebroke diens vir die doel van hierdie artikel.

(3) (i) Nieteenstaande enigiets daarmee in stryd in hierdie Ordonnansie vervat sal enig amptenaar wat verkies kragtens hierdie artikel tot die fonds by te dra, by uittreding om die redes genoem in artikels *nege, tien, elf*, of subseksie (b) van artikel *dertien*, in plaas van die voordele voorgeskrewe, 'n vrywillige gawe ontvang van een maand pensioendraende emolumente teen die skaal wat hy ten tyde van uittreding ontvang vir elke twee jare onafgebroke diens vir die eerste tien jare van sulke diens en 'n vrywillige gawe van een maand van sulke pensioendraende emolumente vir elk addisioneel jaar van sulke diens.

(4) In die geval van iemand wat in aanmerking kom vir vaste aanstelling en wat tydelik mag werksaam wees op of na die vasgestelde datum in 'n betrekking of pos omskrewen in die Skedule tot hierdie Ordonnansie, of op proef aangestel, die persoon die opsie kan gegee word by te dra vir sy tydelike of proef-dienstydperk. Van sulke opsie sal binne een maand vanaf die datum waarop van hom deur die Administrasie gevra word sulks te doen, gebruik gemaak word. Indien hy verkies by te dra, sal hydrae gelewer word vanaf die datum van sy eerste aanstelling (hetsy tydelik of op proef) en die totale bydrae vanaf die vervaldatum sal, nieteenstaande enigiets daarmee in stryd in hierdie Ordonnansie vervat, ingevorder word van die eersvolgende salaris-betaling, en indien hy nie verkies by te dra nie, of versuim sy keuse te maak binne die voorgeskrewe tydperk, sal aan hom nie op enige latere datum toegestaan word by te dra vir sulke tydelike of proefdiens nie; mits dat, indien om enige rede die persoon nie vas aangestel word nie of indien sy aanstelling op proef nie bevestig word nie, die genoemde bydrae sal beskou word as per abuis gelewer te wees en sal aan hom sonder rente terugbetaal word.

4. (1) Ieder amptenaar in diens op die vasgestelde datum sal mits hy 'n bevredigend medies sertifikaat toon deur 'n geneeskundige, in aanmerking kom tot die fonds by te dra vir die gehele of gedeelte van sy afgelope onafgebroke diens na die 31ste Desember 1904, mits dat sy leeftyd op die datum van watter hy verkies tot die fonds by te dra nie hoër is as vyftig jare in die geval van manlike en vyf-en-veertig jare in die geval van vroulike amptenare nie.

Amptenare in diens op vasgestelde datum kan na verkiesing tot die fonds bydra en bydrae deur sulke amptenare.

(2) 'n Amptenaar wat verkies tot die fonds by te dra, sal bydrae aan die fonds lewer volgens die skale voorgeskrewe in subseksies (1) en (2) van artikel drie.

(3) (i) Van 'n amptenaar wat verkies tot die fonds by te dra kragtens hierdie artikel sal deur die Administrasie verlang word binne 'n redelike tydperk deur die Administrasie voorgeskrewe te word, skriftelik kennis gee watter tydperk (indien enig) van sy voorafgaande onafgebroke diens na die 31ste Desember 1904, hy wens vir pensioendoeleindes gereken te word. Die Administrasie sal daarop beslis of dié tydperk of enig gedeelte daarvan al of nie kan getel word as onafgebroke diens vir pensioendoeleindes, en indien beslis word dat die amptenaar geregtig is sulke tydperk of gedeelte daarvan mee te tel, sal die amptenaar aan die fonds 'n

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is sal, indien hy verkies by te dra, bydrae tot die fonds lewer ooreenkomstig die volgende skaal:—

Leeftyd laaste geboortedag by aanvang van pensioenbare diens.	Persent van sy pensioendraende emolumente.
40 jare.....	5·1
41 „	5·2
42 „	5·3
43 „	5·4
44 „	5·5
45 „	5·6
46 „	5·7
47 „	5·8
48 „	5·9
49 „	6

en mits verder dat 'n vroulik amptenaar wie haar leeftyd op die datum van haar aanstelling veertig jare of daarbo is, indien sy verkies by te dra, aan die fonds bydrae lewer ooreenkomstig die volgende skaal:—

Leeftyd laaste geboortedag by aanvang van pensioenbare diens.	Persent van haar pensioendraende emolumente.
40 jare.....	7·2
41 „	7·4
42 „	7·6
43 „	7·8
44 „	8·0

(3) Geen amptenaar of persoon sal tot die fonds bydrae nie—

- (a) so lank as hy onder die leeftyd van sestien jare is; of
- (b) wie se leeftyd by aanstelling in die geval van manne vyftig jare of hoër is en in die geval van vroue vyf-en-veertig jare of hoër; of
- (c) wie se pensioendraende emolumente minder bedra as negentig ponde per jaar; of
- (d) aangestel vir die voltooiing of verrigting van spesifiek werk; of
- (e) wat uitsluitend deur foocie of toelae besoldig word.

Mits dat niks in hierdie of enig ander artikkel van hierdie Ordonnansie vervat sal uitgelê word 'n amptenaar wat, weens opheffing van enige van die diskwalifikasies genoem in hierdie subseksie, te belet om in aanmerking te kom bydrae te lewer, tot die fonds by te dra nie.

(2) Al die bedrae tot die fonds bygedra of betaal sal deur die Administrasie belê word op die krediet van die fonds op 'n afsonderlike deposite rekening, en enige saldus nie benodig vir lopende doeleindes nie, sal aangewend word vir die aankoop van staatsfondse van die Unie van Suidafrika, die Provinsie Transvaal, of enige plaaslike outoriteit in die Provinsie Transvaal, onderwerp aan die goedkeuring van die Publieke Skuld Kommissaris en die Administrasie; mits dat indien enige belegging 'n laere renteskaal oplewer as vier persent per jaar, 'n som gelyk aan die tekort, sodra die tekort met sekerheid bekend is, uit die inkomste aan die fonds sal betaal word.

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3. (1) Ieder amptenaar aangestel op of na die vasgestelde datum sal, behoudens soas bepaal in subseksies (2) en (3) van hierdie artikel en onderwerp aan die indiening van 'n bevredigend sertifikaat deur 'n medies amptenaar, vanaf die datum van sy aanstelling tot die fonds bydra ooreenkomstig met die volgende skaal:—

Bydrae deur amptenare aangestel op of na die vasgestelde datum.

Leeftyd laaste geboortedag by aanvang van pensioenbare diens.	Persent van pensioen-draende emolumente.	
	Manne.	Vroue.
Onder 30 jare.....	4	5·25
30 jare.....	4·1	5·40
31 „	4·2	5·55
32 „	4·3	5·70
33 „	4·4	5·85
34 „	4·5	6·0
35 „	4·6	6·2
36 „	4·7	6·4
37 „	4·8	6·6
38 „	4·9	6·8
39 „	5·0	7·0

(2) 'n Amptenaar aangestel op of na die vasgestelde datum wie se leefftyd op die datum van aanstelling 40 jare of daarbo is, kan, binne drie maande na die datum van sy aanstelling na verkiesing tot die fonds bydra, dog hy sal daartoe nie verplig wees nie.

Mits dat al die bydrae met betrekking tot enig tydperk binne watter sulk amptenaar kragtens hierdie subseksie sy keuse gemaak het deur die amptenaar op die end van die maand waarin hy kennis gee van sy voorneme by te dra, betaal sal word, niteenstaande enigets daarmee in stryd in hierdie Ordonnansie vervat.

Mits verder dat 'n manlik amptenaar wie se leefftyd op die datum van sy aanstelling veertig jare of daarbo

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- (b) rantsoentoelae of die waarde van kostelose rantsoene;
 - (c) toelae vir wonings of die geskatte waarde van vrye wonings;
 - (d) uniformtoelae of die geskatte waarde van kostelose uniforme;
 - (e) wastoelae of die geskatte waarde van kostelose was;
- dog sluit nie in nie—
- (i) enige plaaslike toelae vir lewensonderhoud; of
 - (ii) 'n klimaattoelae; of
 - (iii) enige spesiale betaling wat 'n amptenaar mag geniet vir verleen van spesiale dienste of tydens hy 'n betrekking waarneem, hetsy vas of tydelik vakant; of
 - (iv) enige transport- of onderhoudstoelae; of
 - (v) fooie, belonings of bonusse van enige aard; of
 - (vi) betalings vir oortyd; of
 - (vii) enige andere nie hierin omskrewe toelae;
- “voorgeskrewe” beteken voorgeskrewe deur, of op gesag van hierdie Ordonnansie of enige andere wet;
- “regulasie” beteken 'n regulasie gemaak en van krag kragtens hierdie Ordonnansie;
- “inkomste” beteken die Prowinsiale Inkomstefonds soas opgerig kragtens artikel *negen-en-tagtig* van die Suidafrika Wet, 1909;
- “salaris” beteken die jaarlikse loon van 'n amptenaar en sluit in enige spesiale of persoonlike toelae verbind aan 'n bepaalde betrekking indien die toelae, wanneer verleen, spesiaal deur die Administrasie verklaar word deel van pensioendraende emolumente uit te maak.
- “ouderdomspensioen” beteken met betrekking tot 'n amptenaar die bereiking van die leeftyd deur hierdie Ordonnansie vasgestel vir uit-treding van sulk amptenaar.

Stigting van
die fonds.

2. (1) Daar sal vanaf 'n datum by proklamasie in die *Prowinsiale Koerant* vasgestel te word 'n fonds gestig word, die Transvaal Hospitaal en Skoolraad-amptenare Pensioenfonds genoem te word en sulk fonds sal bestaan uit—

- (a) bydrae gelewer deur amptenare ooreenkomstig die bepalings van hierdie Ordonnansie;
- (b) somme en rente uit die inkomste betaal ooreenkomstig die bepalings van hierdie Ordonnansie;
- (c) enige andere somme wat kragtens hierdie Ordonnansie op die fonds moet gekrediteer word.

'N ORDONNANSIE

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Om voorsiening te maak vir die Betaling van Pensioene en Geldelike Voordele by uittreding aan sekere persone in diens van Prowinsiale Hospitale van Transvaal, en aan sekere Skoolraadamptenare.

(Goedgekeur 30 Julie 1927.)

(Datum van inwerkingtree, 1 Oktober 1927.*)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal as volg:—

1. In hierdie Ordonnansie sal, tensy in stryd met die samehang—

Verklaring
van uit-
drukkings.

“aktuaris” beteken ’n lid van die Instituut van Aktuarisse van Londen of van die Fakulteit van Aktuarisse in Skotland of enig ander persoon deur die Goewerneur-generaal as ’n aktuaris erken;

“Administrateur” beteken die amptenaar benoem kragtens subseksie (1) van artikkel *ag-estig* van die Suidafrika Wet, 1909, of enig amendement daarop, wat handel op die advies van en met die toestemming van die Uitvoerende Komitee van die Provinsie;

“Administrasie” beteken die Transvaal Prowinsiale Administrasie;

“jaargeld” beteken die jaarlikse som betaalbaar gedurende die lewensduur van ’n afgetrede of aftredende amptenaar;

“vasgestelde datum” beteken die datum vasgestel kragtens hierdie Ordonnansie vir die oprigting van die fonds;

“die fonds” beteken die fonds opgerig kragtens hierdie Ordonnansie;

“Mediese Amptenaar” beteken enig behoorlik gekwalifiseerde geneeskundige of geneeskundiges deur die Administrasie goedgekeur;

“amptenaar” beteken ’n persoon werksaam in ’n vaste en gehele tyd hoedanigheid in een van die betrekkings of poste omskrewe in die Skedule tot hierdie Ordonnansie;

“hierdie Ordonnansie” sluit regulasies in;

“pensioen” sluit in ’n jaargeld of vrywillige gawe of albei na gelang die samehang vereis;

“pensioendragende emolumente” sluit in—

(a) salaris;

* Proklamasie No. 62, *Prowinsiale Koerant* gedateer 7 September 1927, bladsy 314.

Ord. No. 13 van 1927.	No. van Pos.	Diens.	Kolom 1.	Kolom 2.
		Nederd. Herv. Kerk Kommissie vir Arme	£	£
		Blanke.....	—	2,500
		Epworth Kindertehuis.....	—	135
		Germiston Weldadigheidsvereniging.....	—	495
		Germiston Kinderwelvaart Vereniging....	—	90
		Tehuis die Goeie Herder, Johannesburg..	—	195
		Gilde van Loyale Vroue, Johannesburg,		
		Gildewoning.....	—	270
		Oue Manne en Vrouehuis, Krugersdorp...	—	315
		Huis van Genade, Irene.....	—	315
		Johannesburg Kindertehuis.....	—	874
		Johannesburg Hospitaal, Samaritaanfonds	—	150
		King Edward VII, Orde van Verpleegsters	—	180
		Langlaagte Weeshuis.....	—	2,250
		Gilde van Suidafrikaanse Moeders.....	—	900
		Louis Botha Tehuis vir Kinders.....	—	720
		Pelgrimsrust Weldadigheidsvereniging....	—	200
		Pretoria Weldadigheidsvereniging.....	—	2,000
		Pretoria Kinderwelvaart Vereniging.....	—	90
		Potchefstroom en Distrik Kinderhulp- en		
		Weldadigheidsvereniging.....	—	960
		Prinses Christiaan Tehuis, Pretoria.....	—	203
		Rand Hulpvereniging.....	—	11,125
		Reddingshuis, Pretoria.....	—	495
		Roodepoort en Distrik Hulpvereniging....	—	200
		Heilsleër.....	—	395
		St. George Tehuis vir Jongens, Johannes-		
		burg.....	—	548
		St. Mary's Weeshuis, Johannesburg.....	—	225
		Springs en Distrik Rooie Kruis Weldadig-		
		heids en Kinderhulpvereniging.....	—	150
		Vroue Sendingbond.....	—	225
		Wesrand Noodhulpfonds.....	—	135
4.		Vir salarisse en onkoste vir Weë en Plaaslike		
		Werke.....	299,871	—
		Insluitende die nagenoemde diens:—		
		Hulptoelae aan Plaaslike Outoriteite.....	—	21,600
5.		Vir salarisse en onkoste aan Gemengde Dienste	5,179	—
		Insluitende die nagenoemde diens:—		
		Hulptoelae aan Nasionale Park.....	—	3,000
6.		Vir onkoste aan Rente en Aflossing.....	335,312	—
7.		Vir onkoste aan Kapitaaluitgawe.....	457,198	—
		Insluitende die nagenoemde dienste:—		
		Geboue.....	—	276,569
		Brugge.....	—	56,498
		Grond.....	—	6,500
		Weë.....	—	39,850
		Werkeloos.....	—	20,000
		Warmbad Verbeterings.....	—	8,000
		Spesiale Toelae van Unieregering vir Weg-		
		aanleg.....	—	34,781
		Uitgawe kragtens Munisipale Hoofweë		
		Ordonnansie No. 13 van 1926.....	—	15,000

3. Met die goedkeuring van die Administrateur, wat handel met die toestemming van die Uitvoerende Komitee, kan 'n besparing op enige subhoof van 'n pos aangewend word tot dekking van meerdere uitgawe onder enige andere subhoof van uitgawe onder 'n nuwe subhoof van dieselfde pos, mits dat geen meerdere uitgawe sal gemaak word nie op die somme wat voorkom in kolom 2 van bygevoegde skedule, ewemin sal besparings daarop beskikbaar wees vir enige doel ander as dat waarvoor die geld hierby toegestaan word.

Admini-
strateur mag
wysigings
magtig.

Ord. No. 13
van 1927.

4 Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Toeëenings (1927-1928) Ordonnansie, 1927. Korte Tietel.

Skedule.

No. van Pos.	Diens.	Kolom 1. £	Kolom 2. £
1.	Vir salarisse en onkoste vir Algemene Administrasie.....	86,690	—
	Insluitende die nagenoemde dienste:—		
	Hulptoelae aan Publieke Biblioteke.....	—	1,500
2.	Vir salarisse en onkoste vir Onderwys.....	2,678,311	—
	Insluitende die nagenoemde dienste:—		
	Ondersteunde Plaasskole.....	—	4,400
	Private Skole.....	—	4,117
	Onderwys aan naturellekinders.....	—	61,450
3.	Vir salarisse en onkoste vir Hospitale en Liefdadige Instellings, met inbegrip van Armesorg	450,393	—
	Insluitende die nagenoemde toelae:—		
	Bochem Hospitaal.....	—	90
	De la Rey Gedenkhospitaal, Lichtenburg.....	—	500
	Duivelskloof Hospitaal.....	—	393
	Oosrand Hospitaal.....	—	5,000
	Elim Hospitaal.....	—	1,000
	Ermelo Hospitaal.....	—	500
	Heidelberg Hospitaal.....	—	650
	Hope Herstellingstehuis vir Kinders.....	—	1,600
	Jane Furze Gedenkhospitaal.....	—	237
	Lydenburg Hospitaal.....	—	3,200
	Middelburg Hospitaal.....	—	875
	M'phahlele Naturelle Hospitaal.....	—	140
	Paul Kruger Gedenkhospitaal, Rustenburg.....	—	1,975
	Potchefstroom Woninghospitaal.....	—	1,100
	Rodepoort-Maraishburg Hospitaal.....	—	500
	Sapie Hospitaal.....	—	200
	Schweizer Reneke Woninghospitaal.....	—	400
	Suidafrikaanse Hospitaal.....	—	150
	Standerton Hospitaal.....	—	350
	Victoria Kraamvrou Hospitaal, Pretoria.....	—	850
	Wolmaransstad Hospitaal.....	—	1,000
	Uitbreiding (Hospitale).....	—	6,000
	Benoni Weldadigheidsvereniging.....	—	500
	Boksburg Weldadigheidsvereniging.....	—	200
	Brakpan Weldadigheidsvereniging.....	—	160
	Kinder Hulpvereniging, Johannesburg.....	—	1,350
	Kinder Toevlugsoord, Johannesburg.....	—	389

Ord. No. 12
van 1927.**Skedule.**

No. van Pos.	Diens.	Kolom 1.	Kolom 2.
1	Vir onkoste ten opsigte van algemene Administrasie.....	£2,936 16 3	—
3	Toelae aan Rustenburg Hospitaal	—	£324 0 0
4	Vir onkoste ten opsigte van Weë en Plaaslike Werke.....	£25,908 3 7	—
7	Vir onkoste ten opsigte van Kapitaal-uitgawe aan Werkelose....	—	£8,523 17 1

Ord. No. 13
van 1927.

'N ORDONNANSIE

Tot aanwending van 'n som van hoogstens £4,312,954 vir die diens van die Provinsie Transvaal, gedurende die jaar wat eindig op die 31ste dag van Maart, 1928.

(Goedgekeur 6 Augustus 1927.)

(Datum van inwerkingtree, 17 Augustus 1927.)

(Engelse kopie deur Goewerneur-generaal geteken.)

SYDITBEPAAI deur die Prowinsiale Raad van Transvaal as volg:—

Prowinsiale
Inkomste-
fonds belas
met
£4,312,954.

1. Die Prowinsiale Inkomstefonds word hierby belas met sulke geldsomme as mag nodig wees vir die diens van die Provinsie gedurende die jaar wat eindig op die 31ste dag van Maart 1928, in die geheel die som van vier miljoen driehonderd en twaalf duisend negen honderd vier en vyftig ponde nie te bowegaande nie, as volg:—

Vir bestryding van gewone of
periodieke uitgawe..... £3,855,756

Vir bestryding van kapitaal of nie-
periodieke uitgawe..... 457,198

Aanwending
van gelde.

2. Die geld deur hierdie Ordonnansie toegeëien sal aangewend word vir die dienste wat omskryf is in bygevoegde skedule en meer in die besonder gespesifiseer in die Begroting van Uitgawe (No. T.P. 4 en 5 van 1927) soas deur die Prowinsiale Raad goedgekeur, en onderwerp aan artikel drie hiervan en vir geen ander doel nie.

6. Artikel twee van die wysigings ordonnansie sal wees en word hierby gewysig deur paragraaf (b) te skrap en te vervang deur die volgende nuwe paragraaf:—

“(b) Wanneer het enig ander voertuig nadert, voorbijaat of door enig ander voertuig ingehaald word, mits dat de drijver van het inhalende voertuig behoorlike waarschuwing van zijn nadering zal gegeven hebben.”

Wysiging van artikel 2 van wysigings ordonnansie.

Ord. No. 11
van 1927.

7. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die “ Weë Wysigings Ordonnansie, 1927 ” en sal op sulke datum in werking tree as die Administrateur per proklamasie in die *Prowinsiale Koerant* mag verklaar.*

Korte Tietel.

* Proklamasie No. 58 *Prowinsiale Koerant* gedateer 24 Augustus 1927, bladsy 196.

'N ORDONNANSIE

Ord. No. 12
van 1927.

Tot aanwending van 'n verdere som geld vir die dienste van die Provinsie Transvaal gedurende die jaar wat geëindig is op die 31ste dag van Maart 1926, tot dekking van sekere nie-gemagtigde uitgawe.

(Goedgekeur 22 Julie 1927.)

(Datum van inwerkingtree, 10 Augustus 1927.)

(Engelse kopie deur Goewerneur-generaal geteken.)

SYDIT BEPAAL, deur die Prowinsiale Raad van Transvaal as volg:—

1. Die Prowinsiale Inkomstefonds word hierby belas met die som van sewen-en-dertig duisend seshonderd twee-en-negentig ponde sestien sielings en elf pennies tot dekking van sekere uitgawe bo die bedrae toegeëien vir die diens van die Provinsie vir die jaar geëindig op die 31ste dag van Maart 1926. Sulke uitgawe is uiteengesit in die skedule tot hierdie Ordonnansie en is in besonderhede omskrewe op bladsy 21 van die Rapport van die Prowinsiale Ouditeur van Rekenings vir die jaar 1925-26 en in die Rapport van die Gekose Komitee op Publieke Rekeninge, No. T.P.G.K. 1 van 1927.

Prowinsiale
Inkomste
belas met
£37,692. 16s.
11d.

2. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Nie-gemagtigde Uitgawe (1925-26) Ordonnansie, 1927.

Korte tietel.

Ord. No. 11
van 1927.

'N ORDONNANSIE

Tot wysiging van die Weë Ordonnansie No. 5
van 1912.

(Goedgekeur 28 Junie 1927.)

(Datum van inwerkingtree, 1 September 1927.*)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal
as volg:—

- Definiesies. 1. In hierdie Ordonnansie beteken—
“Hoofordonnansie” die Weë Ordonnansie
No. 5 van 1912. “Wysigings Ordonnansie”
die Weë Wysigings Ordonnansie No. 8 van
1913.
- Wysiging
van artikel
7 van hoof-
ordonnansie. 2. Subseksie (2) van artikel *sewe* van die hoof-
ordonnansie sal wees en word hierby gewysig deur
toevoeging van die volgende woorde: “Enig persoon
welke enige weg gebruik tydens hij tydelik of ge-
deeltelik gesloten is krachtens die bepalingen van dit
artikel zal schuldig zijn aan 'n overtreding.”
- Wysiging
van artikel
14 van hoof-
ordonnansie. 3. Artikel *veertien* van die hoofordonnansie sal
wees en word hierby gewysig deur toevoeging van
die volgende woorde: “Enig persoon welke enige
weg gebruikt genoemd in dit artikel of in artikels
vijftien en *zestien* tydens onder aanleg of herstelling
zal schuldig zijn aan 'n overtreding.”
- Wysiging
van artikel
26 van hoof-
ordonnansie. 4. Artikel *ses-en-twintig* van die hoofordonnansie
sal wees en word hierby herroep en vervang deur
die volgende nuwe artikel:—
“26. Indien volgens de mening van de magi-
straat 'n applikatie gemaakt krachtens de
bepalingen van het voorafgaand artikel redelik
is zal hij zulke applikatie aan de Administrateur
indienen welke daarop 'n kommissie van niet
meer dan drie onpartijdige personen zal be-
noemen om de merieten van de genoemde
applikatie te onderzoeken en aan hem daarover
te rapporteren.”
- Wysiging
van artikel
61 van hoof-
ordonnansie. 5. Artikel *een-en-sestig* van die hoofordonnansie sal
wees en word hierby gewysig deur skrapping van die
woorde “voorsitter van de wegenkommissie van het
distrikt” en daarvoor in die plaas te stel die woord
“Administrateur.”

* Proklamasie No. 58, *Prowinsiale Koerant* gedateer 24 Augustus 1927,
bladsy 196.

**Ord. No. 10
van 1927.**

(2) Indien 'n applikasie vir 'n sertifikaat geweier is op die gronde genoem in subseksie (3) van artikel *ses*, sal die plaaslike outoriteit of raad geen applikasie van dieselfde applikant vir dieselfde of enig ander gebou oorweeg nie tot na verloop van 'n tydperk van ses maande vanaf die datum van sulke weiering.

(3) Indien 'n applikasie vir 'n sertifikaat geweier is op enige van die gronde genoem in paragraaf (a) van artikel *ses*, sal die plaaslike outoriteit of raad geen applikasie van dieselfde applikant vir dieselfde gebou of enig ander gebou oorweeg nie vir die uitoefening van 'n besigheid waar voedingsartiekels of drank geproduseer bereid gebruik of verkoop word vir menslik verbruik tot na verloop van 'n tydperk van twaalf maande vanaf die datum van sulke weiering.

(4) Indien 'n applikasie vir 'n sertifikaat geweier is op die gronde genoem in paragraaf (b) van artikel *ses*, sal die plaaslike outoriteit of raad geen applikasie van dieselfde of enig ander applikant vir dieselfde gebou oorweeg nie vir die uitoefening van 'n besigheid waar voedingsartiekels of drank geproduseer bereid gebruik of verkoop word vir menslik verbruik tot na verloop van 'n tydperk van twaalf maande vanaf die datum van sulke weiering.

(5) Indien 'n applikasie vir 'n sertifikaat ten opsigte van 'n lisensie vir 'n kaffereethuis of naturelle restaurant geweier is op die grond genoem in paragraaf (c) van artikel *ses* van hierdie ordonnansie, sal die plaaslike outoriteit of raad geen applikasie vir sulk 'n sertifikaat van dieselfde of enig ander applikant oorweeg nie vir dieselfde gebou tot na verloop van ses maande vanaf die datum van sulke weiering.

8. Enig ontvanger van inkomste sal nie geregtig wees enig endossement te maak kragtens die bepalinge van artikel *drie* van die Registrasie van Besighede Wet, No. 36 van 1909 (Transvaal), nie, van 'n verandering van gebou tensy die lisensiehouer 'n sertifikaat toon uitgereik kragtens die bepalinge van die hoofordonnansie en sulk sertifikaat sal aangevra word op die wyse voorgeskrewe in die Ordonnansie.

Verandering
van gebou—
toon van
sertifikaat.

9. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Algemene Handelaars (Kontrol) Wysigings Ordonnansie, 1927, en sal as een met die hoofordonnansie geles word.

Korte Titel.

Ord. No. 10
van 1927.

sulke sertifikaat sal aangevra word en kan uitgereik word op die wyse as deur hierdie Ordonnansie bepaal. Enige algemene handelaar wat aldus sy besigheid oorbring voordat hy in besit is van 'n sertifikaat soos hierin bepaal, sal skuldig wees aan 'n oortreding en sal by veroordeling blootstaan aan die strawwe voorgeskrewe in artikel *nege* van hierdie Ordonnansie.

Wysiging van artikel 5 van hoofordonnansie. **3.** Artikel *vyf* van die hoofordonnansie sal wees en word hierby gewysig deur daaraan die volgende subseksie toe te voeg, die artikel soos oorspronklik vasgestel aangemerkt te word as subseksie (1) :—

(2) Iedere applikant vir 'n sertifikaat ten opsigte van 'n nuwe lisensie sal ook op 'n in die oog lopende plek in die gebou waarin voorgestel word die besigheid uit te oefen 'n kennisgewing aanbring van sy voorneme vir sulke sertifikaat applikasie te maak in sulke vorm en gedurende sulke tydperk as deur die Administrateur per regulasie mag voorgeskrewe word.

Wysiging van artikel 6 van hoofordonnansie. **4.** Artikel *ses* van die hoofordonnansie sal wees en word hierby gewysig deur op die end daarvan die volgende nuwe paragraaf (c) op te neem :—

(c) dat in die geval van 'n kaffereethuis of natuurlike restaurant volgens die mening van die betrokke plaaslike outoriteit of raad die aantal kaffereethuise of natuurlike restaurants groter is as vir die omgewing vereis.

Wysiging van artikel 7 van hoofordonnansie. **5.** Artikel *sewe* van die hoofordonnansie sal wees en word hierby gewysig deur die woord "lisensie" te skrap en te vervang deur die woord "sertifikaat."

Wysiging van artikel 12 van hoofordonnansie. **6.** Artikel *twaalf* van die hoofordonnansie sal wees en word hierby gewysig—

(a) deur opname na die woord "by" in die eerste reël van die artikel van die volgende woorde: "toekenning van 'n sertifikaat";
(b) deur skraping van die woord "dit" in die tweede reël van die artikel en te vervang deur die woorde "sulke lisensie."

Herroeping van artikel 14 van hoofordonnansie en nuwe artikel in die plaas gestel. **7.** Artikel *veertien* van die hoofordonnansie sal wees en word hierby herroep en die volgende nuwe artikel daarvoor in die plaas gestel :—

14. (1) Indien 'n applikasie vir 'n sertifikaat geweier is op die gronde genoem in subseksie (2) van artikel *ses*, sal die plaaslike outoriteit of raad geen applikasie van dieselfde applikant vir dieselfde gebou oorweeg nie tot na verloop van ses maande vanaf die datum van sulke weiering.

24. Die volgende wette sal wees en word hierby Herroeping. herroep :—

Ord. No. 9
van 1927.

- Perdewedrenne en Weddensappe Beperkings Wet, 1909.
- Perdewedrenne en Weddensappe Beperkings Wysigings Ordonnansie, 1917.
- Perdewedrenne en Weddensappe Beperkings Verdere Wysigings Ordonnansie, 1918.
- Perdewedrenne en Weddensappe Beperkings Verdere (No. 2) Wysigings Ordonnansie, 1918.
- Weddensappe Ordonnansie, 1918.
- Perdewedrenne en Weddensappe Beperkings Wysigings Ordonnansie, 1921.
- Perdewedrenne en Weddensappe Beperkings Wysigings Ordonnansie, 1922.
- Weddensappe Wysigings Ordonnansie, 1922.

25. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Perdewedrenne en Weddensappe Ordonnansie, 1927, en sal in werking tree op sulke datum as die Administrateur per Proklamasie mag verklaar.*

* Proklamasie No 53, *Prowinsiale Koerant* gedateer 17 Augustus 1927, bladsy 173.

'N ORDONNANSIE

Ord. No. 10
van 1927.

Tot wysiging van die Algemene Handelaars (Kontrole) Ordonnansie, No. 12 van 1926.

(Goedgekeur 28 Junie 1927.)

(Datum van inwerkingtree, 19 Oktober 1927.)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal as volg :—

1. In hierdie Ordonnansie sal “ Hoofordonnansie ” beteken die Algemene Handelaars (Kontrole) Ordonnansie, No. 12 van 1926. **Definiesie.**

2. Artikel twee van die hoofordonnansie sal wees en word hierby gewysig deur opname van die volgende nuwe paragraaf (3) :— **Wysiging van artikel 2 van hoofordonnansie.**

(3) Geen algemene handelaar sal in die loop van enig jaarsy besigheid oorbring van die gebou waarin sulke besigheid gedryf was ten tyde van die uitreiking van die lisensie vir dié besigheid van dié jaar nie, na enig ander gebou, tensy en totdat hy 'n sertifikaat vir die nuwe gebou verkry het ;

Ord. No. 9
van 1927.

Art. 23.

(h) te bepaal hoe die fondse en bate van enig komitee saamgestel kragtens die bepalings van artikel *een-en-twintig* van hierdie Ordonnansie sal beheer word en hoe enige winste sal aangewend word ;

(i) te verseker dat geen persoon sal wed namens enig ander persoon nie op enige plek geoop ooreenkomstig die bepalings van artikel *twintig* van hierdie Ordonnansie behalwe met die skriftelike vergunning van die komitee saamgestel kragtens artikel *een-en-twintig* van hierdie Ordonnansie ;

(j) die komitee saamgestel kragtens artikel *een-en-twintig* te magtig enig persoon van lidmaatskap van die plek genoem in artikel *twintig* van hierdie Ordonnansie uit te sluit wat die genoemde komitee ongewens mag ag.

(k) vir voorskrywing van die voorwaardes wat toepaslik sal wees op die uitreiking van enige lisensie uitgereik kragtens subseksie (1) van artikel *ag* ;

(l) vir voorskrywing van die nominasievorm en die wyse van hou van enige verkiesing van lede van die komitee vermeld in artikel *twintig* en in die algemeen vir die hou van enige sulke verkiesing ;

(m) nieteenstaande enigiets daarmee in stryd in hierdie Ordonnansie, vir bevoegdheid te verleen aan en so nodig die Komitee ingestel kragtens artikel *een-en-twintig* van hierdie Ordonnansie op te dra vir publikasie (en die wyse te bepaal vir sulke publikasie) enige informasie uit te gee aangaande wed op enige voorgenome wedren in die Transvaal Provinsie of elders wat die genoemde komitee mag wenslik ag.

Enige persoon wat die bepalings van enige regulasie opgemaak kragtens die bepalings van hierdie artikel of enige andere bepalings in hierdie Ordonnansie oortree ten opsigte waarvan geen bepaalde straf is voorgeskrewe nie sal skuldig wees aan 'n oortreding en sal by veroordeling blootstaan aan 'n boete van hoogstens £25 of by wanbetaling aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens drie maande. Nieteenstaande die herroeping van die Weddenskappe Ordonnansie, 1918, sal enige regulasies daaronder gemaak van volle krag en toepassing bly totdat sulke regulasies verander of herroep is kragtens die bepalings van hierdie Ordonnansie.

op die komitee sal deur die Administrateur aangevul word en die persoon benoem sulke vakature aan te vul sal sitting het vir die tydperk waarvoor die aftredende lid benoem was.

Ord. No. 9
van 1927.

23. Die Administrateur kan regulasies maak, Regulasies.
verander en herroep* vir die doel uitvoering te gee aan die strekkings van hierdie Ordonnansie en meer bepaald ten opsigte van die volgende sake :—

(a) vir die bestuur van en toesig op enige plek geoop kragtens die bepalings van artikel *twintig* van hierdie Ordonnansie insluitende die reëling van wed en vereffening van weddenskappe daarin ;

(b) vir die leiding van vergaderings van enig komitee saamgestel kragtens die bepalings van artikel *een-en-twintig* van hierdie Ordonnansie en die pligte van sulke komitee of subkomitees deur sulke komitee benoem voor te skrywe ;

(c) voorskrywende die ure gedurende welke enige plek geoop kragtens die bepalings van artikel *twintig* van hierdie Ordonnansie mag oop gehou word vir aangaan en vereffen van weddenskappe, en poliesietoesig te verseker op sulke plek en bevoegd hede tot toegang te verleen aan polisie of andere amptenare en vir die uitwerping van dronk, rumoerige of wanordelike persone ;

(d) voorskrywende fooie of toelae aan lede van die komitee saamgestel kragtens artikel *een-en-twintig* van hierdie Ordonnansie en die wyse en voorwaardes van benoeming, salarisse en voorregte van bediendes van sulke komitee ;

(e) voorskrywende die wyse waarop die rekening van enig komitee saamgestel kragtens die bepalings van artikel *een-en-twintig* van hierdie Ordonnansie sal gehou word en vir die oudit van sulke rekening deur sulke amptenaar as deur die Administrateur kan benoem word ;

(f) te verseker dat geen onbevoegd persoon sal wed op enige plek geoop ooreenkomstig die bepaling van artikel *twintig* van hierdie Ordonnansie en die voorwaardes voor te skrywe waarop enig bookmaker sal toegestaan word weddenskappe aan te gaan en die bedrag en klas van waarborg vas te stel deur sulke bookmaker gestel te word ;

(g) enig komitee saamgestel kragtens die bepalings van artikel *een-en-twintig* van hierdie Ordonnansie te magtig enige geskille te vereffen wat mag ontstaan in verband met aangaan van weddenskappe ;

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plek en tyd van die voorsegde vergadering sal deur die Administrateur bepaal word wat iemand sal benoem oor sulke vergadering te presideer;

(b) een lid sal verkies word op 'n vergadering bestaande uit persone wat gelisensieerde bookmaker-lede van Transvaal Tattersalls is en as sulks optree; mits dat indien 'n kamertjie geokkupeer word deur meer as een sulk lid slegs een van sulke lede geregtig sal wees op sulke vergadering te stem. Die datum, plek en tyd van die vergadering sal deur die Administrateur bepaal word wat iemand sal benoem by sulke vergadering te presideer. Kennisgewing van sulke vergadering sal in die *Prowinsiale Koerant* gepubliseer word en enig persoon wat op datum van sulke vergadering, in besit is van 'n lisensie as voorsê, sal geregtig wees op sulke vergadering te stem;

(c) drie lede sal benoem word deur die Administrateur;

(d) een lid sal verkies word op 'n vergadering van persone wat gewone lede van Transvaal Tattersalls is. Die datum, plek en tyd van die vergadering sal deur die Administrateur bepaal word, wat iemand sal benoem sulke vergadering te belê en daaroor te presideer. Kennisgewing van sulke vergadering sal in die *Prowinsiale Koerant* gepubliseer word, en enigeen wat, op die datum van sulke vergadering 'n gewoon lid van Transvaal Tattersalls is dog geen bookmaker-lid nog 'n gelisensieerde klerk nie, sal geregtig wees op sulke vergadering te stem.

(2) Indien om enige rede lede nie verkies word soas bepaal in hierdie artikel op of voor die datum deur die Administrateur bepaal vir sulke verkiesing nie, kan die Administrateur enig persoon of persone benoem behalwe die genoem in paragraaf (c) hiervan opdat die komitee uit sewe lede kan bestaan.

(3) Nieteenstaande die herroeping van die Weddenskappe Ordonnansie, 1918, sal die komitee saamgestel kragtens die bepalings van dié Ordonnansie bly sitting hou tot die 31ste Oktober, 1927, as of sulk komitee was saamgestel kragtens die bepalings van hierdie Ordonnansie.

Ampsduur
van komitee
—vakatures.

22. Enig komitee saamgestel kragtens die bepalings van die voorafgaande artikel sal sitting hê tot die 31ste Oktober in die jaar wat volg op die datum van sy eerste vergadering en daarna sal jaarliks 'n komitee saamgestel word op die hiervoor bepaalde wyse. Enig lid daarvan mag uit sy amp gesit word deur die Administrateur sonder dat enige rede vir sulke uitsitting gegee of aangewys word. Enige vakature

19. Enig persoon wat—

Bookmakers-
agent.Ord. No. 9
van 1927.

- (a) optree as 'n reisie-kommissieagent ;
 (b) optree as 'n agent vir 'n bookmaker vir die doel van wed behalwe soas bepaal is in enige regulasies gemaak kragtens subseksie (1) van artikel *drie-en-twintig* ;
 (c) optree vir profyt as 'n bemiddelaar tussen enig persoon en 'n boekmaker vir die doel van wed, behalwe soas bepaal in enige regulasie gemaak kragtens subseksie (i) van artikel *drie-en-twintig* ;
 (d) 'n bookmaker synde enig geld of waarde-artikel betaal of gee of belowe te betaal of te gee hetsy direk of indirek aan enig persoon as vergoeding aan sulke persoon of enig ander persoon om weddenskappe aan te gaan met sulke bookmaker of ander bookmaker ;

sal skuldig wees aan 'n oortreding en sal by veroordeling blootstaan aan betaling van 'n boete van hoogstens £25 of by wanbetaling aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens drie maande.

20. (1) Nieteenstaande enigiets daarmee in stryd in hierdie Ordonnansie kan die Administrateur 'n komitee (hierna Transvaal Tattersalls genoem) saamgestel op die wyse hierna voorgeskrewe magtig op sulke dae en op sulke tyde as per regulasie mag voorgeskrewe word 'n plek deur die Administrateur goedgekeur oop te hou waarin of waaruit weddenskappe mag aangegaan of vereffen word op die uitslag van enige wedren.

Benoeming
van komitee
(Tattersalls).

(2) Enig manlik blank persoon bo die leeftyd van een-en-twintig jare sal geregtig wees weddenskappe aan te gaan op die uitslag van enige wedren ter plase genoem in subseksie (1) van hierdie artikel mits dat sulke persoon aan die komitee saamgestel kragtens artikel *een-en-twintig* van hierdie Ordonnansie sulke kontribusie en vir sulke tydperk betaal het as deur die Administrateur per regulasie kan voorgeskrewe word.

21. (1) Die voorsegde komitee sal as volg saamgestel wees :—

Samestelling
van Komitee.

(a) Twee lede sal verkies word op 'n vergadering bestaande uit een verteenwoordiger van elk persoon of vereniging van persone in besit van 'n lisensie wedrenbyeenkomste te hou kragtens die bepalings van hierdie Ordonnansie op 'n renbaan binne 'n radius van vyf-en-twintig myle van die Generale Poskantoor, Johannesburg en binne die Munisipaliteit Pretoria. Die datum,

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(2) direk of indirek informasie of advies wil gee aangaande die waarskynlike uitslag van enige sulke wedren; of

(3) direk of indirek informasie of advies wil gee aangaande die wedkansse by enige sulke wedren; of

(b) enige informasie of advies is gegee of bedoel is te gee—

(1) aangaande die waarskynlike uitslag van enige sulke wedren; of

(2) aangaande wedkansse by enige sulke wedren tensy die uitslag daarvan vasgestel is;

sal by veroordeling blootstaan aan betaling van 'n boete van minstens £20 en hoogstens £50 of by wanbetaling aan gevangenisstraf met harde arbeid vir 'n tydperk van minstens drie maande dog hoogstens ses maande mits dat niks in hierdie of die laasvooraangaande artikel toepaslik sal wees nie op die publikasie van informasie aangaande 'n vervolging vir 'n oortreding; mits dat niks in hierdie artikel sal geag word 'n oortreding uit te maak nie—

(a) enig nuusblad te publiseer, toon, verkoop, sirkuleer, uitdeel, weg te gee of te laat publiseer, toon, verkoop, sirkuleer, uitdeel of weggee, gedruk en gepubliseer buite Transvaal wat informasie bevat omtrent enige wedren gehou buite die Provinsie Transvaal;

(b) vir enig bookmaker-lid van die plek genoem in subseksie (1) artikel *twintig* per telegram aan enig lid van die genoemde plek informasie te gee omtrent wed of enig wedren in antwoord op 'n bepaald versoek aan sulke lid vir sulke informasie;

(c) enig nuusblad of ander dokument wat informasie bevat omtrent die gewigte toegewys aan die perde genomineer vir enige wedren te druk, skrywe, publiseer, toon, verkoop, sirkuleer, uitdeel of weg te gee.

Kinders mag geen weddenskappe aangaan.

18. Enig persoon wat 'n weddenskap aangaan met of enig lootjie, kaart, of ding genoem in hierdie Ordonnansie verkoop of verstrek aan, of wat aansoek doen vir of enig sulk lootjie, kaart of ding ontvang vir enig persoon wat blykbaar 'n kind is sal, indien sulk persoon 'n kind is, geag word geweet te het dat sulk persoon 'n kind was, tensy hy bewys dat hy redelike gronde had om te gelowe, en geloof het dat sulk persoon meerderjarig was, skuldig wees aan 'n oortreding en sal by veroordeling blootstaan aan die strawwe bepaal in artikel *vyftien* van hierdie Ordonnansie.

(2) sal blootstaan by veroordeling—

(a) in die geval van 'n eerste veroordeling aan betaling van 'n boete van minstens £25 en hoogstens £50 of by wanbetaling aan gevangenisstraf met harde arbeid vir 'n tydperk van drie maande ;

(b) in die geval van 'n tweede of enige latere veroordeling aan betaling van 'n boete van minstens £50 en hoogstens £100 of by wanbetaling aan gevangenisstraf vir 'n tydperk van ses maande met harde arbeid of aan albei sulke boete en gevangenisstraf.

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16. Enige persoon wat enig nuusblad of dokument druk, publiseer, vertoon, verkoop, sirkuleer, uitdeel of weggee van laat druk, publiseer, vertoon, verkoop, sirkuleer, uitdeel of weggee wat enige kennisgewing of aanduiding bevat of bedoel is te bevat deur of namens enig persoon, maatskappy of klub omtrent wed op of die wedkanse in verband met enige wedren in enig deel van die Provinsie Transvaal of elders hetsy dat sulke kennisgewing enige informasie bevat en bedoel te bevat in verband met wed op enige wedren as voorsê hetsy voor of nadat sulke wedren het plaas gehad, sal by veroordeling blootstaan aan betaling van 'n boete van minstens £20 en hoogstens £50 of by wanbetaling aan gevangenisstraf met harde arbeid vir 'n tydperk van minstens drie maande dog hoogstens ses maande ; mits dat niks in hierdie artikel sal geag word dit 'n oortreding te wees nie enig nuusblad te publiseer, toon, verkoop, sirkuleer, uitdeel of weg te gee, wat gedruk en gepubliseer is buite die Provinsie Transvaal bevattende enige sulke kennisgewing, of aanduiding aangaande enige wedren gehou buite die Provinsie Transvaal.

Verbod op dokumente wat betrekking het op wed—strawwe.

By gemis aan teenbewys sal die persoon, maatskappy of klub in sulke kennisgewing of aanduiding genoem geag word sulke kennisgewing of aanduiding namens hom of hulle te laat druk, publiseer, vertoon, verkoop, sirkuleer of weggee het.

17. Enig persoon wat enig nuusblad, plakkaat, strooibiljet, kaart, geskrif of kennisgewing (hetsy gepubliseer, gedruk of geskrewe in die Provinsie Transvaal of elders) druk, skryf, publiseer, vertoon, verkoop, sirkuleer, uitdeel of weggee of laat druk, skrywe, publiseer, vertoon, verkoop, sirkuleer, uitdeel of weggee, waarby—

Verbod op dokumente wat betrekking het op persone wat weddenskappe aangaan—strawwe.

(a) bekend gemaak word dat sulk persoon of enig ander persoon indien verlang—

(1) wil wed in verband met enige voorgenome wedren in enig deel van die Provinsie Transvaal of elders ; of

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of toevallige gebeurlikheid van of wat betrekking het op enige wedren, voetwedstryd, rywielwedstryd, motorrywielwedstryd, motorwedstryd, of vuisgeveg, spel, sport of liggaamsoefening, of toevallige gebeurlikheid watter ook; of

(2) as of vir vergoeding vir enige versekering, verpligting, belofte of ooreenkoms, uitdruklik of stilswygend, daarna enig geld of saak van waarde te betaal of te gee op enige sulke gebeurtenis of toevallige gebeurlikheid; of

(b) enige bekentenis, noot, sekuriteit of wissel gee op die ontvangs van enig geld of saak van waarde betaal of gegee as voorsê strekkende of bedoel die houer of enig ander persoon reg te gee op ontvangs van enig geld of saak van waarde op die uitslag van enige sulke gebeurtenis of toevallige gebeurlikheid, sal blootstaan by veroordeling:—

(1) in die geval van 'n eerste veroordeling aan betaling van 'n boete van minstens £50 en hoogstens £100 of by wanbetaling aan gevangenisstraf met harde arbeid vir 'n tydperk van minstens drie maande en hoogstens ses maande;

(2) in die geval van 'n tweede of enige latere veroordeling aan betaling van 'n boete van minstens £100 en hoogstens £200 of by wanbetaling aan gevangenisstraf met harde arbeid vir 'n tydperk van minstens ses maande dog hoogstens van twaalf maande of aan albei sulke boete en gevangenisstraf.

Besoeker van
plek—straw-
we.

15. (1) Ieder persoon wat enige straat besoek, gebruik of daarin is vir die doel dat enig geld of saak van waarde deur sulke persoon ontvang of aan hom beloof word of ten behoeve van hom:—

(a) as of vir vergoeding vir enige versekering, verpligting, belofte of ooreenkoms, uitdruklik of stilswygend, om daarna enig geld of saak van waarde te betaal of te gee op enige gebeurtenis of toevallige gebeurlikheid van of met betrekking tot enige wedren, voetwedstryd, rywielwedstryd, motorrywielwedstryd, motorwedstryd, vuisgeveg, spel, sport of liggaamsoefening of op enige gebeurtenis of toevallige gebeurlikheid watter ook:—

(b) as of vir vergoeding te waarborg deur enig ander persoon enig geld of saak van waarde te betaal of te gee op enige sulke gebeurtenis of toevallige gebeurlikheid as voorsê;

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(b) die betaling of gift te waarborg deur enig ander persoon van enig geld of saak van waarde op enig ander persoon van enig geld of saak van waarde op enige sulke gebeurtenis of toevallige gebeurlikheid.

13. (1) Wie ook enig huis, kantoor, kamer of andere plek oop, hou of gebruik vir enige van die doeleindes genoem in artikel *twaalf*, of voorbedagtelik en opsetlik vergun dat dit geoop, gehou of gebruik word deur enig ander persoon vir enige van sulke doeleindes, of die beheer of bestuur van, of op enigerlei wyse behulpsaam is in die uitoefening van die besigheid van enig sulk huis, kantoor, kamer of plek geoop, gehou, of gebruik vir enige van sulke doeleindes sal by veroordeling blootstaan aan—

Eienaar wat
plek open of
aanhou—
strawwe.

(a) in die geval van 'n eerste veroordeling betaling van 'n boete van minstens £50 en hoogstens £100 of by wanbetaling aan gevangenisstraf met harde arbeid vir 'n tydperk van minstens drie maande, of aan albei sulke boete en gevangenisstraf;

(b) in die geval van 'n tweede of enige latere veroordeling betaling van 'n boete van minstens £100 of by wanbetaling aan gevangenisstraf met harde arbeid vir 'n tydperk van ses maande of aan albei sulke boete en gevangenisstraf.

(2) Ieder persoon in sulk huis, kantoor, kamer of plek aangetref sonder wettige verontskuldiging waarvan sulk persoon bewys moet lewer, sal by veroordeling blootstaan aan 'n boete van minstens £10, of twee maande gevangenisstraf met harde arbeid, en van hoogstens £50 of ses maande gevangenisstraf met harde arbeid.

(3) Alle gelde, muntstukke, banknote, tjeks, skuldbewyse of andere geskifte as waarborg vir die betaling van geld, en alle boeke, lyste, kaarte of andere dokumente, wat betrekking het op wedrenne of weddenskappe in sulk huis, kamer, kantoor of plek gevind, sal by veroordeling van enig oortreder kragtens die bepalinge van hierdie artikel aan die Administrateur verbeurd verklaar word.

14. Wie ook, wat die eienaar of bewoner is van enig huis, kantoor, kamer of plek geoop, gehou of gebruik vir enige van die doeleindes genoem in artikel *twaalf*, of enig persoon wat vir hom optree, of namens hom, of as sy bestuurder of assistent—

Eienaar wat
plek gebruik
vir wed,
ens.—straw-
we.

(a) direk of indirek enig geld of saak van waarde ontvang—

(1) as 'n deposito op enige weddenskap op voorwaarde enige som geld of saak van waarde te betaal op die uitslag van enige gebeurtenis

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sal geag word geweet te het dat sulk persoon 'n kind was tensy hy bewys dat hy redelike gronde had vir die veronderstelling dat sulk persoon meerderjarig was.

(2) Enig persoon wat skuldig is aan 'n oortreding op hierdie artikel sal blootstaan aan—

(a) in die geval van 'n eerste veroordeling betaling van 'n boete van minstens £25 en van hoogstens £50, of by wanbetaling aan drie maande gevangenisstraf met harde arbeid, of aan albei sulke boete en gevangenisstraf ;

(b) in die geval van 'n tweede veroordeling aan 'n boete van minstens £25 en hoogstens £100 of by wanbetaling aan ses maande gevangenisstraf met harde arbeid of aan albei sulke boete en gevangenisstraf ;

(c) in die geval van 'n derde of verdere veroordeling betaling van 'n boete van minstens £100 en gevangenisstraf met harde arbeid vir 'n tydperk van ses maande.

Beperking ten opsigte van plek.

12. (1) Geen huis, kamer of andere plek sal geoop, gehou of gebruik word vir die doel dat die eienaar, bewoner, of bewaarder daarvan, of enig persoon wat dit gebruik, of enig persoon verkry of in diens van of optredende vir of namens sulk eienaar, bewoner of bewaarder, of persoon wat dit gebruik, of enig persoon wat die beheer of bestuur het oor of op enige wyse die besigheid daarvan dryf, weddenskappe aangaan met persone wat daar gebruik van maak.

In hierdie subseksie sluit “daar gebruik van maak” in direk of deur bemiddeling van 'n ander persoon per brief, telegram of enige andere manier van korrespondensie, of deur middel van die telefoon, applikasie te maak.

(2) Geen huis, kantoor, kamer of andere plek sal geoop, gehou of te eniger tyd gebruik word vir die doel dat enig geld of saak van waarde ontvang word deur of ten behoeve van die eienaar, bewoner of bewaarder, of enig ander persoon watter ook as of vir vergoeding vir—

(a) enige versekering, verpligting, belofte of ooreenkoms, uitdruklik of stilswygend, enig geld of saak van waarde daarna te betaal of te gee op enige gebeurtenis of toevallige gebeurlikheid van of wat betrekking het op enige wedren, voetwedstryd, rywielwedstryd, motorrywielwedstryd, motorkarwedstryd, vuisgeveg, spel, sport of liggaamsoefening of enige andere gebeurtenis of toevallige gebeurlikheid watter ook ; of

9. Die Administrateur kan enig persoon wat wettig 'n wedrenbyeenkoms hou magtig lokaliteite oop te hou goedgekeur deur die Kommissaris van Polisie vir vyf ure op elk van die eersvolgende twee weekdae (publieke feesdae nie gereken nie) na die wedrenbyeenkoms en dit sal wettig geoorloof wees in die lokaliteite op die dae en gedurende sulke ure weddensappe te vereffen.

Lokaliteite vir vereffening van weddensappe.

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10. (1) Enig polisieamptenaar van of bo die rang van sersjant of enig persoon behoorlik daartoe gemagtig deur die Administrateur kan enige renbaan opgaan of enige lokaliteit genoem in die laasvoorgaande artikel ingaan en indien hy redelike gronde het vir die vermoede dat 'n oortreding op hierdie Ordonnansie begaan word of begaan was dan kan hy enige lokaliteit watter ook ingaan.

Polisie mag renbaan of lokaliteit opgaan.

(2) Enig persoon wat enig sulk amptenaar in die uitoefening van sy bevoegdheede kragtens hierdie Ordonnansie sal weerstaan, verhinder of belemmer sal skuldig wees aan 'n oortreding.

HOOFSTUK III.

BEPERKING OP WED.

11. (1) Enig persoon sal skuldig wees aan 'n oortreding op hierdie Ordonnansie wat—

Beperking op wed—
strawwe.

(a) wed op die uitslag van enige wedren tensy die weddenskap aangegaan word op 'n renbaan op 'n wedrendag hetsy op plekke op die renbaan goedgekeur deur die Kommissaris van Polisie of deur middel van 'n totalisator waarvoor 'n lisensie uitgereik is kragtens artikel *ag*, subseksie (1) en in een of ander geval op 'n wedren wat werklik op die renbaan plaas het op die dag waarop die weddenskap is aangegaan, of in of van die lokaliteit geoop kragtens die bepalinge van artikel *twintig* van hierdie Ordonnansie of op 'n hondereisiesbyeenkoms gehou kragtens lisensie uitgereik kragtens die bepalinge van artikel *drie* van die Hondereisies (Kontrole) Ordonnansie, 1926

(b) te eniger tyd of plek wed op die uitslag van "voetwedstryd," "rywielwedstryd," "motorrywielwedstryd" of enige skiet-, voetren- of vuisgevegwedstryd of prysgeveg;

(c) bo die leeftyd van een-en-twintig jare synde te eniger tyd of plek wed met enig persoon onder die leeftyd. Die persoon wat wed met sulk persoon onder die leeftyd van een-en-twintig

Ord. No. 9 Belasting ver-
van 1927. skuldig ten
— opsigte van
Art. 8. totalisator-
ontvangste.

(3) Daar sal aan die Kommissaris van Binnelandse Inkomste betaalbaar wees ten behoeve van die Prowinsiale Inkomstefonds deur die lisensiehouer—

(a) 'n belasting bereken teen vier en 'n halwe persent van die bruto ontvangste van elke totalisator waarvoor 'n lisensie uitgereik is; en

(b) 'n belasting bereken teen twee persent van die netto ontvangste van elke sulke totalisator wat nadat 'n dividend daarvan verklaard is, onverdeeld is hetsy omdat geen gedeelte van 'n sieling as dividend verklaar is nie, of omdat geen kaartjies wat die houters op 'n dividend reg gee van die hand gesit was nie; en

(c) 'n belasting bereken teen twee persent van alle sulke dividende as onbetaal is drie maande nadat hulle verklaar was.

Vir die doeleinde van hierdie subseksie sal 'netto ontvangste' beteken die bruto ontvangste, minus die bedrag afgetrek as totalisator-kommissie en belasting verskuldig kragtens paragraaf (a) dog sulke kommissie en belasting sal bymekaar hoogstens twaalf en 'n halwe persent wees van die bruto ontvangste van enige enkele totalisator.

(4) 'n Beëdigde verklaring in 'n vorm deur die Kommissaris van Binnelandse Inkomste voorgeskrewe te word aangewende al sulke besonderhede as genoem is in subseksie (3) sal deur die lisensiehouer afgelê word. Die voorsegde verklaring sal deur die lisensiehouer binne een-en-twintig dae na iedere wedrendag waarop 'n totalisator gebruik was aan die Kommissaris ingedien word.

(5) Die lisensiehouer sal gereeld in 'n boek vir die doel aangehou al sulke voorsegde besonderhede opteken of laat opteken en toestaan dat sulk boek op alle redelike tyde geïnspekteer word deur enig persoon behoorlik skriftelik daartoe gemagtig deur die Kommissaris van Binnelandse Inkomste en enig lisensiehouer wat weier sulke inspeksie toe te staan sal skuldig wees aan 'n oortreding.

(6) Indien 'n lisensiehouer versuim sulke verklaring as voorsê in te dien binne die voorgeskrewe tyd dan sal hy blootstaan aan betaling van driemaal die bedrag verskuldig kragtens hierdie artikel.

6. Wanneer Kersdag op 'n Saterdag val of wanneer 'n wedrenbyeenkoms bepaal is vir enige bepaalde wedrendag en die weer of enige onvoorsiene omstandighede verhinder of maak hou of voortsetting van die byeenkoms op die dag ongewens dan kan die Kommissaris van Polisie na sy absolute diskresie aan die persoon wat die wedrenbyeenkoms organiseer het skriftelike vergunning verleen die wedrenbyeenkoms of voortsetting van die byeenkoms op 'n renbaan te hou op 'n andere dag andere as op Goeie Vrydag of Hemelvaartsdag en sulke vergunning sal 'n verdediging wees teen enige beskuldiging ingebring kragtens artikel *vyf*.

Uitstel of voortsetting van wedrenbyeenkoms in sekere omstandighede.

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7. (1) Nieteenstaande enigiets daarmee in stryd in hierdie Ordonnansie kan die Administrateur aan enig persoon 'n lisensie uitreik vir hou van 'n wedrenbyeenkoms op enige dag behalwe Kersdag, Goeie Vrydag of Hemelvaartsdag op 'n goedgekeurde plek buite 'n radius van vyf-en-twintig myle van Johannesburg en buite die Munisipaliteit Pretoria en uitreiking van sulke lisensie sal 'n verdediging wees teen enige beskuldiging ingebring kragtens artikel *vyf*.

Lisensie mag vir een dag uitgereik word.

(2) Die Administrateur kan eweneens aan enig persoon in die besit van 'n lisensie spesiale vergunning verleen vir hou van 'n wedrenbyeenkoms op enige dag behalwe Kersdag, Goeie Vrydag of Hemelvaartsdag mits dat die aantal byeenkomste deur sulk persoon gehou gedurende die geldigheidsduur van die lisensie hoogstens vyftien sal wees.

Spesiale vergunning vir hou van wedrenbyeenkoms.

HOOFSTUK II.

LISENSIEER VAN TOTALISATORS.

8. (1) Die Administrateur kan op skriftelike applikasie aan die houer van enige lisensie vir hou van wedrenbyeenkomste 'n lisensie uitreik vir die gebruik van 'n totalisator of totalisators op 'n wedrendag op 'n plek op 'n renbaan goedgekeur deur die Kommissaris van Polisie. Sulke lisensie kan deur die Administrateur ingetrek word indien versuim word te voldoen aan enige bepaling van hierdie artikel of indien die totalisator gebruik word op 'n plek nie deur die Kommissaris van Polisie goedgekeur as voorsê nie.

Lisensieer van totalisators.

(2) Enige transaksie aangegaan deur middel van die totalisator moet geregistreer word op 'n kaartbord wat in sulke vorm sal wees as is goedgekeur deur die Kommissaris van Binnelandse Inkomste en wat in die onafgebroke gesig van die publiek sal wees.

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'n jaarlikse kontribusie betaal het waarvan die bedrag deur die klub of vereniging sal vasgestel en deur die Administrateur goedgekeur wees of 'n persoon is vir wie se toegang tot 'n renbaan sonder sulke betaling deur die Administrateur aan sulke klub of vereniging magtiging was verleen ;

(b) niemand onder die leeftyd van een-en-twintig jare, andere as jökkies sal tot die renbaan toegelaat word nie op enige dag waarop 'n wedrenbyeenkoms gehou word ;

(c) die lisensiehouer sal geen wedrenbyeenkomste hou nie andere as op die renbaan in die lisensie genoem ;

mits dat die bepalings van paragrafe (a) en (b) van hierdie artikel nie toepaslik sal wees op renbane geleë buite 'n radius van vyf-en-twintig myle van die Generaal Poskantoor, Johannesburg, en buite die Munisipaliteit Pretoria nie.

Aantal wedrenbyeenkomste.

4. Enig persoon aan wie 'n lisensie vir hou van wedrenbyeenkomste uitgereik is sal skuldig wees aan 'n oortreding indien hy meer as vyftien wedrenbyeenkomste hou of vergun gehou te word gedurende die geldigheidsduur van sy lisensie of enige vernuwing daarvan of indien hy inbreuk maak of vergun dat inbreuk gemaak word op enige voorwaarde aan 'n lisensie verbind of indien hy nalaat sulke voorsorgsmaatreëls te neem as wat mag nodig wees om te verseker dat aan sulke voorwaardes voldaan word.

Verbod op wedrenne en bekend stel van wedrenkaart behalwe op renbaan.

5. Enig persoon sal skuldig wees aan 'n oortreding wat—

(a) deelneem aan of enig ander persoon behulpsaam is in of aansit tot deelneming aan enige wedrenbyeenkoms behalwe op 'n gelisensieerde renbaan en op 'n rendag ;

(b) 'n wedrenkaart verkoop of te koop aanbied of sirkuleer behalwe op 'n renbaan en op 'n rendag of 'n wedrenkaart verkoop of te koop aanbied wat aangee dat wedrenne sal gehou word andere as op die wedrenbyeenkoms dan en daar gehou te word.

Vir die doeleinde van hierdie artikel sal hou van enige wedrenbyeenkoms geag word behulpsaam te wees in en aansit tot deelneming aan 'n wedren hetsy dat al of nie enige wedren plaas het en ieder persoon wat op enige wyse die wedrenbyeenkoms organiseer of reël sal geag word die byeenkoms te hou.

enige grond in die Provinsie wat in wettige okkupasie is van die persoon, sulke lisensie sal vir sulke grond wees wat gedurende die geldigheidstydperk van sulke lisensie sal geag word 'n gelisensieerde renbaan te wees.

(2) Iedere sulke lisensie sal vir een jaar geldig wees vanaf die datum van uitreiking daarvan tensy kragtens hierdie artikel teruggetrek.

(3) 'n Lisensie sal nie verleen word nie totdat reglemente en regulasies waaronder die in terme van sulke lisensie te houe wedrenbyeenkomste sal gehou word deur die Administrateur goedgekeur is mits dat enige sulke reglemente en regulasies goedgekeur kragtens enige wet deur hierdie Ordonnansie herroep beskou sal word as goedgekeur te wees kragtens die bepalings van hierdie artikel.

(4) Enige lisensie mag deur die Administrateur teruggetrek word indien die houer veroordeel is weens enige oortreding op hierdie Ordonnansie.

(5) Iedere lisensie sal in die geval van 'n vereniging uitgereik word op naam van die sekretaris of ander dergelik amptenaar en kan op versoek van die vereniging oorgedra word op die opvolger van die lisensiehouer.

(6) Iedere lisensie sal vertoon word op aanvraag van enig polisieamptenaar bo die rang van sersjant en enig persoon wat versuim sulke lisensie te toon sal skuldig wees aan 'n oortreding.

(7) Die lisensiehouer sal geregtig wees van enige renbaan enig persoon uit te sluit ooreenkomstig die reglemente en regulasies goedgekeur kragtens hierdie artikel en enig persoon wat 'n renbaan weer opgaan in stryd met die bevoegdhede hierin toegeken aan die lisensiehouer sal skuldig wees aan 'n oortreding.

(8) Enige lisensie vir hou van wedrenbyeenkomste wat op datum van die aanvang van hierdie Ordonnansie van krag is sal van volle krag en toepassing wees as of hy was uitgereik kragtens die bepalings van hierdie Ordonnansie.

3. Die volgende voorwaardes sal verbind wees aan enige lisensie vir hou van wedrenbyeenkomste:— Lisensievoorwaardes.

(a) Niemand sal op 'n renbaan toegelaat word nie op enige dag waarop 'n wedrenbyeenkoms gehou word sonder betaling van 'n mienimum toegangsfoo van vyf sielings tensy sulk persoon in die besit sal wees van 'n sertifikaat uitgereik deur of op gesag van die lisensiehouer verklarende dat sulk persoon 'n bona fide eienaar of afrigter is of bona fide werksaam in verband met die byeenkoms of 'n lid is van die klub of vereniging wat die byeenkoms hou en aan die lisensiehouer

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“renbaan” beteken enige grond gelisensieer kragtens hierdie Ordonnansie vir hou van wedrenne;

“wedrendag” beteken in die gebied omvat in ’n radius van agtien myle van die Generaal Poskantoor, Johannesburg, enige Saterdag of enige publieke feesdag vanaf tien-uur in die voormiddag tot ses-uur in die namiddag en enige andere dag waarop ’n wedrenbyeenkoms wettig kan gehou word tensy sulke dae Kersdag, Goeie Vrydag of Hemelvaartsdag is. In enig deel van die Provinsie buite die gebied sal “wedrendag” dieselfde betekenis het dog met uitsondering soas hierbo vermeld sal Woensdag ook ’n wedrendag wees;

“Wedrenbyeenkoms” beteken enige byeenkoms van die publiek of van die lede van enige vereniging van persone om ’n wedren of wedrenne by te woon indien die datum en plek vir hou daarvan deur publieke advertensie of private uitnodiging is bekend gemaak;

“straat” sluit in (1) enige ingeslote of nie-ingeslote grond (wat geen huis of renbaan of gelisensieerde honde-reisiesbaan is nie) (2) enige hoof- of grootpad, weg, laan, voetpad of deurgang hetsy ’n hoofweg of nie, op enige publieke of private grond;

“totalisator” beteken die instrument, masjien of toestel gewoonlik bekend onder die naam van ’n “totalisator” of enig ander instrument, masjien of toestel van ’n dergelike aard, of enig stelsel waardeur enig aantal persone in staatgestel word weddenskappe met elkaar aan te gaan op beginsels van ’n dergelike aard;

Wanneer in hierdie Ordonnansie die uitdrukking “voetwedren,” “motorrywiel-,” “rywiel-” of “motorkarwedren” of “skiet-, voetren- of vuisgevegwedstryd” gebruik word sal die uitdrukkings alleen wedrenne en wedstryde insluit—

(a) waarvan die plek ’n plek is waartoe die publiek of die lede van enige klub of vereniging toegang het, of wat deur die publiek of sulke lede besoek word, of waartoe die publiek of sulke lede by uitnodiging kom;

(b) waarvan die datum vantevore vasgestel is.

HOOFSTUK I.

LISENSEEER VAN RENBANE.

Lisensieer van
renbane.

2. (1) Die Administrateur kan van tyd tot tyd op skriftelike applikasie aan hom ’n lisensie toeken aan enig persoon om wedrenbyeenkomste te hou op

'N ORDONNANSIE

Ord. No. 9
van 1927.

Om Voorsiening te maak vir die Kontrole op Perdewedrenne en Weddensappe.

(Goedgekeur 28 Junie 1927.)

(Datum van inwerkingtree, 1 September 1927.*)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal
as volg:—

1. In hierdie Ordonnansie sal, tensy in stryd met Definiesies.
die samehang:—

“Administrateur” beteken die amptenaar benoem
kragtens artikel *agt-en-sestig* van die Suid-
afrika Wet 1909 en enige amendement daarop
wat handel op gesag van die Uitvoerende
Komitee;

“weddenskap” beteken enig geld of saak van
waarde deur of namens enig persoon te wed
of in te sit of uitdruklik of stilswygend belowe,
ondernem of ooreengekom betaal of gegee te
word aan enig persoon as vergoeding vir enige
versekering, verpligting, belofte of ooreenkoms,
uitdruklik of stilswygend, om daarna enig
geld of saak van waarde te betaal of te gee op
enige gebeurtenis of toevallige gebeurlikheid
van of wat betrekking het op enige wedren,
voetwedstryd, rywielwedstryd, motorrywiel-
wedstryd, motorkar-wedstryd, vuisgeveg, spel,
sport of liggaamsoefening of enige andere
gebeurtenis of toevallige gebeurlikheid watter
ook of as of vir vergoeding vir die betaling te
waarborg van enig geld of saak van waarde op
enige sulke voorsegde gebeurtenis of toe-
vallige gebeurlikheid watter ook;

“bookmaker” insluit enig persoon wat die beroep
uitoefen van of optree as 'n bookmaker of
renbaan kommissie-agent, of wat sy bestaan
geheel of gedeeltelik deur wed of weddensappe
aan te gaan maak of trag te maak;

“wedren” beteken enige perde, ponie of galloway
wedren;

“wedrenkaart” beteken die offisiële program
uitgegee vir verkoop en vir die gebruik van
die publiek op 'n wedrendag deur iemand
gelisensieer wedrenbyeenkomste te hou;

* Proklamasie No. 53, *Prowinsiale Koerant* gedateer 17 Augustus 1927,
bladsy 173.

**Ord. No. 8
van 1927.**

Wysiging van
artikel 4 van
hoofordon-
nansie.

2. Die skedule in subseksie (a) van artikel vier van die hoof ordonnansie sal wees en word hierby gewysig :—

(1) Onder die hoof “Restourants” deur die woord “Woensdae” te skrap en te vervang deur die woord “Saterdag.”

(2) Onder die hoof “Melkerye” deur die woord “Woensdae” te skrap en te vervang deur die woord “Saterdag.”

(3) Onder die hoof “Naturelle en Asiate eethuse, ens.” deur die woord “Woensdae” te skrap en te vervang deur die woord “Saterdag.”

(4) Onder die hoof “Naturellewinkels” deur die woorde “Donderdae Vrydae,” te skrap en te vervang deur die woorde “Woensdae Donderdae,” en skraping van die woord “Saterdag” en te vervang deur die woord “Vrydae.”

(5) Onder die hoof “Aptekers” die woorde “Donderdae Vrydae” te skrap en te vervang deur die woorde “Woensdae Donderdae,” en die woord “Woensdae” te skrap en te vervang deur die woord “Saterdag.”

Wysiging van
artikel 7 van
hoofordon-
nansie.

3. Artikel *sewe* van die hoofordonnansie sal wees en word hierby gewysig :—

(1) In paragraaf (b) van subseksie (1) deur die woord “Saterdag” te skrap en te vervang deur die woord “Vrydae.”

(2) In paragraaf (b) van subseksie (2) deur die woorde “Donderdae en Vrydae” te skrap en te vervang deur die woorde “Woensdae en Donderdae.”

(3) In paragraaf (c) van subseksie (2) die woord “Woensdae” te skrap en te vervang deur die woorde “Woensdae en Donderdae.”

(4) In paragraaf (d) van subseksie (2) die woord “Saterdag” te skrap en te vervang deur die woord “Vrydae.”

Korte tiiel.

4. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Winkelure Wysigings Ordonnansie, 1927.

soort- gelijk motorvoertuig gelicenticeerd als 'n publiek voertuig gebruik word vir het doel van passagiersvervoer behalve op 'n weg goedgekeur deur de Kommissaris van Politie of ander door hem gemagtigd ambtenaar, en geen zulk voertuig zal stilhouden voor het doel passasiers op te nemen of uit te laten behalve op zulke plaatsen als deur de Kommissaris of ander door hem gemagtigde ambtenaar mogen voorgeschreven word. De bepalingen van dit artikel zullen toepaslik zijn op zodanige plaatselik autoriteit gebieden als de Administrateur per proklamatie mag verklaren.

Ord. No. 7
van 1927.

10. Hierdie Ordonnansie mag vir alle doel- Korte Tietel.
eindes aangehaal word as die Motorvoertuig
Wysigings Ordonnansie, 1927.

'N ORDONNANSIE

Ord. No. 8
van 1927.

Tot wysiging van die Winkelure Ordonnansie, 1923.

(Goedgekeur 29 Junie 1927.)

(Datum van inwerkingtree, 2 Augustus 1927.)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal as volg :—

1. Subseksie (1) van artikel drie van die Winkelure Ordonnansie No. 5 van 1923 (hierna die hoofordonnansie genoem) sal wees en word hierby gewysig :—

Wysiging van artikel 3 van hoofordonnansie.

(1) In paragraaf (c) deur skraping van die woorde "Donderdag en Vrydag" en daarvoor die woorde "Woensdag en Donderdag" in die plaas te stel.

(2) Deur skraping van paragraaf (d) en in die plaasstelling daarvoor van die volgende nuwe paragraaf :—

(d) later as een uur in die namiddag van Saterdag, of sewe uur in die aand van Vrydag; met uitsondering van slagerswinkels, wat om ses uur in die aand van dié dag sal gesluit wees.

(3) In subseksie (2) deur skraping van die syfer "7" en daarvoor die syfer "6" in die plaas te stel.

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(b) 'n motorvoertuig voor gebruik gereed maakt ;

(c) zich op enigerlei wijze bemoeit met de machinerie, benodigdheden of delen van enig motorvoertuig ;

zal schuldig zijn aan 'n overtreding en bij veroordeling blootstaan aan de straffen voorgeschreven in artikel *zeventien* van deze Ordonantie.

(2) Enig persoon welke zonder kennis of toestemming van de eigenaar of persoon wettig belast met enig motorvoertuig daarin rijdt of hetzelfde drijft zal schuldig zijn aan 'n overtreding en zal bij veroordeling blootstaan aan de volgende straffen :—

(a) Voor 'n eerste overtreding aan 'n boete van vijf en twintig ponden.

(b) Voor 'n tweede of verdere overtreding aan 'n boete van een honderd ponden.

Bij wanbetaling van enige boete opgelegd krachtens deze subsektie mag de schuldige buiten en behalve aan enige andere termijn van gevangenisstraf, welke wettig mag opgelegd worden, veroordeeld worden, ten opzichte van (a) tot 'n tijdperk van hoogstens drie maanden gevangenisstraf met harde arbeid ; ten opzichte van (b) tot 'n tijdperk van hoogstens zes maanden gevangenisstraf met harde arbeid.

Wysiging van artikel 19 van hoofordonnansie.

8. Artikel *negentien* van die hoofordonnansie sal wees en word hierby gewysig deur toevoeging van die volgende nuwe paragrafe (h) en (i), paragraaf (h) soos oorspronkelyk bepaal beskou te word as paragraaf (j):—

(h) het gebruik te verbieden van enige lamp of verlichtingstoestel tenzij zodanige lamp of toestel door de Administrateur goedgekeurd is en van zodanige goedkeuring in de *Provinciale Koerant* is kennis gegee.

(i) voor het instellen van 'n komitee of komitees voor het doel de Administrateur van advies te diene over enige zaken in verband staande met het gebruik van motorvoertuigen en zaken daarop betrekking hebbende en voor de leiding van de werkzaamheden van zodanig komitee of komitees.

Wegen te worden goedgekeur door politie.

9. Niettegenstaande enigiets daarmee in strijd in enige wet betrekking hebbende op municipaal bestuur of enige bijwet daaronder opgemaakt zal geen motorbus, motor char-à-bancs, of ander

5. Artikel *ses* van die hoofordonnansie sal wees en word hierby gewysig as volg :—

(a) Deur skrapping in subartikel (1) van die woorde “deze Ordonantie of tegen enige bepalingen ervan of aan een overtreding onder enige andere wet ten aanzien van omstandigheden betrekking hebbende op de bestuurder van een motorvoertuig.”

en deur daarvoor die volgende woorde in die plaas te stel :—

“subsektie (3) van artikel *vier* en artikels *acht, negen, tien, elf, twaalf, veertien, vijftien* en *zestien* van deze Ordonantie, of wegens 'n overtreding onder enige andere wet ten aanzien van achteloos of zorgeloos drijven van 'n motorvoertuig.”

(b) Deur toevoeging van die volgende nuwe subartikel :—

(4) Enig Hof mag enige drijverslicentie intrekken op bewijs dat de houder van die licentie behept is met enig lichamelik gebrek hetwelk gronden zou uitmaken krachtens paragraaf (*e*) van subsektie (2) van artikel *vier* van deze Ordonantie voor weigerings van 'n certifikaat van bevoegheid door 'n eksaminerend lichaam.

6. Artikel *veertien* van die hoofordonnansie sal wees en word hierby gewysig deur toevoeging van die volgende subartikel ; die artikel soos oorspronklik bepaal beskou te word as subartikel (1) :—

(2) De eienaar van enig motorvoertuig welke moedwillig weigert op verlangen van 'n polietiebeampte of municipaal ambtenaar in uniform hem te voorsien van de naam en adres van enige persoon welke zijn motorvoertuig op enige bepaalde datum en tijd gedreweu heeft of het beheer er over had, zal schuldig zijn aan 'n overtreding op deze Ordonantie en bij veroordeling blootstaan aan de straffen daarvoor voorgeschreven.

7. Artikel *vyftien* van die hoofordonnansie sal wees en word hierby herroep en die volgende nuwe artikel daarvoor in die plaas gestel :—

15. (1) Enige persoon welke zonder kennis of toestemming van de eienaar of persoon wettig belast met 'n motorvoertuig—

(a) de machinerie daarvan in beweging stelt ;

Wysiging van artikel 6 van hoofordonnansie. **Ord. No. 7 van 1927.**

Wysiging van artikel 14 van hoofordonnansie.

Herroeping van artikel 15 van hoofordonnansie en vervanging deur nuwe artikel.

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geraakt of vernield is, zal zodanig uitreiker van licenties bevoegd zijn tegen betaling van 'n fooi van twee shillings en zes pennies 'n duplikaat van zodanig licentie uit te reiken met het woord 'duplikaat' daarop vermeld. Zulke licentie zal getekend worden in de ruimte daarvoor voorzien in tegenwoordigheid van de uitreiker van licenties.

(d) Deur toevoeging van die volgende nuwe subartiekels :—

(5) Applikatie voor 'n tijdelike licentie zal gemaakt worden bij de uitreiker van licenties in wiens gebied de applikant woont.

(6) Enig applikant voor 'n drijverslicentie of voor 'n tijdelike licentie welke aan de uitreiker van licenties of aan het eksaminerend lichaam valse of onjuiste informatie zal geven zal schuldig zijn aan 'n overtreding en enige licentie aan zodanig persoon uitgereikt mag door 'n Magistraat ingetrokken worden, en de persoon wiens licentie aldus ingetrokken is zal geacht worden ongelicentieerd te zijn.

Herroeping
van artikel
5 van hoof-
ordonnansie
en ver-
vangung deur
nuweartikel

4. Artikel *vyf* van die hoofordonnansie sal wees en word hierby herroep en vervang deur die volgende nuwe artikel :—

(5) Enig persoon welke 'n geldige motorvoertuiglicentie in zijn bezit heeft hem machtigende zulk voertuig in enige andere Provincie van die Unie of elders te gebruiken zal het recht hebben zulk voertuig te gebruiken gedurende de geldigheid van zulke licentie binnen de Provincie Transvaal voor 'n onafgebroken tydperk van drie maanden van de datum waarop hij voor het eerst de Provincie binnekomt zonder 'n motorvoertuiglicentie uit te nemen krachtens de bepalingen van deze Ordonnantie, mits dat zulk voertuig niet als 'n huurvoertuig gebruik word. De bepalingen van dit artikel zullen *mutatis mutandis* van toepassing zijn op enig persoon welke 'n geldige licentie bezit voor het drijven van 'n motorvoertuig in enige andere provincie van de Unie of elders, mits dat zulke licentie onderworpen zal zijn aan die bepalingen van deze Ordonnantie met betrekking tot schorsing, endorsement of diskwalifikasie.

(b) Indien de fabrikant of handelaar zijn bezigheid verkoopt of op andere wijze van de hand zet, zal de koper of ander persoon aldus de eienaar daarvan wordende daarvan aan de registrerende autoriteit kennis geven, welke aan zodanig koper of ander persoon nieuwe certifikaten van registratie zal uitreiken voor de nummers vroeger toegekend aan de fabrikant of handelaar welke zijn bezigheid aldus van de hand zet, en op vertoon van zodanige certifikaten en de licenties van de vorige eienaar zullen nieuwe licenties voor de rest van het kalenderjaar op naam van de koper of ander persoon uitgereikt worden, zonder betaling van enige fooien. De vroegere licenties van de eienaar zullen door de uitreiker van licenties behouden worden.

(c) De registrerende autoriteit zal aan enig fabrikant of handelaar, aan wie 'n licentie uitgereikt is voor het jaar 1927 overeenkomstig de bepalingen van de hierbij herroepen subseksie, zeven nummers uitreiken in het geval van 'n fabrikant of handelaar in motorvoertuigen, en voor zulke nummers zullen geen kosten belast worden. De aldus uitgereikte nummers kunnen tot 31 Desember gebruik wordende alsof ze krachtens paragraaf (a) hiervan uitgereikt waren.

2. Subseksie (a) van artikel drie van die hoofordonnansie sal wees en word hierby gewysig deur opname na die woord "maakt" van die woorde "of laat of toestaat gebruik te wordende." Wysiging van artikel 3 van hoofordonnansie.

3. Artikel vier van die hoofordonnansie sal wees en word hierby gewysig as volg :— Wysiging van artikel 4 van hoofordonnansie.

(a) Deur herroeping van paragraaf (c) van subartikel (2) en daarvoor die volgende nuwe paragraaf in die plaas te stel :—

(c) de leeftyd van zeventien jare bereikt heeft.

(b) Deur in subartikel (2) opneming van die volgende nuwe paragraaf :—

(f) woonagtig is binne het jurisdiktiegebied van het eksaminerende liggaam waaraan applikasie gemaak wordende.

(c) Deur toevoeging van die volgende woorde aan die einde van subartikel (2) :—

"Telkens wanneer ten genoegen van die uitreiker van licenties blyk dat licentie uitgereikt aan enig persoon verlore"

Ord. No. 7
van 1927.

'N ORDONNANSIE

Tot wysiging van die Motorvoertuig Ordonnansie, 1915.

(Goedgekeur 28 Junie 1927.)

(Datum van inwerkingtree, 20 Julie 1927.)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal as volg:—

Wysiging van
artikel 2 van
hoofordon-
nansie.

1. Subartikel (9) van artikel twee van die Motorvoertuig Ordonnansie, 1915, soos van tyd tot tyd gewysig (hierna die hoofordonnansie genoem), sal wees en word hierby herroep en die volgende nuwe subartikel daarvoor in die plaas gestel:—

“(9) (a) De registrerende autoriteit van enig gebied waarin de bezigheidsgebouwen zijn gelegen van enig *bona fide* fabrikant van of handelaar in motorvoertuigen mag aan zodanig fabrikant of handelaar op zijn verzoek 'n minimum van vijf (5) en 'n maksimum van tien (10) nummers toekennen en daarvoor certifikaten van registratie uitreiken. Op vertoon van zodanige certifikaten aan de uitreiker van licenties, en tegen betaling van 'n som van £1. 10s. voor elk aldus uitgereikt nummer, in geval de fabrikant of handelaar 'n fabrikant of handelaar in motorkarren is, en tegen betaling van de som van 10s. voor elk nummer uitgereikt aan 'n fabrikant van of handelaar in motorrijwielen, zullen aan zodanig fabrikant of handelaar licenties uitgereikt worden voor het eerstvolgend kalenderjaar of gedeelte daarvan. 'n Aanzuiveringscertifikaat zal uitgereikt worden voor elk toegewezen nummer en zodanig certifikaat zal gestempeld worden met de letter “D” of “M” naar gelang van omstandigheden. Deze nummers aldus toegewezen aan 'n fabrikant of handelaar tezamen met het aanzuiveringscertifikaat daarvoor uitgereikt zullen verwisselbaar zijn van een voertuig op 'n ander in het bezit van zodanig fabrikant of handelaar, doch zullen niet overdraagbaar zijn van de fabrikant of handelaar op 'n ander persoon. Mits verder dat na de 30ste Junie in elk jaar de fooien voor zodanige licenties de helft van de jaarlijkse fooien zullen zijn.

'N ORDONNANSIE

Ord. No. 6
van 1927.

Tot Wysiging van die Transvaal Hospitaalverpleegsters
Pensioene Ordonnansie, No. 13 van 1919.

(Goedgekeur 18 Junie 1927.)

(Datum van inwerkingtree, 6 Julie 1927.)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal as volg :—

1. Artikel *drie* van die Transvaal Hospitaalverpleegsters Pensioene Ordonnansie No. 13 van 1919 sal wees en word hierby gewysig as volg :—

(1) deur skrapping in die laaste paragraaf van subseksie (3) van die woorde “in zo ver er nog geen betaling heeft plaats gehad in termen van de eerstvolgende subseksie”;

(2) deur herroeping van subseksie (4).

2. Iedere leerlingverpleegster welke op de datum van het van kracht worden van deze Ordonnantie tot het fonds bijdroeg en wie zulks wenst zal het bedrag van haar eigen bijdragen tot het fonds met rente tegen de schaal van drie persent per jaar terugontvangen en de bijdragen betaald door de Administratie ten behoeve van zulke leerlingverpleegsters zullen aan de inkomsten terugbetaald worden met rente tegen de schaal van drie persent per jaar.

Wysiging van artikel 3 van Ordonnansie No. 13 van 1919.

Terugbetaling van bijdragen.

3. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Transvaal Hospitaalverpleegsters Pensioene Wysigings Ordonnansie, 1927.

Korte titel.

Ord. No. 5
van 1927.

'N ORDONNANSIE

Tot aanwending van 'n verdere som van hoogstens £300,000 vir die dienste van die Provinsie Transvaal gedurende die jaar wat eindig op die 31ste dag van Maart 1928.

(Goedgekeur 13 Junie 1927.)

(Datum van inwerkingtree, 29 Junie 1927.)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal as volg:—

£300,000 mag verstrekk word uit die Prowinsiale Inkomstefonds.

1. Op en na die eerste dag van April 1927 mag uit die Prowinsiale Inkomstefonds sulke somme geld verstrekk word, by mekaar geneem nie meer te bedra dan die som van driehonderdduisend pond nie, soos van tyd tot tyd mag nodig wees vir die diens van die Provinsie, vir die jaar wat eindig op die een-en-dertigste dag van Maart 1928, tot sulke tyd as die Raad daarvoor voorsiening gemaak het in 'n Toeëienings-ordonnansie.

Uitkerings onder hierdie Ordonnansie aangemerk te word as voorlopige voorskotte.

2. Alle somme wat uitgekeer word kragtens die bepalinge van hierdie Ordonnansie, sal aangemerk word as voorskotte op rekening van toelae wat sal verleen word in 'n Toeëieningsordonnansie, vir die jaar wat eindig op die een-en-dertigste dag van Maart 1928, en dadelik by die aanvang van sulke Toeëieningsordonnansie sal hierdie Ordonnansie ophou van krag te wees en uitkerings wat hieronder al gemaak is, sal geag word uitkerings te wees gemaak kragtens die Toeëieningsordonnansie en sal verantwoord word ooreenkomstig met die bepalinge daarvan; mits dat geen dienste waarop geen uitgawe was beloof nie gedurende die finansiële jaar wat eindig op die een-en-dertigste dag van Maart 1927, of waarvoor geen wettige magtiging bestaan nie, sal geag word onder hierdie Ordonnansie gemagtig te wees.

Korte tittel.

3. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Tweede Toeëienings (Deel 1927-1928) Ordonnansie, 1927.

Uitgawe.

	£ s. d.	Ord. No. 4 van 1927.
Betaal aan G.H., my verkiesingsagent		
Betaal aan I. J., klerk, vir.....dae dienste		
Betaal aan K.L., kontroleur, teen..... .. .		
Betaal aan I.J., klerk, vir.....dae dienste		
(Die naam en omskrywing van die agent en iedere klerk en kontroleur, en die som aan elk betaal moet afsonderlik vermeld word.)		
Betaal aan die volgende persone vir gelewerde goedere of werk en arbeid verrig :	£ s. d.	
(Die naam en omskrywing en die aard van die gelewerde goedere en die werk en arbeid verrig deur elk moet afsonderlik vermeld word.)		
Betaal aan huur van kamers vir hou van publieke vergaderings		
Betaal aan huur van kamers vir hou van komiteevergaderings		
Betaal aan diverse		
(Die naam en omskrywing van elk persoon aan wie enige som betaal is, en die rede waarvoor dit aan hom betaal was, moet afsonderlik vermeld word.)		

Behalwe bogenoemde, weet ek van die volgende nie-erkende en onbetaalde vorderings :-

	£ s. d.
Per T.U., vir..... .. .	
(Hier die naam en omskrywing te vermeld van elk persoon wie se vordering nie erken is nie, en die bedrag van die vordering en die goedere, werk of andere saak op watter grond die vordering gebaseer is.)	

Behalwe soas uit bostaande byk, het ek, en vir sover ek weet, niemand ten behoewe van my enige betaling gemaak, of enige beloning, betrekking, werk, of geldelike vergoeding gegee, beloop, of aangebied nie, of enige verpligting aangegaan voor of ten opsigte van die leiding of bestuur van die genoemde verkiesing.

Ek het die som van.....ponde in die geheel betaal, en nie meer nie, vir die doel van die verkiesing, en, behalwe soas hierbo omskrew, is geen geld, waarborg of ekwivalent vir geld, vir so ver ek weet en geloof, betaal, voorgeskiet, gegee of gedeponeer nie deur iemand aan iemand anders vir die doel enige onkoste te bestry ten behoewe van my gemaak vir of ten opsigte van die leiding en bestuur van die gesegde verkiesing.

Ek sweer (of verklaar) plegtig dat vir sover ek weet en geloof die bostaande verantwoording 'n volledige en ware opgawe is van my onkoste as kandidaat vir die genoemde verkiesing.

.....
Handtekening van Kandidaat, C.D.

Voor my onder eed afgelê (of bevestig) op die.....dag van.....

.....
E.F., Vrederegter.
Kommissaris van Ede.

Ord. No. 4
van 1927.

Vierde Skedule.

ARTIEKEL *Een-en-veertig.*

VORM VAN VOORKANT VAN STEMBRIEFIE.

Teënblad No.....

Noot.—Die teënblad moet 'n nommer hê wat ooreenkom met die op die keersy van die stembriefie.

BROWN.

1. (John Brown, van.....straat, *,....., Koopman.)

JONES.

2. (Henry Jones, van.....straat, *,....., Prokureur.)

ROBINSON.

3. (George Robinson, van.....straat, *,....., Kruienier.)

SMITH.

4. (Frederick Smith, van.....straat, *,....., Makelaar.)

VORM VAN AGTERKANT VAN STEMBRIEFIE.

No.....

VERKIESING VIR STADSRAAD VAN *.....

Noot.—Die nommer op die agterkant van die stembriefie moet ooreenstem met dié op die teënblad.

* Hier naam van stad te vermeld.

Vyfte Skedule.

ARTIEKEL *Ag-en-vyftig.*

VORM VAN OPGAWE VAN VERKIESINGSKOSTE.

Ek, A.B., kandidaat by die verkiesing vir die Raad van die Munisipaliteit.....op die.....dag van.....maak die volgende opgawe van my verkiesingskoste by die verkiesing:—

Ontvangste.

Ontvang van J.K.....

£ s. d.

(Hier die naam en omskrywing te vermeld van ieder persoon, klub, vereniging of assosiasie van wie enig geld was ontvang tot dekking van onkoste.)

Eerste Skedule.Ord. No. 4
van 1927.**ARTIEKEL Een.****HERROEPING VAN WETTE.**

Die Munisipale Verkiesings Ordonnansie (No. 8) van 1912.
 Die Munisipale Verkiesings Wysigings Ordonnansie (No. 2) van 1914.
 Die Munisipale Verkiesings Verdere Wysigings (No. 2) Ordonnansie
 (No. 10) van 1914.
 Die Munisipale Verkiesings Wysigings Ordonnansie (No. 4) van 1918.
 Die Munisipale Verkiesings (Jaarlikse Verkiesings, 1917) Wysigings Or-
 donnansie (No. 9) van 1917.
 Die Munisipale Verkiesings Wysigings Ordonnansie (No. 13) van 1925.
 Artikels *eenhonderd negentien* tot en met *eenhonderd vyf-en-dertig* van die
 Plaaslik Bestuur Ordonnansie.

Twede Skedule.**ARTIEKEL Vyftien (5) (a).**

Ek.....van.....verklaar as
 volg :—

(1) Dat ek die persoon is wie se naam voorkom op die Kieserslys vir
 die Stemdistribusie No.....van die Wyk.....
 van die.....Munisipaliteit onder No.....

(2) Dat ek by hierdie verkiesing nie gestem het op enig ander stem-
 kantoor nie.

As getuie my handtekening.....

Voor my.....

Presiderende Amptenaar.

Plaas.....

Datum.....

Derde Skedule.**ARTIEKEL Negentien.**

AAN DIE STADSKLERK,

MUNISIPALITEIT.....

Ek doen hierby aansoek om my naam geplaas te hê op die kiesers-
 lys van die Munisipaliteit.....kragtens die bepalings van
 artikel *negentien* van die Munisipale Verkiesings Ordonnansie 1927.

1. My volle naam is.....
 (Vermeld of Mnr., Mevr. of Mej.)

2. Ek is 'n blanke persoon en meerderjarig Brits onderdaan.

3. Ek woon op die oomblik te.....

4. My beroep is die van.....

*5. Ek het binne hierdie munisipaliteit gewoon vir 'n tydperk van ses
 maande onmiddellik aan hierdie datum voorafgaande.

*6. Ek is die eienaar van belasbaar eiendom binne die munisipaliteit.

*7. Ek is nie as kieser ingeskrewe in hierdie of in enige andere munisi-
 paliteit nie.

*8. Ek is op die oomblik as 'n kieser ingeskrewe in die Munisipaliteit

Getuie.....

Handtekening van Applikant.

Adres.....

Datum.....

* Skrap wat nie toepaslik is nie.

Ord. No. 4
van 1927.

(2) By enige jaarlikse verkiesing waar raadslede moet verkies word ter aanvulling van toevallige vakatures, sal die vakatures ontstaan deur aftreding van raadslede weens afloop van hulle ampstyd geag word aangevul te wees deur die kandidate wat die grootste aantal stemme by die verkiesing kry. Die andere verkiesde kandidate sal geag word toevallige vakatures aan te vul in die volgorde en na gelang van die aantal stemme uitgebring op elk, sodat die kandidaat, wat van sulke andere kandidate die grootste aantal stemme gekry het geag sal word die raadslid op te volg wat, indien hy sy amp nie had opgegee nie, die langste in sy amp sou gebly het. In geval die saak nie as voorsê kan beslis word nie, deurdad op twee of meer kandidate 'n gelyk aantal stemme uitgebring is, of deurdad daar geen stemming het plaas gehad nie, sal die saak deur loting deur die presiderende amptenaar beslis word.

HOOFSTUK XII.

GEMENG.

Geldigheid van proklamasies uitgevaardig, maatreëls geneem, ens., kragtens herroepwette.

138. Nieteenstaande die herroeping van die Munisipale Verkiesings Ordonnansie 1912 en amendemente daarop en van artikels *eenhonderd negentien* tot en met *eenhonderd vyf-en-dertig* van die Plaaslik Bestuur Ordonnansie, sal alle handeling verrig, proklamasies uitgevaardig, of stappe geneem respektiewelik kragtens dié Ordonnansies voor die in werkingtreding van hierdie Ordonnansie geag word verrig, uitgevaardig of geneem te wees kragtens die bepalings van hierdie Ordonnansie.

Geldig verklaring van onreëlmatighede in verband met verkiesings.

139. Indien ter oorsake van enige fout, toeval of versuim enigiets kragtens wet vereis gedoen te word by die opmaking van enige kieserslys of by die leiding van enige verkiesing nagelaat is te doen of nie gedoen is nie op die wyse of binne die tyd deur wet bepaal, kan die Administrateur gelas dat alle sulke stappe geneem word as mag nodig wees enige sulke fout, toeval of versuim te herstel of kan enigiets wat onreëlmatig mag gedaan wees in wese of vorm geldig maak opdat die strekking en doel van hierdie Ordonnansie van krag sal wees.

Titel en datum van in werkingtreding.

140. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Munisipale Verkiesings Ordonnansie 1927, en sal in werking tree op die eerste dag van Januarie 1928.

die grootste aantal stemme by die verkiesing behaal het, sal hulle amp bly beklee vir 'n tydperk van twee jare, en die oorblywende derde van die verkiesde raadslede sal hulle amp vir 'n tydperk van een jaar bly beklee; mits dat in enig geval waarin die raadslede wat 'n gelyk aantal stemme behaal het en om die rede nie in die eerste, tweede of derde verdeling van voorsegde raadslede kan geplaas word nie, of indien daar geen stemming gehou word nie, deur loting beslis sal word watter raadslede in hulle amp sal bly, respektiewelik vir drie of twee of een jaar. Die presiderende amptenaar sal by bekendmaking van die uitslag van die verkiesing verder die respektiewe tydperke waarvoor die raadslede verkies is, bekend maak.

**Ord. No. 4
van 1927.**

135. By 'n eerste verkiesing kan die Administrateur, nieteenstaande enigiets in die voorafgaande artikel vervat, die tydperke voorskrywe waarvoor elke verdeling van raadslede by sulke eerste verkiesing verkies sitting sal bly hou.

Admini-
strateur
kan amps-
duur bepaal

136. Na sulke eerste verkiesing van raadslede en in die geval van iedere dorpsraad sal daar 'n jaarlikse verkiesing van raadslede wees wat gehou sal word in die maand Oktober van elk en ieder jaar vir die doel raadslede te verkies ter vervanging van 'n gelyk aantal raadslede wat aftree weens afloop van hulle ampstydperk en ook vir die doel sulke toevallige vakatures aan te vul as wat mag nodig wees aangevul te word kragtens die bepalings van artikel *eenhonderd een-en-dertig*; mits dat in die geval van dorpsrade ingestel kragtens subseksie (2) van artikel *eenhonderd sestiën* van die Plaaslik Bestuur Ordonnansie die Administrateur, deur proklamasie in die *Prowinsiale Koerant*, kan verklaar dat die verkiesing van raadslede na die eerste verkiesing nie sal plaas hê nie tot die maand Oktober van die jaar wat volg op die jaar waarin sulke eerste verkiesing gehou is.

Jaarlikse
verkiesing
van raads-
lede.

137. (1) Die raadslede verkies by iedere jaarlikse verkiesing ter aanvulling van die vakatures ontstaan deur aftrede van raadslede weens afloop van hulle ampstyd, sal sitting hê vir 'n tydperk van drie jare, en 'n raadslid verkies ter aanvulling van 'n toevallige vakature wat moet aangevul word kragtens artikel *eenhonderd een-en-dertig*, hetsy dat sulke verkiesing al of nie by die jaarlikse verkiesing sal gehou word, sal sitting hê vir die res van die tydperk waarvoor die raadslid wat uit sy amp getree is en wat hy opvolg, anders sitting sou gehad het.

Duur van
ampstyd van
raadslede.

**Ord. No. 4
van 1927.**

oorsake van enig versuim of nalatigheid of enige andere oorsaak watter ook enige vergadering vir die verkiesing van raadslede nie sal gehou word nie, dan en in ieder geval, sal die presiderende amptenaar sodra moontlik nadat van sulke gebeurtenis of versuim aan hom kennis gegee is, vergaderings van kiesers belê vir die doel 'n raadslid of raadslede te verkies op die hiervoor bepaalde wyse.

**Toevallige
vakatures.**

131. In die geval dat 'n vakature ontstaan as 'n gevolg van een van die omstandighede genoem in artikel *sewe*, sal die voorsitter van die Raad van sulke vakature aan die magistraat kennis gee wat, behalwe in die omstandighede genoem in die eerste bepaling van hierdie artikel, onmiddellik 'n vergadering sal belê van ingeskrewe kiesers vir die munisipaliteit vir die doel sulke vakature aan te vul op die hiervoor bepaalde wyse; mits dat indien enige sulke vakature ontstaan sal binne drie maande voor die eerste dag van November in die jaar waarin die raadslede uit hulle amp tree, sulke vakature nie sal aangevul word nie, dog sal bestaan bly totdat die eersvolgende algemene verkiesing gehou word; mits verder dat indien daar meer as drie vakatures is, hulle sal aangevul word deur 'n spesiale verkiesing vir die doel gehou en wat op die wyse soas deur hierdie Ordonnansie voorgeskrewe sal gehou word.

**Voorskrifte
in geval
van versuim
lede te kies.**

132. Indien om een of andere rede by enige verkiesing gehou kragtens hierdie hoofstuk die vereiste aantal raadslede nie verkies word nie, kan die Administrateur enig persoon of persone benoem tot raadslid of raadslede om die vereiste aantal vir die Raad voltallig te maak en kan die tydperk bepaal waarvoor die aldus benoemde persone as raadslede sal sitting hê.

**Eerste
verkiesing.**

133. Die eerste verkiesing, kragtens hierdie Ordonnansie, van dorpsrade ingestel kragtens subseksie (2) van artikel *eeenhonderd sestien* van die Plaaslik Bestuur Ordonnansie, sal plaas hê op of tussen sulke dae as deur die Administrateur per proklamasie in die *Prowinsiale Koerant* sal bepaal word, en by uitvaardiging van sulke proklamasie sal die presiderende amptenaar 'n dag bepaal, in ooreenstemming met die terme van sulke proklamasie, vir hou van die verkiesing, en sal sulke kennisgewing as voorgeskrewe is deur artikel *eeenhonderd ses-en-twintig* publiseer.

**Ampstydperk
van raads-
lede verkies
by eerste
verkiesing.**

134. By enige sulke eerste verkiesing sal een-derde van die verkiesde raadslede, wat dié sal wees wat die grootste aantal stemme behaal het, in hulle amp bly vir 'n tydperk van drie jare, en die een-derde van die verkiesde raadslede wat op een na

te wees as die aantal persone wat verkies moet word nie. Die kieser sal daarop die papierstrokie in 'n daarvoor bestemde bus werp. Die vergadering sal na verloop van ses ure vanaf die uur bepaal as die tyd van die vergadering gesluit word, tensy daar enig ingeskrewe kieser sal teenwoordig wees wat sy stem nog nie uitgebring het nie; in welk geval die presiderende amptenaar bevoeg sal wees die vergadering te verleng totdat ieder sulk kieser sy stem sal uitgebring het; mits dat waar die totale aantal kiesers op enige kieserslys minder as tweehonderd-en-vyftig is die aantal ure toegestaan vir die duur van die vergadering as voorsê na diskresie van die presiderende amptenaar mag verminder word tot nie minder as vier ure nie indien van sulke vermindering behoorlik was kennis gegee in die kennisgewing genoem in artikel *eenhonderd ses-en-twintig* hiervan.

(2) Die presiderende amptenaar sal dan die bus oop en die stemme aldus uitgebring tel, en sal die persone wat die grootste aantal stemme verkry het as behoorlik verkies verklaar in die volgorde van die aantal stemme op hulle uitgebring. In die geval dat die aantal stemme uitgebring op twee of meer kandidate bevind word gelyk te wees en in geval dat die gelykheid van invloed is op die uitslag van die verkiesing, sal die presiderende amptenaar deur loting beslis wie as behoorlik verkies sal verklaar word. Die presiderende amptenaar sal daarop die stembriefies in 'n verseelde pakket plaas en dit in sy besit hou, en sal die inhoud na verloop van 'n tydperk van drie maande vernietig. Die presiderende amptenaar sal nooit die wyse waarop enig kieser sy stem uitgebring het bekend maak nie.

(3) Alle uitgawe noodsaaklikerwyse beloop deur die presiderende amptenaar in verband met die nominasies vir en hou van enige verkiesing, sal deur die Raad gedra word.

130. (1) Enig kieser mag beswaar maak teen die verkiesing van een of meer persone wat deur die presiderende amptenaar as behoorlik verkies verklaar is kragtens die twee voorafgaande artikels. Sulk beswaar sal binne sewe dae na die verklaring van verkiesing by die presiderende amptenaar ingedien word, en skriftelik die gronde vermeld van die beswaar, en die presiderende amptenaar sal op ontvangs van sulk beswaar daaromtrent sulke ondersoek instel as hy mag dienstig ag en sal na sy diskresie sulk beswaar erken of van die hand wys.

(2) Indien enige verkiesing deur die presiderende amptenaar ongeldig sal verklaar word tengevolge van erkenning van enig sulk beswaar, of dat ter

Voorskryfte
in geval 'n
onreëlmattig
gehoue
verkiesing.

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(3) Sulke kennisgewing sal 'n publieke vergadering byeen roep van die persone ingeskrewe op die kieserslys van die munisipaliteit om raadslede te nomineer en te verkies.

(4) Iedere sulke kennisgewing sal die uur en plek binne die munisipaliteit omskrywe waarop die vergadering sal gehou word en die vergadering sal op die aldus omskrewe uur en plek gehou word. Ook sal die genoemde kennisgewing die duur van die genoemde vergadering vermeld.

Presiderende
amptenaar
voor te sit.

127. Op die tyd en plek in die kennisgewing bepaal sal die presiderende amptenaar aanwesig wees en sal by die gehoue vergadering voorsit.

Nominasie
van
kandidate
vir
verkiesing.

128. Enig persoon ingeskrewe op die kieserslys van die munisipaliteit en op sulke vergadering teenwoordig, mag vir verkiesing as raadslid enig persoon voorstel bevoeg om verkies te word, en ieder sulk voorstel sal, voordat dit aan die vergadering voorgelê word, geseondeer word deur enig ander persoon op die kieserslys van die munisipaliteit ingeskrewe en op sulke vergadering teenwoordig. Die persoon aldus voorgestel en geseondeer sal geag word behoorlik genomineer te wees sodra hy persoonlik op die vergadering of skriftelik per brief of telegram van sy aanname van nominasie het kennis gegee. Indien die aantal behoorlik genomineerde persone nie meer is as die aantal raadslede wat verkies moet word nie, sal die presiderende amptenaar dan en daar die aldus genomineerde persone as verkies verklaar, dog indien die aantal behoorlik genomineerde persone meer is as die aantal raadslede wat verkies moet word, sal die presiderende amptenaar op 'n tyd en plek en op 'n datum dan en daar bepaal te word, sulke datum nie later te wees as veertien dae vanaf die datum van die gesegde vergadering nie, dan en daar oorgaan tot 'n stemming deur die ingeskrewe kiesers op die wyse soas in die eersvolgende artikel bepaal.

Wyse van
hou van
verkiesing.

129. (1) Die presiderende amptenaar sal aan die vergadering die name van die persone voorlees wat behoorlik genomineer is. Elk op die vergadering aanwesige kieser sal op sy beurt aan die tafel kom waaraan die presiderende amptenaar sit, en na die presiderende amptenaar oortuig te hê dat sy naam op die kieserslys vir die munisipaliteit voorkom en dat hy by die verkiesing wat dan gehou word nog nie reeds gestem het nie, sal hy op 'n strokie papier behoorlik geperforeer of offisieel gemerk deur die presiderende amptenaar en deur hom aan die kieser oorhandig, die name van die genomineerde persone merk waarop hy wens te stem, nie meer

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(5) Die Raad sal onmiddellik na opmaking van die genoemde lys deur kennisgewing aangeplak buite die kantoor van die Raad bekend maak dat 'n eksemplaar van die genoemde lys op die genoemde kantoor ter insae lê, en 'n eksemplaar van die genoemde lys sal, gedurende kantoorure, op die genoemde kantoor ter insae lê vir 'n tydperk van veertien dae. Ook sal in die genoemde kennisgewing bekend gemaak word dat op 'n sekere datum, wat nie minder sal wees as sewe dae na verloop van die genoemde veertien dae nie, en op 'n uur en plek daarin genoem te word, vorderinge om ingeskrewe te word op, of besware teen die genoemde lys sal gehoor en beslis word.

(6) Die voorsitter en twee andere lede van die Raad sal, op die aangekondigde dag, in ope sitting al sulke vorderinge en besware hoor en daaromtrent beslis, en mag na gelang van noodsaaklikheid van tyd tot tyd verdaag.

(7) Die hersiene lys deur die voorsitter gesertifiseer, sal die kieserslys van krag wees en bly en daaraan sal nie toegevoeg of verander word nie totdat hieronder 'n nuwe lys opgemaak is.

124. Die Administrateur mag die aantal raadslede van enige dorpsraad vasstel en van tyd tot tyd vermeerder of verminder, en van iedere sulke vermeerdering of vermindering sal deur proklamasie in die *Provinsiale Koerant* kennis gegee word, mits dat die aantal raadslede vir enige dorpsraad nie minder as drie nog meer as twaalf sal wees nie, en verder 'n aantal sal wees wat 'n veelvoud van drie is.

Vasstelling
van aantal
lede.

125. Ieder raadslid wat by aanvang van hierdie Ordonnansie sitting het, kan sy amp bly beklee tot afloop van die tydperk waarvoor hy verkies was.

Bestaande
raadslede.

126. (1) Verkiesings van dorpsrade sal gehou word in die loop van die maand Oktober in elk jaar op die hierna bepaalde wyse.

Datum van
jaarlikse
verkiezing
van dorps-
rade en

(2) Die Magistraat of sulk ander persoon as deur die Administrateur kan benoem word (hierna die presiderende amptenaar genoem) sal, met inagnome van die bepalinge van subseksie (1), die dag vir hou van die verkiezing vasstel, en hy sal minstens veertien dae voor die dag aldus vasgestel 'n kennisgewing publiseer in 'n nuusblad wat binne die munisipaliteit sirkuleer, en sulke kennisgewing laat aanplak op 'n plek deur die presiderende amptenaar goedgekeur en op sulke andere in die oog lopende plek as die presiderende amptenaar mag dienstig ag.

kennisgewing
van
verkiezings-
vergadering.

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Versuim om
getuie te
betaal.

122. Indien 'n petitionaris van 'n verkiesingspetiesie ingedien kragtens hierdie Ordonnansie in die tydsverloop van een maand na aanmaning sal nalaat of weier aan enig persoon gedagvaar as getuie voor hom of aan verweerder enige som te betaal gesertifiseer aan hom verskuldig te wees vir sy koste, uitgawe of onkoste, en indien sulke nalatigheid of weiering bewys word ten genoege van die hof aan wie die petiesie was ingedien, sal ieder persoon wat borgstelling gegee het in verband met die petiesie kragtens die bepalings van hierdie Ordonnansie geag word in gebreke te wees vir die bedrag van sy genoemde borgstelling, en die Registrateur van die genoemde hof sal daarop sertifiseer dat sulke borgstelling verbeurd is en daarna kan met verlof van die genoemde hof eksekusie verleen word op versoek van enige sulke getuie of verweerder na gelang dit van tyd tot tyd sal nodig wees.

HOOFSTUK XI.

KIESERSLYS EN VERKIESINGS VAN DORPSRADE.

Opmaak
van
kieserslys.

123. (1) Binne een maand na die datum van 'n proklamasie kragtens die Plaaslik Bestuur Ordonnansie waarby 'n dorpsraad ingestel word, sal die magistraat of enig ander persoon deur die Administrateur benoem 'n lys opmaak van alle persone wat ooreenkomstig artikel *ag* van hierdie Ordonnansie bevoeg is te stem by die verkiesing van 'n dorpsraad en wat nie kragtens artikel *tien* of artikel *elf* gediskwalifiseer is nie.

Die genoemde kieserslys kan deur die magistraat of ander benoemde persoon gewysig word, en sulke lys sal op die kantoor van die magistraat of ander persoon ter insae lê vir veertien dae voor die dag van die verkiesing van lede van die Raad, mits dat geen wysiging in die genoemde lys sal gemaak word nie binne 'n tydperk van sewe dae voor die dag van die verkiesing.

(2) Die koste van opmaak van sulke lys sal ter laste van die Raad wees.

(3) Nieteenstaande die herroeping van artikel *eenhonderd een-en-twintig* van die Plaaslik Bestuur Ordonnansie, sal die kieserslys daaronder opgemaak die kieserslys wees en bly totdat hieronder 'n nuwe lys opgemaak is.

(4) Iedere kieserslys van latere datum as die lyste genoem in subseksies (1) en (3) hiervan, sal deur die Raad voor die vyftiende dag van Augustus in elk en ieder jaar opgemaak word.

116. Wanneer daar meer as een petitioneris is, sal geen applikasie vir terugtrekking van 'n petiesie gemaak word nie sonder die konsent van al die petitionerisse.

Konsent van mede-petitionerisse vereis vir terugtrekking.
Verval deur oorlyde.

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van 1927.

117. 'n Verkiesingspetiesie kragtens hierdie Ordonnansie sal verval deur oorlyde van die enigste petitioneris of petitionerisse, dog deur sulke vervalling sal die verantwoordelikheid van die petitioneris of petitionerisse tot betaling van reeds gemaakte koste niet opgehef word nie.

118. By vervalling van 'n petiesie kan enig persoon wat 'n petitioneris kon gewees het in verband met die verkiesing waarop die petiesie betrekking het, binne een-en-twintig dae na sulke vervalling by die Hooggeregshof of 'n regter daarvan aansoek doen om as 'n petitioneris in die plaas gestel te word en sulk hof of regter kan dan, indien dienstig geag, as 'n petitioneris enig sulk applikant in die plaas stel wat wens in die plaas gestel te word, en ten behoeve waarvan borg gestel is vir dieselfde bedrag as wat vereis word in die geval van 'n nuwe petitioneris.

Gevolg van verval.

119. 'n Verweerder wat kennis gegee het dat hy nie van plan is sig teen die petiesie te verset nie, sal nie toegestaan word te verskyn of op te tree as 'n party teen sulke petiesie by enige behandeling daarvan nie, en sal in die Raad waartoe hy verkies is nie sit of stem nie in afwagting van die uitslag van die behandeling van die petiesie en in alle gevalle waarin sulke kennisgewing gedoen is sal die hof daarvan aan die burgemeester kennis gee.

Verweerder wat kennis gegee het dat hy nie sal verdedig nie, kan nie verskyn nie.

KOSTE.

120. Al die koste en uitgawe van en voortvloeiende uit die indiening van 'n petiesie kragtens hierdie Ordonnansie en van die daaruit gevolgde behandeling sal gedra word deur die partye tot die petiesie op sulke wyse en in sulke proporsies as die hof waarvoor die petiesie behandel word of sal behandel word sal beslis, met inagnome van die reg om enige koste of uitgawe wat na die oordeel van die hof veroorsaak is deur die kwellende handeling, ongegronde bewerings of ongegronde objeksies van die kant van die petitioneris of die verweerder, teen te gaan dat enige onnodige koste gemaak word deur die las om hulle te betaal te lê op die partye wat hulle veroorsaak het, hetsy die partye al of nie in die gelyk gestel word.

Hof te beslis omtrent koste.

121. Die koste kan getakseer en ingevorder word op dieselfde wyse as die koste van 'n gewone regs-geding in die Hooggeregshof in hierdie Provinsie.

Taksasie van koste.

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hof, behalwe in gevalle van beskuldiging weens meened toelaatbaar sal wees as getuienis teen hom in enig siviël of krimineel geding nie.

Getuiekoste. **109.** Die redelike onkoste gemaak deur iemand wat verskyn om getuienis af te lê by die behandeling van 'n verkiesingspetiesie kragtens hierdie Ordonnansie volgens het gewone tarief van betaling aan getuie by die behandeling van siviele sake in die Hooggeregshof van hierdie Provinsie, mag aan so iemand toegestaan word en sulke onkoste sal beskou word koste van die petiesie te wees.

**TERUGTREKING EN VERVAL VAN
VERKIESINGSPETIESIES.**

Petiesie nie sonder verlof terug te trek nie. **110.** 'n Verkiesingspetiesie kragtens hierdie Ordonnansie sal nie sonder verlof van die hof teruggetrek word nie, en nadat sulke kennisgewing sal gegee wees as sulk hof sal beveel.

Vervanging van petisionaris kan gevra word. **111.** By die behandeling van die applikasie vir terugtrekking, kan enig persoon wat 'n petisionaris sou gewees het in verband met sulke verkiesing waarop die petiesie betrekking het, aan die hof versoek in die plaas gestel te word as 'n petisionaris vir die petisionaris wat wens die petiesie terug te trek.

Hof mag in die plaasstelling beveel. **112.** Indien die hof dit dienstig ag kan dit een der voornoemde applikante in die plaas stel van die petisionaris, en kan, verder, indien die voorgestelde terugtrekking na die oordeel van die hof die gevolg is van 'n onregmatige ooreenkoms of beweegrede, beveel dat die borgstelling gegee ten behoeve van die oorspronklike petisionaris van krag sal bly as sekuriteit vir enige koste wat mag beloop word deur die in die plaas gestelde petisionaris, en dat die oorspronklike petisionaris sal verantwoordelik wees vir die koste van die in sy plaas gestelde petisionaris tot die bedrag in die borgstelling genoem.

Wanneer nuwe borgstelling nodig is. **113.** Indien sulk 'n bevel nie gegee is nie omtrent die borgstelling van die oorspronklike petisionaris, dan sal borg gestel word vir dieselfde bedrag as nodig sou wees in geval van 'n nuwe petiesie, en onderwerp aan dieselfde voorwaardes ten behoeve van die plaasvervangende petisionaris voordat hy met sy petiesie kan voortgaan en binne veertien dae na die bevel van in die plaasstelling.

In die plaas gestelde petisionaris. **114.** Onderwerp aan die voorafgaande, sal 'n in die plaas gestelde petisionaris so veel moontlik in dieselfde posisie wees en onderwerp aan dieselfde verpligtings as die oorspronklike petisionaris.

Koste van petiesies teruggetrek. **115.** Indien 'n petiesie teruggetrek word sal die petisionaris verantwoordelik wees vir betaling van die koste van die verweerder.

105. Wanneer kragtens hierdie Ordonnansie meer as een petiesie aangebied word wat betrekking het op dieselfde verkiesing of stemopneming, sal al sulke petiesies op die lys van petiesies deur 'n akkolade verbind word en sal as een petiesie behandel word, dog sulke petiesie sal op die verkiesingslys voorkom op die plek waar die laaste van sulke petiesie sou gestaan het indien dit die enigste petiesie gewees was wat aangebied was, tensy die hof of die regter daarvan anders sal beveel.

Petiesies wat betrekking het op dieselfde verkiesing tegelyk behandel te word.

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GETUIE.

106. Getuie sal gedagvaar en beëdig word op dieselfde wyse as by 'n regsak voor die Hoogeregshof, en sal onderwerp wees aan dieselfde strawwe vir meened.

Dagvaar van getuie.

107. By die behandeling van 'n verkiesingspetiesie kragtens hierdie Ordonnansie, kan die hof enig getuie of enig persoon in die hof ondervra alhoewel sulke getuie of persoon nie opgeroep of ondervra is deur een van die partye tot die petiesie nie. Na die ondervraging van 'n getuie as voorsê deur die hof, mag sulk getuie gekruisvraag word deur of namens die petisionaris en verweerder of een van hulle.

Getuie nie gedagvaar nie mag ondervraag word.

108. Niemand wat opgeroep is as getuie by die behandeling van 'n verkiesingspetiesie sal vrygestel word van beantwoording van enige vraag wat betrekking het op enige onregmatige of onwettige praktyk by of in verband met enige verkiesing wat as dan die onderwerp van ondersoek uitmaak, op grond dat die antwoord daarop homself kan of sal beskuldig, mits dat waar enig getuie iedere vraag sal beantwoord met betrekking tot enige voornoemde sake wat van hom deur die hof verlang word te beantwoord en dat die antwoord daarop hom sou beskuldig of sou kan beskuldig, hy geregtig sal wees van die hof onder die hand van die registrateur 'n sertifikaat te ontvang vermeldende dat sulke getuie deur die hof by sy verhoor gelas was vrae of 'n vraag te beantwoord omtrent die genoemde sake, welke antwoord of antwoorde hom beskuldig of kan beskuldig, en dat hy die vrae of vraag beantwoord het; en indien te eniger tyd daarna teen sulke getuie in 'n hof 'n beskuldiging of proses aanhangig is weens 'n oortreding deur hom op hierdie Ordonnansie begaan voor hy sy getuienis het afgelê, en wat betrekking het op, of in verband staan met die verkiesing waaromtrent die getuie also sal ondervra wees, sal die hof op vertoon van sulk sertifikaat die behandeling van sulk 'n beskuldiging of proses staak; mits dat geen verklaring deur iemand afgelê in antwoord op enige vraag hom gestel deur of voor sulk

Getuie nie geregtig te weier te antwoord omdat hy sigself sou kan beskuldig, maar gevrywaar teen gevolge van sulk antwoord.

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(6) by afloop van die behandeling van enige verkiesingspetiesie, sal die hof beslis of die verweerder behoorlik verkies was of dat iemand anders, en so ja, welk persoon anders as die verweerder geregtig was of is om as behoorlik verkies verklaar te word; indien die hof sal beslis dat die verweerder behoorlik verkies was dan sal sulke verkiesing geldig wees en bly as of teen hom geen petiesie was aangebied nie. Indien die hof sal beslis dat die verweerder nie behoorlik verkies was nie dog dat iemand anders geregtig was of is om as behoorlik verkies verklaar te word, dan sal die verweerder geag word sy setel onmiddellik opgegee te hê, en die hof sal van sulke beslissing terstond aan die Administrateur kennis gee wat daarop deur proklamasie in die *Provinciale Koerant* sulk ander persoon as behoorlik verkies sal verklaar. Indien die hof sal beslis dat die verweerder nie behoorlik verkies was nie en dat niemand anders geregtig was of is as behoorlik verkies verklaar te word, dan sal die setel van die verweerder onmiddellik geag word vakant te wees, en van sulke beslissing sal die hof terstond aan die Administrateur kennis gee wat daarop sal gelas dat 'n nuwe verkiesing sal plaas hê vir die doel sulke vakature aan te vul en sulke verkiesing sal op dieselfde wyse gehou word as deur hierdie Ordonnansie voorgeskrewe word vir jaarlikse verkiesings.

Wanneer setel geëis word vir iemand anders as verweerder.

102. By die behandeling van 'n petiesie kragtens hierdie Ordonnansie, waarin gekla word oor 'n onwettige verkiesing of stemopneming, en die setel vir iemand anders opgeëis word, kan die verweerder getuienis aflê om te bewys dat die verkiesing van so iemand onwettig was op dieselfde wyse as of hy 'n petiesie had ingedien waarin oor sulke verkiesing gekla word.

PROSEDURE.

Vorm van petiesie.

103. 'n Verkiesingspetiesie kragtens hierdie Ordonnansie sal in sulke vorm wees en sulke sake bevat as deur 'n beslissing van 'n hof sal voorgeskrewe wees.

In geval dat twee of meer kandidate verweerders is.

104. Twee of meer kandidate kan verweerders gemaak word teen dieselfde petiesie en sulke petiesie sal as een petiesie ingeskrewe word en terselfder tyd behandel word, dog vir al die doeleindes van hierdie Ordonnansie sal sulke petiesie aangemerkt word 'n afsonderlike petiesie teen elk verweerder te wees.

anders sal na verloop van die tyd bepaal vir indien van besware of indien na gemaakte beswaar die toereikendheid van die borgstelling is vasgestel, met die petiesie voortgegaan word.

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100. Die Registrateur van die Hooggeregshof sal sodra moontlik 'n lys opmaak van petesies wat kragtens hierdie Ordonnansie aan die hof aangebied is en wat voortgang sal hê, en hulle te plaas in die volgorde waarin hulle was aangebied, en sal op sy kantoor 'n kopie van sulke lys hou, hierna die verkiesingslys genoem te word, wat ter insae sal lê vir enig persoon wat om insae daarvan vra. Sulke petesies sal behandel word in die volgorde waarin hulle op die lys voorkom, tensy die hof anders sal gelas.

Registrateur
van hof lys
van petesies
te maak.

BEHANDELING VAN 'N PETESIE.

101. Die volgende bepalings sal van toepassing wees op die verhoor van verkiesingspetesies kragtens hierdie Ordonnansie :—

Bepalings
vir
behandeling
van
verkie-
sings-
petesies.

- (1) Iedere verkiesingspetesie sal met ope deure behandel word ;
- (2) die behandeling van verkiesingspetesies gedurende elke siviele sitting vasgestel deur enige beslissing of order van die hof ; mits dat die hof aan wie die petesie is aangebied op die applikasie van enige van die petisionarisse of verweerders enige dag kan bepaal vir sulke behandeling gedurende of buite 'n sitting ;
- (3) kennisgewing van tyd en plek waar 'n verkiesingspetesie sal behandel word deur die Registrateur van die Hooggeregshof aan die betrokke partye minstens veertien dae voor die dag waarop die behandeling sal plaas hê, gestuur word ;
- (4) die hof mag die behandeling van tyd tot tyd en van plaas tot plaas uitstel ;
- (5) waar by die behandeling van 'n verkiesingspetesie waarin die hof gevra word te beslis dat enig ander persoon as die verweerder geregtig is as behoorlik verkies verklaar te word in die plaas van die verweerder, bewys word dat enig persoon wat voor die verweerder gestem het is omgekoopt of onthaal of blootgestel was aan onbehoorlike invloed deur iemand ten behoeve van die verweerder of dat sulk persoon skuldig was aan personasie of aan 'n onwettige praktyk, betaling of huur, sal iedere stem op die verweerder uitgebring deur sulk persoon afgetrek word van die totale aantal stemme uitgebring op die verweerder by die verkiesing ;

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(4) by indiening van die petiesie of binne sewe dae daarna sekuriteit vir die betaling van alle koste, laste en onkoste wat deur die petitioner verskuldig mag word ;

(a) aan enig persoon gedagvaar as 'n getuie vir hom te verskyn ;

(b) aan die lid oor wie se verkiesing of bevoegdheid gekla word (wat hierna die verweerder genoem word) ;

sal gegee word deur of ten behoeve van die petitioner ;

(5) die borgstelling sal die bedrag van driehonderd ponde wees ; en sal of 'n skriftelike verbintenis aangegaan te word deur enig aantal borge, hoogstens vier, of deur 'n deposito in geld by die Registrateur van die Hooggeregshof, of gedeeltelik die ene en gedeeltelik die andere wees.

Dien van
petiesie op
verweerder.

98. Skriftelike kennisgewing van die aanbieding van 'n petiesie kragtens hierdie Ordonnansie en van die aard van die voorgestelde borgstelling vergesel van 'n kopie van die petiesie sal binne tien dae na die aanbieding van die petiesie deur die petitioner op die verweerder gedien word, hetsy persoonlik of deur dit agter te laat aan sy gewone of laasbekende woning of besigheidsplek, en die verweerder kan, indien die borgstelling geheel of gedeeltelik deur skriftelike verbintenis geskied is, deur 'n skriftelike kennisgewing op die petitioner gedien te word op die bogenoemde wyse en binne een-en-twintig dae vanaf die datum van diening op hom van sulke kennisgewing, teen sulk 'n verbintenis beswaar maak op grond dat die borge, of een of meer van hulle, onvoldoende is of dat een borg oorlede is of nie kan gevind word nie of dat iemand wat in die verbintenis is genoem dit nie behoorlik erken het nie.

Hoe besware
teen borg-
stelling te
behandel.

99. Elk beswaar ingebring teen borgstelling gegee sal gehoor en beslis word deur die Hooggeregshof van hierdie Provinsie, of deur 'n regter daarvan. Indien enig beswaar teen die borgstelling toegestaan word, kan die petitioner binne 'n verdere termyn, deur die hof of regter te bepaal, en van hoogstens tien dae, die beswaar ophef deur storting van sulk 'n som in geld as deur die hof of regter sal nodig geag word om die borgstelling voldoende te maak.

Indien op beswaar gemaak die borgstelling beslis word onvoldoende te wees en sulk beswaar word nie opgehef op die hiervoor genoemde wyse nie, dan sal die petiesie nie verder behandel word nie ; maar

(3) iedere stemopnemer, presiderende amptenaar, verkiesingsklerk of kontroleur wat op 'n stembriefie enig merk of skrif plaas nie deur hierdie Ordonnansie gemagtig nie, sal skuldig wees aan 'n oortreding en by veroordeling daarvoor blootstaan aan gevangenisstraf vir enig tydperk van hoogstens twaalf maande met of sonder harde arbeid.

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95. Behalwe soas deur hierdie Ordonnansie gemagtig, sal 'n ieder wat opsetlik of moedwillig die seël verbreek van of enig sulke verseëlde pakket oop, soas hiertevore genoem, tensy hy by wettig bevel van 'n bevoegde hof of andere regbank daartoe of tot die inlewering van 'n gedeelte van die inhoud van sulke pakket gelas is, sal geag word skuldig te wees aan 'n oortreding en by veroordeling blootstaan aan gevangenisstraf vir 'n tydperk van hoogstens twaalf maande met of sonder harde arbeid.

Straf vir
verbreking
van seël
of opening
van pakket.

HOOFTSTUK X.

VERHOOR VAN VERKIESINGSPETIESIES.

96. 'n Petiesie waarin geklaag word oor 'n onwettige verkiesing van 'n raadslid vir enige wyk van 'n munisipliteit weens nie-bevoegdheid, diskwalifikasie, onregmatige of onwettige praktyk, onreëlmatigheid of andersins kan by die Hooggeregshof ingedien word deur :

Verkiesings-
petiesies
kan aan
Hooggeregs-
hof ingedien
word.

- (1) 'n geregistreerde kieser in sulke munisipliteit ;
- (2) een of ander persoon wat beweer dat hy by sulke verkiesing had behoor verkies te word ;
of
- (3) een of ander persoon wat beweer self by die verkiesing 'n kandidaat gewees te het.

Sulke petiesie word hierinlater 'n verkiesingspetiesie genoem.

97. Op die aanbieding van 'n verkiesingspetiesie kragtens hierdie Ordonnansie sal die volgende bepalinge van toepassing wees :—

Voorskrifte
vir sulke
petiesies.

- (1) die petiesie moet onderteken wees deur die petisionaris of al die petisionarisse indien daar meer as een is ;
- (2) die petiesie sal binne sestig dae nadat die uitslag van die verkiesing deur die stemopnemer bekend gemaak is aangebied word ;
- (3) die indiening van 'n petiesie sal geskied deur hom by die Registrateur van die Hooggeregshof in te lewer ;

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weier uit te voer, sal vir iedere sulke oortreding blootstaan aan 'n straf van hoogstens tweehonderd ponde.

(2) Ieder vrederegter, presiderende amptenaar of ander beampte of persoon wat opsetlik enige van die pligte wat hy kragtens die bepalings van hierdie Ordonnansie verplig is uit te oefen, verwaarloos of weier uit te voer, sal vir iedere oortreding blootstaan aan 'n straf van hoogstens vyftig ponde.

Knoei met
stembriefies
en stem-
busse.

92. Ieder presiderende amptenaar of ander persoon wat in 'n stembus 'n stembriefie plaas of wat met sy kennis in 'n stembus geplaas word wat nie wettig aan 'n kieser oorhandig en deur hom gemerk is nie of enig stembriefie of die offisiële merk daarop vervals of namaak of bedrieglik onleesbaar maak of vernietig, sal skuldig wees aan 'n oortreding en sal by skuldig bevinding blootstaan aan gevangenisstraf vir enig tydperk van hoogstens twee jare met of sonder harde arbeid. Die bewys dat 'n groter aantal stembriefies in die stembus gevind word of deur 'n presiderende amptenaar opgegee word as in 'n stemkantoor ontvang te wees as wat die aantal kiesers is wat op sulk stemkantoor gestem het, sal prima facie bewys wees dat die presiderende amptenaar in sulk stemkantoor skuldig was aan 'n oortreding teen hierdie artikkel.

Opsetlik
maak of
indien van
'n valse
vordering.

93. 'n Ieder sal blootstaan aan 'n straf van hoogstens een honderd ponde of aan gevangenisstraf van hoogstens twaalf maande met of sonder harde arbeid, wat:—

(1) Aan 'n amptenaar wat benoem is om die kieserslys te hersien 'n vordering oorhandig of instuur waarvan enige gewigtige besonderheid onwaar is; of

(2) opsetlik sulk 'n vordering laat opmaak of die opmaking daarvan bevorder, of op enigerlei wyse daarby betrokke is.

Straf vir
oopmaak van
vou van
stembriefie.

94. (1) Ieder stemopnemer, presiderende amptenaar, verkiesingsklerk, kontroleur of ander persoon wat opsetlik en moedwillig die vou van 'n stembriefie losmaak waarin die nommer van 'n kieser geskrewe is, tensy hy daartoe gelas is deur 'n wettig bevel van 'n bevoegd hof of andere regbank; en

(2) ieder stemopnemer, presiderende amptenaar, verkiesingsklerk of kontroleur wat trag na te gaan of te ontdek of direk of indirek behulpsaam is by nagaan of ontdek op wie 'n stem uitgebring is, behalwe wanneer iemand opelik stem, of wat in die uitvoering van sy amp te wete kom op wie enig kieser gestem het, en die wetenskap aan iemand meedeel, tensy in antwoord op 'n vraag gedaan tydens die verrigtings voor 'n bevoegd hof of andere regbank; en

betrekking tot 'n verkiesing waaromtrent 'n petiesie deur die hof word gehoor dan sal hy ingestel word binne ses maande nadat die oortreding begaan was of binne drie maande nadat die hof wat 'n verkiesingspetiesie hoor rapport sal uitbring hê, en binne die tydperk wat die laaste verstryk, mits daarmee aangevang word binne twee jare nadat die oortreding begaan was.

(2) Vir die doel van hierdie artikel sal die uitreiking van 'n dagvaarding of bevelskrif of andere maatreël gereken word as die begin van die vervolging, indien die diening of uitvoering daarvan op of teen die beweerde oortreder belet word deur voortvlugtigheid of verberging of handeling van die beweerde oortreder, maar in alle andere gevalle sal die diening daarvan op, of die uitvoering daarvan teen die beweerde oortreder, en nie die uitvaardiging daarvan nie, geag word die aanvang van die vervolging te wees.

88. 'n Ieder beskuldig van onregmatige praktyk kan, indien die omstandighede sulke uitspraak regvaardig, skuldig verklaar word aan onwettige praktyk en enig persoon beskuldig van onwettige praktyk kan aan die oortreding skuldig verklaar word, nieteenstaande dat die daad wat die oortreding uitmaak 'n onregmatige praktyk is, en iemand wat beskuldig staan van onwettige betaling of huur kan aan die oortreding skuldig verklaar word, nieteenstaande dat die daad wat die oortreding uitmaak 'n onregmatige of onwettige praktyk is.

Persone
beskuldig
van
onregmatige
praktyke
kan skuldig
bevind word
aan
onwettige
praktyk, ens.

HOOFTUK IX.

ANDERE OORTREDINGS.

89. 'n Ieder wat deur die presiderende amptenaar sal gelas word die stemkantoor kragtens die bepalings van artikel *nege-en-dertig* te verlaat en sal weier sulks te doen, sal skuldig wees aan 'n oortreding en blootstaan aan 'n boete van hoogstens tien ponde of by wanbetaling aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens een maand.

Persone
deur
presiderende
amptenaar
gelas stem-
kantoor te
verlaat.

90. 'n Ieder wat die verrigtings by 'n verkiesing onderbreek, belemmer of verstoer, sal skuldig wees aan 'n oortreding en blootstaan aan die strawwe genoem in die laasvoorafgaande artikel.

Belemmering
van
verkiesings.

91. (1) Ieder stemopnemer wat, nadat hy sy amp as sulks aanvaar het, opsetlik enige van die pligte welke hy kragtens die bepalings van hierdie Ordonnansie verplig is uit te voer verwaarloos of

Straf vir
nalatigheid
van stem-
opnemer,
ens.

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(d) dat die verkiesing, vir so ver die kandidaat betref, in alle andere opsigte vry was van onregmatige of onwettige praktyk ; dan sal die verkiesing van sulke kandidaat nie weens die oortredings in die beslissing vermeld van onwaarde wees nie, nog sal die kandidaat kragtens hierdie Ordonnansie onderwerp wees aan enige onbevoegdheid.

Bevoegdheid van hof 'n onskuldige handeling nie as onwettige praktyk aan te merk nie.

84. Indien dit aan die hof blyk dat 'n daad of versuim van 'n kandidaat by enige verkiesing, of van sy agent of van enig ander persoon, wat, as synde 'n betaling, aanstelling of kontrak in stryd met hierdie Ordonnansie, of synde andersins in stryd met enige van die bepalinge van hierdie Ordonnansie, onder hierdie artikel 'n onwettige praktyk, betaling of huur sou wees, is ontstaan deur onagsaamheid of toevallige misrekening, of deur een of andere redelike oorsaak van dergelyke aard, en in elk geval nie voortkwam uit gebrek aan goeie trou nie, en indien dit onder die omstandighede aan die hof billik voorkom dat die kandidaat, sy agent of ander persoon, of een of ander van hulle, nie sal onderwerp wees nie aan die gevolge deur hierdie Ordonnansie verbind aan die daad of versuim, kan die hof beslis dat die daad of versuim sal beskou word as 'n eksepsie op die bepalinge van hierdie Ordonnansie, wat hulle anders sou maak tot 'n onwettige praktyk, betaling of huur, en sulke kandidaat, agent of persoon sal dan nie onderwerp wees nie aan enige van die gevolge deur hierdie Ordonnansie aan die gesegde daad of versuim verbind.

DISKWALIFIKASIE VAN KIESERS.

Verbod tot stemming van persone skuldig aan onregmatige of onwettige praktyke, ens.

85. 'n Ieder wat skuldig is aan onregmatige of onwettige praktyk of aan onwettige betaling of huur by 'n verkiesing is by sulke verkiesing van stemming uitgesluit en indien enig sulke persoon stem, dan sal sy stem van onwaarde wees.

Verbod aan uitgeslote persone om te stem.

86. Aan 'n ieder wat weens veroordeling deur of die rapport van die hof, kragtens hierdie Ordonnansie of enige andere Wet wat dan van krag sal wees en betrekking het op onregmatige of onwettige praktyke onbevoeg geword is om by enige verkiesing te stem, is verbied by sulke verkiesing te stem, en indien sulke persoon stem sal sy stem van onwaarde wees.

BEPERKING VAN TYD VIR VERVOLGINGS.

Beperking van tyd vir vervolging weens oortreding.

87. (1) 'n Vervolging teen iemand weens die oortreding van onregmatige of onwettige praktyk of weens enige andere oortreding teen hierdie hoofstuk sal ingestel word binne ses maande nadat die oortreding begaan was of indien begaan was met

Mits dat niks in hierdie artikel toepaslik sal wees op enig deel van sulke gebou wat gewoonlik verhuur of gebruik word vir die doel van woonvertrekke, kantore of winkels of andere besigheidsplekke, of vir hou van publieke vergaderings indien sulke deel 'n afsonderlike ingang het van en geen verbinding met enig ander deel van die huis nie waarin bedwelmende drank of verversings verkoop of verstrekk word as voorsê.

81. Sonder afbreuk te doen aan die voorafgaande bepalings aangaande die oortreding van omkoperij—

(1) sal iemand skuldig aan die oortreding van onwettige betaling of huur by summere veroordeling blootstaan aan 'n boete van hoogstens vyftig ponde; en by wanbetaling aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens drie maande;

(2) sal 'n kandidaat of 'n agent van 'n kandidaat wat persoonlik skuldig is aan die oortreding van onwettige betaling of huur, skuldig wees aan 'n onwettige praktyk.

Straf vir onwettige betaling van huur.

82. Geen aksie of geregtelike vervolging sal ontvanklik wees nie indien ingestel deur 'n gelisensieerde kantienhouer of enig eienaar of houer van enige winkel, kraam, tent of andere gemaklikheidsplek teen 'n kandidaat of 'n agent van enige sulke kandidaat vir enige drank, voedsel of verversing van enigerlei aard, hetsy vir mens of dier, aan sulke kandidaat of agent op krediet verstrekk gedurende hou van enige verkiesing kragtens hierdie Ordonnansie.

Aksies vir drank of verversing by verkiesings verstrekk nie ontvanklik nie.

VERONTSKULDIGINGS EN UITSONDERINGS VIR ONREGMATIGE OF ONWETTIGE PRAKTYKE OF ONWETTIGE BETALING VAN HUUR.

83. Indien die hof na die behandeling van 'n verkiesingspetisie beslis dat 'n kandidaat by sulke verkiesing deur sy agente is skuldig geword aan onthaal en onbehoorlike invloed uitoefen en onwettige praktyk of aan enige van sulke oortredings in verband met sulke verkiesing en dat die kandidaat verder bewys het—

Rapport wat kandidaat in sekere gevalle onthef van onwettige praktyk van agente.

(a) dat by die verkiesing deur die kandidaat self geen onregmatige of onwettige praktyk was begaan nie, en dat die oortreding in genoemde beslissing vermeld begaan was teen sy bevel en sonder sy toestemming of toelating;

(b) dat sulke kandidaat alle redelike maatreëls geneem het om onregmatige en onwettige praktyke by sulke verkiesing te voorkom;

(c) dat die oortredings in die beslissing genoem van 'n onbeduidende, onbelangrike en beperkte aard was; en

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'n tydperk van drie jare vanaf die datum van sulke beslissing, of enige regterlike betrekking of die amp van vrederegter kan beklee, en hy sal verder onderwerp wees aan dieselfde onbevoegdheid indien hy deur 'n bevoegde hof is skuldig bevind aan 'n onwettige praktyk.

ONWETTIGE BETALING EN HUUR.

Persones wat geld verskaf in stryd met hierdie Ordonnansie skuldig aan onwettige praktyk.

77. 'n Ieder wat voorbedagtelik geld verskaf vir 'n betaling wat in stryd is met die bepalinge van hierdie Ordonnansie, of vir vervanging van enig geld gespandeer aan sulke betaling, behalwe waar dit kragtens hierdie Ordonnansie as 'n uitsondering is toegelaat, sal skuldig wees aan onwettige betaling.

Onregmatige terugtrekking van 'n kandidatuur.

78. 'n Ieder wat onregmatig iemand beweeg of oorhaal sig as kandidaat by enige verkiesing terug te trek teen betaling of belofte van betaling en 'n ieder wat sig tengevolge van sulke beweegredes of oorhaling terugtrek, sal skuldig wees aan onwettige betaling.

Naam en adres van drukker of plakkate.

79. Ieder stroobiljet, aanplakbiljet, pamflet of ander drukwerk wat op 'n verkiesing betrekking het, sal aan die voorsy daarvan die naam en adres van die drukker en uitgewer daarvan dra, en 'n ieder wat enige sulke voorgesde drukwerk druk, uitgee of aanplak of laat druk, uitgee of aanplak waarop aan die voorsy die naam en adres van die drukker en uitgewer ontbreek sal, indien hy die kandidaat of die agent van die kandidaat is, skuldig wees aan 'n onwettige praktyk, en indien hy nie die kandidaat of die agent van die kandidaat is nie, sal hy skuldig wees aan onwettige betaling.

Gebruik van komiteekamer in gebou vir verkoop van bedwelmende drank of verversings sal onwettige huur wees.

80. Dit sal nie wettig wees nie te gebruik—

(a) enig gebou waar die verkoop in klein van enige bedwelmende drank deur 'n lisensie gemagtig is ;

(b) enig gebou waar enige bedwelmende drank verkoop of verstrekk word aan lede van 'n klub, vereniging of assosiasie ;

of enig deel van enig sulk gebou as 'n komiteekamer vir die doel om die verkiesing van 'n kandidaat by 'n verkiesing te bevorder of te verseker.

'n Ieder wat—

enig sulk gebou of enig deel daarvan vir 'n komiteekamer huur of gebruik ; of

sulk gebou of deel verhuur wetende dat dit bedoel was gebruik te word as 'n komiteekamer ;

sal skuldig wees aan onwettige huur.

leiding of bestuur van sulke verkiesing, geen g'olde betaal en geen onkoste beloop word nie bo die maksimum bedrag daarvoor in hierdie Ordonnansie bepaal.

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(2) Onderwerp aan sulke uitsondering as wat mag toegestaan wees kragtens hierdie Ordonnansie, sal geen vordering vir enige onkoste gemaak vir of in verband met die leiding of bestuur van 'n verkiesing betaal word in stryd met die bepalings van artikel *seven-en-vyftig* van hierdie Ordonnansie. Enig kandidaat of verkiesingsagent of enig ander persoon wat voorbedagtelik handel in stryd met hierdie artikel sal skuldig wees aan 'n onwettige praktyk; mits steeds dat nieteenstaande enigiets daarmee in stryd in artikel *ses-en-sewentig* van hierdie Ordonnansie, indien die hof op 'n verkiesingspetisie beslis dat deur 'n kandidaat bewys is dat sekere betaling deur 'n verkiesingsagent gedaan in stryd met hierdie subseksie gedaan was sonder toestemming of toelating van die kandidaat, die verkiesing van sulk kandidaat nie ongeldig sal wees nie, nog sal hy onderwerp wees aan enige onbevoegdheid kragtens hierdie Ordonnansie alleen omdat die betaling gedaan is in stryd met hierdie subseksie.

75. (1) Niemand sal met die doel die verkiesing van 'n kandidaat by enige verkiesing te bevorder of te verkry in diens geneem word of werksaam wees vir betaling of belofte van betaling vir enig doel of in welke hoedanigheid ook, behalwe vir die doeleindes van of in die hoedanighede genoem in hierdie Ordonnansie, of behalwe in so ver as betaling deur hierdie Ordonnansie gemagtig is.

Niemand sal werk verrig teen betaling, behalwe soos in hierdie Ordonnansie gemagtig.

(2) Behoudens sulke uitsondering as mag toegestaan word kragtens hierdie Ordonnansie, sal, indien iemand in diens geneem of gebruik word in stryd met hierdie artikel, hetsy voor, gedurende of na 'n verkiesing, die persoon wat hom in diens neem of gebruik skuldig wees aan 'n onwettige praktyk, en die persoon aldus in diens geneem of gebruik sal eweneens skuldig wees aan 'n onwettige praktyk indien hy geweet het dat hy in diens geneem of gebruik was in stryd met die wet.

76. Indien die hof, na behandeling van 'n verkiesingspetisie beslis dat bewys is dat by sulke verkiesing enige onwettige praktyk begaan is deur of met medewete en toestemming van enig kandidaat by sulke verkiesing of sy verkiesingsagent, sal die verkiesing van sulk kandidaat, indien hy verkies is, van onwaarde wees en hy sal nie kan verkies word as raadslid vir enige munisipaliteit nie vir

Straf vir toelaat van onwettige praktyke deur kandidaat.

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blootstaan aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens twee jare.

(3) Iemand wat skuldig bevind word aan kwaai praktyk sal, buite en behalwe die hiervoren bepaalde strawwe, gedurende vyf jare na die dag van sy veroordeling nie kan ingeskrewe word as kieser of verkies word as raadslid van enige munisipaliteit nie, en nie kan benoem word in enige regterlike betrekking of as vrederegter nie, en indien verkies as raadslid sal sy setel vakant wees vanaf die tyd van sulke veroordeling.

ONWETTIGE PRAKTYKE.

Stem deur onbevoegde persone en publikasie van valse verklarings van aftreding onwettig.

71. (1) Indien iemand stem of iemand anders bevoeg of aansit te stem by 'n verkiesing, wetende dat dat dit hom of sulk persoon deur hierdie of enige andere Ordonnansie verbied is te stem, of nie bevoeg is nie of opgehou het bevoeg te wees te stem by sulke verkiesing, dan sal hy skuldig wees aan 'n onwettige praktyk.

(2) 'n Ieder wat voor of tydens 'n verkiesing opsetlik 'n valse verklaring van die terugtrekking van 'n kandidaat by sulke verkiesing publiseer vir die doel die verkiesing van 'n ander kandidaat te bevorder of te bewerk, sal skuldig wees aan 'n onwettige praktyk.

Onwettige praktyk.

72. 'n Ieder wat te eniger tyd na die publikasie van die kennisgewing genoem in artikel *dertig* van hierdie Ordonnansie en voor die sluiting van die stemming genoem in artikel *een-en-dertig* enig dokument of geskrif of drukwerk publiseer of openbaar bekend maak of laat publiseer of openbaar laat bekend maak wat enige onware verklaring inhou, lasterlik vir enig kandidaat en bereken invloed uit te oefen op die stem van enig kieser, sal skuldig wees aan onwettige praktyk.

Straf by skuldig bevinding aan onwettige praktyk.

73. Iemand wat skuldig bevind word aan 'n onwettige praktyk, hetsy kragtens die laasvooraangaande artikels of kragtens die hierna genoemde bepalings, sal na summiere veroordeling blootstaan aan 'n boete van hoogstens vyf-en-sewentig ponde of aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens ses maande, en sal verder gedurende 'n tydperk van twee jare vanaf die datum van sy veroordeling nie as kieser kan ingeskrewe word nie of te stem by enige verkiesing gehou vir die kiesdistrik waarin die onwettige praktyk begaan was.

Geen onkoste toegestaan bo die maksimum in hierdie Ordonnansie bepaal nie.

74. (1) Onderwerp aan sulke uitsondering as wat mag toegestaan word kragtens hierdie Ordonnansie, sal deur 'n kandidaat by 'n verkiesing of sy verkiesingsagent of ander persoon, hetsy voor, gedurende of na 'n verkiesing, voor of met betrekking tot die

direk of indirek, geld betaal ten behoeve van enig kieser met die doel hom te bewege te stem of sig van stemming te onthou; en ieder persoon ten behoeve van wie en met wie sy medewete sulke oordrag, transport of betaling as in hierdie artikel vermeld, gedoen is, sal geag word skuldig te wees aan omkoperij; en

(10) Ieder kandidaat wat self of deur sy agent 'n vergadering van kiesers belê of hou in enig gebou gelisensieer vir die verkoop van drank kragtens die Dranklisensies Ordonnansie, 1902, en enige wysiging daarvan, sal skuldig geag word aan omkoperij; mits dat niks in hierdie subseksie van toepassing sal wees op enig deel van sulk gebou wat gewoonlik verhuur of gebruik word vir die doel van woonkamers of kantore, winkels of andere besigheidsplekke of hou van publieke vergaderings indien sulk deel 'n afsonderlike ingang het van en geen direkte verbinding met enig deel van die gebou waar bedwelmende drankte of verversings word verkoop of verstrekk.

68. 'n Ieder wat by 'n verkiesing 'n stembriefie aanvra op die naam van iemand anders, hetsy dat die naam is van 'n lewend of dood persoon of van 'n verdigte persoon, of wat reeds eenmaal by sulke verkiesing gestem het, by dieselfde verkiesing 'n stembriefie aanvra in sy eie naam, sal skuldig wees aan personasie.

Definiesie
van
personasie.

69. Indien die hof na die behandeling van 'n verkiesingspetisie beslis dat met betrekking tot sulke verkiesing kwaai praktyke uitgeoefen is deur of met medewete en toestemming van enig agent van 'n kandidaat by sulke verkiesing, dan sal die verkiesing van die kandidaat, indien hy verkies is, van nul en onwaarde wees; en indien sulke oortreding begaan is deur of met medewete en toestemming van die kandidaat of sy verkiesingsagent, dan sal, behalwe dat die verkiesing van onwaarde verklaar word, sulk kandidaat vir 'n tydperk van vyf jare nie verkiesbaar wees as raadslid nie vir enige munisipaliteit of nie benoembaar wees in enige regterlike betrekking of as vrederegter nie.

Straf vir
kandidaat
wat self of
deur sy
agent skuldig
is aan
kwaai
praktyk.

70. (1) Iemand wat sig skuldig maak aan andere kwaai praktyke so as personasie of medepligtigheid aan, raadgee by of bevorder van die oortreding van personasie, sal by skuldig bevinding blootstaan aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens twee jare of aan 'n boete van hoogstens vyfhonderd ponde.

Straf vir
iemand
skuldig aan
kwaai
praktyke.

(2) Iemand wat die oortreding van personasie begaan of medepligtigheid daaraan, raadgee by of bevorder van dié oortreding, sal by skuldig bevinding

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Art. 67.

te verskaf enig amp, betrekking of werk, of enig voordeel, bevordering of verryking aan of vir enig kieser, of aan of vir iemand anders ten behoeve van enig kieser, of aan of vir 'n ander persoon, ten-einde enig sulk kieser te beweeg te stem of sig van stem te onthou, of op onregmatige wyse een van die voornoemde handelinge te verrig omdat 'n kieser by 'n verkiesing gestem het of sig van stem onthou het;

(4) 'n Ieder wat direk of indirek, self of deur sy agent, sulk 'n geskenk, lening, aanbod, belofte, bemiddeling of ooreenkoms as voorsê, doen of aangaan met iemand om hom te beweeg iemand se verkiesing as raadslid te bewerk of trag te bewerk, of om die stem van 'n kieser by 'n verkiesing te verskaf;

(5) 'n Ieder wat na of tengevolge van sulk 'n geskenk, lening, aanbod, belofte, bemiddeling of ooreenkoms beloftes aanneem of pogings aanwend om iemand se verkiesing as raadslid te bewerk, of die stem van 'n kieser te verskaf by 'n verkiesing;

(6) 'n Ieder wat geld voorskiet of betaal of laat betaal aan of vir die gebruik van iemand anders met die doel dat die geld of 'n gedeelte daarvan sal gebruik word vir omkoperij by 'n verkiesing, of wat desbewus aan iemand geld betaal of laat betaal as kwyting of terugbetaling van enig geld geheel of gedeeltelik vir omkoperij by 'n verkiesing besteed; mits steeds dat hierdie bepaling sig nie sal uitstrek nie tot, of toegepas word op gelde betaal of belowe te betaal vir enige wettige onkoste bona fide gemaak by of met betrekking tot 'n verkiesing;

(7) Ieder kieser wat voor of gedurende 'n verkiesing direk of indirek, self of deur sy agent, enig geld, geskenk, lening, of geldswaardige beloning, amp, betrekking of werk, vir sig self of vir iemand anders ontvang, aanneem of sig daartoe verbind, vir stem of vir 'n belofte om te stem, of vir onthouding van stemming of belofte om sig van stem by enige verkiesing te onthou;

(8) 'n Ieder wat na 'n verkiesing direk of indirek, self of deur sy agent, geld of geldswaardige beloning ontvang omdat iemand gestem het of sig van stemming onthou het, of omdat hy iemand anders oor-gehaal het te stem of sig by enige verkiesing van stemming te onthou;

(9) 'n Ieder wat, hetsy direk of indirek, self of deur sy agent, enig eiendom op onregmatige wyse oormaak of transporteer, of aan iemand geld betaal met die doel hom in staat te stel as 'n raadslid bevoeg te word of as kieser ingeskrewe te word, om daardeur by 'n latere verkiesing invloed te hê op sy stem, en ieder kandidaat of ander persoon wat, hetsy

enig vleis, drank, vermaaklikheid, losies of verskaffing aan of voor enig persoon vir die doel dié persoon of enig ander persoon bedrieglik oor te haal sy stem te gee aan of sy stem te onthou by die verkiesing, of omrede dat die persoon of iemand anders gestem het of sig van stem te onthou by sulke verkiesing, of sal stem of sig van stem sal onthou by sulke verkiesing; en

(2) Ieder kieser wat sig laat omkoop deur sulke kos of drank aan te neem of aanneem, of onthaal, losies of onderhoud; sal geag word skuldig te wees aan onthaal.

66. (1) Ieder wat, direk of indirek, self of deur iemand anders namens hom gebruik maak van, of dreig gebruik te maak van enige mag, geweld of dwang, of dreig enige saaklike of geestelike skade, nadeel of verlies aan iemand toe te bring hetsy elf of deur iemand anders, of aan iemand enig kwaad doen of dreig te doen om so iemand te beweeg of te dwing om te stem of sig van stem te onthou, of omdat so iemand gestem het of sig van stem onthou het by enige verkiesing; en

Definiesie
van
onbehoorlike
invloed.

(2) Ieder wat deur ontvoering, onwettige gevangehouding of op enige onregmatige wyse die vyfde uitoefening van die stemreg deur 'n kieser belemmer of belet, of enig kieser daardeur dwing, beweeg of oorhaal om sy stem by 'n verkiesing te gee of te onthou, sal geag word skuldig te wees aan onbehoorlike invloed.

67. (1) 'n Ieder wat direk of indirek, self of deur sy agent, gee, leen of belof te gee of te leen, of aanbied, belof of belof te verskaf of te trag te verskaf enig geld of geldswaardige beloning aan of vir 'n kieser, of aan of vir iemand anders te behoewe van enig kieser of aan of voor iemand anders, ten einde 'n kieser te beweeg te stem of sig van stem te onthou, of op onregmatige wyse een van die voornoemde handeling verrig omdat sulk 'n kieser by 'n verkiesing gestem het of sig van stem onthou het;

Definiesie
van
omkoperij.

(2) 'n Ieder wat direk of indirek, self of deur sy agent, gee, leen of belowe te gee of te leen, of aanbied, belowe, of belowe te verskaf of te trag te verskaf enig geld of geldswaardige beloning aan of vir 'n kieser of aan of vir iemand anders ten behoewe van 'n kieser, of aan of vir 'n ander persoon om voor of gedurende enige verkiesing deel te neem aan of aan te sluit by 'n optog;

(3) 'n Ieder wat direk of indirek, self of deur sy agent gee of verskaf, of belowe te gee of te verskaf, of aanbied, of belowe, of belowe te verskaf of te trag

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Ordonnansie omtrent 'n verkiesingsagent sal aangemerkt word eweneens betrekking te hê op die kandidaat wat optree in sy hoedanigheid van verkiesingsagent.

(3) Nie later as twaalf uur smiddags nie op die nominasiedag sal die volle naam en adres van die verkiesingsagent deur die kandidaat of iemand anders namens hom skriftelik aan die stemopnemer opgegee word en die stemopnemer sal onmiddellik van die naam en adres van iedere verkiesingsagent so opgegee kennis gee deur publikasie in 'n nuusblad wat in die munisipaliteit sirkuleer, en indien geen sulke skriftelike opgawe sal gedoen word as voorsê sal die kandidaat geag en aangesien word sy eie verkiesingsagent te wees, en hy kan geen verkiesingsagent meer aanstel in die sin van hierdie Ordonnansie nie.

(4) Daar sal slegs een verkiesingsagent vir elk kandidaat of enig aantal gesaamlike kandidate benoem word, dog die benoeming kan herroep word en in geval van sulke herroeping sal die kandidaat geag en aangesien word as sy eie verkiesingsagent tensy sulke herroeping plaas het op of voor die nominasiedag of minstens drie volle dae voor die dag bepaal vir die stemming, in welk geval die kandidaat onmiddellik op sulke herroeping in geskifte kan verklaar, in geen geval minder as drie volle dae voor die stemdag, afgelewer te word aan die stemopnemer, dat hy 'n andere verkiesingsagent benoem wie se naam en adres deur die stemopnemer sal bekend gemaak word deur publikasie in 'n nuusblad wat in die munisipaliteit sirkuleer.

(5) Die verkiesingsagent van 'n kandidaat sal iedere stemagent, kontroleur, klerk en bode wat teen betaling by 'n verkiesing in diens is ten behoeve van die kandidaat benoem, en sal iedere komiteekamer ten behoeve van sulke kandidaat huur.

HOOFTUK VIII.

ONREGMATIGE EN ONWETTIGE PRAKTYKE.

Definisie van onregmatige praktyke.

64. "Onregmatige praktyk" beteken enige van die volgende oortredings: onthaal, onbehoorlike invloed uitoefen, omkopery en personasie en medeplichtigheid daaraan, begaan van enige van sulke oortredings aan te moedig en te bewerk.

Definisie van onthaal.

65. (1) 'n Ieder wat persoonlik of deur enig ander persoon hetsy voor, gedurende of na 'n verkiesing direk of indirek gee of verstrek of betaal geheel of gedeeltelik die onkoste van verskaf of lewer van

verlof van die Hooggeregshof op petiesie ingedien kragtens artikel *twée-en-sestig* van hierdie Ordonnansie, ingestuur het.

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(2) Die stemopnemer sal in die magistratshof elke nie-geslaagde kandidaat vervolg wat versuim het die genoemde staat in te dien, en die genoemde kandidaat sal blootstaan aan 'n boete van vyftig ponde, en by wanbetaling aan gevangenisstraf vir 'n tydperk van een maand, tensy die magistraat oortuig is dat sy versuim die genoemde staat in te dien ontstaan is deur siekte, onagsaamheid of enige redelike oorsaak van 'n soortgelike aard en nie deur gebrek aan goeie trou nie.

61. Indien op petiesie aan die Hooggeregshof teen die verkiesing van 'n kandidaat sal bewys word dat die staat vereis in artikel *ag-en-vyftig* nie behoorlik ingedien is nie of indien verkiesingskoste sal bewys word vir andere sake as die volgens artikel *vier-en-vyftig* geoorloof is, of meer as volgens artikel *vyf-en-vyftig* geoorloof is, sal die verkiesing nietig verklaar word tensy die kandidaat ten genoewe van die hof sal bewys dat sulke koste nog direk nog indirek deur hom of deur iemand anders of sy agent of verteenwoordiger gemaak is, of dat hy nog direk nog indirek die koste op enigerlei wyse toegestaan, aangemoedig of goedgekeur het.

Kandidaat
moet bewys
geen
onwettige
koste
gemaak te
hê nie.

62. Nietenstaande enigets vervat in die laasvooraangaande artikel, mag die hof, indien enig kandidaat voor die Hooggeregshof bewys dat sy versuim 'n staat of betaalbewys in te dien soos vereis deur artikel *ag-en-vyftig* ontstaan is weens siekte of onagsaamheid of enige redelike oorsaak van dergelike aard en nie deur gebrek aan goeie trou nie; of dat enige fout, weglating of valse verklaring in die staat of betaalbewyse ingedien op soortgelike wyse ontstaan is, die indiening van die staat of betaalbewyse toestaan of van 'n nuwe staat of betaalbewyse of die wysiging van ingediende staat of betaalbewyse, en mag die kandidaat van alle verantwoordelikheid in die saak vryspreek.

Versuim
state in te
dien.

63. (1) Nie later as twaalf uur smiddags nie op die nominasiedag by 'n verkiesing, sal deur of namens elk kandidaat iemand benoem word as sy agent vir sulke verkiesing, in hierdie Ordonnansie die verkiesingsagent genoem.

Verkiesings-
agent.

(2) 'n Kandidaat kan sigself as verkiesingsagent benoem en sal dan, so ver die omstandighede dit veroorloof, aan die bepalings van hierdie Ordonnansie onderwerp wees, so wel as kandidaat en as verkiesingsagent, en alle verwysing in hierdie

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(8) Indien bewys gelewer word ten genoeg van die hof, kan die hof, op versoek van eiser of van die kandidaat of sy verkiesingsagent, by order verlof verleen vir die betaling deur 'n kandidaat of sy verkiesingsagent van 'n betwiste vordering of van 'n vordering vir enige sulke voornoemde koste ofskoon ingedien na die tyd in hierdie artikel genoem vir insending van vorderinge of al was die vordering gestuur aan die kandidaat en nie aan die verkiesingsagent nie.

(9) Enige som genoem in die verloforder kan deur die kandidaat of sy verkiesingsagent betaal word, en wanneer betaal kragtens sulke verlof, sal hy geag word betaal te wees binne die tyd deur hierdie Ordonnansie bepaal.

State.

58. Binne veertig dae nadat die uitslag van enige verkiesing verklaar is, sal ieder kandidaat by sulke verkiesing en in die geval van gesaamlike kandidate, te saam, voor 'n vrederegter of 'n kommissaris van ede en by die stemopnemer, en 'n juiste opgawe van sy verkiesingskoste invul in die vorm vermeld in die hierby gevoegde Vyfde Skedule inlewer wat aantoon:—

(a) Al die gelde verstrek vir verkiesingskoste kragtens artikel *ses-en-veftig* ;

(b) al die betalings gemaak, gestaaf deur rekeninge en kwitansies hierna betaalbewyse genoem ;

(c) al die betwiste en onbetaalde vorderinge.

Publikasie
en ter
insae lê van
state.

59. Die stemopnemer by 'n verkiesing sal, wat betref alle state en betaalbewyse ingelewer kragtens hierdie hoofstuk—

(1) onmiddellik in die *Prowinsiale Koerant* besonderhede publiseer van die totale bedrag van die verkiesingskoste van die kandidaat gerangskik onder die hoofde van die paragafe in artikel *vier-en-veftig* ;

(2) die state en betaalbewyse gedurende drie maande na ontvangs op redelike tyde kosteloos ter insage lê vir die publiek ;

(3) gedurende dieselfde tydperk afskrifte of uittreksels van die state en betaalbewyse verstrek teen ses pennies per bladsy van twee-en-sewentig woorde.

Versuim
staat van
verkiesings-
koste in te
dien.

60. (1) 'n Kandidaat verklaar verkies te wees kragtens die bepalings van hierdie Ordonnansie, wat versuim binne die tydperk voorgeskrewe in artikel *ag-en-veftig* hiervan die opgawe in te dien vereis deur die genoemde artikel sal, na verloop van die tydperk geen sitting neem of stem as 'n stadsraadslid nie totdat hy die genoemde staat met

56. Alle gelde deur iemand anders as die kandidaat verskaf vir enige verkiesingskoste sal direk aan die kandidaat persoonlik betaal word.

Betalings
aan die
kandidate.

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57. (1) Iedere betaling gemaak deur 'n verkiesingsagent, hetsy deur homself of 'n subagent, aan onkoste beloop vir of in verband met die leiding of reëling van 'n verkiesing sal, tensy 'n rekening in die geheel minder bedra as veertig sielings, gestaaf word deur 'n opgawe van al die besonderhede en deur 'n kwitansie.

Indiening
en betaling
van
vorderings
vir
verkie-
sings-
koste.

(2) Iedere vordering by 'n verkiesing teen 'n kandidaat of sy verkiesingsagent weens koste gemaak ten behoeve van of in verband met die leiding of reëling van sulke verkiesing, wat nie aan die verkiesingsagent gestuur word binne die tyd deur hierdie Ordonnansie bepaal nie, sal uigesluit en nie betaal word nie.

(3) Behalwe as deur hierdie Ordonnansie toegestaan sal die tydsgrens deur hierdie Ordonnansie bepaal vir instuur van vorderinge een-en-twintig dae wees na die dag waarop die kandidate verklaar word verkies te wees.

(4) Alle onkoste deur of ten behoeve van 'n kandidaat by 'n verkiesing gemaak vir of in verband met die leiding of reëling van sulke verkiesing, sal betaal word binne die tyd deur hierdie Ordonnansie bepaal, en nie anders nie.

(5) Behalwe soas deur hierdie Ordonnansie is toegestaan sal die tyd deur hierdie Ordonnansie bepaal vir die betaling van sulke van die voornoemde onkoste dertig dae wees na die dag waarop die verkiesde kandidate verklaar word verkies te wees.

(6) Indien die verkiesingsagent 'n vordering aan hom ingedien binne die tyd deur hierdie Ordonnansie bepaal, betwis of weier of in gebreke bly te betaal binne die genoemde tydperk van dertig dae dan sal sulke vordering geag word 'n betwiste vordering te wees.

(7) Die eiser kan, indien hom dit goeddink, by 'n bevoegde hof 'n aksie instel vir 'n betwiste vordering en enige som deur die kandidaat of sy agent betaal tengevolge van 'n vonnis of order van sulk hof sal geag word betaal te wees binne die tyd deur hierdie Ordonnansie bepaal, en 'n vrystelling te wees van die bepaling van hierdie Ordonnansie waarby voldoening word voorgeskrewe van vorderinge deur die verkiesingsagent; mits dat vir die doeleindes van hierdie subseksie "bevoegd hof" "magistraats-hof" sal insluit.

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Bedrag aan
uitgawe
toegestaan.

55. Verkiegingsonkoste in verband met enige verkiesing bo die volgende skale sal nie erken word nie :—

- (1) Vir elk kandidaat eenhonderd ponde, en 'n verdere twee ponde vir iedere eenhonderd ingeskrewe kiesers bo vyfhonderd.
- (2) Waar daar twee of meer gesaamlike kandidate is by 'n verkiesing—
 - (a) vir enig enkel van sulke kandidate die volle bedrag genoem in subseksie (1) ;
 - (b) vir elk van die owerige gesaamlike kandidate een-vierde van die bedrag genoem in subseksie (1).

Waar dieselfde verkiesingsagent aangestel is deur of namens twee of meer kandidate by 'n verkiesing, of waar twee of meer kandidate onderling of enige agent of agente dieselfde komiteekamer huur of gebruik vir sulke verkiesing en gebruik maak van die dienste van dieselfde klerke, bodes of stemagente by sulke verkiesing of 'n gesaamlik adres of gesaamlike sirkulêre publiseer by sulke verkiesing, sal dié kandidate vir die doel van hierdie bepaling geag word gesaamlike kandidate by sulke verkiesing te wees ; mits dat—

- (i) die aanhouding en gebruik van dieselfde komiteekamer, klerk, bode of stemagent, indien toevallig en van 'n onbeduidende en onbelangrike aard, op sigself nie sal geag word persone tot gesaamlike kandidate te maak nie ;
- (ii) niks in hierdie Ordonnansie kandidate sal belet op te hou gesaamlike kandidate te wees ;
- (iii) waar enige uitgawe vir een van twee of meer gesaamlike kandidate die geoorloofde maksimum oorskry het deurdat hy het opgehou 'n gesaamlike kandidaat te wees of deurdat hy met andere gesaamlike kandidate geword is nadat hy begin was sy verkiesing as 'n afsonderlike kandidaat te lei, en dat sulk ophou of begin te goeder trou was en dat die maksimum nie meer is as onder die omstandighede redelik is nie, en die totale uitgawe van sulk kandidaat nie die maksimum bedrag toegestaan vir 'n afsonderlike kandidaat oortref nie, dan sal sulke oorskryding geag word deur 'n redelike oorsaak ontstaan te wees in die sin van die bepalings omtrent die toelating deur die hof van 'n afwyking van die bepalings van hierdie Ordonnansie, wat anders 'n handeling sôu uitmaak tot 'n onwettige praktyk, en die kandidaat en sy verkiesingsagent kan dienooreenkomstig onthef word van die gevolg deur sulke onkoste oorskry te hê.

51. Die Administrateur sal bevoeg wees van tyd tot tyd instruksies uit te vaardig en regulasies te maak vir die doel van doelmatiger toepassing van die bepalings van hierdie Ordonnansie ten opsigte van die verrigtings vir verkiesing deur stemming, mits dat sulke instruksies en regulasies nie in stryd is met die bepalings daarvan nie.

Die Administrateur mag regulasies maak en instruksies uitvaardig.

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52. Geen verkiesing sal ongeldig verklaar word nie ter oorsake van enige fout of nie-voldoening aan die bepalings van hierdie Ordonnansie indien dit die hof wat met die kwessie bekend is blyk dat die verkiesing gehou was volgens die beginsel in hierdie Ordonnansie neergelê en dat sulke fout of nie-voldoening van geen invloed op die uitslag van die verkiesing was nie.

Onbelangrike foute nie van invloed op die geldigheid van verkiesings nie.

HOOFSTUK VII.

VERKIESINGSONKOSTE.

53. "Verkiesingsonkoste" sluit in hierdie en die eersvolgende hoofstuk alle gelde in gespandeer of uitgawe beloop deur of namens enig kandidaat of in verband met enige verkiesing.

Verkiesingsonkoste.

54. Geen verkiesingsonkoste sal erken word behalwe in die volgende gevalle nie:—

Uitgawe toegestaan.

- (1) Aankoop van verkiesingslyste.
- (2) Druk, adverteer, publiseer, uitgee en uitdeel van pamflette deur die kandidate, aanplakbiljetten en andere gedrukte stukke waarin die steun van kiesers gevra word en kennisgewings van vergaderings.
- (3) Skryfbehoeftes, boodskappe, porto's en telegramme.
- (4) Een komiteekamer vir elk stemkantoor.
- (5) Publieke vergaderings en sale daarvoor.
- (6) Ondersoekers.
- (7) Een verkiesingsagent vir elke kandidaat of vir enig aantal gesaamlike kandidate.
- (8) Een stemagent by elk stemkantoor en nie meer nie.
- (9) Een klerk en een bode vir verrigting van werksaamhede in sulke komiteekamer en die huur van een telefoon en een skryfmasjien vir elke komiteekamer.
- (10) Die redelike en werklik persoonlike onkoste van die kandidaat wat hoogstens vyftig ponde sal bedra.
- (11) Huur van voertuie.

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Watter
stembriefies
verwerp sal
word.

finale wees onderwerp aan hersiening op aanvraag aan of aksie in die Hooggeregshof vraende dat die verkiesing ongeldig verklaar word.

47. Die stemopnemer sal enige stembriefies verwerp en nie meetel nie wat—

- (a) die offisiële merk nie dra nie ;
- (b) stemme toeken aan meer kandidate as waartoe die kieser tot stem geregtig is ;
- (c) voorsien is van enig geskrif of merk waardeur 'n kieser kan erken word op andere wyse as in hierdie Ordonnansie voorgeskrywe is ;
- (d) ongemerk of van onwaarde is weens onsekerheid ;
- (e) teruggegee is kragtens artikel *negen-en-dertig* van hierdie Ordonnansie.

Merk van
stembriefies
wat verwerp
is.

48. Die stemopnemer sal enig stembriefie wat hy as ongeldig mag verwerp met "verwerp" endosseer en sal aan die endossement "teen verwerping beswaar gemaak" toevoeg indien werklik 'n beswaar gemaak word deur of namens enig kandidaat teen sy beslissing.

Verseël van
dokumente
deur stem-
opnemer.

49. Die stemopnemer sal onmiddellik na die verklaring van die stemming die getelde en verwerpe stembriefies in afsonderlike pakkette pak. Hy sal geen verseëlde pakket of oorhandigde stembriefies of gemerkte eksemplaar van die kieserslys en teinblade oop nie, dog sal in teenwoordigheid van sulke agente van die kandidate wat aanwesig is oorgaan tot op nuut verseël na ondersoek van elk van die verseëlde pakkette deur hom van die presiderende amptenare ontvang. Al die pakkette as voorsê tesaam met 'n sertifikaat vermeldende die name van die raadslede wat as verkies verklaar is, sal tesaam in een verseëlde pakket verpak en aan die stadsklerk afgelewer word, wat sulk verseëlde pakket vir ses maande veilig sal bewaar na verloop waarvan die genoemde pakket en alle dokumente daarin vervat in teenwoordigheid van twee raadslede sal vernietig word.

Verseëlde
dokumente
ongeoop
te bly.

50. Geen van die voorgesde verseëlde pakkette sal geoop word nie gedurende die genoemde tydperk van ses maande tensy op las van die Hooggeregshof of enig regter daarvan ; en indien enig persoon in stryd met die bepalings hiervan opsetlik die seël sal verbreek of enig sulk pakket sal oop, sal hy by veroordeling blootstaan aan 'n straf van vyftig ponde of aan gevangenisstraf, met of sonder harde arbeid, vir 'n tydperk van hoogstens drie maande, en by versuim die boete te betaal aan 'n verder tydperk van gevangenisstraf vir drie maande.

gewerp word nie, dog sal oorhandig word aan die presiderende amptenaar vir die doel benoem en deur hom ge-endosseer word met die naam van die kieser en sy nommer op die kieserslys, en opgebêre word in 'n afsonderlike pakket, en sal deur die stemopnemer nie meegetel word nie en die naam van die kieser en sy nommer op die lys sal genoteer word op 'n lys, in hierdie Ordonnansie die "Lys van oorhandigde stembriefies" genoem.

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45. Sodra moontlik na afloop van die stemming sal die presiderende amptenaar, in teenwoordigheid van sulke agente van die kandidate as wat aanwesig is, in afsonderlike pakkette, geseël met sy eie seël en die seëls van sulke agente van die kandidate wat wens hulle seëls aan te bring—

Verseël van
stembusse.

- (1) elke stembus aan hom ongeoop toevertrou, dog met die sleutel daaraan geheg ;
- (2) die nie-gebruikte en bedorwe stembriefies bymekaar gepak ;
- (3) die oorhandigde stembriefies ;
- (4) die gemerkte eksemplare van die kieserslys en die teënblaai van die stembriefies ;
- (5) die lys van oorhandigde stemme en die lys van stemme deur hom gemerk as presiderende amptenaar en 'n staat van die aantal kiesers wie se stemme aldus gemerk is ;

en sal sulke pakkette aan die stemopnemer oorhandig.

By die pakkette sal 'n staat gevoeg wees opgemerk deur elke presiderende amptenaar vermeldende die aantal stembriefies aan hom toevertrou en daarvoor verantwoord onder die hoofde "stembriefies" in die stembus "ongebruik," "bedorwe" en "oorhandigde stembriefies."

46. Die stemopnemer sal op ontvangs van die voornoemde pakkette van sulke presiderende amptenaar die pakkette onder sy beheer neem en sal in teenwoordigheid alleen van sulke kandidate en sulke agente van die kandidate as teenwoordig mag wees (nie meer as twee agente vir elke kandidaat nie) die stembusse oop en die uitslag van die stemming nagaan deur die stemme op elk kandidaat uitgebring te tel en sal die kandidaat of kandidate wat verkies is kragtens die bepalings van hierdie Ordonnansie verklaar na gelang van die vakatures wat moet aangevul word. In die geval dat die aantal stemme vir enige twee of meer kandidate bevind word gelyk te wees wat algar nie as verkies kan verklaar word om 'n gewone of toevallige vakature, na gelang van omstandighede, op die Raad aan te vul nie, sal die stemopnemer onmiddellik deur loting die verkiesing beslis. Die beslissing van die stemopnemer sal

Verklaring
van
stemming.

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skryftafel gaan vir die doel bestem en aandui vir wie hy wens te stem, deur onmerkbaar 'n kruis te plaas teenoor die naam van iedere kandidaat wat hy wens dat verkies word, nie meer as die aantal by sulke verkiesing verkies te word nie. Hy sal daarop die stembriefie so opvou dat die geperforeerde stempel sigbaar is en na die stembriefie opgevou te hê so dat die stemopnemer die geperforeerde merk kan sien, die stembriefie in die stembus werp in front van die stembeampte geplaas.

(c) indien die kieser op die stembriefie of sy naam sou teken of enig merk maak of enig woord daarop skryf waardeur hy herkenbaar kan word, dan sal sulke stembriefie blanko beskou en nie in aanmerking geneem word nie.

Bedorwe
stembriefies.

42. Indien 'n kieser onopsetlik 'n stembriefie bederf dan kan hy dit aan die presiderende amptenaar terug gee, wat, indien hy van sulke onopsetlike bederf oortuig is, hom 'n ander briefie sal gee en die bedorwe briefie sal onmiddellik gekanseleer en daarop vermeld word die woorde "Teruggegeë kragtens artikel twee-en-veertig van die Munisipale Verkiesings Ordonnansie" en van die feit van sulke kanselasie sal op die teënblad melding gemaak word.

Kiesers wat
deur blind-
heid of
andere lig-
gaamlike
oorsaak
onbekwaam
is.

43. Op versoek van enig kieser wat nie kan lees nie of wat weens blindheid of andere liggaamlike gebrek onbekwaam is te stem op die wyse deur hierdie Ordonnansie voorgeskrewe sal enig presiderende amptenaar in teenwoordigheid van sulke agente van die kandidate as wat mag teenwoordig wees die stem of stemme van sulke kieser op die stembriefie of stembriefies laat merk op die wyse soas deur die kieser verlang en die stembriefie of stembriefies in die stembus laat werp, en die naam en nommer op die kieserslys van ieder kieser wie se stem gemerk is kragtens die bepalings van hierdie artikel en die redes waarom dit so gemerk is, sal opgeskrewe word op 'n lys wat in hierdie Ordonnansie die "lys van stemme gemerk deur die presiderende amptenaar" sal genoem word.

Stembriefies.

44. Indien iemand wat beweer 'n sekere kieser te wees vra om 'n stembriefie nadat iemand anders gestem het as sulke kieser, sal die applikant, by behoorlike beantwoording van die vrae deur hierdie Ordonnansie toegestaan gestel te word aan kiesers ten tyde van die stemming, geregtig wees 'n stembriefie te merk op dieselfde wyse as enige andere kieser, dog die stembriefie (hierna 'n oorhandigde stembriefie genoem te word) sal nie in die stembus

39. Ieder kieser wat sy stem kom uitbring sal sonder onnodig versuim stem en ieder kieser wat onnodig die uitbrenging van sy stem uitstel, kan, tensy hy terstond tot stemming sal oorgaan wanneer daartoe deur die presiderende amptenaar aangesoek, deur die presiderende amptenaar verplig word enig stembriefie wat hy mag ontvang het aan hom te oorhandig en uit die stemkantoor verwyder te word op die instruksie van die presiderende amptenaar. Sulk kieser sal nie geregtig wees by die verkiesing te stem nie, dog sulk stembriefie sal aangemerk word as 'n bedorwe briefie kragtens artikkel *twee-en-veertig* hiervan en die presiderende amptenaar sal op sulk stembriefie die woorde " Teruggegee kragtens artikkel *nege-en-dertig* van die Munisipale Verkiesings Ordonnansie " vermeld.

Kieser by die stembus sonder versuim te stem.

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40. Ieder kieser sal so veel stemme hê as daar kandidate is verkies te word vir die wyk waarin hy as kieser ingeskrewe is, en sulk kieser sal verplig wees 'n stem uit te bring op minstens een van sulke kandidate. Indien enig kieser op sy stembriefie meer as een stem op enig kandidaat sou uitbring, dan sal sulke stemme slegs as een stem aangemerk en getel word.

Aantal stemme deur kieser uitgebring te word.

41. Die stemming by alle verkiesings gehou kragtens die bepalings van hierdie Ordonnansie sal per stembriefie wees wat in hoofsaak en so veel moontlik in alle belangryke besonderhede toegaan as volg :—

Wyse van stem.

(a) Die presiderende amptenaar of enig stem-beampte by die stembus in elke wyk of stem-distrik, na gelang van omstandighede, sal sig vergewis dat die persoon wat kom stem 'n kieser is ingeskrewe op die kieserslys vir die wyk of stemdistrik, en sal, na sig oortuig te hê dat sulk persoon aldus ingeskrewe is en sy nommer op sulke lys vermeld is sy nommer op die teenblad in die stembriefiesboek noteer en sal daarop die stembriefie uitskeur wat met sulke teenblad ooreenkom en na dit gestempel te hê met 'n perforeerstempel vir die doel bestem, aan die kieser ter hand stel. En ieder stembriefie sal wees in die vorm omskrewe in die Vierde Skedule tot hierdie Ordonnansie met sulke gedrukte instruksies as die Raad sal goedkeur ;

(b) wanneer die kieser sulk stembriefie sal ontvang hê, waarop in alfabetiese volgorde die name sal gedruk wees van al die by sulke verkiesing behoorlik genomineerde kandidate, sal hy met dit briefie na die kompartement en

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Presiderende
amptenaar.

34. Die presiderende amptenaar en andere be-
amptes by die stembus, sal daarby orde hou, die
aantal kiesers bepaal wat tegelyk sal toegelaat
word en alle andere persone buite hou behalwe die
stemopnemer, die klerke, die kandidate, die agente
van die kandidate en die diensdoende konstabels.

In geval
kandidaat
sig wens
terug te
trek.

35. Indien 'n kandidaat vir verkiesing genomineer
sig van die kandidatuur wens terug te trek nadat
'n stemdag bepaal is sal hy nie later as twaalf uur
smiddags op die vierde dag voor die stemdag 'n
kennisgewing van sy terugtrekking teken en aan
die stemopnemer doen toekom wat, by ontvangs
van sulke kennisgewing, indien die aantal kandi-
date deur sulke terugtrekking verminder is tot die
aantal persone by sulke verkiesing verkies te word,
sal verklaar dat die owerige kandidate op die dag
behoorlik verkies is en indien die genoemde aantal
nie aldus verminder word nie dan sal hy die naam
van die persoon wat sig teruggetrek het op die lys
van kandidate skrap en sulk persoon sal by sulke
verkiesing nie verkiesbaar wees nie. Indien die
aantal kandidate deur sulke terugtrekking verminder
is tot benede die aantal persone verkies te word,
sal die bepalings van artikel *twee-en-dertig* van
hierdie Ordonnansie *mutatis mutandis* van toepas-
sing wees.

Agente van
kandidate.

36. Ieder kandidaat mag, indien hy dit wil, skrifte-
lik onder sy hand 'n persoon benoem om hom by
die stembus te verteenwoordig, om toe te sien dat
die stemming billik plaas het en mag ook skriftelik
nie meer as twee agente nie benoem om hom te
verteenwoordig by tel van die stemme deur die
stemopnemer.

Ondersoek
omtrent
stemreg.

37. By enige verkiesing sal geen ondersoek inge-
stel word nie na iemand se reg om te stem behalwe
dat die stemopnemer aan ieder kieser die volgende
vrae sal stel:—

(1) Is jy die persoon wie se naam voorkom
as A.B. op die kieserslys van hierdie wyk ?

(2) Het jy by hierdie verkiesing reeds gestem in
die hoedanigheid waarin jy nou wens te stem ?

En niemand wat sal weier op enige sulke vrae te
antwoord of wat die eerste van sulke vrae nie be-
vestigend beantwoord nie en die tweede van sulke
vrae nie volstrek ontkenkend sal beantwoord sal toe-
gelaat word te stem nie.

Straf vir
valse
antwoorde.

38. Enig persoon wat opsetlik 'n vals antwoord
sal gee op enige van hierdie vrae sal blootstaan aan
'n straf van hoogstens vyftig ponde invorderbaar in
die magistraatshof, of by wanbetaling aan gevange-
nisstraf vir 'n tyd van hoogstens drie maande.

of die oorblywende vakatures beskou word as toevallige vakatures wat sal aangevul word ooreenkomstig die bepalings van artikel *sewen-en-twintig* hiervan.

(b) Indien nadat verdere nominasies gevra is ter aanvulling van sulke toevallige vakatures geen nominasies inkom of dat minder nominasies inkom as die aantal vakatures wat moet aangevul word, sal die Administrateur geregtig wees enig behoorlik bevoegd persoon of persone te benoem tot lid of lede van die Raad om die benodigde aantal lede voltallig te maak.

(c) Indien, nadat die stembag vasgestel is vir 'n verkiesing in enige wyk, enig behoorlik daarby genomineerde kandidaat sal sterf voordat met die stemming is aangevang, dan sal die stemopnemer, na oortuig te wees van die feit van sy oorlyde, vir sover die wyk betref die kennisgewing waarby die stembag bepaal word intrek, en al die verrigtinge met betrekking tot die genoemde verkiesing sal weer opnuut begin op presies dieselfde wyse as of 'n toevallige vakature ontstaan was; mits dat geen nuwe nominasie sal nodig wees nie in die geval van 'n kandidaat wat behoorlik genomineer was ten tyde waarop die gesegde kennisgewing was ingetrek.

HOOFTUK VI.

DIE STEMMING.

33. Vir die doel van enige verkiesing sal daar op een of ander gemaklike plek binne elke wyk een stemkantoor wees, of indien sulke wyke verdeel is in stembdistrikte sal daar een stemkantoor binne elk stembdistrik wees. Deur die stemopnemer sal in een of meer nuusblade wat in die distrik sirkuleer en ook deur aanplakking op die munisipale kennisgewingbord of die publieke deur van die stadskantoor kennis gegee word waar die stemkantore sal wees.

Die stemopnemer sal vir alle verkiesings voorsien in sulke kompartemente, skryftafels, stembusse, stembriefies, stempels, eksemplare van register van kiesers en andere dinge; presiderende amptenare en stembeampes benoem, en sulke andere handelingte en sake verrig en sulke reëlings maak om die stemming te vergemakkelik as hy mag dienstig ag vir die doelmatige leiding van die stemming; en alles wat deur die stemopnemer gedoen word sal geskied op koste van die Raad en sal uit die fondse van die munisipaliteit betaal word.

Verkiesings
reëlings.

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Kennisgewing
van
nominasie.

30. Die stadsklerk, of sulk ander persoon as die Administrateur sal benoem, sal minstens een-en-twintig dae voor enige verkiesing van 'n raadslid of raadsele 'n kennisgewing van sulke verkiesing in een of meer nuusblade wat in die munisipaliteit sirkuleer, publiseer, en sal in sulke kennisgewing 'n dag opgee wat nie minder is as tien of meer as veertien dae nie van die datum van uitgifte van sulke kennisgewing as die nominasiedag en sal die bepaalde wyk of wyke opgee waarvoor die verkiesing sal gehou word en sal van al die kandidate by sulke verkiesing vorder op die hierna genoemde wyse genomineer te word.

Wyse van
nominasie
en kennis-
gewing van
verkiesing.

31. (a) Niemand sal 'n kandidaat wees by enige verkiesing of bevoeg wees om as raadslid verkies te word vir enige wyk van 'n munisipaliteit tensy hy 'n rekwisiesie sal ontvang het geteken deur minstens vyf-en-twintig geregistreerde kiesers vir sulke wyk en sulke rekwisiesie met sy aanname daarvan gegee onder sy eie hand of die van sy behoorlik bevoegde agent sal afgegee of laat afgegee het aan die persoon wat nominasies vra nie later as twaalf uur smiddags nie op die dag bepaal vir die in ontvangsname daarvan.

(b) Indien die aantal kandidate vir enige wyk wat genomineer is as voorsê nie meer is as die aantal raadsele verkies te word vir sulke wyk nie, sal sulke kandidate geag en beskou word verkies te wees op die nominasiedag.

(c) In die geval dat die aantal nominasies vir enige wyk meer is as die aantal raadsele vir sulke wyk verkies te word, sal die stadsklerk of ander persoon deur die stemopnemer benoem as voorsê onmiddellik 'n kennisgewing laat publiseer in een of meer nuusblade wat in die munisipaliteit sirkuleer met vermelding van die name van die genomineerde kandidate; die dag waarop 'n stemming sal plaas hê vir die verkiesing, nie minder te wees as ses dae of meer as veertien dae nie vanaf die datum van sulke kennisgewing waarby nominasies gevra word, die aantal vakatures wat moet aangevul word, en die plekke waar die stemming sal gehou word. En die stemming sal dienoreenkomstig gehou word en sal aanvang om 8 uur v.m. en sluit om 9 uur n.m.

Toevallige
vakatures in
sekere
omstandig-
hede.

32. (a) Indien daar geen nominasies ingekom het nie, of indien die aantal kandidate geag verkies te wees in terme van subseksie (b) van artikel een-en-dertig hiervan minder sal wees as die aantal vakatures wat moet aangevul word, sal die vakatures

aangevul kragtens die bepalings van hierdie Ordonnansie voor die datum nie waarop sulke raadslid volgens die gewone loop sou afgetree het, sal sulke vakature geag word geen toevallige vakature te wees nie, dog 'n vakature te wees ontstaan deur die aftreding van sulke raadslid tengevolge van afloop van die tydperk waarvoor hy verkies was.

(2) Wanneer en so dikwels as in die Raad 'n toevallige vakature ontstaan, sal die raadslid verkies te word ter aanvulling van sulke vakature verkies word op die wyse voorgeskrewe vir die verkiesing van kandidate by die jaarlikse verkiesing; dog indien sulke vakature sal ontstaan binne drie maande voor die eersvolgende jaarlikse verkiesing dan sal die vakature nie aangevul word deur 'n spesiale verkiesing nie dog sal bly bestaan totdat die jaarlikse verkiesing van raadslede kragtens hierdie Ordonnansie gehou word; mits steeds dat sulke vakatures nie meer as drie in aantal is nie, in welk geval hulle sal aangevul word by 'n spesiale verkiesing vir die doel gehou, en mits verder dat geen toevallige vakature sal aangevul word by enige jaarlikse verkiesing nie, tensy sulke toevallige vakature is ontstaan voor die eerste publikasie van die kennisgewing genoem in artikel *dertig* van hierdie Ordonnansie.

28. Van die ontstaan van enige toevallige vakature in die Raad waarvan deur die burgemeester geen verklaring behoef gedoen te word nie op 'n vergadering van die Raad kragtens die bepalings van artikel *sewe* van hierdie Ordonnansie sal deur die stadsklerk sonder versuim kennis gegee word deur 'n aankondiging deur hom geteken en op 'n in die oog lopende plek aangeplak in die munisipale kantore en enige toevallige vakature sal geag word te ontstaan op die datum waarop sulke vakature deur die burgemeester verklaar word kragtens die genoemde artikel of deur die stadsklerk bekend gemaak kragtens hierdie artikel.

Kennisgewing
van
aftreding
uit amp
deur
raadslid.

29. Die stadsklerk, of sulke ander persoon as die Administrateur sal benoem, sal die stemopnemer wees by alle munisipale verkiesings en alle sulke verkiesings sal in teenwoordigheid van sulke stemopnemer gehou word; mits steeds dat geen kandidaat vir raadslid by sulke verkiesing as stemopnemer mag optree nie. In die geval van 'n stemopnemer deur die Administrateur benoem, sal die Administrateur die fooi bepaal wat deur die Raad aan sulke amptenaar sal betaal word.

Stem-
opnemer.

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Sittingstyd
van
raadslede
verkie by
jaarlikse
verkiesings.

25. (1) Die raadslede verkies by iedere jaarlikse verkiesing ter aanvulling van vakatures ontstaan deur die aftreding van raadslede weens afloop van die ampstydperk waarvoor sulke laasgenoemde raadslede verkies was sal hulle amp bly beklee tot die dag van die eersvolgende derde jaarlikse verkiesing en die raadslid verkies ter aanvulling van 'n toevallige vakature wat moet aangevul word kragtens artikel *sewen-en-twintig* van hierdie Ordonnansie. hetsy dat sulke verkiesing sal plaas het by die jaarlikse verkiesing of nie, sal sitting hê vir die owerige van die tyd waarvoor die raadslid wat afgetree is en wie hy sal opvolg anders sitting sou gehad hê.

(2) By enige jaarlikse verkiesing waarby raadslede moet verkies word ter aanvulling van toevallige vakatures, sal die vakatures ontstaan deur die aftreding van raadslede weens afloop van die tydperk waarvoor hulle verkies was, geag word aangevul te wees deur die kandidate wat by die verkiesing die grootste aantal stemme verkry. Die andere verkiesde kandidate sal geag word toevallige vakatures aan te vul na volgorde van die aantal stemme op elk uitgebring, so dat die kandidaat, wat van sulke andere verkiesde kandidate, die grootste aantal stemme verkry het geag sal word die raadslid op te volg wat, indien hy nie was afgetree nie, die langste sitting sou gehad hê. In geval die saak nie op die voorsegde wyse kan beslis word nie weens gelykheid van die aantal stemme van twee of meer kandidate, of omdat daar geen stemming het plaas gehad nie, sal die saak deur loting deur die stemopnemer beslis word.

(3) Vir die doeleindes van artikels *drie-en-twintig*, *vier-en-twintig*, en *vyf-en-twintig* sal die datum vanaf welke raadslede sitting hê die dag wees bepaal as die stembdag, en indien vir 'n sekere vakature geen stemming plaas het nie dan sal die nominasiedag die datum van verkiesing wees.

Vakature.

26. Wanneer 'n vakature ontstaan is deurdat 'n raadslid aftree of sy setel op andere wyse vakant word sal die kiesers in die wyk deur sulk raadslid verteenwoordig, die raadslid verkies om die setel aldus vakant geword, in te neem.

Toevallige
vakatures.

27. (1) Behalwe soas bepaal in paragrafe (a) en (c) van artikel *twee-en-dertig* hiervan, sal 'n toevallige vakature beskou word enige vakature te wees behalwe 'n vakature ontstaan deur aftreding van 'n raadslid by afloop van die sittingstyd waarvoor hy verkies was, mits dat waar enig raadslid sy setel sal opgegee hê voor afloop van sy ampstydperk en sulke vakature word nie

22. Indien te eniger tyd die aantal wyke sou vermeerder word kragtens die bepalings van hierdie Ordonnansie, dan sal by sulke vermeerdering die aantal raadslede vermeerder word met drie vir elke wyk waarmee die aantal wyke vermeerder is, en die verkiesing van raadslede vir die nuwe wyke sal sodra moontlik na sulke wyke ingestel is plaas hê en op 'n datum deur die Administrateur bepaal te word deur proklamasie in die *Prowinsiale Koerant* op die wyse hierna bepaal vir die verkiesing van raadslede by 'n jaarlikse verkiesing.

Bepaling vir verkiesing van raadslede ter verteenwoordiging van "nuwe" wyke.

Ord. No. 4 van 1927.

23. Die eerste verkiesing van raadslede van enige munisipaliteit waarop die bepalings van hierdie Ordonnansie hierna toepaslik mag word sal plaas het op die hierna voorgeskrewe wyse op sulke datum as deur die Administrateur mag bekend gemaak word deur proklamasie in die *Prowinsiale Koerant* en vir elke wyk sal drie raadslede verkies word. Een van sulke raadslede (diegene wat die hoogste aantal stemme verkry het) sal bly sitting hou tot die dag van die derde jaarlikse verkiesing gehou kragtens die bepalings van artikel *vier-en-twintig* en nie langer nie, en een van sulke raadslede (diegene wat op een na die hoogste aantal stemme verkry het) sal bly sitting hou tot die dag van die tweede van sulke jaarlikse verkiesing en nie langer nie, en die oorblywende raadslid (diegene wat die kleinste aantal stemme verkry het) sal bly sitting hou tot die dag van die eerste van sulke jaarlikse verkiesing en nie langer nie; en in geval dat daar twee of meer kandidate is wat by die genoemde stemming 'n gelyk aantal stemme verkry het, of in geval daar geen stemming is nie, sal die stemopnemer deur lot beslis wie van die kandidate verkies sal wees vir 'n tydperk wat afdop op die dag respektiewelik van die eerste, tweede en derde van die genoemde jaarlikse verkiesings.

Eerste verkiesing van raadslede.

24. Na die eerste voorsegde verkiesing van raadslede en in die geval van stadsrade tans verkies kragtens die Munisipale Verkiesings Ordonnansie, 1912, en amendemente daarop, sal daar 'n jaarlikse verkiesing van raadslede wees wat sal plaas hê op die laaste Woensdag in die maand Oktober van elk en ieder jaar vir die doel raadslede te verkies ter vervanging van 'n gelyk aantal raadslede wat uit hulle amp tree weens afdop van hulle ampstydperk en teweens vir die doel sulke toevallige vakatureaan te vul as mag nodig wees aangevul te word kragtens die bepalings van artikel *sewen-en-twintig* van hierdie Ordonnansie.

Jaarlikse verkiesing van raadslede.

Ord. No. 4
van 1927.

(ii) niemand sal ingeskrewe word kragtens hierdie artikel nie as 'n kieser vir enige wyk op 'n applikasie gemaak na die een-en-dertigste dag van Augustus en voor die datum van die jaarlikse verkiesing in enig jaar of in die geval van tussenverkiesings na die publikasie van 'n kennisgewing van enige tussenverkiesing in sulke wyk kragtens artikel *dertig* van hierdie Ordonnansie totdat sulke tussenverkiesing sal gehou wees ;

(iii) die nie-inskrywing van enig kieser op 'n applikasie gemaak kragtens hierdie artikel sal enige verkiesing gehou na die datum van sulke applikasie nie ongeldig maak nie.

(2) Indien enig persoon wat kragtens hierdie bepaling applikasie maak as 'n kieser geregistreer is in enige andere munisipaliteit, sal die stadsklerk, by inskrywing van die naam van sulke persoon as 'n kieser, die stadsklerk van sulke andere munisipaliteit kennis gee, en laasgenoemde sal daarop die naam van sulke kieser op die kieserslys van dié munisipaliteit skrap. Die uitdrukking "municipaliteit" soas gebruik in hierdie subseksie sal insluit 'n munisipaliteit onder 'n dorpsraad.

(3) Aan enig persoon wat applikasie maak om op die kieserslys geplaas te word wie se applikasie verwerp is in terme van hierdie Ordonnansie, sal terstond van sulke verwerping kennis gegee word.

(4) Enig persoon wat opsetlik enige valse verklaring maak op die vorm voorgeskrewe in die skedule genoem in subseksie (1) hiervan, sal skuldig wees aan 'n oortreding, en by veroordeling blootstaan aan 'n boete van hoogstens vyftien ponde (£15) of by wanbetaling aan gevangenisstraf, met of sonder harde arbeid, vir 'n tydperk van hoogstens een maand.

Kieserslys
ter insage
lê.

20. Iedere kieserslys opgemaak of gewysig kragtens die bepalings van hierdie Hoofstuk sal gedurende kantoorure vir die publiek ter insage lê op die munisipale kantoor.

HOOFSTUK V.

VERKIESING VAN STADSRAADSLEDE.

Verkiesing
van
raadslede.

21. (1) Die Raad sal bestaan uit drie raadslede vir elke wyk, verkies op die hierna voorgeskrewe wyse.

(2) Ieder raadslid wat sitting het by aanvang van hierdie Ordonnansie kan voortgaan sitting te hê tot afloop van die tydperk waarvoor hy verkies was.

17. Die magistraat of een of ander advokaat van die Hooggeregshof deur die Administrateur benoem te word, sal alle vorderings en objeksies hoor en beslis, en mag die name van enige kiesers wat wegelaat is van die kieserslys op die lys plaas, en die name van alle persone wat nie geregtig is nie op die lys ingeskrewe te word skrap; mits dat die naam van geen persoon sal geskrap word nie totdat sulk persoon twee volle dae kennis ontvang het van die ondersoek na sy kwalifikasie, en sal daarom trent gehoor word indien hy sulks wens, hetsy persoonlik of deur 'n advokaat, prokureur of behoorlik toegelate wetsagent. Die verhoor en beslissing van sulke vorderings en objeksies mag van tyd tot tyd verdaag word en teen die beslissing op enige sulke vordering of objeksie mag per mosie appèl aangeteken word by die Hooggeregshof of enige regter daarvan, indien daarvan kennis gegee word deur enige belanghebbende persoon binne twee volle dae na die verklaring van sulke beslissing. Die hof of regter wat sulke applikasie verhoor mag die genoemde beslissing handhaaf of van die hand sit, en mag sulke order uitvaardig aangaande koste as wat sulke hof of regter mag billik ag. Die besoldiging van die advokaat deur die Administrateur benoem as voorsê sal deur die Administrateur vasgestel en belas word op die fondse van die munisipaliteit.

Benoeming van hof te beslis oor objeksies.

Ord. No. 4 van 1927.

18. Onderwerp aan die bepalings van die eersvolgende artikel, sal die lys, wanneer aldus vasgestel en gewysig, die kieserslys vir die munisipaliteit wees totdat die volgende lys op die selfde wyse sal opgemaak wees, en sulke lys sal aangemerkt en aangeneem word as konklusief te wees en die enigste bewys van die reg van ieder persoon daarop ingeskrewe om te stem vir die verkiesing van raadslede.

Lys van krag te wees totdat 'n nuwe opgemaak is.

19. (1) Enig persoon wat nie op die kieserslys vir die tyd van krag in 'n munisipaliteit voorkom nie, kan te eniger tyd aansoek doen by die stads-klerk daarvan, in die vorm voorgeskrewe in die derde skedule hiervan, om as 'n kieser ingeskrewe te word, en die Raad sal, na oortuig te wees dat sulk persoon gekwalifiseer is kragtens hierdie Ordonnansie, of enig amendement daarop, aldus ingeskrewe te word, die naam van sulk persoon op die kieserslys laat plaas; mits steeds dat—

Bepalings vir toevoeging van name op kieserslys.

(i) indien die Raad die gesegde applikasie sal weier, sulke beslissing van die Raad onderwerp sal wees aan appèl as of dit 'n beslissing was van die magistraat of advokaat gegee kragtens artikel *sewentien* van hierdie Ordonnansie;

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nie in die munisipaliteit woonagtig is nie, geregistreer word in die wyk waarin die genoemde eiendom geleë is en sal stem op die stemkantoor voorsien vir die stemdistrik waarin hy as 'n kieser geregistreer is.

(c) Al die verklarings genoem in paragraaf (a) hiervan sal afgeneem word deur die presiderende amptenaar van die stemkantoor waarop sulke persoon wees te stem en sal deur sulke amptenaar gehou en aan die stemopnemer gestuur word en sal op alle redelike tyde vir die publiek ter insage lê vir 'n tydperk van drie maande na die verkiesing.

(d) Enig persoon wat opsetlik 'n valse verklaring maak in sulke deklarasie sal skuldig wees aan 'n oortreding en by veroordeling blootstaan aan 'n boete van hoogstens £25 (vyf-en-twintig ponde) of by wanbetaling aan gevangenisstraf met of sonder harde arbeid vir 'n tydperk van hoogstens drie maande.

(6) Enig persoon wat geregistreer is as 'n kieser vir enige wyk mag na enige jaarlikse verkiesing en nie later as die een-en-dertigste dag van Augustus daarna nie by die stadsklerk applikasie maak vir oorbring van sy naam as 'n kieser van sulke wyk na 'n andere wyk in die munisipaliteit, en die stadsklerk sal, op ontvangs van sulke applikasie die naam van sulke persoon dienoooreenkomstig oorbring, mits dat hy oortuig is dat sulke persoon in sulke andere wyk woonagtig is en mits, verder, dat sulke oorbringing sulke persoon geen reg sal gee nie by enige verkiesing te stem ter aanvulling van 'n toevallige vakature wanneer sulke verkiesing plaas het binne twee maande van sy applikasie vir sulke oorbringing.

(7) Die kieserslys van krag in 'n munisipaliteit by die van kragwording van hierdie Ordonnansie sal onderwerp aan die bepaling van artikel *negen-tien* hiervan, die kieserslys van sulke munisipaliteit wees totdat 'n nuwe lys opgemaak, gewysig en aangeneem is in terme van hierdie Ordonnansie.

Kennis-
gewings van
besware
teen lys.

16. Die stadsklerk sal iedere lys opgemaak kragtens die bepaling van subseksie (1) (a) van artikel *vyftien* hiervan op die munisipale kantore op die hoofposkantore en op die magistratskantoor ter insae lê vir die publiek, en sal in een of meer plaaslike nuusblade wat in die munisipaliteit sirkuleer 'n kennisgewing publiseer dat alle objeksies en vorderings om ingeskrewe te word gehoor en beslis sal word op een of andere tyd en plek daarin genoem te word; sulke tyd sal nie korter wees as veertien dae na die eerste publikasie van die gesegde kennisgewing nie.

register van kiesers vir elk stembedstrik saamstel, bestaande uit die kiesers van die wyk woonagtig in sulk stembedstrik.

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Art. 15.

(3) Die Administrateur kan—

(a) gelas dat alle sulke stappe geneem word met betrekking tot die opmaking van die eerste kieserslys vir enige munisipaliteit waarop die bepalings van hierdie Ordonnansie hierna kan toepaslik word as hy mag nodig ag om in die omstandighede van die geval te voorsien; mits dat enige onkoste gemaak tengevolge van enige order deur die Administrateur hieronder gemaak deur die Raad van die betrokke munisipaliteit sal gedra word. Die bepalings van artiekels *sestien*, *sewentien* en *agtien* van hierdie Ordonnansie sal *mutatis mutandis* toepaslik wees op die opmaking van sulke eerste kieserslys;

(b) die maande April en Mei van enig volgend jaar vasstel binne 'n tydperk van drie jare van die datum van voltooiing van sulke eerste kieserslys as die maande waarin die Raad die volgende kieserslys sal opmaak, in ooreenstemming met die bepalings van hierdie Ordonnansie.

(4) Die stadsklerk sal, in die loop van die maande Januarie, April en Julie van elk en ieder jaar (nie synde die jaar waarin die driejaarlikse kieserslys opgemaak word nie) 'n kennisgewing publiseer eenmaal per week vir drie agtereenvolgende weke in minstens een nuusblad wat in die munisipaliteit sirkuleer, waarby die aandag gevestig word op die bepalings van artikel *negentien* van hierdie Ordonnansie, en kennis gewende dat hy applikasie in ontvangs sal neem van persone vir inskrywing as kiesers op die kieserslys.

(5) (a) Behalwe soas bepaal in paragraaf (b) hiervan, sal ieder kieser geregistreer word in die wyk waarin hy woon, en sal stem op een van die stemkantore vir sulke wyk bepaal; mits dat waar 'n verdeling gemaak is in stembedstrikte ieder kieser sal geregistreer word in die stembedstrik waarin hy woon, en sal stem op die stemkantoor vir sulk stembedstrik, dog sal toegestaan word te stem op enig ander stemkantoor in die wyk waarin hy geregistreer is ander as die stemkantoor van die stembedstrik waarin hy geregistreer is, indien hy voordat hy stem 'n verklaring sal geteken hê in die vorm voorgeskrewe in die tweede bylae tot hierdie Ordonnansie;

(b) Onderwerp aan die bepalings van paragraaf (b) van artikel *ag* hiervan, sal ieder persoon wat die geregistreerde eienaar is van belasbaar eiendom wat

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Bevoegdheid van Administrateur te gelas dat stappe geneem word in sake waarin nie voorsien is nie.

(3) Die Administrateur kan 'n kommissie benoem van een of meer persone om 'n plan op te maak vir vasstelling van die grense van sulke distrikte, en 'n kennisgewing van die sitting van sulke kommissie sal gepubliseer word in die *Prowinsiale Koerant* en in minstens een nuusblad wat in die munisipaliteit sirkuleer.

14. Indien in verband met die verdeling van enige munisipaliteit in wyke of die verdeling van wyke in stemdistrikte of die verandering van die grense van die wyke of stemdistrikte van enige munisipaliteit, of die vermeerdering in die aantal van hulle of die toewysing van raadslede onder wyke sig enige saak sal voordoen waarin deur hierdie Ordonnansie nie voldoende voorsien word nie, dan kan die Administrateur gelas dat alle sulke stappe sal geneem word met betrekking tot die verkiesing van raadslede of andersins as wat mag nodig wees om aan die omstandighede van die geval tegemoet te kom, en kan die tydperk bepaal waarvoor enig raadslid vir enige wyk verkies te word sal sitting hê, opdat die algemene strekking en doel van die Ordonnansie van krag sal wees.

HOOFSTUK IV.

OPMAAK VAN KIESERSLYS DEUR STADSGRADE.

Bepalings vir opmaak van kieserslys en van tyd tot tyd verander van sulke lys.

15. (1) (a) Die Raad sal in die loop van die maande April en Mei 1928, en daarna eenmaal iedere drie jare in die genoemde maande April en Mei 'n lys laat opmaak van alle persone wat bevoeg is ingeskrewe te word op die kieserslys kragtens die bepalinge van hierdie Ordonnansie; die genoemde lys sal verdeel word in soveel dele as daar wyke is in die genoemde munisipaliteit, en elk deel sal in alfabetiese orde die volle naam, woonadres en beroep van ieder kieser bevoeg tot stemming binne die wyk waarop sulke deel betrekking het, aandui.

(b) Wanneer die aantal wyke van 'n munisipaliteit vermeerder, verminder of die grense verander of andersins vereffen is, sal die Raad sodra moontlik na sulke vermeerdering, vermindering, verandering of andere vereffening sulke veranderinge op die kieserslys laat aanbring as wat mag nodig wees in elk deel daarvan (wat die onderskeie wyke van die munisipaliteit uitmaak) die besonderhede van kiesers woonagtig in elke wyk aan te toon.

(2) Wanneer enige wyk verdeel is in stemdistrikte, of dat enige vermeerdering, vermindering, verandering of vereffening van sulke distrikte gemaak is kragtens die bepalinge van artikel *dertien* hiervan, sal die Raad van die kieserslys van sulke wyk 'n

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(geen nuwe wyke synde nie) ooreenkomstig die bepalings van subseksie (3) of subseksie (5) hiervan na gelang die geval dit sal vereis; mits steeds dat die tydperk waarvoor enig raadslid sitting het nie van invloed sal wees deur sulke toewysing nie.

(7) By die eerste verkiesing van raadslede vir enige wyk wat is of verklaar is 'n nuwe wyk te wees, sal vir sulke wyk drie raadslede verkies word. Een van sulke raadslede (diegene wat die meeste stemme verkry het) sal sitting bly hou tot die dag van die eersvolgende van die derde jaarlikse verkiesing en nie langer nie en een van sulke raadslede (diegene wat op een na die meeste stemme verkry het) sal sitting bly hou tot die dag van die eersvolgende van die tweede jaarlikse verkiesing en nie langer nie en die owerige raadslid (diegene wat die laagste getal stemme verkry het) sal sitting bly hou tot die dag van die eersvolgende eerste jaarlikse verkiesing en nie langer nie; en in geval dat daar twee of meer kandidate is wat by die genoemde stemming 'n gelyk aantal stemme verkry het, of in geval dat daar geen stemming is nie, sal die stemopnemer deur lot beslis wie van die kandidate verkies sal wees vir 'n tydperk wat eindig respektiewelik op die dag van die eerste, tweede of derde van sulke jaarlikse verkiesings. Vir die doel van hierdie subseksie sal die laaste Woensdag in Oktober die dag van die jaarlikse verkiesing wees.

(8) Van iedere verdeling van 'n munisipaliteit in wyke, en van iedere verandering of vereffening van die grense van sulke wyke, en van iedere vermeerdering in die aantal wyke kragtens die bevoegdhede van hierdie artikel, sal deur proklamasie van die Administrateur in die *Prowinsiale Koerant* kennis gegee word.

(9) Iedere munisipaliteit in wyke verdeel kragtens enige wet deur hierdie Ordonnansie herroep, sal aldus verdeel bly en die teenwoordige grense van wyke en van stembedistrikte (indien enige) van sulke munisipaliteit sal bly bestaan totdat enige verandering kragtens hierdie Ordonnansie sal gemaak wees.

13. (1) Die Administrateur kan op die applikasie van 'n raad enige wyk in so veel stembedistrikte verdeel as hy mag nodig ag, en kan op dieselfde wyse van tyd tot tyd die aantal van sulke distrikte vermeerder of verminder, of die grense daarvan verander of vereffen.

Stem-
distrikte.

(2) Van iedere verdeling van 'n wyk in stembedistrikte en iedere verandering of vereffening van die grense van sulke distrikte sal deur proklamasie in die *Prowinsiale Koerant* kennis gegee word.

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Art. 12.

amp beklee sitting hê vir die wyk aan hom toegewys gedurende die res van die tydperk waarvoor hy verkies was.

(4) 'n Raad kan op deselfde wyse die Administrateur versoek die aantal wyke van 'n munisipaliteit te verminder; mits dat enige vermindering deur die Administrateur goedgekeur alleen van krag sal wees vir die eersvolgende jaarlikse verkiesing; en mits verder dat die aantal wyke van 'n munisipaliteit nie so sal verminder word nie dat dit van invloed is op die ampstydperk waarvoor enig raadslid sal verkies wees. Met enige sulke petiesie sal die Raad aan die Administrateur sy voorstelle oorlê vir—

(a) die verdeling onder die veranderde wyke van sulke raadslede as wat nie aftree op die datum van sulke jaarlikse verkiesing nie; en

(b) die vasstelling van die wyke waarvoor die gesegde jaarlikse verkiesing sal gehou word.

Iedere sulke petiesie kan deur die Administrateur met of sonder veranderings goedgekeur word, en ieder raadslid wat sitting het op die datum van die hiertevore bedoelde verkiesing sal sitting hê vir die wyk aan hom toegewys vir die res van die tydperk waarvoor hy verkies was.

(5) Nieteenstaande iets in hierdie artikel vervat, kan die Administrateur wanneer hy die bevoegdhedes sal uitoefen hom deur enige wet toegeken die grense van 'n munisipaliteit te verander of die grense van aangrensende munisipaliteite te vereffen, as gevolg van sulke verandering of vereffening die aantal wyke vermeerder of verminder of die grense daarvan verander en vereffen, en mag onderwerp aan die bepalings van subseksie (6) hiervan die raadslede aanwys wat enige wyke aldus verander of vereffen verteenwoordig onder sulke wyke; mits dat tensy die Administrateur anders sal beslis geen sulke vermeerdering, vermindering, verandering of vereffening van wyke of aanwysing van raadslede sal plaas hê nie behalwe volgens 'n plan gemaak en gepubliseer soas bepaal in subseksies (1) en (2) hiervan.

(6) Indien die aantal wyke waarin die munisipaliteit verdeel is vermeerder word, en indien deur sulke vermeerdering die grense van die wyke verander word, dan kan by elke sulke vermeerdering en verandering die Administrateur deur proklamasie in die *Prowinsiale Koerant* verklaar welke wyke sal geag word nuwe wyke te wees in die sin van artikel *twee-en-twintig* en die raadslede wat ten tyde van sulke vermeerdering en verandering sitting hê sal toegewys word onder die veranderde wyke

HOOFSTUK III.

Ord. No. 4
van 1927.

WYKE EN KIESDISTRIKTE.

12. (1) (a) Iedere munisipaliteit sal verdeel word in wyke, en wanneer dit sal nodig word 'n munisipaliteit in wyke te verdeel wat nie reeds so verdeel is nie, sal die Administrateur 'n kommissie benoem van een of meer persone, om 'n plan op te maak vir vasstelling van die grense van sulke wyke, en kennisgewing van die sitting van sulke kommissie sal in die *Prowinsiale Koerant* en in minstens een nuusblad wat in sulke munisipaliteit sirkuleer gepubliseer word.

Verdeling
van
Munisipaliteit
in wyke.

(b) Die grense van die wyke van 'n munisipaliteit sal op sulke wyse vasgestel word dat die aantal kiesers in elke wyk soveel moontlik gelyk sal wees, dog dat die aantal kiesers in geval van enige sulke wyk nie meer sal wees nie as 15 persent bo of meer as 15 persent benede die gemiddelde aantal kiesers wat juiste gelykheid uitmaak, alle breuke sal nie meegetel word nie. Die bepalings van hierdie paragraaf sal toepaslik wees op iedere latere verandering of vereffening kragtens hierdie artikel.

(2) Ieder sulk plan sal gepubliseer word in die *Prowinsiale Koerant* en in minstens een nuusblad wat in die munisipaliteit sirkuleer eenmaal per week gedurende drie agtereenvolgende weke, en sal wanneer deur die Administrateur met of sonder verandering goedgekeur, in werking tree vanaf 'n datum per proklamasie kragtens hierdie artikel bekend gemaak te word.

(3) Wanneer 'n munisipaliteit in wyke verdeel is, kan die aantal van sulke wyke vermeerder of die grense van bestaande wyke kan van tyd tot tyd verander word op petisie aangebied aan die Administrateur na 'n besluit van die Raad van sulke munisipaliteit aangeneem op 'n spesiale vergadering vir die doel belê, en wanneer die Raad sal versoek om enige sulke vermeerdering of verandering van wyke sal hy met sy petisie aan die Administrateur voorstelle voorlê vir enige verdeling van die bestaande raadslede noodsaaklik geword deur sulke vermeerdering of verandering. Iedere sulke petisie vir 'n vermeerdering of verandering van wyke met enige voorstelle vir verdeling van raadslede kan deur die Administrateur met of sonder veranderings goedgekeur word, en sal, met inagnome van die bepalings van subseksie (6) hiervan in werking tree wanneer aldus goedgekeur vanaf 'n datum bekend gemaak te word by proklamasie kragtens hierdie artikel, en vanaf sulke datum sal ieder raedslid wat dan sy

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niemand op een en teselfder tyd sal ingeskrewe word op die kieserslys in meer as een wyk of in meer as een munisipaliteit.

(b) Ieder persoon wat in alle opsigte gekwalifiseer is soas voorsê, behalwe die van woonplek, wat die geregistreerde eienaar is van belasbaar eiendom binne die munisipaliteit en wat nie in besit is van die genoemde eiendom nie met een of meer persone in onverdeelde aandele en wat nie gediskwalifiseer is kragtens artikel *tien* of artikel *elf* hiervan sal op aanvraag geregtig wees ingeskrewe te word op die kieserslys van die wyk waarin die genoemde eiendom gelege is, mits dat inlien sulk persoon die geregistreerde eienaar is van belasbaar eiendom in meer as een van die wyke van die munisipaliteit hy die reg sal hê die wyk te kies waarin hy sal stem, en mits verder dat indien hy sou weier of versuim sulke keuse te maak, sal hy as 'n kieser geregistreer word in die van die genoemde wyke as die persoon wat die kieserslys opmaak sal besluit, en indien enige wyk waarin hy as kieser geregistreer is verdeel is in stembedistrikte sal sy naam geregistreer word as 'n kieser in die stembedistrikt waartoe besluit is deur die persoon wat die kieserslys opmaak.

Wie mag stem.

9. Niemand wie se naam nie voorkom op die kieserslys vir die oomblik van krag nie sal geregtig wees te stem by enige verkiesing kragtens hierdie Ordonnansie.

Diskwalifikasie.

10. Geen persoon van swakke geesvermoëns as sulks verklaar deur 'n bevoegde hof sal tydens hy van swakke geesvermoëns is in aanmerking kom om as 'n kieser geregistreer te word of sy stem uit te bring by enige verkiesing kragtens hierdie Ordonnansie.

Verdere diskwalifikasies.

11. Die volgende persone sal nie bevoeg wees ingeskrewe te word op die kieserslys vir die munisipaliteit nog te stem by enige verkiesing gehou kragtens hierdie Ordonnansie nie :—

(1) Persone te enigertyd veroordeel weens moord, of tot verloop van drie jare vanaf die datum van die afloop van die vonnis vir enige misdad waarvoor die straf gevangenisstraf met harde arbeid sonder die opsie van 'n boete is, tensy kwyt-skelding verleen is ;

(2) blanke persone wat saamhuis met naturelle of kleurlingpersone.

uit sy amp tree, en die burgemeester of die voorsitter van die dorpsraad na gelang van omstandighede sal op die eersvolgende vergadering van die Raad van enige sulke vakature wat ontstaan is kennis gee; en in geval dat enig persoon tot raadslid verkies sal sterwe of gediskwalifiseer word kragtens die bepalings van hierdie Ordonnansie, of ophou gekwalifiseer te wees as 'n raadslid, of sal bedank, of sal weier die amp van raadslid te aanvaar, of in geval enige vakature ontstaan kragtens Hoofstuk IV van die Plaaslik Bestuur Ordonnansie of op welke andere wyse ook, dan sal sulke vakature onmiddellik aangevul word op die wyse deur hierdie Ordonnansie voorgeskrewe, dog nietemin onderwerp aan die hierna gemaakte bepalings omtrent vakatures wat ontstaan binne drie maande vanaf die jaarlikse verkiesing bedoel in artikel *vier-en-twintig* of in artikel *eenhonderd ses-en-dertig*; mits steeds dat 'n raadslid wie se setel vakant sal verklaar wees deur die burgemeester of die voorsitter na gelang van omstandighede sig by mosie kan wend tot die Hooggereshof, Transvaal Prowinsiale Afdeling, en indien sulke hof dan nie in sessie is nie dan tot 'n regter van die Hooggereshof om sulke verklaring tersyde te sit; kennisgewing van die voorneme sulke applikasie te maak en die gronde daarvoor sal aan die stads-klerk gedoen word binne twee dae na sulke verklaring, en die applikasie sal binne veertien dae daarna gemaak word. Enig raadslid wat gediskwalifiseer verklaar is kragtens die bepalings van artikel *een-en-dertig* van die Plaaslik Bestuur Ordonnansie om as raadslid aan te bly sal dieselfde reg van appèl hê as hiertevore bepaal.

Ord. No. 4
van 1927.

HOOFTUK II.

KIESERS IN MUNISIPALITEITE ONDER STADS- EN DORPSRADE.

8. (a) Ieder blank persoon, manlik of vroulik, wat 'n Brits onderdaan is, ter leeftyd van een-en-twintig jare en daarbo, wat binne die munisipaliteit woonagtig sal gewees hê vir 'n tydperk van ses maande onmiddellik voorafgaande aan die publikasie van die kennisgewing genoem in artikel *sestien* of in subseksie (5) van artikel *eenhonderd dri-een-twintig* na gelang van omstandighede of sy applikasie om geregistreer te word op die kieserslys in terme van artikel *negentien* van hierdie Ordonnansie sal, onderwerp aan die hierna genoemde diskwalifikasie geregtig wees ingeskrewe te word op die kieserslys vir die munisipaliteit, mits dat

Kwalifikasie
van kiesers.

Ord. No. 4
van 1927.

(4) Die bepalings van Hoofstukke III tot en met X is en word hierby *mutatis mutandis* toepaslik gemaak op die verkiesings van lede van die Innesdale Dorpsraad in plaas van die bepalings van Hoofstuk XI.

(5) Die bepalings van Hoofstuk XI sal alleen toepaslik wees op die verkiesings van lede van dorpsrade andere as die Innesdale Dorpsraad en enige andere dorpsraad op die verkiesing van lede waarvan die bepalings van Hoofstukke III tot en met X in terme van subseksie (3) toepaslik gemaak is, mits dat die Administrateur van tyd tot tyd per proklamasie in die *Provinsiale Koerant* enige of alle van die bepalings *mutatis mutandis* van artikels *vier-en-sestig* tot en met *drie-en-sewentig* mag toepas op die verkiesings van lede van enige dorpsraad behalwe die bepalings van Hoofstuk XI.

HOOFSTUK I.

STADS- EN DORPSRADE.

Kwalifikasies.
van raadslede

4. Enig persoon, manlik of vroulik, bevoeg om geregistreer te word as 'n kieser by verkiesings van raadslede kragtens hierdie Ordonnansie sal bevoeg wees om as 'n raadslid verkies te word.

Diskwalifikasie.

5. Niemand wie se boedel in likwidasie is of onder oorgawe ten behoewe van sy skuldeisers, niemand wie se boedel gesekwestreer is as insolvent en wat nie gerehabiliteer is nie, niemand van swakke geesvermoëns as sulks verklaar deur 'n bevoegde hof, en niemand wat deur hierdie Ordonnansie gediskwalifiseer is sal in staat wees verkies te word, of indien verkies, as raadslid aan te bly.

Verdere
diskwalifikasie.

6. Niemand wat 'n betrekking of plaas beklee wat geldelik voordeel oplewer of waarvan die benoeming by die Raad berus, nog die eggenote van sulk persoon sal in staat wees verkies te word of as raadslid aan te bly; mits dat die bepalings van hierdie artikel nie toepaslik sal wees op 'n geneeskundige nie wat tewens 'n raadslid is en wat versoek word vir die Raad op te tree deur 'n meerderheid van twee-derdes van die Raad en met die toestemming van die Administrateur, nog die eggenote van enig sulk geneeskundige.

Omstandighede
waaronder
raadslid sy
amp opgee.

7. Enig raadslid wat sal ophou die kwalifikasies te besit deur hierdie Ordonnansie vereis of wat 'n besoldigde agent is vir 'n kandidaat by enige munisipale verkiesing kragtens hierdie Ordonnansie gedurende sy ampstydperk, of wat kragtens hierdie Ordonnansie gediskwalifiseer sal word, sal *ipso facto*

- “hy,” “hom,” “sy” en “homself” insluit die voornaamwoorde “sy,” “haar,” “haar” en “haarsel,” respektiewelik.
- “Plaaslik Bestuur Ordonnansie” beteken die Plaaslik Bestuur Ordonnansie, 1926, en enige wysiging daarvan ;
- “magistraat” beteken die magistraat van ’n magistraatsdistrik of subdistrik waarin ’n munisipaliteit geleë is, en in die geval van ’n munisipaliteit geleë binne ’n gedeelte van ’n magistraatsdistrik waarvoor ’n addisionele magistraat aangestel is, sal die uitdrukking “magistraat” ook sulke addisionele magistraat insluit ;
- munisipaliteit” beteken die gebied of distrik onder die bestuur en jurisdiksie van ’n stadsraad of van ’n dorpsraad wie s’n lede verkies word kragtens die bepalings van hierdie Ordonnansie ;
- “belasbaar eiendom” beteken enig eiendom belasbaar kragtens die bepalings van die Plaaslik Bestuur Belasting Ordonnansie, 1912, en enige wysigings daarvan ;
- “stadsklerk” beteken die persoon wat asdan wettiglik optree in die hoedanigheid van stadsklerk van enige munisipaliteit ;
- “stadsraad” beteken ’n Raad ingestel onder en kragtens die bepalings van Hoofstuk I van die Plaaslik Bestuur Ordonnansie ;
- “dorpsraad” beteken ’n Raad ingestel onder en kragtens die bepalings van Hoofstuk VIII van die Plaaslik Bestuur Ordonnansie.

3. (1) Hierdie Ordonnansie sal op die wyse en vir so ver as hierin voorgeskrewe toepaslik wees op die verkiesing van die lede van die Rade van munisipaliteite ingestel as stads- en dorpsrade kragtens die Plaaslik Bestuur Ordonnansie, en op die verkiesing van enige Raad hierna ingestel as ’n stads of dorpsraad kragtens die bepalings van die Ordonnansie.

Toepassing
van
Ordonnansie.

(2) Die bepalings van Hoofstukke I, II en XII sal toepaslik wees op die verkiesings van lede van stads- en dorpsrade.

(3) Die bepalings van Hoofstukke III tot en met X sal toepaslik wees op die verkiesings van lede van stadsrade alleen mits dat die Administrateur van tyd tot tyd deur proklamasie in die *Prowinsiale Koerant* op die verkiesings van lede van enige dorpsraad almal van die genoemde bepalings mag toepas, *mutatis mutandis* in plaas van die bepalings van Hoofstuk XI.

Ord. No. 3
van 1927.

hierdie Ordonnansie te betaal binne die voorgeskrewe tydperk, sal aan die bedrag betaalbaar by wyse van straf vir iedere maand of deel van 'n maand gedurende welke hy nalatig sal wees 'n som toegevoeg word bereken teen tien persent van die bedrag van die belasting, mits dat die bedrag van sulke straf hoogstens die bedrag van die belasting sal wees."

Wysiging van
artikel 14
van hoofwet.

2. Artikel *veertien* van die hoofwet sal wees en word hierby gewysig deur opname na die woord "opgelê" in die eerste reël van die woorde "en enige straf beloop."

Korte Tietel.

3. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Maatskappye Belasting Wysigings Ordonnansie, 1927, en sal as een gelees word met die hoofwet en enige amendement daarop.

Ord. No. 4
van 1927.

'N ORDONNANSIE

Tot konsolidasie en wysiging van die Wet wat betrekking het op die Verkiesing van Lede van Munisipale Rade in die Provinsie Transvaal.

(Goedgekeur 14 Junie 1927.)

(Datum van inwerkingtree, 1 Januarie 1927.*)

(Engelse kopie deur Goewerneur-generaal geteken.)

DIT WORD BEPAAL deur die Prowinsiale Raad van Transvaal as volg:—

INLEIDING.

Herroeping
van Wette.

1. Die wette genoem in die Eerste Skedule tot hierdie Ordonnansie is en word hierby herroep.

Verklaring
van
uitdrukkings.

2. In hierdie Ordonnansie sal, tensy in stryd met die samehang—

“Administrateur” beteken die amptenaar benoem kragtens subartikel (1) van artikel *ag-estig* van die Suidafrika Wet, 1909, of enige wysiging daarvan, handelende op die advies en met toestemming van die Uitvoerende Komitee van die Provinsie;

“aanvang van hierdie Ordonnansie” beteken die datum waarop hierdie Ordonnansie in werking getree het;

“Raad” beteken die Raad van 'n munisipaliteit ingestel onder en kragtens die bepaling van die Plaaslik Bestuur Ordonnansie;

* Sien artikel 140.

Skedule.

Ord. No. 2
 van 1927.

No. van Pos.	Diens.	Kolom 1.	Kolom 2.
		£	£
3	Vir salarisse en onkoste ten behoeve van Hospitale en Liefdadigheidsinrigtings, met inbegrip van Armesorg Met inbegrip van die nagenoemde dienste:— Toelaag aan Schweizer Reneke Woning-hospitaal Toelaag aan Middelburg Hospitaal Toelaag aan Lydenburg Hospitaal Toelaag aan Rustenburg Hospitaal Toelaag aan Duivelskloof Hospitaal Toelaag aan Hope Herstellingstehuis vir Kinders Toelaag aan Pretoria Weldadigheids Vereniging Toelaag aan St. George's Tehuis vir Jongens, Johannesburg Toelaag aan Vroue Sending Bond	16,613	150 600 50 2,500 70 45 200 8 45
5	Vir salarisse en onkoste ten behoeve van Allerlei Dienste Met inbegrip van die nagenoemde diens:— Toelaag aan Kruger Nasionale Park	875	875
6	Vir onkoste ten behoeve van Rente en Aflossing	55,979	
7	Vir onkoste ten behoeve van Kapitaal-uitgawe Met inbegrip van die nagenoemde dienste:— Werkeloosheid Spesiale toelaag van Unie Regering vir Wegaanleg Aanleg van Hoofrifweg	23,230	7,081 12,214 3,935
		£96,697	

'N ORDONNANSIE.

Tot Wysiging van die Maatskappye Belasting Ordonnansie, 1923.

Ord. No. 3
 van 1927.

(Goedgekeur 8 Junie 1927.)

(Datum van inwerkingtree, 29 Junie 1927.)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal as volg:—

1. Artikel *dertien* van die Maatskappye Belasting Wysiging van Ordonnansie 1923 (hierna die hoofwet genoem) sal wees en word hierby herroep en die volgende artikel van hoofwet. daarvoor in die plaas gestel:—

“13. Indien enige maatskappy versuim of nalaat enige belasting verskuldig kragtens

Ord. No. 2
van 1927.

'N ORDONNANSIE

**Tot aanwending van 'n verdere som geld van hoogstens
£96,697 vir die diens van die Provinsie Transvaal
vir die tydperk van die 1ste dag van April 1926 tot
die 31ste dag van Maart 1927.**

(Goedgekeur 22 Maart 1927.)

(Datum van inwerkingtree, 30 Maart 1927.)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal as volg :—

Prowinsiale
Inkomste-
fonds belas
met £96,697.

1. Die Prowinsiale Inkomstefonds van Transvaal word hierby belas vir die dienste van die genoemde Provinsie, vir die tydperk van die 1ste dag van April 1926 tot die 31ste dag van Maart 1927, albei dae inbegrepe, met 'n verdere som van hoogstens ses-en-negentig duisend seshonderd sewen-en-negentig pond bowe die somme waarin voorsien is deur die Toeëienings (1926-1927) Ordonnansie, 1926.

Hoe geld sal
aangewend
word.

2. Die geld deur hierdie Ordonnansie toegestaan sal aangewend word vir die doeleindes en vir die dienste wat genoem is in die skedule wat hierby gevoeg is, in ooreenstemming met die poste en subhoofde, besonderlik uiteengesit en genoem in die Begroting van Addisionele Toeëiening vir die genoemde tydperk, soas deur die Prowinsiale Raad goedgekeur.

Korte tiitel.

3. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Addisionele Toeëienings (1926-1927) Ordonnansie, 1927.

'N ORDONNANSIE

Ord. No. 1
van 1927.

Tot aanwending van 'n som van hoogstens £600,000 vir die dienste van die Provinsie Transvaal gedurende die jaar wat eindig op die 31ste dag van Maart 1928.

(Goedgekeur 22 Maart 1927.)

(Datum van inwerkingtree, 30 Maart 1927.)

(Engelse kopie deur Goewerneur-generaal geteken.)

SY DIT BEPAAL deur die Prowinsiale Raad van Transvaal as volg :—

1. Op en na die eerste dag van April 1927 mag uit die Prowinsiale Inkomstefonds sulke somme geld verstrekk word, by mekaar geneem nie meer te bedraag dan die som van seshonderd duisend pond nie, soos van tyd tot tyd mag nodig wees vir die diens van die Provinsie, vir die jaar wat eindig op die 31ste dag van Maart 1928, tot sulke tyd as die Raad daarvoor voorsiening gemaak het in 'n Toeëienings-ordonnansie. £600,000 mag verstrekk word uit die Prowinsiale Inkomstefonds.
2. Alle somme wat uitgekeer word kragtens die bepalinge van hierdie Ordonnansie, sal aangemerkt word as voorskotte op rekening van toelae wat sal verleen word in 'n Toeëienings-ordonnansie vir die jaar wat eindig op die een-en-dertigste dag van Maart 1928, en dadelik by die aanvang van sulke Toeëienings-ordonnansie sal hierdie Ordonnansie ophou van krag te wees, en uitkerings wat hieronder al gemaak is sal geag uitkerings te wees gemaak kragtens die Toeëienings-ordonnansie en sal verantwoord word ooreenkomstig met die bepalinge daarvan; mits dat geen dienste waarop geen uitgawe was beloof nie gedurende die finansiële jaar wat eindig op die een-en-dertigste dag van Maart 1927, of waarover geen wettige magtiging bestaan nie, sal geag word onder hierdie Ordonnansie gemagtig te wees. Uitkerings onder hierdie Ordonnansie aangemerkt te word as voorlopige voorskotte.
3. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Toeëienings (Deel 1927-1928) Ordonnansie, 1927. Korte titel.

INHOUD.

(ALFABETIES.)

NOMMER VAN ORDONNANSIE.	TITEL.	BLADSY.
2	Addisionele Toeëienings (1926-27)	2
10	Algemene Handelaars (Kontrole) Wysigings	85
3	Maatskappye Belasting Wysigings	3
18	Motorvoertuie Verdere Wysigings	131
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4	Munisipale Verkiesings	4
12	Nie-Gemagtigde Uitgawe (1925-26)	89
21	Onderwyswet Wysigings	137
9	Perdewedrenne en Weddenskappe	69
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13	Toeëienings (1927-28)	90
1	Toeëienings (Deel 1927-28)	1
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17	Transvaalse Onderwysers Pensioene Wysigings	123
5	Twede Toeëienings (Deel 1927-28)	60
19	Weëfonds	132
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15	Winkelure Verdere Wysigings	115
8	Winkelure Wysigings	67

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TRANSVAAL



ORDONNANSIES
VAN
DIE PROVINSIE TRANSVAAL
1927

GEPUBLISEER OP LAS

En gedruk onder toesig van die Staatsdrukker

PRETORIA
DIE STAATSDRUKKERY EN KANTOOR VAN SKRYFBEHOEFTE
1927