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BUITENGEWONE **EXTRAORDINARY**

Staatskoerant

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Government Gazette

THE REPUBLIC OF SOUTH AFRICA

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VOL. III.] **PRYS 5c** KAAPSTAD, 23 MAART 1962. CAPE TOWN, 23RD MARCH, 1962. **PRICE 5c** [No. 205.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 464.] [23 Maart 1962.

Hierby word bekend gemaak dat die Wysigingswet op Registrasie van Stamboekvee, 1962, per abuis, in plaas van die Wet op Ongemagtigde Uitgawes (1960–'61), 1962, op bladsye 60 en 61 van die *Buitengewone Staatskoerant* No. 202 van 16 Maart 1962, as Wet No. 26 van 1962 gepubliseer is.

Die Wet op Ongemagtigde Uitgawes (1960–'61), 1962 (Wet 26 van 1962) sowel as die onderstaande Wette waaraan die Staatspresident sy goedkeuring geheg het, word hierby ter algemene inligting gepubliseer:—

		BLADSY
No. 27 van 1962:	Wysigingswet op Registrasie van Stamboekvee, 1962	4
No. 28 van 1962:	Wet op Provinsiale Uitvoerende Komitees, 1962	8
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Die afkondiging in *Buitengewone Staatskoerant* No. 202 van 16 Maart 1962 van die Wysigingswet op die Registrasie van Stamboekvee, 1962, as Wet 26 van 1962, word hierby ingetrek.

DEPARTMENT OF THE PRIME MINISTER.

No. 464.] [23rd March, 1962.

It is hereby notified that the Registration of Pedigree Livestock Amendment Act, 1962, was erroneously published on pages 60 and 61 of *Government Gazette Extraordinary* No. 202 of 16 March, 1962, as Act No. 26 of 1962, instead of the Unauthorised Expenditure (1960–'61) Act, 1962.

The Unauthorised Expenditure (1960–'61) Act, 1962 (Act 26 of 1962), as well as the following Acts assented to by the State President, are hereby published for general information:—

		PAGE
No. 27 of 1962:	Registration of Pedigree Livestock Amendment Act, 1962	5
No. 28 of 1962:	Provincial Executive Committees Act, 1962	9
No. 29 of 1962:	University of the Orange Free State (Private) Act Amendment (Private) Act, 1962	7
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The publication of the Registration of Pedigree Livestock Amendment Act, 1962, as Act 26 of 1962, in *Government Gazette Extraordinary* No. 202 of 16 March, 1962, is hereby withdrawn.

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No. 26, 1962.]

WET

Tot aanwending van 'n verdere som vir die diens van die Republiek vir die boekjaar wat op die een-en-dertigste dag van Maart 1961 geëindig het, tot bestryding en dekking van sekere ongemagtigde uitgawes.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 9 Maart 1962.)

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

Gekonsolideerde Inkomstefonds belas met R69,258.65.

1. Die Gekonsolideerde Inkomstefonds van die Republiek word hierby belas met die som van nege-en-sestigduisend tweehonderd agt-en-vyftig rand vyf-en-sestig sent tot dekking van sekere uitgawes bo en behalwe die bedrae beskikbaar gestel vir die diens van die Republiek vir die boekjaar wat op die een-en-dertigste dag van Maart 1961 geëindig het. Hierdie uitgawes word uiteengesit in die Bylae by hierdie Wet en word nader omskryf op bladsye 8 tot 11 van die (aan die Parlement voorgelegde) Verslag van die Kontroleur en Ouditeur-generaal oor die rekenings vir voormelde boekjaar en in die Eerste Verslag van die Gekose Komitee oor Openbare Rekenings, 1962.

Kort titel.

2. Hierdie Wet heet die Wet op Ongemagtigde Uitgawes (1960-'61), 1962.

Bylae.

No. van Begrotingspos.	Titel van Begrotingspos.	Bedrag.
	(Op Inkomsterekening.)	R
8	Bosbou	4,215.52
24	Vervoer	11,439.53
		15,655.05
	(Op Leningsrekening.)	
E	Waterwese	2,089.87
L	Vervoer	11,760.20
Q	Bantoe-onderwys	39,753.53
		53,603.60
	Totaal	R 69,258.65

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No. 26, 1962.]

ACT

To apply a further sum of money towards the service of the Republic for the financial year ended on the thirty-first day of March, 1961, for the purpose of meeting and covering certain unauthorised expenditure.

(*Afrikaans text signed by the State President.*)
(*Assented to 9th March,* 1962.)

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

Consolidated Revenue Fund charged with R69,258.65.

1. The Consolidated Revenue Fund of the Republic is hereby charged with the sum of sixty-nine thousand two hundred and fifty-eight rand and sixty-five cents to meet certain expenditure over and above the amounts appropriated for the service of the Republic for the financial year which ended on the thirty-first day of March, 1961. Such expenditure is set forth in the Schedule to this Act and is more particularly specified on pages 8 to 11 of the Report (which has been submitted to Parliament) of the Controller and Auditor-General on the accounts for the said financial year and in the First Report of the Select Committee on Public Accounts, 1962.

Short title.

2. This Act shall be known as the Unauthorised Expenditure (1960-'61) Act, 1962.

Schedule.

No. of Vote.	Title of Vote.	Amount.
	(*On Revenue Account.*)	
		R
8	Forestry	4,215.52
24	Transport	11,439.53
		15,655.05
	(*On Loan Account.*)	
E	Water Affairs	2,089.87
L	Transport	11,760.20
Q	Bantu Education	39,753.53
		53,603.60
	Total	R 69,258.65

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No. 27, 1962.]

WET

Tot wysiging van die Wet op Registrasie van Stamboekvee, 1957.

(*Engelse teks deur die Staatspresident geteken.*)
(*Goedgekeur op* 13 *Maart* 1962.)

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

Wysiging van artikel 1 van Wet 28 van 1957.

1. Artikel *een* van die Wet op Registrasie van Stamboekvee, 1957 (hieronder die Hoofwet genoem), word hierby gewysig—

(*a*) deur die omskrywing van „Minister" deur die volgende omskrywing te vervang:
„ ‚Minister' die Minister van Landbou-tegniese Dienste;";

(*b*) deur in die omskrywing van „plaasvee" die woord „renperde" deur die woord „Volbloedperde" te vervang;

(*c*) deur na die omskrywing van „plaasvee" die volgende omskrywing in te voeg:
„ ‚rasegte vee' plaasvee wat aan 'n bepaalde veeras behoort en die fenotipiese eienskappe van daardie ras besit;"; en

(*d*) deur die volgende sub-artikels daarby te voeg, terwyl die bestaande artikel sub-artikel (1) word:
„(2) Plaasvee word geag aan 'n bepaalde ras te behoort ook as dit geteel is deur 'n proses van opgradering met rasegte vaars van daardie ras vir minstens ses geslagte.
(3) Geen nuut geteelde ras van plaasvee word as 'n ras vir die doeleindes van hierdie Wet erken nie tensy—
(*a*) dit vir minstens ses geslagte as 'n geslote groep geteel is; en
(*b*) dit met die goedkeuring van die Minister deur die vereniging erken is.".

Wysiging van artikel 2 van Wet 28 van 1957.

2. Artikel *twee* van die Hoofwet word hierby gewysig deur in die Afrikaanse teks van sub-artikel (1) die woord „rasvee" oral waar dit voorkom deur die woorde „rasegte vee" te vervang.

Wysiging van artikel 4 van Wet 28 van 1957.

3. Artikel *vier* van die Hoofwet word hierby gewysig deur aan die end van sub-artikel (1) die woorde „of deur in enige ander hoedanigheid as die van afslaer as sy agent op te tree" by te voeg.

Wysiging van artikel 8 van Wet 28 van 1957.

4. Artikel *agt* van die Hoofwet word hierby gewysig—

(*a*) deur paragraaf (*a*) deur die volgende paragraaf te vervang:
„(*a*) om die afstamming van rasegte vee wat in die Republiek geteel of daarin ingevoer is en van rasegte vee wat in 'n gebied geteel of ingevoer is wat aan die Republiek of die gebied van Suidwes-Afrika grens en deur die vereniging met goedkeuring van die Minister bepaal is, te registreer;"; en

(*b*) deur in paragraaf (*b*) die woord „Unie" deur die woord „Republiek" te vervang.

Wysiging van artikel 12 van Wet 28 van 1957.

5. Artikel *twaalf* van die Hoofwet word hierby gewysig deur die woord „Unie" deur die woord „Republiek" te vervang.

Kort titel.

6. Hierdie Wet heet die Wysigingswet op Registrasie van Stamboekvee, 1962.

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No. 27, 1962.]

ACT

To amend the Registration of Pedigree Livestock Act, 1957.

(*English text signed by the State President.*)
(*Assented to 13th March* 1962.)

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

Amendment of section 1 of Act 28 of 1957.

1. Section *one* of the Registration of Pedigree Livestock Act, 1957 (hereinafter referred to as the principal Act), is hereby amended—

(*a*) by the substitution in the definition of "farm livestock" for the words "thoroughbred horses" of the word "Thoroughbreds";

(*b*) by the substitution for the definition of "Minister" of the following definition:
"'Minister' means the Minister of Agricultural Technical Services;";

(*c*) by the insertion after the definition of "Minister" of the following definition:
"'pure-bred livestock' means farm livestock which belongs to and possesses the phenotypical characteristics of a particular breed of livestock;"; and

(*d*) by the addition thereto of the following sub-sections, the existing section becoming sub-section (1):
"(2) Any farm livestock shall be regarded as belonging to a particular breed also if it has been bred by a process of upgrading with pure-bred sires of that breed for at least six generations.
(3) No newly-evolved breed of farm livestock shall be recognized as a breed for the purposes of this Act, unless—
(*a*) it has been bred as a closed group for at least six generations; and
(*b*) it has, with the approval of the Minister, been recognized by the association.".

Amendment of section 2 of Act 28 of 1957.

2. Section *two* of the principal Act is hereby amended by the substitution in the Afrikaans version of sub-section (1) for the word "rasvee" wherever it occurs of the words "rasegte vee".

Amendment of section 4 of Act 28 of 1957.

3. Section *four* of the principal Act is hereby amended by the addition at the end of sub-section (1) of the words "or by acting as his agent in any capacity other than that of auctioneer".

Amendment of section 8 of Act 28 of 1957.

4. Section *eight* of the principal Act is hereby amended—

(*a*) by the substitution for paragraph (*a*) of the following paragraph:
"(*a*) to register pedigrees of pure-bred livestock bred in or imported into the Republic and pure-bred livestock bred in or imported into any territory bordering on the Republic or on the territory of South West Africa and determined by the association with the approval of the Minister;"; and

(*b*) by the substitution in paragraph (*b*) for the word "Union" of the word "Republic".

Amendment of section 12 of Act 28 of 1957.

5. Section *twelve* of the principal Act is hereby amended by the substitution for the word "Union" of the word "Republic".

Short title.

6. This Act shall be called the Registration of Pedigree Livestock Amendment Act, 1962.

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No. 29, 1962.]

PRIVATE WET

Tot wysiging van die Private Wet op die Universiteit van die Oranje-Vrystaat, 1949.

(*Afrikaanse teks deur die Staatspresident geteken.*)
(*Goedgekeur op* 13 *Maart* 1962.)

Aanhef.

NADEMAAL die Universiteit van die Oranje-Vrystaat (hierna die Universiteit genoem) as regspersoon erken is deur die Private Wet op die Universiteit van die Oranje-Vrystaat, 1949 (Wet No. 21 van 1949), welke Wet gewysig is deur die Wet op Universiteite, 1955 (Wet No. 61 van 1955), en die Wysigingswet op die Private Wet op die Universiteit van die Oranje-Vrystaat, 1959 (Wet No. 36 van 1959), (welke Wet No. 21 van 1949, soos gewysig, hieronder die Hoofwet genoem word):

EN NADEMAAL dit vir beter administrasie en bestuur van die Universiteit wenslik is om die Hoofwet te wysig:—

(*a*) om te bepaal dat daar twee persone (van wie een 'n senior lektor moet wees) in die Senaat van die Universiteit moet wees wat lede is van, en volgens voorskrif van die statute gekies word deur, die voltydse doserende personeel wat goedgekeurde pensioendraende poste beklee en wat nie professore is nie;

(*b*) om voorsiening te maak vir die instelling van fakulteite van lettere en wysbegeerte, sosiale wetenskappe, natuurwetenskappe, opvoedkunde, regsgeleerdheid, ekonomiese en administratiewe wetenskappe, landbou, en sodanige ander fakulteite of departemente as wat die Raad met die goedkeuring van die Minister bepaal;

(*c*) om te bepaal dat die Raad na oorleg met die Senaat 'n fakulteit of departement kan afskaf;

(*d*) om te bepaal dat die doserende personeel deur die Raad na oorleg met die Senaat of 'n komitee daarvan aangestel word;

(*e*) om te bepaal dat 'n graad *honoris causa* sonder eksamen slegs op aanbeveling van die Senaat toegeken word; en

(*f*) om voorsiening te maak vir die wysiging van artikel *drie-en-dertig* van die Hoofwet deur in die Afrikaanse teks daarvan die woord „daaroor" te vervang deur die woord „oor":

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

Wysiging van artikel 8 van Wet 21 van 1949.

1. Artikel *agt* van die Hoofwet word hierby gewysig deur paragraaf (*e*) van sub-artikel (1) deur die volgende paragraaf te vervang—

„(*e*) twee persone wat lede is van, en volgens voorskrif van die statute gekies word deur, die voltydse doserende personeel wat goedgekeurde pensioendraende poste beklee en nie professore is nie: Met dien verstande dat een van die twee gekose lede 'n senior lektor moet wees."

Vervanging van artikel 12 van Wet 21 van 1949.

2. Artikel *twaalf* van die Hoofwet word hierby deur die volgende artikel vervang:

„Fakulteite. **12.** (1) Aan die Universiteit is daar fakulteite van lettere en wysbegeerte, sosiale wetenskappe, natuurwetenskappe, opvoedkunde, regsgeleerdheid, ekonomiese en administratiewe wetenskappe, landbou, en sodanige ander fakulteite of departemente as wat die Raad, met die goedkeuring van die Minister en onderworpe aan die statute, van tyd tot tyd bepaal.

(2) Die Raad kan, na oorleg met die Senaat, 'n fakulteit of departement afskaf."

Vervanging van artikel 13 van Wet 21 van 1949, soos gewysig deur artikel 29 van Wet 61 van 1955.

3. Artikel *dertien* van die Hoofwet word hierby deur die volgende artikel vervang:

„Aanstelling van doserende personeel. **13.** Die professore, lektore en ander dosente van die Universiteit word deur die Raad aangestel na oorleg met die Senaat of 'n komitee daarvan wat vir dié doel deur die Senaat aangestel is."

Wysiging van artikel 17 van Wet 21 van 1949.

4. Artikel *sewentien* van die Hoofwet word hierby gewysig deur die woorde „na oorleg met" oral waar hulle voorkom te vervang deur die woorde „op aanbeveling van".

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No. 29, 1962.]

PRIVATE ACT

To amend the University of the Orange Free State (Private) Act, 1949.

(Afrikaans text signed by the State President.)
(Assented to 13th March, 1962.)

Preamble.

WHEREAS the University of the Orange Free State, (hereinafter referred to as the University), was incorporated by the University of the Orange Free State (Private) Act, 1949 (Act No. 21 of 1949), which Act was amended by the Universities Act, 1955 (Act No. 61 of 1955), and the University of the Orange Free State (Private) Act Amendment Act, 1959 (Act No. 36 of 1959), (the said Act No. 21 of 1949, as amended, being hereinafter referred to as the principal Act):

AND WHEREAS for the better administration and conduct of the University it is desirable to amend the principal Act so as:—

(*a*) to provide that there shall be two persons (one of whom shall be a senior lecturer) on the Senate of the University who shall be members of, and chosen as prescribed by the statutes by, the full-time teaching staff who occupy approved pensionable posts and who are not professors;

(*b*) to provide for the establishment of faculties of arts, social science, natural science, education, law, economic and administrative sciences, agriculture, and such other faculties or departments as the Council with the approval of the Minister may determine;

(*c*) to provide that the Council may, after consultation with the Senate, abolish a faculty or department;

(*d*) to provide that the teaching staff shall be appointed by the Council after consultation with the Senate or a committee thereof;

(*e*) to provide that a degree *honoris causa* without examination shall be conferred only on the recommendation of the Senate; and

(*f*) to provide for the amendment of section *thirty-three* of the principal Act by the substitution in the Afrikaans version thereof for the word "daaroor" of the word "oor":

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

Amendment of section 8 of Act 21 of 1949.

1. Section *eight* of the principal Act is hereby amended by the substitution for paragraph (*e*) of sub-section (1) of the following paragraph—

"(*e*) two persons who shall be members of, and chosen as prescribed by the statutes by, the full-time teaching staff who occupy approved pensionable posts and who are not professors: Provided that one of the two chosen members shall be a senior lecturer."

Substitution of section 12 of Act 21 of 1949.

2. The following section is hereby substituted for section *twelve* of the principal Act:

"Faculties. **12.** (1) At the University there shall be faculties of arts, social science, natural science, education, law, economic and administrative sciences, agriculture, and such other faculties or departments as the Council, with the approval of the Minister and subject to the statutes, may from time to time determine.

(2) The Council may after consultation with the Senate abolish any faculty or department."

Substitution of section 13 of Act 21 of 1949, as amended by section 29 of Act 61 of 1955

3. The following section is hereby substituted for section *thirteen* of the principal Act:

"Appointment of teaching staff. **13.** The professors, lecturers and other teachers of the University shall be appointed by the Council after consultation with the Senate or a committee thereof appointed by the Senate for that purpose."

Amendment of section 17 of Act 21 of 1949.

4. Section *seventeen* of the principal Act is hereby amended by the substitution for the words "after consultation with" wherever they occur of the words "on the recommendation of".

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Wysiging van artikel 33 van Wet 21 van 1949, soos gewysig deur artikel 2 van Wet 36 van 1959.

5. Artikel *drie-en-dertig* van die Hoofwet word hierby gewysig deur in die Afrikaanse teks daarvan die woord „daaroor" te vervang deur die woord „oor".

Kort titel.

6. Hierdie Wet heet die Private Wysigingswet op die Private Wet op die Universiteit van die Oranje-Vrystaat, 1962.

No. 28, 1962.]

WET

Tot wysiging van die Grondwet van die Republiek van Suid-Afrika, 1961.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 13 *Maart* 1962.)

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

Vervanging van artikel 77 van Wet 32 van 1961.

1. Artikel *sewe-en-sewentig* van die Grondwet van die Republiek van Suid-Afrika, 1961, word hierby deur die volgende artikel vervang—

„Wyse van stemming vir provinsiale uitvoerende komitees.

77. (1) Lede van die uitvoerende komitee van 'n provinsie word by meerderheidstem gekies en elke kieser het een nie-oordraagbare stem vir elke lid van daardie komitee wat verkies moet word.

(2) Indien twee of meer persone wat by die verkiesing van lede van 'n uitvoerende komitee kandidate vir dieselfde setel is, dieselfde getal stemme ontvang, word 'n her-verkiesing van 'n lid vir bedoelde setel onverwyld gehou volgens daardie beginsel van proporsionele verteenwoordiging waarvolgens elke kieser een oordraagbare stem het, en indien bedoelde persone by so 'n her-verkiesing weer dieselfde getal stemme ontvang, word een van bedoelde persone, wat deur loting bepaal word, geag as lid vir daardie setel verkies te wees.

(3) Die Staatspresident kan regulasies uitvaardig aangaande die verkiesing van lede van die uitvoerende komitee van 'n provinsie ingevolge hierdie artikel, met inbegrip van regulasies aangaande die pligte van kiesbeamptes in verband met sodanige verkiesings en aangaande die loting in die omstandighede in sub-artikel (2) beoog.".

Kort titel en inwerkingtreding.

2. Hierdie Wet heet die Wet op Provinsiale Uitvoerende Komitees, 1962, en geld ten opsigte van alle verkiesings van lede van die uitvoerende komitee van 'n provinsie volgende op die eerste algemene verkiesing van provinsiale raadslede na die datum van afkondiging van hierdie Wet.

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5. Section *thirty-three* of the principal Act is hereby amended by the substitution in the Afrikaans version thereof for the word "daaroor" of the word "oor". **Amendment of section 33 of Act 21 of 1949, as amended by section 2 of Act 36 of 1959.**

6. This Act shall be called the University of the Orange Free State (Private) Act Amendment (Private) Act, 1962. **Short title.**

No. 28, 1962.]

ACT

To amend the Republic of South Africa Constitution Act, 1961.

(*Afrikaans text signed by the State President.*)
(*Assented to 13th March,* 1962.)

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

1. The following section is hereby substituted for section *seventy-seven* of the Republic of South Africa Constitution Act, 1961: **Substitution of section 77 of Act 32 of 1961.**

"Method of voting for provincial executive committees. 77. (1) Members of the executive committee of a province shall be elected by majority vote, each voter having one non-transferable vote for every member of that committee to be elected.

(2) If two or more persons who at any election of members of an executive committee are candidates for the same seat, receive the same number of votes, a re-election of a member for that seat shall be held forthwith according to that principle of proportional representation according to which each voter has one transferable vote, and if at such re-election the said persons again receive the same number of votes, one of the said persons to be determined by the drawing of lots shall be deemed to have been elected as the member for that seat.

(3) The State President may make regulations in regard to the election of members of the executive committee of a province under this section, including regulations in regard to the duties of returning officers in connection with such elections and in regard to the drawing of lots under the circumstances contemplated in sub-section (2).".

2. This Act shall be called the Provincial Executive Committees Act, 1962, and shall apply in respect of all elections of members of the executive committee of a province following the first general election of provincial councillors after the date of promulgation of this Act. **Short title and commencement.**

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No. 30, 1962.]

WET

Tot wysiging van die Wet op Openbare Rekenmeesters en Ouditeurs, 1951.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 13 *Maart* 1962.)

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

Wysiging van artikel 1 van Wet 51 van 1951, soos gewysig deur artikel 1 van Wet 47 van 1956.

1. Artikel *een* van die Wet op Openbare Rekenmeesters en Ouditeurs, 1951 (hieronder die Hoofwet genoem), word hierby gewysig—
(*a*) deur die omskrywing van „adviserende komitee" te skrap;
(*b*) deur die omskrywing van „Unie" deur die volgende omskrywing te vervang:
„ ‚Republiek' ook die gebied Suidwes-Afrika;".

Wysiging van artikel 3 van Wet 51 van 1951, soos gewysig deur artikel 2 van Wet 47 van 1956.

2. Artikel *drie* van die Hoofwet word hierby gewysig—
(*a*) deur in paragraaf (*a*) van sub-artikel (6) na die woord „Accountants" die woorde „of 'n ander liggaam wat rekenmeesters en ouditeurs in die Federasie van Rhodesië en Niassaland verteenwoordig" in te voeg;
(*b*) deur in paragraaf (*b*) van genoemde sub-artikel na die woord „Society" die woorde „of liggaam" in te voeg.

Wysiging van artikel 10 van Wet 51 van 1951, soos gewysig deur artikel 6 van Wet 47 van 1956.

3. Artikel *tien* van die Hoofwet word hierby gewysig—
(*a*) deur in die voorbehoudsbepaling by sub-artikel (2) na die woorde „afgeneem is" die woorde „of die bevoegdheid oorgedra het om te bepaal of iemand as 'n rekenmeester en ouditeur geregistreer moet word al dan nie, of die bevoegdheid oorgedra het om die registrasie van enigiemand as rekenmeester en ouditeur te kanselleer," in te voeg;
(*b*) deur die volgende sub-artikel aan die end daarvan by te voeg:
„(3) 'n Verwysing in hierdie Wet na die raad met betrekking tot die uitoefening van 'n bevoegdheid wat die raad aan 'n komitee oorgedra het, word uitgelê ook as 'n verwysing na daardie komitee.".

Herroeping van artikels 13 tot 20 van Wet 51 van 1951.

4. Artikels *dertien* tot en met *twintig* van die Hoofwet word hierby herroep.

Wysiging van artikel 21 van Wet 51 van 1951, soos gewysig deur artikel 7 van Wet 47 van 1956.

5. Artikel *een-en-twintig* van die Hoofwet word hierby gewysig deur in paragraaf (*g*) van sub-artikel (1) na die woord „register" die woorde „beperkte, tydelike of permanente onbevoegdverklaring vir registrasie" in te voeg.

Wysiging van artikel 23 van Wet 51 van 1951, soos gewysig deur artikel 8 van Wet 47 van 1956 en artikel 1 van Wet 64 van 1957.

6. Artikel *drie-en-twintig* van die Hoofwet word hierby gewysig—
(*a*) deur in paragraaf (*e*) van sub-artikel (3) die woorde „adviserende komitee of die" en aan die end van genoemde paragraaf die woord „of" te skrap;
(*b*) deur paragraaf (*f*) van sub-artikel (3) te skrap;
(*c*) deur in paragraaf (*a*) van sub-artikel (4) die uitdrukking „of (*f*)" te skrap;
(*d*) deur in paragraaf (*b*) van sub-artikel (4) al die woorde na die woord „toelaat" waar dit die eerste keer voorkom, te skrap;
(*e*) deur aan die end van paragraaf (*c*) van sub-artikel (6) die woord „of" by te voeg;
(*f*) deur na genoemde paragraaf (*c*) die volgende paragraaf in te voeg:
„(*d*) indien hy ingevolge 'n kragtens hierdie Wet opgelegde straf onbevoeg is om geregistreer te word;";
(*g*) deur in sub-artikel (6) na die woorde „aangegaan het" die woorde „of wat hom skuldig gemaak het aan gedrag as gevolg waarvan hy na die oordeel van die raad nie 'n geskikte persoon is om geregistreer te word nie" in te voeg;

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No. 30, 1962.]

ACT

To amend the Public Accountants' and Auditors' Act, 1951.

(*English text signed by the State President.*)
(*Assented to 13th March,* 1962.)

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

1. Section *one* of the Public Accountants' and Auditors' Act, 1951 (hereinafter referred to as the principal Act), is hereby amended—

(*a*) by the deletion of the definition of "advisory committee";

(*b*) by the insertion after the definition of "public practice" of the following definition:

"'Republic' includes the territory of South-West Africa;";

(*c*) by the deletion of the definition of "Union".

Amendment of section 1 of Act 51 of 1951, as amended by section 1 of Act 47 of 1956.

2. Section *three* of the principal Act is hereby amended—

(*a*) by the insertion in paragraph (*a*) of sub-section (6) after the word "Accountants" of the words "or any other body representing accountants and auditors in the Federation of Rhodesia and Nyasaland";

(*b*) by the insertion in paragraph (*b*) of the said sub-section after the word "Society" of the words "or body".

Amendment of section 3 of Act 51 of 1951, as amended by section 2 of Act 47 of 1956.

3. Section *ten* of the principal Act is hereby amended—

(*a*) by the insertion in the proviso to sub-section (2) after the word "*twenty-five*" of the words "or the power to determine whether or not any person shall be registered as an accountant and auditor, or the power to cancel the registration of any person as an accountant and auditor,";

(*b*) by the addition of the following sub-section at the end thereof:

"(3) Any reference in this Act to the board in relation to the exercise of any power which it has assigned to a committee shall be construed as including a reference to that committee.".

Amendment of section 10 of Act 51 of 1951, as amended by section 6 of Act 47 of 1956.

4. Sections *thirteen* to *twenty*, inclusive, of the principal Act are hereby repealed.

Repeal of sections 13 to 20 of Act 51 of 1951.

5. Section *twenty-one* of the principal Act is hereby amended by the insertion in paragraph (*g*) of sub-section (1) after the word "register" of the words "qualified, temporary or permanent disqualification for registration".

Amendment of section 21 of Act 51 of 1951, as amended by section 7 of Act 47 of 1956.

6. Section *twenty-three* of the principal Act is hereby amended—

(*a*) by the deletion in paragraph (*e*) of sub-section (3) of the words "advisory committee or of the" and of the word "or" at the end of the said paragraph;

(*b*) by the deletion of paragraph (*f*) of sub-section (3);

(*c*) by the deletion in paragraph (*a*) of sub-section (4) of the expression "or (*f*)";

(*d*) by the deletion in paragraph (*b*) of sub-section (4) of all the words after the word "allow" where it occurs for the first time;

(*e*) by the addition at the end of paragraph (*c*) of sub-section (6) of the word "or";

(*f*) by the insertion after the said paragraph (*c*) of the following paragraph:

"(*d*) if he is disqualified for registration in terms of a punishment imposed under this Act;";

(*g*) by the addition at the end of sub-section (6) of the words "or who has been guilty of conduct by reason whereof he is in the opinion of the board not a fit person to be registered";

Amendment of section 23 of Act 51 of 1951, as amended by section 8 of Act 47 of 1956 and section 1 of Act 64 of 1957.

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(*h*) deur in sub-artikel (7) die uitdrukking „(*b*) of (*c*)" deur die uitdrukking „of (*b*)" te vervang en aan die end van genoemde sub-artikel die woorde „of wat voor sy registrasie hom skuldig gemaak het aan gedrag as gevolg waarvan hy na die oordeel van die raad nie 'n geskikte persoon is om geregistreer te wees nie" by te voeg;

(*i*) deur sub-artikel (9) deur die volgende sub-artikel te vervang:

„(9) (*a*) Behoudens die bepalings van sub-artikel (6), moet die raad op aansoek by hom iemand wat voorheen as rekenmeester en ouditeur ingevolge hierdie Wet geregistreer was, as rekenmeester en ouditeur registreer, indien hy die voorgeskrewe woonkwalifikasies besit en die voorgeskrewe registrasiegeld en enige agterstallige jaarlikse gelde betaal het.

(*b*) Paragraaf (*a*) is nie ten opsigte van 'n buitelandse rekenmeester en ouditeur van toepassing nie.";

(*j*) deur in sub-artikel (11) na die woord „geregtig" die woorde „om homself as 'n openbare rekenmeester of 'n openbare rekenmeester en ouditeur te beskryf en" in te voeg;

Wysiging van artikel 24 van Wet 51 van 1951, soos gewysig deur artikel 9 van Wet 47 van 1956 en artikel 2 van Wet 64 van 1957.

7. Artikel *vier-en-twintig* van die Hoofwet word hierby gewysig—

(*a*) deur in sub-artikel (1) na die woorde „verleen nie" die woorde „tensy die raad oortuig is dat daardie persoon, hetsy vir eie rekening of in vennootskap, daadwerklik in die Republiek openbare praktyk beoefen van so 'n aard dat die klerk algemene praktiese opleiding en ondervinding van voldoende omvangryke aard sal geniet en" in te voeg;

(*b*) deur aan die end van paragraaf (*b*) van genoemde sub-artikel die woord „en" te skrap;

(*c*) deur paragraaf (*c*) van genoemde sub-artikel te skrap.

Wysiging van artikel 26 van Wet 51 van 1951, soos gewysig deur artikel 11 van Wet 47 van 1956.

8. Artikel *ses-en-twintig* van die Hoofwet word hierby gewysig—

(*a*) deur in sub-artikel (1) al die woorde voor die woord „tensy" deur die woorde „Niemand wat in die hoedanigheid van ouditeur van enige onderneming optree, mag, sonder sodanige voorbehoud as wat onder die omstandighede gepas is, na aanleiding van 'n ouditering deur hom in daardie hoedanigheid uitgevoer, sertifiseer of verslag doen nie ten effekte dat 'n balansstaat of wins- en -verliesrekening en ook enige bylae by daardie balansstaat of wins- en -verliesrekening, wat op daardie onderneming betrekking het, korrek is of 'n ware en regverdige uiteensetting weergee van die aangeleenthede wat daarin behandel word" te vervang;

(*b*) deur in paragraaf (*a*) van genoemde sub-artikel al die woorde na die woord „hoegenaamd" te skrap;

(*c*) deur in paragraaf (*b*) van genoemde sub-artikel die woord „Unie" deur die woorde „Republiek, of in die geval van die gebied Suidwes-Afrika, in een van daardie tale of die Duitse taal," te vervang;

(*d*) deur in paragraaf (*e*) van genoemde sub-artikel die woorde „die gewone erkende metodes" deur die woorde „metodes wat met inagneming van die aard van die betrokke onderneming redelikerwys gepas is," te vervang;

(*e*) deur in paragraaf (*f*) van genoemde sub-artikel die woorde „van so 'n staat, rekening, balansstaat of dokument" deur die woorde „of waarheid en regverdigheid van so 'n balansstaat, rekening of bylae" te vervang;

(*f*) deur paragraaf (*g*) van genoemde sub-artikel te skrap;

(*g*) deur in paragraaf (*h*) van genoemde sub-artikel die woorde „so 'n sertifikaat gegee het, of aldus gesertifiseer het" deur die woorde „aldus gesertifiseer of verslag gedoen het" te vervang;

(*h*) deur na sub-artikel (1) die volgende sub-artikels in te voeg:

„(1)*bis* Geen ouditeur of rekenmeester mag, sonder sodanige voorbehoud as wat onder die omstandighede gepas is, wanneer hy anders optree as na aanleiding van 'n ouditering, sertifiseer of verslag doen nie ten effekte dat 'n rekening, staat of ander dokument met betrekking tot die besigheid of finansiële aangeleenthede van 'n onderneming korrek is of 'n ware en

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(*h*) by the substitution in sub-section (7) for the expression "(*b*) or (*c*)" of the expression "or (*b*)" and the addition at the end of the said sub-section of the words "or who has prior to his registration been guilty of conduct by reason whereof he is in the opinion of the board not a fit person to be registered";

(*i*) by the substitution for sub-section (9) of the following sub-section:

"(9) (*a*) Subject to the provisions of sub-section (6), the board shall on application to it register as an accountant and auditor any person who was previously registered as an accountant and auditor under this Act, if he possesses the prescribed residential qualifications and has paid the prescribed registration fee and any arrear annual fee.

(*b*) Paragraph (*a*) shall not apply in respect of a non-resident accountant and auditor.";

(*j*) by the insertion in sub-section (11) after the word "entitled" of the words "to describe himself as a public accountant or a public accountant and auditor and".

Amendment of section 24 of Act 51 of 1951, as amended by section 9 of Act 47 of 1956 and section 2 of Act 64 of 1957.

7. Section *twenty-four* of the principal Act is hereby amended—

(*a*) by the insertion in sub-section (1) after the word "given" of the words "unless the board is satisfied that such person is actively engaged in the Republic, either on his own account or in partnership, in public practice of such a character as to ensure that the clerk will obtain a sufficiently wide and general practical training and experience and";

(*b*) by the deletion at the end of paragraph (*b*) of the said sub-section of the word "and";

(*c*) by the deletion of paragraph (*c*) of the said sub-section.

Amendment of section 26 of Act 51 of 1951, as amended by section 11 of Act 47 of 1956.

8. Section *twenty-six* of the principal Act is hereby amended—

(*a*) by the substitution in sub-section (1) for all the words preceding the word "unless" of the words "No person acting in the capacity of auditor to any undertaking shall, without such qualification as may be appropriate in the circumstances, in pursuance of any audit carried out by him in that capacity, certify or report to the effect that any balance sheet or profit and loss account, including any annexure to such balance sheet or profit and loss account, which relates to such undertaking, is correct or reflects a true and fair view of the matters dealt with therein";

(*b*) by the deletion in paragraph (*a*) of the said sub-section of all the words after the word "whatsoever";

(*c*) by the substitution in paragraph (*b*) of the said sub-section for the word "Union" of the words "Republic, or in the case of the territory of South-West Africa, in one of such languages or the German language,";

(*d*) by the substitution in paragraph (*e*) of the said sub-section for the words "the ordinarily accepted methods" of the words "such methods as are reasonably appropriate having regard to the nature of the undertaking in question";

(*e*) by the substitution in paragraph (*f*) of the said sub-section for the words "of any such statement, account, balance sheet or document" of the words "or truth and fairness of any such balance sheet, account or annexure";

(*f*) by the deletion of paragraph (*g*) of the said sub-section;

(*g*) by the substitution in paragraph (*h*) of the said sub-section for the words "gave such certificate, or on which he so certified" of the words "so certified or reported";

(*h*) by the insertion after sub-section (1) of the following sub-sections:

"(1)*bis* No auditor or accountant shall, when acting otherwise than in pursuance of an audit, certify or report, without such qualification as may be appropriate in the circumstances, to the effect that any account, statement or other document relating to the business or financial affairs of any undertaking, is correct or reflects a true and fair view of the matters

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regverdige uiteensetting weergee van die aangeleenthede wat daarin behandel word, tensy hy *mutatis mutandis* die bepalings van paragrawe (*a*), (*c*) en (*f*) van sub-artikel (1) nagekom het.

(1)*ter* Indien 'n rekenmeester of ouditeur of sy vennoot of iemand wat by hom of sy vennoot in diens is of iemand wat onder sy toesig en beheer of onder die toesig en beheer van sy vennoot werk, verantwoordelik was vir die hou van die boeke, registers of rekenings van 'n onderneming, behalwe deur afsluitingsinskrywings te maak of hulp te verleen by die maak van aansuiweringsinskrywings of die opstel van 'n balansstaat, rekening, staat of ander dokument volgens bestaande stukke, moet die rekenmeester of ouditeur wanneer hy iets in verband met die besigheid of finansiële aangeleenthede van die onderneming sertifiseer of daaroor verslag doen, aandui dat, na gelang van die geval, hy of sy vennoot of iemand wat by hom of sy vennoot in diens is of iemand wat onder sy toesig en beheer of onder die toesig en beheer van sy vennoot werk, verantwoordelik was vir die hou van die boeke, registers of rekenings.";

(*i*) deur sub-artikel (2) deur die volgende sub-artikel te vervang:

„(2) 'n Sertifikaat wat deur 'n rekenmeester of ouditeur gegee of 'n verslag wat deur hom uitgebring moet word na aanleiding van 'n opdrag deur hom uitgevoer, moet binne 'n tydperk van vier maande na die datum waarop die opdrag uitgevoer was, gegee of uitgebring word, en indien die rekenmeester of ouditeur nie in staat is om 'n sertifikaat of verslag sonder voorbehoud te gee of uit te bring nie, moet hy binne genoemde tydperk daardie sertifikaat gee of daardie verslag uitbring behoudens sodanige voorbehoude as wat hy nodig ag, en kan hy, indien hy dit raadsaam ag, op daardie sertifikaat of verslag die redes vir so 'n voorbehoud endosseer.";

(*j*) deur sub-artikel (3) deur die volgende sub-artikel te vervang:

„(3) (*a*) Indien iemand wat in die hoedanigheid van ouditeur van 'n onderneming optree, oortuig is of rede het om te glo dat by die bestuur van die sake van die onderneming 'n wesenlike onreëlmatigheid plaasgevind het of plaasvind wat geldelike verlies aan die onderneming of aan sy lede of krediteure berokken het of waarskynlik sal berokken, stuur hy onverwyld aan die persoon in beheer van daardie onderneming 'n skriftelike verslag waarin besonderhede van die onreëlmatigheid aangegee word en terselfdertyd vestig hy die aandag van die persoon in beheer op die bepalings van paragrawe (*b*) en (*c*) en versoek hy hom om skriftelik ontvangs van die verslag te erken.

(*b*) Tensy binne dertig dae nadat 'n ouditeur so 'n verslag afgestuur het, hy tevrede gestel is dat geen sodanige onreëlmatigheid plaasgevind het of plaasvind nie of dat doeltreffende stappe gedoen is om enige sodanige verlies wat soos voormeld berokken is, te verhaal of om enige sodanige verlies wat waarskynlik soos voormeld berokken sal word, te voorkom, verstrek hy onverwyld aan die raad afskrifte van die verslag, en van enige ontvangserkenning daarvan of antwoord daarop en sodanige ander besonderhede as wat hy goed ag.

(*c*) Die raad kan aan 'n prokureur-generaal of 'n beampte in die staatsdiens of 'n lid of krediteur van die betrokke onderneming enige inligting openbaar wat ingevolge paragraaf (*b*) aan die raad verstrek is.

(*d*) Ten einde te bepaal of 'n onreëlmatigheid soos by hierdie sub-artikel beoog, plaasgevind het of plaasvind, kan 'n ouditeur sodanige ondersoek instel as wat hy goed ag.

(*e*) Hierdie sub-artikel word nie so uitgelê dat dit aan enigiemand 'n reg verleen om 'n eis teen 'n ouditeur in te stel nie, wat hy nie sou gehad het as dit nie vir die bepalings van hierdie sub-artikel was nie.".

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dealt with therein, unless he has *mutatis mutandis* complied with the provisions of paragraphs (*a*), (*c*) and (*f*) of sub-section (1).

(1)*ter* If any accountant or auditor or his partner or any person employed by him or his partner or any person working under his supervision and control or under the supervision and control of his partner, was responsible for keeping the books, records or accounts of an undertaking, except to the extent of making closing entries or assisting with any adjusting entries or framing any balance sheet, account, statement or other document from existing records, such accountant or auditor shall, in certifying or reporting on anything in connection with the business or financial affairs of such undertaking, indicate that, as the case may be, he or his partner or a person employed by him or his partner or a person working under his supervision and control or under the supervision and control of his partner was responsible for keeping such books, records or accounts.";

(*i*) by the substitution for sub-section (2) of the following sub-section:

"(2) Any certificate required to be given or report to be made by an accountant or auditor in his capacity as accountant or auditor in pursuance of any assignment carried out by him, shall be given or made within a period of four months after the date on which the assignment was completed, and if such accountant or auditor is unable to give an unqualified certificate or make an unqualified report, he shall within the said period give that certificate or make that report subject to such qualifications as he may deem necessary, and may, if he considers it advisable, endorse on that certificate or report the reasons for any such qualification.";

(*j*) by the substitution for sub-section (3) of the following sub-section:

"(3) (*a*) If any person acting in the capacity of auditor to any undertaking is satisfied or has reason to believe that in the conduct of the affairs of such undertaking a material irregularity has taken place or is taking place which has caused or is likely to cause financial loss to the undertaking or to any of its members or creditors, he shall forthwith despatch a report in writing to the person in charge of that undertaking giving particulars of the irregularity, at the same time drawing the attention of such person in charge to the provisions of paragraphs (*b*) and (*c*) and requesting him to acknowledge receipt of such report in writing.

(*b*) Unless within thirty days after an auditor has despatched such a report, he has been satisfied that no such irregularity has taken place or is taking place or that adequate steps have been taken for the recovery of any such loss caused as aforesaid or for the prevention of any such loss likely to be caused as aforesaid, he shall forthwith furnish the board with copies of the report and of any acknowledgement of receipt thereof and reply thereto and such other particulars as he may deem fit.

(*c*) The board may disclose to any attorney-general or any officer in the public service or any member or creditor of the undertaking concerned any information supplied to it in terms of paragraph (*b*).

(*d*) For the purpose of determining whether any irregularity contemplated by this sub-section has taken place or is taking place, an auditor may carry out such investigations as he may deem fit.

(*e*) Nothing in this sub-section contained shall be construed as conferring upon any person any right of action against an auditor, which, but for the provisions of this sub-section, he would not have had.".

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Wysiging van artikel 26*bis* van Wet 51 van 1951.

9. Artikel *ses-en-twintig bis* van die Hoofwet word hierby gewysig—

(*a*) deur in sub-artikel (1) na die woord „moet" die uitdrukking „behoudens die bepalings van sub-artikel (3)" in te voeg;

(*b*) Deur aan die end daarvan die volgende sub-artikel by te voeg:

„(3) By die toepassing van sub-artikel (1) beteken die uitdrukking ‚elke van wat hy vroeër gehad het' nie ook—

(*a*) in die geval van iemand wat as kind aangeneem is, sy van voor die aanneming nie; of

(*b*) in die geval van enigiemand, 'n van wat hy voorheen gehad het en wat verander is of in onbruik geraak het voordat hy die ouderdom van agtien jaar bereik het of verander is of in onbruik geraak het vir 'n tydperk van minstens twintig jaar nie; of

(*c*) in die geval van 'n getroude of geskeide vrou of 'n weduwee, die van wat sy voor haar huwelik gehad het nie.".

Wysiging van artikel 27 van Wet 51 van 1951, soos gewysig deur artikel 12 van Wet 47 van 1956.

10. Artikel *sewe-en-twintig* van die Hoofwet word hierby gewysig—

(*a*) deur in sub-artikel (1) al die woorde voor die woorde „en om ten opsigte daarvan" deur die woorde „Die raad is bevoeg om ondersoek in te stel na gevalle van onbehoorlike gedrag (hetsy dit voorgeskryf is of nie dat dit onbehoorlike gedrag uitmaak) waaraan persone wat as rekenmeesters en ouditeurs kragtens hierdie Wet geregistreer is of was, na bewering hul skuldig gemaak het terwyl hulle aldus geregistreer was" te vervang;

(*b*) deur in die voorbehoudsbepaling by sub-artikel (1) na die woorde „Met dien verstande" die woorde „dat in die geval van beweerde onbehoorlike gedrag wat die onderwerp van straf- of privaatregtelike verrigtinge in 'n geregshof uitmaak of ten opsigte waarvan die raad rede het om te glo dat dit waarskynklik so 'n onderwerp sal uitmaak, die raad die ondersoek kan uitstel tot sodanige verrigtinge afgehandel is: Met dien verstande voorts" in te voeg.

Invoeging van artikels 28*bis* en 28*ter* in Wet 51 van 1951.

11. Die volgende artikels word hierby na artikel *agt-en-twintig* van die Hoofwet ingevoeg:

„Skorsing van geregistreerde rekenmeesters en ouditeurs wat verstandelik ongeskik is.

28*bis*. (1) Wanneer dit uit beëdigde inligting vir die raad blyk dat iemand wat kragtens hierdie Wet as rekenmeester en ouditeur geregistreer is, verstandelik in so 'n mate ongeskik geraak het dat dit in stryd met die openbare welsyn sou wees om hom toe te laat om aan te hou praktiseer, kan die raad na goeddunke ten opsigte van so iemand 'n ondersoek instel *mutatis mutandis* ooreenkomstig die bepalings van artikel *agt-en-twintig*.

(2) Indien die raad bevind dat so iemand aldus verstandelik ongeskik geraak het, kan die raad vir 'n vasgestelde tydperk die skorsing van so iemand in sy professie beveel.

(3) Die raad kan die geldingstydperk van 'n bevel kragtens hierdie artikel uitgereik, vir 'n deur die raad bepaalde tydperk verleng, of so 'n bevel intrek.

Privilege van raad.

28*ter*. Geen regsgeding, hetsy straf- of privaatregtelik, kan teen die raad of 'n lid of beampte daarvan ten opsigte van 'n handeling of plig ooreenkomstig die bepalings van artikel *ses-en-twintig*, *sewe-en-twintig*, *agt-en-twintig* of *agt-en-twintig bis* verrig, ingestel word nie.".

Wysiging van artikel 30 van Wet 51 van 1951, soos gewysig deur artikel 14 van Wet 47 van 1956 en artikel 4 van Wet 64 van 1957.

12. Artikel *dertig* van die Hoofwet word hierby gewysig deur paragraaf (*a*) van sub-artikel (1) deur die volgende paragraaf te vervang:

„(*a*) behalwe met toestemming van die raad—

(i) enigiemand terwyl so iemand kragtens 'n bepaling van hierdie Wet van openbare praktyk geskors is; of

(ii) enigiemand wat nie kragtens hierdie Wet as rekenmeester en ouditeur geregistreer is nie en wat voorheen aldus geregistreer was; of

(iii) enigiemand wat nie kragtens hierdie Wet as rekenmeester en ouditeur geregistreer is nie en wat die raad uit hoofde van die bepalings van sub-artikel (6) van artikel *drie-en-twintig* geweier het om te registreer,

wetens in verband met sy praktyk in diens hê nie;".

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9. Section *twenty-six bis* of the principal Act is hereby amended—

Amendment of section 26*bis* of Act 51 of 1951.

(*a*) by the insertion in sub-section (1) after the word "shall" of the expression "subject to the provisions of sub-section (3)";

(*b*) by the addition of the following sub-section at the end thereof:

"(3) For the purposes of sub-section (1) the expression 'every surname which he may have borne previously' does not include—

(*a*) in the case of a person adopted as a child, his surname before his adoption; or

(*b*) in the case of any person, any surname previously borne by him which was changed or disused before he attained the age of eighteen years or has been changed or disused for a period of not less than twenty years; or

(*c*) in the case of a married or divorced woman or a widow, the surname borne by her before her marriage.".

10. Section *twenty-seven* of the principal Act is hereby amended—

Amendment of section 27 of Act 51 of 1951, as amended by section 12 of Act 47 of 1956.

(*a*) by the substitution in sub-section (1) for all the words before the words "and to impose" of the words "The board shall have power to enquire into cases of improper conduct (whether or not prescribed to constitute improper conduct) of which persons who are or were registered as accountants and auditors under this Act are alleged to have been guilty while so registered";

(*b*) by the insertion in the proviso to sub-section (1) after the word "Provided" of the words "that in the case of alleged improper conduct which forms or which the board has reason to believe is likely to form the subject of criminal or civil proceedings in a court of law the board may postpone enquiry until such proceedings have been determined: Provided further".

11. The following sections are hereby inserted after section *twenty-eight* of the principal Act:

Insertion of sections 28*bis* and 28*ter* in Act 51 of 1951.

"Suspension from practising of registered accountants and auditors who are mentally disabled.

28*bis*. (1) Whenever it appears to the board from information on oath that any person registered as an accountant and auditor under this Act has become mentally disabled to such an extent that it would be contrary to the public welfare to allow him to continue to practise, the board may, if it deems fit, hold an enquiry *mutatis mutandis* in accordance with the provisions of section *twenty-eight* in respect of such person.

(2) If the board finds that such person has so become mentally disabled, it may order the suspension of such person for a specified period from practising as a public accountant.

(3) The board may extend for any period determined by it the period of operation of, or withdraw, any order made under this section.

Privileges of board.

28*ter*. No legal proceedings, whether criminal or civil, shall lie against the board or any member or officer thereof in respect of any act or duty performed in accordance with the provisions of section *twenty-six*, *twenty-seven*, *twenty-eight* or *twenty-eight bis*.".

12. Section *thirty* of the principal Act is hereby amended by the substitution for paragraph (*a*) of sub-section (1) of the following paragraph:

Amendment of section 30 of Act 51 of 1951, as amended by section 14 of Act 47 of 1956 and section 4 of Act 64 of 1957.

"(*a*) except with the consent of the board knowingly employ in connection with his practice—

(i) any person while such person is suspended from public practice under any provision of this Act; or

(ii) any person not registered as an accountant and auditor under this Act who was previously so registered; or

(iii) any person not registered as an accountant and auditor under this Act whom the board has refused to register by virtue of the provisions of sub-section (6) of section *twenty-three*;".

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Vervanging in Wet 51 van 1951 van die woord „Unie" deur die woord „Republiek".

13. Die Hoofwet word hierby gewysig deur die woord „Unie", oral waar dit voorkom, deur die woord „Republiek" te vervang.

Toepassing op Suidwes-Afrika.

14. Hierdie Wet is ook in die gebied Suidwes-Afrika van toepassing.

Kort titel.

15. Hierdie Wet heet die Wysigingswet op Openbare Rekenmeesters en Ouditeurs, 1962.

GEDRUK VIR DIE STAATSDRUKKER, PRETORIA, DEUR CAPE TIMES LIMITED, KAAPSTAD.—C949.