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# STAATSKOERANT

## VAN DIE REPUBLIEK VAN SUID-AFRIKA

## REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 383. 9 Maart 1970.

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

No. 27 van 1970: Tweede Wysigingswet op Bantoewetgewing, 1970.

DEPARTMENT OF THE PRIME MINISTER.

No. 383. 9th March, 1970.

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

No. 27 of 1970: Second Bantu Laws Amendment Act, 1970.

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# WET

**Tot wysiging van artikel 9*bis* van die Bantoetrust en -grond Wet, 1936, ten einde die ouditering van die boeke en rekenings van die Suid-Afrikaanse Bantoetrust verder te reël; tot wysiging van die Ongevallewet, 1941, ten einde daarvoor voorsiening te maak dat sekere Bantoeliggame van aanslae vrygestel word; tot wysiging van artikel 4 van die Finansiewet, 1943, ten einde sekere Bantoeregerings, -rade en -owerhede van die betaling van sekere belastings vry te stel; tot wysiging van die bepalings van die Wet op Bantoe-owerhede, 1951, en van die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968, ten einde die ouditering van die boeke en rekenings van Bantoe-owerhede en Bantoe- uitvoerende rade verder te reël; tot wysiging van genoemde Wet op Bantoe-owerhede, 1951, ten einde die bevoegdheid om regulasies uit te vaardig, uit te brei; tot wysiging van die Transkeise Grondwet, 1963, ten einde inkomste verkry uit sekere bronne van die Transkeise Inkomstefonds uit te sluit; voorsiening te maak vir die ouditering van die rekenings van sekere plaaslike instellings; en aan die Wetgewende Vergadering in die Transkei die bevoegdheid te verleen om wette te maak ten opsigte van die behoud van plante en diere en die uitroeiing van ongediertes in die Transkei; tot wysiging van die Wysigingswet op Bantoewetgewing, 1966, ten einde terugwerkende krag aan artikel 6 daarvan te verleen; om voorsiening te maak vir die oordrag van sekere roerende goed aan sekere Bantoeliggame; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.**

(*Afrikaanse teks deur die Staatspresident geteken.*)
(*Goedgekeur op* 3 *Maart* 1970.)

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

**Wysiging van artikel 9*bis* van Wet 18 van 1936, soos ingevoeg deur artikel 31 van Wet 56 van 1949.**

**1.** Artikel 9*bis* van die Bantoetrust en -grond Wet, 1936, word hierby gewysig—

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

„(1) Die boeke en rekenings van die Trust word jaarliks deur die Kontroleur en Ouditeur-generaal geouditeer.";

(*b*) deur subartikel (3) deur die volgende subartikel te vervang:

„(3) Die Kontroleur en Ouditeur-generaal stuur so spoedig moontlik na so 'n ouditering 'n afskrif van sy verslag daaromtrent aan die Minister en die Minister van Finansies."; en

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# ACT

**To amend section *9bis* of the Bantu Trust and Land Act, 1936, so as to regulate further the auditing of the books and accounts of the South African Bantu Trust; to amend the Workmen's Compensation Act, 1941, so as to make provision for the exemption of certain Bantu boards from assessments; to amend section 4 of the Finance Act, 1943, so as to exempt certain Bantu governments, councils and authorities from the payment of certain taxes; to amend the provisions of the Bantu Authorities Act, 1951, and of the Development of Self-government for Native Nations in South-West Africa Act, 1968, so as to regulate further the auditing of the books and accounts of Bantu authorities and executive councils; to amend the said Bantu Authorities Act, 1951, so as to extend the power to make regulations; to amend the Transkei Constitution Act, 1963, so as to exclude from the Transkeian Revenue Fund revenue derived from certain sources; to provide for the auditing of the accounts of certain local institutions; and to empower the Legislative Assembly in the Transkei to make laws in relation to the preservation of flora and fauna and the destruction of vermin in the Transkei; to amend the Bantu Laws Amendment Act, 1966, so as to make section 6 thereof retrospective; to provide for the transfer of certain movable property to certain Bantu boards; and to provide for matters incidental thereto.**

(*Afrikaans text signed by the State President.*)
(*Assented to 3rd March*, 1970.)

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 *9bis* of Act 18 of 1936, as inserted by section 31 of Act 56 of 1949.**

**1.** Section *9bis* of the Bantu Trust and Land Act, 1936, is hereby amended—

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

"(1) The books and accounts of the Trust shall be audited annually by the Controller and Auditor-General.";

(*b*) by the substitution for subsection (3) of the following subsection:

"(3) As soon as possible after any such audit, the Controller and Auditor-General shall transmit to the Minister and the Minister of Finance a copy of his report thereon."; and

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(c) deur subartikel (4) deur die volgende subartikel te vervang:

„(4) Die Minister van Finansies laat die verslag en rekeningstate wat daarmee saamgestuur word in die Senaat en in die Volksraad ter Tafel lê binne sewe dae nadat hy hulle ontvang het, as die Parlement dan in sitting is of, as die Parlement nie dan in sitting is nie, binne sewe dae na die aanvang van sy eersvolgende gewone sessie.".

**Wysiging van artikel 70 van Wet 30 van 1941, soos gewysig deur artikel 13 van Wet 7 van 1961.**

**2.** Artikel 70 van die Ongevallewet, 1941, word hierby gewysig—

(a) deur die woorde wat subparagraaf (ii) van paragraaf (a) van subartikel (1) voorafgaan, deur die volgende woorde te vervang:

„(1) Behoudens die bepalings van subartikel (1A), is geen aanslag ten gunste van die ongevallefonds betaalbaar nie ten opsigte van werksmense—

(a) in diens van—

(i) die Staat, met inbegrip van die Parlement, die regering van 'n gebied wat ingevolge 'n wet 'n selfregerende gebied binne die Republiek is, 'n gebiedsowerheid ingestel kragtens die Wet op Bantoe-owerhede, 1951 (Wet No. 68 van 1951), en 'n wetgewende raad ingestel kragtens die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968 (Wet No. 54 van 1968);"; en

(b) deur na genoemde subartikel (1) die volgende subartikel in te voeg:

„(1A) 'n Vrystelling bedoel in subartikel (1) (a) (i) geld ten opsigte van 'n bepaalde gebiedsowerheid of wetgewende raad daarin vermeld slegs vanaf 'n datum wat die kommissaris ten opsigte van dié owerheid of raad na oorlegpleging met die Sekretaris van Bantoeadministrasie en -ontwikkeling bepaal.".

**Vervanging van artikel 4 van Wet 37 van 1943, soos gewysig deur artikel 31 van Wet 48 van 1947 en artikel 9 van Wet 80 van 1959.**

**3.** Artikel 4 van die Finansiewet, 1943, word hierby deur die volgende artikel vervang:

„Vrystelling van Bantoeregerings, -rade, en -owerhede van betaling van regte, gelde of ander belastings.

4. (1) Geen reg, geld of ander belasting opgelê deur of kragtens 'n wet (behalwe 'n wet met betrekking tot doeane of aksyns of tot heffings op landbouprodukte), is betaalbaar nie deur die regering van 'n gebied wat ingevolge 'n wet 'n selfregerende gebied binne die Republiek is, 'n wetgewende raad of owerheid ingestel of erken kragtens die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968 (Wet No. 54 van 1968), 'n plaaslike raad ingestel of geag ingestel te wees kragtens die Wet op Bantoesake, 1959 (Wet No. 55 van 1959), 'n Bantoe-owerheid ingestel kragtens die Wet op Bantoe-owerhede, 1951 (Wet No. 68 van 1951), of 'n streeksowerheid ingestel of geag ingestel te wees deur of kragtens 'n wet van die Wetgewende Vergadering van die Transkei: Met dien verstande dat enige in hierdie artikel bedoelde regering, raad of owerheid, aan die einde van sy boekjaar, aan

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(*c*) by the substitution for subsection (4) of the following subsection:

"(4) The Minister of Finance shall cause the report and any statements of account submitted therewith to be laid upon the Table of the Senate and of the House of Assembly within seven days after their receipt by him, if Parliament is then in session or, if Parliament is not then in session, within seven days after the commencement of its next ensuing ordinary session.".

**Amendment of section 70 of Act 30 of 1941, as amended by section 13 of Act 7 of 1961.**

**2.** Section 70 of the Workmen's Compensation Act, 1941, is hereby amended—

(*a*) by the substitution for the words preceding sub-paragraph (ii) of paragraph (*a*) of subsection (1) of the following words:

"(1) Subject to the provisions of subsection (1A), assessments for the benefit of the accident fund shall not be payable in respect of workmen—

(*a*) in the employ of—

(i) the State, including Parliament, the government of any territory which is a self-governing territory within the Republic in terms of any law, a territorial authority established under the Bantu Authorities Act, 1951 (Act No. 68 of 1951), and a legislative council established under the Development of Self-government for Native Nations in South-West Africa Act, 1968 (Act No. 54 of 1968);"; and

(*b*) by the insertion after the said subsection (1) of the following subsection:

"(1A) An exemption contemplated in subsection (1) (*a*) (i) shall apply in respect of a particular territorial authority or legislative council mentioned therein only from a date determined by the commissioner in respect of such authority or council after consultation with the Secretary for Bantu Administration and Development.".

**Substitution of section 4 of Act 37 of 1943, as amended by section 31 of Act 48 of 1947 and section 9 of Act 80 of 1959.**

**3.** The following section is hereby substituted for section 4 of the Finance Act, 1943:

"**Exemption of Bantu governments, councils and authorities from the payment of duties, fees or other taxes.**

4. (1) No duty, fee or other tax imposed by or under any law (other than any law relating to customs or excise or to levies on agricultural products) shall be payable by the government of any territory which is a self-governing territory within the Republic in terms of any law, a legislative council or authority established or recognized under the Development of Self-government for Native Nations in South-West Africa Act, 1968 (Act No. 54 of 1968), any local council established or deemed to have been established under the Bantu Affairs Act, 1959 (Act No. 55 of 1959), any Bantu authority established under the Bantu Authorities Act, 1951 (Act No. 68 of 1951), or a regional authority established or deemed to have been established by or under any law of the Legislative Assembly of the Transkei: Provided that any government, council or authority referred to in this section may, at the end

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enige plaaslike bestuur 'n bedrag kan betaal van hoogstens die bedrag wat aan die plaaslike bestuur gedurende daardie boekjaar betaalbaar sou geword het as dit nie vir die bepalings van hierdie artikel was nie.

(2) Hierdie artikel is ook van toepassing in die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel.".

Wysiging van artikel 8 van Wet 68 van 1951, soos gewysig deur artikel 13 van Wet 76 van 1963.

**4.** Artikel 8 van die Wet op Bantoe-owerhede, 1951, word hierby gewysig deur subartikel (3) te skrap.

Invoeging van artikel 8A in Wet 68 van 1951.

**5.** Die volgende artikel word hierby in die Wet op Bantoe-owerhede, 1951, na artikel 8 ingevoeg:

„Ouditering van boeke en rekenings van stam-, streeks- en gebiedsowerhede.

**8A.** (1) Die boeke en rekenings van 'n streeks- of gebiedsowerheid en van 'n stamowerheid wat die Minister na oorlegpleging met die Kontroleur en Ouditeur-generaal by kennisgewing in die *Staatskoerant* bepaal, word deur die Kontroleur en Ouditeur-generaal geouditeer.

(2) Die Kontroleur en Ouditeur-generaal stuur so spoedig doenlik na 'n ouditering van die boeke en rekenings van 'n gebiedsowerheid en van stam- en streeksowerhede in subartikel (5) bedoel, 'n afskrif van sy verslag oor die boeke en rekenings van dié gebiedsowerheid en van die betrokke stam- en streeksowerhede aan die Minister en aan daardie gebiedsowerheid.

(3) By die uitvoering van 'n ouditering ingevolge subartikel (1) van die boeke en rekenings van 'n gebiedsowerheid en van stam- en streeksowerhede in subartikel (5) bedoel, is die bepalings van artikels 12, 13, 14 (1) en (3), 17, 18, 56 (2) en (4), 57 (3) en (4) en 59 van die Skatkis- en Ouditwet, 1956 (Wet No. 23 van 1956), en geen ander bepalings van daardie Wet nie, *mutatis mutandis* van toepassing, en by sodanige toepassing—

(*a*) word 'n verwysing in genoemde artikel 12 na die Tesourie geag 'n verwysing te wees na 'n persoon of die bekleër van 'n pos wat die betrokke stam-, streeks- of gebiedsowerheid met die goedkeuring van die Minister vir die doeleindes van hierdie artikel aangewys het;

(*b*) word 'n verwysing in genoemde artikels 13 en 14 na 'n persoon in diens van die Regering van die Republiek of die Administrasie geag 'n verwysing na 'n persoon in diens van die betrokke stam-, streeks- of gebiedsowerheid te wees;

(*c*) word 'n verwysing in genoemde artikel 17 na die Tesourie geag 'n verwysing na die betrokke stam-, streeks- of gebiedsowerheid te wees; en

(*d*) word 'n verwysing in genoemde artikels 18 en 57 (3) en (4) na die Minister geag 'n verwysing na die Minister van Bantoe-administrasie en -ontwikkeling te wees, en word subartikel (1) (*c*) van genoemde artikel 18 só vertolk dat laasgenoemde Minister die lys daarin bedoel aan die betrokke stam-, streeks- of gebiedsowerheid

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of its financial year, pay to any local authority an amount not exceeding that which would, but for the provisions of this section, have become payable to the local authority during that financial year.

(2) This section shall apply also in the territory of South-West Africa, including the Eastern Caprivi Zipfel.".

**Amendment of section 8 of Act 68 of 1951, as amended by section 13 of Act 76 of 1963.**

**4.** Section 8 of the Bantu Authorities Act, 1951, is hereby amended by the deletion of subsection (3).

**Insertion of section 8A in Act 68 of 1951.**

**5.** The following section is hereby inserted in the Bantu Authorities Act, 1951, after section 8:

"Auditing of books and accounts of tribal, regional and territorial authorities.

**8A.** (1) The books and accounts of a regional or territorial authority and of a tribal authority determined by the Minister by notice in the *Gazette* after consultation with the Controller and Auditor-General, shall be audited by the Controller and Auditor-General.

(2) The Controller and Auditor-General shall as soon as possible after an audit of the books and accounts of a territorial authority and of tribal and regional authorities contemplated in subsection (5), transmit a copy of his report on the books and accounts of such territorial authority and of the tribal and regional authorities concerned to the Minister and to such territorial authority.

(3) In the execution of any audit in terms of subsection (1) of the books and accounts of any territorial authority and of tribal and regional authorities contemplated in section 5, the provisions of sections 12, 13, 14 (1) and (3), 17, 18, 56 (2) and (4), 57 (3) and (4) and 59 of the Exchequer and Audit Act, 1956 (Act No. 23 of 1956), and no other provisions of that Act, shall *mutatis mutandis* apply, and in such application—

(*a*) any reference in the said section 12 to the Treasury shall be deemed to be a reference to any person or the holder of any office designated, for the purposes of this section, by the tribal, regional or territorial authority concerned with the approval of the Minister;

(*b*) any reference in the said sections 13 and 14 to a person in the employment of the Government of the Republic or the Administration shall be deemed to be a reference to a person in the employment of the tribal, regional or territorial authority concerned;

(*c*) any reference in the said section 17 to the Treasury shall be deemed to be a reference to the tribal, regional or territorial authority concerned; and

(*d*) any reference in the said sections 18 and 57 (3) and (4) to the Minister, shall be deemed to be a reference to the Minister of Bantu Administration and Development, and subsection (1) (*c*) of the said section 18 shall be construed as meaning that the last-mentioned Minister shall cause the list therein referred to to be transmitted to the tribal, regional or territorial

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moet laat deurstuur in plaas van dit aan albei Huise van die Parlement voor te lê.

(4) (*a*) 'n Verslag bedoel in subartikel (2) van hierdie artikel en in artikel 57 (3) van die Skatkis- en Ouditwet, 1956, soos by hierdie artikel toegepas, word binne die tydperk by regulasie ingevolge hierdie Wet voorgeskryf aan die betrokke gebiedsowerheid vir oorweging voorgelê, en na oorweging daarvan moet daardie owerheid sy kommentaar daarop, met inbegrip van sy bevindings en besluite daaromtrent, aan die Minister voorlê.

(*b*) Die Minister moet so 'n verslag en kommentaar in die Senaat en in die Volksraad ter Tafel lê binne veertien dae nadat hy dié kommentaar ontvang het, indien die Parlement in gewone sessie is, of, indien die Parlement nie in gewone sessie is nie, binne veertien dae na die aanvang van sy eersvolgende gewone sessie.

(5) Subartikels (2), (3) en (4) is van toepassing ten opsigte van 'n gebiedsowerheid wat die Minister na oorlegpleging met die Kontroleur en Ouditeur-generaal by kennisgewing in die *Staatskoerant* bepaal, en streeksowerhede in die gebied van so 'n gebiedsowerheid, en stamowerhede aldus bepaal, en wel vanaf 'n datum wat in die kennisgewing vermeld word.

(6) Indien 'n kennisgewing ingevolge subartikel (5) van hierdie artikel ten opsigte van 'n gebiedsowerheid uitgevaardig word, is die bepalings van subartikels (2), (3) en (4) daarvan *mutatis mutandis* van toepassing ten opsigte van 'n verslag of 'n spesiale verslag van die Kontroleur en Ouditeur-generaal in verband met dié gebiedsowerheid en 'n betrokke streeksowerheid wat op die datum vermeld in daardie kennisgewing nog nie ingevolge artikel 57 (1) of (3) van die Skatkis- en Ouditwet, 1956, deurgestuur is nie.".

Wysiging van artikel 17 van Wet 68 van 1951, soos gewysig deur artikel 14 van Wet 76 van 1963.

**6.** Artikel 17 van die Wet op Bantoe-owerhede, 1951, word hierby gewysig—

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

„(*a*) wat voorsiening maak vir die bestuur van en toesig en beheer oor die tesourieë en die hou van die rekenings van stam-, streeks- en gebiedsowerhede, vir die ouditering van die boeke en rekenings van stamowerhede wat nie deur die Kontroleur en Ouditeur-generaal geouditeer word nie, en vir die tydperk waarbinne 'n verslag bedoel in paragraaf (*a*) van artikel 8A (4) aan die betrokke owerheid ingevolge dié paragraaf voorgelê moet word;"; en

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

„(*e*) wat voorsiening maak vir die aanstelling, diensvoorwaardes, tug, aftreding, ontslag, pensioenering en pligte van beamptes en werknemers van streeks- en gebiedsowerhede;";

Wysiging van artikel 52 van Wet 48 van 1963, soos gewysig deur artikel 6 van Wet 63 van 1966.

**7.** (1) Artikel 52 van die Transkeise Grondwet, 1963, word hierby gewysig deur paragraaf (*b*) van subartikel (1) deur die volgende paragraaf te vervang:

„(*b*) alle inkomste, met inbegrip van lisensiegelde, belastings, kantoorgelde, boetes, verbeurings, huurgelde en ander gelde verkry uit of in die loop van die administrasie van die aangeleenthede ten opsigte waarvan die Wet-

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authority concerned instead of presenting it to both Houses of Parliament.

(4) (*a*) A report contemplated in subsection (2) of this section and in section 57 (3) of the Exchequer and Audit Act, 1956, as applied by this section, shall, within the period prescribed by regulation in terms of this Act, be submitted to the territorial authority concerned for consideration, and after consideration thereof such authority shall submit to the Minister its comments thereon, including its findings and decisions thereon.

(*b*) The Minister shall lay such report and comments upon the Table of the Senate and of the House of Assembly within fourteen days after receipt of such comments by him, if Parliament is in ordinary session, or, if Parliament is not in ordinary session, within fourteen days after the commencement of its next ensuing ordinary session.

(5) Subsections (2), (3) and (4) shall apply in respect of any territorial authority determined by the Minister, after consultation with the Controller and Auditor-General, by notice in the *Gazette*, and regional authorities in the area of any such territorial authority, and tribal authorities so determined, as from a date specified in the notice.

(6) If a notice is in terms of subsection (5) of this section issued in respect of any territorial authority, the provisions of subsections (2), (3) and (4) thereof shall *mutatis mutandis* apply in respect of a report or special report of the Controller and Auditor-General in connection with such territorial authority and any regional authority concerned and which on the date specified in such notice has not yet been transmitted in terms of section 57 (1) or (3) of the Exchequer and Audit Act, 1956.".

**Amendment of section 17 of Act 68 of 1951, as amended by section 14 of Act 76 of 1963.**

**6.** Section 17 of the Bantu Authorities Act, 1951, is hereby amended—

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

"(*a*) providing for the administration, supervision and control of the treasuries and the keeping of the accounts of tribal, regional and territorial authorities, for the audit of the books and accounts of tribal authorities not audited by the Controller and Auditor-General, and for the period within which a report referred to in paragraph (*a*) of section 8A (4) shall in terms of that paragraph be submitted to the authority concerned;"; and

(*b*) by the substitution for paragraph (*e*) of the said subsection (1) of the following paragraph:

"(*e*) providing for the appointment, conditions of service, discipline, retirement, discharge, pensioning and duties of officers and employees of regional and territorial authorities;".

**Amendment of section 52 of Act 48 of 1963, as amended by section 6 of Act 63 of 1966.**

**7.** (1) Section 52 of the Transkei Constitution Act, 1963, is hereby amended by the substitution for paragraph (*b*) of subsection (1) of the following paragraph:

"(*b*) all revenue and income, including licence fees, taxes, fees of office, fines, forfeitures, rents and other moneys deriving from or through the administration of those matters in respect of which the Legislative Assembly may make laws in terms of this Act, or any other

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gewende Vergadering ingevolge hierdie Wet wette kan maak, of enige ander bykomende bronne van inkomste wat uitdruklik in die Eerste Bylae by hierdie Wet ingesluit is, behalwe sodanige inkomste wat ingevolge Proklamasie No. 180 van 1956 'n owerheid vermeld in daardie Proklamasie toeval, en behalwe vir sover die Wetgewende Vergadering anders bepaal ten opsigte van 'n instelling, owerheid of liggaam bedoel in item 11 van Deel B van die Eerste Bylae by hierdie Wet;".

(2) Subartikel (1) word geag op 1 April 1964 in werking te getree het.

Vervanging van artikel 58 van Wet 48 van 1963.

**8.** (1) Artikel 58 van die Transkeise Grondwet, 1963, word hierby deur die volgende artikel vervang:

„Ouditering van rekenings. **58.** Tensy en totdat die Wetgewende Vergadering anders bepaal, word die rekenings van die Transkeise Regering, met inbegrip van die rekenings van al die in artikel 46 bedoelde ondergeskikte administratiewe liggame en ander plaaslike instellings van 'n soortgelyke aard in die Transkei, en van alle ander statutêre liggame in die Transkei, asook dié van alle rekenpligtige beamptes en van alle persone belas met die ontvangs, bewaring of besteding van openbare geld, seëls, sekuriteite of voorrade, deur die Kontroleur en Ouditeur-generaal van die Republiek ondersoek, nagegaan en geouditeer, en die bepalings van die Skatkis- en Ouditwet, 1956 (Wet No. 23 van 1956), en die voorskrifte, reëls en regulasies ingevolge artikel 10 of artikel 61 daarvan geld in verband met die administrasie en beheer van die Transkeise Inkomstefonds vir sover dit toegepas kan word en nie met hierdie Wet onbestaanbaar is nie: Met dien verstande dat waar in bedoelde Wet of in daarkragtens uitgevaardigde voorskrifte, reëls of regulasies die magtiging of goedkeuring van die Parlement, die Tesourie, 'n Minister of die Sekretaris van 'n Departement of 'n beampte voorgeskryf word as 'n vereiste vir enige handeling, of wanneer enige werksaamheid verrig moet word, die betrokke bepalings uitgelê word asof dit na die Wetgewende Vergadering of die gepaste Minister, sekretaris of beampte van die Transkei verwys.".

(2) Subartikel (1) word geag op 11 Februarie 1966 in werking te getree het.

Wysiging van die Eerste Bylae by Wet 48 van 1963, soos gewysig deur artikel 4 van Wet 36 van 1968.

**9.** Deel B van die Eerste Bylae by die Transkeise Grondwet, 1963, word hierby gewysig deur na item 20 die volgende item in te voeg:

„20A. Die behoud van plante en diere en die uitroeiing van ongediertes in die Transkei.".

Wysiging van artikel 6 van Wet 63 van 1966.

**10.** Artikel 6 van die Wysigingswet op Bantoewetgewing, 1966, word hierby gewysig deur die volgende subartikel by te voeg, terwyl die bestaande artikel subartikel (1) word:

„(2) Subartikel (1) word geag op 1 April 1964 in werking te getree het.".

Vervanging van artikel 10 van Wet 54 van 1968.

**11.** (1) Artikel 10 van die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968, word hierby deur die volgende artikel vervang:

„Ouditering van boeke en rekenings van uitvoerende rade, stamowerhede, **10.** (1) Die boeke en rekenings van 'n uitvoerende raad bedoel in artikel 6 en van 'n stamowerheid, 'n gemeenskapsowerheid of 'n streeksowerheid in die gebied ten opsigte waarvan dié raad die uitvoerende gesag is, en ten opsigte waarvan 'n Inkomsterekening

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additional sources of revenue which may specifically be included in the First Schedule to this Act, except such revenue and income accruing in terms of Proclamation No. 180 of 1956 to any authority referred to in that Proclamation, and except in so far as the Legislative Assembly may otherwise determine in respect of any institution, authority or body referred to in item 11 of Part B of the First Schedule to this Act;".

(2) Subsection (1) shall be deemed to have come into operation on 1st April, 1964.

**Substitution of section 58 of Act 48 of 1963.**

**8.** (1) The following section is hereby substituted for section 58 of the Transkei Constitution Act, 1963:

"Auditing of accounts. **58.** Unless and until otherwise provided for by the Legislative Assembly the Controller and Auditor-General of the Republic shall examine, enquire into and audit the accounts of the Transkeian Government, including those of all the inferior administrative bodies referred to in section 46 and other local institutions of a similar nature in the Transkei, and all other statutory bodies in the Transkei, as well as those of all accounting officers and all persons entrusted with the receipt, custody or issue of public moneys, stamps, securities or stores, and the provisions of the Exchequer and Audit Act, 1956 (Act No. 23 of 1956), and the orders, rules and regulations in terms of section 10 or section 61 thereof shall govern the administration and control of the Transkeian Revenue Fund in so far as they can be applied and are not inconsistent with this Act: Provided that whenever in that Act or in any orders, rules or regulations thereunder the authority or approval of Parliament, the Treasury, a Minister or the Secretary of a Department or any official is prescribed as necessary for any act, or whenever any function is to be performed, the relevant provisions shall be construed as referring to the Legislative Assembly or the appropriate Minister, secretary or official of the Transkei.".

(2) Subsection (1) shall be deemed to have come into operation on the 11th February, 1966.

**Amendment of the First Schedule to Act 48 of 1963, as amended by section 4 of Act 36 of 1968.**

**9.** Part B of the First Schedule to the Transkei Constitution Act, 1963, is hereby amended by the insertion after item 20 of the following item:

"20A. The conservation of flora and fauna and the destruction of vermin in the Transkei.".

**Amendment of section 6 of Act 63 of 1966.**

**10.** Section 6 of the Bantu Laws Amendment Act, 1966, is hereby amended by the addition of the following subsection, the existing section becoming subsection (1):

"(2) Subsection (1) shall be deemed to have come into operation on the 1st April, 1964.".

**Substitution of section 10 of Act 54 of 1968.**

**11.** (1) The following section is hereby substituted for section 10 of the Development of Self-government for Native Nations in South-West Africa Act, 1968:

"Auditing of books and accounts of executive councils, tribal authorities, **10.** (1) The books and accounts of any executive council referred to in section 6 and of any tribal authority, community authority or regional authority in the area in respect of which such council is the executive authority and in respect of which a Revenue Account has been established in terms of

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gemeenskapsowerhede en streeksowerhede.

ingevolge artikel 9 (1) ingestel is, word deur die Kontroleur en Ouditeur-generaal geouditeer, tensy hy, in 'n bepaalde geval, na oorlegpleging met die Sekretaris van Bantoe-administrasie en -ontwikkeling, anders besluit, en hy stuur so spoedig doenlik na 'n ouditering 'n afskrif van sy verslag oor die boeke en rekenings van daardie uitvoerende raad en van daardie stamowerheid, gemeenskapsowerheid en streeksowerheid aan die Minister van Bantoe-administrasie en -ontwikkeling en aan daardie uitvoerende raad.

(2) By die uitvoering van 'n ouditering ingevolge subartikel (1) is die bepalings van artikels 12, 13, 14 (1) en (3), 17, 18, 56 (2) en (4), 57 (3) en (4) en 59 van die Skatkis- en Ouditwet, 1956 (Wet No. 23 van 1956), en geen ander bepalings van daardie Wet nie, *mutatis mutandis* van toepassing, en by sodanige toepassing—

(*a*) word 'n verwysing in genoemde artikel 12 na die Tesourie geag 'n verwysing te wees na 'n persoon of die bekleër van 'n pos wat die betrokke uitvoerende raad, stamowerheid, gemeenskapsowerheid of streeksowerheid met die goedkeuring van die Minister van Bantoe-administrasie en -ontwikkeling vir die doeleindes van hierdie artikel aangewys het;

(*b*) word 'n verwysing in genoemde artikels 13 en 14 na 'n persoon in diens van die Regering van die Republiek of die Administrasie geag 'n verwysing na 'n persoon in diens van die betrokke stamowerheid, gemeenskapsowerheid, streeksowerheid of departement bedoel in artikel 6 (2) te wees;

(*c*) word 'n verwysing in genoemde artikel 17 na die Tesourie geag 'n verwysing na die betrokke stamowerheid, gemeenskapsowerheid, streeksowerheid of departement te wees; en

(*d*) word 'n verwysing in genoemde artikels 18 en 57 (3) en (4) na die Minister geag 'n verwysing na die Minister van Bantoe-administrasie en -ontwikkeling te wees, en word subartikel (1) (*c*) van genoemde artikel 18 só vertolk dat laasgenoemde Minister die lys daarin bedoel aan die betrokke uitvoerende raad moet laat deurstuur in plaas van dit aan albei Huise van die Parlement voor te lê.

(3) (*a*) 'n Verslag bedoel in subartikel (1) van hierdie artikel en in artikel 57 (3) van die Skatkis- en Ouditwet, 1956, soos by hierdie artikel toegepas, word binne die tydperk wat die Staatspresident by proklamasie in die *Staatskoerant* voorskryf, aan die betrokke wetgewende raad voorgelê vir oorweging, en na oorweging daarvan moet daardie raad sy kommentaar daarop, met inbegrip van sy bevindings en besluite daaromtrent, aan die Minister van Bantoe-administrasie en -ontwikkeling voorlê.

(*b*) Die Minister van Bantoe-administrasie en -ontwikkeling moet so 'n verslag en kommentaar daarop in die Senaat en in die Volksraad ter

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community authorities and regional authorities.

section 9 (1), shall be audited by the Controller and Auditor-General unless, in any particular case, he decides otherwise after consultation with the Secretary for Bantu Administration and Development, and he shall as soon as possible after an audit transmit a copy of his report on the books and accounts of that executive council and of that tribal authority, community authority and regional authority to the Minister of Bantu Administration and Development and to such executive council.

(2) In the execution of an audit in terms of subsection (1) the provisions of sections 12, 13, 14 (1) and (3), 17, 18, 56 (2) and (4), 57 (3) and (4) and 59 of the Exchequer and Audit Act, 1956 (Act No. 23 of 1956), and no other provisions of that Act, shall *mutatis mutandis* apply, and in such application—

(*a*) any reference in the said section 12 to the Treasury shall be deemed to be a reference to any person or the holder of any office designated for the purposes of this section by the executive council, tribal authority, community authority or regional authority concerned with the approval of the Minister of Bantu Administration and Development;

(*b*) any reference in the said sections 13 and 14 to a person in the employment of the Government of the Republic or the Administration, shall be deemed to be a reference to a person in the employment of the tribal authority, community authority, regional authority or department referred to in section 6 (2) concerned;

(*c*) any reference in the said section 17 to the Treasury shall be deemed to be a reference to the tribal authority, community authority, territorial authority or department concerned;

(*d*) any reference in the said sections 18 and 57 (3) and (4) to the Minister, shall be deemed to be a reference to the Minister of Bantu Administration and Development, and subsection (1) (*c*) of the said section 18 shall be construed as meaning that the last-mentioned Minister shall cause the list therein referred to to be transmitted to the executive council concerned instead of presenting it to both Houses of Parliament.

(3) (*a*) A report contemplated in subsection (1) of this section and in section 57 (3) of the Exchequer and Audit Act, 1956, as applied by this section, shall within the period prescribed by the State President by proclamation in the *Gazette* be submitted to the legislative council concerned for consideration, and after consideration thereof such council shall submit to the Minister of Bantu Administration and Development its comments thereon, including its findings and decisions thereon.

(*b*) The Minister of Bantu Administration and Development shall lay such report and comments thereon upon the Table of the Senate

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Tafel lê binne veertien dae nadat hy dié kommentaar ontvang het, indien die Parlement in gewone sessie is of, indien die Parlement nie in gewone sessie is nie, binne veertien dae na die aanvang van sy eersvolgende gewone sessie.

(4) (*a*) Die Kontroleur en Ouditeur-generaal ouditeer die boeke en rekenings van 'n stamowerheid, gemeenskapsowerheid of streeksowerheid ten opsigte waarvan 'n Inkomsterekening ingevolge artikel 9 (1) ingestel is maar wat nie in die gebied van 'n wetgewende raad bedoel in artikel 3 is nie, tensy hy in 'n bepaalde geval, na oorlegpleging met die Sekretaris van Bantoe-administrasie en -ontwikkeling, anders besluit.

(*b*) Indien 'n wetgewende raad vir die een of ander gebied ingevolge artikel 3 ingestel word, is die bepalings van subartikels (1), (2) en (3) van hierdie artikel *mutatis mutandis* van toepassing ten opsigte van 'n verslag of 'n spesiale verslag van die Kontroleur en Ouditeur-generaal in verband met 'n stamowerheid, gemeenskapsowerheid of streeksowerheid in daardie gebied wat op die datum waarop daardie raad aldus ingestel word, nog nie ingevolge artikel 57 (1) of (3) van die Skatkis en Ouditwet, 1956, deurgestuur is nie.".

(2) Subartikel (1) word geag op 18 Junie 1968 in werking te getree het.

**Oordrag van roerende goed aan Bantoe-owerhede.**

**12.** Die Minister van Bantoe-administrasie en -ontwikkeling kan in oorleg met die Minister van Finansies gelas dat roerende goed waarvan die eiendomsreg of beheer berus by of verkry is deur die Regering van die Republiek en wat na die oordeel van eersgenoemde Minister in verband staan met die werksaamhede van 'n owerheid of wetgewende raad wat ingevolge die Wet op Bantoe-owerhede, 1951 (Wet No. 68 van 1951), of die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968 (Wet No. 54 van 1968), ingestel of erken is, berus by of oorgedra word aan so 'n owerheid of raad wat hy aanwys, onderworpe aan die voorwaardes wat hy in oorleg met genoemde Minister van Finansies bepaal.

**Kort titel.**

**13.** Hierdie Wet heet die Tweede Wysigingswet op Bantoewetgewing, 1970.

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and of the House of Assembly within fourteen days after receipt of such comments by him, if Parliament is in ordinary session, or, if Parliament is not in ordinary session, within fourteen days after the commencement of its next ensuing ordinary session.

(4) (*a*) The Controller and Auditor-General shall audit the books and accounts of any tribal authority, community authority or regional authority in respect of which a Revenue Account has been established in terms of section 9 (1) but which is not in the area of any legislative council contemplated in section 3, unless, in any particular case, he decides otherwise after consultation with the Secretary for Bantu Administration and Development.

(*b*) If a legislative council is in terms of section 3 established for any area, the provisions of subsections (1), (2) and (3) of this section shall *mutatis mutandis* apply in respect of a report or a special report of the Controller and Auditor-General in connection with a tribal authority, community authority or regional authority in such area which on the date on which such council is so established, has not yet been transmitted in terms of section 57 (1) or (3) of the Exchequer and Audit Act, 1956.".

(2) Subsection (1) shall be deemed to have come into operation on 18th June, 1968.

**Transfer of movable property to Bantu authorities.**

**12.** The Minister of Bantu Administration and Development may in consultation with the Minister of Finance direct that any movable property, the ownership or control of which is vested in or has been acquired by the Government of the Republic and which, in the opinion of the first-mentioned Minister, is connected with the functions of any authority or legislative council established or recognized in terms of the Bantu Authorities Act, 1951 (Act No. 68 of 1951), or the Development of Self-government for Native Nations in South-West Africa Act, 1968 (Act No. 54 of 1968), shall, subject to such conditions as he may in consultation with the said Minister of Finance determine, vest in or be transferred to any such authority or council designated by him.

**Short title.**

**13.** This Act shall be called the Second Bantu Laws Amendment Act, 1970.