



# STAATSKOERANT

## VAN DIE REPUBLIEK VAN SUID-AFRIKA

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### REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

No. 496.

14 Maart 1979.

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

No. 6 van 1979: Wysigingswet op die Reëling van die Toelating van Persone tot die Republiek, 1979.

No. 496.

14 March 1979.

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

No. 6 of 1979: Admission of Persons to the Republic Regulation Amendment Act, 1979.

Act No. 6, 1979

ADMISSION OF PERSONS TO THE REPUBLIC REGULATION  
AMENDMENT ACT, 1979.**GENERAL EXPLANATORY NOTE:**

- [** Words in bold type in square brackets indicate omissions from existing enactments.
- ]** Words underlined with solid line indicate insertions in existing enactments.

**ACT**

To amend the provisions of the Admission of Persons to the Republic Regulation Act, 1972, relating to the definition of "police officer"; to provide for members of the South African Railway Police to be appointed as passport control officers; relating to persons who are prohibited persons; and to the offences which refer to prohibited persons and persons who may be removed from the Republic; and to provide for incidental matters.

*(English text signed by the State President.)*  
*(Assented to 6 March 1979.)*

**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 59 of 1972.

1. Section 1 of the Admission of Persons to the Republic Regulation Act, 1972 (hereinafter referred to as the principal Act), is hereby amended by the substitution in subsection (1) for the definition of "police officer" of the following definition:

"'police officer' means any 'member of the Force' as defined in section 1 of the Police Act, 1958 (Act No. 7 of 1958), or any member of 'the Force' referred to in section 57 (1) of the Railways and Harbours Control and Management (Consolidation) Act, 1957 (Act No. 70 of 1957);".

Amendment of  
section 4 of  
Act 59 of 1972.

2. Section 4 of the principal Act is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) appoint any officer in the public service or any member of a category of officers in the public service or any person or category of persons in the service of the Administration, as defined in section 1 of the Railways and Harbours Control and Management (Consolidation) Act, 1957, as a passport control officer; and".

Amendment of  
section 13 of  
Act 59 of 1972.

3. Section 13 of the principal Act is hereby amended—

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

"(f) any person who has (whether before or after the commencement of this Act) been convicted in any country of any contravention of any law relating to exchange control or any offence referred to in Schedule 1 (unless he has received a free pardon in respect thereof) and is deemed by the Minister or a passport control officer, acting upon directions issued by the Minister, to be an undesirable inhabitant of or visitor to the Republic;"

(b) by the substitution for paragraph (g) of subsection (1) of the following paragraph:

WYSIGINGSWET OP DIE REËLING VAN DIE TOELATING VAN  
PERSONE TOT DIE REPUBLIEK, 1979.

Wet No. 6, 1979

## ALGEMENE VERDUIDELIKENDE NOTA:

**[ ]** Woorde in vet druk tussen vierkantige hake dui skappings uit bestaande verordenings aan.

\_\_\_\_\_ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

## WET

Tot wysiging van die bepalings van die Wet op die Reëling van die Toelating van Persone tot die Republiek, 1972, betreffende die omskrywing van „polisiebeampte”; om voorsiening te maak dat lede van die Suid-Afrikaanse Spoorwegpolisie as paspoortbeheerbeamptes aangestel kan word; betreffende persone wat verbode persone is; en die misdrywe wat betrekking het op verbode persone en persone wat uit die Republiek verwyder kan word; en om voorsiening te maak vir bykomstige aangeleenthede.

(Engelse teks deur die Staatspresident geteken.)  
(Goedgekeur op 6 Maart 1979.)

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

1. Artikel 1 van die Wet op die Reëling van die Toelating van  
5 Persone tot die Republiek, 1972 (hieronder die Hoofwet genoem),  
word hierby gewysig deur in subartikel (1) die omskrywing van  
„polisiebeampte” deur die volgende omskrywing te vervang:  
 „„polisiebeampte” ’n „lid van die Mag” soos omskryf in  
 10 artikel 1 van die Polisiewet, 1958 (Wet No. 7 van 1958),  
 of ’n lid van „die Mag” soos bedoel in artikel 57 (1)  
 van die Konsolidasiewet op die Beheer en Bestuur van  
 Spoorweë en Hawens, 1957 (Wet No. 70 van 1957);”.
2. Artikel 4 van die Hoofwet word hierby gewysig deur  
 15 paragraaf (a) deur die volgende paragraaf te vervang:  
 „(a) ’n beampte in die Staatsdiens of ’n lid van ’n kategorie  
 beamptes in die Staatsdiens of iemand of ’n kategorie  
 persone in die diens van die Administrasie, soos  
 20 omskryf in artikel 1 van die Konsolidasiewet op die  
 Beheer en Bestuur van Spoorweë en Hawens, 1957, as  
 paspoortbeheerbeampte aanstel; en”.
3. Artikel 13 van die Hoofwet word hierby gewysig—  
 (a) deur paragraaf (f) van subartikel (1) deur die volgende  
 25 paragraaf te vervang:  
 „(f) iemand wat (hetsy voor of na die inwerkingtreding  
 van hierdie Wet) in enige land skuldig bevind is  
 aan ’n oortreding van ’n wet op deviesebeheer of  
 ’n misdryf in Bylae I vermeld (tensy hy algehele  
 30 grasia ten opsigte daarvan ontvang het) en deur die  
 Minister of ’n paspoortbeheerbeampte, handelende  
 kragtens voorskrifte uitgereik deur die Minister,  
 geag word ’n ongewenste inwoner van of besoeker  
 aan die Republiek te wees;”;  
 (b) deur paragraaf (g) van subartikel (1) deur die volgende  
 paragraaf te vervang:

Wysiging van  
artikel 1 van  
Wet 59 van 1972.

Wysiging van  
artikel 4 van  
Wet 59 van 1972.

Wysiging van  
artikel 13 van  
Wet 59 van 1972.

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AMENDMENT ACT, 1979.

- “(g) any **[idiot or epileptic, or any person who is insane or mentally deficient]** mentally ill person, or any person who is deaf and dumb, or deaf and blind, or dumb and blind, or is otherwise physically afflicted, unless in any such case the person concerned or the person accompanying him or another person gives security, to the satisfaction of the Minister, for his permanent support in the Republic or for his removal therefrom when required by the Minister;”;
- (c) by the substitution for paragraph (h) of subsection (1) of the following paragraph:
- “(h) any person who is afflicted with **[leprosy or with any such [infectious] contagious, [loathsome] communicable or other disease (other than tuberculosis) as [is defined by regulation] the Minister from time to time may determine; and any person who is afflicted with tuberculosis unless he is in possession of a permit to enter the Republic, issued upon such conditions as may be prescribed;”;**

Substitution of section 43 of Act 59 of 1972, as substituted by section 5 of Act 40 of 1973.

## 4. The following section is hereby substituted for section 43 of the principal Act:

- “Removal of certain persons from Republic for certain offences.”
43. Any person (other than a South African citizen by birth or descent) who, whether before or after the commencement of this Act, has been **[sentenced to imprisonment]** convicted **[(a)]** of any offence referred to in section 51 or **[mentioned in]** Schedule 1 or 1A, **[or**
- (b) for any offence committed by the sale, supply or delivery of any intoxicating liquor to a person who is not a European, in contravention of any law; or
- (c) for any offence committed by the sale of, dealing in or being in possession of unwrought precious metal or rough or uncut precious stones in contravention of any law; or
- (d) for any offence referred to in section 51; or
- (e) for any offence under the Immorality Act, 1957 (Act No. 23 of 1957) and who by reason of the circumstances of such offence is deemed by the Minister to be an undesirable inhabitant of the Republic, may be removed from the Republic under a warrant and, pending his removal, may be detained in the prescribed manner.”

Substitution of Schedule 1 of Act 59 of 1972, as amended by section 6 of Act 40 of 1973.

## 5. The following Schedule is hereby substituted for Schedule 1 of the principal Act:

## “Schedule 1.

## OFFENCES REFERRED TO IN SECTIONS 13 AND 43

High treason.	50
Sedition.	
Public violence.	
Murder.	
Culpable homicide.	
Assault with intent to do grievous bodily harm.	55
Robbery.	
Theft.	
Receiving stolen property knowing it to be stolen.	
Housebreaking with intent to commit an offence.	
Extortion or the obtaining of property by means of a threat.	60
Fraud.	

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- „(g) 'n **[idiot of lyer aan vallende siekte, of iemand wat kranksinnig of swaksinnig is]** geestesongestelde persoon, of iemand wat doof en stom, of doof en blind, of stom en blind is, of ander liggaamsgebreke het, tensy in sodanige geval die betrokke persoon of die persoon wat hom vergesel of 'n ander persoon ten genoeë van die Minister sekerheid stel vir sy permanente onderhoud in die Republiek of sy verwydering daaruit wanneer die Minister dit vereis;”;
- (c) deur paragraaf (h) van subartikel (1) deur die volgende paragraaf te vervang:
- „(h) iemand wat aan **[melaatsheid of aan] 'n [besmetlike] aansteeklike, [walglike] oordraagbare** of ander siekte (uitgesonderd tuberkulose), **[wat hy regulasie omskryf word]** soos van tyd tot tyd deur die Minister bepaal, ly; en iemand wat aan tuberkulose ly, tensy hy in besit is van 'n permit om die Republiek binne te kom wat uitgereik is op voorwaardes wat voorgeskryf word;”;

4. Artikel 43 van die Hoofwet word hierby deur die volgende artikel vervang:

- 25 „Verwydering uit Republiek van sekere persone weens sekere misdrywe. 43. Iemand (uitgesonderd 'n Suid-Afrikaanse burger deur geboorte of afkoms) wat, hetsy voor of na die inwerkingtreding van hierdie Wet, **[tot gevangenisstraf gevonnis]** skuldig bevind is **[(a)]** weens 'n misdryf in artikel 51 of Bylae 1 of 1A vermeld, **[of**
- 30 (b) weens 'n misdryf gepleeg deur die verkoop, verstrekking of lewering van sterk drank aan iemand wat nie 'n Blanke is nie, in stryd met 'n wet; of
- 35 (c) weens 'n misdryf gepleeg deur die verkoop van, handeldryf in of in besit te wees van onbewerkte edele metaal of ruwe of ongeslypte edelstene in stryd met 'n wet; of
- (d) weens 'n misdryf in artikel 51 vermeld; of
- 40 (e) weens 'n misdryf kragtens die Ontugwet, 1957 (Wet No. 23 van 1957)]
- 45 en wat weens die omstandighede van sodanige misdryf deur die Minister geag word 'n ongewenste inwoner van die Republiek te wees, kan kragtens 'n lasbrief uit die Republiek verwyder word en, in afwagting van sy verwydering, op die voorgeskrewe wyse aangehou word.”.

Vervanging van artikel 43 van Wet 59 van 1972, soos vervang deur artikel 5 van Wet 40 van 1973.

5. Bylae 1 van die Hoofwet word hierby deur die volgende Bylae vervang:

„Bylae 1

Vervanging van Bylae 1 van Wet 59 van 1972, soos gewysig deur artikel 6 van Wet 40 van 1973.

50 MISDRYWE WAARNA IN ARTIKELS 13 EN 43 VERWYS WORD

- Hoogverraad.  
Sedisie.  
Openbare geweld.  
55 Moord.  
Strafbare manslag.  
Aanranding met die opset om ernstig te beseer.  
Roof.  
Diefstal.  
60 Ontvangs van gesteelde goed wetende dat dit gesteel is.  
Huisbraak met die opset om 'n misdryf te pleeg.  
Afpersing of die verkryging van goed deur middel van 'n dreigement.  
Bedrog.



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Arson.  
 Malicious injury to property.  
 Dealing in, selling, supplying or being in possession of any substance from time to time referred to in Part I, II or III of the Schedule to the Abuse of Dependence-producing Substances and Rehabilitation Centres Act, 1971 (Act No. 41 of 1971). 5  
 Counterfeiting coin or the uttering of counterfeit coin knowing it to be counterfeit.  
 Forgery or the uttering of a forged document knowing it to be forged. 10  
 Bribery.  
**[Crimen injuria.]**  
 Rape. 15  
 Indecent assault.  
 Unlawful carnal intercourse or the commission of any immoral or indecent act with a girl under the prescribed age or with a female idiot or imbecile or soliciting or enticing any such girl or idiot or imbecile to the commission of any such act. 20  
 Indecent exposure.  
 Incest.  
 Sodomy.  
Kidnapping.  
Childstealing. 25  
Abduction.  
Defeating or obstructing the course of justice.  
Perjury.  
 Any attempt or incitement to commit any such offence.”.

Insertion of  
 Schedule 1A in  
 Act 59 of 1972.

6. The following Schedule is hereby inserted in the principal Act after Schedule 1:

## “Schedule 1A

## OFFENCES REFERRED TO IN SECTION 43

Dealing in, selling or being in possession of unwrought precious metal or rough or uncut precious stones in contravention of any law. 35  
 Contravention of section 11 of the Internal Security Act, 1950 (Act No. 44 of 1950).  
 Contravention of section 319 (3) of the Criminal Procedure Act, 1955 (Act No. 56 of 1955). 40  
 Contravention of section 36 or 37 of the General Law Amendment Act, 1955 (Act No. 62 of 1955).  
 Contravention of any provision of the Immorality Act, 1957 (Act No. 23 of 1957), which constitutes an offence under that Act. 45  
 Contravention of section 21 (1) of the General Law Amendment Act, 1962 (Act No. 76 of 1962).  
 Contravention of section 18 of the Price Control Act, 1964 (Act No. 25 of 1964).  
 Contravention of section 2 (1) of the Indecent or Obscene Photographic Matter Act, 1967 (Act No. 37 of 1967). 50  
 Contravention of section 2 (1) of the Terrorism Act, 1967 (Act No. 83 of 1967).”.

Short title.

7. This Act shall be called the Admission of Persons to the Republic Regulation Amendment Act, 1979.

WYSIGINGSWET OP DIE REËLING VAN DIE TOELATING VAN  
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- Brandstigting.  
Opsetlike saakbeskadiging.  
Handeldryf in, verkoop, lewering of in besit wees van 'n stof  
van tyd tot tyd vermeld in Deel I, II of III van die Bylae by  
5 die Wet op die Misbruik van Afhanklikheidsvormende  
Stowwe en Rehabilitasiesentrums, 1971 (Wet No. 41 van  
1971).  
Muntvervalsing of die uitgifte van vervalste munt wetende  
dat dit vervals is.  
10 Vervalsing of die uitgifte van 'n vervalsing.  
Omkopery.  
**[Crimen injuria.]**  
Verkragting.  
Onsedelike aanranding.  
15 Onwettige geslagtelike gemeenskap of die pleging van 'n  
onbehoorlike of onsedelike daad met 'n meisie onder die  
voorgeskrewe ouderdom of met 'n vroulike idioot of imbesiel  
of die uitlokking of aanlokking van so 'n meisie of idioot of  
imbesiel tot die pleging van so 'n daad.  
20 Onsedelike blootstelling.  
Bloedskande.  
Sodomie.  
Menseroof.  
Kinderdiefstal.  
25 Ontvoering.  
Regsverdeling.  
Meineed.  
'n Poging of aanstigting om so 'n misdryf te pleeg."

6. Die volgende Bylae word hierby in die Hoofwet na Bylae 1  
30 ingevoeg:

Invoeging van  
Bylae 1A in  
Wet 59 van 1972.

„Bylae 1A

## MISDRYWE WAARNA IN ARTIKEL 43 VERWYS WORD

- Handeldryf in, verkoop of in besit wees van onbewerkte edele  
metaal of ruwe of ongeslypte edelstene in stryd met 'n wet.  
35 Oortreding van artikel 11 van die Wet op Binnelandse  
Veiligheid, 1950 (Wet No. 44 van 1950).  
Oortreding van artikel 319 (3) van die Strafproseswet, 1955  
(Wet No. 56 van 1955).  
Oortreding van artikel 36 of 37 van die Algemene Regswy-  
sigingswet, 1955 (Wet No. 62 van 1955).  
40 Oortreding van enige bepaling van die Ontugwet, 1957 (Wet  
No. 23 van 1957), wat kragtens daardie Wet 'n misdryf  
uitmaak.  
Oortreding van artikel 21 (1) van die Algemene Regswy-  
sigingswet, 1962 (Wet No. 76 van 1962).  
45 Oortreding van artikel 18 van die Wet op Prysbeheer, 1964  
(Wet No. 25 van 1964).  
Oortreding van artikel 2 (1) van die Wet op Onbetaamlike of  
Onweloweglike Fotografiese Materiaal, 1967 (Wet No. 37  
50 van 1967).  
Oortreding van artikel 2 (1) van die Wet op Terrorisme, 1967  
(Wet No. 83 van 1967)."

7. Hierdie Wet heet die Wysigingswet op die Reëling van die Kort titel.  
Toelating van Persone tot die Republiek, 1979.

