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REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

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DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 595.

13 April 1977.

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13 April 1977.

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

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

No. 43 of 1977: Pre-Union Statute Law Revision Act, 1977.

No. 43 van 1977: Hersieningswet op die Voor-Unie-Wette, 1977.

Act No. 43, 1977

PRE-UNION STATUTE LAW REVISION ACT, 1977.

ACT

To repeal certain laws in force in the various provinces of, and in, the Republic; to amend the Pre-Union Statute Law Revision Act, 1968, so as to further regulate the reservation of rights in favour of the State; and to provide for incidental matters.

(Afrikaans text signed by the State President.)
(Assented to 25 March 1977.)

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

Repeal of laws.

1. The laws specified in the Schedule are hereby repealed to the extent set out in the third column of the Schedule.

Savings.

2. (1) Notwithstanding the repeal of "The Native Registered Voters Relief Act, 1887", of the province of the Cape of Good Hope by section 1, any person whose name is at the commencement of this Act included in the Cape Bantu voters' roll framed in terms of section 7 of the Representation of Bantu Act, 1936, shall retain all the rights and privileges to which he would, but for the repeal of the said repealed Act and any other laws have been entitled as a registered parliamentary voter in the province of the Cape of Good Hope.

(2) Notwithstanding the repeal of the "Harbour Lands Act, 1904", of the province of Natal by section 1, the agreement contained in the Schedule to the said Act, shall remain in force as if that Act had not been repealed.

Substitution of section 25 of Act 32 of 1952.

3. The following section is hereby substituted for section 25 of the General Law Amendment Act, 1952:

"Doctrines of *laesio enormis* abolished in Republic. 25. No contract shall be void or voidable by reason merely of *laesio enormis* sustained by either of the parties to such contract."

Amendment of Section 2 of Act 44 of 1968.

4. Section 2 of the Pre-Union Statute Law Revision Act, 1968, is hereby amended by the addition of the following subsection, the existing section becoming subsection (1):

"(2) Notwithstanding the provisions of subsection (1), the repeal by section 1 of the Proclamation dated August 6, 1813, by Sir John Cradock, shall have, from the commencement of the Pre-Union Statute Law Revision Act, 1977, the effect of terminating any right reserved by that Proclamation of making and repairing public roads, and raising materials for that purpose, and any such right embodied in any title deed by virtue of such Proclamation only, shall from the said commencement be of no force and effect."

Short title.

5. This Act shall be called the Pre-Union Statute Law Revision Act, 1977.

Act No. 43, 1977

PRE-UNION STATUTE LAW REVISION ACT, 1977.

Schedule

GRIQUALAND WEST

Number and year of law	Title or subject of law	Extent of repeal
Ordinance 6 of 1876 . . .	The Ferry Ordinance, 1876	The whole
Proclamation 6 of 1877	Tariff of fares at ferries	The whole

CAPE OF GOOD HOPE

Number and year of law	Title or subject of law	Extent of repeal
Ordinance 4 (Local) of 1829	Cape Town English Church Ordinance	The whole
Ordinance 5 (Local) of 1832	Bathurst English Church Ordinance	The whole
Ordinance 5 of 1845 . . .	Rondebosch English Church Ordinance	The whole
Ordinance 7 of 1845 . . .	Fort Beaufort English Church Ordinance	The whole
Act 30 of 1860	Alienation of diocesan properties	The whole
Act 9 of 1865	The Malmesbury Board of Executors and Trust and Fire Assurance Company Act	So much as is unrepealed
Act 3 of 1873	The Companies' and Associations' Trustees Act, 1873	The whole
Act 38 of 1877	The Transkeian Annexation Act, 1877	The whole
Act 8 of 1879	The General Law Amendment Act, 1879	So much as is unrepealed
Proclamation 110 of 1879	Annexation, and determination of the boundaries, of the Transkei, and regulations for that territory	So much as is unrepealed
Proclamation 112 of 1879	Annexation, and determination of the boundaries, of Griqualand East, and regulations for that territory	So much as is unrepealed
Act 27 of 1882	The Police Offences Act, 1882	So much as is unrepealed, except sections 8 (1) and 8 (3)
Act 46 of 1882	The Libel Act, 1882	So much as is unrepealed
Act 34 of 1884	The Malmesbury Board of Executors and Trust Company Incorporation Amendment Act, 1884	The whole
Act 3 of 1885	The Tembuland Annexation Act, 1885	So much as is unrepealed
Proclamation 140 of 1885	Annexation, and determination of the boundaries, of Tembuland, Emigrant Tembuland, Gcalekaland and Bomvanaland, and regulations for those territories	So much as is unrepealed
Act 37 of 1886	The Xesibe Country Annexation Act, 1886	The whole
Act 39 of 1887	The Native Registered Voters Relief Act, 1887	The whole
Act 45 of 1887	The Rode Valley Annexation Act, 1887	The whole
Act 10 of 1889	The Malmesbury Board of Executors and Trust and Fire Assurance Company Act, 1889	The whole
Act 10 of 1891	The English Church Ordinance Repeal Act, 1891	The whole
Act 5 of 1894	The Pondoland Annexation Act, 1894	The whole
Act 21 of 1894	Act to amend "The Police Offences Act, 1882"	So much as is unrepealed

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Number and year of law	Title or subject of law	Extent of repeal
Act 29 of 1897	The Transkeian Territories, Tembuland and Pondoland Laws Act, 1897	The whole
Act 44 of 1898	The Police Offences Act Amendment Act, 1898	So much as is unrepealed
Act 3 of 1900	The Mealey Will Act, 1900	The whole
Act 36 of 1902	The Betting Houses, Gaming Houses and Brothels Suppression Act, 1902	So much as is unrepealed
Act 10 of 1909	The Labour Colonies Act, 1909	The whole
Act 37 of 1909	The Fencing Loans Act, 1909	So much as is unrepealed

NATAL

Number and year of law	Title or subject of law	Extent of repeal
Law 22 of 1863	Law to prevent community of goods attaching to certain marriages, and to enable the spouses of such marriages to devise their properties	So much as is unrepealed
Law 11 of 1868	The Escheat Law, 1868	The whole
Law 6 of 1869	The Escheat Law, 1869	The whole
Law 15 of 1869	Law for the punishment of idle and disorderly persons and vagrants within the Colony of Natal	So much as is unrepealed
Law 11 of 1871	The Incorporation of the Natal Permanent Building, Loan, and Investment Association Law	So much as is unrepealed
Law 17 of 1871	Law to amend section 3 of Law 22 of 1863	The whole
Law 26 of 1875	The Native Administration Law, 1875	So much as is unrepealed
Law 25 of 1878	Law to provide for the discouragement of gambling	So much as is unrepealed
Law 14 of 1882	Law to amend Law 22 of 1863	So much as is unrepealed
Act 1 of 1899	The Cattle Stealing Act, 1898	So much as is unrepealed
Ordinance 63 of 1903 (Transvaal) as applied to Natal by Act 1 of 1928 and Proclamation 81 of 1928	Ordinance to regulate the trading in diamonds ..	So much as is unrepealed
Act 36 of 1904	The Harbour Lands Act, 1904	The whole
Act 6 of 1907	The East Coast Fever Fencing Act, 1907	So much as is unrepealed
Act 32 of 1908	Act to amend the East Coast Fever Acts	So much as is unrepealed
Act 10 of 1910	The Criminal Law Amendment Act, 1909	So much as is unrepealed, except sections 6 (2) (b), 6 (2) (c) and 6 (2) (d)
Act 20 of 1910	Act to authorize loans for the construction of dipping tanks and the erection of fences and to extend the provisions of the East Coast Fever Acts	So much as is unrepealed

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ORANGE FREE STATE

Number and year of law	Title or subject of law	Extent of repeal
Act 4 of 1892	"Eigendomsverkrijging, Naamlooze Vennootschappen Wet, 1892"	So much as is unrepealed
Ordinance 5 of 1902 ...	The General Law Amendment Ordinance, 1902	So much as is unrepealed
Ordinance 21 of 1902 ..	The Police Offences Ordinance, 1902	The whole, except sections 2, 3, 4, 5, 21, 26 (1) and 26 (3)
Ordinance 13 of 1907 ..	The Further Revision of Laws Ordinance, 1907	So much as is unrepealed
Act 8 of 1908	Extortion Act, 1908	The whole
Act 10 of 1908	Gambling (Fraudulent Practices) Act, 1908	The whole
Act 29 of 1909	The Prevention of Crimes Act, 1909	The whole

TRANSVAAL

Number and year of law	Title or subject of law	Extent of repeal
Law 6 of 1889	Law Against Games of Chance, 1889	So much as is unrepealed
Ordinance 26 of 1904 ..	The Crimes Ordinance, 1904	So much as is unrepealed, except sections 4, 6, 7 (b), 8, 10 and 11
Ordinance 20 of 1905 ..	The Prevention of Crimes Ordinance, 1905	So much as is unrepealed
Act 17 of 1907	The Cattle Disease (East Coast Fever) Amendment Act, 1907	So much as is unrepealed
Act 12 of 1908	The Fencing Act, 1908	So much as is unrepealed
Act 26 of 1909	The Fencing Laws Amendment Act, 1909	So much as is unrepealed
Act 38 of 1909	Criminal Law Amendment Act, 1909	So much as is unrepealed

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Number and year of law	Title or subject of law	Extent of repeal
—	South Africa Act, 1909	So much as is unrepealed, except section 115 (3)
Act 1 of 1956	Labour Colonies Amendment Act, 1956	The whole
Act 32 of 1958	Labour Colonies (Cape) Amendment Act, 1958	The whole