



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

As 'n Nuusblad by die Poskantoor Geregistreer

Registered at the Post Office as a Newspaper

PRYS (AVB ingesluit 30c PRICE (GST included)
BUI TELANDS 40c ABROAD
POSVRY · POST FREE

VOL. 226

KAAPSTAD, 11 APRIL 1984

CAPE TOWN, 11 APRIL 1984

No. 9159

KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 664.

11 April 1984

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

— 43 van 1984: Wysigingswet op Suid-Afrikaanse Burgerskap, 1984.

No. 664.

11 April 1984

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

No. 43 of 1984: South African Citizenship Amendment Act, 1984.

SOUTH AFRICAN CITIZENSHIP AMENDMENT ACT, 1984

Act No. 43, 1984

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 South African Citizenship Act, 1949, so as to make other provision for the acquisition of South African citizenship by virtue of ordinary residence in the Republic; and to do away with the duty of the Minister of Internal Affairs to publish certain returns; and to provide for matters connected therewith.

(English text signed by the State President.)

(Assented to 26 March 1984.)

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

1. (1) Section 11A of the South African Citizenship Act, 1949 (hereinafter referred to as the principal Act), is hereby amended—

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

“(1) Any alien who—

(a) has not been convicted of an offence referred to in section 43 or 44A of the Admission of Persons to the Republic Regulation Act, 1972 (Act No. 59 of 1972), unless the Minister determines otherwise in his case; and

(b) is entitled to permanent residence in the Republic by virtue of a permit in terms of section 4 of the Aliens Act, 1937 (Act No. 1 of 1937); and

(c) has been ordinarily resident in the Republic for a period of at least five years after he so became entitled to permanent residence,

shall be a South African citizen by naturalization with effect from—

(i) in the case of an alien to whom such a permit was issued before 19 April 1978, the date six months from the commencement of the South African Citizenship Amendment Act, 1984, if at that commencement he is not younger than 15 years and not older than 24 years and six months, or, if he is then younger than 15 years, the date six months from the date on which he attains the age of 15 years; or

(ii) in the case of an alien to whom such a permit was or is issued at any time after the date two years before that commencement, the date on which the period of five years contemplated in paragraph (c) expires, if he was then not younger than 15 years and six months and not older than 25 years, or, if he was then younger than 15 years and six months,

Amendment of section 11A of Act 44 of 1949, as inserted by section 1 of Act 53 of 1978 and amended by section 3 of Act 95 of 1981.

SOUTH AFRICAN CITIZENSHIP AMENDMENT ACT, 1984

Act No. 43, 1984

the date on which he attains the age of 15 years and six months, unless he or, in the case of a minor, his responsible parent or guardian on his behalf while he was a minor at any time after the date on which he attained the age of 15 years but before the date on which he becomes a South African citizen by virtue of this subsection, made a declaration in the prescribed form stating that he does not wish to become such a citizen or, as the case may be, that he desires the minor not to become such a citizen.”;

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

“(a) he shall from the day on which the declaration has been made registered in the prescribed manner, be deemed to be an alien who, for the purposes of the Aliens Act, 1937, is not in possession of a permit issued to him in terms of section 4 or 5 of the said Act;”;

(c) by the deletion of subsection (5).

(2) Any person who was a South African citizen by virtue of the provisions of section 11A of the principal Act, as it existed immediately before the commencement of this Act, remains to be such a citizen after that commencement as if that section were not amended by subsection (1) of this section.

2. Section 40 of the principal Act is hereby amended by the substitution for paragraph (c) of the following paragraph:

“(c) the form and registration of any declaration of renunciation or resumption of South African citizenship and of any declaration contemplated in section 11A (1);”.

Amendment of section 40 of Act 44 of 1949, as amended by section 26 of Act 69 of 1962 and section 14 of Act 95 of 1981.

3. This Act is called the South African Citizenship Amendment Act, 1984.

Short title.