

Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.



REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

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CAPE TOWN, 7TH APRIL, 1971.

[No. 3064.

KAAPSTAD, 7 APRIL 1971.

DEPARTMENT OF THE PRIME MINISTER.

No. 576.

7th April, 1971.

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

No. 16 of 1971: Blind Persons Amendment Act, 1971.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 576.

7 April 1971.

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

No. 16 van 1971: Wysigingswet op Blindes, 1971.

Act No. 16, 1971

BLIND PERSONS AMENDMENT ACT, 1971.

ACT

To apply the Blind Persons Act, 1968, in the territory of South-West Africa, and for that purpose to amend the said Act; to repeal the Social Pensions Ordinance, 1965, of that territory in certain respects; and to provide for incidental matters.

(English text signed by the State President.)
(Assented to 22nd March, 1971.)

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 26 of 1968.

1. Section 1 of the Blind Persons Act, 1968 (hereinafter referred to as the principal Act), is hereby amended by—
- (a) the deletion of the definitions of "Bantu", "Chinese", "coloured person", "Indian" and "white person";
 - (b) the insertion after the definition of "prescribed" of the following new definition:
" 'Republic' includes the territory;"; and
 - (c) the insertion after the definition of "Secretary" of the following new definition:
" 'the territory' means the territory of South-West Africa;".

Amendment of
section 3 of
Act 26 of 1968.

2. Section 3 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:
"(1) On the application of any person for registration as a blind person, the Secretary shall cause him to be examined by a medical practitioner selected from the list referred to in section 4."

Amendment of
section 5 of
Act 26 of 1968.

3. Section 5 of the principal Act is hereby amended by—
- (a) the substitution for subparagraph (iii) of subsection (1) (c) of the following subparagraph:
"(iii) has entered the Republic from Angola or any other territory or country specified by the Minister, and complies with such conditions as the Minister may, in consultation with the Minister of Finance, determine."; and
 - (b) the deletion of subsections (2), (3) and (4).

Amendment of
section 17 of
Act 26 of 1968.

4. Section 17 of the principal Act is hereby amended by—
- (a) the substitution for paragraph (g) of subsection (1) of the following paragraph:
"(g) the income or assets to be taken into account in determining the amount of any pension or allowance;"; and

Act No. 16, 1971

BLIND PERSONS AMENDMENT ACT, 1971.

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

“(3) Different regulations may be made under subsection (1) in respect of different areas or in respect of persons belonging to different classes or population groups.”.

Amendment of section 18 of Act 26 of 1968.

5. Section 18 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) The State President may by proclamation in the *Gazette* assign the administration of the provisions of this Act, either generally or in respect of persons belonging to a specified class or population group defined in the proclamation, to any Minister or partly to one Minister and partly to another Minister or other Ministers, and may in such proclamation specify the powers or functions which shall be exercised or performed by the several Ministers, and provide that any power or function assigned to the Minister by this Act, shall be exercised or performed by one Minister acting in consultation with another Minister.”.

Insertion of section 18A in Act 26 of 1968.

6. The following section is hereby inserted after section 18 of the principal Act:

“Application of Act in the territory. 18A. This Act and any amendment thereof shall, save in so far as it has already been declared to be applicable in the territory in terms of section 16 (1) of the Pension Laws Amendment Act, 1968 (Act No. 79 of 1968), also apply in the territory, including the Eastern Caprivi Zipfel.”.

Repeal of Ordinance 2 of 1965 of the territory of South-West Africa in certain respects.

7. (1) Subject to subsection (2) the Social Pensions Ordinance, 1965 (Ordinance No. 2 of 1965), of the territory of South-West Africa is hereby repealed in so far as it relates to pensions for blind persons and matters incidental thereto.

(2) Anything done in terms of the ordinance repealed by subsection (1) which could be done in terms of any provision of the principal Act, shall be deemed to have been done in terms of the corresponding provisions of that Act.

(3) For the purposes of subsection (2) any person who immediately prior to the commencement of this Act received a pension or allowance under the ordinance repealed by this Act shall be deemed at the time of making application for such pension or allowance to have complied with the residential requirements referred to in section 5 of the principal Act.

Construction of section 2 (2) of Act 26 of 1968 in its application to the territory of South-West Africa.

8. For the purposes of the application of section 2 (2) of the principal Act in the territory of South-West Africa, the reference to the Apprenticeship Act, 1944 (Act No. 37 of 1944), shall be construed as a reference to the Apprenticeship Ordinance, 1938 (Ordinance No. 12 of 1938), of such territory and the reference to the Industrial Conciliation Act, 1956 (Act No. 28 of 1956), and the Wage Act, 1957 (Act No. 5 of 1957), shall be construed as a reference to the Wage and Industrial Conciliation Ordinance, 1952 (Ordinance No. 35 of 1952), of such territory.

Registration of blind persons in the territory of South-West Africa.

9. The name of any person in the territory of South-West Africa who, immediately prior to the commencement of this Act, was in receipt of a pension for blind persons awarded to him in terms of the Social Pensions Ordinance, 1965, or any ordinance repealed in terms thereof, shall be entered by the Secretary for Social Welfare and Pensions in the register referred to in section 3 of the principal Act, and such person shall be deemed to have been registered as a blind person in terms of that section with effect from such commencement.

Short title and commencement.

10. This Act shall be called the Blind Persons Amendment Act, 1971, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.