

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.



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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[No. 3052.

DEPARTEMENT VAN DIE EERSTE MINISTER.

DEPARTMENT OF THE PRIME MINISTER.

No. 547.

31 Maart 1971.

No. 547.

31st March, 1971.

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

No. 24 van 1971: Wysigingswet op Spoorweg- en Hawe-
wette, 1971.

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

No. 24 of 1971: Railways and Harbours Acts Amend-
ment Act, 1971.

Act No. 24, 1971

RAILWAYS AND HARBOURS ACTS AMENDMENT ACT, 1971.

ACT

To amend section 7 of the Railway Expropriation Act, 1955, and sections 2, 3, 26, 40, 54, 58 and 70 of the Railways and Harbours Control and Management (Consolidation) Act, 1957, so as to provide for conversion to the metric system of weights and measures; to amend section 1 of the Railways and Harbours Control and Management (Consolidation) Act, 1957, so as to extend the definition of "railways" to include any area of land within the limits of an airport which is used by the Administration for the purposes of its air services; to amend section 8 of the Railways and Harbours Superannuation Fund Act, 1960, so as to provide for a reduction in the contributions of members of the New Railways and Harbours Superannuation Fund to that Fund; to amend section 2 of the Level Crossings Act, 1960, so as to provide for an increase in contributions towards the Level Crossings Elimination Fund; to validate certain changes in conditions of employment; and to provide for other incidental matters.

(English text signed by the State President.)
(Assented to 29th 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 7 of Act 37 of 1955.

1. Section 7 of the Railway Expropriation Act, 1955 (Act No. 37 of 1955), is hereby amended by the substitution, in subsection (2), for the words "one acre" of the words "four thousand square metres".

Amendment of section 1 of Act 70 of 1957, as amended by section 5 of Act 25 of 1959, section 6 of Act 62 of 1961, section 5 of Act 62 of 1962 and sections 11 and 44 of Act 6 of 1965.

2. Section 1 of the Railways and Harbours Control and Management (Consolidation) Act, 1957 (Act No. 70 of 1957) (hereinafter called "the Control and Management Act"), is hereby amended by the substitution for the definition of "railways", in subsection (1), of the following definition:

"'railways' means—

- (a) all lines of railway within the Republic over which the Administration has control or running rights;
- (b) all lands, stations, sidings, buildings, plant, machinery, rolling-stock and all other movable or immovable property and servitudes used in connection with—
 - (i) any such line of railway; or
 - (ii) the Administration's road motor transport services; and
- (c) any area of land within the limits of an airport, which is used by the Administration for the purposes of its air services;

Act No. 24, 1971 RAILWAYS AND HARBOURS ACTS AMENDMENT ACT, 1971.

Amendment of section 2 of Act 70 of 1957, as amended by section 1 of Act 4 of 1958, section 3 of Act 7 of 1963, section 5 of Act 39 of 1963, section 2 of Act 54 of 1964, sections 12 and 44 of Act 6 of 1965, section 1 of Act 60 of 1968 and section 3 of Act 32 of 1969.

3. Section 2 of the Control and Management Act is hereby amended—

- (a) by the substitution, in paragraph (b) of subsection (6), for the words "two miles" of the words "five kilometres";
- (b) by the substitution, in paragraph (b) of subsection (10), for the words "ten feet", "twelve feet", "fourteen feet" and "eighteen feet" of the words "three metres", "three point sixty-five metres", "four point twenty-five metres" and "five point five metres", respectively.

Amendment of section 3 of Act 70 of 1957, as amended by section 43 of Act 30 of 1959, section 37 of Act 44 of 1959, section 2 of Act 2 of 1960, section 7 of Act 62 of 1961, section 6 of Act 62 of 1962, section 4 of Act 7 of 1963 and sections 13 and 44 of Act 6 of 1965.

4. Section 3 of the Control and Management Act is hereby amended—

- (a) by the substitution, in paragraph (b) of subsection (1), for the word "weights" of the word "masses"; and
- (b) by the substitution, in the Afrikaans text of paragraph (dd) of that subsection, for the word "massavoorrade" of the word "grootmaatvoorrade".

Amendment of section 26 of Act 70 of 1957, as amended by section 7 of Act 62 of 1962 and section 20 of Act 6 of 1965.

5. Section 26 of the Control and Management Act is hereby amended by the substitution for the word "weight", wherever it occurs, of the word "mass".

Amendment of section 40 of Act 70 of 1957.

6. Section 40 of the Control and Management Act is hereby amended by the substitution, in subsection (1), for the word "mile" of the word "kilometre".

Amendment of section 54 of Act 70 of 1957, as amended by section 32 of Act 6 of 1965.

7. Section 54 of the Control and Management Act is hereby amended by the substitution, in paragraph (a), for the word "weight" of the word "mass".

Amendment of section 58 of Act 70 of 1957, as amended by section 5 of Act 7 of 1963 and section 34 of Act 6 of 1965.

8. Section 58 of the Control and Management Act is hereby amended by the substitution, in the first proviso to paragraph (c) of subsection (2), for the words "twenty miles" of the words "thirty-two kilometres".

Act No. 24, 1971 RAILWAYS AND HARBOURS ACTS AMENDMENT ACT, 1971.

Amendment of section 70 of Act 70 of 1957, as amended by section 42 of Act 44 of 1959, section 39 of Act 6 of 1965 and section 3 of Act 57 of 1970.

9. Section 70 of the Control and Management Act is hereby amended by the substitution, in subsection (4)*bis*, for the words "twelve rand per mile" of the words "seven rand fifty cents per kilometre".

Amendment of section 8 of Act 39 of 1960, as amended by section 16 of Act 62 of 1961, section 63 of Act 6 of 1965, section 6 of Act 18 of 1966 and section 3 of Act 23 of 1967.

10. (1) Section 8 of the Railways and Harbours Superannuation Fund Act, 1960 (Act No. 39 of 1960), is hereby amended—

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

"(1) Every member who is an officer shall, so long as he remains in the Service, contribute to the New Fund four per cent of his pensionable emoluments.";

(b) by the substitution for subsection (4) of the following subsection:

"(4) Every member who is an employee shall, so long as he remains in the Service, contribute to the New Fund four per cent of his pensionable emoluments.".

(2) Subsection (1) (a) of this section shall come into operation on the first day of April, 1971, and subsection (1) (b) thereof shall be deemed to have come into operation on the sixteenth day of March, 1971.

Amendment of section 2 of Act 41 of 1960, as amended by section 71 of Act 6 of 1965 and section 9 of Act 8 of 1968.

11. Section 2 of the Level Crossings Act, 1960 (Act No. 41 of 1960), is hereby amended by the substitution, in subsection (2), for the words "three million rand" of the words "four million five hundred thousand rand".

Validation of certain changes in conditions of employment.

12. All changes in conditions of employment for which provision is made in any regulation published under any Government Notice mentioned in the Schedule to this Act, and which were brought into operation with retrospective effect or in respect of which the amending regulations relating thereto were not approved by the State President within the period of three months mentioned in section 32 (3) of the Railways and Harbours Service Act, 1960 (Act No. 22 of 1960), are hereby validated with effect from the several dates of commencement of such changes in terms of the relevant Government Notices.

Application of Act to South-West Africa.

13. This Act and any amendment thereof shall, with the exception of section 11 thereof, apply also in the territory of South-West Africa, including the Eastern Caprivi Zipfel.

Short title and commencement.

14. This Act shall be called the Railways and Harbours Acts Amendment Act, 1971, and, subject to the provisions of section 10 (2), shall come into operation on the first day of April, 1971.

Schedule.

Number of Government Notice.	Date of Publication.
R.1882	30.10.1970
R.1883	30.10.1970
R.1997	13.11.1970
R.2102	27.11.1970
R.2103	27.11.1970