

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

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Price 20c Prys

Overseas 30c Oorsee

POST FREE—POSVRY

Vol. 154]

CAPE TOWN, 19 APRIL 1978

[No. 5989

KAAPSTAD, 19 APRIL 1978

DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 791.

19 April 1978.

No. 791.

19 April 1978.

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. 53 of 1978: South African Citizenship Amendment Act, 1978.

No. 53 van 1978: Wysigingswet op Suid-Afrikaanse Burgenskap, 1978.

SOUTH AFRICAN CITIZENSHIP
AMENDMENT ACT, 1978.

Act No. 53, 1978

GENERAL EXPLANATORY NOTE:

Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the South African Citizenship Act, 1949, so as to provide for the acquisition of South African citizenship by virtue of permanent residence in the Republic and for matters connected therewith.

(English text signed by the State President.)
(Assented to 12 April 1978.)

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

1. The following section is hereby inserted in the South African Citizenship Act, 1949, after section 11:

Insertion of
section 11A in
Act 44 of 1949.

- “Acquisition of South African citizenship by naturalization by virtue of permanent residence.”
- 10
- 15
- 20
- 25
- 30
- 35
- 40
- 11A. (1) An alien who—**
- (a) is not older than 25 years;
- (b) is entitled to permanent residence in the Republic by virtue of a permit issued in terms of the Aliens Act, 1937 (Act No. 1 of 1937), after the commencement of the South African Citizenship Amendment Act, 1978;
- (c) has for a period of two years after he so became entitled, been ordinarily resident in the Republic; and
- (d) unless he has been excluded by the Minister from the provisions of this paragraph, has not been convicted of an offence mentioned in section 43 or 44A of the Admission of Persons to the Republic Regulation Act, 1972 (Act No. 59 of 1972),
- shall be a South African citizen by naturalization unless he, or his responsible parent or guardian on his behalf if and while he was a minor, at any time during that period of two years 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.
- (2) (a) The Minister may in his discretion exclude any person or category of persons, with such exceptions as he may deem fit, from the provisions of subsection (1), and either for a specified or unspecified period and either unconditionally or subject to such conditions as the Minister may impose.
- (b) The Minister may in his discretion withdraw any such exclusion or withdraw any such exclusion relating to a category of persons in so far as a person belonging to that category is concerned.
- (3) If a declaration contemplated in subsection (1) has been made by or on behalf of any person—
- (a) he shall from the day on which the declaration

SOUTH AFRICAN CITIZENSHIP
AMENDMENT ACT, 1978.

Act No. 53, 1978

- has been made, 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;
- 5 (b) a permit may not in terms of section 4 of the said Act be issued to him; and
- (c) he shall be disqualified from acquiring South African citizenship in any manner.
- 10 (4) If a declaration contemplated in subsection (1) has been made on behalf of a minor, he may at any time during a period of three months after attaining majority make a declaration in the prescribed form stating that he wishes to become a South African citizen, and thereupon the provisions of subsection
- 15 (3) (b) and (c) shall cease to apply in respect of him.
- (5) The Minister shall once in every three months cause to be published in the *Gazette* a return of all aliens by or on behalf of whom declarations were in terms of subsection (1) or (4) made during the
- 20 preceding three months, and in that return cause to be set out in relation to every such person such particulars as he may from time to time deem fit."

2. This Act shall be called the South African Citizenship Amendment Act, 1978. Short title.