

No. 19, 1943.]

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.

# ACT

## To exclude certain persons from the provisions of the South Africa Act, 1909, relating to the holding of offices of profit under the Crown.

(Signed by the Officer Administering the Government in English.)

(Assented to 9th April, 1943.)

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Certain persons deemed not to hold or to have held offices of profit under the Crown.

1. (1) Any person appointed before or after the commencement of this Act, as a member of—

- (a) the Council of Public Health established by section *four* of the Public Health Act, 1919 (Act No. 36 of 1919); or
- (b) the South African Medical Council or the South African Pharmacy Board established by section *two* of the Medical, Dental and Pharmacy Act, 1928 (Act No. 13 of 1928); or
- (c) the National Nutrition Council established by section *two* of the Public Health Amendment Act, 1940 (Act No. 14 of 1940); or
- (d) the council known as the Social and Economic Planning Council,

who receives no payment in respect of his services on such council or board or a committee thereof in excess of an allowance at the rate of three guineas for each day on which he renders such services together with the reimbursement of any travelling expenses incurred by him in the course of such services, shall not be deemed to hold an office of profit under the Crown in terms of section *fifty-three* of the South Africa Act, 1909, or of that section read with section *seventy-two* of the said Act.

(2) Any person who, after the commencement of this Act, holds an office under the Crown by virtue of an appointment as a member of any council, committee, board or similar body not referred to in sub-section (1), and in respect of his services on such council, committee, board or body, receives no payment in excess of the expenses actually and reasonably incurred by him in the course of such services shall, notwithstanding any provision in any law authorizing or requiring the payment of any remuneration or allowance to members of such council, committee, board or body, not be deemed to hold an office of profit under the Crown in terms of section *fifty-three* of the South Africa Act, 1909, or of that section read with section *seventy-two* of the said Act.

(3) Any person who, before the commencement of this Act, held an office under the Crown by virtue of an appointment as a member of any council, committee, board or similar body, and received no payment in respect of his services on such council, committee, board or body, in excess of an allowance and reimbursement referred to in sub-section (1), shall, in so far as his membership of such council, committee, board or body before the commencement of this Act is concerned, not be deemed to have held an office of profit under the Crown in terms of section *fifty-three* of the South Africa Act, 1909, or of that section read with section *seventy-two* of the said Act.

Short title.

2. This Act shall be called the Offices of Profit Amendment Act, 1943.