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CAPE TOWN, 2ND APRIL, 1969.

[No. 2346.

KAAPSTAD, 2 APRIL 1969.

DEPARTMENT OF THE PRIME MINISTER.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 532. 2nd April, 1969.

No. 532. 2 April 1969.

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. 32 of 1969: Railways and Harbours Acts Amendment Act, 1969.

No. 32 van 1969: Wysigingswet op Spoorweg- en Hawewette, 1969.

Act No. 32, 1969 RAILWAYS AND HARBOURS ACTS AMENDMENT ACT, 1969.

ACT

To amend sections 13 and 14 of the Railway Expropriation Act, 1955, and sections 2 and 37 of the Railways and Harbours Control and Management (Consolidation) Act, 1957, so as to extend the powers of the Administration to construct, manage and work pipelines, to include also pipelines for the conveyance of solids and gases; to amend section 10 of the Railways and Harbours Control and Management (Consolidation) Act, 1957, so as to amend the excess charge which is levied in instances where a passenger travels in a train without a free pass or ticket, or with an incomplete pass or ticket, or beyond the authorized distance; to amend Schedule 1 to the Railway Construction Act, 1966, so as to alter the route, length and estimated cost of the second line of railway mentioned therein; to validate certain changes in conditions of employment; and to provide for other incidental matters.

(English text signed by the State President.)
(Assented to 21st March, 1969.)

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 13 of Act 37 of 1955, as amended by section 3 of Act 39 of 1963.

1. Section 13 of the Railway Expropriation Act, 1955, is hereby amended by the substitution, in subsection (1), for all the words preceding paragraph (a) of the following words:

“For the purpose of constructing, maintaining, altering or repairing any railway, whether authorized before or after the commencement of this Act, or any pipeline for the conveyance of solids, liquids or gases, and any works incidental to such railway or pipeline, the Administration may—”.

Substitution of section 14 of Act 37 of 1955, as amended by section 4 of Act 39 of 1963.

2. The following section is hereby substituted for section 14 of the Railway Expropriation Act, 1955:

“Deviations from existing routes of lines of railway.

14. (1) The Administration may make and maintain any deviation from the existing route of any line of railway, whether authorized before or after the commencement of this Act, or may alter the route of any pipeline for the conveyance of solids, liquids or gases, and for that purpose it may remove all existing works and erect or construct such new works as may be required for the carrying out of such deviation and the closing of the deviated portion of the line, or for the relaying of the pipeline as the case may be.

(2) For the purpose of this section ‘works’ includes rails, stations, bridges, lines of communication, pipes and other appurtenances.”.

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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 and section 1 of Act 60 of 1968.

3. Section 2 of the Railways and Harbours Control and Management (Consolidation) Act, 1957, is hereby amended—

(a) by the substitution for subsection (7)*bis* of the following subsection:

“(7)*bis* to construct or cause to be constructed, manage, work and maintain pipelines for the conveyance of solids, liquids or gases, together with all works and appurtenances incidental thereto, and to determine and alter from time to time the conditions applicable to the use of such pipelines;” and

(b) by the substitution for subsection (12) of the following subsection:

“(12) to fix and alter from time to time the wharf dues, rates, fares, licences and other dues and charges on the railways or at the harbours and airports under the control of the Administration, or for road, air or marine traffic conducted by the Administration or for the conveyance of solids, liquids or gases by means of any pipelines managed and worked by it;”.

Amendment of section 10 of Act 70 of 1957, as amended by section 14 of Act 6 of 1965.

4. Section 10 of the Railways and Harbours Control and Management (Consolidation) Act, 1957, is hereby amended—

(a) by the substitution, in paragraph (a) of subsection (3), for the words “five cents or three cents” of the words “seven cents or five cents”; and

(b) by the substitution, in paragraph (b) of that subsection, for the words “fifty cents or twenty-five cents” of the words “seventy cents or fifty cents”.

Amendment of section 37 of Act 70 of 1957, as amended by section 6 of Act 39 of 1963 and section 26 of Act 6 of 1965.

5. Section 37 of the Railways and Harbours Control and Management (Consolidation) Act, 1957, is hereby amended by the substitution for paragraph (a) of the following paragraph:

“(a) does any act which obstructs or might obstruct the working of a railway or of any pipeline for the conveyance of solids, liquids or gases, or which endangers or might endanger the lives of persons travelling on such railway;”.

Amendment of Schedule 1 to Act 17 of 1966.

6. Schedule 1 to the Railway Construction Act, 1966, is hereby amended by the substitution for the particulars in respect of the second railway line mentioned therein of the following particulars:

Column 1.	Column 2.	Column 3.
Description of line.	Approximate length.	Estimated cost.
	Miles.	R
2. From a junction at Vryheid (Sikame) with the railway line between Ermelo and Glencoe to a terminal point approximately 4½ miles from Empangeni on the new railway line between Empangeni and Richard's Bay (Province of Natal) as authorized by the Railway Construction Act, 1968 (Act No. 38 of 1968).	127	74,759,000

Validation of certain changes in conditions of employment.

7. 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 whereof the amending regulations were not approved by the State President until after the expiration of the period of

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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 as from which such changes were brought into operation.

Application of Act to South-West Africa.

8. This Act, other than section 6, shall apply also to the territory of South-West Africa.

Short title.

9. This Act shall be called the Railways and Harbours Acts Amendment Act, 1969.

Schedule.

Number of Government Notice.	Date of Publication.
R.245	23.2.1968
R.1353	9.8.1968
R.1502	23.8.1968
R.1631	20.9.1968