

No. 42, 1942.]

## ACT

### To amend the laws relating to native administration.

(Signed by the Governor-General in Afrikaans.)  
(Assented to 20th April, 1942.)

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:—

Amendment of section 7 of Act 38 of 1927. 1. Section *seven* of the Native Administration Act, 1927 (hereinafter referred to as the principal Act) is hereby amended—  
by the deletion in sub-section (2) of the words “established under section *six*”.

Amendment of section 8 of Act 38 of 1927. 2. Section *eight* of the principal Act is hereby amended—  
(a) by the substitution for sub-section (1) of the following sub-section:

“(1) The Governor-General may at any time appoint a commissioner for the purpose of investigating and determining the rights of occupation or ownership of persons other than Europeans or Asiatics claiming to own land, in respect of which a deed of grant or title has at any time been issued—

(a) which is situate in an area referred to in section *six*; or

(b) which is situate in any location; or

(c) to which any proclamation under section *thirty-four* relates.”;

(b) by the deletion in sub-section (7) of the words “established under section *six*”; and

(c) by the substitution for sub-section (10) of the following sub-sections:

“(10) The Governor-General may make regulations—

(a) prescribing the manner and form in which any transfer to any person other than a European or Asiatic of land—

(i) in respect of which a substituted deed of grant has been issued under section *seven*; or

(ii) in respect of which any person has under sub-section (7) been registered as the owner, which is effected after the date of issue of such deed of grant or of such registration, as the case may be, shall be registered;

(b) providing for exemption from the payment of fees of office in connection with the registration of any such transfer; and

(c) generally, as to all matters which he considers it necessary or expedient to prescribe in order that the purposes of this section may be achieved.

(11) No regulation made under paragraph (a) of sub-section (10) shall be invalid merely by reason of any inconsistency with the provisions of the Deeds Registries Act, 1937 (Act No. 47 of 1937).

(12) No transfer duty shall be payable on the transfer to any person other than a European or Asiatic of any land situate in any area comprising the Fingo or the Hottentot village referred to in section *thirty-four*, in respect of which any person has under sub-section (7) been registered as the owner, which is effected after the date of such registration.”.

Amendment of section 27 of Act 38 of 1927, as amended by section 2 of Act 9 of 1939. 3. Section *twenty-seven* of the principal Act is hereby amended  
by the deletion at the end of paragraph (d)*bis* of sub-section (1) of the word “and”, and the insertion after the said paragraph of the following paragraph:

“(d)*ter*. the control or regulation of any tribal practice involving the mutilation or removal of or any operation upon any part of the body; and”.

Amendment of section 34 of Act 38 of 1927.      4. Section *thirty-four* of the principal Act is hereby amended by the addition at the end thereof of the following words: "or to the areas comprising the Fingo and the Hottentot village situate within the urban area of Grahamstown in the province of the Cape of Good Hope."

Amendment of section 10 of Act 9 of 1929.      5. Section *ten* of the Native Administration Act, 1927, Amendment Act, 1929, is hereby amended by the addition at the end of sub-section (1) of the following proviso:

"Provided that the Matrimonial Causes Jurisdiction Act, 1939 (Act No. 22 of 1939) shall *mutatis mutandis* apply with reference to the powers and jurisdiction of such courts."

Short title.      6. This Act shall be called the Native Administration Amendment Act, 1942.