

No. 43, 1958.]

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# ACT

To amend the Police Act, 1958.

(Afrikaans text signed by the Governor-General.)  
(Assented to 26th September, 1958.)

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

1. Section *nine* of the Police Act, 1958 (hereinafter referred to as the principal Act), is hereby amended by the insertion in sub-section (9) after the word "sentenced" of the words "by a commissioned officer". Amendment of section 9 of Act 7 of 1958.

2. Section *fifteen* of the principal Act is hereby amended— Amendment of section 15 of Act 7 of 1958.  
(a) by the insertion in sub-section (1) after the word "member" where it occurs for the third time of the words "not being a period during which he is serving a term of imprisonment"; and  
(b) by the insertion in sub-section (2) after the word "suspension" where it occurs for the first time of the words "not being a period of suspension during which he was serving a term of imprisonment".

3. Section *thirty-one* of the principal Act is hereby amended by the addition of the following sub-section, the existing section becoming sub-section (1): Amendment of section 31 of Act 7 of 1958.

"(2) A member of the Force who in good faith performs any act in accordance with or in the enforcement of any provision purporting to be an enactment of a competent legislative authority, shall, notwithstanding any irregularity in the enactment of or defect in such provision or want of jurisdiction on the part of such legislative authority, be exempt from liability in respect of the performance of that act to the same extent and subject to the same conditions as if such irregularity had not occurred or such defect or want of jurisdiction had not existed."

4. Section *thirty-five* of the principal Act is hereby amended by the addition at the end thereof of the words "and also that portion of the said territory known as the Eastern Caprivi Zipfel referred to in section *three* of the South-West Africa Affairs Amendment Act, 1951 (Act No. 55 of 1951)". Amendment of section 35 of Act 7 of 1958.

5. This Act shall apply also in the territory of South-West Africa, including that portion of the said territory known as the "Rehoboth Gebiet" and defined in the First Schedule to Proclamation No. 28 of 1923 of the said territory, and also that portion of the said territory known as the Eastern Caprivi Zipfel referred to in section *three* of the South-West Africa Affairs Amendment Act, 1951 (Act No. 55 of 1951). Application of Act to South-West Africa.

6. This Act shall be called the Police Amendment Act, 1958. Short title.