

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. 113]

CAPE TOWN, 6 NOVEMBER 1974

[No. 4484

KAAPSTAD, 6 NOVEMBER 1974

DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 2053.

6 November 1974.

No. 2053.

6 November 1974.

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. 68 of 1974: Police Amendment Act, 1974.

No. 68 van 1974: Polisiewysigingswet, 1974.

POLICE AMENDMENT ACT, 1974.

Act No. 68, 1974

ACT

To amend the Police Act, 1958, so as to make further provision for the giving of notice of certain actions and the causes thereof; and to regulate the payment of the salaries or wages and allowances of missing members of the Force and other employees of the South African Police; and to provide for matters connected therewith.

*(Afrikaans text signed by the State President.)
(Assented to 25 October 1974.)*

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 substituted for section 32 of the Police Act, 1958: Substitution of section 32 of Act 7 of 1958.

“Limitation of actions, notification of action and cause thereof, and service of certain process.

32. (1) Any civil action against the State or any person in respect of anything done in pursuance of this Act, shall be commenced within six months after the cause of action arose, and notice in writing of any civil action and of the cause thereof shall be given to the defendant one month at least before the commencement thereof.

(2) If any notice contemplated in subsection (1) is given to the Commissioner, it shall be deemed to be notification to the defendant concerned.

(3) Any process by which any action contemplated in subsection (1) is instituted and in which the Minister is the defendant or respondent, may be served on the Commissioner.”.

2. The following section is hereby inserted in the Police Act, 1958, after section 34D: Insertion of section 34E in Act 7 of 1958.

“Missing members and employees.

34E. (1) If a member of the Force or any other employee of the South African Police who has a spouse or other dependant, is missing and the Commissioner is satisfied that his absence arose from the performance of his powers or functions in terms of this Act, such member or employee shall for all purposes be deemed to be still employed by the South African Police from the first day after the day on which such absence commenced until the day on which he again reports for duty or, in the opinion of the Commissioner, should again have reported for duty or a competent court issues an order whereby the death of such member or employee is presumed.

(2) The salary or wages and allowances accruing to a member or an employee during his absence contemplated in subsection (1) shall, subject to the provisions of subsection (4), be paid to his spouse or, if he has no spouse, to his other dependants, or to any person who, in the opinion of the Com-

POLICE AMENDMENT ACT, 1974.

Act No. 68, 1974

missioner, is competent to receive and administer such salary or wages and allowances on behalf of his spouse or such other dependants.

(3) Payment of any salary or wages and allowances in terms of subsection (2) shall for all purposes be deemed to be payment thereof to the member or employee concerned, and an amount so paid shall not be recoverable by the State from any person.

(4) Notwithstanding the provisions of subsection (2) the Commissioner may in his discretion direct that only a portion of the salary or wages and allowances of a member or an employee be paid in terms of the said subsection or that no portion thereof be so paid.”

3. This Act shall be called the Police Amendment Act, 1974, Short title and and section 2 shall be deemed to have come into operation on 8 commencement.
March 1974.