

Act No. 29  
of 1956.

## ACT

To amend the Group Areas Act, 1950.

(Afrikaans text signed by the Governor-General.)  
(Assented to 8th May, 1956.)

**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 *three* of the Group Areas Act, 1950, is hereby amended—
- (a) by the deletion in sub-paragraph (i) of paragraph (a) of sub-section (3) of the words "in the province of the Cape of Good Hope or of Natal", and by the deletion of sub-paragraphs (ii) and (iii) of the said paragraph;
- (b) by the deletion in sub-paragraph (ii) of paragraph (c) of sub-section (3) of the words "or any area approved for the residence of natives under paragraph (h) of sub-section (2) of section *nine* of the said Act".

Amendment of section 3 of Act 41 of 1950 as amended by section 3 of Act 65 of 1952 and section 2 of Act 68 of 1955.

2. This Act shall be called the Group Areas Amendment Act, 1956. Short title.

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## ACT

To amend the Separate Representation of Voters Act, 1951.

(English text signed by the Governor-General.)  
(Assented to 16th May, 1956.)

**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 *twelve* of the Separate Representation of Voters Act, 1951 (hereinafter referred to as the principal Act), is hereby amended by the addition to sub-section (1) of the following paragraph:
- "(iii) a person shall not be qualified for election as a member of the said provincial council unless he is a white person."

Amendment of section 12 of Act 46 of 1951.

2. The following sections are hereby substituted for sections *fourteen, fifteen, sixteen, seventeen, eighteen* and *nineteen* of the principal Act:

Substitution of sections 14, 15, 16, 17, 18 and 19 of Act 46 of 1951.

Establishment of Union Council for Coloured Affairs.

“THE UNION COUNCIL FOR COLOURED AFFAIRS.

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14. (1) A Union Council for Coloured Affairs (hereinafter called the Council) consisting of three non-European members for each Union electoral division who shall be elected and fifteen non-European members who shall be nominated by the Governor-General is hereby established with effect from a date to be fixed by the Governor-General by proclamation in the *Gazette*.

(2) (a) Of the fifteen non-European members to be nominated—

- (i) eight members of whom at least one shall be a member of the race or class known as the Cape Malays and at least one shall be a member of the race or class known as the Griquas shall represent the province of the Cape of Good Hope;
  - (ii) two members shall represent the province of Natal;
  - (iii) one member shall represent the province of the Orange Free State; and
  - (iv) four members shall represent the province of the Transvaal.
- (b) No person shall be nominated as a member unless—
- (i) he qualifies *mutatis mutandis*, in terms of paragraphs (a), (b), (c) and (d) of subsection (1) of section *four* of the principal Act; and
  - (ii) he has resided for a period of two years immediately prior to the date of his appointment in the province that he is nominated to represent and continues to reside therein.

(3) Any person who is registered in the Cape Coloured voters' list and has in addition resided in the province of the Cape of Good Hope for a period of two years immediately prior to the date of his election and continues to reside therein, shall be qualified to be elected as a member of the Council.

(4) There shall be constituted an executive committee of the Council consisting of five members of the Council of whom two shall be elected by the members of the Council and three shall be designated by the Governor-General.

(5) The Governor-General shall designate one of the members of the executive committee as the chairman of the Council.

(6) The chairman of the Council shall also be the chairman of the executive committee.

(7) The chairman shall in addition to his deliberative vote have in the case of an equality of votes, a casting vote.

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(8) Until such time as the chairman of the Council has been designated, or whenever the chairman is absent from any meeting of the Council or of the executive committee, the Commissioner for Coloured Affairs shall act as the chairman of the Council, or, as the case may be, of the executive committee, and shall when so acting have a casting vote in the case of an equality of votes, but no deliberative vote.

(9) The chairman of the Council and the members of the executive committee shall vacate their office as such when they vacate their seats as members of the Council.

(10) The following persons shall have the right to attend the meetings of the Council and of the executive committee and to take part in the deliberations, but shall not have the right to vote—

- (a) the Commissioner for Coloured Affairs;
- (b) a representative of the Department of Social Welfare;
- (c) a representative of the Department of Labour; and
- (d) a representative of the Administration of the province of the Cape of Good Hope.

(11) The Council may refer to the executive committee any matter falling within the functions of the Council for investigation and report and such recommendations as the committee may deem fit.

Election of  
members of  
the Council.

15. (1) The persons whose names appear in the Cape Coloured voters' list for any Union electoral division, shall be entitled to elect three members of the Council to represent that electoral division.

(2) If the number of Union electoral divisions is altered as provided in sub-section (4) of section *nine*, the four Union electoral divisions existing before such alteration shall be deemed to persist as for the purpose of any election of members of the Council, unless and until any contrary provision is made by law.

Tenure of  
office of  
members  
of the  
Council.

16. (1) The members of the Council shall hold their seats for a period of five years from the date of election or appointment as the case may be: Provided that, in the case of a candidate who is declared elected in terms of sub-section (8) of section *thirty-six* of the principal Act, his tenure of office shall continue for a period of five years from the date on which polling would have taken place, if a poll had been necessary.

(2) If the seat of any member of the Council or of the executive committee becomes vacant before the date of expiry of his tenure of office, another person shall, if the seat becoming vacant—

(a) is that of a nominated or designated member, be nominated or designated in his stead by the Governor-General;

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(b) is that of an elected member, be elected in his stead,

and the person so nominated, designated or elected shall be entitled to hold the seat until the aforesaid date of expiry.

(3) The persons mentioned in sub-section (10) of section *fourteen* shall have the right to attend the meetings of the Council *ex officio* and the representatives mentioned under paragraphs (b), (c) and (d) of the said sub-section shall respectively be nominated from time to time by the head of the department concerned.

Vacation  
of seats of  
members  
of the  
Council.

17. If a member of the Council—

- (a) ceases to be qualified to be nominated or elected, as the case may be; or
- (b) fails for a whole ordinary session to attend the Council without the special leave of the Council, his office shall become vacant.

Functions  
of the  
Council.

18. The functions of the Council are—

- (a) to advise the Government of the Union at its request on all matters affecting the economic, social, educational and political interests of the non-European population of the Union;
- (b) to make recommendations to the Government of the Union in regard to any projects calculated to serve the best interests of the said population;
- (c) to act in general as an intermediary and a means of contact and consultation between the Government of the Union and the said population;
- (d) to carry out such statutory or other administrative functions as may be assigned to the Council by the Governor-General.

Regulations. 19. The Minister may make regulations in regard to—

- (a) the sessions of the Council, including the venue of such sessions;
- (b) the procedure at sessions of the Council, including the quorum and method of voting;
- (c) the appointment, subject to the laws governing the public service, of such officials as may be required to assist the Council in carrying out its functions;
- (d) the transmission of the resolutions and reports of the Council;

- (e) the payment of fees and allowances to the members of the Council: Provided that in regard to members of the Council who are in the whole-time employ of the State, such regulations shall be framed in consultation with the Public Service Commission: Provided further that such regulations shall provide for the payment of an annual allowance of not less than three hundred pounds to the chairman of the Council, two hundred pounds to the other members of the executive committee and one hundred and twenty pounds to the other members of the Council.”
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of 1956.
3. Section *twenty* of the principal Act is hereby amended—
- (a) by the substitution for the word “Board” wherever it occurs of the word “Council”;
- (b) by the substitution in paragraph (ii) of sub-section (4) for the words “than two candidates” of the words “candidates than the number of candidates to be elected at any election” and by the substitution in the said paragraph for the words “two candidates” where they occur for the second time of the words “candidates or the candidate”;
- (c) by the addition to paragraph (iii) of sub-section (4) of the words “and any ballot paper on which a vote is marked for only one candidate, shall be counted as a number of votes for that candidate equal to the number of candidates to be elected at that election”;
- (d) by the deletion in paragraph (iv) of sub-section (4) of the word “two” where it occurs for the first time.
- Amendment of section 20 of Act 46 of 1951.
4. The long title of the principal Act is hereby amended by the substitution for the word “Board” of the words “Union Council”.
- Amendment of long title of Act 46 of 1951.
5. This Act shall be called the Separate Representation of Voters Amendment Act, 1956.
- Short title.

Act No. 31  
of 1956

## ACT

To amend the Mapochsgronde Irrigation Scheme Act, 1954, and the Sundays River Irrigation District Adjustments Act, 1934.

(*Afrikaans text signed by the Governor-General.*)  
(*Assented to 16th May, 1956.*)

**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:—