

OFFICE OF THE PRESIDENT

No. 1378.
5 September 1995

NO. 41 OF 1995: HOME AFFAIRS LAWS RATIONALISATION ACT, 1995.

It is hereby notified that the President has assented to the following Act which is hereby published for general information:-

GENERAL EXPLANATORY NOTE:

** ** Words between two asterisks indicate omissions from existing enactments.

<< >> Words between two pointed brackets indicate insertions in existing enactments.

ACT

To repeal certain laws which apply in the various areas of the national territory of the Republic; to introduce certain transitional measures for the application of the Publications Act, 1974, the Aliens Control Act, 1991, the Births and Deaths Registration Act, 1992, and section 29A(2) of the Marriage Act, 1961, throughout the Republic; to amend the Births and Deaths Registration Act, 1992, so as to insert a definition and to further regulate the giving of notice of birth; and to provide for matters connected therewith.

(Afrikaans text signed by the President.)
(Assented to 30 August 1995.)

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:-

Repeal of laws, and savings

1. (1) Subject to subsections (2) and (3) the laws referred to in the Schedule are hereby repealed to the extent reflected in the fourth column of the Schedule.

(2) Anything done under a provision repealed by subsection (1), other than a regulation made under such a provision, and which is capable of being done in terms of an Act mentioned in section 2(1) shall be deemed to have been done in terms of such Act.

(3) Any enquiry or other pending proceedings commenced in terms of any law repealed by subsection (1) shall be continued and concluded as if such law had not been repealed.

Application of certain laws throughout Republic

2. (1) The Publications Act, 1974 (Act No. 42 of 1974), the Aliens Control Act, 1991 (Act No. 96 of 1991), the Births and Deaths Registration Act, 1992 (Act No. 51 of 1992), and section 29A(2) of the Marriage Act, 1961 (Act No. 25 of 1961), apply uniformly throughout the Republic.

(2) Any law referred to in an Act mentioned in subsection (1) and which is not applicable throughout the Republic shall, for the purposes of the particular Act mentioned in subsection (1), be deemed to be applicable throughout the Republic.

Amendment of section 1 of Act No. 51 of 1992

3. Section 1 of the Births and Deaths Registration Act, 1992 (hereinafter referred to as the principal Act), is hereby amended by the insertion before the definition of "Minister" of the following definition:

" '<<medical practitioner' includes a suitably qualified person who, on the recommendation of the Director-General: Health by virtue of such person's medical knowledge or experience, is appointed by the Director-General>>";

Amendment of section 9 of Act No. 51 of 1992

4. Section 9 of the principal Act is hereby amended-

(a) by the substitution for subsection (1) of the following subsection:

"(1) In the case of any child born alive, any one of his <<or her>> parents or, if neither of his <<or her>> parents is able to do so, the person having charge of the child or a person requested to do so by the parents or the said person, shall within **seven** <<30>> days after the birth give notice thereof in the prescribed manner to any person contemplated in section 4."; and

(b) by the substitution for subsection (3) of the following subsection:

"(3) Where the notice of a birth is given after the expiration of **seven** <<30>> days from the date of the birth, the Director-General may demand that reasons for the late notice be furnished and that the fingerprints be taken of the person whose notice of birth is given."

Short title

5. This Act shall be called the Home Affairs Laws Rationalisation Act, 1995.

SCHEDULE

No. and year of law	Short title	Area in which law applies	Extent of repeal
Act No. 15 of 1931	Immigration Amendment Act, 1931	The areas of the former Republics of Transkei, Bophuthatswana and Venda	The whole
Act No. 19 of 1933	Immigration Amendment Act, 1933	The areas of the former Republics of Transkei, Bophuthatswana and Venda	The whole
Act No. 18 of 1977 (Transkei)	Publications Act, 1977	The area of the former Republic of Transkei	The whole
Act No. 29 of 1977 (Transkei)	Aliens and Travellers Control Act, 1977	The area of the former Republic of Transkei	The whole
Act No. 20 of 1979 (Transkei)	Registration of Births and Deaths Act, 1979	The area of the former Republic of Transkei	The whole
Act No. 14 of 1980 (Transkei)	General Law Amendment Act, 1980	The area of the former Republic of Transkei	Section 1
Act No. 16 of 1983 (Transkei)	Aliens and Travellers Control Amendment Act, 1983	The area of the former Republic of Transkei	The whole

Decree No. 13 of 1988 (Transkei)	-	The area of the former Republic of Transkei	The whole
Decree No. 18 of 1988 (Transkei)	-	The area of the former Republic of Transkei	The whole
Decree No. 2 of 1990 (Transkei)	-	The area of the former Republic of Transkei	The whole
Decree No. 21 of 1990 (Transkei)	-	The area of the former Republic of Transkei	The whole
Act No. 22 of 1979 (Bophuthatswana)	Aliens and Travellers Control Act, 1979	The area of the former Republic of Bophuthatswana	The whole
Act No. 28 of 1979 (Bophuthatswana)	Public Holidays Amendment Act, 1979	The area of the former Republic of Bophuthatswana	The whole
Act No. 36 of 1979 (Bophuthatswana)	Publications Act, 1979	The area of the former Republic of Bophuthatswana	The whole
Act No. 57 of 1979 (Bophuthatswana)	Publications Amendment Act, 1979	The area of the former Republic of Bophuthatswana	The whole
Act No. 18 of 1980 (Bophuthatswana)	Public Holidays Amendment Act, 1980	The area of the former Republic of Bophuthatswana	The whole
Act No. 19 of 1980 (Bophuthatswana)	Aliens and Travellers Control Amendment Act, 1980	The area of the former Republic of Bophuthatswana	The whole
Act No. 26 of 1982 (Bophuthatswana)	Publications Amendment Act, 1982	The area of the former Republic of Bophuthatswana	The whole
Act No. 16 of 1988 (Bophuthatswana)	Aliens and Travellers Control Amendment Act, 1988	The area of the former Republic of Bophuthatswana	The whole
Act No. 55 of 1992 (Bophuthatswana)	Aliens and Travellers Control Amendment Act, 1992	The area of the former Republic of Bophuthatswana	The whole
Act No. 8 of 1981 (Venda)	Registration of Births and Deaths Act, 1981	The area of the former Republic of Venda	The whole
Act No. 4 of 1982 (Venda)	Public Holidays Amendment Act, 1982	The area of the former Republic of Venda	The whole
Act No. 15 of 1983 (Venda)	Publications Act, 1983	The area of the former Republic of Venda	The whole
Amendment Proclamation No. 11 of 1992 (Venda)	Amendment Proclamation on Public Holidays, 1992	The area of the former Republic of Venda	The whole
Act No. 5 of 1982 (Qwaqwa)	Public Holidays Amendment Act, 1982	The area of the former self-governing territory	The whole

of Qwaqwa

Act No. 7 of 1985 (Qwaqwa)	Public Holidays Amend- ment Act, 1985	The area of the former self-governing territory of Qwaqwa	The whole
Act No. 8 of 1987 (Qwaqwa)	Public Holidays Amend- ment Act, 1987	The area of the former self-governing territory of Qwaqwa	The whole
Act No. 6 of 1993 (Qwaqwa)	Registration of Births and Deaths Amendment Act, 1993	The area of the former self-governing territory of Qwaqwa	The whole
Act No. 2 of 1987 (Ciskei)	Registration of Births and Deaths Act, 1987	The area of the former Republic of Ciskei	The whole
Act No. 9 of 1988 (Ciskei)	Immigration, Emigration and Aliens Act, 1988	The area of the former Republic of Ciskei	The whole
Act No. 7 of 1988 (Gazankulu)	Public Holidays Amend- ment Act, 1988	The area of the former self-governing territory of Gazankulu	The whole
Act No. 15 of 1988 (KwaNdebele) 1988	Public Holidays Act,	The area of the former self-governing territory of KwaNdebele	The whole
Act No. 4 of 1990 (KwaNdebele)	Public Holidays Amend- ment Act, 1990	The area of the former self-governing territory of KwaNdebele	The whole
Act No. 25 of 1989 (KwaZulu)	Public Holidays Amend- ment Act, 1989	The area of the former self-governing territory of KwaZulu	The whole
Act No. 11 of 1993 (KwaZulu)	Registration of Births and Deaths Amendment Act, 1993	The area of the former self-governing territory of KwaZulu	The whole
Act No. 5 of 1993 (KaNgwane)	Registration of Births and Deaths Amendment Act, 1993	The area of the former self-governing territory of KaNgwane	The whole
