

GENERAL LAW FURTHER AMENDMENT ACT 93 OF 1962

[ASSENTED TO 27 JUNE 1962]

[DATE OF COMMENCEMENT: 4 JULY 1962]

(Unless otherwise indicated)

(Afrikaans text signed by the State President)

as amended by

General Law Further Amendment Act 93 of 1963
 Administration of Estates Act 66 of 1965
 National Welfare Act 79 of 1965
 Housing Act 4 of 1966
 General Law Amendment Act 70 of 1968
 Arms and Ammunition Act 75 of 1969
 Criminal Procedure Act 51 of 1977
 Black Communities Development Act 4 of 1984
 Intestate Succession Act 81 of 1987
 Justice Laws Rationalisation Act 18 of 1996
 Judicial Matters Amendment Act 55 of 2002
 Children's Act 38 of 2005

ACT

To provide for criminal sanctions for failure to comply with orders of court granting access to minors and for the cancellation or removal of certain restrictions contained in certain title deeds, to repeal the Occupation Farms Ordinance 1904 (Transvaal), the Occupation Farms Amendment Ordinance 1905 (Transvaal), the Occupation Farms Amendment Act 1907 (Transvaal) and certain regulations under the Irrigation Settlements Act, 1909 (Orange Free State), to amend the Crimes Ordinance 1904 (Transvaal), the Criminal Law Amendment Act, 1909 (Natal), the Administration of Estates Act, 1913, the Companies Act, 1926, the Succession Act, 1934, the Arms and Ammunition Act, 1937, the Magistrates' Courts Act, 1944, the Welfare Organizations Act, 1947, the Matrimonial Affairs Act, 1953, the Housing Act, 1957, the Special Justices of the Peace Act, 1957, the State Attorney Act, 1957, the Supreme Court Act, 1959, the Housing Amendment Act, 1962, the Stamp Duties Act, 1962, to empower the Blacks Resettlement Board to undertake work on behalf of certain statutory bodies and to prescribe penalties for defacement or disfigurement of property.

1

[S. 1 substituted by s. 3 of Act 55 of 2002 and repealed by s. 313 of Act 38 of 2005.]

2 Cancellation of certain provisions in certain title deeds and repeal of Ordinance 25 of 1904, Ordinance 13 of 1905 and Act 31 of 1907 of Transvaal

(1) The registrar of deeds in charge of the deeds registry at Pretoria shall on application of the owner of land cancel free of charge any provision in the title deeds of such land whereby the grant of such land was made subject to conditions prescribed in Act 8 of 1886 of the Transvaal or in the Farms Occupation Ordinance 1904 (Ordinance 25 of 1904 of Transvaal) and shall at the same time record the cancellation in the relative registers.

(2) The Occupation Farms Ordinance 1904, the Occupation Farms Amendment Ordinance 1905 and the Occupation Farms Amendment Act 1907 of the Transvaal are hereby repealed.

3

Amends section 7 of the Crimes Ordinance 26 of 1904 of the Transvaal.

4

Amends section 6 of the Criminal Law Amendment Act, 1909, Act 10 of 1910 of Natal.

5 Removal of restrictive conditions relating to issue of liquor licences in Koppies and repeal of certain regulations under Act 31 of 1909 of the Orange Free State

(1) Any restrictive condition relating to the issue of liquor licences registered against the title deeds of any land within the municipal area of Koppies in the province of the Orange Free State is hereby removed and the registrar of deeds in charge of the deeds registry at Bloemfontein shall on application of the owner of any such land cancel free of charge any entry in the title deeds of that land relating to any such condition and shall at the same time record the cancellation in the relative registers.

(2) Regulations 4 and 6 of the Kopjes Township Regulations made under the Irrigation Settlements Act, 1909 (Act 31 of 1909 of the Orange Free State), and published in the *Government Gazette* of the Orange River Colony of the 18th March, 1910, are hereby repealed.

6 to 12 inclusive

[Ss. 6 to 12 inclusive repealed by s. 105 (1) of Act 66 of 1965 .]

13

Substitutes section 121 of the Companies Act 46 of 1926.

[Date of commencement of s. 13: 1 January 1927.]

14

Amends section 180*bis* of the Companies Act 46 of 1926.

15

[S. 15 repealed by s. 2 of Act 81 of 1987 .]

16 to 22 inclusive

[Ss. 16 to 22 inclusive repealed by s. 46 (1) of Act 75 of 1969.]

23 to 27 inclusive

Amend respectively the following sections of the Magistrates' Courts Act 32 of 1944 : 7, 9, 67, 72, 74.

28 and 29

[Ss. 28 and 29 repealed by s. 344 (1) of Act 51 of 1977 .]

30

[S. 30 repealed by s. 43 (1) of Act 79 of 1965.]

31

Amends section 1 of the Matrimonial Affairs Act 37 of 1953 .

32 and 33

[Ss. 32 and 33 repealed by s. 91 (1) of Act 4 of 1966.]

34

[S. 34 repealed by s. 55 of Act 70 of 1968 .]

35

Amends section 3 of the State Attorney Act 56 of 1957 .

36

Substitutes section 6 of the State Attorney Act 56 of 1957 .

37

Amends section 8 of the State Attorney Act 56 of 1957 .

38 Substitution in Act 56 of 1957 for the word 'Union' of the word 'Republic'

The State Attorney Act, 1957, is hereby amended by the substitution for the word 'Union' wherever it occurs of the word 'Republic'.

39

Amends section 43 of the Supreme Court Act 59 of 1959 .

40

Amends the Second Schedule to the Supreme Court Act 59 of 1959 .

[Date of commencement of s. 40: 1 January 1960.]

41

[S. 41 repealed by s. 91 (1) of Act 4 of 1966.]

42

(1) Repeals section 33 of the Stamp Duties Act 59 of 1962 in so far as it relates to the Supreme Court.

(2) Any regulation made under the said section prescribing court fees in respect of the Supreme Court of South Africa shall be deemed to be a rule made by the competent authority under the Supreme Court Act, 1959 (Act 59 of 1959).

43

[S. 43 amended by s. 21 of Act 93 of 1963 and repealed by s. 69 (1) of Act 4 of 1984 .]

44 Penalties for defacement or disfigurement of property

(1) Notwithstanding anything to the contrary in any other law contained, any person who commits an offence by placing any placard, poster, writing, word, letter, sign, symbol, drawing or other mark on any property, whether movable or immovable, of any other person or of the State, and thereby defaces or disfigures such property, shall be liable on conviction to imprisonment for a period not exceeding six months in lieu of or in addition to any other penalty which may be imposed in respect of such an offence.

(2) If the court imposing upon a person over the age of eighteen years any penalty in respect of an offence referred to in subsection (1), is satisfied that the property concerned belongs to some particular person or to the State and if the owner of such property does not apply under the provisions of the Criminal Procedure Act, 1977 (Act 51 of 1977) for compensation, the court shall, in addition to such penalty sentence the convicted person to a fine equal to the cost or estimated cost of restoration of such property less any such cost which may have been paid to such owner or imprisonment for a period not exceeding twelve months in default of payment of the fine and the convicted person shall serve such additional sentence of imprisonment after the expiration of any other sentence of imprisonment imposed upon him in respect of such offence except where the operation of such other sentence has been suspended in which case he shall commence to serve the additional sentence forthwith.

[Sub-s. (2) amended by s. 4 of Act 18 of 1996 .]

(3) Such fine may be recovered in the manner provided in section 288 of the said Act and any amount recovered shall be paid to the owner of the property defaced or disfigured.

[Sub-s. (3) amended by s. 4 of Act 18 of 1996 .]

(4) Notwithstanding anything to the contrary in any other law contained, a magistrate's court other than the court of a regional division shall have jurisdiction to impose summarily any sentence in respect of an offence referred to in subsection (1) which the court of a regional division may impose.

45 Short title

This Act shall be called the General Law Further Amendment Act, 1962.