

9th July, 1963.


MH/BA.

Dr. D.M. Brodie,
Hon. Organizing Secretary,
National Council of Women of S.A.,
35 Musgrave Centre,
DURBAN.

Dear Dr. Brodie,

In Mr. Whyte's temporary absence I am replying to your letter of 16 June. I am not sure whether the Departmental Committee investigating the rights of African women is still functioning, but have written to the Department to find out. We will let you know what the reply is.

Yours sincerely,


Muriel Horrell (Miss),
RESEARCH OFFICER.

Research

2 - AUG 1963

UNIVERSITY OF CAPE TOWN
SCHOOL OF AFRICAN STUDIES

TELEPHONE ~~6-2720~~ 69-4112

RONDEBOSCH

July 26, 1963

Miss Muriel Horrell,
Research Officer,
S.A. Institute of Race Relations,
P.O. Box 97,
JOHANNESBURG.

Dear Miss Horrell,

You will recall that parliament made provision last year, in §10 of the Natives Laws Amendment Act 46 of 1962, for the issue of regulations on customary unions. I am not aware that regulations have been issued providing for the registration and dissolution of unions, but I may have missed them.

Would you be so good as to let me know whether they have been published, and, if not, whether it is the intention of the Department to bring out a marriage code within the near future? I am sure that you will be able to get this information from the Department more easily than I can, and I should like to have it for the study on women's status which is now in its final stages.

Sincerely yours,

H.J. Simons

per h. h. h.

5th August, 1963.

QW/BA.

The Secretary,
Department of Bantu Administration and Development,
P.O. Box 384,
P R E T O R I A.

Dear Sir,

I wonder whether you will be kind enough to let me know whether your Department intends publishing regulations for the registration and dissolution of customary unions, under Section 10 of the Native Law Amendment Act No. 46 of 1962? If so, when are such regulations likely to be issued?

I shall much appreciate your assistance.

Yours faithfully,

Quintin Whyte,
DIRECTOR.

5th August, 1963.

MH/BA.

Professor H.J. Simons,
School of African Studies,
University of Cape Town,
Rondebosch,
CAPE.

Dear Professor Simons,

In reply to your letter of 26 July, no regulations providing for the registration and dissolution of customary unions have yet been gazetted. I will write to the Department and ask what the intentions are.

Yours sincerely,

Muriel Horrell (Miss),
RESEARCH OFFICER.

15 AUG 1963

B.A. 284.

No. N.111/13

Telegrafiese Adres }
Telegraphic Address } „BANTU“

Posbus }
P.O. Box } 384.



REPUBLIEK VAN SUID-AFRIKA.—REPUBLIC OF SOUTH AFRICA.

DEPARTEMENT VAN BANTOE-ADMINISTRASIE
EN -ONTWIKKELING.

DEPARTMENT OF BANTU ADMINISTRATION
AND DEVELOPMENT,

PRETORIA.

150 AUG 1963

19

Eng. : J.H.F.W. Reibeling.
Tel. : 3-9711 - 124.

The Director,
S.A. Institute of Race Relations,
P.O. Box 97,
JOHANNESBURG.

Sir,

REGISTRATION OF CUSTOMARY UNIONS AND OF
DISSOLUTIONS THEREOF : YOUR LETTER
OF THE 5TH AUGUST 1963.

The promulgation of regulations under
section 22 bis of Act No. 38 of 1927 (as inserted
by section 10 of Act No.46 of 1962) is receiving the
Department's attention. It is not possible to indicate
at this stage when the regulations are likely to be
published.

Yours faithfully,


SECRETARY FOR BANTU ADMINISTRATION AND DEVELOPMENT.

AMH

6 AUG 1963

B.A. 284.

No. N.111/14

Telegrafiese Adres }
Telegraphic Address } "BANTU"

Posbus }
P.O. Box } 384.



REPUBLIEK VAN SUID-AFRIKA.—REPUBLIC OF SOUTH AFRICA.

DEPARTEMENT VAN BANTOE-ADMINISTRASIE
EN -ONTWIKKELING,
DEPARTMENT OF BANTU ADMINISTRATION
AND DEVELOPMENT,
PRETORIA.

19
14.8.1-

The Director,
South African Institute of Race Relations,
P.O. Box 97,
JOHANNESBURG.

Sir,

I acknowledge receipt of your letter dated
the 9th July, 1963, and have to advise you that no
departmental committee has been appointed to investigate
the rights and status of Bantu women.

Yours faithfully,

W. J. van der Merwe
SECRETARY FOR BANTU ADMINISTRATION AND DEVELOPMENT.

File

C/A/20

~~_____~~

21st August, 1963.

MH/BA.

Dr. H.J. Simons,
School of African Studies,
University of Cape Town,
Rondebosch,
CAPE.

Dear Dr. Simons,

I write with further reference to your letter of 26 July. We have now been informed by the Department that no departmental committee has been appointed to investigate the rights and status of African women. Regulations relating to the registration of customary unions and their dissolution will eventually be published but are not yet ready.

Yours sincerely,



Muriel Horrell (Miss),
RESEARCH OFFICER.

21st August, 1963.

NH/BA.

Hon. Organizing Secretary,
National Council of Women of South Africa,
35 Musgrave Road,
DURBAN.

Dear Dr. Brodie,

I write with further reference to your letter of 16 June. We have now been informed by the Department that no departmental committee has been appointed to investigate the rights and status of African women. Regulations relating to the registration of customary unions and their dissolution will eventually be published but are not yet ready.

Yours sincerely,

Muriel Horrell (Miss),
RESEARCH OFFICER.

3.3(V)

SEP 1963

Stad Johannesburg



City of Johannesburg

AFDELING NIE-BLANKE-SAKE
NON-EUROPEAN AFFAIRS DEPARTMENT

Telefoon Telephone 23-2101/7

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Ref. No. }

Sprek asseblief/Please ask for
Mnr./Mr. Steenhuisen.

H/v. Albert- en Delversstraat,
C/r. Albert and Delvers Sts.,
Marshallstown.

Posbus P.O. Box 5382

JOHANNESBURG.

The Director,
South African Institute of Race Relations,
P.O. Box 97,
JOHANNESBURG.

6 SEP 1963

Dear Mr. Whyte,

INTERPRETATION OF THE PROVISIONS OF SUB-SECTIONS
1(c) AND 1(d) OF SECTION 10 OF THE NATIVES (URBAN
AREAS) CONSOLIDATION ACT, NO. 25 OF 1945, AS
AMENDED.

With reference to your ~~undated~~ letter of the 3rd May 1963, I have to advise you that the following principles are observed in the practical application of the relevant provisions of Act No. 25 of 1945, as amended:-

- (a) In instances where the husband complies with the provisions of Section 10(1)(a) or (b) of the Act and his wife can produce proof that she has resided permanently in the area for a continuous period which commenced prior to the 10th March 1959, the wife is classified as complying with the provisions of Section 10(1)(c) of the Act. (The date of 10th March 1959 was determined in a directive from the Chief Bantu Affairs Commissioner as the date from which the provisions of Government Notice No. 63 of 9th January 1959 should be strictly observed, and all female Bantu who can produce incontestable proof that they were in the area by that date are allowed to continue either residence or employment in the area).

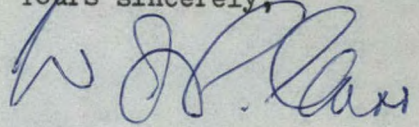
It is very doubtful whether a Bantu female who entered Johannesburg from another area on or after 10th March 1959 could successfully claim under the regulations that "she ordinarily resides with her husband" and is therefore exempt from the influx control measures in terms of Section 10(1)(c) of the Act. However, certain representations on this aspect of the legislation were recently made to the Government authorities and an indication as to how the clause "and ordinarily resides with such native" should be interpreted can be expected in the near future, when you will be advised further.

- (b) Notwithstanding that which has been said in paragraph (a) above any Bantu female who seeks permission to join her lawful husband in Johannesburg is permitted to do so in terms of Section 10(1)(d) of the Act, provided the husband is lawfully employed in the area and the applicant comes from another urban or proclaimed area in the Republic.

- (c) Almost all the officials of the Registration Branch of this Department, as well as a few Inspectors, are responsible for the application of the influx control measures and as they are, therefore, on occasion required to exercise the provisions of Section 10(1)(d) they have been designated by the City Council for this purpose.

I trust that this information will be of some assistance to you.

Yours sincerely,



W. J. P. CARR.
M A N A G E R.

AES/WVS

19

17th April, 1964.

QW/BA.

Mrs. E. G. Strachan,
20 Parkhill Road,
Webber,
GERMISTON.
Transvaal.

Dear Mrs. Strachan,

The Institute is most grateful to you for your comments on the provisions of the Bantu Laws Amendment Bill.

You are quite right when you point out that the laws and policy of the Government which prevent husbands and wives from living an ordinary family life run directly counter to the vows of Christian marriage. This is of increasing concern to the churches, leaders of which have ^{made} many pronouncements on the subject.

You will be interested to know that detailed comments by the Institute on the provisions of the present Bill were sent to a very large mailing list which included all members of Parliament and the Senate as well as other persons and bodies in influential positions. These representations, which also received publicity in the press, emphasized the tenuousness of marital bonds, the disruption of family life and the other grave social problems which resulted from the system of migratory labour.

Miss Neale has written to you ^{ly} separate expressing our appreciation of your donation to the funds of the Institute.

Yours sincerely,

Quintin Whyte,
DIRECTOR.

TELEPHONE 51-2085

20, PARKHILL ROAD,
WEBBER,
GERMISTON.

To Miss Neale

I enclose a postal order for 1 £
but I am unable now to collect for
which I am sorry as it was of more
use.

Could you ask Miss Horrel if copies
of the marriage of all denominations

"Those whom God hath joined
Let no man put asunder"

and sent to members of the senate
who this week will be giving assent
to the further regulations which
destroy the marriages of thousands
of men & women of 5 or more generations
which are now being broken up
by sending the husbands to hostel
to where a great great Grandfather
may have lived & to townships
at least 18 miles away.

I do to remind them of their own
safe sure marriages.

April 13th 1964 yours sincerely
E S Strachan

MD File
VAN ROOYEN & FORDER

SOLITORS
NOTARIES PUBLIC AND
CONVEYANCERS

PROKUREURS, NOTARISSE PUBLIEK
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ASSISTED BY | BYGESTAAN DEUR
THOMAS HERMAN ERICH VAN ROOYEN
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TELEFOON } Nos. 14 & 306.
TELEPHONE }

POSBUS } No. 56
P.O. BOX }

123 PINE STREET,

3 - JUN 1964

Greytown,
NATAL

REFERENCE—VERWYSING

OURS/ONS

YOURS/U

THEvR/3.

29th May, 1964.

The Director,
South African Institute of Race Relations,
P.O. Box 97,
JOHANNESBURG.

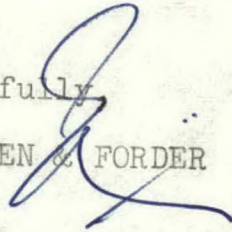
Dear Sir,

re: BERCKENBOSCH.
Your Reference

Many thanks for your letter dated the 26th instant.
You are quite correct in your assumption that it will be a
relief to finalise this matter. We are sure that it will
not take much longer and will advise you as soon as the
police report comes to hand.

Yours faithfully

VAN ROOYEN & FORDER



MUNICIPALITY OF BLOEMFONTEIN.

Department of Non-European Administration.

12
16 June 1964.

Influx Control: Subsections 1(c) and 1(d)
of Section 10 Act 25/1945.

In reply to your letter of 11th instant, I have to advise you that the procedure set out in my letter of 10th May, 1963 is still followed in Bloemfontein, with one exception.

To qualify for residence in the location through long service a Bantu must now comply with the provisions of paragraphs (a) or (b) of subsection (1) of Section 10 of the Act.

Yours faithfully
(Sgd)
Manager

Same letter sent to see attached list.

e/A/2/1

11th June, 1964.

QW/BA.

The Director of Bantu Administration,
Native Administration Department,
Langa,
CAPE TOWN.

Your ref. 306 (SAR/CW)

Dear Mr. Rogers,

Position of Women under Sub-Sections
1 (c) and 1 (d) of Section 10 of the
Natives (Urban Areas) Consolidation
Act, No. 25 of 1945 (as amended).

You were good enough to write to us on 10 June 1963
(Your ref. 306) explaining how the provisions of the above sec-
tions were in practice applied by your Department.

We shall be glad if you could let us know whether
the position is still as outlined in your letter or whether
it has since altered for any reason.

Yours faithfully,

Quintin Whyte,
DIRECTOR.

Similar letters as top copy sent to :-

The Manager,
Non-European Affairs Department,
City of Johannesburg,
P.O. Box 5382,
Johannesburg.

Wh. Carr

The Manager,
Non-European Affairs Department,
City of Germiston,
P.O. Box 475,
GERMISTONTvl.

The Manager,
Native Affairs Department,
City of Port Elizabeth,
P.O. Box 3154,
PORT ELIZABETH.

The Director,
Bantu Administration Department,
City of Durban,
P.O. Box 154,
DURBAN.

Wh. Bouquin

The Director of Non-European Affairs,
Municipality of Benoni,
P.O. Box 162,
BENONI.

The Manager,
Department of Non-European Administration,
Municipality of Bloemfontein,
P.O. Box 288,
BLOEMFONTEIN O.F.S.

The Manager,
Non-European Affairs Department,
P.O. Box 1884,
PRETORIA.

Benoni

3 - JUL 1964

MUNICIPALITY

MUNISIPALITEIT



J. EDWARD MATHEWSON, M.A., D.Phil., C.S.L.L., F.I.A.N.A.

DIRECTOR / DIREKTEUR

TELEPHONE } 54-8911
TELEFOON }
(6 Lines/6 Lyne)

NON-EUROPEAN AFFAIRS DEPARTMENT
DEPARTEMENT VAN NIE-BLANKESAKE

REFERENCE } No. N.E. 7/7.
VERWYSING }

DAVEYTON Road
Weg

P.O. BOX } 162
POSBUS }

ENQUIRIES } Mr. Reid.
NAVRAE }

BENONI
TRANSVAAL

29th June, 1964.

Mr. Quintin Whyte,
Director,
South African Institute of
Race Relations,
P.O. Box 97,
JOHANNESBURG.

Dear Mr. Whyte,

POSITION OF WOMEN UNDER SUB-SECTIONS 1(c) and 1(d) OF
SECTION 10 OF THE NATIVES (URBAN AREAS) CONSOLIDATION
ACT NO. 25 OF 1945 (AS AMENDED).

In reply to your letter QW/BA of the 11th June, 1964,
the position as outlined in my letter of the 22nd May, 1963,
remains unchanged.

However, the position will change when the Bantu Laws
Amendment Act, Act 42 of 1964 comes into operation on the date
fixed by the State President by proclamation. In Act 42 of
1964, Section 10 1(c) has been amended and has an additional
provision that a female will only acquire the qualification
under this Section if, after lawful entry into such prescribed
area, she "ordinarily resides with that Bantu in such area".

This will mean that a procedure for "lawful entry"
will have to be followed and females will only be able to
claim the protection of Section 10 1(c) after the actual lawful
entry.

Yours faithfully,

J. E. Mathewson
DIRECTOR OF NON-EUROPEAN AFFAIRS.

MD

22 JUL 1964



CITY OF GERMISTON STAD GERMISTON

P.O. Box 475
TELEPHONE 51-3103

POSBUS 475
TELEFOON 51-3103

NON-EUROPEAN AFFAIRS DEPARTMENT.
AFDELING NIE-BLANKE AANGELEENTHEDE.

GERMISTON.

IN REPLY PLEASE QUOTE
IN ANTWOORD VERMELD NO. 35/3 (3182)

MR./MNR. H.A. du Plessis.

15th. July, 1964.

The Director,
S.A. Institute of Race Relations,
P.O. Box 97,
JOHANNESBURG.

Dear Mr. White,

POSITION OF WOMEN UNDER SUB SECTIONS
1 (c) AND 1 (d) OF SECTION 10 OF ACT
NO. 25 OF 1945 (AS AMENDED).

Your letter of the 11th. June, 1964, refers.

I wish to confirm that we are at present still following the same procedure in regard to females as we did at the time of writing my letter of July, 1963.

Yours faithfully,

F.W.C. BUITENDAG.
MANAGER. NON-EUROPEAN AFFAIRS.

/MM

City of
Johannesburg



Stad 22 JUL 1964
Johannesburg

NON-EUROPEAN AFFAIRS DEPARTMENT
AFDELING NIE-BLANKE-SAKE

23-7381/2/3.

Telephone
Telefoon 23-2101/7

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communications to the Manager.

Adresseer asb. alle mededelings
aan die Bestuurder.

Ref. No. } A39/31/22 Stet.
Verwys No. }

Please ask for/Spreek asseblief

Mr./Mnr. Cohen.

C/r. Albert and Delters Sts.,
H/v. Albert- en Deltersstraat,
Marshallstown.

P.O. Box
Posbus 5382

JOHANNESBURG.

20 JUL 1964

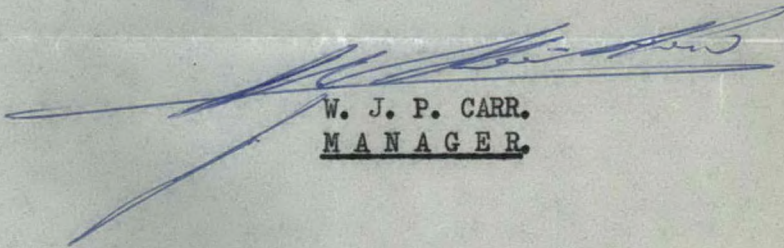
The Director,
South African Institute of Race Relations,
P.O. Box 97,
JOHANNESBURG.

Dear Sir,

POSITION OF WOMEN UNDER SUB-SECTIONS
1(c) AND 1(d) OF SECTION 10 OF THE
NATIVES (URBAN AREAS) CONSOLIDATION
ACT NO. 25 OF 1945 (AS AMENDED).

In reply to your letter QW/BA of 11th June 1964 in the above
connection, I have to advise you that the position as outlined in my
letter to you of 6th September 1963, has not altered in any respect.

Yours faithfully,


W. J. P. CARR.
MANAGER.

WC/MB.



City of Cape Town. - Stad Kaapstad.

BANTU ADMINISTRATION BRANCH. - BANTOE-ADMINISTRASIEAFDELING

10 AUG 1964

ALL CORRESPONDENCE TO BE DIRECTED TO
THE DIRECTOR,

KORRESPONDENSIE MOET GERIG WORD AAN
DIE DIREKTEUR,

PHONE/FOON 53-3161.

LANGA.

4th August, 1964.

SAR/CW
REF. NO./VERW.NO. 306.

c/A/2/1

The Director,
South African Institute of Race Relations,
P.O. Box 97,
JOHANNESBURG.

Dear Sir,

re: Position of Women under Sub-Sections
1 (c) and 1 (d) of Section 10 of the
Natives (Urban Areas) Consolidation
Act, No. 25 of 1945 (as amended).

I am sorry your letter dated the 11th June last has not been replied to before this but I am afraid it became overlooked in a mass of other correspondence which accumulated during my absence on leave.

The position in so far as the above is concerned is that there is no change from what I outlined in my letter of the 10th June, 1963.

Yours faithfully,

A. Rogers

DIRECTOR OF BANTU ADMINISTRATION.

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SOUTH AFRICAN INSTITUTE OF RACE RELATIONS (SAIRR), 1892-1974

PUBLISHER:

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