

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the South Africa Act 1962. (See end of Document for details)

SCHEDULES

FIRST

SCHEDULE.....

F1

Textual Amendments

F1 Sch. 1 repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), **Sch. 9**

SECOND SCHEDULE

PROVISIONS FOR CONTINUING OPERATION OF CERTAIN ENACTMENTS IN RELATION TO REPUBLIC

Colonial probates

- 1 The ^{M1}Colonial Probates Act 1892, shall apply in relation to the Republic as it applies in relation to a British possession; and any Order in Council in force under that Act in relation to the Republic immediately before the commencement of this Act shall continue in force accordingly.

Marginal Citations

M1 1892 c. 6.

Maintenance orders

- [^{F2}2 (1) The ^{M2}Maintenance Orders (Facilities for Enforcement) Act 1920 shall apply in relation to the Republic as it applies in relation to a part of Her Majesty's dominions; and any Order in Council in force under that Act in relation to the Republic immediately before the commencement of this Act shall continue in force accordingly.
- (2) For the purposes of the application of the said Act in relation to the Republic in accordance with the foregoing sub-paragraph, references in that Act to the governor of a part of Her Majesty's dominions shall, in the case of the Republic, be construed as references to the Minister of Justice.]

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Textual Amendments

F2 Para. 2 repealed (*prosp.*) by Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18), ss. 22(2), 49(2)

Modifications etc. (not altering text)

C1 Sch. 2 para. 2 amended (1. 4. 1992) to transfer functions of the Secretary of State arising by virtue of Sch. 2 para. 2 to the Lord Chancellor by S.I. 1992/709 arts. 4(1)(b)(i) and 4(2).

Marginal Citations

M2 1920 c. 33.

3 In subsection (1) of section one of the ^{M3}Naval Forces (Enforcement of Maintenance Liabilities) Act 1947 (deductions from pay in respect of liabilities for maintenance, etc.) the reference to an order or decree of any court in Her Majesty’s dominions shall be construed as including a reference to an order or decree (whenever made) of any court in the Republic; and any Order in Council made under section three of the ^{M4}Naval and Marine Pay and Pensions Act 1865 before the commencement of this Act shall be construed accordingly.

Marginal Citations

M3 1947 c. 24.
M4 1865 c. 73.

Companies’ registers

[^{F3}4 In their application to the Republic, Article 370 of, and Schedule 14 to, the Companies (Northern Ireland) Order 1986 should be construed as including any corresponding provisions in force at the commencement of this Act which are contained in any enactment, royal charter or other instrument constituting or regulating any body corporate incorporated in, and having its principal office or principal place of business in, Great Britain or Northern Ireland.]

Textual Amendments

F3 Sch. 2 para. 4 substituted by S.I. 1986/1035 (N.I. 9), art. 23, Sch. 1 Pt. II

5 F4

Textual Amendments

F4 Sch. 2 para. 5 repealed by European Communities Act 1972 (c. 68), Sch. 3 Pt. II

Commonwealth preference

6 F5

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Textual Amendments

F5 Sch. 2 para. 6 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), Sch. 1 Pt. VI

THIRD SCHEDULE

TRANSITIONAL PROVISIONS AND SAVINGS

1 F6

Textual Amendments

F6 Sch. 3 para. 1 repealed by Statute Law (Repeals) Act 1976 (c. 19), Sch. 1 Pt. XIV

2 F7

Textual Amendments

F7 Sch. 3 para. 2 repealed by Veterinary Surgeons Act 1966 (c. 36), Sch. 4

Solicitors

- 5 (1) Where any person being an attorney of the Supreme Court of South Africa or of any local division thereof (within the meaning or the Order of 1919)—
- (a) has before the commencement of this Act complied with the requirements of clause (2) of that Order as to the leaving of documents; or
 - (b) is at the commencement of this Act serving bona fide as a clerk to a solicitor in England in pursuance of subsection (1) of section four of the ^{M5}Solicitors Act 1957

the provisions of the said subsection (1) or of section one of the ^{M6}Colonial Solicitors Act 1900 (as the case may require) and of the said Order shall continue to apply to him as if the Republic were a part of Her Majesty’s dominions.

- (2) In this paragraph “the Order of 1919” means the Order in Council made under the ^{M7}Colonial Solicitors Act 1900 and dated the 14th day of January, 1919 (S.R. & O. 1919 No. 67) as amended (in its application to England) by Orders in Council dated the 16th day of April, 1923 (S.R. & O. 1923 No. 480) and the 6th day of May, 1938 (S.R. & O. 1938 No. 495); and the power of Her Majesty to revoke or vary Orders in Council under the said Act and under section four of the ^{M8}Solicitors’ Act 1957 shall include power to revoke or vary the Order of 1919 so far as continued in force by this paragraph.

Marginal Citations

M5 1957 c. 27.

M6 1900 c. 14.

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M7 1900 c. 14.
M8 1957 c. 27.

Merchant shipping—certificates of competency

- 6 (1) A certificate of competency as—
- (a) master, first mate or second mate of a foreign-going ship within the meaning of the ^{M9}Merchant Shipping Act 1894; or
 - (b) first-class or second-class engineer; or
 - (c) first-class or second-class motor engineer,
- granted under the Merchant Shipping (Certificates of Competency) Act 1925 (an enactment of the legislature of the Republic) and any equivalent certificate of competency granted under the Merchant Shipping Act 1951 (an enactment of the said legislature), being a certificate granted by the appropriate authority on or after the first day of July, nineteen hundred and twenty-eight, but before the commencement of this Act, shall be of the same force as if it had been granted in the United Kingdom under the said Act of 1894.
- (2) The provisions of the said Act of 1894 which relate to certificates of competency granted under that Act (except those relating to certificates for a home-trade passenger ship, and section one hundred and one) shall apply to any such certificate as is described in the foregoing paragraph, and to any certificate certified by the Registrar-General of Shipping and Seamen to have been issued by the proper authority after the commencement of this Act in place of such a certificate.
- (3) In this paragraph “the proper authority” means the authority for the time being empowered by the legislature of the Republic to grant certificates of competency under the enactments of that legislature relating to merchant shipping.

Marginal Citations

M9 1894 c. 60.

FOURTH SCHEDULE

CONSEQUENTIAL AMENDMENTS

Modifications etc. (not altering text)

C2 The text of Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Enactment

The Imperial War Museum Act, 1920. 10 & 11 Geo. 5. c. 16.

Amendment

In the Schedule, in paragraph (1) for the words “twenty-five other members” there

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shall be substituted the words “twenty-four other members”, and, in the Table set out in that paragraph, the words “The Government of the Union of South Africa” and the corresponding figure “1” in the first column shall be omitted; but these amendments shall not affect the power to vary the said paragraph (1) conferred by section one of the Imperial War Museum Act, 1955.

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F8

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F8

Textual Amendments

F8 Entry relating to the Prevention of Fraud (Investments) Act 1958 repealed by [Financial Services Act 1986](#) (c. 60, SIF 69), s. 212(3), [Sch. 17](#)

F9F9 FIFTH SCHEDULE

Textual Amendments

F9 [Sch. 5](#) repealed by [Statute Law \(Repeals\) Act 1974](#) (c. 22), [Sch. Pt. XI](#)

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F9

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