

working in the area under his jurisdiction, would have to leave by December 1960 and that arrangements should be made for them to save from their earnings for repatriation. Arrangements were accordingly made between the Department and the employers for an amount of their wages to be deducted monthly, but there are still a number who have not yet left because of one complication or another.

The warning that they must eventually return to their country of origin seems to have been given at different times in the case of Foreign Africans who have worked in other parts of the Western Cape. From 1959 up to early this year, they appear to have been told to leave South Africa, from such places as Namaqualand, Paarl, Stellenbosch and Tulbagh (where they have worked on farms for between R2 and R4 per month) and Saldanha Bay and Doorn Bay where they have worked in fishing factories. Most of these men came from Tanganyika during the '40's.

Having been expelled from the place where they were working and having not had sufficient to pay for themselves, let alone for their families, to return to Tanganyika, many came to Cape Town as the nearest bigger town. Their position as regards obtaining permits to work is similar to that of any African who has not been here before: working permits are not granted. The local authorities do not consider it their responsibility - particularly when employment opportunities are decreasing - to give them priority. They have usually been granted temporary residential permits "pending identification", though in two cases they were told to go back to the places from which they had come in South Africa.

If these men and their families were not destitute on arrival in Cape Town, they have rapidly become so. They are not given accommodation in the locations and therefore have to stay wherever they can, be it with acquaintances or outside in the bush, and they have no income.

In cases involving Foreign Africans we negotiate with the Department of Bantu Administration and Development, as opposed to the Registration Offices, though the approval of the appropriate local authority must be obtained for registration of employment in their respective areas. In the case of those who have not entered the area before, we have been able to assist them to obtain temporary residential permits.

We have appealed to the public, on behalf of the Tanganyikans, for funds for their repatriation (£25 being the minimum fare for one adult) but have not received sufficient for one fare. The Minister of Bantu Administration and Development said, during the last session of Parliament, that a committee would be appointed to investigate the matter. Recently we have heard that the Department intends chartering a boat to transport the Tanganyikans back to Tanganyika but arrangements have not yet been finalised.

After requesting the British Embassy for advice, we were told that the Tanganyikan Government would pay for the repatriation of any men who could be identified by them. Since August this year, we have collected the particulars of about a dozen men and have forwarded these to the British Embassy who have, in turn, forwarded them to the Tanganyikan Government. So far the British Embassy

has / .....



has not heard that they have been identified. We understand that the Department is also following this method by first sending the information to their Head Office in Pretoria and they, presumably, send it on to Tanganyika.

We believe that identification of men from the Federation of Rhodesia and Nyasaland and from Portuguese East Africa is done through their diplomatic representatives here. Though it is said that Africans from the Protectorates do not have to leave, we have dealt with cases of men who have been out of the Republic on a visit to their country of origin (one of the Protectorates), but have been refused re-entry.

A Foreign African's work permit - as with other Africans - is granted for work with a particular employer and therefore his position is uncertain if he wishes to change his employment. Recently we handled the case of a man who left his employment because of low wages but we were able to negotiate successfully for another work permit for him on the grounds that his child has tuberculosis, his wife died of tuberculosis two years ago, he has not yet saved sufficient to return to the Federation and he has not yet been identified by the Federation authorities.

Where Foreign Africans from any territory have been unable to obtain permits to work, the authorities have turned a blind eye, in some cases, to non-registration of casual employment for these men.

On referring the matter, generally, to the Chief Bantu Affairs Commissioner for the Western Cape, we were told that cases should be referred to the local Bantu Affairs Commissioner who would deal with them "according to instructions given from time to time".

THE COST OF ADMINISTRATION

In the Cape Town City Council area, the Estimates for 1961, were as follows:

<u>Expenses</u> , not including the cost of maintaining a "reception depot" (a place where non-residents may stay while trying to obtain permits to work.)	<u>R103,726</u>
<u>Revenue</u> from Registration and Labour Bureau fees (payable by employers) and from togt licence fees (payable by Africans who are self-employed)	85,000
Licencing fees for premises .....	<u>15,000</u>
	<u>R100,000</u>

This leaves a Loss of R3,726, but the figures do not include the estimated revenue from fines for all offences, including "pass" offences, which amounted to R40,000 in 1960 and R20,000 in 1961.

The figures for the different types of offences under the "pass laws" and other related offences, from the Bantu Commissioner's court (in Standard House Observatory) whose jurisdiction covers the two areas under consideration, are as follows:

See following page.



<u>Offence</u>	<u>1960</u>	
	<u>No. of cases</u>	<u>Average fine</u>
Not having permits to be in the area ..... (Section 10 (4) of Urban Areas Act)	6,004	R1 to R20
Foreign Natives without a permit (Section 12 (2)) ...	215	R20
Failing to produce documents (women) .....	15	R1
Failing to produce Reference Books (men) .....	1,190	R1
Trespass on White property (Section 9(9a)) .....	94	R6 to R10
Entering locations without permits .....	545	R2
Harbouring of unauthorised persons on premises by natives (Section 9(5)) .....	49	R10
Not taking up residence in locations (Section 9(3)) ..	95	R6

N.B. These figures do not include admissions of guilt paid, which amounted to between 2,000 and 3,000 cases.

<u>1959</u>	
Not having permits to be in the area .....	6,518
Foreign Natives without a permit .....	191
Entering locations without permits .....	719
Failing to produce Reference Books .....	930
Failing to produce documents (women) .....	13

<u>1961</u>	
Not having permits to be in the area (Section 10(4))	
January	470
February	415
March	434
April	412
May	797
June	674
July	548
August	585
September	629
	<u>4,964</u>

Taking the average fine for an offence under Section 10(4) as being R10, fines must have amounted to approximately R60,040 in 1960 and R65,180 in 1959, without taking into consideration admissions of guilt paid, or fines for other similar offences.

PROBLEMS, OTHER THAN "PASS" PROBLEMS, HANDLED BY OUR OFFICE

Accommodation:

Allocation of accommodation is the responsibility of the local authorities. Only those men who are permitted to reside here permanently with their families are entitled to houses; those who are not permitted to have their families with them or who are bachelors, must live in single quarters. In addition to brick houses / .....



houses, the City Council put up 600 hutments in Nyanga West location for people who "qualified" but for whom there were insufficient brick houses. Others who "qualified" or who were "displaced persons" (in that they had no home to which they could go elsewhere) may have been permitted to erect their own pondoks on sites in the location. In Nyanga East the system is similar though there are no "hutments". We understand that the Government's policy is eventually to accommodate "displaced persons" in "rural villages", one of which (we do not know whether there are others) is at Zwelitsha, near Kingwilliamstown. Loans to the City Council for building purposes, would only be granted by the Government on condition that houses were built only for those who "qualified".

We were told recently that there are between 6,000 and 7,000 people living outside the locations in the City Council area at present, for whom accommodation in the locations must be provided and 3,550 houses are to be built within the next two years in the location at Nyanga West. The Divisional Council authorities say that their accommodation requirements have been met.

Labour Complaints:

The majority of people who come to our office with this type of complaint, are domestic servants. We refer those who have been working in the City Council area to the Chief Labour Inspector, Bantu Registration Office, Drill Hall, Cape Town. Those who have been working in the Divisional Council area, however, we do not refer to the appropriate inspector in the Divisional Council area as we have found their negotiations to be unsatisfactory: we, ourselves, try to negotiate direct with the employers concerned in such cases. We generally consult the appropriate industrial council in connection with complaints from workers in other types of employment.

Other matters:

All matters concerning Africans which are not the responsibility of the local authority, such as the issue or replacement of Reference Books, applications for maintenance and disability grants, workmen's compensation, marriages and pensions, we refer to the Bantu Affairs Commission for the Cape Peninsula or to an official in his department. As with "pass" cases, it is necessary to give the African a letter of introduction or to accompany him.

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