

Letters about

vac jobs

Vocational training

etc.

1949 '51

→ 60

COPY

*See Correspondence
etc
below*

11.13.6

20th December 1949

The Secretary for Native Affairs,
P.O. Box 384,
PRETORIA.

Dear Sir,

Exemption Certificates.

As there seems to some confusion amongst Natives and other bodies about the requirements laid down by your Department for the issue of exemption certificates, the Institute would be most grateful if you would kindly furnish it with detailed information on this subject, covering, inter alia, the following points :-

1. The requirements, academic qualifications, etc., for the issue of exemption certificates to Natives.
2. The advantages attaching to the possession of an exemption certificate.
3. The restrictions imposed by municipal regulations and proclamations on natives who are in possession of exemption certificates (e.g. have municipal authorities the right to restrict the freedom of movement of Natives who have exemption certificates?),

As my Executive Committee is anxious to discuss this subject at its January Meetings, an early reply will be greatly appreciated.

Yours faithfully,

(Signed) Quintin Whyte,
DIRECTOR.

COPY:

UNION OF SOUTH AFRICA

Department of Native Affairs,
Box 384,
Pretoria,
4th January, 1950.

No. 2027/170

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

Sir,

Exemption Certificates Issued in Terms of
Proclamation No. 150 of 1934, as Amended

I have the honour to acknowledge the receipt of your letter of the 20th December, 1949, and to reply as follows to the matters raised by you :-

1. As a rule exemption in terms of Proclamation No. 150 of 1934, as amended, is granted to an applicant only if :-

- (a) he has had no serious convictions over the period of ten years immediately preceding the date of his application;
- (b) his taxes are paid up to date;
- (c) the Native Commissioner is satisfied that the applicant is of good character and repute;
- (d) being a farmlabour tenant, the owner of the farm has no objection to the granting of exemption; and

either

- (e) he is at least 25 years of age and possesses a standard eight or equivalent or higher certificate (a standard six certificate and two years training for a profession for which such training is prescribed or a standard seven certificate and one year's training, being regarded as equivalent to standard eight);

or

- (f) he is at least 21 years of age and has passed the Matriculation or equivalent examination;

or

- (g) he is at least 25 years of age and can establish a record of faithful and continuous service with not more than two employers over a period of not less than seven years immediately preceding the date of his application.

2. A certificate of exemption serves as exemption from :-

- (a) the necessity to take out a pass to enter, travel within or leave a pass area as defined in Proclamation No. 150 of 1934;
- (b) the pass laws in force in every Province;
- (c) the regulations for registration and control promulgated under section twenty three of the Natives (Urban Areas) Consolidation Act, 1945.

3. The holder of a certificate of exemption is not exempt from the Curfew Regulations or any restriction or prohibition on the entry of Natives into Urban Areas.

I have the honour to be,
Sir,
Your obedient servant,

SECRETARY FOR NATIVE AFFAIRS.

ADDRESS GIVEN TO JANUARY EXECUTIVE BY
MR ZIETSMAN OF THE DEPARTMENT OF NATIVE
AFFAIRS

1. Curfew Proclamations:

Section thirty-one of the Natives (Urban Areas) Consolidation Act, 1945, provided that curfew proclamations made by the Governor General in terms thereof will not apply inter alia to any Native mentioned in paragraph (a) of Sub section (2) of section nine and in paragraphs (a) to (e) inclusive, of sub section (2) of section twenty three or to any female dependent upon him. In this connection I wish to refer particularly to paragraphs (a) to (e) of sub section (2) of section twenty three of the Act. Section twenty three as you are aware, was amended by Act 42 of 1946 by the insertion in sub section (2) of a paragraph (f) which refers to the holders of exemption from the Pass Laws. Unfortunately when this paragraph was added the necessity of making a consequential amendment to sub section (4) of section thirty one was overlooked, with the result that holders of exemption did not automatically receive exemption from curfew proclamations. This Department proposes to adjust the position during the forthcoming Session of Parliament.

Some time ago the Department received representations from Natives who were the holders of Certificates of Exemption, that they were having difficulties with the Police in connection with curfew regulations and the Department thereupon addressed a letter to the Commissioner of the South African Police advising his officers not to take steps against the holders of Certificates of Exemption for contraventions of curfew regulations. This, you will appreciate, was purely a question of administrative relaxation, because until the Act is amended, those holders are not exempt from Curfew Regulations.

2. Letters of Exemption:

Prior to the passing of the Native Administration Act, 1937, legislation was in existence providing for the exemption of Natives and 'coloured persons' from Native Law including the various Pass Law enactments, e. g. Law No. 28 of 1865, (Natal) and Proclamation No. 35 of 1901 (Transvaal). This legislation was repealed by the Native Administration Act which provides in section thirty one for the grant to Natives by the Governor-General of Letters of Exemption exempting the recipients from such laws especially affecting Natives as may be specified in the Letters. It was not until 1936, that regulations dealing with this matter were published, namely Government Notice 1233 of 1936, since amended by Government Notice No. 1790 of 1945. These provide that the holders of Letters of Exemption might be exempted from the following laws:

- (a) any curfew or night pass Proclamation promulgated under the Natives (Urban Areas) Consolidation Act, 1945;
- (b) Sub section (1) of section twenty three of the Natives (Urban Areas) Consolidation Act, 1945 Registration Regulations);
- (c) the following Pass Laws:
 - (i) Proclamation No. 150 of 1934 (Transvaal and Orange Free State);
 - (ii) Natal Laws Nos. 48 of 1884 and 52 of 1887;

- (d) in the Province of Natal, the Natal Code of Native Law appearing as the Schedule to Proclamation No.168 of 1932 and any amendment thereof, provided that the exemption conferred shall not be deemed in any way to affect or impair the operation of section eleven of the Native Administration Act, 1927, in so far as the holder of the Letters of Exemption may be a party to any action, suit or proceeding involving questions of customs followed by Natives.

The Native Administration Act, 1927 does not make such a feature of exemption as did Law No.28 of 1865 (Natal). Section thirty one of the former operates in a much more restricted field and expressly excludes from consideration exemptions from Laws regulating the ownership or occupation of land or imposing taxation or controlling the sale, supply or possession of intoxicating liquor. The exemption, moreover, is personal to the holder and does not include his wife and minor children under the age of 16 years as was the case under the Natal Law. In order to qualify for a Letter of Exemption, a Native must possess the following qualifications :

- (a) he must have had no serious convictions over a period of ten years immediately preceding the date of his application;
- (b) his taxes must be paid to date;
- (c) the Native Commissioner concerned must be satisfied that the applicant is of good character and repute;
- (d) if the Native is a farm labour tenant the owner of the farm must have no objection to the granting of exemption; and
- (e) the Native must be at least 25 years of age and have passed the 8th standard of the Education Dept. of any province of the Union or an equivalent or higher examination provided that a person who has passed the 6th standard and has thereafter successfully completed a recognised course of not less than two years' training for a profession for which such training is prescribed, shall be deemed to have passed standard eight. Similarly a standard 7 certificate and one years' training will be accepted as a standard 8 certificate.

An exception to the last mentioned qualification is made in the case of the children of Natives in Natal who are the holders of Letters of Exemption. They may apply when they reach the age of 16 years.

For the guidance of Native Commissioners, the Dept. has laid down that the following may be regarded as 'serious convictions' :-

- (a) on a charge of drunkenness, driving offences or offences against municipal bye-laws; a fine of £10 or one months' imprisonment, or if there are previous convictions within ten years, a sentence of not less than £5 or one months' imprisonment;
- (b) an offence involving misuse of Letters of Exemption or Exemption Certificates; a sentence of not less than £1 or 7 days imprisonment;

- (c) any other offences if the sentence is not less than 25 or 1 months' imprisonment or if there are previous convictions within 10 years a sentence of not less than 22 or 14 days' imprisonment.

3. Certificate of Exemption:

Certificates of Exemption are issued in terms of section fourteen bis of Proclamation No. 150 of 1934, as amended, and exempt the holders from the Bass Laws throughout the Union as well as the registration regulations published in terms of section twenty three of the Urban Areas Act. The holders will also if the Department's proposed legislation is approved, be exempt from curfew proclamations. You are no doubt aware that Proclamation 150 of 1934 also provides for the exemption de jure of large numbers of Natives holding appointments as teachers, Ministers of recognised Churches, clerks, and holders of other incumbencies in the Government Service, as well as members of recognised professions.

The qualifications of certificates of exemption are the same as those prescribed for Letters of Exemption except that, in addition, Natives who are at least 21 years of age and have passed the matriculation or equivalent examination or who are at least 25 years of age and can establish a record of faithful and continuous service with not more than two employers over a period of not less than seven years immediately preceding the date of their applications may also be granted Certificates of Exemption. No breaks in service may be condoned except in respect of periods during which -

- (a) unemployment insurance benefits are drawn;
- (b) the applicant is absent on genuine sick leave; or
- (c) the applicant is on ordinary leave totalling not more than 210 days for the period of 7 years."

Telegrams : Principal, Fort Hare
Telephones : { College 20
Principal's
Residence 43
P.O. Fort Hare
Rail : Alice



FORT HARE,
CAPE PROVINCE.

EDUCATION.....Department

3rd. Sept., 1951

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

6 SEP 1951

Dear Sir,

M. Nyahane
D/E/3/1

We thought it would be very helpful to us to ask your advice on a matter which is causing us some difficulty.

Many of our students are from Johannesburg, and we know that some of them are keen on getting temporary jobs during the long holidays at the end of the year. Would you please be so kind as to inform us whether you know of any such opportunities for temporary employment, as well we felt that both your department and experience would stand us in good stead in this matter.

Thanking you,

Yrs very sincerely
G.M. Shoto

D/E/3/1
WBN/EK.

13th September, 1951.

Mr. G.M. Shoko,
FORT HARE.
CAPE PROVINCE.

Dear Sir,

Re: Vacation employment for students.

Your letter of the 6th instant addressed to the Director has been referred to me for attention and I have pleasure in replying to it.

Regarding the subject matter of your letter I regret to inform you that despite inquiries that we have made on your behalf, we have not yet succeeded in finding any firms that would be willing to give employment to students. The main difficulty, as you will yourself understand, arises from the fact that you only want temporary employment. The business firms are loath to take on any temporary workers in view of the fact that it takes some time to train them. They do not think it pays to train anybody if he is going to leave them almost as soon as he has had his training.

We are approaching the S.A. Railways with a request that they create employment opportunities for Africans in the bedding and catering departments, but at this moment we can hold out no hope that they will accede to our request.

I spoke to the Pass Officer about this matter and he informed me that they had a farm labour scheme but of course I am not sure that any of your students would be prepared to consider this as I do not think the conditions would be satisfactory.

I shall write again as soon as we have had a talk with the Manager of the South African Railways.

Yours faithfully,

W.B. Ngakane.
FIELD OFFICER.

QW/AVD

D/E/3/1.

14th September, 1951.

The General Manager,
South African Railways,
JOHANNESBURG.

Dear Sir,

re: EMPLOYMENT OF AFRICANS AS CATERING & BEDDING STEWARDS.

We have recently had a request from African University Students to find them holiday employment during the Summer and Winter vacations. I believe that during these seasons you normally have to cope with increased traffic, and have, consequently, to employ extra staff in the catering and bedding departments.

Would it be possible for you to consider employing African Students during these periods. I shall be very glad to discuss this matter with you.

Yours sincerely,

Quintin Whyte.

WBN:

I had a conversation with the
SAR & H. Their policy is only
to take B. Bolovine for catering etc.
They say that there would be difficulties
about "mixed working", "mixed
accommodation", & varying rates of
pay. The General Managers would
merely reiterate this.

Would it not be better to try
Hotels over the 4 man - holiday
season, & the Post office. The need
for winter & winter & holiday
resorts ought to be very great at
this season. What about the big
store - O.K. etc. John Overle
or others on the other big cities
Should WOSAS not try to
deal with this

**SOUTH AFRICAN RAILWAYS.
SUID-AFRIKAANSE SPOORWEE.**

All communications to be addressed
to the
GENERAL MANAGER.

Alle mededelings moet aan die
HOOFBESTUURDER
gerig word.

Telegrams/Telegramme } SAR.
Cables/Kabelgramme }

Phone :
Telefoon :

In your reply quote S.140/7/9/1.N.
Haal in u antwoord aan

GENERAL MANAGER'S OFFICE,
HOOFBESTUURDER SE KANTOOR,
JOHANNESBURG.

24 SEP 1951

1) M. Nyahumbe Inf ✓

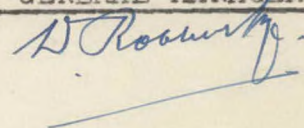
2) F.W.S

Dear Sir,

I have received your letter, reference
No. D/E/3/1, of 19th September, 1951, regarding the
employment of Native University Students as waiters
and bedding attendants in the Catering Department
during the winter and summer holidays and a further
reply will be addressed to you as early as possible.

Yours faithfully,

namens/for D. H. C. DU PLESSIS
ACTING GENERAL MANAGER.



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

22 OCT 1951

**SOUTH AFRICAN RAILWAYS.
SUID-AFRIKAANSE SPOORWEE.**

All communications to be addressed
to the
GENERAL MANAGER.

Alle mededelingen moet aan die
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Telegrams/Telegramme } SAR.
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Phone:
Telefoon:

In your reply quote S.140/7/9/1N.
Haal in u antwoord aan

GENERAL MANAGER'S OFFICE,
HOOFBESTUURDER SE KANTOOR,
JOHANNESBURG.

1210 1951.

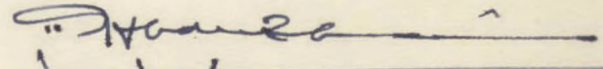
1 Mr. Whyte ✓
2 Mr. Negahom

Dear Sir,

With further reference to your letter D/E/3/1 of 19th September, 1951, and telephonic conversation of 3rd October, 1951, I have to confirm that only coloureds are employed as waiters and bedding attendants in the Catering Department, and experience has shewn that it would be unwise to introduce mixed working by employing persons of other racial groups on such work.

It is regretted that apart from ordinary labouring work, no suitable employment can be offered to those on whose behalf you have made representations.

Yours faithfully,



ACTING GENERAL MANAGER.

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

15 OCT 1951

MH/EO

A/15/4/1

15th May, 1951.

The Registrar,
University of the Witwatersrand,
MILNER PARK,
JOHANNESBURG?

Dear Sir,

~~As you know,~~ This Institute tries to help Non-Europeans as far as possible in their personal problems.

We have received a letter from a Mr. V. Poonan, an ex-student of the University. ^{of South Africa} I wonder if you will be kind enough to help us by supplying material for a reply?

Mr. Poonan informs us that he passed Fine Arts I (both Practical and History) at the ~~Witwatersrand~~ ^{University of South Africa} in 1949. On 24th October, 1950, he was informed that the examination for the second year of the course could not be arranged at the Johannesburg Art School, and would have to be taken in Pietermaritzburg. He could at that time not afford to go to Pietermaritzburg for the purpose, thus missed the examination, and re-enrolled with you, for the second year of the course, at the beginning of this year. However on 18th April, 1951, he was informed that it had been decided not to continue with tuition for this course, on account of difficulties in arranging practical examinations.

He understands that practical examinations are conducted at the Johannesburg Technical College, and is prepared to take his examination there, or even in Pretoria or Pietermaritzburg, provided that he can obtain tuition locally.

I should be so grateful if you will let me know what the position is.

Yours faithfully,

H

Muriel Horrell - Miss,
TECHNICAL ASSISTANT.

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

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