

LAWS OF CONTROL

1. Control of Movements

(a) Pass Laws

Passes which a Native in the Transvaal carries - one or more of seven types.

1. Travelling Pass - 30 days duration - see Proc. 150/1934
2. Seeking Work Pass - 9 days. Urban Areas Act.
3. Native Service Contract (if farm labourer) (see Native Service Contract Act) to show that labour service fulfilled before employment.
4. Monthly Labour Contract. Urban Areas Act.
5. Special Pass.

(a) if moving out of registration area in labour districts (Ordinances 37/1901 and 27/1903)

or(b) if abroad after curfew hour. Urban Areas Act.

6. Tax Receipt - Native Taxation Act.
7. Pass Laws Exemption Certificate Proc. 150/1934.
Of the above a Native in Johannesburg carries
 - (i) If town or Reserve Native No.4. and 6, also 5 if applicable
 - (ii) If farm-labour tenant No.3.,4 and 6, also 5 if applicable (4 in all)
N.B. Nos.3 and 6 merged.

Convictions 67, 426 (1937)

Exemption from Pass Laws

- (1) All Native Areas
- (2) All Females, except
 - (a) Night Passes
 - (b) Certificate for entry into urban area

Orange Free State trouble of 1912
Transvaal Agitation - Successful Court Application

- (3) Exempted Males under Proc.150/1934 Secn.14

N.B. No provision for exemption of wives from Night Passes

Fewness of Exemptions.

Note While Proc. 150/1934 defines Native as any male person of the apparent age of 18 or over.....the Urban Areas Act, where Sec. 12 applied, requires the registration of all male Natives of any age who is employed.

(C.F. Umfaans)

Recommendations of Pass Laws Comm. 1920.

Section 28 Native Administration Act places legislative power in the hands of the Governor-General to

- (a) Create and define Pass Areas
- (b) prescribe regulations for the control and prohibition of the movement of Natives into, within or from such areas
- (c) repeal all or any of the Pass Laws

N.B. Native Reserves not pass areas (Refer to fear of Protectorates Natives)

Section 31 Gives Governor-General power to exempt Natives from specified laws specially affecting Natives except in regard to land, taxation and liquor.

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