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Third-class Alicedale to PE fare up by 400%

201

2. Port

3/1/83

Post Reporter

SCORES of commuters on the mainline train from Alicedale to Port Elizabeth faced a 400% increase in their weekly third-class tickets when they returned to work today after the weekend

A third-class weekly ticket used to cost R3,60 from Alicedale to Port Elizabeth — the same ticket now costs R18,20

Some could not come to work because they did not have the money for the increased fare

South African Transport Services had announced increases in train tickets ranging from 10% to 15% from January 1.

The System Manager for the SATS in the Cape Midlands, Mr G D Engelbrecht, said certain anomalies had existed on mainline seasonal tickets which had been adjusted in the recent price increases

The weekly third-class ticket to Alicedale was one of them He said commuters had previously paid less for a weekly ticket than for one return trip between Alicedale and Port Elizabeth

He said the weekly third-class ticket from Port Elizabeth to Paterson had previously cost R2,90 while one return trip cost R4,60

These anomalies had to be rectified

A first-class trip from Uitenhage to Port Elizabeth had gone up from R1,20 to R1,30 and third class from 50c to 60c

A third-class ticket from Swartkops to Port Elizabeth had risen from 20c to 30c

Mr Engelbrecht said the biggest increases had been felt on the mainline seasonal tickets

Other increases had ranged between 10% and 15%

Mrs Patrica Schadle, whose husband owns a stainless steel manufacturing business in Kensington, Port Elizabeth, said two skilled employees who commuted from Alicedale daily had not reported for work today because they did not have the money for the increased train fare

She said they had telephoned from Alicedale to tell her about their plight She had telegraphed money for the weekly train tickets

Both men had put aside R4 for their train tickets, having worked on the premise that increases would range between 10 and 15%

Mrs Schadle said she was shocked at the tremendous rise and would have to adjust their wages accordingly It would cost the men R72,80 in a four-week month to commute

She said the employees, who were both coloureds, were caught in a Catch 22 situation because they could not get housing in Port Elizabeth and could not get jobs in Alicedale

EVERY CANDIDATE MUST enter in column (1) the number of each question answered (in the order in which it has been answered), leave columns (2) and (3) blank

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Examiners' Initials		

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Bishop hits at hostel arrests

Labour Reporter

MORE than 120 people were arrested by Administration Board officials at the Ilco Homes hostel in Guguletu

Mrs Di Bishop, MPC for Gardens, sharply criticised Ilco Homes whose control officer requested the raid which took place early yesterday morning

The director of the Administration Board, Mr A A Louw, said 123 people were "held for interrogation" after an "inspection" of the hostel

CHARGED

Sixty-six people were charged with being illegally in the area and 38 with being illegally in the hostel

The control officer for Ilco Homes, who did not want to be named, said "There are a lot of illegal people there, plus local people who damage the building More than R25 000 damage is caused a year by people illegally in the hostel

"Our workers know the rules of the compound They know they are not allowed to bring in their wives from the Transkei But the illegal people bring their wives and kids"

Mrs Bishop, who attended yesterday's hearings at the Langa Commissioners' Courts in her capacity as a Back Sash member said she found it "quite astonishing" that a company admitted to asking Administration Board officials to raid its own hostel accomodation

She pointed out that none of the accused had been charged with damaging property

Bishop slams pass laws

CAPE TIMES 12/1/83 201 ~~206~~ ~~126~~

Staff Reporter

THE Progressive Federal Party MPC for Gardens, Mrs Di Bishop, launched a scathing attack last night on the pass laws

She was responding to the arrest of about 50 "illegals" in yesterday's early-morning raid by Western Cape Administration Board officials on the Ilco Homes hostel in Guguletu

The raid was carried out at the request of Ilco Homes, the company's chief security officer, Mr R Hinds, said yesterday

An Ilco security officer was present during the 4am raid which Mr Hinds described as "an inspection" He said those arrested had broken windows in the barracks and damaged walls and fixtures

Those arrested appeared in the Langa Commissioner's Court yesterday on charges of being in the area "illegally" or not possessing the required documents

Mrs Bishop was present during the hearings as a Black Sash observer

She said "We are building up a terrible debt in the pass courts Every Capetonian should spend a morning there They will never be the same again"

Influx Bill likely to be scrapped

ARGUS 18/1/83

200 201 ~~206~~ ~~320~~ 340

Political Staff

THE controversial Orderly Movement and Settlement of Black Persons Bill is heading for the scrap heap.

No official confirmation could be obtained today that the Bill, which met with widespread condemnation, was to be shelved

However, members of the Parliamentary select committee on the constitution have been told they will not be dealing with the Bill this year, and they expect it to be scrapped

The Bill was one of the trilogy of so-called "Koornhof Bills" which were intended to improve the lot of blacks in the urban areas

OTHERS

The Black Community Development Act was approved by Parliament last year The Black Local Authority Bill is being dealt with by the select committee, and is expected to be put before Parliament during the forthcoming session

The Orderly Movement and Settlement Bill has been described as placing blacks under a virtual state of martial law in attempting to control the influx to urban areas

It is understood that instead of going ahead with the Bill, the Government is contemplating amendments to legislation that would toughen influx laws

COURT DECISIONS

These could include far heavier penalties for offences under the influx control provisions and reversal of court decisions allowing wives and dependents of people with rights under Section 10a and b of the Black Urban Areas Act to live in urban areas

The Government has announced that the Bill will be referred to black local authorities for their consideration, but this is seen as a way in which it can be shelved quietly, as it is highly unlikely to receive support from the black urban community.

CAPE TIMES 2/2/83

Influx control: Govt's 'plans'

Staff Reporter

EVEN if the proposed Orderly Movement and Settlement of Black Persons Bill were scrapped, the government would very likely "amend existing legislation to achieve the same purpose," Mrs Noel Robb, director of the Athlone Advice Office (AAO), said yesterday

She was speaking on the practical implications of proposed influx control legislation, particularly in the Western Cape The lecture was one of a series organized by the University of Cape Town's Summer School

Mrs Robb said the controversial draft bill, which has been criticized by churches, community organizations and opposition politicians, was meant to "curtail and control as far as possible the number of black people living and working in the urban areas of South Africa"

However, according to a recent press report, the draft legislation, currently being studied by a select committee of Parliament, would be withdrawn altogether

Mrs Robb said statements by the Minister of Co-operation and Development, Dr Piet Koornhof, at a National Party congress in East London in October last year indicated that government was planning to amend existing legislation "to achieve the same purpose"

● The AAO's organizer, Mrs Val West, said that during 1981, 13 694 people had been arrested under the influx control laws in Cape Town This figure excluded the 3 666 Nyanga site squatters arrested and deported to Transkei

†Mr SPEAKER Order!

Non-Whites in White group areas

*5 Mr S P BARNARD asked the Minister of Law and Order †

(1) Whether any charges in connection with the presence of non-Whites in White group areas were laid with the South African Police in the latest specified period of 12 months for

which figures are available, if so, how many charges,

(2) whether the Police have investigated the charges, if so,

(3) whether the investigations have been completed; if so,

(4) whether prosecutions have been instituted as a result of the investigations, if not, why not?

†The MINISTER OF LAW AND ORDER

(1) Yes, 885 for the period January to December 1982

(2) Yes

(3) Yes, a number of these investigations has been completed

(4) Yes

Black Sash lay complaint over bogus pamphlet

Weekend Post Reporter

THE Black Sash this week laid a complaint with the police and dissociated itself from a pamphlet falsely issued in the name of the organisation

A spokeswoman said the pamphlet offered to "all and sundry" free books, food clothes, legal advice, contraceptives, money, lobola, free swimming lessons in Black Sash pools and free television viewing in Black Sash homes

She said it listed the names, addresses and telephone numbers of two members and urged people to call on them at any time of day or night

Pamphlets were scattered on lawns in shopping centres and left anonymously for distribution at an administration office

The spokeswoman said the people responsible for the pamphlet obviously resented positive community efforts by members of the organisation

"As a service to the community we run a free advice office Some people apparently resent and ridicule our efforts

"Although the pamphlet is trifling in itself it illegally uses the good name of the Black Sash to con people"

A professional man referred to in the pamphlet has also laid a complaint with the police

EBRUARY 1983 8/2/83

(201) **Western Cape: Black labour** Hansard Q. 61. 34

18 Dr A L BORAINE asked the Minister of Manpower

(1) How many applications for employment of Black labour in the Western Cape were refused in 1982,

(2) how many potential Black workers were affected by these refusals?

The MINISTER OF MANPOWER.

(1) 509

(2) 2 232

~~103~~ ~~405~~ 201 Haward 9/12/83

Transkei citizens in East London

~~349~~ Q. Col. 43 –

*6 Mr E K. MOORCROFT asked the Minister of Co-operation and Development

(1) Whether any Transkei citizens are living in Duncan Village, East London, at present, if so,

(2) whether it is the intention to move any such citizens to Ciskei, if so, what will be the status of Transkei citizens who do not wish to be moved to Ciskei?

†The DEPUTY MINISTER OF CO-OPERATION

(1) Yes

(2) Yes Those who do not want to move to Ciskei will remain Transkei citizens

UNIVERSITY OF CAPE TOWN
EXAMINATION ANSWER BOOK

EVERY CANDIDATE MUST enter in column (1) the number of each question answered (in the order in which it has been answered), and in columns (2) and (3) the number of pages used in answering each question.

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Examiners' Initials		

Date 22/10/76

Degree/Diploma/Certificate for which you are registered (e.g. B.A., B.Sc.) C.T.A.

Subject ECONOMICS 1B
(to be copied from the heading on the Examination Paper)

Paper No
(to be copied from the heading on the Examination Paper)

NOTE CAREFULLY

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EDSON

8m Blacks now 'alien' 10/2/83 (201) Star

By Carolyn Dempster

More than eight million blacks were deprived of their South African citizenship between 1976 and 1981 and are now designated "foreigners"

This statistic was used by Mrs Sheena Duncan, national president of the Black Sash, to illustrate how recent legislation in South Africa has entrenched rather than reformed apartheid

She was speaking on "Apartheid Reformed" during a panel discussion at the University of the Witwatersrand yesterday.

Concentrating on the Government's homeland policy, Mrs Duncan said the mass resettlements and removals between the 1960s and 1980s resulted in the black population in the bantustans growing from 40 to 54 percent of the total population

"When these people are moved into the bantustans they become trapped into poverty They are unable to leave because the law states they may not work in South Africa if they are resident in a homeland Instead they are forced to register with the homeland's labour bureaux, and if they are lucky they will be chosen by an employer

By enforcing this policy, the Government was not only making it virtually impossible for illegal work seekers to find employment in urban areas, but through hefty fines was co-opting employers into the scheme

So-called improvements in urban areas, such as the 99-year leasehold and the electrification of Soweto, should be seen as an attempt by the Government to create an urban elite

Mrs Duncan said this was part of a move to co-opt the elite to support the system.

Residence hope for workers

Cape Times 23/4/83

(201) (206) (208)

By PHILLIP VAN NIEKERK
Labour Reporter

MORE than 10 000 City contract workers can hope to gain permanent residence in the Peninsula following a decision by the Supreme Court on Thursday to grant permanent residence to Transkeian-born Mr Mdandweni Mthiya

Much will depend on whether the Western Cape Administration Board will accept that and other Supreme Court decisions as applying on all contract workers in similar circumstances, or decide to fight each case in court.

The government has already drawn up legislation which can override these Supreme Court judgments

If the proposed Orderly Movement and Settlement of Black Persons Bill becomes law in its present form, contract workers will never be able to acquire rights to live permanently in the cities, even if they spend the whole of their working lives there

Other cases

Mr Justice Tebbutt granted Mr Mthiya Section 10 (1) (b) rights because he had worked in Cape Town for longer than 10 years and lived in the area for 15 years

This followed two similar cases — the 1981 Rand Supreme Court case of Mr Mehlolo Rikhoto and the Cape Supreme Court case of Mr Stanford Booi last year. Both men were granted Section 10 (i) (b) rights because they had worked "continuously" for one employer for more than 10 years

The West Rand Administration Board's appeal against the finding in the Rikhoto case is still pending in the Bloemfontein Supreme Court.

1945 Act

The right to permanent residence — or Section 10 (1) (b) rights — after 10 years' employment or 15 years residence in the urban areas is contained in the Blacks (Urban Areas) Consolidation Act of 1945

However, in terms of the 1968 black labour regulations, a contract can only be valid for a maximum of one year and a worker must return to the homelands to sign it. This has enabled the administration boards to argue that such workers have not worked "continuously" for longer than a year,

To page 2

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had been associated with the world's first garden city schemes which were established in Britain

The first house in the scheme was completed in 1923

Measles cases increasing

Own Correspondent

PORT ELIZABETH — The number of measles cases reported to the Port Elizabeth health department has been accelerating over the past four months

This week the death of another 12 children from measles, or its complications, brings the year's toll to 124 — more than double the number recorded last year

tion support

Cape Times 23/4/83 (A) From page 1

and they have been systematically denied Section 10 (1) (b) rights

Mr Gert du Preez, chief liaison officer for the Western Cape Administration Board (WCAB), said yesterday that the board could not comment on the outcome of the case yet The WCAB was the respondent in both the Booi and the Mthiya cases

Applications

However, the Black Sash, employers and trade unions have lodged hundreds of applications for Section 10 (1) (b) rights with the WCAB and more than 20 similar cases are pending in the Cape Supreme Court

Unofficially, there are about 12 000 workers in the Western Cape who have worked for one employer for longer than 10 years With Section 10 (1) (b) rights, they would be entitled to bring their families to Cape Town as well, which could lead to the legal influx of up to 60 000 people into the Peninsula

The unanswered question is whether the WCAB decides to accept the Supreme Court decisions or fight each case in court.

topical than the teachings of parables

The four slickly-dressed clergymen tackled the controversial issue of accepting women as ordained ministers Though the panel was split on the subject, they quite rightly left it to the viewers to draw their own conclusions

British football made a welcome return, but unfortunately Rhodesian-born Bruce Grobelaar did not have a particularly good game for Liverpool

There is every possibility that the Bushy Bester-Walter Gomez fight will be screened live tonight

JOE GUWA

Floodlit finale for Festival

THE Cape Town Festival will have its grand finale in Green Point Stadium tonight when more than 1 200 people take part in a youth rally and military tattoo under floodlights

The event which will include folk dancing, a naval gun display and the military tattoo — more than 500 cadets marching to the music of massed bands — has been organized by the Cape Peninsula Youth Council The entrance fee is R1 for adults and 50c for children

CAPE TOWN FESTIVAL APRIL KAAPSE FEES

Today's events

Flea Market, Greenmarket Square and Grand Parade.
Skydiving Green Point Cricket Club, 9am.
Gym display to music Thibault Square, 10 30am
Street theatre, John Walter and Sue Bitzke Greenmarket Square, 11 45am.
Family entertainment including "Puss in Boots" Station Forecourt, 11am
Festival Band and children's songs, golden oldies, hit parade favourites Festival Square, 11am-noon.
The Dixieland VI Jazz Band Greenmarket Square, 12pm
Cape Corps Band Festival Square, 12.30pm and 5 30pm
Floodlit festival rally Green Point Stadium 7 30pm
Salvation Army Festival Pag

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April, 1983.

Kenilworth Gardens Sea Point, Garlicks Cavendish Square, John Ambulance Centre Keerom

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...y 50c, so divide your total by 2 send to cover your permutation on the back Entries are disqualified ... are to be made payable to St ... banknotes in postal entries Do not ... fees must be in one envelope ... be accepted, but will be returned

...tional donations
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... and addresses of prize winners

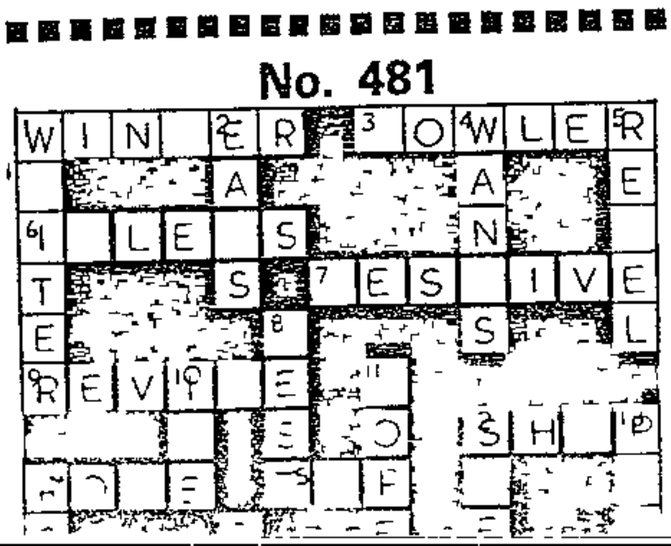
ST JOHN AMBULANCE 08 800037 000 6

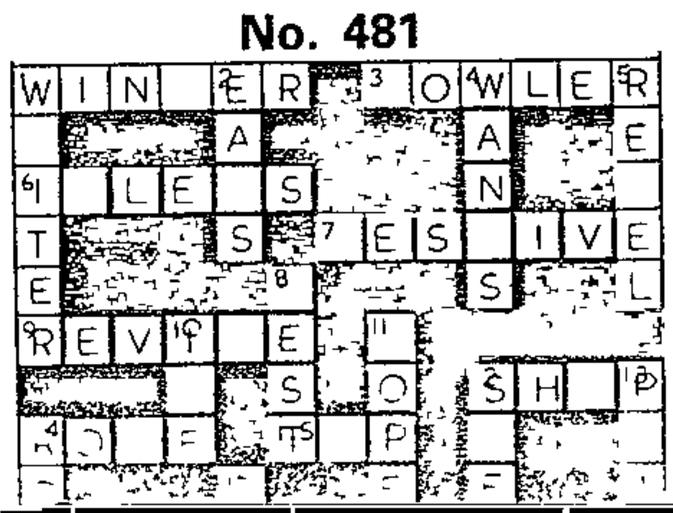
ACROSS

1 Outstanding — is one who takes quick advantage of opposition's weakness WINGER/WINNER
3 — must be prepared to use up a lot of physical energy in the course of a long day BOWLER/FOWLER
6 First mapping of rocky coast with many — suggests serious navigational problems INLETS/ISLETS
7 Certain precautions might be taken if crowd gets into an increasingly — mood FESTIVE/RESTIVE
9 Critical friends might advise producer that to — old forgotten play is wasted labour REVISE/REVIVE
12 — may have its own highly distinctive atmosphere SHIP/SHOP
14 If — is too long, it would obviously have to be cut ROLE/ROPE
15 The effect of a — might be to open one's eyes TAP/TIP
17 One might be at once on guard if suspecting — by person one is dealing with PLOT/PLOY
18 Oxygen is one GAS
20 Epoch ERA
21 It's hardly a surprise if — attracts the eye SCARLET/STARLET
22 Film audience follows with admiration cowboy's sure-footed — across rough hill-country SPEED/STEED
23 Even small obstacle could cause — to pull back TRACTOR/TRAITOR

DOWN

1 Few people give much thought to the problems typical — has to face WAITER/WRITER
2 Consumes EATS
4 Desires WANTS
5 One — often clashes with another REBEL/REVEL
8 It would be unusual if people show no response at all to a — JEST/PEST
10 It's particularly the sensitive person who is repelled by acquaintance with — in his temperament ICE/IRE
11 Persons who — would obviously benefit from a firm but sympathetic discipline MOPE/TOPE
12 To — someone is an obvious act of hostility SMEAR/SPEAR
13 — might be none too pleased if work is required in haste PAINTER/PRINTER
14 Short winter days could be a handicap to — ROVERS/ROWERS
16 Vessel that is — is hardly going to make rapid progress ROWED/TOWED
17 Illuminated — might glow with colour PAGE/PANE
18 Festivity GALA
19 One tends to think of a — as long and narrow SLIT/SLOT
21 All sorts of questions may come into one's mind as one prepares to — an exam SET/SIT





Worker wins order to stay in Peninsula

Supreme Court Reporter

AN ORDER allowing a contract worker permanent residence in the Cape Peninsula has been granted in the Supreme Court in Cape Town

Mr Mdandweni Elliot Mthiya brought the application against the Administration Board of the Western Cape and the Municipal Labour Officer, Langa, earlier this year

Mr Mthiya asked the court for an order declaring that he was entitled in terms of Section 10 (1) (b) of the Blacks (Urban Areas) Consolidation Act No 25 of 1945 to remain in the prescribed area of the Cape Peninsula

ENDORSE

He also asked that the Administration Board be directed to endorse his reference book, permitting him to remain in the Cape

A general worker at a scrap metal company in Epping, Mr Mthiya had told the court that although he was born and raised in Transkei, he had been continually employed with the company since 1967

He said when he applied for a renewal in January last year, his application was rejected

Giving judgment, Mr Justice Tebbutt said that Mr Mthiya had established that he had both worked continuously and lawfully resided continuously in the prescribed area concerned for the requisite periods prescribed by the Act

The judge said Mr Mthiya had lived through the whole of each year from 1967 to 1982 in the Peninsula, apart from one month when he went to Transkei, and for the periods of six, four and eight months during the 15-year period

On each occasion he intended to return to the Peninsula, and still lived in the Peninsula

His employer never contemplated losing the services "of a skilled and valued member of the staff" who was kept on the company's books.

This, the judge said, revealed a common and continuing intention of Mr Mthiya and the company that he should remain in employment

201 Cape Herald 9/4/83

Western Cape labour policy is not working

By Barry Streek

ONCE upon a time a cabinet minister told the country that by 1978 the number of Africans in the cities would be on the decrease Well, figures and estimates released by the President's Council a week or two ago make absolute nonsense of that statement.

In 1980 Africans formed 11,2 percent of the population of the Western Cape In 17 years time they will be 15 1 percent, and by the year 2050 they will constitute between 22,7 percent and 33 percent of the Cape Peninsula's population according to the findings of the science committee of the President's Council

These projections alone directly contradict the intentions of Government policy in the Western Cape and read together with the figures provided by Minister Piet Koornhof last week, the percentages of Africans in the Western Cape will be even higher than now forecast by the Council's committee

For instance, the committee's estimate is that there would be 241 000 Africans in Cape Town by 1985 but Dr Koornhof says there are already 266 224 in the Cape Peninsula

In effect the Government has been told that its coloured labour preference policies for the Western Cape are failing — all this despite ever-continuing pass law raids

At present, no African can be employed in the Western Cape unless there is no "coloured" person available for the job, although Dr Koornhof said 54 107 men and 1 446 women were legally employed in the area

Nor can Africans obtain 99-year leases for property in the Western Cape, even if they have permanent residence rights

Dr Koornhof also said 154 224 of the Africans in the Western Cape were "legally" present in the area

This means that 112 000, or 42,1 percent, of the Africans were "illegally" in the Cape Peninsula

WHITE

The science committee's projections also show that the proportion of people classified as white in the Cape Peninsula will decline

In 1980, the 570 000 whites constituted 31,9 percent of the population in the area By the turn of the century they will form between 28,3 percent and 17,3 percent

Fifty years later, the science committee estimates, whites will be below 20 percent of the Western Cape population — between 19,9 percent and 17,3 percent

On the other hand, those classified as coloured, who totalled 1 001 000 in 1980 and formed 56,1 percent of the population, will form between 55,9 percent and 53,7 percent by the turn of the century — and about half in 2050

GROWTH RATE

The science committee based its projections on an estimated growth rate of 0,8 percent for "whites" and "Asians," 1,5 percent for "coloureds" and between 2,5 and 3,2 percent for "Africans"

Whichever way one looks at it, these facts and estimates show that the government's coloured labour preference policies are not working

The science committee's also show that somewhere between 2000 and 2010, "coloureds" and "Indians" will outnumber "whites" — and that has interesting implications for the government's constitutional reforms, if they survive that long

This all goes to show that the facts of population growth are undermining official policis on a number of levels The government can delay facing up to those implications, but for how long?

Subject

(to be copied from the heading on the Examination Paper)

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Paper No

(to be copied from the heading on the Examination Paper)

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WARNIN

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Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University

EDSON 15255

Worker wants residence rights

Supreme Court Reporter

A CONTRACT worker, who has worked in Cape Town during the past 16 years, applied to the Supreme Court yesterday for an order declaring him to have permanent residence rights

Judgment was reserved

Mr Mdandweni Mthiya, a worker for Chick's Scrap Metals, issued the application against the Administration Board of the Western Cape and the Municipal Labour Officer, Langa

In papers before the court, Mr Mthiya said he had applied for permanent residence rights, and had been refused

He was born in Engcobo, Transkei, and began working for Chick's Scrap Metals in January, 1967

Since then, he had renewed his contract of employment during his leave each year, after his company obtained the authority to do so

On three occasions he was granted long leave For six months during 1969-70, for four months in 1976-1977 and for eight months during 1979-1980

He submitted that he had worked continuously for the company for a period of more than 10 years

The manager of the company, Mr Ivan Harcourt-Wood, stated in an affidavit that the company records stated that Mr Mthiya had been in the company's employ continuously since 1967

Opposing affidavit

In an opposing affidavit, Mr Graham Lawrence, Chief Labour Officer of the Western Cape Administration Board, said that in view of Mr Mthiya's three long absences from the Cape, he could not accept that he had continuously worked for the company for more than 10 years

His employment contract was on an annual basis During his periods of absence, his contract had expired and he was not employed by the company

Mr Justice Tebbutt presided Mr J J Gauntlet, instructed by Mallinick Ress Richman and Closenberg, appeared for Mr Mthiya Mr L R Dison SC, assisted by Mr J T Schoombee, instructed by Bornman and Hayward, appeared for the respondents

CAPE TIMES

Friday, March 4, 1983

16 guilty of 'influx' offences

Staff Reporter

FINES totalling R760 were imposed in the Commissioner's Court in Langa yesterday on 16 people for influx-control offences

Thirteen others were found not guilty and discharged

In all, 54 people appeared in court yesterday, only some of whom were from the KTC squatter camp Two KTC squatters were fined R60 or 60 days, one was fined R50 or 50 days, five were given suspended or partially suspended sentences, one was cautioned and discharged Several of the 13 found not guilty were from KTC

Charges for failing to produce documents on demand were dropped in all cases, as has been the practice at the Langa courts this week

The commissioner, Mr W Fourie, said outside court afterwards that 20 KTC people were released from Pollsmoor Prison yesterday after it was shown that they resided in the Peninsula legally

Mr Mziwabantu Bengwa, 43, of shelter C14 in KTC, said in evidence that he had brought his sick wife to Cape Town in 1979 after finding medical services in Transkei "hopeless" Treatment at Groote Schuur did work, but she needed constant medical attention, he said

Mr Fourie said that if everyone in Transkei brought their sick families to the Peninsula, "the Transkei would be full of healthy people and we would have all the sick" That would be "totally unbalanced", he said

Bengwa was given a suspended sentence of R60 or 60 days, provided he goes back to Transkei

In an earlier case, the court said it had observed that the accused "suddenly say in evidence that they are willing to go back home", and that it was difficult to judge "whether it was a real desire"

In the case of Zindisile Best, Mr Fourie said it appeared the accused was earning a good wage for odd jobs and was probably under the impression that he could earn more as a freelance labourer than he had previously earned as a contract labourer

Mr D Mngomeni appeared for the State Mr Brian Biebuyck appeared for Bengwa

Daily Dispatch
Thursday March 3 1983

Transkei 'no' to deal on squatters

ARGUS 3/3/83

Argus Correspondent

DURBAN — South Africa has tried to persuade Transkei to take back 1 000 Western Cape squatters by attempting to link repatriation with a multi-million-rand Transkeian employment project, it has been disclosed

The Prime Minister of Transkei, Chief George Matanzima, said today he rejected linking the repatriation of squatters with the employment project, which is designed to create 12 000 jobs over three years with a total of R18-million in aid from South Africa

GOING AHEAD

But, he said, the project would go ahead, and Transkei had agreed to recruit small groups of unemployed Transkeians squatting in the Western Cape if South Africa created jobs for them in Transkei

After two years of negotiations with South Africa over the employment project, a delegation from South Africa's Foreign Affairs Department had dropped the squatter bombshell on Chief Matanzima said Transkei had rejected out of hand the linking of squatter repatriation with the employment project at top-level talks with South Africa in Cape Town two weeks ago

TEMPORARY JOBS

The three-year project is designed to create 4 000 temporary jobs a year

"We decided to embark on afforestation of our country, and most of the jobs will be in that field We also have a big problem of soil reclamation Irrigation dams will be constructed, as well as canals," Chief George said

Union pledge on influx control

Cape Times 2/3/83

Own Correspondent

JOHANNESBURG — The Metal and Allied Workers' Union wants a nationwide campaign in protest against tighter influx control and actions against squatters

A statement released by the national executive of the union criticizes the the recently withdrawn Orderly Movement and Settlement of Black Persons Bill, "the worst parts" of which, it alleges, are already being implemented

The move also follows the recenty demolitions of squatter shacks on the East and West Rand, many of which had been occupied by MAWU members

Among moves recommended by MAWU's executive is an attempt to "make clear to employers that the new measures will cause great dissatisfaction and instability among workers, and employers will also suffer directly from an unstable work force"

It will also call on community councils to resist these measures

The executive said in a statement that measures already taken by administration boards to tighten control over workers include

- The tearing down of "hundreds" of shacks owned by workers in East and West Rand townships Because of the housing shortage, the shacks provided "the only way they can live with their families
- "Very heavy" pass raids in all townships and towns
- A measure by the West Rand Board stipulating that a contract worker who brings his family to the cities can have his work contract cancelled, "so not only will he be fined, but he and his family will be sent home to starve"

MAWU said workers and their children could never accept laws which made them "criminals" if they stayed in a town, looked for work or allowed friends and relations to stay with them

"We are human beings with families that we love We want to live like human beings"

A group of women feeding their children in the open at the KTC site.

KTC children 'better off in Pollsmoor'

ARGUS 26/2/83

201

By PIPPA GREEN
Weekend Argus Reporter

A MOTHER was told by the Langa court commissioner yesterday that her two children would be better off in Pollsmoor prison than living "in the bush"

Mrs N Godi was one of about 250 KTC squatters who appeared in the Langa Commissioner's Court yesterday on charges of being in the area illegally and of not producing their passes on demand

Mr P Crossley of Findlay and Tait made a special plea for bail for Mrs Godi, who had two young children with her

Asked where she lived, she replied "In the bush"

Mass arrests

The commissioner, Mr W Fourie, said "Well, in that case, your children would be better off in Pollsmoor"

The appearances followed mass arrests at KTC yesterday morning when police and Western Cape Administration Board officials cordoned off the area

All the accused pleaded not guilty on both counts No bail was granted and they were remanded in custody

Many of them told the court through an interpreter that they had passes to be in the area but had not been given a chance to produce them when they were arrested

Packed

The tiny court was packed with people who had been released after being interviewed by court officials earlier

Three Progressive Federal Party MPs — Mrs Helen Suzman, Mr Tian van der Merwe and Mr Ken Andrew — were in court to observe the proceedings

Applying for bail on behalf of all of the accused — many of them women with small children — Mr Crossley said there was little doubt that a decision to refuse bail would be a "drastic and serious step"

"Numerous decisions by superior courts have been that the accused should be deprived of their personal freedom only in the most exceptional circumstances"

The accused were not likely to interfere with State witnesses, and if they could identify themselves there was little likelihood they would abscond, Mr Crossley said

Opposing bail, Mr D Mngomeni, for the State, said the accused had no fixed places of abode and could not be identified because many did not have documents

Condemned

● Mr Andrew, the PFP spokesman on black affairs in the Western Cape, condemned the barring of the media from the KTC site

Reporters were barred by the Western Cape Administration Board about 10 days ago after violence had flared up at the camp

"Without eye-witness accounts it becomes difficult to ascertain precisely what happens If allegations of the indiscriminate use of teargas and letting dogs off leashes are untrue, the board should let the Press be there to see

"The authorities should not be surprised when the public ascribe ulterior motives to their desire to operate in secret"

Transkei jobs: SA to fund plan

Cape Times 25/2/83 201

Labour Reporter

THE SOUTH African Government is to fund a special jobs programme in the Transkei in terms of which one out every four jobs created will go to a Western Cape black

This was confirmed yesterday by the chief of development for the South African Department of Foreign Affairs, Mr Deon Richter, who said the scheme would initially cost between three to four million rands a year

A joint statement issued by the governments of Transkei and South Africa said 4 000 new jobs would be created by the scheme, initiated by Mr George Matanzima, Prime Minister of Transkei

The statement said "It is hoped that this programme will bring some measure of relief to the rising number of unemployed Transkeians in that country, as well as in South Africa"

Target date for the project is March 1 this year and the jobs will be "in the fields of the protection of soil and water resources, forestry and construction"

Mr Richter said that for every three local Transkeians employed, an unemployed Transkeian citizen from the Western Cape would be taken on

He said the lack of an "effective, efficient administration is a real limiting factor"

Jobs for Western Cape blacks — virtually all of whom are regarded as citizens of Transkei or Ciskei — would be "synchronized" on the basis of jobs available and the "needs of people"

Mr Ken Andrew, PFP spokesman on black affairs in the Western Cape, said "every right-minded person would support any sensible scheme to promote development in underdeveloped areas"

'Squandering?'

However, he said "If this scheme amounts to a further squandering of money in an atttempt to achieve ideological ends and to provide a rationalization for forcing people back to the homelands, then it deserves to be condemned

"South Africa is in reality one country — politically and economically — and the sooner we set about tackling the real challenges that face us and discard the ideological shackles that have hindered our development for so long, the better it will be for everybody"

200 'legal' families can stay

Cape Times 15/2/83 201 ~~200~~

Labour Reporter

THE authorities have decided that 200 "legal" families in the mushrooming squatter settlement near Guguletu can erect shacks and stay there legally

But as people continued to move from their township lodgings to the KTC squatter camp yesterday afternoon, the estimated number of dwellings stood at more than 400

The camp sprang up in less than a week as more than 1 000 people, who said they were "fed up" with overcrowding in the townships, moved in and erected hundreds of dwellings made of Port Jackson branches and plastic

On Monday last week, when the Western Cape Administration Board (WCAB) demolished shacks on the site, there were only six, and when they demolished again on Wednesday there were 31 By Friday there were 120 and at the weekend the number had more than doubled

Mr Timo Bezuidenhoud, Chief Commissioner of the Department of Co-operation and Development for the Western Cape, said yesterday that 200 families would be allowed to erect shacks on vacant land at the KTC site

Basic services were already available there

"In view of the fact that these people are legally here, I proposed that they should be allowed to stay on the site," he said

However, people would not be allowed to squat on adjoining ground set aside for New Crossroads phase two, and only "legal" people — those with Section 10 rights — would be allowed to stay at the camp

Proper housing

The building of proper housing in the townships, virtually stalled for the past six months, was dependent on availability of funds

Asked what would happen if there were more than 200 "legal" families at the site, Mr Bezuidenhoud said "We will deal with that when we come to it."

Interviews at the camp show that most of the residents are "legals" who have been lodging at houses in the townships

As WCAB officials started taking down the details of the camp residents yesterday, still more dwellings were being built. The camp now stretches to the boundary of Nyanga East.

Argus Action

We fight for your rights

SPECIAL REPORT BY BERT VAN HEES

Black labour: Policy on "illegal" workers

ARGUS 23/2/83

MANY householders fear gardeners or chars working for them might be arrested, or that they themselves might be prosecuted, if they make inquiries about whether these workers are in the area "legally"

But Argus Action has been told by the Western Cape Administration Board's chief labour officer, Mr G N Lawrence, following queries from readers, that this will not happen

He said "There is no need to fear arrest or prosecution if, after making inquiries, it turns out that a gardener or char is in the area illegally Neither the employer nor the worker will be prosecuted, and the board gives an uniquivocal guarantee about this If it turns out that a gardener or char is in the area illegally, he or she will be advised by the Local Labour Bureau in Langa what to do

Casually

"The Peninsula has a policy of coloured labour preference

"A black person who works casually for a householder for longer than three consecutive days in a given week becomes an 'employee', and anyone wanting to employ a black person for longer than three consecutive days a week must first obtain a certificate from the Department of Manpower, at the Thomas Boydell Building in Cape Town, to the effect that there is no suitable coloured worker available

"Before a black gardener or char is employed, it is important to establish that the person is in the area legally This can be established from an endorsement in the person's identity document If there is no such endorsement, make inquiries at the labour bureau

Complaint

"Black people who are arrested are those who are found during routine inspections to be in the area illegally, or against whom the administration board has received a complaint

"Black people illegally in the area who are found on private premises will either be arrested, or given a notice to appear in court Chars will not be arrested if this leaves no one to look after a house," he said

Here are the fines applicable to black people not legally entitled to be in the Western Cape, as well as to householders who employ them

● **Black workers**

1 Without an identity document, or unable to produce it Between R10 to R15 per count

2 In the area illegally. from R50 to R75 per count

● **Employers**

1 First offenders The Act provides for a maximum fine of R500 or 60 days, but first offenders are given an opportunity to pay an admission of guilt of R100 or to appear in court to argue their case

2 For a second offence within two years, the maximum fine of R500 or 60 days becomes the minimum

Hansard Q. Col. 201 – 204

Reference books/influx control 18/2/83

201

26 Mr S S VAN DER MERWE asked the Minister of Co-operation and Development

How many Black (a) males and (b) females were (i) arrested, (ii) charged, (iii) acquitted, (iv) fined and (v) deported in connection with offences relating to reference books and influx control in the Western Cape in 1978, 1979, 1980, 1981 and 1982, respectively?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

		Arrested	Charged	Acquitted	Fined	Deported
1978:	(a)	6 519	4 331	1 321	3 010	0
	(b)	11 517	6 493	1 354	5 139	0
1979:	(a)	12 120	7 307	1 474	5 833	0
	(b)	14 489	8 159	2 221	5 938	0
1980	(a)	7 382	4 849	594	4 255	0
	(b)	9 238	5 526	559	4 967	0
1981	(a)	8 790	5 695	1 202	4 493	0
	(b)	9 551	5 858	1 129	4 729	0

1982	(a)	11 048	7 342	854	6 488	0
	(b)	12 261	7 631	688	6 943	0

NOTE: No deportations are executed in terms of legislation on which the question has reference

Hansard Q 61. 287 — 288

†Indicates translated version

201 *For written reply* 24/2/83

Blacks in Western Cape, working committee

17. Dr. A L BORAINE asked the Minister of Co-operation and Development

Whether any decisions have been taken on any of the recommendations in the report of the working committee appointed to advise the Government on the presence of Blacks in the Western Cape which were under consideration when he furnished his reply to Question No 3 on 5 February 1982, if so, (a) which are the recommendations involved and (b)(i) what is the nature of such decisions and (ii) when will they be implemented?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

The Government is giving attention to the position of Blacks in the Western Cape on a sustained basis and in the process the recommendations of the Committee referred to are taken into consideration It should, however, be emphasized that the Committee was appointed primarily to consult on a co-ordinated basis with interesting parties and to obtain more first-hand information regarding the situation of Blacks in the Western Cape It was not a full-scale investigation but the viewpoints obtained had been of great value, It is, however, not envisaged that any further specific decisions resulting from recommendations of that Committee, will be taken

Papers sought for KTC accused

ARGUS 28/2/83

Staff Reporter

ANXIOUS relatives and friends today crammed into Langa Commissioner's Court, where 289 people arrested at the KTC site on Friday are due to appear this week

Defence lawyers addressed the crowd and asked relatives to bring forward documents to aid the accused Later, lawyers collected piles of reference books from relatives and friends outside the court

About 20 cases were scheduled to be heard today

"LEGAL"

Defence lawyer Mr P Crossley said many of the accused were legally in the area but were not carrying their documents when arrested

He said he would reapply for bail Bail was refused to all the accused on Friday when they made a brief appearance

A spokesman for the Aid Centre said he would recommend that charges be withdrawn against those who qualified to be in the area

CHILDREN

Relatives outside the court said they were looking after the children of some of those arrested

The accused face charges of being in a prescribed area for more than 72 hours without permission and of failing to produce a reference book on demand

● Hundreds of people slept in the open on the KTC site, near Guguletu, at the weekend Police patrolled the area but took no action However, police and Administration Board officials mounted another raid on the site today

About 20 vans were involved Shelters built at the weekend were torn down and building materials burnt in two bonfires No arrests were made

(201) Hansard
Deportations Q 61.401
1/3/83

341 Mr S S VAN DER MERWE asked the Minister of Co-operation and Development

(a) How many Black (i) males and (ii) females were deported from the Western Cape in 1978, 1979, 1980, 1981 and 1982, respectively, and (b)(i) in terms of what legislation and (ii) to which independent Black states were they so deported in each such year?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

(a) The only deportations for the period 1978 to 1982 from the Western Cape were in 1981 and 1982 when respectively 967 males and 1 248 females and 55 males and 51 females were deported

(b) (i) The figures given in (a) were deportations in terms of the Admission of Persons to the Republic Regulation Act, 1972 (Act 59 of 1972)

(ii) They have been deported to Transkei

Court is 'no circus', squatters' friends told

CAPE TIMES 1/3/83

Staff Reporter

THE Langa Commissioner's Court was "not a circus tent", a commissioner told a crowd of about 50 friends and relatives of KTC squatters yesterday as the first trials of more than 200 people arrested in the camp on Friday began

Charges against all 242 people of failing to produce the necessary documentation on demand have been withdrawn

As yesterday's trials began, Administration Board officials and SA Police in about 20 vans demolished several KTC squatter camp shacks, building two large bonfires from debris There were no further arrests

Twenty-three people appeared in the court yesterday, 22 of them women accompanied by young children who spent the weekend in jail with their mothers

Charges against the first 11, of not producing documents on demand, were withdrawn and pleas of not guilty of being in the Peninsula for more than 72 hours without permission were accepted by the prosecutor, Mr D Mngomeni

All were "legal" residents of the Peninsula

The commissioner who conducted the morning's proceedings, Mr W Fourie, warned all 11 that they should "stay away from that KTC camp, because there is a large influx of blacks at the moment, and there could be trouble'

A bail application by Ms Y Meer, on behalf of the remaining 219 accused, was refused by Mr Fourie, who told her "The application is premature I do not hear you, Miss Meer I do not see you before the cases come before the court

The 11 women and one man who appeared in the afternoon before Mr J J Uys, were all found guilty of being in the Peninsula for longer than the prescribed 72 hours

They were fined be-

➡➡➡➡ A To page 2

CAPE TIMES 1/3/83

A From page 1

tween R30 and R70, with the option of the same number of days in prison Four of the sentences were suspended for periods of one and two years, provided the person left for Transkei by this Sunday and that he was not convicted of the same offence again within the period of suspension

When the crowd gasped at one of the answers given by an accused, Mr Fourie warned them to "behave' and said "If I hear any more remarks from you people, I will order that you be vacated from this courtroom This is not a circus tent"

The remaining 219 KTC residents who are still in prison awaiting trial will appear in court in batches between today and March 10

Mr P Crossly appeared for 11 of the accused Miss Meer appeared for the remaining 12

● **PFP hits at KTC 'madness', page 4**

CAPE TIMES

1/3/83

11 illegal KTC squatters guilty

Staff Reporter

MOST of the 11 women found guilty in the Langa Commissioner's Court yesterday of being in the Peninsula for more than 72 hours came from Transkei to find work, to seek medical treatment for sick children or to be with their husbands

All 11 of those acquitted on charges of being in the area "illegally" were legal residents in the Peninsula, but chose to live at KTC because of overcrowding and lack of housing in the Cape's black townships

One of those found guilty of being in the area "illegally" was Mrs Miriam Maqaqa, a 37-year-old woman from Cofimvaba, Transkei

She appeared in court with her three children — an infant on her back a three-year-old son and a six-year-old daughter

Miss Y Meer appearing for Mrs Maqaqa, said she was "the wife of a sick man who lives and works in Cape Town

'She has come here to be with him and attend to him while he is sick, as he has no-one else to care for him in Cape Town"

Mr D Mngomeni, for the State, said "It was not necessary for the accused to come to Cape Town as there are people specially employed to care for the sick

"The accused built a shelter of her own at KTC Further, if the accused was coming to visit a sick husband, she should have come alone and left the children in the homelands"

The commissioner, Mr J J Uys, found Mrs Maqaqa guilty and fined her R70 (or 70 days) suspended for two years

The full sentence would come into force if she did not leave Cape Town for Transkei by this Sunday, or if she was convicted of a similar offence within the next two years

New bill 'aimed at squatters'

Labour Reporter

THE Criminal Law Amendment Bill now before Parliament includes massive new penalties for trespassing, which Opposition members maintain are aimed at squatters, particularly in the Western Cape

If the bill is passed, the new maximum penalty for trespassing will rise from R50, or three months imprisonment, to R2 000 or two years

Between 10 000 and 20 000 people are prosecuted every year under the existing Act, which defines trespassing as entering any building or property without the permission of the owner or lawful occupier

Blacks

According to Mrs Sheena Duncan, national president of the Black Sash, domestic servants are not included in the definition of a lawful occupier and so many blacks visiting friends or relatives in white areas fall foul of the law

She described the new penalty as "grossly disproportionate" and "a ridiculous penalty for a minor crime like trespassing"

Mrs Helen Suzman, MP for Houghton and PFP spokesman on civil rights, said she believed the move was aimed at squatters

"This would be another blow at a lot of wretched, desperate people whose only crime, quite frankly, is that they are trying to make a living They are not criminals, for heaven's sake In many countries, trespass is not even a criminal offence"

Mr Gastrow, PFP MP for Durban Central, said the disproportionate increase in the penalty raised the supicion that it had a hidden motive

He said it could be used against squatters all over the country, and particularly those in the Western Cape, who built their shacks on land owned by the Administration Board

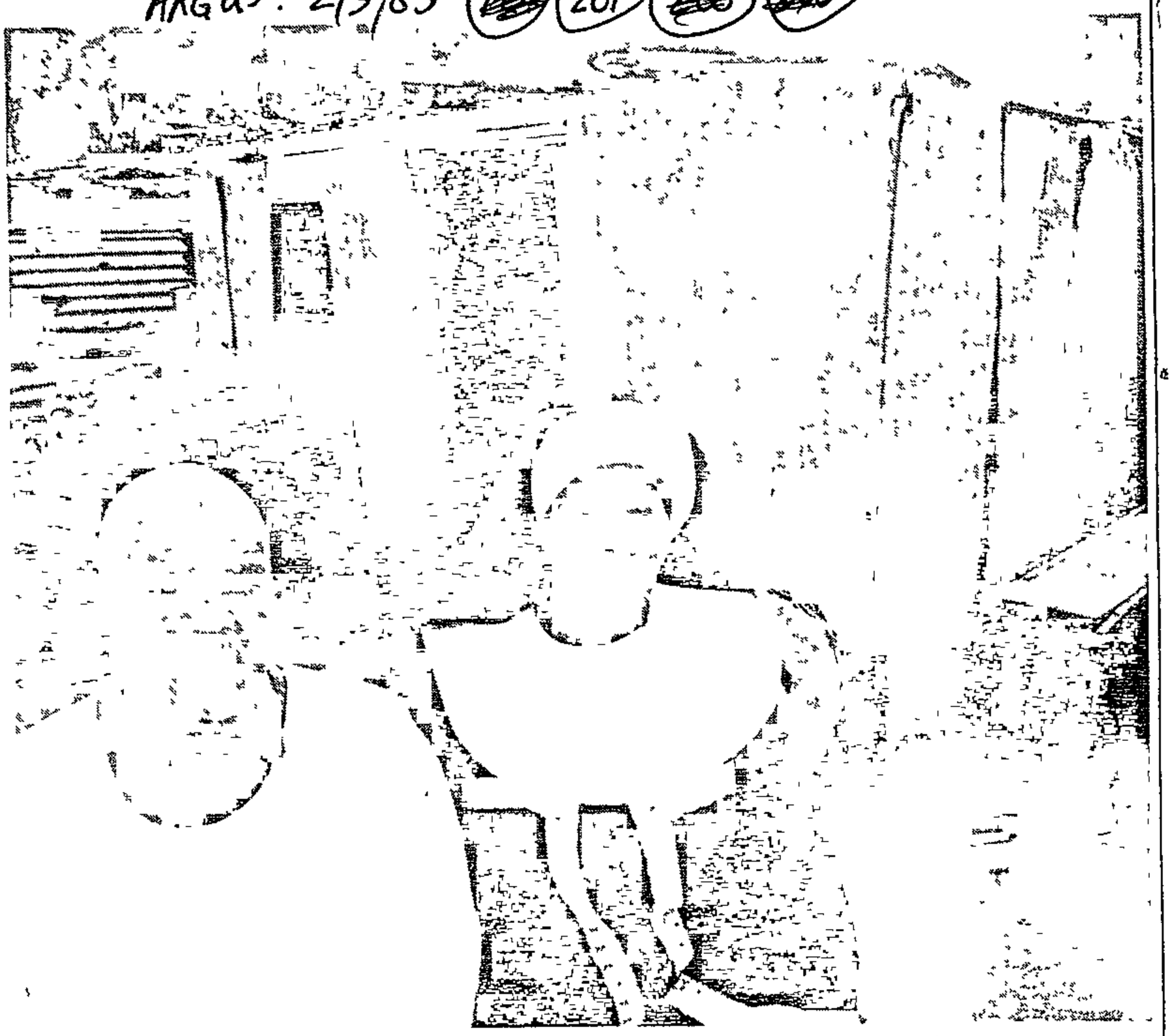
Family of eight snared up in a Catch 22 trap

ARGUS. 2/3/83 (201)

By STEPHEN NTSANE
Staff Reporter

A GUGULETU family of eight, who were overwhelmed with offers of housing material when they were trapped in a Catch 22 situation three years ago, are still without a home of their own

Today Mr Mvuyiso Gibson Ganjana, 62, his wife Noyamile and their six children live in a rented one-roomed shack in Guguletu in circumstances little better than those that aroused the public's sympathy in 1980 They sleep eat and cook in that single room



Mr Mvuyiso Gibson Ganjana and his wife, Noyamile, outside their one-room shack in Guguletu, where they have boarded for the past three years with their six children while waiting for a home of their own.

Wife 'illegal'

February of that year marked the start of Mr Ganjana's problems He and his wife and their children, now ranging in age between 22 and 5 years, were told by Western Cape Administration Board officials to find board in one of Cape Town's black townships

Mr Ganjana has lived and worked in Cape Town since 1944 and he and his children were legally entitled to live in the Peninsula under the Urban Areas Consolidation Act

His wife, who has been in Cape Town since 1960, was not — so the only alternative was for the family to return to a homeland, where there was little prospect of Mr Ganjana obtaining work

Many promises

When the family's plight became known offers of help poured in Many people promised building material for additions if Mr Ganjana could obtain the single quarters he had been promised in Langa

That's where the Catch 22 situation came in Mr Ganjana could not obtain a house because his wife was regarded by the authorities as an "illegal" resident And she could not become a "legal" resident until her husband obtained a house

Eventually, the only boarding the family could get was a one-roomed shack in the yard of a house in Guguletu They were then issued with a lodger's permit and were enrolled on the WCAB waiting list

This week Mr Ganjana said "I have been on the waiting list for three years now, so I don't know how much longer I will have to wait before I get a house for my family and myself

"When I was told to look for accommodation in 1980 the board officials promised that I would be offered a single men's house at the Langa single men's quarters to alter and renovate for accommodation I don't know what happened to the promise"

He said that every time he inquired about the house at the Guguletu rent office — where his name is on the waiting list — he was told no houses were available

Many places

"What bothers me is that unmarried girls are given houses, while people like myself with big families are made to wait long periods before they can get a house," Mr Ganjana said

Before 1980, the couple and their children boarded — without official permission — in various homes in Langa, Guguletu and Nyanga

"My children have never had a proper home," Mrs Ganjana said

Last month Mrs Ganjana's 22-year-old son, who is in his matriculation class at I D Mkhize High School in Guguletu, returned from initiation school but had to celebrate the occasion in somebody else's yard — although Xhosa tradition forbids this

The chief director of the WCAB Mr J S L Gunter, said there was nothing he could do because Mr Ganjana was No 352 on the waiting list

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the Magistrate s Court yesterday on a charge of keeping a brothel

Lorette Vivian Kotze, 29, of Matora Road, pleaded guilty and told the court she had been aware that men were given pelvic massages at the Philadelphia Health Studio during February this year

The hearing was adjourned to April 7 for sentence in the Regional Court and Kotze was warned to appear

Mr B Carroll was the magistrate Mr T Lerm appeared for the State Kotze was not represented

16 arrested squatters found not guilty

201 196 Cape Times 3/3/83

Staff Reporters

AFTER spending five days in custody, 16 KTC squatters were found not guilty in the Langa Commisioner's Court yesterday of being in the Peninsula for more than 72 hours without permission

They were part of a group of 242 squatters who were arrested at the KTC camp on Friday morning and who later appeared in court but were remanded without bail

Charges of failing to produce the necessary documentation on demand were withdrawn earlier this week.

In all, 25 people appeared before the commissioner, Mr W Fourie, yesterday Three had been arrested in Durbanville earlier in the morning but the rest were from KTC

Four squatters were fined up to R90, the case against one was withdrawn and one was remanded till March 11

One squatter, Andries Nqwiliso, 26, said in evidence he was not "under any circumstances" prepared to return to Transkei

Asked by Mr Fourie if he had been satisfied with the conditions in which he had lived at KTC, Nqwiliso said he preferred them to those in Transkei He had searched for a job there without success for three years and his wife and two children had also joined him in the Peninsula, he said

Nqwiliso was fined R60 or 60 days He had "deliberately broken the law" and therefore "had to be punished", Mr Fourie said

Mrs Maria Nqwiliso attended her husband's trial but could not pay the fine as she had only R40 She said afterwards that she had been among the group arrested on Friday and had already paid a R50 fine

"I only earn R50 a month and I have just bought a monthly train ticket," she said "I haven't got any more money to pay my husband's fine"

A total of 59 people, including nine KTC squatters, appeared in the Commissioner's Court on Tuesday

Mr D Mngomeni appeared for the State Mr B Kantor appeared for Nqwiliso

Flat damaged by fire

Staff Reporter

A GREEN POINT woman wept yesterday as she described how her husband and son had escaped from a fire that devastated the lounge and hallway of their Exhibition Terrace flat

Mrs M De Freitas works in a small dairy about 20 metres from the flat in which she, her husband and their children, Maria, 10, and Tony, 4, live

"At about ten to nine this morning somebody came into the shop to tell me my flat was on fire," Mrs De Freitas said

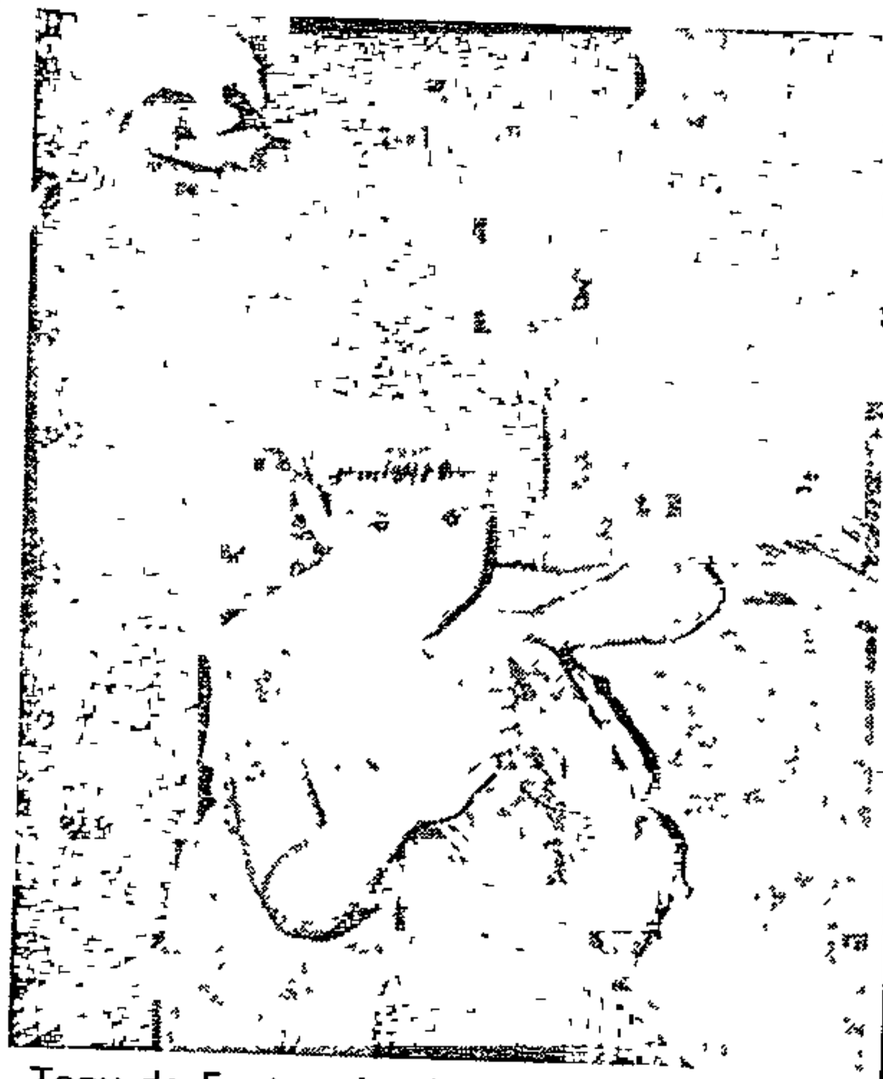
"All I could think of was my little boy I ran up here screaming, sure that my little boy was being burnt alive and I would never see him again

"Fortunately he was playing in the back room and the fire started in the lounge My husband was woken by the smoke and he went and found my little boy who was coughing from the smoke He couldn't breath Then they got out of the flat and the fire engine arrived"

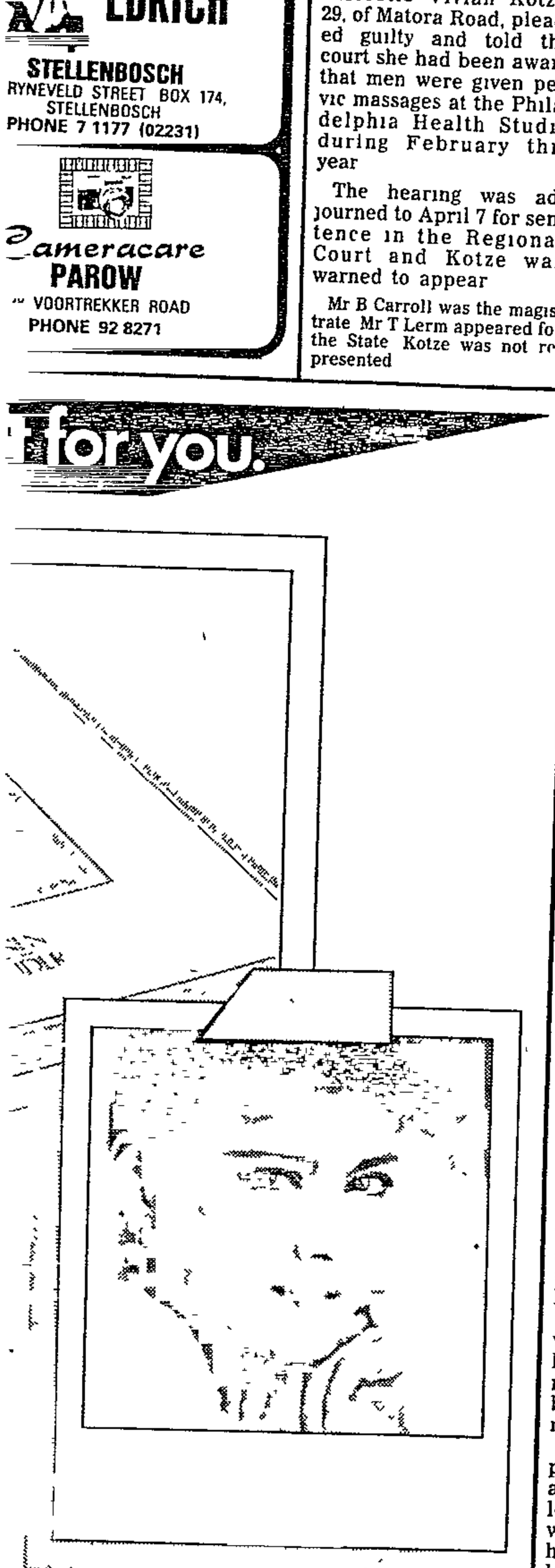
Mrs De Freitas said she thought the fire had been caused by an electrical short The flat had recently been rewired because there had been only one plug when the family moved in

"The only insurance for the flat belongs to the landlord," a distraught Mrs De Freitas said

Other items destroyed by the fire included the television set and telephone



Tony de Freitas, 4, who was playing in the back room at the time of the fire



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City author dies in smash

Staff Reporter

A CITY author and retired teacher, Mrs Josina Magdalena Bergman, 64, died on Tuesday after a collision between her car and a truck at the corner of Wale and

Mrs Bergman, who wrote under the name Jossie Breytenbach, was the author of several educational books and a reading aid for children entitled "Speel-speel die Leesbult Uit" Her most recent novel

4/3/83

Shacks razed, 20 arrests

Staff Reporter

OFFICIALS of the Western Cape Administration Board (WCAB), backed up by uniformed police, tore down 15 wood\and plastic structures and arrested 20 women in a raid on Crossroads yesterday

Later, the WCAB reportedly broke down and burnt a number of plastic shelters which had been erected at the KTC squatter site following the heavy rains in the Peninsula over the past few days

Mr Timo Bezuidenhoud, the Chief Commissioner for Co-operation and Development in the Western Cape, said the structures broken down were "unauthorized"

He said those whose shelters were demolished had just "moved in and built structures" and this "could not be allowed"

Brigadier J H van der Westhuizen, the chairman of the WCAB, said 20 women were arrested for being in the area "illegally"

Mr Bezuidenhoud said he was not aware of a raid on KTC, but residents said a number of WCAB and police vehicles and an armoured vehicle encircled the site while administration board officials tore down their shelters

Today's WOMAN

Newborn baby in the rain

ARGUS 10/3/83 201

By LINDA VERGNANI

A SCRAWNY new born baby has had to spend the first few days of her life exposed to fierce storms at KTC squatter camp

The baby, Mfazwe Bengwa, was born at the Peninsula Maternity Hospital last Friday

By Saturday Mrs Victoria Bengwa was back at the camp with the 2,75 kg infant As Mrs Bengwa's meagre shelter had been broken down by the authorities a few days before she went into labour, she and the baby had to weather the first few nights in the open

The child's father, Mr Mzwabantu Bengu who first came to Cape Town in 1964 said "It makes me very sad to be here The first two nights we didn't have any plastic so we had to cover Mfazwe with blankets and overcoats to shelter her from the rain.

"We managed to keep her dry but two of our other children got soaking wet The little one who was born in 1981 got sick in the rain"

Now the baby and Mrs Bengwa lie in bed in a makeshift tent of plastic which has been draped over a beach umbrella, a rusting iron bed base and wattle branches It is a hazardous place for children — rusty wires poke out at all angles and a paraffin stove blazes on the sodden cardboard floor

Mr Bengwa says he and his wife and seven children shared a house with nine other people "The owner told us to go, so we came here There was no other place for us"

Many of the squatters at KTC have been on the housing list for years They gathered at KTC because they despaired of ever being allocated houses if they did not make their presence felt.

Some have left overcrowded houses voluntararily where they were living as lodgers Others have been thrown out Now they live in tiny hovels — the pathetic remnants of shelters that have repeatedly been broken down by Administration Board officials backed by police with dogs and teargas

Mr Timo Bezuidenhout, Chief Commissioner for Co-operation and Development in the Western Cape says "They must move off the site before they are given accommodation The matter is receiving top priority at Cabinet level but I cannot comment any further"

Last week the camp had its first death when five-month-old Sydwell Nqambi died of gastro-enteritis After his death his mother said "I am so angry We had no place to stay We had only our litle shelters They took them away — and now I have lost my baby"

Despite the Board repeatedly asking the people to move from the site they seem determined to stay

Mrs Patricia Ceku who was born in Cape Town and has lived here all her life says "We decided to come here because we have to push to find a place for our children"

Both her eight-month-old baby and her three-year-old son are at present being treated for tuberculosis Gesturing to her tiny shack of iron and plastic she says "The inspectors broke this down a lot of times The other night we got soaking wet — our blankets are still not dry.

"We feel angry at what is happening but we cannot take any action They do what they do and after that we build our places again"

Mrs Ceku said her husband was on the housing list "Both my husband and myself were born in Cape Town and so were our children We were staying with my mother in law but we were getting fed up because there were 14 of us in a two bedroomed house We had to stay in the dining room where there was no chance of even washing the children"

Nearby the Ceku's, Sarah Qampi and her children crawl out of a shelter less than a metre high Two-year-old Victor has a running nose and a running septic sore on his ear

"We've been here a month now," she says "I've been waiting three years for a house I was lodging with other people but the house was very overcrowded and when I came back from work I would find my children wandering around outside in the rain

"It is terrible being here The inspectors have broken my house three times But I will stay here until I can get a place where my children will have a proper roof over their heads"

Several KTC residents allege the latest raid by "the inspectors" took place on Sunday

Lordman Sotshangane who came to Cape Town to join his wife and children says "On Sunday the inspectors took our plastic It rained all night and my wife who is seven months pregnant got sick and had to be taken to hospital"

Victoria Bengwa and her newborn baby Mfazwe.

"I'm very upset about it"

A woman who is close to tears interrupts "My name is Oriana Mayekiso and I want you to take down my story I have a permit to be in Cape Town and was staying at Old Crossroads but the people rejected me I came here two weeks ago and was staying next to the creche On Sunday the inspectors came and took away my plastic and all my clothes and my children's clothes We have just been left with what we have on Please can you get our clothes back for us"

Asked to comment Mr Bezuidenhout says "I've spoken to my chief inspector and there was no raid on Sunday The Board does not remove clothes and personal belongings anyway So either it's a lie or there is some sort of misunderstanding"

Not registered

● FULL-TIME live-in but "illegal" domestic workers attempting to register their employment in Cape Town are being automatically refused by the Western Cape Administration Board (WCAB), according to the Athlone Advice Office's annual report

The report says "an elaborate appeal against such a refusal is almost always refused, unless the circumstances are exceptional" The report adds the little-known fact that 80 to 86 percent of domestic workers are their families' sole breadwinners

greetings — Sash style

on the year's ac- to delegates at the onal conference of Black Sash at the end

Christmas cards people to remem-

Families of those of died in detention

Those in resettle- camps

● Those who been rendered landless and without work

● Those 8 500 000 South Africans who have had citizenship taken away from them

● Those who are migrant workers and the families from whom they are separated

The Transvaal region also reported that they sent a letter inviting the West Indies cricketers to the advice office With the invitations they included the Sash magazine which contained resettlement information

"The letter was not acknowledged by the cricketers", Mrs Coleman's report said

l-up'

ew, "there should need for a massive y establishment''

conscripted army then necessary, it be because of fail- respond to the de- of South African

ther resolution ed the Progres- ederal Party for ing the recent raid into Maseru

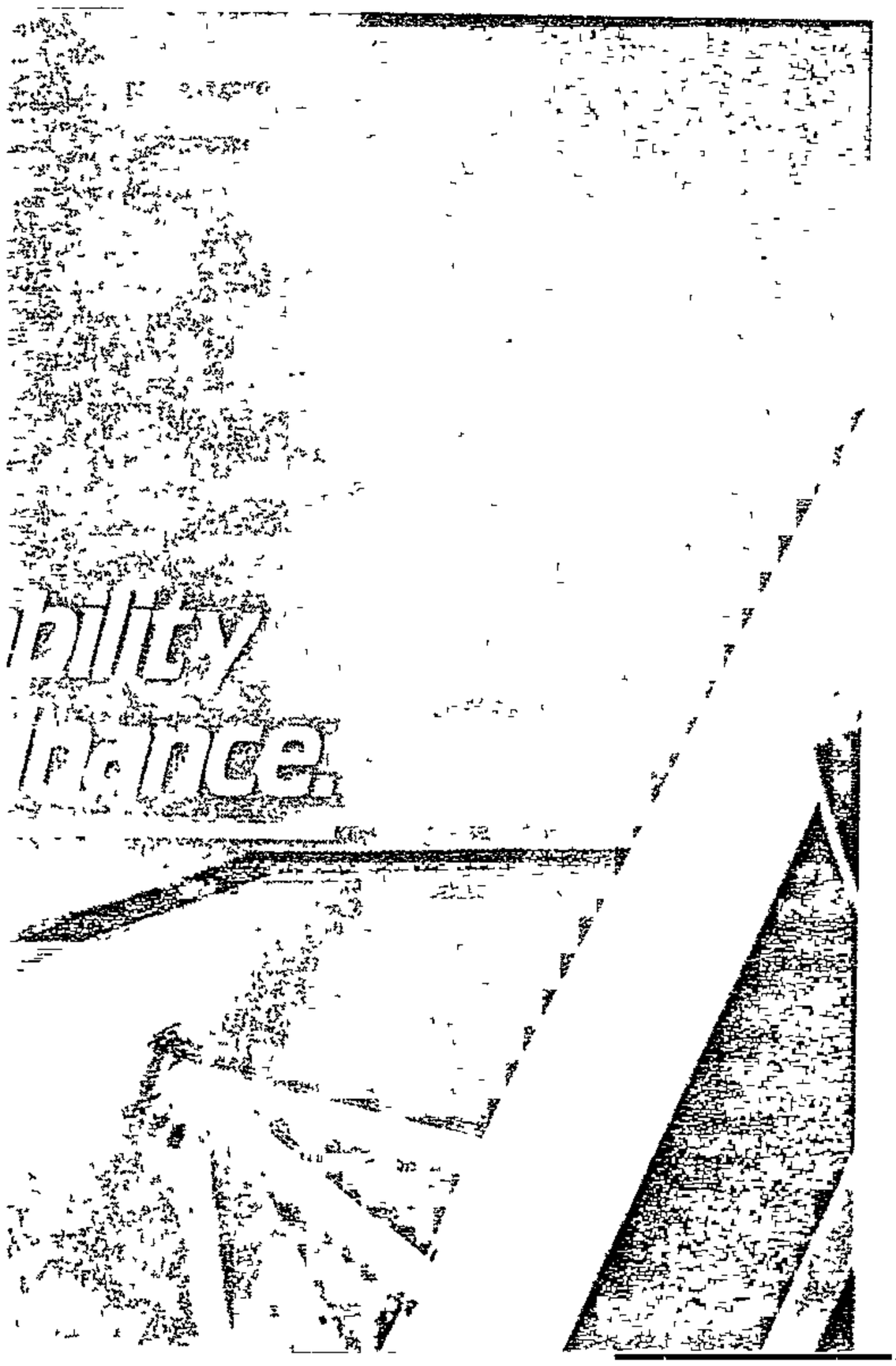
Death in detention: Laws come under fire

Staff Reporter

THE death in detention of Mr Thembuise Simon Mndawe had once again exposed the brutality of the security laws, said Mrs Audrey Coleman, chairman of the Transvaal region of the Black Sash

Mrs Coleman was proposing a motion at the national conference of the Black Sash held in Cape Town over the weekend

The motion, which was unanimously adopted, called for the abolition of all security laws and the unconditional release of detainees



Silent minute for deaths in detention

Staff Reporter

A MINUTE of silence for people who have died in detention in South Africa was observed at the opening of the Black Sash national conference in Cape Town

Fifty-four black sash members filed on to a platform each wearing the name of one of the dead on their sashes

Opening the conference yesterday, Dr Allan Boesak, president of the World Alliance of Reformed Churches, said the eighties had brought the slow but sure evolvement of South Africa into a national security State

HUMAN RIGHTS

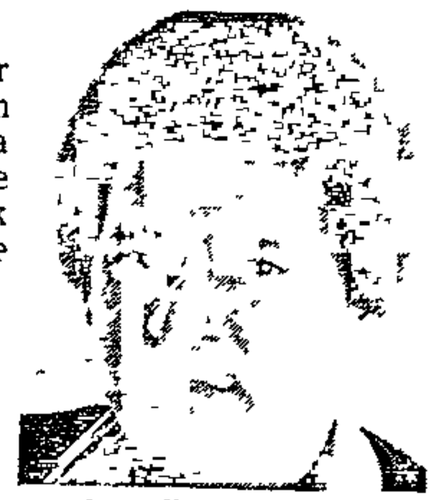
"At almost every level we are taught to accept the security of the State is supreme All other things — human rights, freedom and democracy are of secondary importance

"Even worse, some give the impression that to hold on to these values is in itself a dangerously subversive activity which the State dare not tolerate

"In the national security State there is a compulsive desire to control all of life and to make as much as possible in society subject to the dictates of the dominant ideology"

Mrs Sheena Duncan, national president of the Black Sash, said the past year had brought them face to face with the harsh realities of the national security State

"The shape of the total strategy has become clear as the concept of a total onslaught is created for us, requiring also the creation of the image of an enemy"



Dr Allan Boesak

Black nurses 'rejected'

ARGUS 14/3/83

Labour Reporter

IT WAS impossible for African women to train as nurses in the Western Cape, said Mrs Di Bishop, Progressive Federal Party MPC for Gardens and delegate to the national conference of the Black Sash

Addressing delegates on the effects of the coloured labour preference policy in the Western Cape, she said that despite the shortage of nurses in the Cape, there had been a "sustained refusal" to admit African women for training in Cape Town, even if they had residential rights

165 REJECTED

Of the 165 African residents who applied for training as nurses at Cape Provincial hospitals in the first half of 1982, none was accepted

● Dr Margaret Nash, of the Western Cape region of the Black Sash, said economic stagnation in the Western Cape was forcing skilled coloured workers to seek jobs elsewhere

Just sit back — and save rands with The Argus

IT'S NOT OFTEN you can sit back, put your feet up — and save

17/3/83

Fewer migrant workers in Cape

Labour Reporter

THERE has been a large drop in the number of migrant workers employed in the Western Cape, according to figures released by the Western Cape Administration Board (WCAB) yesterday

The figures, which were supplied by the WCAB's chief liaison officer, Mr Gert du Preez, show that the total number of approved applications for contract workers from Transkei and Ciskei fell from 69 233 in 1981 to 60 555 in 1982

This is a drop of 8 768 or 12½ percent In December alone the number was down 3 467 in comparison to the figure for December 1981

The figures have been interpreted as a further sign of a "squeeze" on contract workers, whose numbers have dropped consistently over the past few years, as well as an indication that the recession is taking its toll on jobs in the region

Statistics released by the Department of Manpower last month showed that the number of registered unemployed in the Western Cape increased from 2 329 to 4 768 between January, 1981, and January, 1982

But this includes mainly white and coloured people looking for a job and excludes migrant workers who have to return to the Ciskei and Transkei when their contracts expire

Transkei contract workers, of whom there were 4 333 less last year, cannot claim unemployment insurance, while Ciskei contract workers, of whom there were 4 345 less, have had their unemployment insurance benefits preserved until the end of next year

A breakdown of the figures shows the approved applications for Transkei contract workers fell from 58 154 to 53 821, while the number for Ciskei contract workers fell from 11 079 to 6 734

Illegal employment of Blacks

486 Prof. N. J. J. OLIVIER asked the Minister of Justice:

(1) Whether any persons were (a) prosecuted for and (b) convicted of illegally employing Blacks in the area of the Western Cape Administration Board in 1977, 1978, 1979 and 1980, respectively, if so, how many in each category in each such year,

(2) what was the total number of Black employees involved in each of these years?

The MINISTER OF JUSTICE.

Separate statistics in respect of the relevant offences are not maintained The gathering thereof at this stage is a comprehensive task which can unfortunately not be undertaken

Kuruman Assembly centre speeds labour recruitment

19/3/83 S. Post 201

KURUMAN — An "assembly centre" was opened at Kuruman in the Northern Cape yesterday, where employers will be able to recruit labour in a "one-stop service"

Speaking at the opening ceremony, the Deputy Minister of Co-operation and Development, Dr George Morrison, said the R105 000 centre represented "the implementation of certain of the recommendations of the Riekert Commission, albeit in amended form"

Formerly, Dr Morrison said, the employers of the area had to follow a laborious route from one office to the other, often far apart, to get permission to recruit labourers, properly register them, pay the required fees and so on

"Your system must be streamlined," Dr Morrison said

Assembly centres on the borders of the national states and on the main traffic routes were examples of such streamlining

The centre, which is on the border of Bophuthatswana, was concerned with "one of the more vital aspects of a free labour market, the geographic mobility of labour"

All the functions were now concentrated in one place, bringing together the work-seeker and the employer in a "one-stop service", Dr Morrison said

Recruitment could be done in hours

"Even the speedy issuing of Bophuthatswana identity documents and citizenship certificates can be arranged," the Minister said

(201) (1/1) C. Times

No work for 3 022 blacks

19/3/83

Labour Reporter

CITY employers were officially prevented from employing 3 022 blacks last year because of the coloured labour preference policy, according to figures released by Mr N J Hechter, the divisional inspector of labour.

However, in the rural areas of the Western Cape, not a single application to employ blacks was turned down.

In terms of the coloured labour preference policy, employers in the Western Cape cannot employ blacks unless there is no coloured labour available.

Mr Hechter said that with the recession causing an increase in the number of unemployed coloured people, the policy was being even more strictly applied.

Employers made 5 155 applications to employ 52 635 blacks in the Peninsula last year. Of these, 505 applications for 3 022 posts were turned down.

Hansard Q.61 854

(201) 26

29/3/83

Contract workers

545 Dr A L BORAINE asked the Minister of Co-operation and Development

How many Black contract workers were working in the Cape Peninsula in 1982?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

23 791

Deportations

548 Mr K M ANDREW asked the Minister of Co-operation and Development

(1) How many (a) men, (b) women and (c) children were deported from the Western Cape to Ciskei in each month of 1982,

(2) how many (a) men, (b) women and (c) children were deported from the Western Cape to Black states other than Transkei and Ciskei in each month of 1982?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

(1) (a) Nil

(b) Nil (c) Nil

(2) (a) Nil

(b) Nil

(c) Nil

...ay's raid on ... at 3.30am Mr ...eez the chief ...icer of the ...d about 22 ... arrested for ... passes or for ... area illegal- ...out 110 most ...gal' people, ...d for unlaw- ...pying a site ... that specified ...mits or certifi-

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... first time any- ... arrested at ... regulation — ... (v) (1) of 1968 ... arrests and ... began in ear-

... arrests of 125 ... males and 64 ... a number of ... e left at the ... them were a ...ar-old twins ... Maboyi Gon- ... parents are ... May 2

being in a prescribed area for longer than 72 hours 28 were fined a total of R1 150 all suspended while the rest were remanded and are to appear next week

Of the 110 charged under Regulation 47 (1) (v), 22 pleaded guilty Two were fined R20 (or 20 days), while 20 were fined R10 (or 10 days)

The remaining 88 pleaded not guilty, were refused bail and were remanded

● The Women's Movement for Peace yesterday sent a telegram to Dr Piet Koornhof, the Minister of Co-operation and Development, urgently requesting him to reconsider the decision to withdraw the promise of 2 500 sites for the KTC people

● Picture, page 13

Too late for classification

LOST

BLACK Maltese terrier licence no 19138 Reward ☎ 44 4200

...ful peaceful performance of street theatre

Contract worker wins right to live in City

Cape Times 22/4/83 (201)

Supreme Court Reporter

A CONTRACT worker was granted permanent residence rights by a Supreme Court judge yesterday because he had worked in Cape Town for a period of 10 years and lived in the area for 15 years — in spite of three absences of up to eight months

Mr Mdandweni Mthiya, a worker for Chick's Scrap Metals, issued the application against the Administration Board of the Western Cape and the Municipal Labour Officer, Langa during March He had previously applied unsuccesfully for permanent residence rights

He was born in Engcobo, Transkei and began working for Chicks in January 1967 Since then he had renewed his contract of employment during his leave each year, after his company had obtained the authority to do so

He claimed in papers that on three occasions he was granted long leave — for six months during 1969-70, for four months in 1976-1977 and for eight months during 1979-1980

The respondents claimed that his long absences meant he had not worked or lived continuously in Cape Town for the required time They claimed that his employment contract was on an annual basis During his periods of absence, his contract had expired and he was not employed by the company

Giving reasons for the order, Mr Justice Tebbutt said that working under a system of separate contracts did not debar a man from being entitled to residence rights

Being absent from his place of employment periodically could also not disqualify him from gaining these rights

"A man cannot be expected to work day in and day out for 10 years without a break of any kind" the judge said

A man could be ill or injured and be required to leave the area for a lengthy period If the empoyer agreed to his absence, he could not be said to have abandoned his empoyment, he said

"Every man is entitled to a holiday And during his holiday break he might go outside the prescribed area He is, after all, entitled to see his wife and family from time to time."

Mr Mthiya had established his continued employment by the fact that arrangements for the renewal of his contract had been made before he returned to Transkei on leave each year The length of the breaks made no difference as the employer had agreed to the extended absences

Mr J J Gauntlett instructed by Mallinick, Ress, Richman and Closenberg, appeared for Mr Mthiya Mr L R Dison, SC, assisted by Mr J T Schoombee, instructed by Bornman and Hayward, appeared for the respondents

NO tour of

Cape Times 22/4/83

2, 1983

25 CENTS (Incl tax)

Times

Furfinder Inside

Killings: Guilt 'not proved'

Cape Times 22/4/83

Supreme Court Reporter

THE actions of four men, charged with murder and terrorism with Mr Oscar Mpetha and 13 others, did not contribute to the death of two men in Crossroads during 1980, it was submitted in the Supreme Court yesterday

Mr J Whitehead, for the four accused, submitted that the State had failed to prove any causal connection between the men's actions and the death of the men It had also failed to prove that they were part of a common purpose to murder the men, he said

Mr Morgan Makubala, Mr Peter Kube, Mr Johannes Hlapo and Mr Jeffrey

guilt could be drawn from the four men's failure to testify If the facts favourable to the men and to the State, contained in their statements, were taken into account with other evidence against them, a reasonable doubt in respect of their participation arose, he said.

Mr Makubala had admitted in his statement to "throwing stones at the car", he said Mr Kube had admitted being present when a man was killed, but claimed he had taken no part in it and had thrown no stones

Mr Hlapo and Mr Baardman had admitted in their statements that they had thrown stones at

Rights of workers 'not recognised'

AKGUS 25/4/83

Labour Reporter

CONTRACT workers entitled to permanent residence in urban areas increasingly had to go to the courts to establish their legal rights, according to the president of the Black Sash, Mrs Sheena Duncan

This was because the administration boards refused to recognise these rights, she said

Referring to a Supreme Court decision last week which granted rights to Mr Mdandweni Elliot Mthiya, a Cape Town contract worker, Mrs Duncan said most people were being denied their legal rights by the administration boards

Mr Mthiya, a general worker at Chicks Scrap Metal, told the court he had been continuously employed with the company since January 1967

Entitled

Mrs Duncan said workers who began their employment before April 1, 1968, when labour regulations made it compulsory for migrant workers to renew their contracts in the homelands, should be automatically entitled to urban rights after 10 years with one employer

Last week's case was different from the Rikhoto and Booi cases where the Supreme Court ruled that their annual return to the homelands could not be regarded as a break in continuous employment, Mrs Duncan said

However, others have welcomed the judgment and have urged the administration boards not to ignore the ruling

A General Workers' Union spokesman said the union had "hundreds of workers who had worked for 10 years for one employer"

"A large number of workers have already applied for permanent rights but the administration board has refused to implement the Rikhoto judgement," the spokesman said

Many more

An African Food and Canning Workers' Union spokesman said the union welcomed the judgment but was concerned that workers should have to go to court to establish their rights

Last year the Cape Division of the Supreme Court ruled that an AFCWU member, Mr Stanford Booi, who had worked for Fattis and Monis for more than 10 years, was entitled to urban rights The union plans to take the cases of another eight workers to court, although they say there are "many more" in the same position

Mr Ken Andrew, PFP spokesman on black affairs in the Western Cape, said he hoped the Department of Co-operation and Development would acknowledge the "correctness" of Supreme Court judgments and grant the same rights to workers who qualified without them having to go to court

Mrs Sheena Duncan

ppenheimer idorsed 'P approach'

...ical Staff

...ader of the Offi... ...sition, Dr F van ...bert, today wel... ...hat he saw as an ...ent by industri... Harry Oppenhei... Progressive Fed... ...arty tactics in ... with the pro... constitutional

...bert was react... interpretations on an interview ... Oppenheimer ... at the week...

...al Party sup... newspapers have ...ed Mr Oppen... remarks as be... ...ticism of what ...eive to be the attitude of the

...bbert said Mr ...ner had stated

"There is nothing in this that is at variance with our actions

"It just boggles the imagination as to what lengths some sections of the Nationalist Press will go to try to give some credibility to extraordinary and far-fetched theories about what is going on in the Opposition

"They are obviously becoming victims of their own propaganda"

Dr Slabbert said a fundamental mistake was being made in not seeing the difference between the approval or non-approval of a constitutional amendment Bill and participation in the constitution

City is 'top holiday spot'

West will be attacked on SWA

Argus Foreign Service

PARIS — The Western contact group expect to find themselves in the dock with South Africa here this week

While Pretoria will be charged with the customary intransigence in refusing to let go of SWA/Namibia, the Five will stand accused of letting the apartheid regime get away with it

The United Nations Council for Namibia, which is organising the five-day conference which started at the Unesco headquarters here today, has gone to much trouble and expense to make a prestige event of it

Advertisments in quality newspapers around the world have reiterated the council's claim to have been the territory's

Miners' take-home pay

AS at the end of last year some 15 000 Ciskeian and 35 000 Transkeian workers were employed on SA's gold mines — roughly some 35% of the mines' total black workforce

Average take-home pay, said a Chamber spokesman this week, was R284 a month (which reflects a 1 300% increase since 1970) To this, he said, should be added free accommodation and food, valued at R96,50

The Chamber's mines provided an opportunity for the repatriation of pay by their mineworkers (in the case of workers from Mozambique and Lesotho this was compulsory and fixed at 60% of the annual wage), and last year miners sent home a total of R305 million

While it was difficult to estimate what proportion of this was sent to families in Transkei and Ciskei a figure of some R100 million may be realistic, the spokesman said (From figures available it appeared that in 1978 workers from these areas sent home R19 million out of a total of R130 million)

Commenting on wages generally, the Chamber spokesman said the 1 300% increase in wages for unskilled workers had closed the gap between skilled and unskilled wages from some 21 1 in 1970 to 5,8 1 at present

The average cash wage paid on the mines to unskilled workers, he said, compared favourably with the R268-a-month average wage in the country as a whole — particularly once the accommodation and food allowance was added to the cash wage

By way of comparison in 1982 the average unskilled wage in manufacture was R342, in construction R268, and in retailing R179

UIF: Unions and employers to meet

CAPE TIMES 13/5/83

By MARTINE BARKER

REPRESENTATIVES of five trade unions today meet East London employers to discuss the recent implementation of the transfer of Unemployment Insurance Funds (UIF) from South Africa to Ciskei Venda and Transkei

At the beginning of May, contract and commuter workers who were cut off from the UIF as each homeland took "independence" began having contributions to the South African UIF deducted from their wages again

The change from their previous participation in the UIF is that they will now have to return to their respective homelands if they want to claim benifits

A statement released yesterday by the General Workers Union, the South African Allied Workers Union, the Media Workers Association of South Africa, the African Food and Canning Workers Union and the National Automobile and Allied Workers Union said the transfer of funds had caused considerable reaction among workers

The resolutions taken by workers at a mass meeting last weekend would be conveyed to East London employers through the representatives of the local chambers of industries and commerce at the meeting

A telex to the Minister of Manpower, Mr Fanie Botha, proposing a meeting with a delegation of workers on the UIF issue is being prepared

Test case for pass book convictions

Cape Times 14/5/83

Own Correspondent

PORT ELIZABETH — A case, which could have far-reaching consequences in determining whether citizens of the independent black states can be convicted of pass law offences, came before the Grahamstown Supreme Court yesterday.

The case was referred by the Port Elizabeth commissioner who questioned whether four men, convicted and fined for not being in possession of their reference books, could be prosecuted if they were Ciskeian citizens

Mr Justice Mullins and Mr Justice Jennett reserved decision on whether to hear the review after pointing out that the original charge-sheets made no mention of the accused being Xhosa or Ciskeian citizens

Mr Justice Mullins asked whether "very important and far-reaching matters" could be decided on the inadequate information before the court

"We are not trying to avoid the issue, but we are not seeking to argue matters purely on academic grounds"

Mr Richard Quinn, who will argue against the convictions if the case is reviewed, said charge-sheet copies he had received indicated the accused were Xhosa The Transkei and Ciskei Acts indicated all Xhosas were citizens of one of these states, he said

There had to be considerable doubt whether a citizen of a sovereign independent state like Ciskei could be convicted of a pass law offence, he said, and even if he could be convicted, different considerations applied to South African black citizens and independent homeland citizens

Mr Quinn submitted that in cases of unrepresented black people appearing before the commissioner, he should determine their language and citizenship and record pleas of not guilty on their behalf

The accused, who were fined up to R10 in February, are Ntso Kolomnqamisa, Patrick Njokweni, Wilson Booi and Siphiwo Mahlulo

201

1 000 sites for 'legal' squatters

Staff Reporters

ABOUT 1 000 black families — among them squatters from the KTC camp — are to be allocated serviced sites at the planned new black area at Drift Sands near Mitchells Plain

Dr Piet Koornhof, the Minister of Co-operation and Development, told Parliament yesterday he hoped this would be done within four weeks

Replying to a question from Mr Ken Andrew, the PFP MP for Gardens, Dr Koornhof said the plan would apply only to KTC squatters "legally" in the Peninsula and that the demolition of temporary shelters at the KTC camp would continue

Later, in a statement issued jointly with Mr E B Lubelwane, the chairman of the Cape Town Community Council, Dr Koornhof confirmed the scheme and said the new township at Drift Sands would from now on be called "Khayelitsha" ("New Home")

At the KTC site itself, squatters held plastic sheeting over their heads for shelter against the rain as they huddled together and sang

They were watched by officials of the Western Cape Administration Board (WCAB) and police, who have been on the site since Monday

Earlier, the WCAB officials tore down and burnt plastic shelters which squatters had put up during the night.

Mr Louis le Grange, the Minister of Law and Order, General Johan Coetzee, the head of the security police, and two senior police officers visited the site about 11am in a black Mercedes Benz They left after observing the situation from a distance for about 10 minutes

Meanwhile, a large national company has donated a litre of milk each day to each child at the camp, while a family with two sick children has been taken in by a white family Most of the squatters have continued to refuse assistance

Invitation

Mr Brian Bishop, Western Cape chairman of the South African Institute of Race Relations and a member of the executive council of the Cape Town Chamber of Commerce, said the institute was compiling a list of 50 prominent Capetonians who will be invited to visit the KTC camp and speak to the people

Mr Bishop said "As Capetonians we cannot remain uninvolved When the Allies liberated the concentration camps in 1945, they forced people from nearby towns to walk through the camps

"There is a lot of goodwill among Capetonians and we must display this to our fellow citizens at KTC, to the government and to the world We must unite our influence to stop this brutality"

● 'Koornhof to blame' for raids, page 11

Cape Times 21/5/83

Ciskei worker plan 'barbaric'

By PHILLIP VAN NIEKERK
Labour Reporter

LOCAL trade unions have reacted with outrage to a statement by the Ciskei Minister of Manpower, Chief Lent Maqoma, that a form of disciplinary training based on military lines could be introduced for migrant workers who break their contracts

Chief Maqoma told the Ciskei Parliament last week that the Ciskei Government wanted to discipline migrant workers who broke their contracts without valid reasons He said labour was Ciskei's "black gold" and a main contributor to Ciskei's national income

Sometimes contract workers did not fulfil their part of the bargain and either absconded or were lazy, he said

He had discussed the plan with Lieutenent-General Charles Sebe, Ciskei's head of State security, he said

The head of the Cape Chamber of Industries, Mr Jack Roos, said relations between management and contract workers were good and he was not aware of wholesale breaking of contracts However, there were "no doubt good grounds for Chief Maqoma making such a statement"

Mr Roos said the disciplinary training would be a good thing if it would improve the efficiency of workers

The general secretary of the African Food and Canning Workers' Union, Mr Jan Theron, said the statement referring to black gold could have been made by a slave trader He called the proposal "barbaric"

The General Workers' Union said in a statement that the proposal would not help solve South Africa's industrial relations problems and that such repressive measures gave the lie to all the government's talk of reform

"It highlights the way the bantustans are used by the South African Government to control the increasing strength of workers," he said

Appeal against worker's right to residence

BLOEMFONTEIN — The Appeal Court in Bloemfontein reserved judgment yesterday on an appeal against the judgment giving a contract worker the right to remain in the Germiston area

The lower court judgment attracted much attention when it held that Mr Mahlolo Tom Rikhoto, despite being a contract worker, had satisfied the requirement of continuity in work for at least 10 years to qualify to stay in the prescribed area of Germiston

In the Witwatersrand Local Supreme Court on September 22, 1981, Mr Justice B O'Donovan declared that Mr Rikhoto was entitled, in terms of Section (10)(1)(b) of the Blacks (Urban Areas) Consolidation Act, to remain in the prescribed area

Yesterday's appeal was brought by the East Rand Administration Board and the Municipal Labour Officer, Germiston

The appeal was heard by Mr Justice Wessels, Mr Justice Miller, Mr Justice Botha, Mr Justice Van Heerden, and Mr Justice Grosskopf (acting Judge of Appeal)

For Erab and the labour officer, submissions were made by Mr R Kruger, SC, and Mr D E de Flamingh

Erab submitted it was irrelevant that the employer — an engineering works — and Mr Rikhoto had a common and continuous intention that Mr Rikhoto would remain in service There had to be a lawful service contract

The lower court was said to be incorrect in saying Mr Rikhoto renewed his contract during his leave, the renewal was a formality, and the requirement of uninterrupted work for 10 years had been fulfilled

In the circumstances it was clear that Mr Rikhoto had to leave the particular area within 72 hours of the signing off of his book and cancellation of his contract, otherwise he would be arrested and repatriated Thereafter he had to conclude a new contract

It was submitted that the time that Mr Rikhoto was removed from the area could in no way be regarded as a holiday as he was compelled to leave the area unless he got the necessary permission from the commissioner

Mr A Chaskalson, SC, with Mr K S Tip, for Mr Rikhoto, submitted that Act 67 of 1964 and Regulation 74 of 1968 did not, in specific terms, prohibit any black employees from obtaining a qualification under Section 10(1)(b) of the Urban Areas Act — Sapa

Judgment was reserved — Sapa

Ruling favours contract workers

Cape Times 31/5/83

By PHILLIP VAN NIEKERK
Labour Reporter

IN A MAJOR test case paving the way for thousands of contract workers to live in the cities with their families, the Bloemfontein Appeal Court yesterday granted permanent city residence rights to a contract worker, Mr Mehlolo Tom Rikhoto, who had worked for one employer for longer than 10 years.

The denial of these rights to contract workers has been one of the cornerstones of the system of influx control since 1968, when a government regulation made it virtually impossible for contract workers to gain the right to live permanently in the cities

Lawyers, trade unionists and civil-rights groups yesterday welcomed the decision They agreed that it established the rights of all contract workers in a similar position as Mr Rikhoto to live in the cities with their families, choose where they want to work, change jobs freely and move from city to city

The court held that Mr Rikhoto qualified for permanent residence rights in the urban areas even though as a contract worker he had been employed on yearly contracts

It decided unanimously to reject with costs an appeal by the East Rand Administration Board against a judgment in the Rand Supreme Court in September, 1981, granting Mr Rikhoto the right to live in the cities

In terms of the Blacks (Urban Areas) Consolidation Act, contract workers are entitled to permanent residence in the cities — Section 10 (1) (b) rights — if they have worked for one employer continuously for 10 years or for several employers for 15 years

The 1968 regulation, which requires contract workers to return to the

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Cape Times 31/5/83

(A) From page 1

homelands and sign yearly contracts, has been used by the authorities to argue that contract workers could not work "continuously" for one employer for longer than a year

Thousands involved

There are unofficially about 12 000 contract workers in Cape Town — which has a relatively small contract-worker population — and tens of thousands more throughout the country who could qualify on the same basis as Mr Rikhoto

Both the General Workers' Union and the African Food and Canning Workers' Union, who have large contract-worker memberships, warned that there would be an angry response from workers if the government tried to nullify the ruling by changing the legislation

Dr Piet Koornhof, Minister of Co-operation and Development, who was not available for comment yesterday, threatened at the Cape Nationalist congress East London in Octob- last year to introdu- legislation overridi- the decision

And in its presen form, the proposed C- derly Movement ar- Settlement of Black Pe- sons Bill will take the- rights away

There is also concer that the various admir- stration boards, inclu- ing the Western Ca- Administration Boa- (WCAB), could simpl refuse to apply the ru- ing

There have been tw- similar cases in th Cape Supreme Court the Booi and Mthiy cases — where contra- workers have won per manent city rights F- time the WCAB argue- that they could not apply the rulings as the- were waiting for the out- come of the Rikhoto case

The Black Sash has more than 800 applications pending, with the WCAB, while the GWU, the AFCWU and several major employers have also lodged hundreds of applications

Ruling favours contract workers

CAPE TIMES 31/5/83 200 206 339

By PHILLIP VAN NIEKERK
Labour Reporter

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Dr Piet Koornhof, Minister of Co-operation and Development, who was not available for comment yesterday, threatened at the Cape Nationalist congress in East London in October last year to introduce legislation overriding the decision

And in its present form, the proposed Orderly Movement and Settlement of Black Persons Bill will take these rights away

There is also concern that the various administration boards including the Western Cape Administration Board (WCAB), could simply refuse to apply the ruling

There have been two similar cases in the Cape Supreme Court — the Booi and Mthiya cases — where contract workers have won permanent city rights Each time the WCAB argued that they could not apply the rulings as they were waiting for the outcome of the Rikhoto case

The Black Sash has more than 800 applications pending, with the WCAB, while the GWU, the AFCWU and several major employers have also lodged hundreds of applications

Workers affected by Court ruling on rights

Mercury Reporter

ABOUT 5 percent of workers living on the premises of their employers, and workers living in hostels administered by the Port Natal Administration Board, could be affected by an Appeal Court decision on residence rights

This is according to Mrs Jill Nicholson, Black Sash Office supervisor

'The prescribed areas are those under the board's control — Chesterville, Lamontville, hostels and on-premises living,' Mrs Nicholson said

Migrants

'The Port Natal Administration Board is trying to implement the old ruling that if you lived in a hostel and you lost your job you were sent back to the area where you came from But under Section 10 (1) (b) of the Black Urban Areas Act, if you lost your job you had the right to stay and look for work in an urban area,' she said

Black migrant workers can live in cities only if they have worked for one employer for more than 10 years or have resided in that area for more than 15 years

This was revealed in an Appeal Court judgment on Tuesday which upheld the right of a Germiston migrant worker, Mr Mehlolo Tom Rikhoto, to live permanently in the city with his family

Mr Rikhoto had worked over a period of more than 10 years for a single employer in Germiston Although he had returned home to renew his contract each year, his employer had regarded this as part of his annual paid leave and he therefore had worked continuously for 10 years

Migrants: WCAB 'waiting'

By PHILLIP VAN NIEKERK
Labour Reporter

THE Western Cape Administration Board (WCAB) has delayed implementing the Rikhoto Appeal Court decision until it has studied the judgment.

(The Rikhoto decision opens the way for tens of thousands of migrant workers to live with their families in the cities)

The delay was severely criticized in Cape Town yesterday and several trade unions warned of possible labour unrest if the government attempted to override the judgment

'Far-reaching'

Dr Piet Koornhof, the Minister of Co-operation and Development, said last night that the matter, which had "far-reaching implications", was receiving his "urgent attention"

The Appeal Court in Bloemfontein granted Mr Mehlolo Rikhoto, a Germiston contract worker, the right to permanent residence in the cities because he had worked one employer for more than 10 years

The decision has been seen as destroying one of the foundations of the government's policy of influx control

It is understood that more than 1 000 applications for permanent rights in Cape Town have been lodged with the WCAB already

Several migrant workers who went to the WCAB offices in Langa yesterday to get their passbooks endorsed for permanent residence were turned away They said officials denied knowledge of the judgment.

Mr Gert du Preez, the chief liaison officer for the WCAB, said the board still had to study the full judgment and were awaiting a directive from the Department of Co-operation and Development

However, a spokesman for the East Rand Administration Board (ERAB), which contested the Rikhoto case, said it would have no choice but to grant permanent residence rights to those whose circumstances were similar to Mr Rikhoto

The Black Sash has made an urgent appeal to all people who have worked as contract workers for more than 10 years, or have been "legally" in the area for 15 years, to consult the Athlone Advice Office or to demand their rights at WCAB offices

There is widespread fear that the government could be contemplating an amendment to the legislation to cover the loophole which the the Rikhoto case has opened

Mrs Sheena Duncan, the national director of the Black Sash, said the WCAB should follow the example of the ERAB

Mr Ken Andrew, the PFP MP for Gardens and spokesman on black affairs in the Western Cape, said it was the duty of the department to issue the necessary instructions immediately as "tens of thousands" of people were affected

● Leading article, page 12

NP moves to resist govt on migrants

CAPE TIMES 3/6/83

Political Staff

THERE are moves afoot in the National Party caucus to resist any bid by the government to circumvent the historic Appeal Court ruling on migrant workers, according to informed sources

Although strong rumours that the government has already prepared legislation which would effectively nullify the landmark judgment could not be confirmed yesterday, a small but influential group of National Party MPs who have long advocated a "normalization" of so-called illegal blacks at present in the cities are preparing to resist such attempts

All the Minister of Co-Operation and Development, Dr Piet Koornhof, has been prepared to say on the judgment so far is that the government is giving its "urgent attention" to the matter and that an announcement would be made only after thorough consideration

Dilemma

However, it became clear yesterday that the government is facing a major dilemma in dealing with an Appeal Court ruling which if implemented would open the way for tens of thousands of migrant workers to live permanently in the urban areas with their families

If the government abides by the judgment, it would effectively nullify a 1968 regulation which blocks the majority of migrant workers from qualifying for permanent status in the cities regardless of how long they have lived and worked there, thus disqualifying them from the coveted Section 10 (1) (b) rights.

This would be a major blow to the government's influx control policy

Advice

If, on the other hand, the government were to circumvent the Appeal Court ruling in the case Rikhoto vs the East Rand Administration Board by amending the Black (urban areas) Consolidation Act of 1945, it would go against the advice of some of its most influential advisers

The claim of migrant workers to these rights was endorsed in the key Riekert Report in 1978 which recommended that the presence of blacks in the urban areas should be regulated by the availability of employment and housing

A government bid to circumvent the Rikhoto ruling would also fly in the face of the recommendations of the Grosskopf Committee which was set-up to rescue Dr Koornhof's ill-fated "new deal" legislation for urban blacks launched in October 1980

Residence rights

The Grosskopf Committee recommended that contract workers who had worked in the city for five years should qualify for permanent residence rights

At the National Party's Cape congress in East London last year, Dr Koornhof indicated that the government was planning to amend existing legislation to circumvent the Komani and Rikhoto rulings

The matter was not raised at the NP caucus meeting on Wednesday but is likely to be discussed at next week's meeting

City firms back migrant staff

By PHILLIP VAN NIEKERK
Labour Reporter

AT least 10 major Cape Town firms are backing applications from their migrant workers for permanent city residence rights following the Rikhoto Appeal Court judgment in Bloemfontein this week.

And the president of the Federated Chamber of Industries (FCI), Mr Rod Ironside, has made a plea for the government to implement the judgment.

Mr Ironside said the FCI, which represents industry throughout the country, believed that "if the law and the courts mean anything, then obviously we would expect this judgment to be followed through"

The General Workers' Union (GWU), which represents thousands of contract workers in the Western Cape, has condemned the delay by the Western Cape Administration Board (WCAB) in implementing the decision

Mr David Lewis, general secretary of the GWU, said "It is interesting that the WCAB, which justified its excesses at KTC by insisting that inhumane laws should be respected, should now be unwilling to implement a decision of the country's highest court."

Meanwhile, hundreds of migrant workers — many, assisted by their employers — yesterday began receiving their city rights from the East Rand Administration Board (Erab) However, other Administration Boards — including the WCAB — are still not enforcing the judgment, in spite of growing requests from employers to do so

Spokesmen for some of the City companies who are assisting their workers said they had already been approached by their workers last year following the earlier Rikhoto Supreme Court case and two similar judgments in the Cape Supreme Court

They had been told by the WCAB then that they were waiting on the Rikhoto Appeal Court judgment

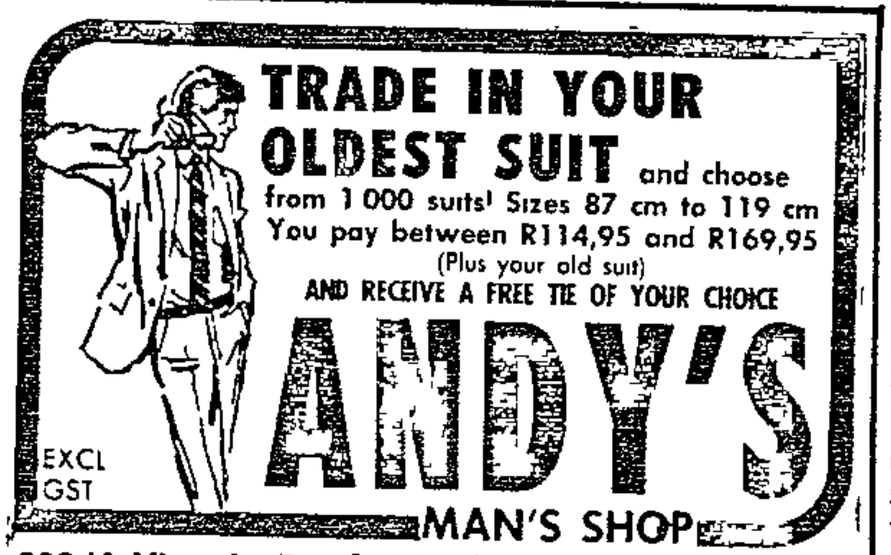
They said they were now resubmitting their applications and "chasing them up" with the WCAB Among the companies involved are Murray and Roberts, Fattis and Monis, South African Breweries and R H Morris Construction

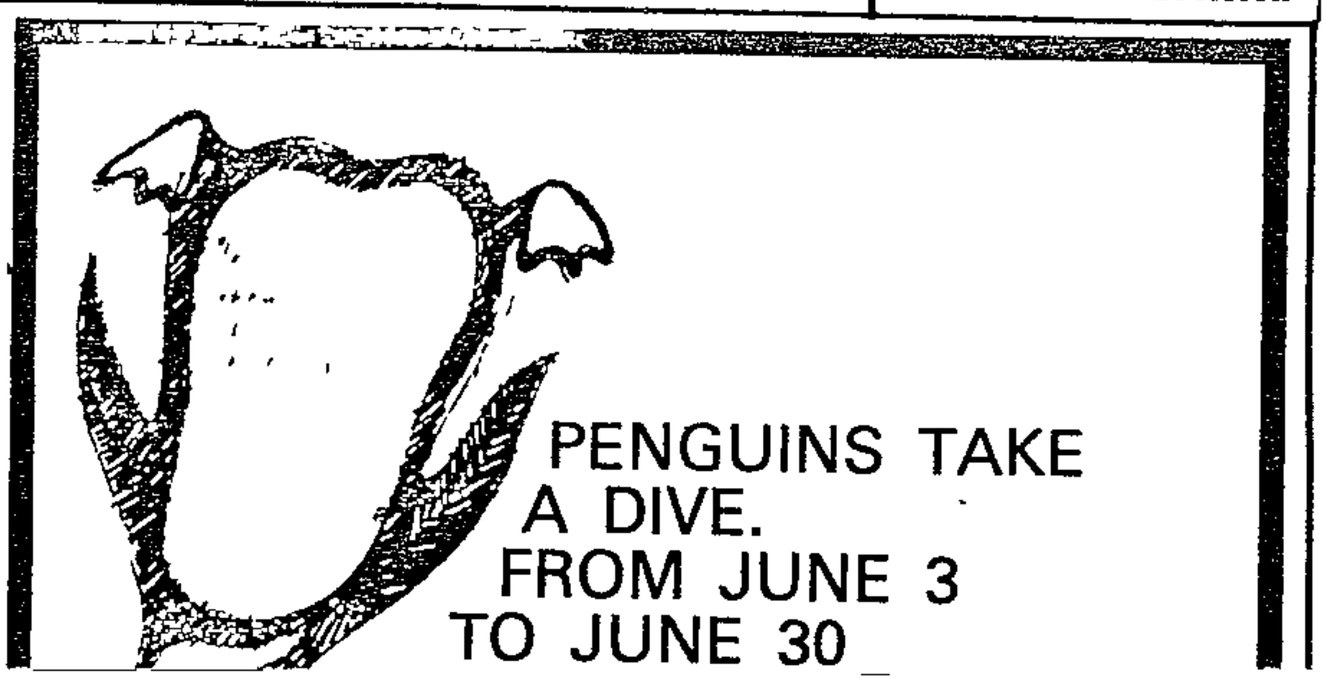
Decision welcomed

The national president of the Black Sash, Mrs Sheena Duncan, yesterday welcomed Erab's decision to grant workers' rights and added "It is a great pity that other boards are not acting in the same law-abiding fashion"

An East Rand unionist said "A great many employers have been extremely sympathetic on this issue and are allowing workers to go to the board offices In many cases, they are assisting them"

The Council of Unions of South Africa (Cusa) said yesterday that it would be "forced to act" if the government tried to override the decision





'Blind' di

By GLEN GARVEN

FOR the past 15 years, Benny Levin has been giving Cape Town's more nervous drivers severe cases of the shakes

But, insists Mr Levin, it's a question of syntax rather than a problem of traffic safety Although the man behind the wheel of his company's truck isn't blind, he really is a blind man That is to say, he is not sightless — what he does do .. is sell canvas blinds

Not surp... the back of some conf... ists shar... caused s... as it was in "A blind truck".

"It has al... of comment... casions qui... ment," say... Levin, who... company in...

"People ...

Canvas blind factory supervisor Mr C... the truck before his promotion, poini... thei...

Arresting Brahms

BRAHMS was largely well-served at the third concert of the Cape Town Symphony Orchestra's Celebration series

David Tidboald showed his mettle as a conductor with a lovingly nurtured and often arresting performance of the 4th Symphony The concert concluded with a festive Academic Festival Overture

Sandwiched between, the Violin Concerto was less memorable Soloist Eva Graubin produced moments of sweet-toned beauty, but one gained the overall impression that the work — in terms of technique and power — lay just beyond comfortable grasp

DEON JOUBERT

Deat... Guy

Staff Reporter

DR Guy James Alge... Currie, a well-k... City anaesthetist a... member of the P... Society of South Af... died at Groote Sc... Hospital on Monda... day before his ... birthday

Dr Currie came to ... country from Singa... in 1939 matriculat... Diocesan College, ... debosch, and quali... as a doctor at the U... versity of Cape T... While there he met ... married his wife, Fiona Currie

Dr Currie worked ... general practitioner

WCAB is to uphold ruling on migrants

Cape Times 4/6/83

Labour Reporter

THE WESTERN Cape Administration Board (WCAB) has accepted the judgment in the Rikhoto Appeal Court case and will probably start implementing it early next week.

The decision means that about 12 000 migrant workers in the Western Cape stand to gain Section 10 (1) (b) rights granting them permanent residence in the cities, the right to bring their families to live with them and greater job mobility.

After the announcement of the Rikhoto judgment this week, the WCAB was criticized for delaying its implementation. It said it first had to study the judgment and wait for a directive from the Department of Co-operation and Development.

However, the East Rand Administration Board (Erab) said they had no option but to implement the decision, and began stamping workers' pass books on Thursday.

Mr Gert du Preez, chief liaison officer of the WCAB, said yesterday that the board accepted the Rikhoto judgment and would start implementing it "probably early next week".

Mr Du Preez said there was an "administrative" delay as the board already had almost 1 000 formal applications to process.

Mrs Noel Robb, director of the Athlone Advice Office which has dealt with 850 of the potential Section 10 (1) (b) cases, said the board's decision was "marvellous news".

● In a rare move, the United States State Department has publicly backed the Appeal Court's historic Rikhoto judgment and strongly implied that the US would like to see it implemented.

But it added that the decision, "if allowed to stand", would mark progress towards basic civil rights for blacks.

The fact that the State Department has publicly made known its stance, rather than communicating it privately, is seen as an indication of US concern on the issue.

Co-operation and Development

Khayalitsha 'success story'

Cape Times 7/6/83

Political Correspondent

HOUSE OF ASSEMBLY — The government yesterday dismissed criticism of the new black township near Mitchells Plain and said Khayalitsha would become one of the success stories of the Western Cape

The Minister of Co-operation and Development, Dr Piet Koornhof, and his deputy, Dr George Morrison, both praised the development during the Budget debate on Dr Koornhof's department

Dr Morrison also scoffed at suggestions that black people who moved there from other townships in the Peninsula would lose their residence rights in white urban areas

Dr Koornhof announced that the first people had moved to Khayalitsha yesterday, only three weeks after the start of construction work to provide the first serviced sites for controlled self-build schemes

The first phase involved the provision of about 1,000 sites averaging 170 square metres, with rudimentary services such as gravel roads, one tap for each four sites, bucket toilets, street lights and a refuse-removal service

Permanent services such as sewerage and water would eventually be provided for each site There would also be community facilities such as administrative offices, a school, a clinic, a post office, shops and public transport

Dr Koornhof said Khayalitsha would have rail connections to Cape Town, 30km away, and Bellville, 15km away

He estimated the cost of the first phase at R2,5-million, excluding the cost of schools

He said the total area was 3 000ha, of which 2 500ha was available for urban development The government planned to build a city for between 200 000 and 300 000 people there

He emphasized that while there could be no "filling in" or increase in the population densities of Langa, Nyanga and Guguletu, this did not mean there could be no normal maintenance and improvements to existing housing in these areas

Dr Morrison said there would be five core areas, each with its own facilities

"There will also be a separate elite area with one of the best sea views in the Peninsula People will be able to build their own houses to their own taste and according to their means," he said

The government was investigating the possibility of home-ownership and sectional title at Khayalitsha

Dr Morrison dismissed demands from former squatters that the government provide housing for them, instead of sites where they had to erect their own homes

He said it was no longer possible for the government to provide housing for everyone

Mrs Helen Suzman (PFP Houghton) accused the government of trying to keep the Western Cape as the last redoubt of white South Africa

She said Khayalitsha would be uneconomic because its distance from other areas would make construction costs of self-help housing much more expensive

Govt questions court ruling

CPT Times 7/6/83

Political Staff

HOUSE OF ASSEMBLY — The Minister of Co-operation and Development, Dr Piet Koornhof, hinted yesterday that the government would act soon to block migrant workers from qualifying for urban rights in line with the historic Rikhoto Appeal Court ruling

However, Dr Koornhof also indicated that — depending on numbers involved — the government might be prepared to honour the court ruling in respect of migrant workers who already qualified for urban rights in terms of Section 10(1)(b) of the Black (Urban Areas) Consolidation Act of 1945

'Interim steps'

Speaking during debate on his vote, Dr Koornhof said the Appeal Court judgment was in conflict with accepted interpretation of the law to date.

Mrs Helen Suzman (PFP Houghton) warned that if Dr Koornhof came back to Parliament with legislation to circumvent the ruling his "almost non-existent credibility" would be totally destroyed

Dr Koornhof reacted angrily "That sort of remark should not be made It is stupid If you want to go and joke, don't be so personal"

'Clear instructions'

Mrs Suzman called on Dr Koornhof to issue clear and unambiguous instructions to Administration Board officials to obey the court's ruling

She launched a broadside attack on Dr Koornhof for his "complete bungling" of the black portfolio and called for his salary to be reduced to that of an ordinary MP

"That is all he is qualified to be," Mrs Suzman said

● The best influx control measure was development of the National States and creation of job opportunities in these territories, Dr Koornhof said last night in reply to debate on his vote

A total of 22 150 jobs had been created in the National States with an investment of R8,15 million "Show me a place in Africa or the world which can equal this"

Between April last year and March this year the Decentralization Board had approved 777 applications for decentralization concessions

The applications represented a capital investment of R1 460 million and would create 65 340 job opportunities — "an extraordinary achievement in a period of economic slump"

'Cut to the marrow'

● People could accuse him of murder but when they brought his personal credibility into doubt they cut him to the marrow, Dr Koornhof said last night in a passionate response to Mrs Suzman's attack on handling of his portfolio

"It is a terribly serious accusation when a man's personal credibility is brought into doubt, especially when he is a Cabinet minister and one dealing with such sensitive issues," he said

He had built up "a certain credibility" with black people "What has been happening here today has been most unfair I don't deserve it"

● Western Cape contract workers who went to the Western Cape Administration Board (WCAB) offices yesterday to get their pass books stamped were again turned away.

Last week the WCAB announced that they would be honouring the Rikhoto judgment and would begin implementing it probably early this week.

However, Mr Gert du Preez, chief liaison officer for the WCAB, said there was much administrative processing to be done and that workers would not have their passes endorsed immediately

Cape Times 8/6/83

Official slams Andrew for 'destabilizing'

By PHILLIP VAN NIEKERK

MR KEN ANDREW (PFP Gardens) was yesterday accused by a senior government official of "destabilizing society" for describing the Langa Commissioner's Courts as "disgraceful instruments of oppression where blacks cannot expect a fair trial"

Mr Timo Bezuidenhoud, Chief Commissioner for Co-operation and Development in the Western Cape, said he had no doubt in his mind that the law was being applied "very fairly" in the Langa courts

He described Mr Andrew's attack as an "example of destabilizing society by bringing the courts into disrepute"

However, several lawyers agreed that commissioner's courts, which deal with pass law and influx control offences, did not meet the standards of the magistrate's courts, and the Black Sash said the majority of cases were unrepresented by lawyers and went through the courts very fast.

'Unfair'

Mr Bezuidenhoud said Mr Andrew's allegations were so unfair "I just cannot go with them"

"To describe these courts as unfair when people have the right to appeal to the Supreme Court or the Appeal Court — and don't make use of it — is unfair"

Mr Bezuidenhoud said the majority of cases in the courts were defended, but Mrs Mary Burton, West Cape chairman of the Black Sash, which monitors the courts daily, said this was totally incorrect

"During 1982, we provided legal aid to 154 people out of the 9 393 cases at the court, and we don't know of any others that have been defended," she said

"Our experience as observers at the Langa Court is that in the vast majority of cases the accused are not represented and the hearings take less than five minutes each

'Uncivil'

"Prosecutors and commissioners are frequently uncivil to people on trial, speaking to them with contempt and rudeness which would not be heard of in a law court.

"Although the prosecutors are part of the legal system, the commissioners are appointed by the Department of Co-operation and Development."

Professor John Dugard, head of the Centre for Applied Legal Studies at the University of the Witwatersrand, which has recently done a survey of the Johannesburg Commissioner's Courts, said about one third of blacks who appeared before South African courts, appeared before the commissioner's courts

"One fears that the procedures they observe in these courts will not enhance respect for the South African legal system

"In my view, the commissioner's courts do more to destabilize the situation than any other institution in South Africa"

Langa courts 'instruments of oppression'

Cape Times 7/6/83

Political Correspondent

HOUSE OF ASSEMBLY — The Langa Commissioner's Courts were described yesterday as disgraceful instruments of oppression where black people could not expect a fair trial

Mr Ken Andrew (PFP Gardens) called for an urgent investigation of all commissioner's courts by the Hoexter Commission, which is studying the functioning of South African courts

Mr Andrew's attack on the Langa courts, which deal with black people accused of pass law and influx control offences, came during the budget debate on the Department of Co-operation and Development.

"I believe the laws that govern the lives of blacks are unjust, but even in terms of those laws, a black person cannot expect a fair trial when he appears in the Langa Commissioner's Courts," he said

In 1982 the Langa courts had dealt with 9 393 people at an average of five minutes and 22 seconds per case In 1982-83 the Athlone Magistrate's Courts had dealt with 9 365 cases at an average of 20 minutes and five seconds per case

Urging an inquiry into commissioner's courts, he said: "These courts are a disgrace They are instruments of oppression, not of justice"

"The attitude of the magistrates is unsatisfactory, often hostile and sometimes abusive

"This government makes hundreds of thousands of black people criminals every year because they seek work and wish to live together as families"

In 1981 the Langa courts had imposed sentences totalling 684 years in prison. In 1982 they had imposed fines totalling R249 662

The speech by Mr Andrew was described by the Deputy Minister of Development, Dr George Morrison, as shocking and unworthy of an MP

The Argus Wednesday June 8 1983

CITY/NATIONAL

Pass law trials over in just three minutes

Staff Reporter

PEOPLE accused of pass-law offences spend an average of three minutes each in the dock of the Langa Commissioner's Court, a monitored session shows

In a 104-minute period before lunch yesterday, 36 cases were dealt with — an average of less than three minutes, during which each accused was charged, asked to plead, evidence heard and sentence handed down

Of the 36 cases, 24 people were fined a total of R1 330 (or an equivalent number of days in prison) Some were convicted and cautioned and the charges against four people were withdrawn

"Disgraceful"

Mr Ken Andrew, Progressive Federal Party MP for Gardens, said in Parliament this week that the commissioners' courts were "disgraceful instruments of oppression where black people could not expect a fair trial"

He called for an urgent investigation of all commissioners' courts by the Hoexter Commission, which is studying South Africa's courts

Mr Andrew also described the attitudes of the magistrates as "often hostile and sometimes abusive"

The accused yesterday were charged almost exclusively with being in the Cape illegally, being unable to produce passes on demand or, in the case of women, being found in men's hostels

The 36 people, 21 women and 15 men, faced a total of 52 charges, six of which were withdrawn Of the remaining 46 charges pleas of guilty were entered to 42

Asked about the high incidence of "guilty" pleas, people who attend the courts regularly said a plea of guilty was almost always accepted and this meant that the accused was released immediately after paying his fine

People who entered pleas of not guilty were often held in custody for a number of days Most preferred to pay rather than spend time in jail

"Ten-four"

In a typical trial, the accused is called by the prosecutor, who puts the charge to him in a kind of verbal shorthand

A charge under Section 10 (4) of the Black (Urban Areas) Consolidation Act becomes merely "ten-four", while Section 15 (1) becomes "fifteen-one"

Similarly, a person found guilty of three charges and sentenced to R50 (or 50 days) on the first, R20 (or 20 days) on the second and R10 (or 10 days) on the third will hear "fifty-fifty on one, twenty-twenty on two and ten-ten on three" from the magistrate, Mr L van Wyk

Even the practice of pronouncing a formal verdict seems to have been short-circuited, with Mr van Wyk moving straight from evidence into sentence

Often confused offenders do not appear to realise they have been sentenced and are still in the dock when the next accused comes to take his or her place

Yesterday, Mr van Wyk told a woman accused of being in men's hostels that "the only way we'll keep you out of the men's hostels would be to post you somewhere".

Transkei jobs for 'illegals'

Cape Times 8/6/83

Political Staff

A CONSIDERABLE number of the 4 000 job opportunities being created under the special employment programme in Transkei will go to unemployed blacks living "illegally" in the Western Cape, the Deputy Minister of Co-operation, Dr George Morrison, has disclosed.

In a letter published yesterday in the Nationalist mouthpiece, the Burger, he also disclosed that efforts to repatriate "illegal" squatters in the Western Cape to the national States were proceeding

The Prime Minister of Transkei, Chief George Matanzima, has publicly criticized alleged government attempts to link the employment programme with the repatriation of Transkeians living in the Western Cape

Dr Morrison's statement is the first firm government confirmation that the programme is closely connected with resettling "illegal" blacks in Transkei

The Deputy Minister of Information, Mr Barend du Plessis, recently told Parliament that the main aim of the programme — launched with financial aid from South Africa — was to provide jobs for unemployed in Transkei

Reader's complaint

However, he conceeded that Transkeians without jobs or accommodation in the Western Cape would also benefit

In the letter, Dr Morrison responded to a reader's complaints about the influx of blacks to the Peninsula

He said the uncontrolled influx of blacks to the Western Cape should as far as possible be countered with creation of job opportunities in Transkei, Ciskei and the Eastern Cape

Job creation should be accompanied by physical, economical and social development in these areas

'Unemployed'

"A project has been undertaken to create 4 000 jobs in Transkei of which a large number will be made available to the unemployed in the Western Cape," said Dr Morrison

The solution to the illegal influx of black people to the Peninsula would not be found locally, but in agricultural, economic and social development in the national States

Dr Morrison denied that the government was providing housing for "illegal" squatters in the Western Cape

"In fact, efforts are being proceeded with to repatriate these people to their places of origin," he said

Rikhoto ruling Cape Times 8/6/83
Govt marks time

Political Staff

THE government is marking time on the historic Appeal Court judgment on migrant workers' rights, in the face of mounting international pressure

According to informed sources, the cabinet yesterday postponed a final decision on whether to pass retroactive legislation to nullify the court ruling in respect of those migrant workers who already qualify for urban rights in terms of Section 10(1)(b) of the Black (Urban Areas) Consolidation Act

It is understood that while the cabinet is agreed that interim legislation should be introduced to nullify the ruling in terms of migrant workers who might qualify in future, there is a difference of opinion on whether steps should be retrospective

The Minister of Co-operation and Development, Dr Piet Koornhof, indicated on Monday that a decision on retroactive steps would only be taken once the numbers involved had been established

Meanwhile diplomatic sources said yesterday that the European Community was likely to deliver a strong demarche if the government overruled the Appeal Court ruling The United States is also monitoring the situation

● The New Republic Party yesterday urged the government not to circumvent the Rikhoto ruling and warned of enormous urban unrest if the ruling were not accepted

Mr Pat Rogers (NRP King William's Town) cautioned the government not to pander to vociferous right-wing protest about the ruling

Speaking during debate on the Co-operation and Development vote, Mr Rogers said legislation to circumvent the ruling would make a mockery of the country's proud tradition of an independent judiciary

201 Hansard

South African Citizenship Act

8/6/83 Q col. 1498—1500

*5 Mr D J N MALCOMESS asked the Minister of Internal Affairs

(1) Whether he intends to apply the provisions of section 17 of the South African Citizenship Act, No 44 of 1949 to persons residing in Transkei once that country has been independent for seven years, if not

(2) whether he will amend the section concerned in so far as it relates to citizens residing in the independent Black states if so what is the nature of the amendment envisaged

(3) whether he will make a statement on the matter?

†The MINISTER OF INTERNAL AFFAIRS

(1) and (3) Section 17 of the South African Citizenship Act, No 44 of 1949 does not apply to persons who are South African citizens by birth but only to persons who became South African citizens by registration or naturalization, who reside outside the Republic for a continuous period of more than seven years In terms of the said section such persons will loose their South African citizenship unless they are excluded from the operation of that section for one or other of the reasons specified in section 17(1)(a) to (e) The question of application of the said section by the Minister of Internal Affairs only arises with regard to the granting of exemptions in terms of subsections (5) and (6) of that section I will consider all applications for exemption on merit

(2) No amendment of the section is envisaged

Mr D J N MALCOMESS Mr Speaker, arising out of the hon the Minister's reply, could he say whether it is his opinion that a visit, for example, from Transkei to East London for an hour or two, would be sufficient during that period of seven years to ensure that the person concerned does not lose his South African citizenship?

The MINISTER Mr Speaker, I do not regard question time in Parliament as the time to express opinions but as the time to give facts I have given the hon member the relevant facts If he wants an opinion, he should raise the matter in debate

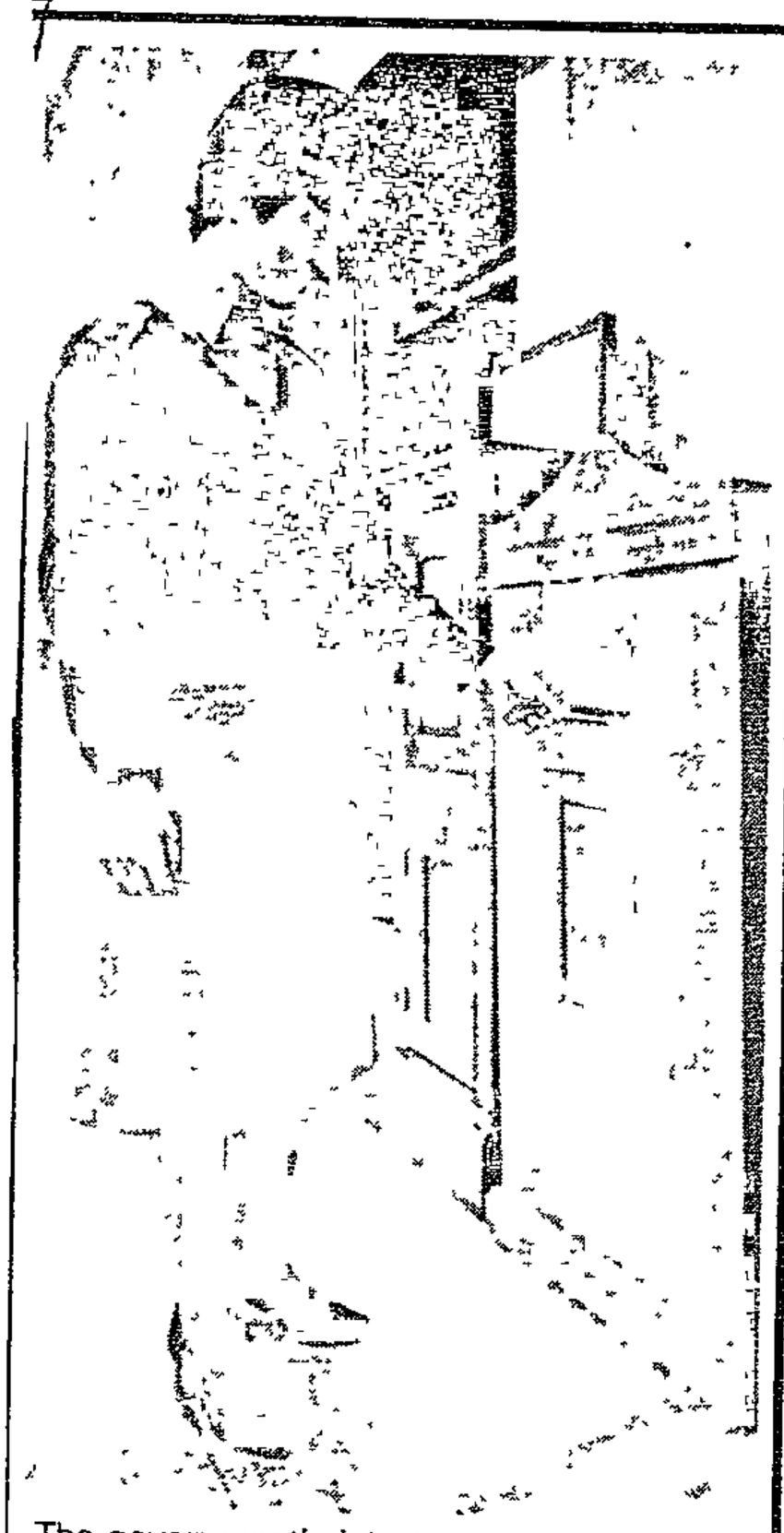
†Mr S S VAN DER MERWE Mr Speaker, further arising out of the hon the Minister's reply and in view of the serious consequences of forfeiting citizenship, does the hon the Minister or his department envisage at any stage to inform persons who are thus effected beforehand about what can happen to their citizenship?

†The MINISTER Mr Speaker, I welcome the opportunity given by the question to give publicity to this risk I said in my reply that the section provides for an exemption procedure Persons who value their citizenship highly are enabled by way of an application to obtain exemption and to retain their citizenship Any such application will be considered on merit I should also like to point out that the section even provides for a class of persons to be exempted If it is proved that there is a need for a class of persons to be considered for exemption, such an application will also be considered on merit

†Mr S S VAN DER MERWE Mr Speaker, further arising out of the hon Minister's reply, may I ask him whether he would not concede that in terms of Electoral Act regulations which were before the House, special provision can be made for such persons For the purposes the delimitation of electoral divisions provision has to be made for where these people can vote Is that not sufficient indication for the hon the Minister that those persons should perhaps be exempted as a class from this arrangement? Should they not at least be informed so that they could make that choice on the basis of proper information?

†The MINISTER Mr Speaker, the section concerned grants seven years' grace to persons living outside the borders of the Republic There is therefore enough time for people to decide whether they want to accept the citizenship of the country in which they are going to live or whether they want to retain their South African citizenship in which case there are procedures which enable them to do so The fact that the Electoral Acts make provision for such persons to vote is to my mind a logical provision which has been included in the electoral laws, firstly, because there are people who as born South African citizens, retain their South African citizenship permanently and do not lose it after seven years, and secondly, because persons can live outside the borders of the Republic for a long period, namely seven years, and during that period remain registerable as voters of the Republic and as such can exercise the right to vote There is nothing sinister about this We do not want to deprive anybody who wants to remain a citizen of south Africa, of his citizenship The legal procedures have been created and we shall welcome it if we receive such applications We shall consider them on merit

Business interrupted in accordance with Standing Order No 42(3)



The government's latest antidote to the defence force's most hated ailment — Late Mail Fever — is this large wooden postbox for border letters which has been erected in the foyer of Cape Town's central post office Letters posted in the box, being tried out here by Captain Riette Overbeek, SADF public relations officer for the Western Cape, bypass the normal sorting channels They are lifted straight into mailbags and despatched directly to the field post office in Pretoria, which flies mail to sub-field post offices in the operational area twice a week The "border box" is not meant for any letters except those going to the operational area

Andrew hits back on courts

Staff Reporter

MR KEN ANDREW, the PFP MP for Gardens, yesterday hit back at Mr Timo Bezuidenhoud, the Chief Commissioner for Co-operation and Development in the Western Cape, for accusing him of "destabilizing society' by criticizing the Langa Commissioner's Courts

Mr Andrew told Parliament on Monday that the Langa courts were "disgraceful instruments of oppression where blacks can not expect a fair trial"

Mr Andrew said yesterday he "would have hoped Mr Bezuidenhoud would have been as concerned as I am to see that people receive a fair trial, even when the laws themselves are unjust"

"I would have also hoped that Mr Bezuidenhoud would be sufficently in touch with reality to realize that it is the harrassing of people day and night, the tearing down of rudimentary shelters and the denial of the right of black people to live together as families that destabilizes our society"

"Mr Bezuidenhoud stoutly defends the Langa Commissioners Courts Perhaps, then, he can tell us for example, whether he considers that justice is likely to be done when a trial lasts only 60 seconds and why two officals of the court had to be severely cautioned to maintain irreproachable conduct in court."

TV 1 & 2 tonight

5 27 Programrooster
5.30. Boekevat. Scripture reading
5 34 Jacky die Beer van die Berge Die Skobbejakke Even in the Sierra Nevada mountains the summers can be very hot Everyone wants to swim But you have to be careful if you're going to take the plunge in Lake Tahoe
6 00. Nuus
6.14: Die Kraaines A magazine programme for children presented by Jannie du Toit and Carike Keuzenkamp
6 37 Uit en Tuis A family magazine programme, presented by Elsabe Daneel Tonight Agulhas, the most southerly point of Africa, Sandra de Meyer, beauty queen, a new way to hold conferences
7.22 Dennekruin The traumas and joys of architect Wynand de Bruyn, his wife Mona and their three children
8 00 News
8 28 Weather
8 37 Games People Play A programme which looks at the way people communicate with each other in different situations
9 06 Anthology The Hiding of Black Bill Jacques du Preez, an inexperienced farmer, buys a sheep farm and employs Percival St Clair, a down-and-out gold digger, to work for him The police arrive and question both men regarding a train robbery Suspicion grows between them — as well as an unlikely friendship
10 02 The Woman at No 10 British Prime Minister Margaret Thatcher in conversation with Sir Laurens van der Post
10 56 News
11 11. Epilogue The Rev James Seekola

TV2

6 30 Umakhulu Uyasibalisela Grandmother's story today is about a mother who leaves the porridge dishes on the table, and along comes a naughty baboon Produced by Eileen Thorns **Ezabasha Jikelele (Youth News)**
7 00 Izindaba/Indaba (News)
7 10 Jikelele (Magazine Programme)
9.00. Izindaba/Indaba (News)
9 27 Imozulu/Isibikezelo Sezulu (Weather)
9 29. Iphunga Elimnandi Usizi (Epilogue)

★Times Choice★

★ TONIGHT'S CHOICE — Mrs Margaret Thatcher in conversation with Sir Laurens van der Post at 10 02.

WCAB to 'cut hostels' power'

Staff Reporter

THE West Cape Administration Board (WCAB) has been accused of selectively cutting off the electricity supply to about 50 hostels in Mbekweni in Paarl, leaving about 300 single men without heat and lighting

A top WCAB official has said the board is determined to cut the electricity to all 2 000

the electrical outlets in their hostels for cooking and heating, even though the board had warned against the use of "unauthorized apparatus"

When the electricity was cut more than a week ago, a group of Mbekweni tenants were told by a senior WCAB offical that the electricity was cut off because

Egg price to rise on Monday

Staff Reporter

CAPE shoppers will have to pay between four and six cents a dozen more for eggs from Monday

Last night's TV

TV1

AN interesting Midweek compensated for House Calls which was pretty feeble as usual, and knee-deep in schlock but at least proved one thing — when Lynn Redgrave puts on a blonde

TV2

THE revelation that some of the most expensive cosmetics are produced through the exploitation of animals must have come as a shock to many concerned viewers

Cape Times 9/6/83

City contract workers turned away again

Staff Reporters

PENINSULA contract workers were again turned away by the Western Cape Administration Board (WCAB) yesterday when they went to claim their Section 10 (1) (b) rights in the wake of the Rikhoto Appeal Court judgment.

In terms of the last week's judgment migrant workers who have worked for one employer for longer than 10 years are entitled to permanent city residence

Last week the WCAB said they would probably start implementing the finding of the Rikhoto judgment early this week, but yesterday a spokesman said whilst formal applications would be accepted there would be "administrative delays".

He said the WCAB had received a number of inquiries from employers on the correct procedures to follow to obtain the rights for their employees.

By the start of this week over 1 000 workers in the Western Cape had applied for these rights and yesterday a further 22 workers, all members of the General Workers Union (GWU), who had letters from their employers supporting their applications, left the WCAB offices in Langa empty-handed.

Workers who have been turned away say they have been told to return at the beginning of July to get their pass books stamped as their applications have to be administratively processed.

However, workers on the East Rand have had their pass books stamped since last Thursday.

A spokesman for the GWU yesterday said the workers regarded residence in towns as their right and warned that failure to implement the judgment would create resentment.

Meanwhile, the prospect of amending legislation to override the Rikhoto decision still looms and Mr Fred Ferreira, the industrial relations director of Ford S A, has warned of a "furore" in the United States if the Rikhoto decision is overridden.

Mr Ferreira told our Johannesburg correspondent that such a move would strengthen the hand of of the growing disinvestment lobby in the United States.

"The Americans are certain to view an attempt to circumvent the judgment as an attempt to muzzle the courts. They are particularly sensitive to this sort of issue as their own Supreme Court played a key role in the desegregation initiatives of the 50s and 60s.

"For this and many other reasons I believe the government would do well to implement the judgment."

Drought may start surge to the cities

a/c ARGUS 11/6/83

Weekend Argus Bureau

PORT ELIZABETH — Top officials have warned that there is an imminent danger of an influx of drought-impoverished Ciskeians and Transkeians to South African cities, including Cape Town

The chief director of the East Cape Administration Board, Mr Louis Koch, and the chief commissioner of the Department of Co-operation and Development in his area, Mr George Reynolds, echoed the stern warning by Mr Errol Moorcroft, PFP MP for Albany, in Parliament this week

The jurisdiction of these officials includes the drought-stricken Border areas around East London, King William's Town and Queenstown

Accelerated

"We will have to be alert for an accelerated urbanisation so that we can be prepared," Mr Koch said

"I am not aware of a noticeable increased migration to cities, but this is definitely a reality we will have to look at"

A place were such a process was likely to manifest itself first was Mdantsane in Ciskei, on East London's doorstep

It was difficult to measure such a migration, particularly as those entering areas illegally would attempt to do so unnoticed.

However, Administration Board inspectors in townships would soon realise if the number of people to a housing unit was changing drastically

There would also probably be a significant increase in the number of people prosecuted under influx laws, but the urbanisation would also be from farms within South Africa to the cities

One way of neutralising possible large-scale urbanisation because of the drought would be to remove the motivation for moving from drought-stricken areas by providing aid to reduce the effect of the drought, said Mr Koch

Mr Reynolds agreed that it was likely that drought-stricken people would stream to cities to find an alternative income "This will worsen our current housing problems considerably."

Mr Moorcraft said in an interview that his warning referred not only to the Eastern Cape, but also the Western Cape, Durban and the Pretoria/Witwatersrand/Vereeniging area.

Squatter camp

It was difficult to measure the degree of migration, but the Western Cape squatter camp populations were probably increased by the drought

The Langa courts there were already working flat out to deal with the prosecutions for illegal entry into the area

"One gets the feeling that squatting in Port Elizabeth has almost got out of hand There appears to be a build-up of illegal people in cities"

Such an influx would also increase arrests for crime through desperation as unemployment was high and employers would be scared to provide work for those from other areas

Asked to comment, Ciskeian Government officials said statistics on migration from rural areas were not available

Feet on the bea that's 'Tiny' Str

By BRUCE HOPWOOD
Weekend Argus Reporter

WARRANT Officer "Tiny" Strydom has been walking the streets of Cape Town since 1947

He is an old-fashioned bobby on the beat, and even after 36 years' duty at Caledon Square, Warrant Officer Strydom still prefers a foot pat

"All the skollies knew wh me the 'oubaas van jare',"

It is not surprising that pleasant situations or ever while walking his beat Jus mer police boxer strikes a darkened avenue.

Drought may start surge to the cities

c/G ARGUS 11/6/83

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All 'moc cons' fo this bea

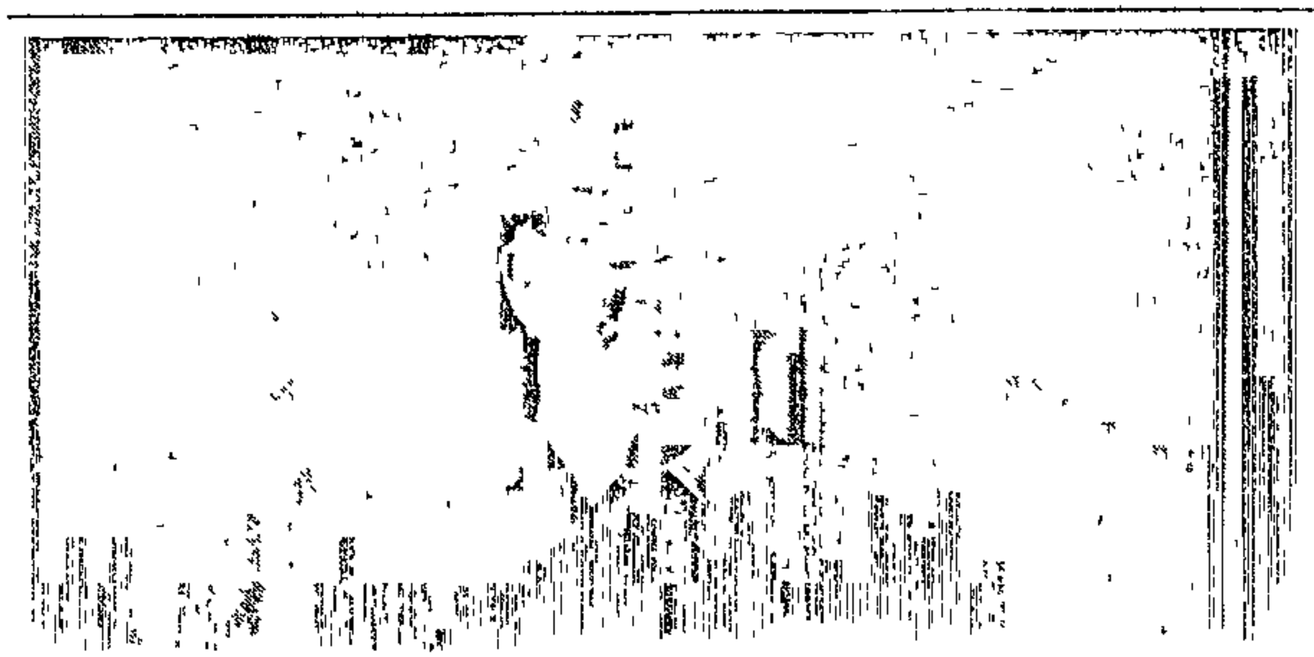
Weekend Argu Bureau

EAST LONDON — ie, East London's American brown could be having a warming party in ber

Construction of new R70 000 enclosu the Queens Park here is due to beg July 4 It is expect be completed wi three months

Although the R7 cash target has beer after a R50 000 dor from Somerset West lionaire Laureen Wyk, donations in are still being sough

Mr Donald Card, man of the Save J Our Bear fund, among the mate needed were about bricks and a parti type of piping



Feet on the beat — that's 'Tiny' Strydor

By BRUCE HOPWOOD
Weekend Argus Reporter

WARRANT Officer "Tiny" Strydom has been walking the streets of Cape Town since 1947

He is an old-fashioned bobby on the beat, and even

"All the skollies knew who I was They used t me the 'oubaas van jare'," he says

It is not surprising that he can't recall any pleasant situations or ever being in fear of his while walking his beat Just over 2 m tall, this

No notice: employee must pay

D. Dispatch 11/7/83

EAST LONDON — An Mdantsane man was found guilty of failing to give two weeks notice to his former place of employment

Mr David Phindani 37, of NU 9, pleaded not guilty to leaving Ellerines Holding Limited on April 30, 1982, without giving proper notice

Mr Phindani said he left his work because R10 had been deducted from his salary

Mr Phindani's evidence was rejected and he was made to pay his former employers R131,54 in monthly instalments

He was also fined an additional R100 or 50 days imprisonment — DDR

31-year squatter sentenced

201

CAPE Times 14/6/83

Staff Reporter

A LABOURER described as an illegal squatter in the Peninsula for 31 years was yesterday convicted on charges of squatting and of being in the Peninsula illegally and fined a total of R100 (or 100 days), suspended on condition that he returned to Lady Frere in Transkei to register as a work seeker

From KTC

Nkosana Stuurman, 48, formerly of the KTC camp, was convicted of squatting and of being in the Peninsula illegally for more than 72 hours and fined R50 (or 50 days), conditionally suspended for 12 months, on each count.

He was ordered to report to Lady Frere to register as a work-seeker before June 30

He pleaded guilty to both charges but said he had contravened the laws in self-defence

He testified that he had arrived in the Peninsula in 1952 and had lived with his brother in Langa for a while

He had got a job in Paarl where he worked for 10 years until he was dismissed in 1962 after losing his arm in an accident.

He had also lost permission to live and work in the Peninsula

He has been doing casual work ever since, earning between R10 and R50 a week.

He had made numerous attempts to get permission to remain in the Peninsula

"After a while I decided to go and live in the bush, which was the only place I could stay in comfort," he said

'Won't return'

He said even if the court punished him, he would not return to Transkei There was no work. The law was "as good as me throwing myself from a cliff".

The magistrate, Mr A P Kotze, said "The court is worried that you will not leave in spite of being sentenced It will interpret your attitude as one of desperation and will give you a chance to do something about your circumstances"

Mr J Yekiso appeared for Stuurman and Mr A C Venter for the State

D. Dispatch 14/6/83

201

Jobs found in spite of recession

UMTATA — An additional 4 682 Transkeians had been placed in jobs in South Africa despite the recession, the Minister of Interior, Chief D D P Ndamase, said yesterday

Delivering his policy speech for his R92 819 000 vote, Chief Ndamase said his department had recorded 357 057 workers in South Africa compared to 352 378 in 1981

"This increase should be applauded under prevailing circumstances," he said

Chief Ndamase dealt with the following labour matters

The Unemployment Insurance Fund for Transkei was already before parliament and Transkeians who had UIF taken off their pay after the three-year period, would be refunded,

There was a considerable rise in the minimum wage rate,

A total of 200 artisans have been put through trade tests,

A total of 2 027 claims had been received under the Workmen's Compensation Act amounting to R29 425,62 and medical aid R214 002,74 was paid out of the accident fund

The staff position in his own department had remained constant without serious shortages, but the high rate of misconduct involving use of liquor and misappropriation of funds still remained the number one disease in his department.

"This department will be failing in its duty if such offenders are left unchecked Punitive measures are meted out until this disease has been totally eradicated — especially in the district offices"

He said the district administration had shown marked improvement, and he thanked members for their objective criticism of his department's activities The contributions had been appreciated and it was through these criticisms, Transkei was going to be able to build a stable country

Negotiations were under way for the elevation of ranks of district commissioners for which suitably qualified people would be needed

The department would ask district commissioners to enrol for private studies to upgrade the standard

Dealing with population matters, Chief Ndamase said 24 466 births and 10 493 deaths had been registered in the district commissioners' offices with 5 420 civil marriages solemnised

A total of 114 citizenship applications had been approved by the cabinet while 697 passports had been issued

The Minister said applications for identity documents were low in spite of there being a general election next year

"The registration of voters may be suspended next year in preparation for the general election However, arrangements are being made to speed up processing of IDs," he said and appealed to members to encourage people to apply early to avoid disappointment

He said the technical equipment which served to curb double casting of votes was still used as long as reference books and books of life were used for voting

"However, during the 1986 general election, this equipment will no longer be necessary as only the book of life will be the acceptable document for voting The reference book is going to be phased out totally"

There had been an upswing in the number of applications for social pensions since the announcement of the increases and district commissioners had been asked to screen applications to ensure that only the most deserving cases were assisted

War veterans pensions were also paid to those eligible while the Transkeian Government service pension scheme had shown a steady increase in membership — DDR

Transkei's Secretary for Commerce, Industry and Trade, Mr B B Pukwana, the Minister of Commerce, Industry and Tourism, Mr Ramsey Madikizela and designer of the new foyer in the TDC headquaters, Mr Heinz Burchardt, chat at the opening function.

taken and (ii) what was the purport of each decision?

†The MINISTER OF CO-OPERATION AND DEVELOPMENT

(a) (i) 24 261 persons

(ii) Approximately 4 246 families

(b) (i) The Cabinet decided on 27 March 1979 that the following categories of members of the Black community who were in "Old Crossroads" on 31 December 1978 be allowed accommodation in "New Crossroads"

(aa) Men who qualified in terms of section 10(1)(a) or (b) of Act 25 of 1945, together with their families

(bb) Men (contract workers) legally employed in terms of section 10(1)(d) of Act 25 of 1945, together with their families

(cc) Displaced compassion cases who were for many years in or from White areas in the Western Cape and who had nowhere to go

(dd) Men legally present but still to obtain section 10(1)(b) of Act 25 of 1945 status, together with families

On 5 April 1979 it was decided on Ministerial level that a survey be undertaken to determine who would qualify in terms of these categories and that a Committee be established to decide on doubtful cases. This Committee was disestablished on 20 September 1982 but re-established on 28 October 1982

On 5 September 1979 it was ruled that workers who were illegally employed be permitted in terms of section 10(1)(d) of Act 25 of 1945 to register with their employers on a one year service contract basis. Dependants of such workers were considered on an *ad hoc* basis to legalize their

presence temporarily in terms of section 10(1)(d) permits in order to decide where they should go

On 29 June 1982 it was decided that illegally present members of Black communities be allowed until 20 September 1982 whereafter they would be subject to normal influx control measures including prosecutions which actions were instituted

(ii) The decisions were taken in order to deal with the Crossroads issue in the best possible manner to ensure that difficult circumstances be stabilized and not get out of hand

Ministers

Hansard 15/6/83

Crossroads inhabitants

Q.601.1539-1541

*1 Mr J H HOON asked the Minister of Co-operation and Development †

201

(a) How many (i) persons and (ii) families have in terms of Government decisions with regard to the inhabitants of Crossroads been allowed to remain in the Cape Peninsula since 1 January 1979 and (b)(i) on what date was each of these decisions

Raid on Hout Bay squatters

CAPE TIMES 16/6/83

201

Staff Reporter

WESTERN Cape Administration Board (WCAB) officials yesterday raided the Disa River squatter camp in Hout Bay, taking at least three adults into custody and leaving 11 children in the care of their "teacher"

This brings the total number of the camp's squatters taken into police custody to about 200 after a number of raids on the community during the past two weeks

A resident, who did not want her name published, said yesterday afternoon that the officials had taken away about 20 people in the first raid on Tuesday last week.

The next day a large number of people were taken and although she had been in possession of a valid pass she had been charged and fined R30 for trespassing

"I find it strange that I was fined for trespassing on Mr Bill Mitchell's ground as he has never come to put up any private property signs since the Disa River community was founded here in 1979"

Last Friday the WCAB again raided the community and about 200 people were arrested including 10 small children, she said

Yesterday morning the officials raided the camp taking the remaining three adults with them but leaving eleven children aged between three and six years, in the care of their "teacher"

The woman said most of the residents were former residents from Kadotsloot, a squatter camp on the mountainside near the fishing harbour, who were told they had to move to Transkei when the adjacent property was developed in 1979

Although some of the people were taken to Transkei a group of them moved into the bush on the slopes of the Constantiaberg to found the Disa River camp

Recently some other squatter families, who had been forced to move from the harbour side of the bay due to further developement, had moved to the Disa camp bringing the total number of families to about 50, she said

The owner of the property, Mr Bill Mitchell, said the WCAB had come to see him to ask permission to move the people on his property

Mr Mitchell said he had not been to the property since 1974 when someone asked him permission to build a yacht in a large garage there

Attempts to contact officials of the WCAB for comment last night failed

While half of the Hout Bay Disa squatter camp's children are in police custody following raids during the past few weeks, schooling of the 11 remaining children continued yesterday afternoon

CAPE TIMES 16/6/83
201

Commissioner not legally qualified

Political Correspondent

HOUSE OF ASSEMBLY — One of the two permanent presiding officers at the Langa Commissioner's Courts has no legal qualifications and the other is a magistrate who has passed a public service law examination

Both, however, had lengthy experience as presiding officers

This was disclosed yesterday by the Deputy Minister of Development, Dr George Morrison, in reply to a question from Mr Ken Andrew (PFP Gardens)

Dr Morrison said presiding officers were appointed by the Chief Commissioner of Co-operation and Development for the Western Cape

Mr L van Wyk and Mr W Fourie were appointed permanent presiding officers from 1980 to 1983

Mr Van Wyk has no legal qualifications but has 10 years' bench experience in commissioner's courts Mr Fourie has passed the public service law examination and has 30 years' bench experience in commissioner's and magistrate's courts

Three temporary presiding officers were appointed over the past three years They were Mr J J Fourie for two days, with no legal qualifications but 10 years' experience in commissioner's courts; Mr E L Kleynhans who has a B Juris degree, six months' experience as a prosecutor and one year on the bench in commissioner's courts, and Mr J J Uys, who presided for 20 days, has a B Juris degree and one year's experience in these courts

Argus 16/6/83 201

Pass officials: 'No legal qualifications'

By TOS WENTZEL
Political Correspondent

TWO presiding officers at the Langa Commissioner's Courts had no legal qualifications although they had considerable experience in these courts, the Minister of Co-operation and Development, Dr Piet Koornhof, told the Assembly

Answering questions put to him by Mr K M Andrew (PFP Gardens), Dr Koornhof said that Mr L van Wyk, who was one of the two presiding officers appointed on a permanent basis from 1980 to 1983, had no legal qualifications but had 10 years of bench experience in these courts

Another presiding officer, Mr J J Fourie, who had served in the Langa court for only two days in 1981, also had no legal qualifications but had 10 years of experience in commissioners' courts

In answer to another question from Mr Andrew, Dr Koornhof said that only 104 of the 9 298 people appearing before the Langa Comissioner's Courts last year 1982 were legally represented

Mr Andrew pointed out today that Mr Timo Bezuidenhoud, Chief Commissioner in the Western Cape, had stated last week that the law was being applied fairly and that the majority of the cases in the courts were defended

This was disproved by Dr Koornhof's answer, he said

Equally serious was the fact that some presiding officers had no legal qualifications, yet these courts sentenced people to fines totalling R250 000 last year and to jail sentences totalling 684 years in 1981, all for "the crime of attempting to work and live together as a family"

Cape Times 15/6/83

Renewed call for probe of courts

Political Correspondent

MR KEN ANDREW (PFP Gardens) last night renewed his call for an investigation of Commissioners' Courts after being told some presiding officers in Langa had no legal qualifications and most cases there were undefended

He told Parliament last week that the Langa courts were disgraceful instruments of oppression

Subsequently the Chief Commissioner of Co-operation and Development for the Western Cape, Mr Timo Bezuidenhoud, accused him of "destabilizing society by bringing the courts into disrepute"

After being given further information in Parliament yesterday, Mr Andrew said in a statement that Mr Bezuidenhoud had no idea of what was going on at the Langa courts.

Where Mr Bezuidenhoud had said most accused in the Langa Commissioner's Courts had legal defence, Mr Andrew was told yesterday that only 104 of the 9 402 people who appeared there last year were legally represented

● Commissioner not legally qualified, page 4

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Litchman Mbkeni also
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sion to stay.

He came to the Peninsula in 1964 from Lady Frere, and also refuses to go back to Transkei

Mr Sipho Mkesi, whose parents died when he was 15 years old, came from Lady Frere in 1973

He found contract employment and had been working for three weeks when he was arrested He spent a month in jail before his court appearance

He does not know the whereabouts of his wife or children, whom he has not seen since their arrest on May 17

"My heart is breaking I don't know where my wife is going to live, she has no pass I have a contract but where must she go?"

squatters have all vowed never to return to Transkei despite an
ie making their return a condition of suspending their sentences
ne Magistrate's Court yesterday were: Edward Nginangini, top left;
op right; Litchman Mbkeni, centre, Sipho Mkesi, left, and
Pinana Qomsazi, right.

6 KTC men found guilty

Staff Reporter

SIX men were convicted on squatting charges when they appeared in the Athlone Magistrate's Court yesterday

The men, Mhlebuzina Kumikati, 33 Vethezo Cholitiza, 25 Gerald Kwakwan 35 Michael Mpaypheli, 33, Mzwandile Mankayi, 25, and Kristen Lize 22 pleaded guilty to the charges which included being in the Peninsula for more than 72 hours and of failing to produce a reference book on demand at the KTC squatter camp on May 17

Kumikati and Kwakwan were each fined R100 (or 100 days) on each count of illegal squatting and being in the Peninsula for more than 72 hours Part of the fine — R75 (or 75 days) — was conditionally suspended for two years

Cholitiza and Mpaypheli were each fined R50 (or 50 days) on each count of squatting and of being in the Peninsula for more than 72 hours On a charge of failing to produce a reference book, each was fined R20 (or 20 days), conditionally suspended for two years

The three counts against Mankayi and Lize were taken together for purpose of sentence and they were fined R50 (or 50 days)

Giving evidence in mitigation of sentence, Mr Charles Simkins, a senior lecturer in economics at UCT, said "If I were in the position of the accused, I would consider that the duty towards my dependants outweighs my duty to obey a particular law"

Mr A P Kotze was the magistrate Mr A C Venter appeared for the State and Mr J R Bromley appeared for all the men

h beds rotated

he and it was possible that some of the areas closed
ds for more than 20 years

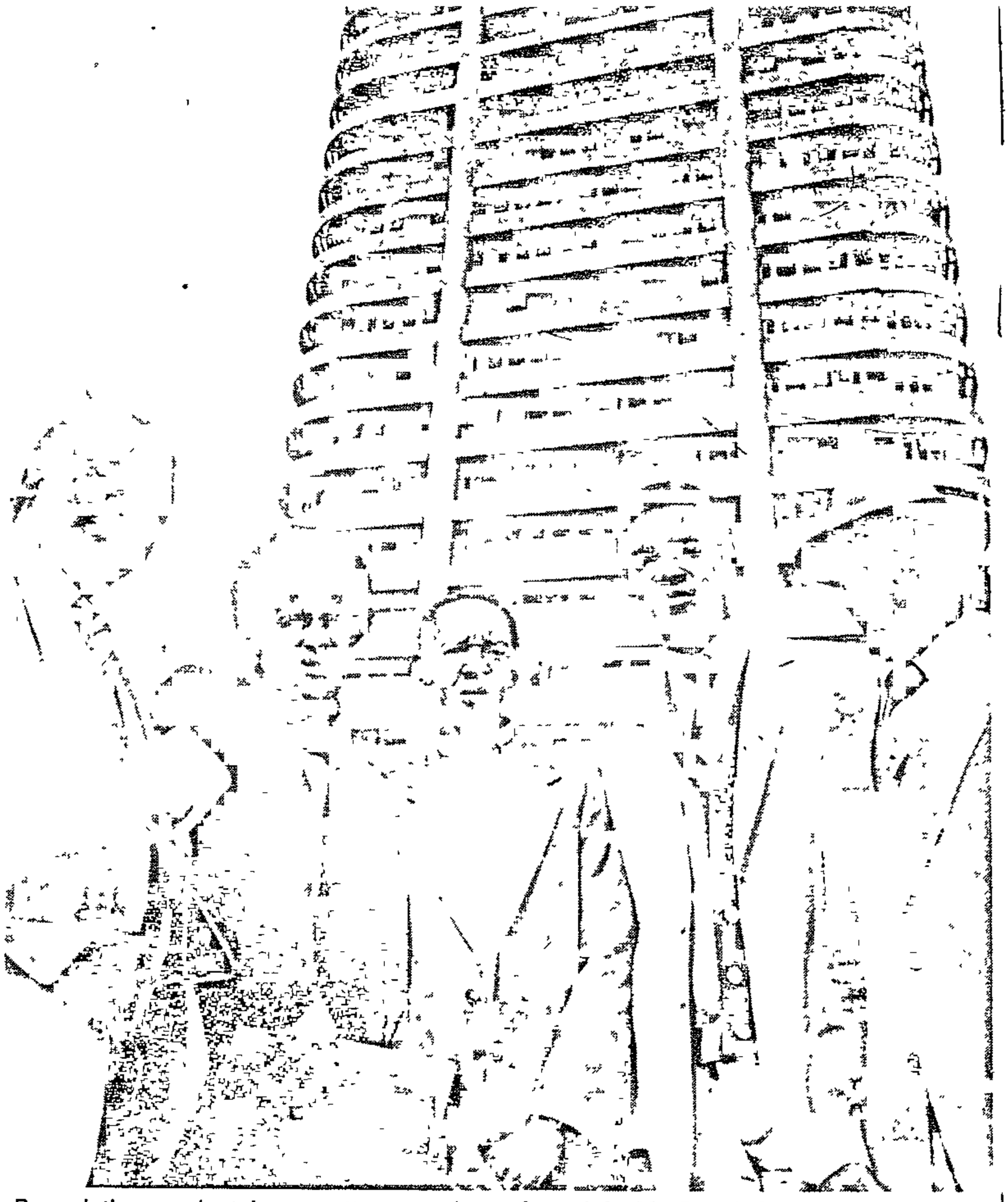
Shergar: Lloyds in R12m payout

From IAN HOBBS

LONDON — One of the most bizarre episodes in the kidnappers We would never do so We have not made communication directly or in-

US gives kitchen to squatters

THE United States Government has donated



Bongalethu residents' committee members, from left, Mr David Quinn Maclean, Mrs Angeline Ngcelo, the Rev A W Masango, Mr S P Marenene and Mr John Stuurman were in Cape Town yesterday seeking legal assistance to fight a rent increase

CAPE TIMES 17/6/83 201

Bid to stop rent rise

Staff Reporter

A FIVE-member delegation of residents from the Bongalethu township outside Oudtshoorn has come to Cape Town to seek legal assistance to have a proposed 90 percent increase of their site rentals cancelled

The delegation, representing 4 000 residents, said yesterday that the announcement of the site rent increase (from R10 to R19) effective from July 1 had come without warning or explanation and followed two increases last year

It said the township was provided with inadequate services — there was no water-borne sewerage system — sanitation buckets were collected twice weekly, refuse was collected once a week and each street was served by only three taps

Residents had built their own tobacco-stick and mud houses, which they maintained themselves

Most of the men from the community were migrant workers who had to seek work elsewhere because the town was in a coloured preference area and offered few employment opportunities

The community, 900 of whom had signed a petition protesting against the increase was poor and could not afford it.

The delegation, made up of a residents' committee which was formed when the increase was announced in April, hopes to make representations to the authorities concerned to have the increase stopped

It is also seeking clarification on the township's future — it has been indicated that they might be moved to a new site a kilometre from the present one

The delegation members said that when they were moved to the present site about 17 years ago they were assured they would be entitled to live there permanently

Rikhoto 'Ploy' fear

Own Correspondent

JOHANNESBURG — Mrs Helen Suzman of the Progressive Federal Party and Mrs Sheena Duncan of the Black Sash yesterday voiced fears that a "ploy" was being devised by the government to undermine the Rikhoto and Komani Appeal Court judgments

They were responding to weekend reports in Nasionale Pers newspapers that "legislation to give effect to the Rikhoto judgment" would be introduced before the present parliamentary session ends on June 30

There was no need to introduce legislation to give effect to the judgment, the women said

Both the Minister of Co-operation and Development, Dr Piet Koornhof, and his deputy, Dr George de V Morrison, declined to comment on the reports

Reference books/influx control

945 Mr K M ANDREW asked the Minister of Co operation and Development

How many of the (a) 7 342 Black males and (b) 7 631 Black females in the Western Cape charged with offences relating to reference books and influx control as referred to in his reply to Question No 26 on 18 February 1983 appeared in each specified court in 1982?

The MINISTER OF CO OPERATION AND DEVELOPMENT

Court	Males	Females
Montagu	11	20
Ceres	99	228
Bonnievale	3	5
Robertson	25	40
Wolseley	13	38
Tulbagh	31	35
Springbok	35	51
Port Nolloth	16	31
Garies	3	7
Paarl	468	1 122
Wellington	62	137
Malmesbury	170	84
Vredenburg	48	28
Hopefield	10	13
Piketberg	45	20
Laaiplek	0	13
Clanwilliam	11	28
Calvinia	2	1
Van Rhynsdorp	6	3
Vredendal	7	4
Worcester	177	68
Laingsburg	0	45
Touwsrivier	1	41
Rawsonville	20	21
De Doorns	44	49
Hermanus	67	23
Grabouw	41	76
Bredasdorp	10	2
Caledon	52	74
Stellenbosch	497	264
Strand	506	238
Somerset-West	162	129
Peninsula	4 700	4 693
	7 342	7 631

Administration Board inspectors carry away the frame of a squatter shelter during a raid on the camp yesterday. The shelters were put on a bonfire and burnt, but after the inspectors had left, the squatters retrieved some of the branches from the fire.

CAPT TIMES 21/6/83 201

Study slates pass law courts

Labour Reporter

THE pass laws and the procedures applied in the commissioner's courts "undermine the general standards of criminal justice", an in-depth study published by the University of the Witwatersrand's Centre for Applied Legal Studies has found

The study follows a recent row which arose after Mr Ken Andrew, PFP MP for Gardens, had told Parliament that the Langa Commissioner's Courts were "disgraceful instruments of oppression where black people could not expect a fair trial".

Conducted at the Johannesburg Commissioner's Courts by a researcher at the centre, Mr Ramarumo Monoma, the study reported a number of "disturbing" facts

During the period in which Mr Monoma observed the Commissioner's Courts, only five of 2 380 accused — 0,21 percent — had legal representation

"From my observations I am satisfied that where the accused is represented, the standard of justice is substantially higher," he said.

Other observations by Mr Monoma of where he believed the standards of justice at the Commissioner's Courts did not meet those set by the Supreme Court and Magistrates Courts included that.

- State witnesses or arresting officers did not appear to attend the proceedings
- It was not explained to most accused that they could be released on bail Bail was also fixed at such a high level that most could not afford it
- Where the accused was sentenced on two counts, the court did not order that the sentences run concurrently. The fact that the accused might have spent some time in jail as an awaiting-trial prisoner was also not taken into account for sentencing
- The accused were often not strictly and accurately informed of the charges against them and certain major elements of the crime were never mentioned or proved

In one case, a woman who told the court she was coloured pleaded guilty to a charge of failing to produce her reference book on demand — an offence which applies only to blacks She was convicted on the strength of her plea.

- Most commissioners did not question the accused sufficiently
- Neither the commissioner nor the prosecutor addressed the accused as Mr, Mrs or Miss. Sometimes only first names were used and sometimes only the case number.

Cape Times 21/6/83

Court told plight of squatters

201

Staff Reporter

THE decentralization policy of the South African Government had failed in Transkei because the local industries could not absorb the large labour force, an Athlone magistrate was told yesterday

Mr Iraj Abedian, a lecturer in economics at the University of Cape Town, was speaking at the trial of seven men accused of illegal squatting and being in the Peninsula for longer than 72 hours

The men, Zitshonisile Mgibisa, 26, Mr Mgobozi Andries Nqwkiso, 29, Mr Alfred Qayi, 57, Mr Million Mati, 50, Mr Sydney Ngqola, 44, William Malala, 45, and Mr Skelo Eliot Jajini, all pleaded not guilty to the charges

Mr Sydney Ngqola also pleaded not guilty to a further charge of failing to produce his reference book on demand

Mr Abedian said he had done a thesis on the national accounts of Transkei and had lived there for 14 months

He said the men were mainly migrant workers and an estimated 70 percent of Transkei men were working in South Africa The labour recruitment policy of South Africa automatically affected most of the Transkei workforce, he said

"As there were no major industrial or mining industries more pressure was put on people to migrate to other centres legally or otherwise An additional national phenomenon was the drought," he said

Mr Abedian said the two major Transkei industrial sectors, Butterworth and Umtata, were a result of the decentralization policy of the South African Government

The policy failed because the industrial centres could not absorb the large Transkei labour force There were neither raw material or skilled labour in Transkei to establish large industries

"The Peninsula has an attraction because of the higher wages paid Even if a person could get a job in Transkei he could expect to earn an average of R65 per month compared to about R200 in South Africa

"People would rather violate the law to survive and it is an accepted fact that an individual would forego being near relatives if they have a chance to work," Mr Abedian said

The trial continues today.

Mr A P Kotze was the magistrate Mr A C Venter appeared for the State Mr P J Berthold appeared for all the men

No compulsion to move to Khayelitsha'

By TOS WENTZEL
Political Correspondent

THE Government intends settling blacks from Langa, Nyanga and Guguletu in the new township of Khayelitsha, but only as a long-term project and without compulsion

This was confirmed today by the Deputy Minister of Co-operation, Dr G de V Morrison

He said it was clear that well-ordered and sound community development made it essential that the black people in the Peninsula should eventually be housed in one consolidated area

It was therefore the Government's intention, in terms of long-term planning, to settle the black communities of Langa, Nyanga and Guguletu in Khayelitsha

With the development of the new township near Mitchell's Plain, the emphasis would be not only on the provision of housing but on community development so that the orderly and voluntary settlement there of the Peninsula's black community would become a reality

It had to be clearly understood that housing in Khayelitsha could be provided only for those who qualified in terms of the Urban Areas Act of 1945 Housing would not be provided for those in the Peninsula illegally

In an interview today, Dr Morrison emphasised this was a long-term project and that people would not be compelled to move For the present, no pressure would be applied on blacks to move to Khayelitsha, but some living in other areas had already applied to go there

Strict

In areas such as Langa, Guguletu and Nyanga there had been only ad hoc, never proper, planning

Influx control measures were being strictly applied, while the uncontrolled inflow of blacks was controlled as far as possible by the creation of work opportunities in Transkei, Ciskei and the Eastern Cape

In 1981 there were 7 638 prosecutions in terms of influx regulations, 9 393 last year, and 2 081 between January and April

The Government was convinced that the Western Cape should remain the traditional living and working place for the white and coloured communities

Mr Ken Andrew, MP, the Opposition's chief spokesman on black affairs in the Western Cape, said today that Dr Morrison's statements would add to the insecurity of blacks living here

Heartless

It was heartless and irresponsible of the Government to think they could shunt people round without ever reaching agreement with them

People could hardly be expected to upgrade their properties when the threat of removal hung over them

In the light of the department's record, black people or anyone else could not be expected to accept its reassurances at face value

People had been let down time and again, and until blacks were properly involved in making decisions involving their livelihoods, no improvement could be expected, Mr Andrew said.

Urban Foundation 'gravely concerned'

Staff Reporter

THE Urban Foundation views with "grave concern" the statement by the Deputy Minister of Co-operation, Dr G de V Morrison, that it is intended eventually to resettle all blacks from the existing townships in a consolidated development at Khayelitsha

Mr J H Steyn, executive director of the Urban Foundation said today the statement had grave implications for the stability and content of many thousands of black people in this part of the country

"There are positive aspects of the new development at Khayelitsha which the foundation welcomes Those could well be neutralised by the sense of insecurity which is an inevitable result of a threatened relocation

"The Urban Foundation will study the Deputy Minister's statement, attempt to seek greater clarification on it and will comment in full in due course," Mr Steyn said

Migrant labour spreads disease — MOH

Municipal Reporter

CAPE Town's Medical Officer of Health Dr Reg Coogan, has lashed the Government's housing and labour migratory systems, saying they "spread infectious diseases

His annual report, released yesterday, shows that tuberculosis, a major cause of death among blacks, is still the greatest infectious-disease problem in Cape Town

And it is likely to remain so unless the migrant labour system is scrapped and something is done about the housing crisis, the report says

SHORTAGE

The shortage of houses in the coloured and black areas, leading to "gross overcrowding in the housing estates", was the "big remaining factor" in the spreading of diseases such as TB, meningitis and influenza

"The infectious pool" was continually being renewed by the migrant labour force entering Cape Town from the homelands and without the abolition of the system it was "difficult to see how the situation could be improved"

The number of registered cases of TB increased from 2 814 in 1981 to 3 420 in 1982

Nearly half Cape Town's cases came from Langa and Guguletu residents, but many of them had been resident in the townships only for about six months and had therefore been infected outside the municipal area

DEATH RATE

The death rate due to TB remained low (148 deaths in 1982 compared to 149 in 1981), but it ranked fifth on the "killer list" for blacks and 15th on the list for coloured people

The death rate does not reflect the fate of new cases in any year but the past and present failure to prevent, treat and cure TB, the report says

Dr Coogan urges health officials to continue to campaign for the improvement of the "socio-economic status of the depressed classes of Cape Town, particularly in respect of housing and nutrition"

How to break the news to Joyce?

Staff Reporter CASSIE du PLESSIS tells of woman's enforced unemployment.

ONE more productive wage-earner has joined the ranks of the Eastern Cape's estimated 55 000 unemployed blacks — and, almost inevitably, she's a victim of South Africa's apartheid laws

One thing's for sure It was no fault of mine

The trouble began when I was asked to accept a transfer from the Port Elizabeth Bureau of The Argus to Cape Town No problem for me and my family But when I tried to arrange to bring along another member of the family unit — our efficient and likable domestic worker, Joyce — it was uphill all the way At least 10 interminable trunk calls, mind-boggling arguments and bureaucratic buck-passing ended in a "NO" as immovable as the buffer at the end of a railway line

My first approach is to the East Cape Administration Board Labour Bureau They say I must speak to the Western Cape Administration Board Labour Bureau

Against it

The Western Cape Administration Board say "No' The municipality for the Tygerberg area to which I am moving is against this sort of thing Joyce is black and the Western Cape is a prescribed area for coloured people

"However speak to Mr S at our Labour Bureau, they advise

Mr S eventually says OK Joyce can stay with us for a month in Cape Town — provisionally — while I attempt to get approval from the local authority that her quarters are fine, etcetera

I must also get a letter from the East Cape Administration Board stating that she "qualifies" to work in that area, that they are prepared to take her back if she loses her job and that she is registered as an employee with me

What does "qualify" mean ?

Stamp needed

The man at ECAB explains that this means she has to have a stamp in the front of her reference book saying that she qualifies to work in the ECAB area in other words a guarantee that she was born in the Eastern Cape and not a homeland

I phone the next day with the reference book number

"Is there a stamp in Section A of the book saying that she qualifies under article, such and such and such ?"

There is not The official says all we can do is send Joyce to her place of birth Adelaide to get the necessary stamp

But can't it be done quicker ?

Only rural

Yes if the Adelaide Administration Board sends a telegram stating that she qualifies

A phone call to the Adelaide Administration Board discloses that her birth was not recorded there but they advise me to phone the Administration Board Office in Fort Beaufort

There I am told Joyce qualifies to work in a rural area only like the one where she was born I must tell ECAB s Port Elizabeth Office that

Back to them and I am told that I need a contract drawn up with the Commissioner or Magistrate in Adelaide Joyce will have to travel to Adelaide for that

As there is little time I ask if it cannot be done in Port Elizabeth

Not far

Yes is the reply If Mr B at the Manpower Department office is prepared to do it

Mr B says 'No she has to travel to Adelaide Why doesn t she do it over a weekend if it is difficult in the week ? It's not far just the other side of Grahamstown

I point out that it is improbable that a magistrate or commissioner will be available during a weekend

Sorry but I did not make the law if I had it would have been different

Later Mr B assures me that there will be 'no problem" about getting Joyce a contract

But just in case the Western Cape Administration Board does not accept such contracts I telephone

And I should have guessed This is not allowed under any circumstances

This is not even half the story but space in a newspaper is limited and valuable

Small consolation

Obviously Joyce did not have her reference book stamped in Adelaide in the first place because she feared she would not be able to look for work in Port Elizabeth

When she arrived in Port Elizabeth, she walked the streets for two months before I employed her on a temporary basis Later the position became a permanent one

I have not yet broken the news to Joyce — or to my children, who are very fond of her About all I could do was save her an unnecessary trip to the other side of Grahamstown '

And that's small consolation for an efficient and conscientious worker who has suddenly been stripped of her livelihood.

Before consideration could be given to her employer's application to bring Joyce with his family from Port Elizabeth to Cape Town she was told she had to to have her reference book stamped in Adelaide, where she would probably have had to wait patiently outside a Government office as these domestic servants are waiting for the documentation they need.

Cape T. Ad 22/6/85 201 ~~206~~

Influx control prosecutions

JOHANNESBURG — The number of prosecutions under the influx control laws in the Western Cape totalled 2 081 from January to April this year, the Deputy Minister of Co-Operation and Development, Dr George Morrison, said in an interview with the SABC yesterday

All complaints against vagrants were also being investigated

Referring to the influx control laws, Dr Morrison said they were still being applied consistently in the Western Cape, and that the number of prosecutions arising from "Act 25" was clear proof of this

Dr Morrison said the black communities of Langa, Nyanga and Guguletu in the Cape Peninsula would eventually be resettled in the new residential area of Khayelitsha ("New Home")

However he could not say when the process would be completed The three existing black residential areas would later become available to the coloured community

Dr Morrison said orderly and healthy community development made it essential that blacks in the Peninsula were accommodated in a single area

The development of Khayelitsha did not only comprise accommodation — emphasis would be on community development.

However, homes would be provided only for those people legally in the Peninsula under the Urban Areas Act of 1945

Dr Morrison said it was the government's intention that the Western Cape should remain the traditional home and workplace of the white and coloured communities — Sapa

fines and (b) number of days in respect of sentences imposed on Blacks in 1982 in the (i) Cape Peninsula and (ii) rest of the Western Cape for offences relating to influx control and identity documents.

(2) (a)(i) how many persons paid fines and (ii) what was the total amount paid in such fines, and (b)(i) how many persons served sentences and (ii) what was the total number of days served by such persons in each of the above-mentioned areas in that year?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

(1) (a) (i) Cape Peninsula—R324 900

(ii) Rest of Western Cape—R226 256

(b) (i) Cape Peninsula—324 965 Days

(ii) Rest of Western Cape—179 677 Days

(2) (a) (i) Cape Peninsula—4 187 Persons
Rest of Western Cape—Information not readily available

(ii) Cape Peninsula- R249 662
Rest of Western Cape—Information not readily available

(b) Information not readily available

Magistrate calls Transkei 'wretched'

CAPE Times 22/6/83

Staff Reporter

THE situation in Transkei was wretched but it did not justify breaking the laws of South Africa, an Athlone magistrate said yesterday as he sentenced seven men for squatting at KTC

Six men, Zitshonisile Mgibisa, 26, Mgobozi Andries Nqwikiso, 29, William Mati, 50, Sydney Ngqola, 44, William Malala, 39, and Skelo Eliot Jajini, 45, were sentenced to a total of R100 (or 100 days) each for illegal squatting and being in the Peninsula for longer than 72 hours

The entire sentence was suspended on condition that they were not convicted of a similiar offence and that they leave the Peninsula by July 15

A seventh man, Alfred Qayi, 57, was acquitted of being in the Peninsula for longer that 72 hours He was cautioned and discharged for illegal squatting

Particulars in his reference book indicated he had worked for the same employer for 19 years

"In the light of the Rikhoto judgment it appears as if he qualifies to live in the Peninsula," the magistrate, Mr A P Kotze, said

All the men pleaded not guilty to the charges and raised neccessity as their defence

Passing judgment, Mr Kotze said "Conditions in Transkei are bad and wretched but they cannot be clasified as a state of emergency No one testified that they approached the Transkei Government for assistance The court is not satisfied that they did everything in their power"

Passing sentence Mr Kotze said "The court has listened to the evidence and has sympathy with you who do not have any family left in your places of birth The court cannot even give you advice but will impose a sentence which will prevent you from finding yourself in a similar position"

Mr A C Venter appeared for the State Mr P J Berthold appeared for all the men

t attacks baked' bill

MBLY. — The Progressive Federal called for the Promotion of Local s Bill to be referred to a select e its second reading.
ing debate on the bill, Mr Ray Swart d this should be done because of lack between the government and other e bill was introduced
criticism of the proposed legisla- sources, including the coloured

confirm our view that this bill was ch haste and is half-baked.
(of Constitutional Development and is Heunis) is now trying to recover ring amendments.
legislation be pushed through in manner?
ides for the pattern of procedure for of second and third tier govern- r consultation has taken place.
move to downgrade provincial gov-

come for the minister to come clean on his intentions with provincial

ave the blacks out of local govern-

The Rikhoto judgment, if implemented, would make tens of thousands of migrant workers eligible for permanent urban rights

App & Times 22/6/83

Rikhoto: Signs of Cabinet deadlock

Political Staff

THERE are growing signs of a serious deadlock in the Cabinet over how to respond to the historic Rikhoto Appeal Court ruling on the rights of black migrant workers to live in the urban areas.

At the third Cabinet meeting since the landmark judgment was delivered, the government failed to reach finality on the matter yesterday

The Minister of Co-operation and Development, Dr Piet Koornhof, said yesterday that a decision had not yet been taken

It was also learnt from senior government sources yesterday that a "summit" of senior Administration Board officials, which was to have been held in Roodepoort this week, may no longer be held.

Section 10

It is also unclear whether the government will proceed with legislation this session to deal with the judgment which, if implemented, would make tens of thousands of migrant workers eligible for permanent urban rights in terms of Section 10(1)(b) of the Black (Urban Areas) Consolidation Act, of 1945

Recent speculation in the government-supporting Nasionale Pers newspapers has indicated that the government is preparing legislation which would carry out

Dr Piet Koornhof

the Rikhoto judgment in terms of migrant workers who presently qualified for urban rights, but would amend the law to prevent their wives and families from living with them in the cities

However, sources said yesterday that the lack of consensus in the government over the Rikhoto ruling could mean that any legislative steps would be delayed until the short August session of Parliament on the Constitution Bill

The sources said that the division in the National Party over how to respond to the Rikhoto judgment was along Cape-Transvaal lines rather than traditional verligte-verkrampte divisions

In this instance it was the "verligte" Cape ministers such as Mr Chris Heunis, Minister of Constitutional Development, and a vociferous group of Cape Nationalist MPs who were insisting that there should be no softening of influx control through acceptance of the judgment.

The Deputy Minister of Co-operation, Dr George Morrison, is believed to be one of the most outspoken Nationalists in favour of overruling the judgment.

Compromising

However, the Minister of Co-operation and Development, Dr Piet Koornhof, is believed to be in favour of a more compromising approach which would avoid any impression that the government was blatantly circumventing a major Appeal Court ruling.

Elements in the government in favour of a hard-line approach have been seeking grossly inflated estimates of the projected black influx to the cities if the ruling were allowed to stand

144 000 workers qualify

Cape Times 23/6/83

HOUSE OF ASSEMBLY. — Nearly 144 000 black contract workers in South Africa could be entitled to qualify for Section 10 rights following the Appeal Court decision in the recent Rikhoto case, the Minister of Co-operation and Development, Dr Piet Koornhof, said yesterday.

He was replying to a question by Mrs Helen Suzman (PFP Houghton)

Black people qualify for rights under Section 10(1)(b) of the Blacks (Urban Areas) Consolidation Act — entitling them to live permanently in an urban area — if they have worked continuously for the same employer for 10 or more years

Dr Koornhof said yesterday 143 802 black contract workers "could optimally qualify" for Section 10 rights

"If, in terms of the the Appeal Court's decision and the relevant Act, the conditions under which a contract worker can qualify were to be applied, the actual number would be very considerably less."

The break-down of the figures he was giving had been obtained from the administration boards and it had to be emphasized that they represented estimated numbers only

This was because the actual total number could only be determined on a basis of examination of each individual case

"This task, considering the fact that there are approximately 800 000 contract workers employed and the time involved, cannot be undertaken at this juncture," he said

The minister supplied the following figures for contract workers who could qualify in respect of each administration board:

West Rand — 42 330, East Rand — 15 600, Port Natal — 29 761, Central Transvaal — 12 482, Western Cape — 12 000, Drakensberg — 9 089, Southern Orange Free State — 7 657, Orange Vaal — 4 800, Eastern Transvaal — 1 141, Western Transvaal — 3 044, Highveld — 2 510, Northern Cape — 1 735, Eastern Cape — 1 176, and Northern Transvaal — 477 — Sapa

Govt 'respects' Rikhoto ruling

CAPE TIMES 23/6/83

201

THE Minister of Co-operation and Development, Dr Piet Koornhof, met administration board chairmen yesterday afternoon to discuss the issue of contract labourers' rights to apply for permanent residence in South Africa.

But at a press conference in Cape Town yesterday morning he stressed that squatting would not be permitted

This follows a decision by the Appeal Court in Bloemfontein to grant permanent residence rights to Mr Mehlolo Tom Rikhoto, who had worked for one employer for longer than 10 years

In a statement Dr Koornhof said the government would respect the judgment and would not introduce legislation that would nullify it.

"Every case will be judged on merit and strictly tested against the guidelines outlined by the Appeal Court decision"

The government would introduce amending legislation during this session to clarify the situation regarding the wives and children of the contract workers concerned

The conditions would entail the assurance of some form of residence or site for a proposed home

Dr Koornhof said that in order to clarify misunderstanding, confusion and speculation which had arisen as a result of the Rikhoto judgment it was necessary to spell out clearly how the judgment affected the legal position of migrant workers and their dependants

"I must emphasize that the government is obviously bound by the judgment and that it accepts responsibility for all its implications

"I must however also stress the fact that as the responsible minister it is my duty to avoid, at all costs, that unrealistic expectations of instant accommodation in urban areas are not created in the minds of migrant workers and their families who are affected by the judgment

"I cannot emphasize too strongly that now that the rights of affected migrant workers have been clearly established they have basically acquired the right to apply to rent or buy the right of occupation of a home by what is commonly known as the home ownership scheme or by purchasing 99-year leasehold rights

"But they have not, in terms of the judgment, aquired legal rights to demand a house in black urban residential areas

"It is common cause that many of the dependants of migrant workers who qualify to live in urban townships in terms of the Rikhoto judgment are already present in urban townships

"Such persons must come forward and identify themselves to the township administration in order that it may be explained to them what these legal rights are and what steps can be taken to help them

"It must be clearly understood that squatting will not be permitted under any circumstances"

Dr Koornhof appealed to employers affected by the judgment to clarify their position with the authorities — Sapa

Rikhoto ruling: Govt responds with reserve

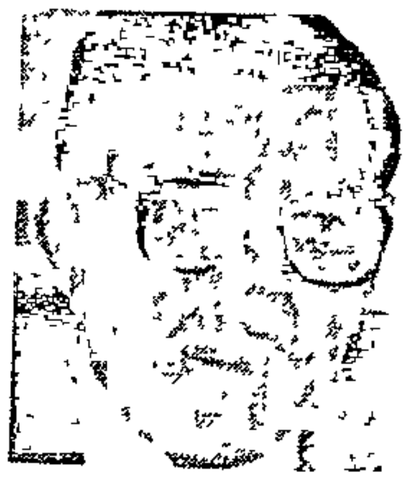
Political Correspondent

THE government has accepted the Appeal Court decision giving permanent urban area rights to some black contract workers, but is determined to limit this to as few workers and their families as possible

This emerged at a press conference addressed yesterday by the Minister of Co-operation and Development, Dr Piet Koornhof

The government has rejected Nationalist press speculation that a "black stream" of possibly 1,5-million people would qualify to live in urban areas in terms of the Rikhoto Appeal Court decision

This gave permanent residential rights in urban areas to contract workers who had worked for the same employer for 10 years or had worked in urban areas for a number of employers for 15 years



Dr Piet Koornhof

The government had previously said contract workers could not qualify for urban area rights because a series of one-year contracts did not constitute continuous employment.

Dr Koornhof said yesterday that the government accepted the Rikhoto judgment and would not introduce legislation to overrule it

He said the terms of the Appellate decision would be applied strictly and warned contract workers and their families not to have "unrealistic expectations"

He also announced that amending legislation would make permission for families to join a contract worker in an urban area firmly conditional on his having approved housing

Dr Koornhof stressed that contract workers

➡➡➡➡ To page 2 (A)

Carfinder

● Caravan sales boom — in today's Carfinder.

● Tomorrow Funfinder will appear with the Cape Times

Your home

A SPECIAL 20-page supplement on how to improve your home will appear with the Cape Times tomorrow

CLASSIFIED ADVERTISEMENTS

Ex-lover holds teenage

GROSS BIEBERAU, West Germany — Police stormed a school classroom here yesterday, freeing a 16-year-old girl held hostage by her armed ex-boyfriend, police said

A police spokesman said they decided to end the eight-hour siege when they realized the girl was threatening to commit suicide.

The spokesman said police established a telephone link with the 20-year-old boyfriend Klaus Dingeldein, and heard him call to the girl, "Why don't you slit your wrists then?"

Once she was free, police found the girl, Katrin Raasch, had suffered a minor cut on her right wrist

The youth stormed into the Albert Einstein comprehensive school shortly before 9am and ordered the other 26 children and their teacher out of the room, barricaded the door, asking to be left alone with the girl.

Armed police officers surrounded the school in Gross Bieberau about 20km southeast of Darmstadt and cordoned off the area, a police spokesman said

In a note to police, the youth said he wanted to be left alone with the girl until 8pm, when he would give himself up

He said he had attached to his foot a detonator linked to explosives in a case and warned that if police attempted to storm the classroom he would blow up [illegible] added he did not [illegible] he lived or died.

Dingeldein [illegible] custody unhurt [illegible] room was stor[illegible]

Mr Peter Be[illegible] president of Da[illegible] later the g[illegible] powed by police opening the cla[illegible] allow his ex-gi[illegible] ceive treatment.

Dingeldein [illegible] to resist arrest

INSIDE

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Govt Trib 25/6/83

A

From page 1

who qualified and wished to bring their wives and children to an urban area would have to have a site permit to build a private house, to occupy or have permission to occupy a council house or to live in a leasehold house

"Squatting will not be tolerated under any circumstances"

Dr Koornhof said May 29, 1983 — the date of the Rikhoto appeal judgment — would be a "cutoff date" in the new legislation for applying the housing condition to families wishing to join contract workers given permanent residential rights by the judgement

He estimated that up to 144 000 contract workers — 12 000 of them in the Cape Peninsula — could be affected, but believed the number who would actually be given permanent rights would be considerably less

He hinted that the final number could be as low as 5 000, but said he did not want to speculate on the figure

The provisions seem designed to put pressure on employers to provide housing for their workers They will also encourage contract workers to apply to live in new black areas such as Khayelitsha, outside Cape Town

The Deputy Minister of Development, Dr George Morrison, told the press conference that people who thought the government would create housing for newly-qualified contract workers were wrong

"We have a backlog of 260 000 houses already it would be most unfair to expect us to make provision for these people who now qualify," he said

● **Govt 'respects' Rikhoto ruling, page 4**

CAPE TIMES 23/6/83

Govt's Rikhoto stand welcomed

Political Correspondent

THE PFP spokesman on black affairs, Mrs Helen Suzman (PFP Houghton), yesterday welcomed the government's intention to accept the Appellate decision giving thousands of black contract workers permanent rights in urban areas

She said, however, that these people faced the "Catch 22" situation of having to find almost non-existent accommodation before they could bring their families to live with them

Mrs Suzman said now that the government had stated its intention not to circumvent the Rikhoto judgment, it should see that all contract workers who qualified were given permanent residential rights

"I hope no instructions will be given to administration board officials to obstruct contract workers from qualifying in terms of the law"

She questioned Dr Koornhof's intention of reducing "considerably" the potential number of 144 000 contract workers who could qualify The law and the Rikhoto judgment were both very specific

If a contract worker now qualified in terms of his period of employment, he had to be given permanent rights unless he lived or was employed outside the urban area concerned, or had been sentenced to a fine of more than R500 or imprisonment for more than six months

Mrs Suzman also hoped Dr Koornhof intended to allow the families of newly-qualified contract workers to remain with them in urban areas even though these wives and children may have been in the areas "illegally" before the judgment.

'Suzman sees 'Catch contract workers' f

Rkgus 23/6/83 (201) 266

By TOS WENTZEL,
Political Correspondent

ABOUT 12 000 blacks in the Western Cape will qualify for permanent residence in terms of the Appeal Court s recent Rhikoto ruling

In the country as a whole about 143 000 would qualify

These figures have been given by the Minister of Co-operation and Development Dr P G J Koornhof in answer to questions from Mrs Helen Suzman MP

Yesterday Dr Koornhof announced that the Government would implement the court ruling which gave permanent residential rights to blacks contract workers who had worked for the same employer for 10 years or different ones in the same area for 15 years

The official attitude previously was that contract workers did not qualify because they broke their service annually to return to their homeland area

While the Government will not try to circumvent the ruling it will take steps to control the unrestricted flow of the families of these contract workers to the urban areas

Housing

Rights will be given to wives and children only if they have housing

As there is a backlog of 260 000 houses for blacks, few families of contract workers will be allowed to join them

In making the announcement, Dr Koornhof said it was common cause that many of the dependants of migrant workers were already present in urban townships

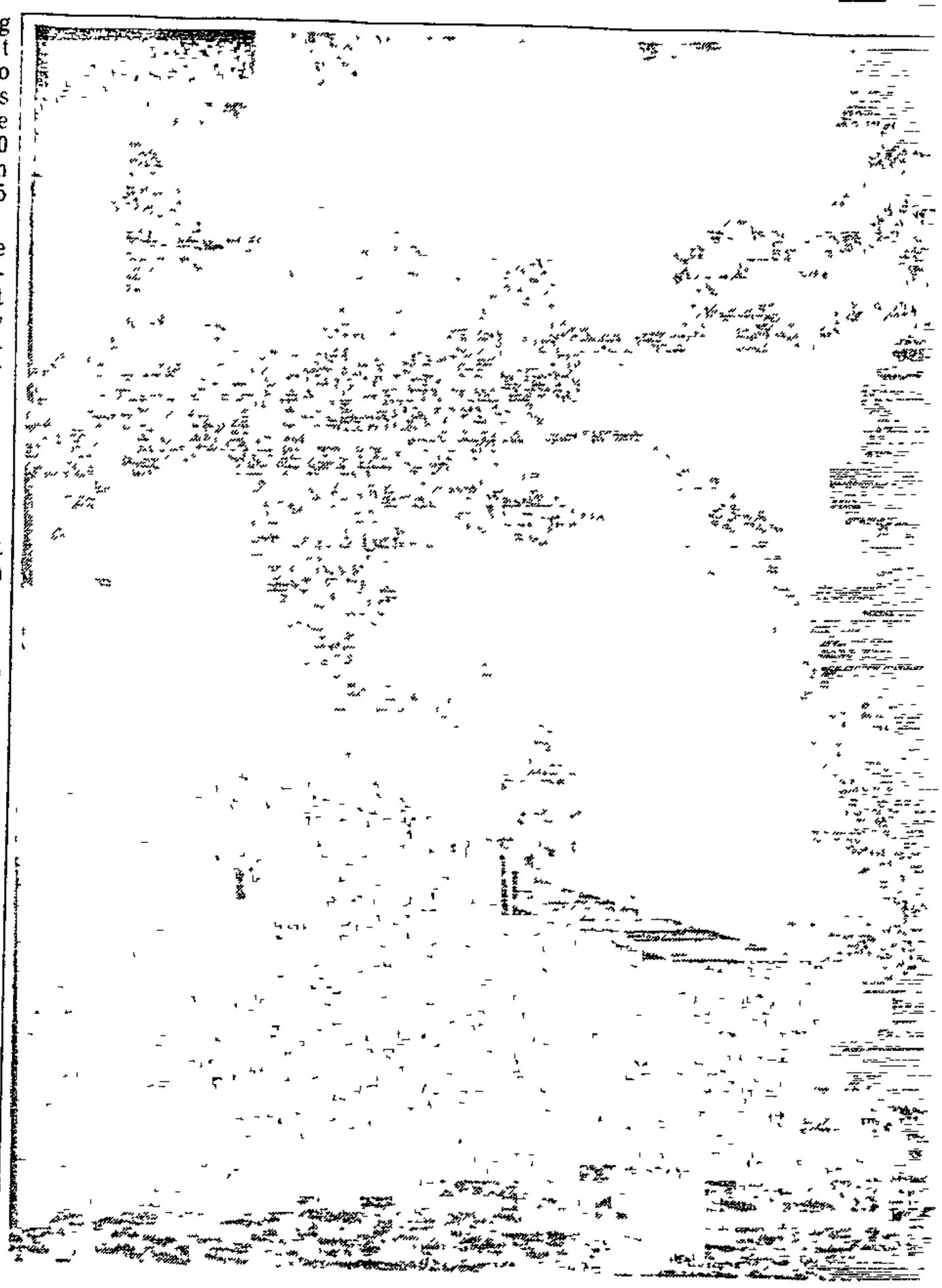
Rights explained

He called on them to approach the township administrations so that their legal rights and steps to help them could be explained to them

It appears that they will be "legalised", but Dr Koornhof has also warned that squatting will not be permitted in any circumstances

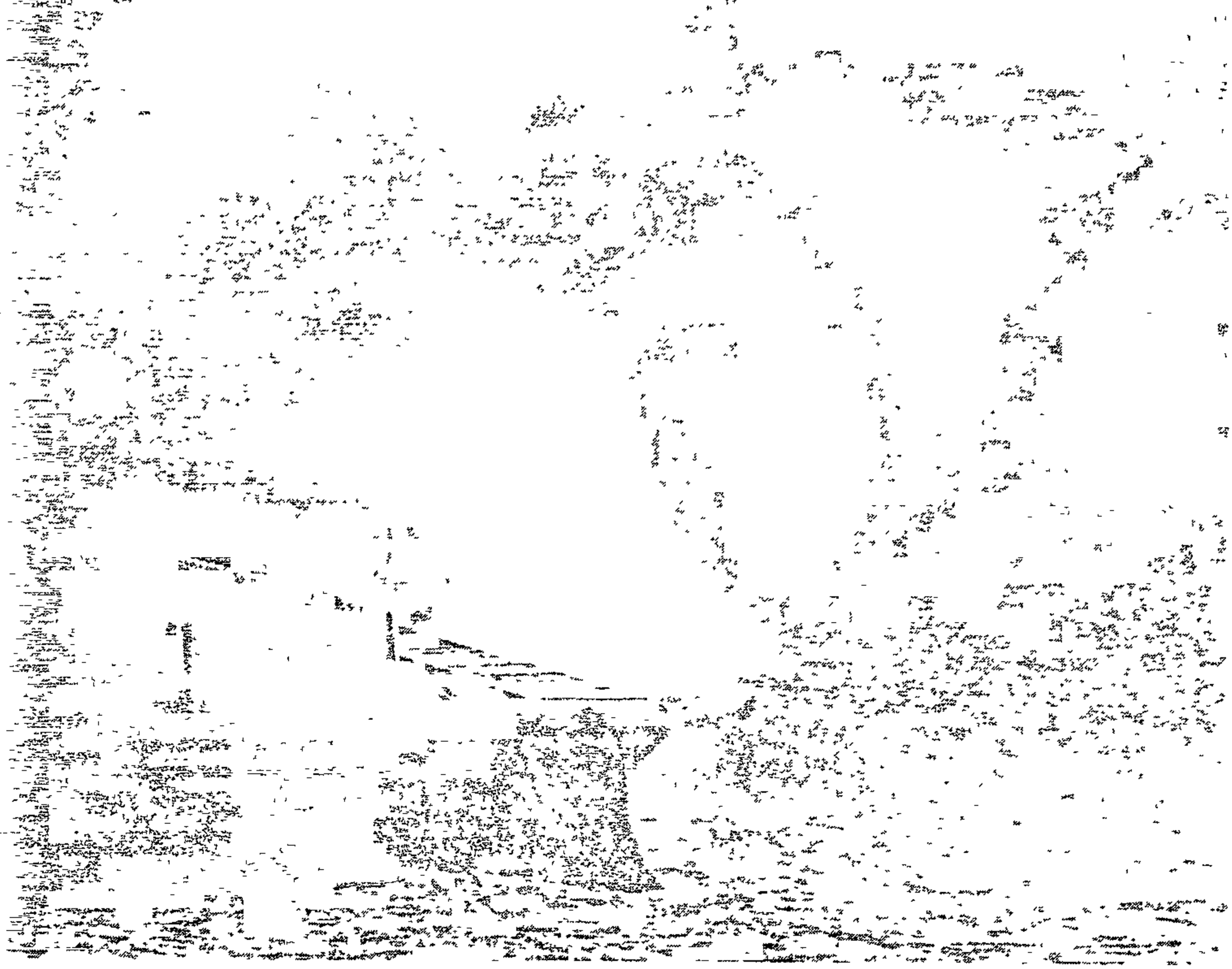
While welcoming the Government's decision, Mrs Suzman said today there was a "Catch 22" situation because people would have to find almost non-existent accommodation before they could bring their families to live with them

The Government had decided not to scrap permanent residence legislation because these provisions would have fallen away for all practical purposes by the end of 1983



AN EXPLOSION of spray booms over the sea wall at the Sea P knots continues to churn up the sea in the afterno

sees 'Catch 22' for workers' families



Picture DOUG PITHEY, The Argus

AN EXPLOSION of spray booms over the sea wall at the Sea Point Pavilion as a gale gusting up to 50 knots continues to churn up the sea in the aftermath of yesterday's storms.

CAPE Times 23/6/83

Discrimination in labour policy 'alive and well

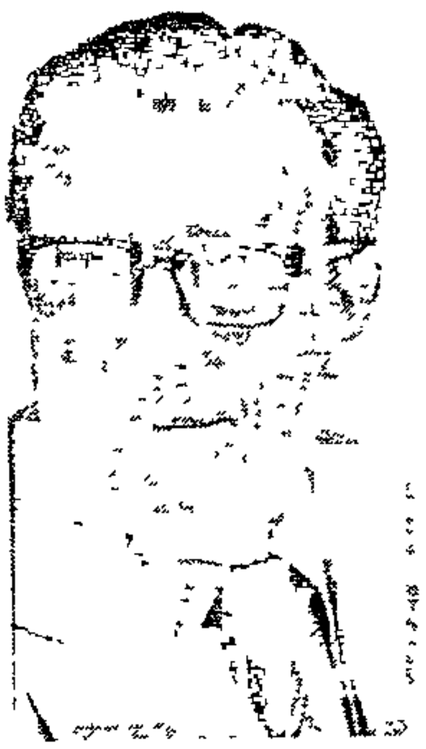
By PHILLIP VAN NIEKERK, Labour Reporter

RACIAL discrimination in labour policy is alive and well in the "liberal" Cape — perhaps more so than anywhere else in the country

That much was made clear this week by Dr George Morrison, the Deputy Minister of Co-operation and Development, who again reiterated the government's stand that the Western Cape is to remain a coloured and white labour preference area

Influx control, he said, was still being applied consistently in the area and the number of pass law prosecutions was "clear proof" of this

Dr Morrison's statement is in fact clear proof that the government has chosen to ignore the feelings of just about every major interest group in Cape Town over the issue

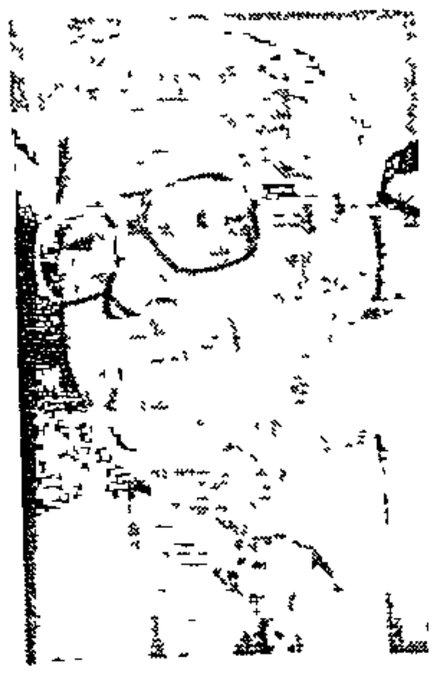


Dr George Morrison . . . reiterated government stand on Western Cape

Menial jobs

The coloured labour preference policy entrenches racial job reservation by preventing employers from employing blacks unless there is no "suitable" coloured labour available Many well-qualified black workers are forced into menial jobs because there is virtually no skilled or more attractive work open to them

This policy goes hand in hand with the rigid enforcement of influx control in the Peninsula as evident in the pass raids, the endless and



Mr David Curry . . against preference area

ugly squatter crises such as at KTC and the acute housing shortage for blacks

Cape Nationalist MPs, the firmest supporters of the policy, say it is there to protect coloured workers in their "natural habitat" from the competition of cheap black labour flowing in from the homelands

Yet this view is based on a myth and a fallacy The myth is that black workers are "foreigners" in the Western Cape

As several researchers have pointed out, blacks have contributed their labour to the region since the arrival of slaves from Angola more than 300 years ago

The fallacy is that coloured workers need such protection In fact, they did not ask for it in the first place

Writing in the Cape Times in February, Mr David Curry, national chairman of the Labour Party, said "Do our critics think we will rubberstamp the continuous harassment of fellow blacks in the Western Province?

"We are against any place being declared a preference area for employment for coloureds and whites only We strongly object that this must be done in our name"

Trade unions with large coloured worker memberships such as the Food and Canning Workers' Union and the more conservative Textile Workers' Industrial Union have rejected the policy

The Cape Chamber of Industries and the Cape Town Chamber of Commerce have made repeated and unsuccessful appeals to the government to grant blacks with permanent residence rights in Cape Town the same status as those in other cities

Most telling of all, the director-general of the Department of Manpower, Dr Piet van der Merwe, told the President's Council economic affairs committee last year that the policy was a "discriminatory measure" which should be scrapped

He said it was "difficult to justify a system which allows a person to live in an area but which effectively prevents him from looking for work" Quite clearly, the Department of Manpower, which cultivates an image of reform, is embarrassed at having to apply what is in effect a racist policy

At the root of the policy is the belief that blacks, whether "legal" or "illegal", are temporary residents of the Western Cape.

It has been asked whether the construction of the new city of Khayelitsha, which will lead to the uprooting of the entire populations of Guguletu, Nyanga, Langa and Crossroads, will mean that the black residents of the Peninsula will be afforded some form of permanence

'Homeland'

It has also been suggested that the consolidated Khayelitsha will function as a "semi-urban homeland", which will overcome the Western Cape's "problem" that it has no nearby homeland This will provide local employers with a nearby reservoir of cheap labour coming from a consolidated black residential area which will be far easier for the government to control

That the coloured labour preference policy is to be retained at full strength alongside the development of Khayelitsha is not a hopeful sign

And at least one important feature of the whole Khayelitsha saga is consistent with the labour preference policy Apart from the Cape Town Community Council, not one representative black organization has been consulted about the move

Like the coloured labour preference policy it could be a case of white bureaucrats making plans and imposing policy on an unwilling and unconsulted population

Court told of migrant incomes

Staff Reporter

THE total income of Transkei, which includes money from the South African Government, was less than four percent of the income generated by migrant workers, an Athlone magistrate was told yesterday

This was said by Mr Iraj Abedian, a lecturer in economics at the University of Cape Town in the trial of six KTC squatters — four women and two men

Total employed

Jackson Makisi, 41, Nosandile Dlephu, 25, Daisy Nomulana, 56, Vuyezwa Stuli, 32, Eunice Mcqatsa, 23, and Thoblea Caswell Makapela, all pleaded not guilty to illegally squatting at the KTC camp and to being in the Peninsula for more than 72 hours

Mr Abedian said Transkei's subsistance economy could employ 140 000 workers and had 60 000 informal sector employees The rest of the people depended on the South African economy

Of the estimated 1 million strong labour force, 400 000 people were registered legal migrant workers, and 200 000 were either unemployed or illegal migrants

About 13 000 people were employed by the Transkei Government as casual labour Of this total, about 6 000 would be employed for the whole of the year

The alternative to government employment was the informal sector which at present employs about 60 000 people The reason Butterworth and Umtata could not provide an informal sector was because trade was saturated, Mr Abedian said

People with no skills could not move to other parts of the country because of prevailing tribal traditions If people left their districts for a long time they would find it difficult to return

Asked by the prosecutor, Mr A C Venter, what the role of the Transkei Development Corporation (TDC) was, Mr Abedian replied it was limited to the establishment of industries, with a preference for local industries

There was little scope for the establishment of local industries

Asked by Mr Venter if people starved, Mr Abedian said the situation was different to that in other parts of Africa because the possibility of illegal migration to South Africa always existed "If people grow destitute they will violate the law", he said

The hearing continues today

Mr A P Kotze is the magistrate Mr J van Gend appears for all the accused

CAPE TIMES 24/6/83

Housing challenge for employers

By PHILLIP VAN NIEKERK
Labour Reporter

A MAJOR challenge to employers to provide greater housing assistance for their workers has emerged in the wake of the historic Rikhoto Appeal Court judgment

This follows the statement on Wednesday by Dr Piet Koornhof Minister of Co-operation and Development, that the government would implement the decision, but would legislate to prevent their families living with them unless they had "approved accommodation"

The Urban Foundation, the Federated Chamber of Industries (FCI) and the Association of Chambers of Commerce (Assocom) all felt this emphasised the need for the private sector to continue their efforts to overcome the housing shortage

However, in the Western Cape private sector bodies with housing funds are facing a dilemma over providing accommodation in Khayelitsha, the only area set aside for new black housing

It is understood some organizations, including church bodies, who wish to help beat the housing backlog, do not wish to be party to the planned massive relocation of people from Guguletu, Nyanga and Langa to Khayelitsha, viewed in an extremely negative light in the black community

Mr Jan Steyn, the executive director of the Urban Foundation, said it was clear that the government's decision to link the settlement of dependents to the availability of suitable accommodation "poses a special challenge to the private sector to actively expand its role in the provision and financing of housing"

Mr Rod Ironside the president of the FCI said employers should take an increasingly active stand in giving real housing assistance to their employees

And Dr John Burns, the executive director of the Manpower and Management Foundation, said every effort should be made to make more land available for leasehold development where housing shortages existed

However, Professor David Dewar, the head of UCT's department of Urban and Regional Planning, warned that the government had the prime responsibility to provide low-cost housing This did not mean that efforts by the private sector should be discouraged

Professor Dewar described the Western Cape as a "Catch 22" situation There was a desperate housing shortage, but any group providing housing there would face a "severe credibility problem' in the black community

Meanwhile, Dr Koornhof's statement has been welcomed by the Urban Foundation and employer bodies, but civil rights groups and trade unions say they are waiting to see the envisaged legislation

Rikhoto Ruling

Rikhoto Appeal Court finding

WCAB takes strict line on migrants

CAPE Times 24/6/83

Labour Reporter

THE Western Cape Administration Board (WCAB) is to grant permanent residence rights only to those migrant workers whose circumstances are strictly the same as Mr Tom Rikhoto who won the landmark Rikhoto Appeal Court judgment.

This could mean that far fewer than the estimated 12 000 workers in the area who have worked for one employer for 10 years or more will qualify for their Section 10(1)(b) rights

Mr J Gunter, Chief Director of the WCAB, said yesterday that workers who had long absences from work during their 10 years in employment would not qualify on the same basis as Mr Rikhoto

This is in spite of a Cape Supreme Court ruling in April granting permanent residence rights to a City contract worker, Mr Mdandweni Mthiya, who had had three absences from work of up to eight months

The WCAB did not appeal against the judgment, on which basis, lawyers believe, almost all of the long-serving 12 000 contract workers in the Western Cape could be granted permanent residence rights

Mr Justice Pat Tebbut said in his judgment that being absent from his place of employment periodically could not disqualify a migrant worker from gaining his rights

"A man cannot be expected to work day in and day out for 10 years without a break of any kind If he left the area for a lengthy period and his employer agreed to his absence, he could not be said to have abandoned his employment"

Criteria

Mr Gunter, who attended the meeting between heads of Administration Boards and Dr Piet Koornhof, the Minister of Co-operation and Development, on Wednesday, said he would spell out the criteria for qualification once he had discussed them with his staff

Meanwhile, not a single contract worker in the Western Cape has been granted permanent residence rights following the judgment, though the WCAB announced three weeks ago that they would uphold the ruling

Dr Piet Koornhof

UF urges govt not to block families

Own Correspondent

JOHANNESBURG — In a rare public statement, the Urban Foundation has urged the government not to introduce a law to hamper attempts by workers who qualify for city rights in terms of the Rikhoto judgment to have their families in the cities

The UF welcomed Dr Piet Koornhof's statement that the government would implement the Rikhoto judgment

But it said new legislation linking the right of families to come to the cities to possessing "approved accommodation" could "create an unnecessarily negative impression if enacted at this time".

"We are convinced the government does not wish to give recognition to the separation of husband, wife and family or to strengthen the migrant labour system," the UF said

"After all, workers affected by the Rikhoto judgment have shown by length of service that they are a stable and loyal component of the free market system"

CAPE TIMES 25/6/83

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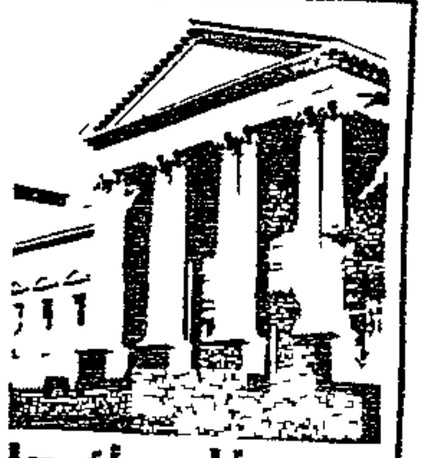


In the House

Silence on bonds till decision

Political Staff

HOUSE OF ASSEMBLY — The government said yesterday that it would refuse to make any further statements on the future of defence bonus bonds until it had decided on its course of action

This was stated in Parliament by the Deputy Minister of Finance, Mr Eli Louw, in reply to questions from Mr Harry Schwarz, chief opposition spokesman on finance

Mr Louw said churches and other parties had at various times made representations to the government for the abolition of the scheme

He disclosed that the gross investment in defence bonus bonds on May 31, 1983, was R877 009 360, of which R539 643 505 was still outstanding

Last week the Prime Minister, Mr P W Botha, put the future of the bonus bond scheme into question when he said the government was not committed to it and would drop it if alternative financing for State activities could be found

This followed the disclosure that the money invested in defence bonus bonds was not used exclusively for defence

Both Mr Schwarz and Mr Philip Myburgh, chief opposition spokesman on defence, attempted to extract further information from Mr Louw but he refused, saying nothing more would be said until a decision was made on whether or not to abolish the scheme

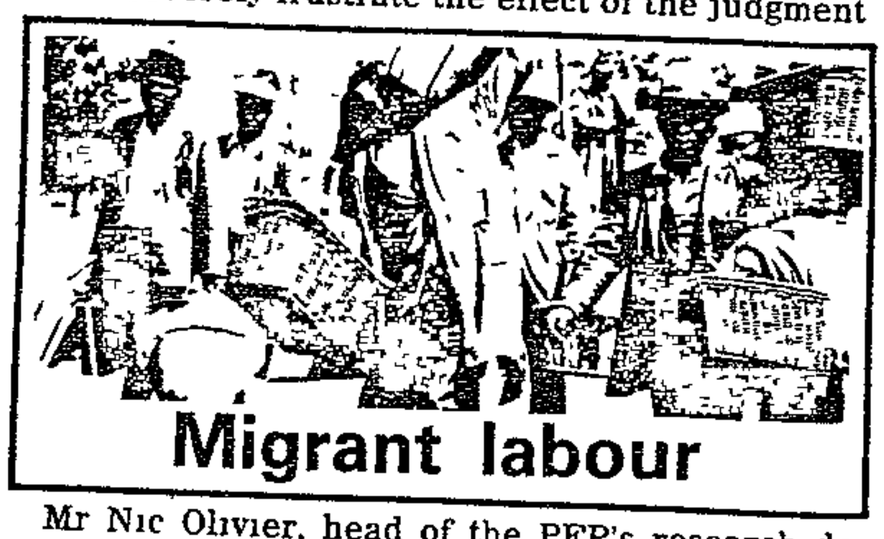
New opposition look at Rikhoto

Political Staff

THE official opposition was yesterday reviewing its qualified support for the government decision on the Rikhoto Appeal Court ruling in spite of a United States endorsement of the government's response

The Reagan administration has come out in support of the government's decision to honour the historic judgment granting legal permanency to certain migrant workers while at the same time severely limiting urban rights to their wives and families by amending the law

But there were growing fears in political circles yesterday that an unduly strict interpretation of the judgment by the government and bureaucratic obstruction by administration board officials who will have to implement the government decision, could severely frustrate the effect of the judgment



Migrant labour

Mr Nic Olivier, head of the PFP's research department and an acknowledged expert on laws affecting blacks, said closer study of the implications of the government decision had revealed administrative procedures which could be used to frustrate the granting of legal permanency rights to workers who were still in the process of qualifying

He said that in terms of government proclamations and Section 10 of the Black (Urban Areas) Consolidation Act of 1945 almost total discretion was given to labour bureaux to attest employer contracts entered into by migrant workers

"One can only hope that the tremendous administrative powers at the disposal of the labour bureaux will not be used to frustrate the Rikhoto judgment in this way," Mr Olivier said

Slabbert in renewed call for TV debate

Political Staff

A TELEVISION programme on constitutional change featuring the Minister of Constitutional Development and Planning, Mr Chris Heunis, and the leaders of the three main white opposition parties should not be seen as a substitute for a live TV debate on the issue, the Leader of the Opposition, Dr Van Zyl Slabbert, said yesterday

Dr Slabbert was reacting to an announcement by the SABC that "Verslag" on Monday night would examine the constitutional question

The programme will feature interviews with Mr Heunis, Dr Slabbert, Dr Andries Treurnicht (CP), Mr Vause Raw (NRP), the Rev Allan Hendrikse, and the executive chairman of the South African Indian Council, Mr Amichand Rajbansi It has apparently been compiled from separate interviews with participants and is not the live debate Dr Slabbert has repeatedly called for

Dr Slabbert said yesterday the format would obviously exclude the cut and thrust of a live debate and renewed his call for one

WCAB 'thinks it's above law'

Cape Times 28/6/83

201

By PHILLIP VAN NIEKERK
Labour Reporter

THE Western Cape Administration Board (WCAB) has been accused of "thinking themselves above the law" for refusing to apply a Cape Supreme Court ruling similar to the landmark Rikhoto judgment.

In April, Mr Justice Pat Tebbutt granted permanent city residence rights to a contract worker, Mr Mdwandweni Mthiya, who had worked for one employer for longer than 10 years, though he had three long absences from work

The Chief Director of the Western Cape Administration Board (WCAB), Mr J Gunter, said yesterday that he recognized the Mthiya case was the law, but said the WCAB would not be applying it yet

He said the WCAB's lawyers were considering the matter and, if they believed they had a case, would be appealing against it

Mr Gunter said the Rikhoto verdict, granting permanent residence to long-serving migrant workers, would be "respected" but only those who qualified on exactly the same basis as Mr Tom Rikhoto would be granted residence rights

This would mean far less than the estimated 12 000 long-serving migrants in the Western Cape, many of whom have had lengthy periods of unpaid leave, would qualify.

And it would be "some years" before those workers who do qualify would be able to bring their families

This was because of Dr Koornhof's proposed legislation only allowing those workers who have "approved accommodation" to bring their families to the city, coupled with the housing shortage of about 6 000 units in the black areas of the Peninsula.

Mr Gunter's statement was yesterday criticised by several city lawyers and Mrs Sheena Duncan, the national president of the Black Sash, said administration board officials did not have the right to make up their minds whether or not they should apply the law

"Bureaucrats in this country increasingly think themselves above the law," she said

ARGUS 29/6/83 ~~200~~ 201 ~~206~~ ~~357~~ ~~340~~

Many apply for residence

Staff Reporter

MORE than 1 000 people have applied for permanent residential rights in the Western Cape since the announcement last week by the Government that it would follow the Rikhoto judgment

During the two weeks after the Appeal Court judgment the Western Cape Administration Board had only 239 applicants

The trickle of applicants to the board's labour offices during the doubtful period has been attributed to the fact it was widely speculated in trade union and civil rights circles that the Government would introduce legislation to neutralise the judgment

Dr Piet Koornhof, the Minister of Co-operation and Development, however, announced last week that the judgment, which gives permanent residential rights to contract workers who have worked for the same employer for 10 years or for a different one in the same area for 15 years, would be implemented

The liaison officer of the Administration Board, Mr G T du Preez, said to date about 2 500 applications for 10 (1) b rights had been received

About 1 000 were received before the judgment, 250 in the two weeks after the judgment and 1 250 since the Government made the announcement last week

Opposition to Clause 4

Political Staff

ANY attempt by the Government to circumvent the Appeal Court's ruling in the Rikhoto case would be opposed Mrs Helen Suzman, Opposition spokesman on black affairs, said today

Reacting to the Laws on Co-Operation and Development Amendment Bill, Mrs Suzman said the PFP would oppose Clause 4

This is the section that puts an accommodation requirement into law forcing contract workers to provide suitable accommodation if they want their families to get permanent city dweller rights

"It is an attempt to circumvent the Rikhoto ruling and therefore we will oppose it," she said today"

"There is no reason why those people who are newly qualified should be put in a different position from the others who qualified under the old sections"

Ministers (20) Hansard

~~206~~ 0 **Rikhoto judgment** Col. 1739 29/6/83

*1 Mrs H SUZMAN asked the Minister of Co-operation and Development

Whether any Black persons qualifying for rights under section 10(1)(b) of the Blacks (Urban Areas) Consolidation Act, No 25 of 1945, have had their reference books endorsed in accordance with the Rikhoto judgment since his reply to Question No 15 on 10 June 1983, if so, how many as at the latest specified date for which figures are available?

Elantic ents figure' ALLT

Rikhoto finding: Chamber warns on possible labour wrangles

Argus 30/6/88

THE lack of homes for families of black workers who now qualify for permanent residence in the Western Cape may cause problems in the field of labour relations, the Cape Town Chamber of Commerce warns

In the current issue of its newsletter it advises city firms to check the position of employees who might be affected by the Rikhoto case which gives the right of permanent residence to workers who have had the same employer for 10 years or more

Firms should help such employees to apply for permanent residence and look into the possibility of finding accommodation for families

But the newsletter also suggests they should 'advise such employees not to bring their families to town until such accommodation is available"

An estimated 12 000 workers in the Western Cape now qualify for permanent residence, according to a statement made in Parliament by the Minister of Co-operation and Development Dr P G J Koornhof

The chamber of commerce newsletter says that Assocom's policy is that influx control should be phased out

The only criteria for permanent residence should be employment and housing

"The problems of finding accommodation for the families of the employees concerned will be a major issue in many cases

If this is not available the disappointment caused might give rise to problems in the labour relations field"

Crude steel output rises

BRUSSELS — Crude steel output in the United States, Argentina and Brazil has risen since April last year against trends in most other countries.

US production rose 7,3 percent to 6,8-million tons, the International Iron and Steel Institute says Brazil's was up 18,9 percent to 1,2-million tons and Argentina's 22,8 percent to 253 000 tons

By contrast, the European Community's steel output fell 14,8 percent to 9-million tons, while Japan's dropped 9,3 percent to 8-million tons — Sapa-Reuter

Drive freer

Gold Mines Assistance Act

1047. Mr. J. P. I. BLANCHE asked the Minister of Co-operation and Development†

How many Blacks from (a) the Republic, (b) the national states, (c) the independent Black states and (d) other countries were at the latest specified date for which figures are available, employed at certain gold mines which qualify for financial assistance in terms of the Gold Mines Assistance Act, No. 82 of 1968, and the names of which have been furnished to the Minister's Department for the purposes of his reply?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

	(A) Republic	(B) National States	(C) Independent States	(D) Foreign
1 East Rand Mines Pty Ltd	727	1 313	3 714	11 820
2 Lorraine General Mining Company	2 456	503	2 575	3 697
3 Eastern Transvaal Consolidated Mines	1 448	—	—	270
4 Durban Roodepoort Deep	5	1 033	4 332	4 652
5 Witwatersrand Nigel	180	860	518	600
6 Barberton Mines	334	—	—	
7 Boshof Group				
(a) Stanhope General Mining Corporation	164	92	502	341
(b) Balmoral General Mining Corporation	787	667	2 639	1 254
(c) Primrose General Mining Corporation	3 859	923	2 272	3 078
8 West-Rand	280	961	2 239	3 827
9 Stilfontein Mining Corporation	273	267	2 465	1 776
10 Venterspost Mining Corporation				
11 Leslie General Mining Corporation				

'Demand aid', squatters told

CAPE Times 30/6/83

Staff Reporter

A WYNBERG magistrate, sentencing seven men yesterday for illegal squatting at KTC on May 17, said the "outstanding characteristic of the cases was that "no-one confronted the Transkei Government with demands as they do here"

Goodman Paka Mesani, 31, Shadrack Tobile, 31 Agripper Maqana, 28, Wakuani Ntloko, 30, Lennox Bacai, 29, Gladwell Mtsike Wane, 62, and Mazwi Lucas Mpetstleni, 35, who had all pleaded guilty, were each fined a total of R100 (or 100 days) on illegal squatting charges and for remaining in the Peninsula for over 72 hours

The sentences were suspended for two years on condition that they are not again convicted of squatting and that they leave the Peninsula by July 15

Miss I Broodryk, for all the men, said they had come to look for work to avoid starving

The magistrate, Mr A P Kotze, said the court always took the personal circumstances of the accused into account

"The court is aware that many of you have no family in Transkei

"The court finds it interesting that many of you have been back to Transkei, and it appears that if you cannot find work you return to the Peninsula No-one blames you for looking for deliverance but you must not break a country's laws in the process

"None of you have approached the Transkei authorities for assistance and the court must urge you to try that way before you break the law"

Mr A C Venter appeared for the State

Parliament and Politics

Koornhof answers questions on Rikho

Cape Times 10/8/83 201 206 1/7/83

Political Staff

THE Minister of Co-operation and Development, Dr Piet Koornhof, yesterday answered 10 questions on the Rikhoto case put to him in writing by our political staff on Thursday last week.

Dr Koornhof was speaking at a press conference in Cape Town Here are the questions and the verbal replies given yesterday.

(1) If a maximum of 143 000 migrant workers stand to benefit from the Appeal Court judgment on Mr Tom Rikhoto, how does the government propose to limit the number to as few as 5 000 people (a figure you stated as a minimum that could benefit)?

Dr Koornhof: "It is not possible to arrive at a figure really and we will implement it in a strict but very fair way and we will keep statistics and inform you as to now many qualify."

(2) What criteria will be used by the administration boards for the granting of Section 10(1)(b) rights?

Dr Koornhof. "The criteria set out in the appeal court judgment."

(3) Does the government intend the judgment to apply to those people who had completed 15 years' continuous legal residence by May 29, 1983?

Dr Koornhof. "The judgment in the Rikhoto case dealt with a person who had worked for one employer for a period of 10 years That is the criteria which was applied in the Rikhoto case, but we have stated, because of the Act, that a person who has worked for 15 years will also qualify."

(Dr Koornhof pointed out that the government's legal advisers had said it would be better to have the "cut-off date" set at the time the amending legislation introduced in the Assembly this week becomes law, and not the date of the Rikhoto judgment as announced by him at a press conference last week. The government had accepted this advice.)

(4) If the number of people who qualify in terms of the judgment is kept well below the potential 143 000 — and even as low as 5 000 — how do you respond to the proposition that the government would then be in contempt of the Appeal Court ruling?

Dr Koornhof. "It is absolute sheer nonsense. We have accepted the Appeal Court judgment and it will be implemented in the way that I have indicated."

(5) Will families of contract workers (who will now qualify for Section 10(1)(b) rights) who were in the urban areas illegally (as the dependants of Section 10(1)(d) men) be allowed to remain legally in the urban areas?

Dr Koornhof: "Obviously the department cannot administratively legalize the presence of a person whose presence is, in terms of the Act, illegal those that have been legally here, we will not tamper with."

Asked yesterday if families of men who now qualified for Section 10(1)(b) rights who were in the urban areas at present could become illegal in terms of the amendment, Dr Koornhof said. "Not as far as I can see because the amendment is not retrospective."

Migrant Labour

When asked what would become of families of Section 10(1)(b) men who were living in "unapproved" housing at the moment after the proposed amendment became law, Dr Koornhof said the Administration Boards would "give them the opportunity to acquire housing in terms of 10(1)(c)", but he said he doubted that there would be many such cases.

The sole issue involved with Section 10(1)(c) was to create a situation in which families could live together "in an orderly fashion", he said.

(6) How many migrant workers who will now qualify for Section 10(1)(b) rights previously had their families with them in the cities?

Dr Koornhof: "We do not know."

(7) Under what circumstances (other than being in possession of approved housing as defined by you) will the families of legal contract workers be allowed to come to the cities?

Dr Koornhof: "The wife and the children of a person who qualifies in terms of Section 10(1)(b) of the Act will be allowed to join him in a prescribed area if a home in such area has been acquired by him for that purpose."

(8) Will contract workers who are in the process of completing their 10 years with one employer (or 15 years' continuous legal residence in the urban area) still be able to qualify for Section 10(1)(b) rights in the future in terms of the government's acceptance of the Rikhoto judgment?

Dr Koornhof: "Yes. It is neither retrospective nor blocking in the future."

(9) Are you, in the interests of clarity and in the public interest, prepared to publish the amending legislation in the Government Gazette for general information?

Dr Koornhof: "It has already been published."

(10) In the four types of approved housing that you listed (at a press conference last week) one was a lodger's permit. But in a radio interview, Mr John Knoetze of the West Rand Administration Board (WRAB) omitted the lodger's permit category. Will the government recognize a lodger's permit as approved accommodation?

Dr Koornhof: "The Act is absolutely very clear on this point of what is considered to be approved housing, there need be no misunderstanding on that.

"It must be approved family housing, otherwise it is going to lead to complete disorder."

In terms of the Laws on Co-operation and Development Amendment Bill published this week, the "approved" accom-

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oornhof answers questions on Rikhoto

Cape Times 4/6/83 200 201 206 239 340

1/7/83

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"It must be approved family housing, otherwise it is going to lead to complete disorder."

In terms of the Laws on Co-operation and Development Amendment Bill published this week, the "approved" accommodation for the new Section 10(1)(b) men and their families will be:

(a) In any building erected on any site in respect of which a right of leasehold for residential purposes has been granted or disposed of to that black in terms of Section 6a or:

(b) In any dwelling erected for the purposes of occupation by himself and his dependants by that black on any residential site allocated to that black for such purposes of occupation in terms of the provisions of this Act or any regulation, or in any dwelling on any such site let to that black for such purposes in terms of such provisions or:

(c) In any dwelling allocated or let as a whole to that black for the purposes of occupation by himself and his dependants in terms of such provisions or:

(d) In any married quarters referred to in Section 9(2)(f) made available by his employer to that black for the purposes of occupation by himself and his dependants

Khayelitsha 1/7/83 'sound planning'

CAPE TIMES 44143 (201) (266) 5166

Political Correspondent

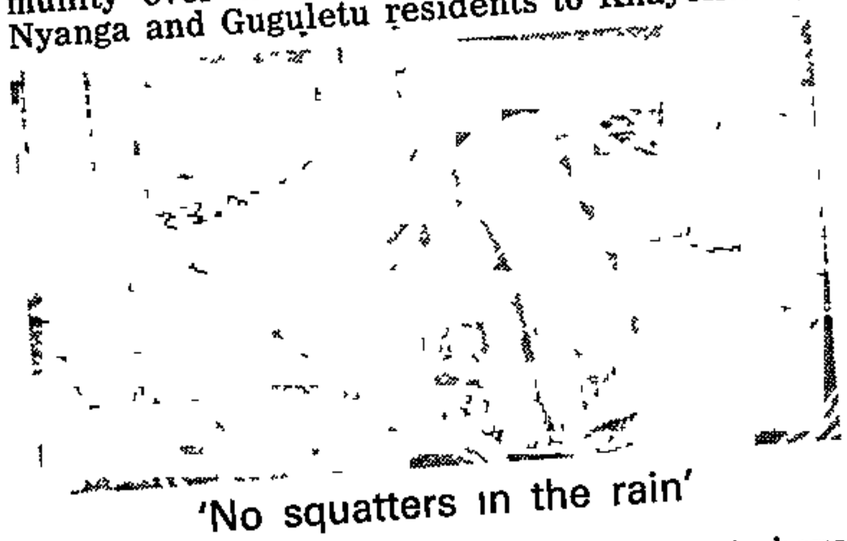
THERE was no need for any confusion or uncertainty about the establishment of Khayelitsha and its effect on existing black townships in the Peninsula, the Minister of Co-operation and Development, Dr Piet Koornhof, said yesterday

He declined to spell out the implications of the move, however, until he had had discussions with the local community council

Dr Koornhof told a press conference these talks would take place as soon as possible

He also said a railway line to Khayelitsha was not excluded, but the Department of Transport was investigating whether a bus or train service would best serve the needs of the community

Asked about uncertainty in the black community over the "long-term" move of Langa, Nyanga and Guguletu residents to Khayelitsha,



'No squatters in the rain'

Dr Koornhof said it was sound planning to have all the Peninsula's black people housed in Khayelitsha

"We are dealing with a planning situation It is completely unnecessary to have it fogged with all these other things," he stated

"We don't want to cause uncertainty We don't want to harm anybody Our intention is only to do good in the interests of the people"

Dr Koornhof pointed out that during the recent five or six days of incessant rain over the Peninsula, there had been no black squatters out in the open

The Deputy Minister of Co-operation, Dr George Morrison, said the eventual move to Khayelitsha did not mean people in Langa, Nyanga and Guguletu should stop improving their existing houses

"They will be paid out at the stage when they have to give up their houses"

Dr Morrison said it was not only blacks who were subject to uncertainties about giving up their homes White farmers were also subject to resettlement

ying at low speed

WCAB is to appeal against Mthiya ruling

CAPE TIMES 5/7/83

By PHILLIP VAN NIEKERK
Labour Reporter

ANOTHER important case testing the rights of thousands of long-serving migrant workers to permanent city residence is looming following the decision of the Western Cape Administration Board (WCAB) to appeal against the Mthiya case ruling in the Cape Supreme Court

In April, Mr Justice Pat Tebbutt granted Section 10 (1) (b) rights, or permanent city residence, to a City contract worker, Mr Mdandweni Mthiya, who had worked for one employer "continously" for 10 years even though he had three long absences from work.

Same basis

He won the case on the same basis as Mr Tom Rikhoto, the Germiston former contract worker, who was granted permanent residence rights by the Appeal Court in Bloemfontein a few weeks later

However, unlike Mr Mthiya, Mr Rikhoto had only taken the mandatory three weeks' annual leave between contracts

Mr Gert du Preez, chief liaison officer of the WCAB, said yesterday that the WCAB had decided to lodge an appeal against the decision It is understood that their application will be heard in the next few weeks

If the application to appeal succeeds, it could become an important test case

The WCAB is applying the Rikhoto ruling strictly and numerous applications are being rejected because according to Mr Du Preez, they "do no meet the criteria as laid down by Rikhoto'

The applications of workers such as Mr Mthiya, who have had breaks from work, are not being accepted

The WCAB has so far endorsed the pass books of 25 long-serving contract workers with Section 10 (1) (b) stamps following the Rikhoto judgment, but the applications of another 55 have been rejected

Mr Du Preez said the WCAB had received 2 672 formal applications for Section 10 (1) (b) rights in the wake of the Rikhoto judgment

TV2

6 32 Umakho (Cuore Di Mama)
7.00 Izindaba/Iindaba (News)
7 10 Jikelele (Magazine Programme) Including — Ubutyebi Obufumaneka Elwandle (Cashing in on the Ocean)
9.00 Iindaba/Izindaba (News)
9 27 Imozulu/Isibiketzelo Sezulu (Weather)
9 29 Ezenkolo (Epilogue)

Last night's TV

TV1

THE only entertainment of the evening was the well-acted Bret Maverick — a Western s western

To the hero's dismay a wanted outlaw (who turns out to be much maligned) lands up at the ranch, wounded and helpless With the law close on his heels, Bret and friends do the right thing and help him escape

Verslag pulled no punches in "Terror The Church in the Community', with horrifying pictures of terror victims and starving children in South Africa and other African countries

The threat of communism and the ANC was rammed home again Not surprisingly black and white church leaders said violence was not the answer to the country's problems A pity SA-TV could not have given us something new to chew over

JANE ARBOUS

TV2

AN interesting discussion between a medical sister and a witchdoctor on the tricky subject of people suffering from mental disturbances was perhaps the most appealing item screened in Jikelele for a long time

The discussion centred around schizophrenics who, according to strongly held African beliefs are the victims of the evil work of sorcery

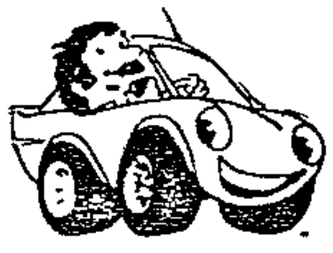
The condition is better known as "amafufunyana" The only way it can be cured, according to superstitious people, is through a concoction of wild herbs and the magic of the witchdoctor's bones

However, Sister Mabanga gave viewers her account of the causes of mental disturbances and how they may be cured with the help of psychiatrists and psychologists

Although Mrs Majola was in her full regalia, I did not find her too convincing as a genuine "raqeba"

JOE GUWA

It's Re-time again.



BEFORE THE WINTER SETS IN BEFORE THE RAIN COMES DOWN IN BUCKETS AND ROADS GET WET AND SLIPPERY BEFORE YOUR WHEELS SLIDE AND YOU LOSE CONTROL

POP IN FOR A NEW SET OF RETREADS OR NEW TYRES
OUR REPUTATION GUARANTEES RESULTS

CAPE Times 5/7/83

Squatters 'starve in Transkei'

Staff Reporter

SEVEN squatters came to the Peninsula to seek work because they faced starvation in Transkei and had nowhere else to go, a Wynberg magistrate heard yesterday.

This was claimed in the trial of Zolile Khupiso, 20, Alice Manyebese, 31, Mankazana Nqatolo, 46, Nomabhaca Nana, 27, Grace Frans, 24, Monica Nlangala, 27, and Eveline Nele, 28, who all pleaded guilty to a charge of illegal squatting

They were fined R50 (or 50 days) each, but the magistrate suspended the sentences conditionally for two years

Five of the accused were also fined R50 (or 50 days) each on an additional charge of remaining in the Peninsula for longer than 72 hours The sentence was suspended for two years on condition that they leave by July 21

The remaining two women, Alice Manyebese and Monica Nlangala, were acquitted on a similar charge

Passing sentence, the magistrate, Mr A P Kotze, said the court was aware of the very poor conditions in Transkei

"But there has been evidence that the Administration Board cannot cope with supplying legal residents with houses and it is common knowledge that by coming to the Peninsula you are jeopardizing their chances," he said

"It became clear in past cases that none of the people approached the Transkei Government for help"

Mr A C Venter appeared for the State and Mrs M Kursten for all the accused

ANOTHER PASS TEST CASE

Sowetan

6/7/83 20

ANOTHER IMPORTANT case testing the rights of thousands of long-serving migrant workers to permanent city residence is looming, following the decision of the Western Cape Administration Board (WCAB) to appeal against the Mthiya case ruling in the Cape Supreme Court.

In April, Mr Justice Pat Tebbutt granted permanent city residence to a city contract worker, Mr Mdandweni Mthiya, who had worked for one employer "continuously" for 10 years even though he had three long absences from work

Mr Mthiya won the case on the same basis as Mr Tom Rikhoto, the former contract worker in Germiston, who was granted permanent residence rights by the Appeal Court in Bloemfontein a few weeks later

However, unlike Mr Mthiya, Mr Rikhoto had only taken the mandatory three weeks' annual leave between contracts

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If the application to appeal succeeds, it could become an important test case

The WCAB is applying the Rikhoto ruling strictly and numerous applications are being rejected because, according to Mr du Preez, they "do not meet the criteria as laid down by Rikhoto".

The applications of workers such as Mr Mthiya, who have had breaks from work, are not being accepted

The WCAB has so far endorsed the pass books of 25 long-serving contract workers with Section 10(1)(B) (residence) stamps following the Rikhoto judgment, but the applications of another 55 have been rejected

Mr du Preez said the WCAB had received 2 672 formal applications for Section 10(1)(B) rights following Rikhoto judgment — Sapa

Processing of urban rights requests soon

E. Post 7/7/83

By CLAIRE PICKARD-CAMBRIDGE

THE 159 remaining applications received by the East Cape Administration Board for the endorsement of Section 10 (1)(b) rights for contract workers will all be processed within the next month — if employers respond promptly, the board's Chief Director, Mr Louis Koch, said today

This follows the announcement that Ecab would not contest any of the approximately 1 200 applications that could be received from contract workers for permanent residence in their area

Section 10(1)(b) gives residential rights to any migrant who has worked in one centre continuously for one employer for 10 years or for several for 15 years

Mr Koch said some cases required correspondence with previous employers to ensure facts in applications were correct

"We don't always get instant replies, so a lot also depends on co-operation from employers," he said

He assured the Evening Post that Ecab did not want to delay processing of applications and would follow up correspondence employers had not replied to

"The reason why we've not dealt with these applications immediately is because we are training key staff to deal with them," he said

Staff would submit their evaluations to top management to ensure decisions were made in the "spirit of the Rikhoto Appeal Court ruling" and to ensure applications weren't turned down by overlooking certain criteria

He emphasised that delays were "purely of academic importance" and did not affect the presence of applicants who were legally in the area

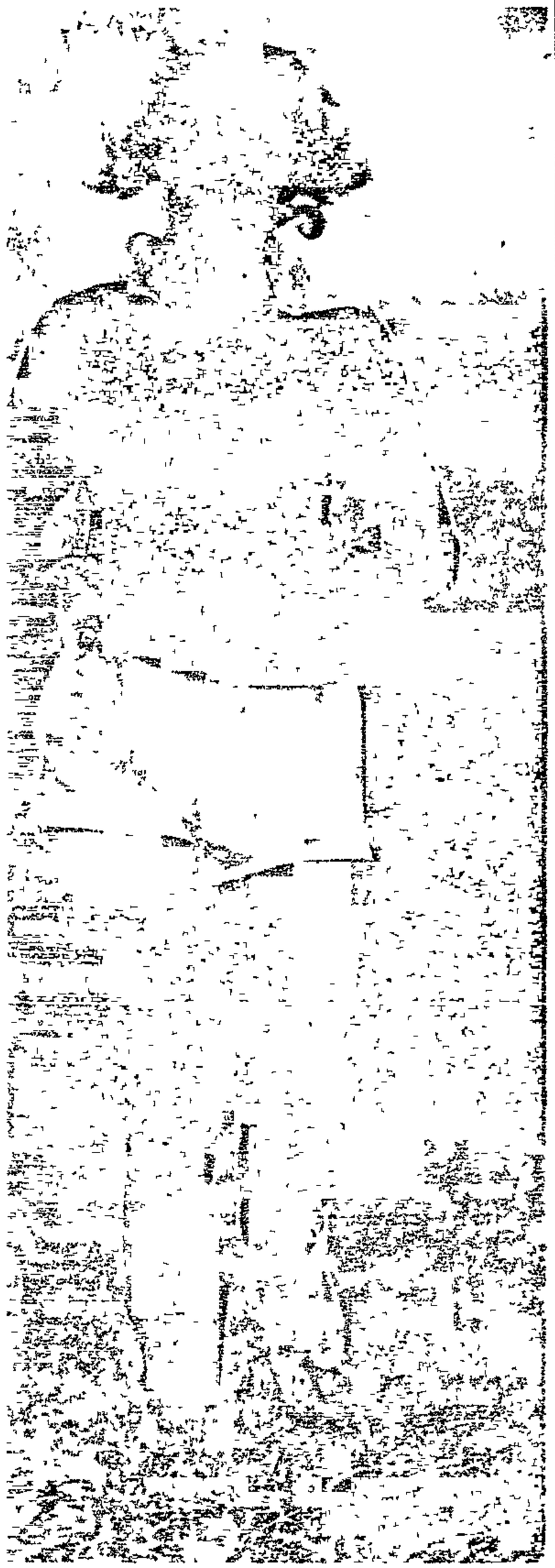
Ecab's initial opposition to Mr James Mnguni's application was because courts had not indicated what they regarded as satisfactory qualifications for the granting of Section 10(1)(b) rights

Mr Koch said opposition to Mr Mnguni's application had been withdrawn after the Rikhoto court ruling and Mr Mnguni's wife and family had also qualified for permanent residence in Port Elizabeth

"Families of workers receiving Section 10(1)(b) rights, who are already in the area, automatically qualify for Section 10(1)(c) rights," he said

"After promulgation of the new amendment to Section 10 of Act 25 of 1945, a man qualifying for Section 10 (1)(b) rights will be entitled to bring his family into the urban areas providing he had accommodation for them"

He said people obtaining section 10 (1)(c) rights would always retain the right to remain in urban areas



first-entrants for the Miss Bellville competi-
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" A Junior Miss Bellville, for girls between
n also be chosen Picture Pierre Oosthuysen

Nafcoc 800 run a risk

By PHILLIP VAN NIEKERK

ABOUT 800 black businessmen attending the annual conference of the National African Federated Chamber of Commerce (Nafcoc) are liable to be arrested under the pass laws as they have been in Cape Town for longer than 72 hours without permits

But the Western Cape Administration Board (WCAB), known for its zealous application of the pass laws, appears to be turning a blind eye

Dr Gert du Preez, chief liaison officer for the WCAB, said yesterday "As we don't know who and from where the delegates are, we don't know whether those who should have permits are in fact in possession of such permits"

He declined to comment further

'International'

Mr P G Gumede, deputy president of Nafcoc, denied that the delegates needed permits He said they would need permits if they were staying in the townships, but they were all at international hotels which were "not within the orbit of the Administration Board".

However, several experts on influx control said there was no law exempting people from the 72-hour provision of the Black Urban Areas Act because they stayed at international hotels

Mrs Sheena Duncan, national president of the Black Sash, said in the proposed Orderly Movement and Settlement of Black Persons Bill, out-of-town blacks staying in hotels needed no permits to stay in "white" areas for longer than 72 hours But the bill was not yet law

She said homelands residents as well as those with permanent residence in other "white" areas had to acquire a permit to stay longer than 72 hours in a "white" urban area

'Ridiculous'

Mr Gumede said it was a "ridiculous" situation

"Nafcoc has over the years repeatedly condemned this sort of leg-

Colour of TV1 man upsets 37

By COLIN HOWELL

SOUTH Africa's first "coloured" continuity presenter appeared on TV1 last night — and SATV headquarters at Auckland Park was inundated with a flurry of complaints from Transvaal viewers

However, an SABC spokesman in Cape Town reported that neither complaints nor congratulatory calls had been received in the City

An SATV spokesman in Johannesburg said a total of 40 viewers had registered their opinions on the suitability of continuity presenter Mr Vivian Solomons

'Infringing'

The "positive response" meaured a meagre 7,5 percent — three calls in all, he said The remaining 37 calls had been "adverse"

"A lot of people complained that 'non-whites' were infringing on the white service," the spokesman said "Two or three said they were prepared to pay higher licence fees to enable coloured people and Asians to have their own service"

The spokesman said some viewers had asked why Mr Solomons had not rather been selected to appear on TV2/3

"We tried to explain that coloured people were part of the white service and that language problems prevented them from working on TV2/3," he said

One caller had criticized Mr Solomons' accent but the complaints had not concerned the standard of the Afrikaans spoken by the continuity presenter between the evening's programmes

While the most frequently-asked question had been "What is a coloured doing on the white service", three viewers had "congratulated" the SABC on the move

Mr Solomons, 29, is a qualified physical education teacher and last year became South Africa's youngest-ever schools inspector He is known principally as a successful stage actor after playing in Athol Fugard's "Statements After an Arrest Under the Immorality Act' and Adam Small s "Kanna Hy kô Huistoe"

Next week, Judie Ally will become the first Indian continuity presenter to appear on TV1

Worker dies in wood-slicer

Own Correspondent

EAST LONDON — A timber factory employee, Mr Zamani Ndlebe, 45 died after falling into a log-slicing machine yesterday

The personnel officer of Kei Timbers, Mr T T Kentane, said Mr Ndlebe was leaning over a log-slicing machine when his blanket, which was wrapped around his shoulders, got caught in the machine Mr Ndlebe was pulled into the machine

One of the employees switched off the slicer, but by this time Mr Ndlebe was already dead

Jean Barnard appeals again

Own Correspondent

JOHANNESBURG — Champion racing trainer Mrs Jean Barnard will appeal in the Rand Supreme Court tomorrow against the suspension of her licence

This was confirmed yesterday by her attor-

Carfinder

- Carfinder appears with today's Cape Times.
- Read Funfinder tomorrow.

Grand

CARMEL ISRAELI
NECTARINES
CLASS I

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She said homelands residents as well as those with permanent residence in other "white" areas had to acquire a permit to stay longer than 72 hours in a "white" urban area

'Ridiculous'

Mr Gumede said it was a "ridiculous" situation.

"Nafcoc has over the years repeatedly condemned this sort of legislation because for the free enterprise system to work in this country, freedom of movement is one of the prequisites."

It was ironic that when he went to conferences overseas, he experienced greater freedom of movement than in his own country, he said

● More Nafcoc reports, pages 11 and 12

By COLIN HOWELL

SOUTH Africa's first "coloured" continuity presenter appeared on TV1 last night — and SATV headquarters at Auckland Park was inundated with a flurry of complaints from Transvaal viewers.

However, an SABC spokesman in Cape Town reported that neither complaints nor congratulatory calls had been received in the City.

An SATV spokesman in Johannesburg said a total of 40 viewers had registered their opinions on the suitability of continuity presenter Mr Vivian Solomons.

'Infringing'

The "positive response" meaured a meagre 7,5 percent — three calls in all, he said. The remaining 37 calls had been "adverse"

"A lot of people complained that 'non-whites' were infringing on the white service," the spokesman said "Two or three said they were prepared to pay higher licence fees to enable coloured people and Asians to have their own service."

The spokesman said some viewers had asked why Mr Solomons had not rather been selected to appear on TV2/3

"We tried to explain that coloured people were part of the white service and that language problems prevented them from working on TV2/3," he said

One caller had criticized Mr Solomons' accent but the complaints had not concerned the standard of the Afrikaans spoken by the continuity presenter between the evening's programmes.

While the most frequently-asked question had been "What is a coloured doing on the white service", three viewers had "congratulated" the SABC on the move.

Mr Solomons, 29, is a qualified physical education teacher and last year became South Africa's youngest-ever schools inspector He is known principally as a successful stage actor after playing in Athol Fugard's "Statements After an Arrest Under the Immorality Act" and Adam Small's "Kanna Hy kô Huistoe"

Next week, Judie Ally will become the first Indian continuity presenter to appear on TV1.

Worker dies in wood-slicer

Own Correspondent

EAST LONDON — A timber factory employee, Mr Zamani Ndlebe, 45, died after falling into a log-slicing machine yesterday

The personnel officer of Kei Timbers, Mr T T Kentane, said Mr Ndlebe was leaning over a log-slicing machine when his blanket, which was wrapped around his shoulders, got caught in the machine Mr Ndlebe was pulled into the machine

One of the employees switched off the slicer but by this time Mr Ndlebe was already dead

INFLUX CONTROL 1

Board to appeal

The Western Cape Administration Board (WCAB) is to appeal against a Cape Town Supreme Court ruling that a black contract worker is entitled to Section 10 (1)(b) rights even though his period of service in the city had been interrupted three times by lengthy sojourns in Transkei

And although the board is adhering to Appellate Division findings in the Rikhoto

Fm 8/7/83

201

case, it is refusing to award rights to applicants whose circumstances deviate from the facts of Rikhoto

Mdandweni Mthiya applied for Section 10 rights on the basis that he had worked for one employer for 10 years 'continuously" and that he had "lawfully resided" in a prescribed area for 15 years WCAB rejected his application on the grounds that he had broken employment and residence through being on annual contracts with Chick's Scrap Metals — and because on three occasions he had spent extended periods in Transkei Mthiya sought and obtained a Supreme Court order declaring his qualification for permanent urban residence

Mr Justice Pat Tebbut, in rejecting WCAB's grounds for refusal, said the wording of the Blacks (Urban Areas) Consolidation Act did not support the contention that an employment contract is broken by the annual "call-in" requirement "If that were so," he found, "it would render the exemption (from the 72-hour curfew requirement) nugatory and meaningless and could not have been within the contemplation of the legislature" This is in accordance with the Appellate Division's decision in the Rikhoto case

Even so, a number of boards, including WCAB, refuse to accept this principle and are applying their own reading of the law in dealing with applications for Section 10 rights This could involve hundreds of applicants in costly Supreme Court action since the boards insist on treating each case "on its merits"

Long service

WCAB has so far granted 25 applications for permanent residence from long service migrant workers and rejected 55 because they deviate from the Rikhoto case findings Altogether, 2 672 applications were received in the wake of the Appellate Division judgment

Previous Supreme Court cases have established the principle that a migrant worker does not break his service if he returns to a homeland to renew his annual contract (Tom Rikhoto, unlike Mthiya, took the mandatory three weeks' leave between contracts) In Mthiya's case, however, there were three breaks from work, one of eight months

Judge Tebbut said, however, that employment should be regarded as continuous even if a migrant's absence from the workplace was for an extended period — which would depend on arrangements between worker and employer He added "But if he and his employer have a common and continuing intention that when he does absent himself in this way he nonetheless remains in his employment and will return thereto after his break, I cannot see how it can be said that, in such circumstances, he does not work continuously for his one employer"

It is this principle that will now be tested in a higher court

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Urban rights: help offered to workers

By JIMMY MATYU

HUNDREDS of migrant workers are expected to assemble in the Centenary Great Hall in New Brighton tomorrow at 2pm for assistance to apply for Section 10 permanent urban rights in the area

They intend applying after the Rikhoto Appeal Court judgment had paved the way

The meeting is being organised by a New Brighton civic leader and Labour Attache of the Ciskei Government in the Eastern Cape, Mr A Z Lamani

He said several young people had volunteered to help him fill in applications

"Last week my first successful applicant was Mr Jackson Mndayi, 37," he said

"I have discovered that many workers do not know how to go about this and at this very moment I have 200 who have sought my help"

Mr Lamani said he was also receiving wonderful co-operation from the Chief Director of the East Cape Administration Board, Mr Louis Koch

"They have made it clear that they will not oppose the applications provided they complied with the requirements as set out in the Appeal Court ruling," he said

Mr Lamani said he was grateful to Mr Koch for the extra staff he had promised to put on to processing the applications and for the provision of office accommodation for him and his volunteers at the Labour Bureau

"I am appealing to all people who have worked for one employer for 10 continuous years or for various employers for more than 15 years in the area to come forward," he said

"It does not matter whether a person is no longer working as long as he had previously been with one employer for 10 years These people must bring their reference books, marriage certificate, if married, and each person will be making his own personal application"

Mr Lamani said the meeting in the hall would continue until late at night to enable those knocking off at 5pm to attend

Decision today on future of squatters

E. Post 12/7/83

Post Reporter

THE fate of the 32 squatter families near Redhouse who have received demolition notices will be known after a meeting between officials of the East Cape Adminstration Board (Ecab) and Port Elizabeth Community Council officials today

The Chief Director of Ecab, Mr Louis Koch, said today was the deadline for the squatters, living in the area adjacent to Veeplaas, who had received notices served on June 29

He said they were families of contract workers who did not have the right to reside in the Port Elizabeth area

"We cannot condone the illegal erection of houses in the area, and this policy decision has already been taken at a joint meeting of the community council and the Ecab," he said

He added that officials would begin considering the qualifications of each family before deciding what would be done

He said they would not be dealing with squatters in a "hard-hearted way"

He said their settlement had unfortunately become a health hazard because it was not served with water or sewerage facilities

"The area is also unsuitable because it falls within the flood plain of the Chatty River, although this is not a deciding factor," he said

Mr Koch said the administration board had "pulled out all the stops' to get sites ready

Sites would be established in Motherwell and they were busy installing services at the Qamakate area for 2 000 sites

He said he could not tell exactly where squatter families would be placed as cases had to be considered individually

550 seek 'city rights' in PE

Post Reporter

ABOUT 550 migrant workers yesterday approached the Ciskei labour attache in Port Elizabeth, Mr A Z Lamani, for help with their applications for Section 10 rights

The applications were made in the wake of the historic Rikhoto Appeal Court judgment which ruled on rights for migrant workers

One of the successful applicants yesterday, Mr Xhonti Baadjie, said "This is the happiest moment of my life. I am grateful to Mr Lamani and his team of assistants for all the help they have given me and others"

He added that the granting of "city rights" to migrant workers who had been in Port Elizabeth for many years would make a great deal of difference to improving their lives

Mr Baadjie, who lives at the Kwazakele Single Men's Quarters, has worked for a cement company for more than 10 years as an operator. He is also local chairman of the Makhambashe tribe of Chief Lennox Sebe, president of Ciskei

Mr Lamani said 350 people, the biggest number of applicants fo far, turned up yesterday at the aid office provided for him at the Labour Bureau.

Mr Lamani said that by the time he arrived at the Centenary Great Hall at 2pm yesterday he found another 200 migrant workers who had come to claim "city rights".

‘Final stage’ in plan to upgrade PE men’s hostel

By CLAIRE PICKARD-CAMBRIDGE

NEGOTIATIONS between the Port Elizabeth Municipality and the East Cape Administration Board on a R5,6-million project to upgrade the municipal contract workers quarters in the Kwazakele single men’s hostel are in the final stages

This was said this week by Mr M Shand, personnel manager of the municipality, in response to strong criticism by the chairman of the Civil Rights League, Mr Brian Bishop, after a visit to the section of the hostel housing municipal contract workers

Mr Bishop described the section as “an absolute hovel”, saying there was no privacy or facilities for the men who slept eight to a room, in buildings containing six rooms

He said the buildings, which belonged to Ecab, each brought in a revenue of R336 per month

But conditions were so poor “the Rent Board would not allow R100 to be charged to white tenants, and would order the building demolished”, he said

“People who had lived in one room for nine years could not ever remember the room being painted”

Each contract worker pays a monthly rental of R7

Mr Bishop said the conditions he had seen in Port Elizabeth had defied belief and were “unworthy of any city calling itself civilised”

Mr Shand said that on March 31 the council had approved R5,6 million for the upgrading of the hostel

“We will start improvements on the hostel this year and it will undergo a complete revamping over a period of three years,” he said

Negotiations with Ecab were at a final stage, and all that remained to be concluded was the arrangements for water and electricity services

Mr Shand said a wall had previously been built around the municipal workers’ section for “security reasons” and to implement a general clean-up

He thought facilities for the 1 200 municipal contract workers were no worse than those in the rest of the hostel, which housed all contract workers in the city

An advice officer for the East Cape Council of Churches, Mr Sakkie Macozoma, said conditions in the municipal workers section were worse than those of other contract workers

“What strikes me is that the city council seems to want to blame everything on Ecab, but looking at the conditions of municipal workers, it seems the council are just playing hide-and-seek

“I am aware of plans to upgrade the hostel, but this is something the council should have done long ago, especially in view of the positive statements they make from time to time”

An article in the Evening Post in March reported a spokesman from the City Engineer’s Department saying the hostel had been outdated for 20 years and that they should “keep up with the times if they wanted a contented labour force”

Mr Bishop also said they also visited Red Location in New Brighton on Tuesday and the stench rising from the unroofed toilets had been terrible

“The tin houses in the Red Location were built to house British troops in the Boer War and in 1908 blacks were moved in as an emergency measure,” he said

He also said he did not see how Port Elizabeth could be called “the friendly city” when local officials seemed intent on harassing a large number of citizens

Helping hand given at new office

Black Sash move in to solve 'hassles'

By CLAIRE PICKARD-CAMBRIDGE

WITH little more than a telephone, a typewriter and lots of goodwill, the Black Sash have set up new premises in Russell Road from which they will continue to run an advisory centre

Voluntary workers, bustling around the new office, said they had taken the advice of friends and named the new centre Ithenba Lethu (Our Hope)

They said they had been waiting for new premises for two months after leaving their old office in the Constantia Centre. Voluntary workers simply operated from their homes during that period.

Black Sash advice officer, Mrs Shelagh Hurley, said the problems Black Sash voluntary workers had dealt with had been "many and varied".

The first three cases for the endorsement of Section 10(1)(b) permanent urban rights, Mr James Mnguni, Mr Jackson Mndayi and Mr Willie Duyisile Tshangela, had all approached the advice office. They later approached attorneys to act for them

The local advice office also arranged legal defence for a group of 11 women arrested on a loitering charge last year All were aquitted

Mrs Hurley said advice officers had acted as go-betweens in family situations and involved themselves in housing and hire-purchase

"We've even made arrangements with a funeral parlour to give a dead man his burial," she said

She added that they also dealt with pension problems and supplying of information.

The Black Sash Advice Office will be holding discussion programmes on consumer problems and Section 10(1)(b) rights over the next two weeks.

Application forms for Section 10(1)(b) rights are available at the office and the Black Sash are urging workers to apply as soon as possible.

An advice officer said a proposed amendment aimed at removing the current automatic right of wives and children to qualify for Section 10(1)(c) urban rights as dependants of contract workers gaining Section 10(1)(b) rights

Mr DAVID MADLINGOZI (left) and his wife, Mrs ANGELINA MADLINGOZI, receive advice from an unidentified Black Sash advice officer at the organisation's newly-opened office in Russell Road.

Black permit 'harassment'

By PHILLIP VAN NIEKERK
Labour Reporter

THE conviction of six people in the Langa Commissioner's Court yesterday could mean black people are not legally entitled to stay with, or even visit at night, friends or relatives in other parts of a township

The six were convicted of contravening a seldom-used government regulation preventing a black person from staying anywhere other than the place specified in his or her permit

All "legal" residents of Cape Town, the six were arrested by officials of the Western Cape Administration Board (WCAB) at two houses in Langa early yesterday morning

They were convicted of contravening paragraph 47 (1) (v) of a 1968 government regulation which makes it an offence for a "registered occupier" (anyone with a permit to stay in the township) to occupy a site, dwelling or accommodation other than that specified in the permit

The six, who were not legally represented, all told the court they had been visiting friends or relatives when arrested. Five were fined R10 (or 10 days) and one was cautioned and discharged

Mrs Sheena Duncan, national president of the Black Sash, who described the arrests as "ruthless harrassment", called on the WCAB to clarify what its intentions were in applying the regulation

She pointed out that the proposed Orderly Movement and Settlement of Black Persons Bill made it an offence for a black person to be in a dwelling between 10pm and 5am without a permit to be there

In terms of the bill, a person could be fined R500 or imprisoned for six months for visiting his grandmother or spending the night with his girlfriend

The WCAB's chief liaison officer, Dr Gert du Preez, said the arrests resulted from "normal, routine action"

People in the area had complained and "the housing department was compelled to attend to the matter"

CAPE TIMES 19/7/83

Hout Bay 'squatters' in court

Staff Reporter

THIRTY-TWO alleged squatters — most of them women with children — appeared briefly in the Wynberg Magistrate's Court after police had arrested them on a Disa River farm at Hout Bay earlier yesterday

The arrests were accompanied by large-scale demolition and burning of shacks at the camp

No evidence was led and the accused were remanded till tomorrow. None of the accused, who all face a main count under Section 1(A) of Act 52 of 1951, that of illegal squatting, and an alternative of trespassing, were represented

At least 21 children, many of them infants, accompanied the 33 adults at the hearing.

Pollsmoor

According to the prosecutor, Mr R Metz, special arrangements were being made for accommodation of the children at Pollsmoor Prison

The magistrate, Mr D Visagie, told the women they would not be separated from their children. They were being remanded so that arrangements could be made for legal counsel and bail. Police were still investigating the case, he said

Their addresses were given as Disa River Farm and no ages were specified They are

Names

Mr William Ngalo, Mr Alfred Sekepe, Mr Mthantsane Zikeyi, Mr Patrick Solizwe, Mr Elliot Badman, Mr Peter Mqobuka, Mr Isaac Dabula, Mr Gila Dumuzwini, Mr Albert Matyeleni, Mr Methula Majola, Mr Attwell Nhlaga, Mr Mantu Maquwaga, Ms Ziphili Booi, Ms Peswina Ntlantiso, Mr Themba Memani, Ms Evelyn Bless, Ms Prascilla Kwatshabe, Ms Ivy Booi, Ms Mavis Nanganene, Ms Agnes Sipho, Ms Theline Kowia, Ms Notyhine Msolo, Ms Argintta Baartman, Ms Agnes Fonti, Ms Nodanaphara Mbeti, Ms Deborah Mhlaga, Ms Silia Ngolo, Mr Nadenko Seyisane, Ms Sindiswa Hlanyane, Ms Lucy Jingxela, Ms Gloria Jingxela and Mr Michael Sutani

Mr Sutani and Ms Gloria Jingxela face an additional count of failing to appear in court on March 30 on charges of trespassing on the same farm

CAPE TIMES 20/7/83

191 get Rikhoto rights

Labour Reporter

A TOTAL of 191 contract workers in the Western Cape had been granted their "Rikhoto rights" by the end of last week, according to Dr Gert du Preez, chief liaison officer of the Western Cape Administration Board (WCAB)

But a further 221 migrant workers — more than half — have had their applications for Section 10 (i) (b) or permanent residence rights turned down by the WCAB

Dr Du Preez said the WCAB had so far received 3 075 formal applications for these rights

The workers have applied for permanent residence on the basis that they have worked for one employer for more than 10 years. This right was established in the Appeal Court case of Mr Tom Rikhoto, a Germiston contract worker

The WCAB has made it clear, however, that they are applying the ruling strictly.

GPC Times
21/7/83

Mass arrests feared at Crossroads

Staff Reporter

ABOUT 1 000 Crossroads residents last night met to discuss alleged warnings by the Western Cape Administration Board yesterday that the presence of "illegal Transkeians and Ciskeians" in the camp would not be tolerated

Fears of further pass raids and mass arrests were aroused among the residents following an earlier meeting betweeen the Chief Director of WCAB, Mr J Gunter, and the Crossroads Committee

At the evening meeting, held in a packed Noxolo School hall, an executive committee member, Mr Elliot Dyakopu, told residents Mr Gunter had indicated WCAB would "move in on thousands of 'illegal' Trankeians and Ciskeians" in the squatter camp

The meeting, was interspersed with song, ululation and chanting Hundreds gathered at windows outside to hear the speakers

Referring to apparent delays by WCAB in setting up a promised "appeals committee" to examine the cases of more than 6 000 Crossroads residents trying to establish their status in the Western Cape, Mr Dyakopu said

"There is no longer co-operation between the board (WCAB) and the committee We have been waiting to put our cases for months but he (Mr Gunter) told us it had nothing to do with him,' Mr Dyakopu said

"We say that nothing must happen before people have been given the chance to go before the appeal committee"

The Minister of Co-operation and Development, Dr Piet Koornhof, had "on many occasions" given the people of Crossroads the assurance that they would be given rights to stay with their children, he said

Mr Timo Bezuidenhoud, Chief Commissioner for Co-operation and Development in the Western Cape, had also "promised" to form the appeals committee, but nothing had happened Crossroads Committee members said residents feared that promises would "not be kept".

A section of the 1 000-strong singing, chanting crowd at last night's Crossroads meeting.

Chambers slam new township

Cape Times 22/7/83

Call for urgency on local housing

By JANE ARBOUS

THE Western Cape Chambers of Commerce yesterday condemned the construction of the new township Khayelitsha as a consolidated housing area for blacks in the Peninsula.

In a resolution passed by a large majority of the chambers at their congress at The Strand yesterday, the government was urged — in the interests of the Western Cape economy — to let blacks legally occupying houses in the existing townships remain there.

Mr Robbie Stern, president of the Cape Town Chamber of Commerce, which introduced the motion, said two issues were involved — the resettlement of blacks in areas with inadequate facilities and the removal of people who already had homes in a consolidated housing area.

'Grim conditions'

Mr Stern said people had already been moved to Khayelitsha and because of an inadequate infrastructure, were living in grim conditions.

Referring to confusion in government circles on the provision of transport and other facilities, he said: "Infrastructure should be on a basis of planning and not emergency."

The chamber believed it was naive in the extreme to assume there would be a large-scale voluntary movement from existing townships to Khayelitsha "without some form of compulsion direct or indirect".

Blacks there would be a considerable distance from their places of work, adding still further to transportation costs and travelling time.

Also, blacks would be deprived of facilities to which they had contributed substantial funds over the years.

Large sums of money had been spent on renovating and improving their homes in the townships.

The removals, the chamber said, should also be seen in the light of the fact that employers had erected housing for their migrant workers which would have to be rebuilt at Khayelitsha at considerable added cost

There were at least 72 000 illegal blacks currently in the Peninsula, and their numbers were sure to grow. While it made sense to accept this influx and provide accommodation in Khayelitsha of varying standards, uprooting residents of Langa, Guguletu, and Nyanga would be unwise.

● Asked to address the congress on the issue, Mr Timo Bezuidenhoud, Chief Commissioner of Co-operation and Development in the Western Cape, said a consolidated housing area was necessary for the "orderly development of Cape Town".

Staff Reporter

THE Western Cape Chambers of Commerce yesterday urged the government to develop "a sense of urgency" over the housing crisis in the Peninsula.

A unanimous resolution taken at their annual congress yesterday urged the Department of Community Development to make more land available for coloured housing.

A delegate from the Cape Town Chamber of Commerce which put forward the motion, Mr Harold Groom, said the interests of the community were inextricably bound with those of business.

One prerequisite of productive labour was an adequately-housed workforce which preferably had a stake in it.

Businessmen had accepted the challenge thrown out by the government that private enterprise had to help provide housing. However, since the announcement a year ago on the new State housing policy, no progress had been made with the provision of more land and serviced plots.

The guest speaker at the congress, Mr Chris Heunis, Minister of Constitutional Development and Planning, said the problem was more to do with the use of the limited land. Density would have to be increased and standards lowered

He suggested to the chambers that they channel these problems through the newly-formed regional economic advisory committees.

Untold hardship from pass laws

207 E. Post 23/7/83

SIR — I would like to reccount the experiences of my young son, 18, who was recently arrested for a "pass" offence

He was arrested on Monday morning, June 20, at 9am on a charge of not having a reference book

He has only a receipt showing he is awaiting his reference book, and asked for permission to accompany the arresting officer to his home at the Walmer Location to produce the receipt

This permission was denied him and he was arrested and locked up

The following morning he was taken to court where he was charged with failing to produce his reference book He was fined R10 or 20 days

In the meanwhile, my wife and I were extremely anxious about him as he is in ill health

After numerous enquiries I was informed he was at St Albans Prison, and after hiring a taxi at a cost of R10, I was informed at the prison that he was not there

I was then sent backwards and forwards from the Commissioner's Court to the police station to the North End jail and back to St Albans (a further R20 taxi fare) and eventually I succeeded in locating him at about 4 30pm on Thursday, June 23, thus ending four days of anxiety about his health and whereabouts

The reason I am writing this letter is so that your readers should be aware of the situation — so that they can endeavour to understand a parent's anxiety for a child in ill-health who was arrested, locked up and incarcerated for four days for the shocking and heinous crime of having forgotten to carry his reference book receipt with him!

I could not help wondering as a parent how may other similar cases occur, almost daily, and how much untold and unpublicised hardship and bitterness is caused through the so-called "pass law" offences

WORRIED PARENT

Port Elizabeth

● *The Commissioner for the Department of Co-operation and Development in Port Elizabeth, Mr F J Fourie, said it was difficult to comment on an individual case He said that up to 50 pass offence cases could be heard daily in the Commissioner s Court*

"We prefer it if people can pay their fines instead of being sent to prison They can ask the court orderly or the public prosecutor to contact their relatives,' he said

Mr Fourie said people not in possession of a reference book were first taken to the Aid Centre at Ecab, where inquiries were made to see if there was any record of them They were then brought before the Commissioner's Court if no record could be found of them

"But it is our policy that accused be given the opportunity to contact their relatives to bring the money for their fines," he said

But sometimes the relatives were not in telephone contact and it was not possible to send a messenger to Port Elizabeth's widespread townships to collect R10 fines from the relatives in each case

Mr Fourie said he could not say why the youth's parents were not contacted in this particular case because it was a policy that efforts be made to contact the relatives of the accused, particularly if they were youths

59 arrested at Crossroads

CAPE Times 25/7/83

Staff Reporter

FIFTY-NINE Crossroads residents were arrested in a raid by Administration Board officials this morning

Dr Gert du Preez, liaison officer for the board, said the 16 men and 43 women arrested were being "screened" by the inspectorate This meant not all of those arrested would appear in court immediately

He said however, that he was sure the inspectors would not arbitrarily arrest people without being satisfied they had committed offences

"Our officials executed the inspection in accordance with normal influx control measures — we do not raid" he said

Divco members clash on unequal pay, squatters

ARGUS 26/7/83

Staff Reporter

LIBERALS and conservatives on the Cape Divisional Council clashed today on the issues of unequal pay for blacks and whites and on squatters.

The liberal councillors, with Mr Neil Ross, national director of the Progressive Federal Party in the vanguard, won the unequal pay issue but lost the squatter issue.

The first dispute occurred over the issue of allowances for road construction staff.

The recommendation before the council included camp allowances of 52c an hour for married whites and 49c an hour for unmarried whites. The corresponding allowance for other races was to be 30c an hour for married employees and 27c for unmarried.

Mr Ross said this would mean that black and white people with the same qualifications would be paid differently and proposed this aspect be discussed with the Cape Provincial Administration.

Mr M J Aggenbach, deputy chairman of Divco, said he was not prepared to go to the province on the matter.

The item was put to the vote and Mr Ross won narrowly by eight votes to seven.

Mr Ross later raised the issue of Divco's demolition of squatter shacks. He moved that the housing committee be directed to consider a squatter policy including the question of alternative accommodation and temporary site and service schemes.

But Mr P J Grobbelaar said he felt strongly about the subject as farmers in the Boland complained that labourers left the roofs over their heads to go and squat in the cities.

"We should not make it so easy for them to lie in the bushes," he said.

Mr D Lambert, chairman of the housing committee, said there must be some form of influx control, but he was taken to task by Mr P L Andrew who dissociated himself from the idea of influx control and said South Africa must accept the world trend to urbanise.

Mr Ross's motion was defeated by nine votes to six.

Housing plea to Divco fails

CAPE TIMES 27/7/83

Municipal Reporter

A PROPOSAL that the Divisional Council rethink its policy on "illegal" squatters and provide them with accommodation or temporary site-and-service schemes was rejected by the council yesterday

Mr N D Ross introduced the motion after the council had noted the Squatter Control Operations Progress report of the Housing Committee

He pointed out that in the past eight years, 8 393 "illegal" shacks had been demolished a year This meant that 80 were demolished a month In the three-month period from March to June, 148 had been demolished

This rate of demolition perturbed him as the council was dealing with people, he said He moved that the housing committee turn its attention to establishing a new policy on these squatters

Mr P J Grobbelaar said the council should "not make it so easy for people to come to Cape Town from the Boland to lie in the bushes" The cost of accommodating them became the burden of the tax-payer

These people came to Cape Town without knowing if they had jobs or houses, and then appealed to the mercy of Capetonians with "heartrending" stories in newspapers

Mr D Lambert said some type of influx control was needed, but the council should keep demolition to a minimum Mr J J Walsh said he was not in favour of "indiscriminate squatting", but the council had to face up to welfare problems

Mr P L Andrew said he dissociated himself from the statement that influx control, as it was practised, was needed South Africa was only 47 percent urbanized, as opposed to 57 percent in other industrialized countries It was "stupid" not to expect a higher degree of urbanization, he said

Mr Ross's motion was lost by nine votes to six

Wrab's 'migrant' ruling to be challenged in court

By STEVEN FRIEDMAN
Labour Correspondent

A RULING by the West Rand Administration Board, which could deprive thousands of migrant workers of the permanent city rights they believed they had won in terms of the Rikhoto judgment, is to be challenged in the courts

A lawyer employed by the Legal Resources Centre said yesterday an application to the courts to overturn the ruling, which would deny city rights to migrants who are citizens of "independent" homelands, would be launched today

Wrab has been refusing to grant city rights in terms of the Rikhoto judgment to these workers

It argues that they are not entitled to rights because they are "foreigners" and has referred its view to the Department of Co-operation and Development's Pretoria head office for a ruling

No decision has yet been taken by the Department, but, if Wrab's interpretation holds sway, tens of thousands of workers would be deprived of rights which they believed they had won in terms of the Rikhoto ruling

Since Wrab's stance became known, however, lawyers have said they believe that the board's interpretation is "totally incorrect" and workers from "independent" homelands are entitled to these rights

Yesterday, a lawyer employed by the Legal Resources Centre, Mr Charles Nupen, confirmed the centre had been briefed to apply for city rights on behalf of an "independent" homeland citizen who has been refused rights

He said he was in the process of completing the necessary papers and that the application would be launched today

Mr Nupen said the worker who had briefed the centre was a Bophuthatswana worker, but declined to reveal his name or further details until papers have been served on Wrab

The case could, however, take some months to come before the courts

The application to be brought by the LRC will provide yet another test of official interpretations of the pass laws

In five key "test cases" over the past few years, the courts have overruled official interpretations on influx control law

Wrab relies for its interpretation on a stipulation in the Black (Urban Areas) Consolidation Act which stipulates that foreign blacks are not entitled to city rights

However, lawyers and civil rights groups argue that this stipulation does not apply to blacks who are citizens of "independent" homelands, which were formerly part of South Africa

CAPL Times 27/7/83

90 arrested in WCAB raid at Crossroads

Staff Reporter

NINETY people — 78 women and 12 men — were arrested by Western Cape Administration Board (WCAB) officials in the Crossroads squatter camp yesterday, bringing the total of "illegals" arrested in the camp this week to 149

In almost the same procedure as that followed on Monday morning, WCAB officials and policemen dressed in camouflage uniforms arrived in the camp in a convoy of armoured vehicles, land-rovers and trucks about 8am

A police liaison officer for the Western Cape, Captain Jan Calitz, emphasized that policemen had been present "only to maintain law and order"

The arrests had been made by WCAB officials only and there had been "no trouble", Captain Calitz said

The chief liaison officer for the WCAB, Dr Gert du Preez, said the 90 'illegals' arrested yesterday would appear in the Langa Commissioner's Court today

On Monday, Mr Bezuidenhoud said the WCAB "had to apply the law" as many "illegals" had "infiltrated" into the Western Cape from Transkei and Ciskei

He emphasized that the 6 000 Crossroads people waiting to put their cases for permanent residence before an appeals committee would not be arrested

Transkei workers to be recruited

Tygerberg Bureau

KRAAIFONTEIN Municipality has voted an amount of R3 164 to send two officials to Transkei to re-employ 49 black labourers who are employed at the municipal sewerage systems or as nightwatchmen

Mr C L de Koker, the Town Clerk, said the "extreme shortage of coloured labourers" in the area made the trip necessary

The homeland workers, some of whom have worked in Kraaifontein for the past 14 years, must have their jobs renewed every year

Mr de Koker, approached for comment, said that in spite of the large number of coloured people in the area — 17 000 in the municipal region and about 55 000 in nearby Summerville and Scottsdene — the municipality could not find coloured labourers willing to do that kind of work and as a result they had to recruit in Transkei.

Homeless lose 200 shelters

Staff Reporter

AT LEAST 200 shelters erected by homeless people at Old Crossroads were flattened when Western Cape Administration Board (WCAB) officials swooped on the area early yesterday morning

An Old Crossroads resident said several WCAB vans arrived to demolish shelters before people had even woken up

Dr Gert du Preez, chief liaison officer of the WCAB, said 200 "illegal shelters" had been demolished He added that at least 100 inhabitants had dismantled their own shelters

He said there had been "no incidents" and no arrests were made

'The Crossroads resident said people had demolished their own shelters rather than have them confiscated or ruined

Asked whether the homeless people at Old Crossroads had been provided with tents, Mr Timo Bezuidenhoud, Chief Commissioner of Co-operation and Development for the Western Cape, said the Old Crossroads situation should not be confused with the Nyanga bush people

"Illegals will certainly not be provided with tents," he said

WRAB refuses rights for 15-year migrant workers

CAPE TIMES 6/8/83

. Own Correspondent

JOHANNESBURG — The West Rand Administration Board announced this week that it was not granting migrant workers who had worked 15 years for several employers city rights in terms of the Rikhoto judgment.

This stance conflicts with a statement by the Minister of Co-Operation and Development, Dr Piet Koornhof

The surprise revelation came at a press conference in which WRAB defended itself against charges that its officials were trying to delay or obstruct the granting of city rights to workers in terms of the Rikhoto ruling.

In a statement released at the conference, WRAB said it had granted 2 355 workers rights in terms of Rikhoto and that its Johannesburg office alone was handling up to 130 cases a day

The statement also revealed that WRAB had been instructed by Pretoria not to grant Rikhoto rights to workers who had taken unpaid leave during their 10-year period of qualification for Rikhoto rights

When the government announced it was implementing Rikhoto, Dr Koornhof said workers who had worked 15 years for several employers would be entitled to city rights in terms of the judgment

These workers, together with those who have worked for one employer for 10 years, are entitled to city rights in terms of Section 10 (1) (b) of the Black Urban Areas Act, which the court ruling upheld

But WRAB's director of manpower, Mr Armand Steenhuizen, said WRAB was not granting these workers rights and has referred their position to the Department of Co-operation and Development's Pretoria head office for a ruling

He added, however, that the board was accepting applications for rights from these workers and was keeping these on file pending Pretoria's decision

He said the Rikhoto case dealt specifically with a worker who had worked for one employer for 10 years and the board was not clear whether those who had worked 15 years for several employers were covered by it.

At the conference, WRAB's chairman, Mr John Knoetze, said the board regarded the Rikhoto ruling as law and was "anxious to carry it out"

"I emphatically deny that there is any attempt to delay or obstruct the granting of rights (in terms of the judgment)," Mr Knoetze said

If the press or public came across "irregularities" which delayed the granting of rights, they should report these to WRAB But claims that the board was "dragging its feet" on Rikhoto were "unfair"

Mr Knoetze said there were claims that workers claiming rights had been forced to return to WRAB offices several times because only 100 applications a day were allowed

This was "entirely untrue" WRAB could handle 150 cases a day and, while its staff had been hard-pressed to handle Rikhoto applications, a slowdown in the pace of these meant its offices could now cope with all applications

By special arrangement, such as with employers, the board could handle more than 150 a day, he added

Mr Knoetze also commented on a form which WRAB insists workers' employers fill in before they can claim rights Civil rights groups charge that these are unnecessary because WRAB has full information on all applicants' work records

He said the form was necessary because Pretoria had stipulated that workers who took unpaid leave during their migrant contracts were not to be granted rights WRAB's records did not include information on this leave and the form was necessary to clarify the leave position, he said

Unlike the West Cape Administration Board, however, WRAB says it will grant rights to workers who have taken long periods of leave — as long as none of this was unpaid leave

Mr Knoetze also appealed to workers not to take legal action against WRAB's decision not to grant Rikhoto rights to citizens of "independent" homelands — which has also been referred to Pretoria for a decision

He said such action was a "waste of time" because Pretoria might overturn the WRAB's interpretation of the ruling.

Ciskei police form up outside the Mount Ruth Station last night.

The costs of a grand dream of apartheid

By BARRY STREEK

THE disturbances this week at Mdantsane in the Ciskei and at Huhudi in the Northern Cape have something in common

Both are very much the products of the policies of separate development — and in this lies their insecurity

Mdantsane, just 21-years-old, is today the fifth or sixth most densely populated urban area in SA

In the 1980 census, it was found that there were 193 140 in the Mdantsane area, but this is clearly an underestimate and there are today more than the 250 000

Established to accommodate the black people living in East London, it was designed to fit into the grand apartheid dream that black people should live in the homelands and commute to work in the "white" area

In 1980, a Rhodes University academic, Mr T J Gordon, found that "every day 654 Ciskei Transport Corporation buses leave Mdantsane, and 681 return, costing the nearly 50 000 commuters over R20 000 a month"

And he found that another 7 000 commuters used trains.

Public transport is very much a daily reality for those Mdantsane people lucky enough to have jobs — and for the second time in less than 10 years a major bus boycott has resulted in conflict

Early in 1975, a month-long boycott of the Cape Tramways-owned Border Passenger Transport Company was ended when the Ciskei Government intervened and took over the company, after commuters rebelled against new fare increases

There were allegations of intimidation and agitators then as there have been over the past two weeks, but, in the end, the daily time and cost of transport has been the major source of frustration

In the 1980 Rhodes University study it was found that the average Mdantsane worker spent between two and three hours every day travelling to and from work.

And that same study three years ago bluntly warned of the frustrations

Mr D R Matravers said then "a more equitable subsidy scheme should be devised"

"The costs of the present scheme are enormous and it is clumsy, inefficient, unfair and leads to the worst features of transport planning being encouraged

"The public transport system becomes a service to employers and not to travellers"

His warning was ignored and today the Ciskei Government is paying the cost

The whole Mdantsane concept was developed in an attempt to make East London "white"

Dr Piet Koornhof, the Minister of Co-operation and Development, had to admit defeat on that dream this year when he reversed a 20-year policy and announced that parts of Duncan Village, the black township in East London meant to have been relocated in Mdantsane, would be allowed to remain where they were

Huhudi, the black township in the prosperous town of Vryburg, has suffered from the same dream

In accordance with the old policies, the people of Huhudi were meant to have been relocated to Pudimore, 55km away in Bophuthatswana

Once there the people with jobs in Vryburg were meant to commute 110km daily

As this was the policy announced in 1970, no development has taken place at Huhudi since then

There is no electricity in the township, no tarred roads and no water-borne sewerage, only buckets, which often smell

According to the Surplus Peoples Project, there are 13 general dealers, two bottles stores, two beerhalls, "lots of shebeens" and a butcher, as well as four primary schools, a high school, seven churches and a clinic.

It is hardly surprising, in spite of these conditions, that the people of Huhudi do not want to move to the remote Pudimore and in June a protest meeting against the plans was held by the Huhudi Civic Association (Huca)

There are also stories in the area that many of the white people of Vryburg are not in favour of the move because of the obvious disruptions this would cause to their labour supply

The recent protests at the Bophaganand Secondary School, which has now been closed after an estimated R45 000 damage was caused to buildings and equipment, may have been sparked off by basically educational issues, but the 100-year-old township is under threat of removal — and that can hardly make the residents of Huhudi secure and happy

Huhudi and Mdantsane are different, and the immediate causes of tension are different, but they are both today paying the price for the effects of the dreams of racial separation

WCAB levels 93 more shacks

Staff Reporter

THE West Cape Administration Board (WCAB) has denied that it is conducting a campaign to "clean up" Crossroads, after a further 93 demolitions at the squatter camp yesterday brought to 644 the number of dwellings destroyed there by the board this week.

Last week, 247 people were arrested in four swoops on the camp on charges of being in the Peninsula illegally for longer than 72 hours without permission or not being in possession of valid passes or both

Yesterday, Dr Gert du Preez, chief liaison officer for WCAB, said the demolished dwellings were all "illegal structures", adding that no arrests had been made during the demolitions

He said the board's present activities in Crossroads should not be seen as a campaign to clean up the camp

'No arrests'

Asked why, when the dwellings of people illegally in the area were being demolished, the board was not taking action against the people themselves, Dr Du Preez said he could only repeat his comment that "an operation took place at Crossroads this morning and no arrests were made".

He did not expect any arrests at this stage, he said

Mr Ken Andrew, Progressive Federal Party MP for Gardens, who witnessed part of the demolitions yesterday, said last night that it was "a human tragedy and a political scandal that these defenceless people are being denied the right to provide shelter for themselves"

Their situation had been created primarily "by the failure of the government's policies".

CAPE TIMES 9/8/83 224 224 226 234

Families limited

HOUSE OF ASSEMBLY — The major effect of the Rikhoto judgment would be seriously circumscribed by a bill which would limit the number of families able to join contract workers granted urban residence rights in terms of the judgment, Mrs Helen Suzman (PFP Houghton) said yesterday

Speaking during debate on the Laws on Co-operation and Development Amendment Bill, Mrs Suzman said that by setting the availability of approved accommodation as a condition for families to join contract workers in urban areas, the bill made it extremely difficult for them to take advantage of the Rikhoto decision — Sapa

, 1983 ★ CAPE TIMES 201

Sash: Residence rights withheld

Staff Reporter

THE Black Sash has accused the government of "side-stepping, evading, manipulating and ignoring" the court ruling in the Rikhoto case, which granted permanent urban residence rights to a contract labourer

It also alleged that Administration Board officials around the country have been arbitrarily refusing to grant Section 10 (1) (b) rights to migrant workers who have applied for them in the wake of the Rikhoto judgment.

The judgment opened the way for contract workers to obtain permanent urban residence rights even if they had stayed in the homelands between contracts

A Black Sash document quotes numerous examples of people who, it said, had "been prevented from obtaining their rights by bureaucratic traps"

The Chief Director of the West Cape Administration Board (WCAB), Mr J Gunter, yesterday denied all the allegations

The Black Sash document claims that

● People have been told that they will have to wait for decisions on their cases to come from Pretoria — yet such decisions have to be taken by the local Labour Officer,

● People who filled in application forms early in June are now being told these forms have been cancelled and they have to fill in new ones,

● Workers are now being given complicated forms which their employers have to fill in with details of the precise dates of engagement and "discharge" for each contract as well as all dates of paid or unpaid leave, even though records of all contracts are kept by Administration Boards and periods of leave are irrelevant,

"Forget it"

● When employers are unable to fill in the whole form, even if it is accompanied by a certificate stating that the worker concerned has been in their employ for ten years, people are told to "forget it" unless the form is properly filled in,

● Arbitrary, false reasons are being given for their refusal such as that contract workers cannot have 10 (1) (b) rights,

● Tswana, Venda and Xhosa people are being refused 10 (1) (b) rights and being told they are not entitled to them if they did not complete the 10-year period before the date of their respective homelands' independence,

● Some are being wrongly told they are classified as Section 13 workers and are therefore ineligible

Mr Gunter said decisions on cases had never been awaited from Pretoria but WCAB had awaited "firm directives as the board, at that time, was not in possession of the full facts of the judgement"

He denied that application forms had been used at any stage

On behalf of the WCAB, he invited "any interested body" which had difficulties with such matters to contact the board's liaison officer, Dr G du Preez, who he said would investigate the difficulties and reply to them

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Ciskei deaths: SA criticized

Own Correspondent

PORT ELIZABETH — Transkei has criticized South Africa following the arrest in Ciskei of a vice-consul and the death and injury by police bullets of two other Transkeian citizens

The incidents have strained relations between the two former homelands, with Transkei accusing Ciskei of reacting to the Mdantsane bus boycott recklessly and clumsily, creating "untold hardship and misery"

Transkei's Foreign Minister, Mr Mtutuzeli Lujabe, said yesterday that he had approached the SA Embassy in Umtata on Monday about the detention of a Transkeian vice-consul based in East London, Mr Robert Ncokazi, who was arrested at Cecilia Makuwane Hospital while inquiring about Transkeian casualties

"South Africa has been slow to react," Mr Lujabe said "Yet we have repeatedly warned them about the consequences of removing Transkeian migrant workers from settlements in SA to Mdantsane

"We knew this could lead to problems because our people could never be secure"

Mr Lujabe said it was South Africa's responsiblity "to reach some agreement with Ciskei that will not prejudice our people"

He called the Ciskeian police shootings atrocious and said Mdantsane residents should be free to decide on transport options

Women's Day call for change

Own Correspondent

JOHANNESBURG — No change was meaningful without the help of whites, and women's liberation could not be isolated from the broader political struggle

This was the message at a National Women's Day service yesterday at the University of the Witwatersrand

Recalling the march of 20 000 women to Pretoria 27 years ago to protest the extension of passes to women, the speakers called on Wits students to form women's organizations and to join national democratic movements

Mrs Helen Joseph, who may not be quoted, received a standing ovation from students after outlining the mass demonstrations at the Union Buildings in Pretoria in 1956

Ms Zinzi Mandela said South Africa would see the bloodiest revolution in history if whites failed to help bring about political change

City killing: Man in court

Staff Reporter

A 22-YEAR-OLD man yesterday appeared in the Magistrate's Court in connection with the alleged murder of 63-year-old Mr Norman Goldsworthy at Loader Street, Cape Town, on July 24

Mr Phillip Jerome Engel, 22, of no fixed address, was not asked to plead to a charge of murder, alternatively culpable homicide, and no evidence was led

It is alleged that Mr Goldsworthy was hit over the head with a bottle

The hearing was adjourned to August 24 and Mr Engel was remanded

Mr B Carrol was the magistrate Mrs J Sloth-Nielsen appeared for the State Mr L G Apsey appeared for Mr Engel

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KARAKUL

Rikhoto rights for 680 workers

Labour Reporter

ALTOGETHER 680 contract workers in the Western Cape have now been granted Section 10 (1) (b) rights following the Rikhoto Appeal Court ruling — but a further 641 applicants have been turned down

Dr Gert du Preez, chief liaison officer for the Western Cape Administration Board (WCAB) said that so far there had been 3 620 formal applications for Rikhoto rights

He said the WCAB was not refusing these rights to workers from the "independent" homelands, a move which which would exclude virtually the entire migrant worker population in Cape Town, who come from Transkei and Ciskei

The West Rand Administration Board (WRAB) has been refusing to grant city rights to migrants from the "independent" homelands on the basis that they are "foreigners"

However, the Legal Resources Centre, which handled the Rikhoto case, has applied to the courts to overturn WRAB's ruling

A number of migrants applications have been turned down in the Western Cape because over the 10-year period they took more than four weeks' leave a year

Seasonal workers

According to Mrs Sue Joynt, regional organizer of the Black Sash, others are being turned down because they are seasonal workers or work in the canning factories in Paarl, which close down for several months every year

She said there had also been difficulties with construction workers employed by companies which had merged or changed name during their 10-year employment period

The WCAB had argued that these workers had not been employed continuously by one employer for 10 years

Workers who had worked for the same employer for 10 years, but in different prescribed areas, were also being turned down, she said

Rikhoto rights: WCAB appeals

Labour Reporter

AN application for leave to appeal by the Western Cape Administration Board (WCAB) in a case which could affect thousands of migrant workers applying for Rikhoto rights is to be heard in the Cape Supreme Court on September 2

Mr Mdwandweni Mthiya, a City contract worker, was granted city rights by Mr Justice Pat Tebbutt in April because he had worked for one employer for longer than 10 years

But, unlike Mr Tom Rikhoto, who was granted city rights on the same basis in the landmark Appeal Court case in May, Mr Mthiya had taken unpaid leave three times during his period of employment.

The WCAB has refused to implement the Mthiya ruling and has rejected the applications for city rights by hundreds of migrant workers who have taken unpaid leave during their 10 years

If the WCAB is granted leave to appeal against the Mthiya ruling, the case will be decided in the Appeal Court in Bloemfontein and could affect thousands of migrant workers throughout the country

● Mr Johnson Mpukumba, president of the General Workers' Union, yesterday appealed to the authorities to "show concern for the workers from Transkei and Ciskei"

He warned there would be great bitterness among workers if the government decided to label Transkeians foreigners and deny them rights on that basis

Referring to the proposed new legislation to prevent workers from bringing their families to the cities unless they had "approved accommodation", Mr Mpukumba said workers would fight for their families' rights

Woman sent to prison because of 'oversight'

ARGUS 17/8/83

200

Staff Reporter

A CROSSROADS mother of seven spent 12 days in jail because of an "administrative oversight," the Langa Commissioner's Court has heard

Mrs Regina Booi, 50, was arrested on July 29 for being in the Cape illegally and was held in Pollsmoor Prison until August 10 before being released on bail

She pleaded not guilty at a previous hearing

PERMISSION

Mrs Booi told the court she was given permission to be in Cape Town in 1972 and built a house in Crossroads in 1975

In 1979, after a special dispensation for Crossroads people was announced by the Minister of Co-operation and Development, she was entitled to be in the Cape, she said.

Her house, however, was registered in her son's name because she was away visiting a sick relative in the Transkei

The court heard that inquiries by the Aid Centre showed that Mrs Booi did not appear on the list of people granted permission to remain in the Cape in 1979.

The Commissioner of the court, Mr W Fourie, today requested the Aid Centre to make further inquiries about the registered owner of the house in Crossroads, adding that if Mrs Booi's son was registered in the house she was entitled to be there as a dependent

INFORMATION

The information was obtained in less than five minutes that Mrs Booi's son was the registered tenant of the house It was also established that five of Mrs Booi's sons were registered to stay in the Crossroads house

The prosecutor, Mr J Uys, then said he accepted Mrs Booi's plea of not guilty

"It seems that administratively something went wrong," he said

Mr Fourie found her not guilty and discharged her

He said the prosecutor had accepted her plea and was of the opinion that her name had been left off the list due to an "administrative oversight"

He suggested she immediately become registered to safeguard her against similar steps being taken against her

In another case, a woman was given a suspended sentence after the court heard that she was "a most reliable and trustworthy nanny" to a child who was in the custody of a divorced man

Mrs Mabel Mlinda pleaded guilty to being in the Peninsula for more than 72 hours without the necessary permission

She said she came to Cape Town in 1980 She was divorced and her children lived in the Transkei

She had worked as a domestic since 1980 and about nine months ago started working for a Mr S Sherman

In mitigation of sentence, defence attorney Mr O J Barrow, told the court that Mr Sherman had tried a number of domestics "as a nanny" for his child without success since he was granted custody of the child However, he had found Mrs Mlinda " a most reliable and trustworthy nanny for his child"

CONTRACT

He said Mr Sherman was in the process of registering a contract for her.

The prosecutor, Mr J Uys, asked the court to impose a suspended sentence in the light of the circumstances

Mrs Mlinda was fined R70 (or 70 days jail) suspended for 12 months on condition she gets permission to remain in the Cape or leave the area by September 16 and that she is not convicted of a similar offence during the period of suspension

AAGES 25/8/83 (201)

Workers 'tired

Report by PIPPA GREEN
Labour Reporter
Pictures by JOHN YELD

A GROUP of Transkeian contract workers, who say they are "tired of living like animals", have begun a struggle to improve the living and working conditions at a small engineering factory in the village of Klipheuwel near Durbanville

The 100 employees at Klipheuwel Engineering Works — recruited in the Mount Fletcher district — decided to file formal complaints with the Industrial Council for the Iron, Steel and Engineering Industry and with the trade union they have recently joined, the General Workers' Union (GWU)

The managing director of the factory, Mr N Knoop, has promised to "rectify matters" as soon as possible

"We are working on all the workers' complaints right now I've had the health inspectors here and the Industrial Council inspectors"

Notable improvements

The men say there have been a few notable improvements in both working and living conditions since they filed formal complaints In the past week they have been issued with mattresses, which they claim they never had before, and hot water cylinders have been installed

In a letter to the Industrial Council, they complained of

- Water with rust in it and no hot water or electricity,
- No fireplaces or stoves,
- Leaking roofs,
- No formal time-keeping system at the factory, so the men have no record of the hours they work,
- No overtime pay — they claim they often start at 5 30 am and knock off at 5 pm,
- No sick benefits even if they produce medical certificates,
- Being put off without pay when machines in the factory break down, and
- No tea or lunch breaks and working 12 hours continuously

A spokesman for the Industrial Council confirmed receipt of a letter

He said the council was empowered to investigate complaints relating only to working conditions

But the employees are determined to negoound

AN EMPLOYEE cooks his supper in the hostel room which he shares with seven other men. They say they cannot use the room allocated as a kitchen.

SCHESTER, Charles Liaisons Soci

AAGES 25/8/83 (201)(189)(165)

# of living like animals'

THE locker room, allocated for storage of food and cooking The men say the room leaks and the lockers are easy to break into

BEDS in the compound had no mattresses until this week and the springs are broken.

Factory pledges action after move by labour

ARGUS 25 July 83 201

conditions with management through a union committee they have elected

Several said they had tried to "talk to the boss" about their problems, "but up till now he hasn't understood"

A man who has worked at the factory for 16 years said "We have tried to fix everything here ourselves

Rusty

"We fixed the springs on the beds and put cardboard down so we could sleep properly We fetch our own drinking water from the railway station because the water here has rust in it"

Pots showed a rusty residue on the inside left by water from outside taps

The compound, consisting of several brick buildings around a courtyard, sleeps eight men to a room.

There is no run-off system for rain water and muddy puddles collect in the communal courtyard

The hostels do not have ceilings and the floors are concrete.

(Cont'd on page 11)

council

(Cont'd from page 10)

Many men complain that their blankets are always wet in winter because the roofs leak

"What can we do? We have nowhere else to sleep," said one

Cooking, washing and toilet facilities have also caused much bitterness

Put toilets in a long row down one side of the courtyard have no doors

The washrooms do not have a run-off system and dirty water collects on the floor The management installed showers the day I visited, according to employees

Concrete

In the small bare concrete room allocated as a kitchen and dining room, the sink leaks nd there are no stoves

Concrete hatches with wire lids provided for men to store food are not used.

"They are easy to break into and the roof leaks, so we keep our food in our rooms," one man said

"Since we joined the GWU and sent a letter to the Industrial Council, our boss is starting to listen to us

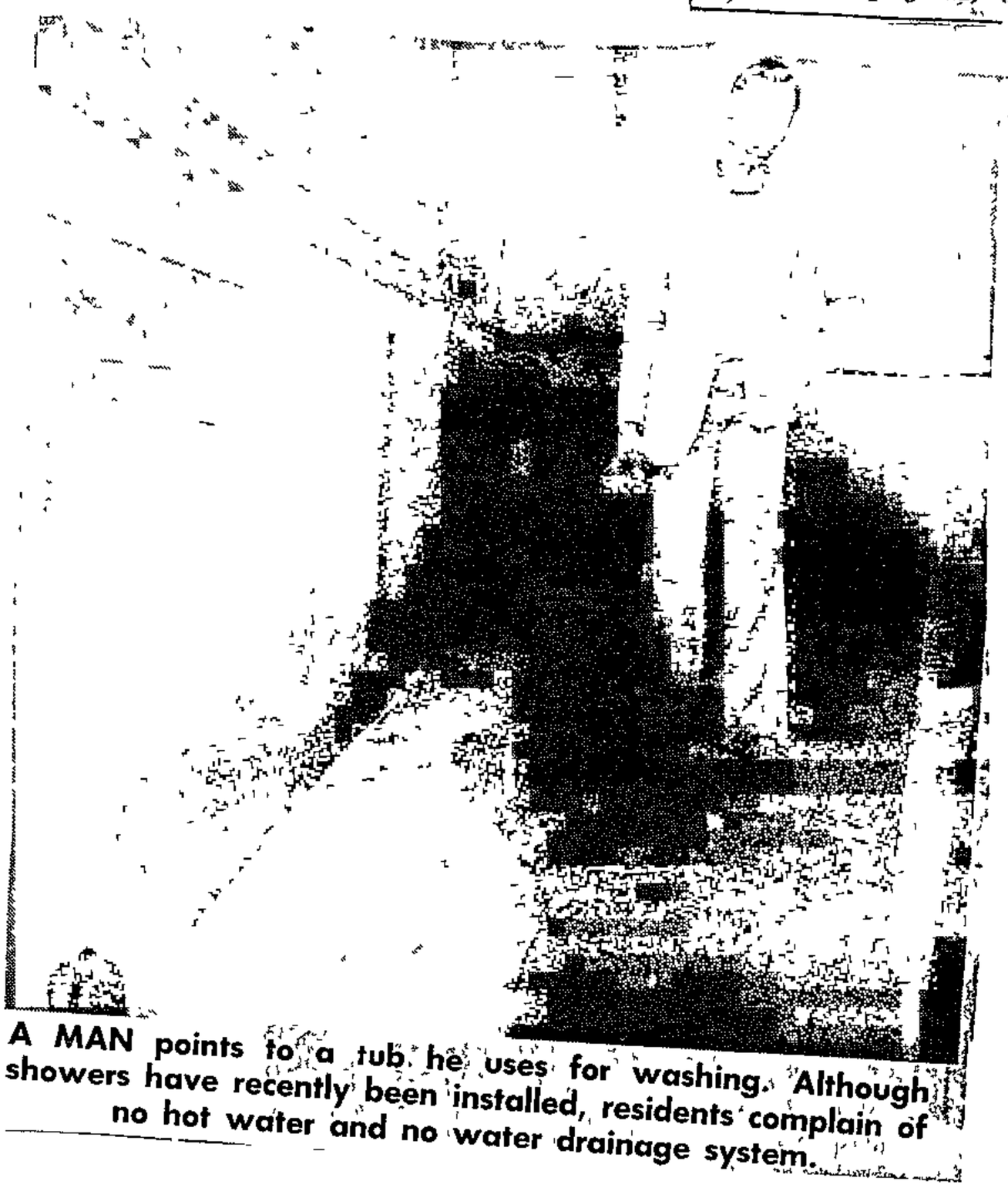
Promised

"We work only nine hours a day now He has also promised to give us mattresses And we have been told we will not have to wash with rusty water any more. He has promised to put in hot water cylinders"

A spokesman for the GWU said yesterday the men had been issued with mattresses this week and hot water cylinders had been installed

Mr Knoop confirmed this and said he was working on the other problems

He has promised to attend to the water drainage problem as a matter of urgency



A MAN points to a tub he uses for washing. Although showers have recently been installed, residents complain of no hot water and no water drainage system.

Cape Times 25/8/83

'Illegals' tell of WCAB promise

Staff Reporter

PROMISES of alternative accommodation by a senior Western Cape Administration Board (WCAB) official prompted a group of Hout Bay squatters to remain on a Disa River farm till their sudden arrest last month, a Wynberg magistrate heard this week

This was alleged by two of 10 people who pleaded not guilty to charges of squatting and being in an area longer than 72 hours without official permission.

An 11th person, Peter Mgoboka, 36, of Lady Frere, Transkei, was sentenced to R60 (or 60 days), suspended for two years, and ordered to return to Transkei unless he could obtain legal permission by September 18 to be in the Peninsula

He was sentenced to a further R50 (or 50 days), suspended for two years, for illegal squatting and was warned by the magistrate, Mr D Visagie, that if he persisted in this offence he could be fined R10 (or seven days) for every day that he illegally squatted

Pleaded guilty

Mgoboka had pleaded guilty to the charges

He and five of the 11 have been in custody since their arrest on July 18

The five, Elliot Blackie Badman, 29, Gila Mathofa Dumuzweni, 43, Albert Mteto Matyeleni, 26, Mrs Priscilla Kwatshube, 32, and Michael Zwela Solani, 31, also face a second charge of being in the Peninsula illegally

Bail of R50 was extended for Mrs Kwatshube, Michael Solani, Mathula Majola, 35, Atwell Mhaga, 50, Ziphekele Booi, 35, Mawntu Magwaca, 25, and Mrs Perseverance Ntantiso, 31 They face only a charge of squatting

Giving evidence in his defence, contract labourer Ziphekele Booi said he "became very happy" when he heard from his wife in 1979 that Chief Inspector Theron of the WCAB had told the squatters to stay on the farm while he arranged alternative accommodation.

At no stage was he asked to leave the farm

Mr Theron had written down a number of names on meeting them, he said

The case continues.

The magistrate was Mr D Visagie Mr R Metz prosecuted Mr L Bozalek and Mr A Varney appeared for the accused

Squatters: We were assured a place to live

Cape Times 26/8/83

Staff Reporter

SHORTLY before arresting 11 Disa River Farm squatters last month Western Cape Administration Board (WCAB) inspectors had assured them they had come to transport them to "new accommodation", a Wynberg magistrate heard yesterday

This was said by two of 10 people who have pleaded not guilty to squatting and being in the Peninsula longer than 72 hours without official permission

The two, Mrs Perseverance Ntantiso, 31, and Mrs Priscilla Kwatshube, 32, said they believed the inspectors had come to fulfil a promise made to them by Chief Inspector J Theron in 1979

Mr Theron had told them to stay on the farm until he had arranged accommodation at Langa

Mrs Ntantiso testified the squatter community had placed great faith in Mr Theron's promises as he had helped resettle people from Kadotspruit, another Hout Bay community, last year

Mr Theron was not among the inspectors

Mrs Kwatshube quoted the inspectors as saying they "had come to give us houses and also our reference books and we would receive permission at Langa"

She had never seen any signs on the farm which prohibited them staying there and there were no fences or walls over which the people had to climb when walking to and from work in Hout Bay

The case was postponed to August 31

Remanded in custody on charges of being in the Peninsula longer than 72 hours without permission were Mr Elliot Blackie Badman, 29, Mr Gila Mathofa Dumuzweni, 43, Mr Albert Mteto Matyeleni, 26, Mrs Priscilla Kwatshube and Mr Micheal Zwela Solani, 31

Bail of R50 was extended for Mr Mathula Majola, 35, Mr Atwell Mhaga, Mr Mawtu Magwaca, 25, Mr Zipehele Booi, 35, and Mrs Perseverence Ntantiso.

Mr M Broeksma prosecuted Mr A P Kotze was on the bench Mr L Bozalek and Mr A Vardey appeared for the squatters

Council urged to house its black workers

E-Post

30/8/83 201

By STEPHEN ROWLES
Municipal Reporter

THE Port Elizabeth City Council was last night urged to give urgent attention to providing adequate housing for its black workers

Speaking at the monthly meeting of the Central Executive of Port Elizabeth Ratepayers' Associations, a Walmer delegate, Mr Bill Hayward, said it was incumbent on the ratepayers to provide not only single quarters but also houses for workers who were allowed to live in the city with their families

A Wards 2 and 4 Civic Association representative, Mr Denis Glendinning, said the Government had made it clear it was not in a position to provide housing for everyone

He urged the council to follow the lead of the private sector, which was assisting employees to buy houses from the East Cape Administration Board

The association decided to write to the Town Clerk asking for information on what was being done to house black municipal workers

At the meeting both opposition and support was expressed for a proposed restaurant complex between Humewood Beach and the Red Windmill Roadhouse

The chairman of the Wards 2 and 4 Civic Association, Mr Patrick Bracher, said with the addition of another restaurant complex Marine Drive would become a "roadhouse drive"

Mr Terry Herbst, a Ward 4 councillor, said the council was often criticised for not providing amenities

He said there was a need for another restaurant complex because at present it was not possible to get a "decent meal on the beachfront"

Mr Herbst said the site for the proposed complex was part of a development node in the beachfront structure plan

It was hidden from the road and would not interfere with beachfront walks

Mr Hayward said he supported the idea of the restaurant complex because it was absolutely essential to provide beachfront facilities

He said the site was serving no purpose at present

The council was also urged to provide a solution to the traffic congestion at the dangerous Kragga Kamma interchange

Mr M Martin, a Ward 13 delegate, said it was only a matter of time before a major accident occurred at this "suicide intersection"

He said as a result of poor planning, road rules were ignored Motorists experienced problems travelling from Sunridge Park to Cotswold in the mornings and crossing from Cape Road over the N2 bypass into Kragga Kamma Road in the afternoons

Mr Frans Marais, the vice-chairman of the Central Executive, said the road network had not kept pace with development in the western suburbs

CAPE TIMES 1/9/83

Futile measures enforced at human cost

By PHILLIP VAN NIEKERK
Labour Reporter

SOUTH Africa's deepening unemployment crisis does not often make the headlines But whether people in the well-off areas are aware of the problem or not, the hundreds of thousands of unemployed and hungry people who they share this country with should be a major cause for concern

Of course, the full extent of the problem is difficult to measure. It is masked, both by official statistics which have been criticized as being unrealistically low and because it is largely out of sight

In spite of the present severe recession, city people do not see long dole queues on their way to work. The great mass of unemployed people are tucked away in the black townships, on rural farms or in the homelands

Still, the warning signals are visible enough The National Manpower Commission report, released this week, reported a "marked deterioration" in unemployment for all races and expected the situation to worsen

Major point

Figures released by the Central Statistical Services on Tuesday revealed that between May last year and May this year the numbers employed in the six major work categories — mining, construction, manufacturing, electricity, SA Transport Services and the post office — dropped by a massive 137 928

At the same time, a major point of contention has arisen between economists who have made their own calculations of the numbers involved, and the official government statistics

The Current Population Survey (CPS) figure for total unemployment of blacks and coloured people in April this year was 540 000, compared to various other estimates of between two to three million Such a marked disparity is disturbing on its own

In its report the National Manpower Commission states that there is not enough justification for questioning the accuracy of the CPS figures, as generally-accepted international standards are used to measure unemployment

However, a University of Cape Town economist Mr Charles Simkins, claims that unemployment in South Africa was more than two million at the end of 1981 — before the recession — rising by another half-a-million by the end of this year

The CPS figures are too low, he says, because they don't include the underemployed (all people who have worked for more than five hours in a week are counted as "employed"), the chronically unemployed who have stopped looking for work, poverty-stricken children under 15 who are looking for work and migrant workers unable to accept a job within a week In addition, the CPS does not survey in the "independent" homelands such as the Transkei or the Ciskei, which are major areas of unemployment

If in fact the official figures are masking the reality of unemployment in South Africa, it would be a pointless exercise Juggling with figures won't change the poverty and starvation experienced by the unemployed, their families and the people from their own community on whom the burden of supporting them has fallen

● Cape Town's black population must, in the eyes of the government, be the most unwanted community in the country, a 120-page report on the coloured labour preference policy released by the Southern Africa Labour and Development Research Unit (Saldru) this week shows

An African labour queue

The very existence of blacks in the City, in fact, is a symbol of the failure of government policy

The report, which details the history of the labour preference policy and influx control in the Western Cape, shows that. virtually every township or housing area for blacks was established grudgingly, as a result of economic and other pressures

Population pressure and economic forces "obliged" the government to establish Nyanga in 1957 and as the preference policy developed in sophistication and design, the government was forced to establish Guguletu in 1963

Realities

The provision of further family housing in 1977 and the Crossroads deal in 1978 similarly happened in spite of attempts by the authorities to tighten up Even Langa — opened in 1927 — came immediately after the failure by the authorities to move 3 000 blacks from the Western Cape

Surely, one would argue, a great deal of misery and suffering would have been avoided had the government faced up to the realities of urbanization decades ago

Yet the report quotes from the Department of Bantu Administration annual report of 1963, which notes "The shift in population of the working Bantu population and the accompanying process of urbanization are functions of economic development a shift has taken place in the process of development with the result that an increasing proportion of the Republic's total Bantu population has settled in the urban areas"

The Saldru report comments that, on the basis of this "admirably clear understanding of the issues involved", pleas of ignorance by the authorities of the social forces at work in the process of urbanization would have to be "disallowed"

And now, in 1983, with the "Verwoerdian" Khayelitsha plan on the table, the report notes "Although their grand scheme is in tatters the government persists in enforcing futile measures at a human cost which cannot be counted"

Court 'no' to WCAB appeal

Labour Reporter

THE Western Cape Administration Board (WCAB) has been refused leave to appeal against a Cape Supreme Court judgment granting city rights to a migrant worker who worked for one employer for longer than 10 years, though he had three long periods of leave during that time

Mr Justice Pat Tebbutt dismissed with costs the application, brought by the WCAB and the Municipal Labour Officer, Langa, to appeal against an earlier judgment of his in April

Mr Justice Tebbutt held that Mr Mdanweni Mthiya had been in continuous employment at Chick's Scrap Metals even though he was employed on yearly contracts and took three periods of leave

Rikhoto

The judge found that Mr Mthiya was entitled to Section 10(1)(b) rights in terms of the Blacks (Urban Areas) Consolidation Act because he had proved that he had worked for one employer continuously for longer than 10 years and had lived in the City continuously for 15 years

The Mthiya judgment was delivered a month before the Rikhoto judgment in the Bloemfontein Appeal Court which confirmed the right of migrant workers to Section 10(1)(b) endorsements in their pass books after working 10 years with one employer

The WCAB, along with administration boards throughout the country, has since been granting city rights to migrant workers in the same position as Mr Tom Rikhoto — but has turned down those who, like Mr Mthiya, have taken leave of longer than a month

Turned down

To date, 1 210 workers have been granted Rikhoto rights in the Western Cape while 1 418 — many of whom would be affected by the Mthiya judgment — have been turned down

Mr L R Dison, appearing for the WCAB in applying for leave to appeal, said another court might come to a different decision

Mr Justice Tebbutt found that "in my opinion there is no reasonable prospect of another court taking a different view, either on the facts relating to the respondent's residence, or whether or not the three lengthy periods during which the respondent was away from his period of employment constitutes an interruption of continuous residence or employment"

● Meanwhile, Mr Dison said yesterday that the WCAB would be petitioning the Appeal Court in Bloemfontein to be granted leave to appeal

Mthiya: WCAB takes advice

14/9/83 C. Times 201

Labour Reporter

THE Western Cape Administration Board (WCAB) would not comment yesterday on whether they would implement the Mthiya Cape Supreme Court ruling in which a migrant worker who had taken three periods of unpaid leave was granted city rights

Dr Gert du Preez, the chief liaison officer for WCAB, said they would first have to confer with their legal advisers before deciding what action to take. An application by WCAB to be granted leave to appeal against the judgment was turned down by Mr Justice Tebbut in the Supreme Court last week.

City lawyers said yesterday the judgment was law in the Western Cape, as no appeal was pending against it, and WCAB had no option but to implement it

In the wake of the Rikhoto Appeal Court judgment — confirming city rights for migrants who had worked for one employer for longer than 10 years or resided in the area for 15 years — hundreds of workers otherwise qualifying have been turned down because they took unpaid leave.

Black Sash

A spokesman for the Black Sash Advice Office said they would be instructing workers who had already been turned down because of unpaid leave to return to the WCAB offices and demand their rights with lawyer's letters

Mrs Sheena Duncan, the national director of the Black Sash, said yesterday that administration boards were "showing such disrespect for court judgments that they must not be surprised if people whose rights are denied show no respect for the law".

And a booklet put out this week by the Black Sash, entitled "You and the Rikhoto Case", claims that so many workers are still being "unlawfully" denied their Rikhoto rights by administration boards that the courts will not be able to handle all their cases

The booklet says unions, employers, churches and community groups should act to win implementation of the judgment and that Western governments which supported the Rikhoto ruling should be told that it is not being enforced

It says that by the end of August, the West Rand Administration Board was still not granting rights to workers who are citizens of "independent" homelands — despite a statement by the Minister of Co-Operation and Development, Dr Piet Koornhof, that they would do so

Many 'still denied' Rikhoto rights

By STEVEN FRIEDMAN
Labour Correspondent

SO many workers were still being "unlawfully" denied city rights in terms of the Rikhoto judgment by Administration Boards that the courts would not be able to handle all their cases, according to the Black Sash

In a booklet on the Rikhoto case, entitled "You and the Rikhoto Case", it says unions, employers, churches and community groups should act to win implementation of the judgment and that Western governments which supported the Rikhoto ruling should be told it was not being enforced

It says that by the end of August, the West Rand Administration Board was still not granting rights to workers who were citizens of "independent homelands" — despite a statement by the Minister of Co-Operation and Development, Dr Piet Koornhof, that they would do so

The Wrab has repeatedly denied attempting to obstruct the judgment

The booklet seeks to explain the implications of the judgment and answer factual queries about it

It also calls for the abolition of all influx control, arguing that this policy causes rural poverty which will lead to continued malnutrition and child deaths even after the drought ends

In the booklet, the Sash outlines a number of measures which, it alleges, Wrab is using to obstruct the granting of Rikhoto rights

It says a stipulation that employers must fill in detailed forms on workers' work records before they can be granted Rikhoto rights is an "obstruction to the law" because labour officers can obtain this information from workers' record cards at the boards

"It is amazing that a labour officer can very quickly get a record card to check it when he is going to put a stamp in a person's pass that that person is ordered to leave the area, but (he) cannot be just as quick when he is asked to check the same card for a 10(1)(b) qualification," it says

The booklet charges that, by the end of August, Wrab was still not granting rights to citizens of "independent homelands" and was obstructing the granting of rights in other ways

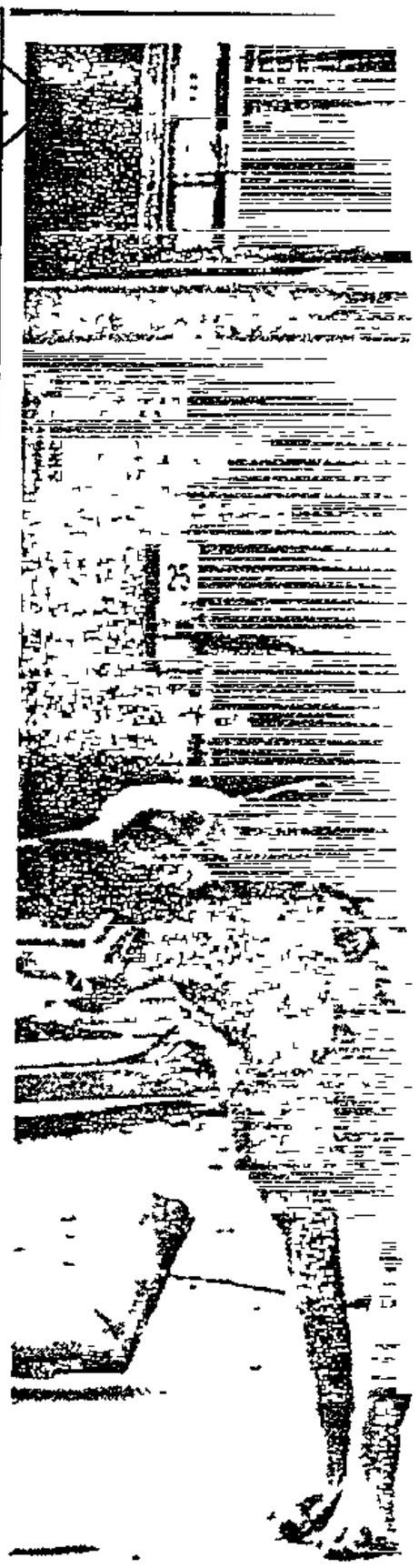
It says that, while some of these cases can be referred to lawyers, "there are so many people who are being wrongly refused 10(1)(b) now that lawyers will not be able to take all these cases to the Supreme Court"

The booklet adds that, because of the backlog facing the courts, cases will take a long time to be heard

It suggests workers should inform employers and employer organisations of the situation and urge them to take action as well as taking independent worker action to win implementation of Rikhoto

It adds that churches and community groups should inform themselves on the situation and take action and that Western governments who supported the Rikhoto ruling should be told about attempts to obstruct the ruling

"What we all want is for influx control to go altogether If the Government is not prepared to do that yet, at least it must not make influx control worse," the booklet says



Miss Elizabeth White, a ... Street, Booysens, to a ... make way for a new fr...

400 dogs die for insult

-Mail Correspondent

KARACHI — Four hundred dogs painted with the slogan "Zia is a dog" have been shot or beaten to death in the small Pakistan town of Dadu, 225km north of Karachi

Dadu was one of the Sind provincial towns visited by General Zia ul-Haq, the country's military ruler

A martial law edict to destroy the stray "pie-dogs" went out when local dissidents of the Movement for the Restoration of Democracy struck on the idea of using the animals to demonstrate against General Zia

Reports from the town, where protesters also stoned Gen Zia's cavalcade when he did arrive, said it took the authorities a hard day's work to club and shoot the dogs The animals were piled up and incinerated

School for scandal as porno pair refuse to go

London Bureau

LONDON — Dartington Hall, the R10 000 a year progressive school in Devon, is still struggling to emerge from the scandal of its sacked headmaster Dr Lyn Blackshaw and his wife, Beth.

It was confirmed yesterday that Dr Blackshaw, whose colourful career has included a spell in South Africa as a journalist, has refused to leave the premises

The new term is due to start on Monday but Dr Blackshaw and his wife, who were ousted after newspapers revealed that they had posed in steamy nude photographs for a pornographic magazine, are sitting tight and consulting lawyers

Black-haired Beth, 37, whose topless poses in sex magazines were splashed across national newspapers last week, said her husband had been appointed headmaster on a five-year contract and they were still negotiating with trustees about his departure.

The Blackshaws added to the discomfort of the school by holding a champagne lunch on Sunday — as parents held a protest meeting over the sexy photos scandal — in the same hotel

Unabashed Beth, who talks with pride of their open attitude to sex and nudity, and is now studying for a doctorate, says their future plans are uncertain

In the meantime, two members of staff at expensive Dartington Hall have been appointed to the joint headship, as the school struggles to get back to its version of normality, against a background of gleeful sniping in Britain's national Press

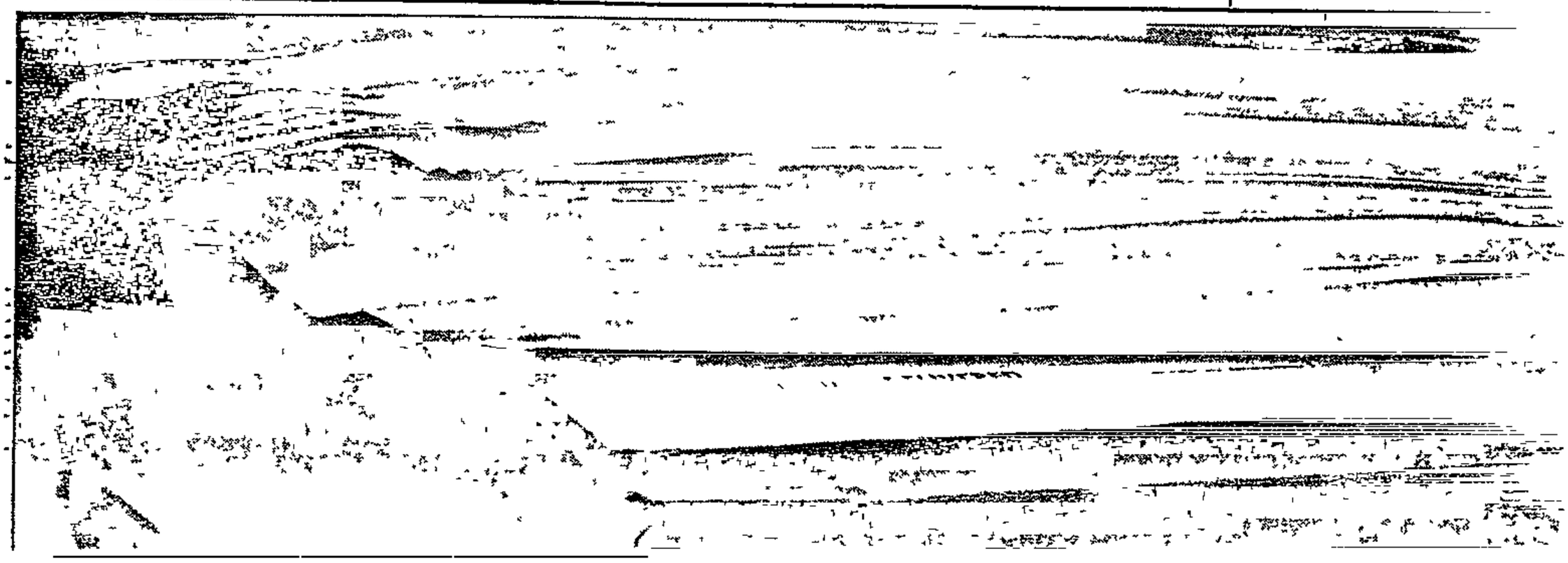
One cartoon yesterday showed kids peeking through the keyhole of the headmaster's office and protesting "It is all very well appointing a new headmaster but what are we supposed to do for sex education?"

Dr Blackshaw is vague about his period in South Africa in the 60s when he says he worked for a short time on the Rand Daily Mail and recalls "being in trouble" with the Security Police

'Leave our ic...

GEORGE — The Antarctic environment could easily be polluted or poisoned, possibly for centuries, if nuclear tests were carried out in the area or nuclear waste was dumped on the icecap

This warning was given by Prof William Benninghof, of the University of Michigan, at the International Symposium on Antarctic Biology being held near George



Rights of migrant workers blocked

201 C. Tuins 15/9/83

By PHILLIP VAN NIEKERK
Labour Reporter

THE country's highest courts have become a battleground for the rights of migrant workers — and the Administration Boards seem determined to fight every inch of the way

Last week the Cape Supreme Court refused the Western Cape Administration Board (WCAB) leave to appeal against a judgment made in April granting city rights to Mr Mdwaneni Mthiya

Mr Mthiya had worked for one employer for longer than 10 years and lived in the city for 15 years However, unlike Mr Mehlolo Rikhoto, who won the landmark Bloemfontein Appeal Court case in May, Mr Mthiya had taken three lengthy periods of unpaid leave while qualifying for city rights

This becomes important when it is noted that a large number of migrants are being refused city rights by the WCAB because they took unpaid leave In spite of criticism that they are ignoring a Supreme Court ruling, the WCAB has not yet indicated whether they will implement the judgment

Now their legal advisors have said they will petition the Appeal Court for leave to appeal, their last resort

When Dr Piet Koornhof, the Minister of Cooperation and Development, announced that the government would abide by the Rikhoto decision, there was a favourable response from employers and Western diplomats They saw it as a sign that the government was at last facing up to the realities of urbanization and taking a more lenient approach to influx control

Since then there have been numerous claims of bureaucratic obstruction, forcing many migrants to seek their rights in the courts For instance, workers from the "independent" homelands are reportedly still being turned down by the West Rand Administration Board even though it is more than a month since Dr Koornhof conceded that they were eligible for those rights

And employers have been irritated at having to fill in lengthy forms on their employees' work records when the Administration Boards have complete records on every black person's registrations in the area

Even court action is no guarantee that workers will be granted their rights After an exhaustive battle through the courts, Mr Mthiya, for example, still does not have the coveted 10 (1) (b) stamp in his passbook.

Statistics best tell the story Of the potential 145 000 workers due for Rikhoto rights, little more than 9 000 have been granted them in the more than three months since the Rikhoto Appeal Court judgment

And the value of city rights has been somewhat diluted by new legislation which bars people with city rights from bringing their families to live with them unless they are legal tenants or owners of a housing unit.

In Cape Town, people cannot get onto the housing waiting list unless they are already legal families in legal lodgings — what the Black Sash has called a Catch-22 situation

● The annual conference of the Trade Union Council of South Africa (Tucsa) later this month could see the country's largest multi-racial union body facing up to some urgent soul-searching over its future direction

The SA Boilermakers Society, South Africa's largest union with a membership of 60 000-plus, has called for a special congress of Tucsa early next year to discuss the organization's future And there is talk that the union may opt for leaving Tucsa

Tucsa has shifted to the right in recent years — due to an influx of predominantly white unions — and seems left behind in the struggle to win credibility among black workers, the major focus of unionization in recent years

In addition, Tucsa's standing internationally as representative of South Africa's workforce has diminished considerably along with the rise of the independent union movement

According to Mr Ike van der Watt, general secretary of the Boilermakers' Society, this month's congress is "crucial" and the special congress has been proposed because they are worried about Tucsa's lack of direction

"We want to know if Tucsa has a future," he said "It seems to have no goals beyond attacking other unions and has failed to bring all unions together under its umbrella"

● For the first time in recent history workers employed by the same company in different parts of the country went on strike together this week over the same demand

The strike was by about 1 000 members of the National Automobile and Allied Workers' Union (Naawu) at the motor components firm Autoplastic's plants in Cape Town, Pretoria and Port Elizabeth

It was hailed by Mr Joe Foster, the general secretary of the Federation of South African Trade Unions (Fosatu) and Cape Town secretary of Naawu, as a "big victory" Not only did the workers win an immediate eight-cents-an-hour increase, he said, but their combined action showed a remarkable amount of solidarity

The strikes were sparked by a management refusal to consider wage increases till the beginning of next year as a result of depressed economic conditions

Mr Ike van der Watt crucial meeting

● As reports of retrenchments continue to flow in, Unemployment Insurance Fund (UIF) payouts have also risen sharply Payouts for January to June last year were R52-million, compared to R87-million for the first six months of this year — a jump of 67 percent

And that's excluding all those categories of workers excluded from the UIF, such as black contract workers from the "independent" homelands, farm and domestic workers, seasonal workers and people who have been out of a job for longer than six months

Permit deadline at Crossroads

Cape Times 30/9/83

By MARTINE BARKER

CROSSROADS residents began queuing outside the Nyanga offices of the Western Cape Administration Board (WCAB) at 2am yesterday in an effort to beat today's deadline to have their pass books stamped with temporary permits allowing them to remain in the Peninsula until a committee of inquiry has assessed their right to be here

This was explained to the Cape Times yesterday by the Chief Commissioner for Co-operation and Development Mr Timo Bezuidenhoud, after Crossroads residents interviewed had said they had no idea why they had been instructed to report to the WCAB offices by September 30

Residents, angered by an announcement earlier this week that Crossroads was to be destroyed and its inhabitants moved to Khayelitsha, said they did not trust what was happening

Last month they were told to report to the board's Langa offices but last week people queuing there were told to report to Nyanga Yesterday some residents said they feared the change of venue was a "tactic" to divide them before moving them

They also expressed fears that the people were being processed very slowly so as to force some of them to miss the deadline

Residential rights

Mr Bezuidenhoud who estimated there were about 1 200 people outside the WCAB offices yesterday, said he had now appointed a committee of inquiry to assess the residential rights of the people who were not named on the list of Crossroads residents made in 1979

This committee (which was promised to the residents by Dr Piet Koornhof in 1979) was due to begin work "soon", he said

He declined to name the members of the committee "yet", adding that he was "waiting for something" from his head office before getting in contact with "the parties concerned" and inviting them to supply affidavits from those who claimed they had been residents of Crossroads "on 31 December 1978'

Residents said yesterday that they were not prepared to be moved to Khayelitsha "under any circumstances" They demanded the rest of the development of New Crossroads promised to them by Dr Koornhof in 1979

The chairwoman of the Residents' Committee, Mrs Regina Ntongana, said the community demanded of Dr Koornhof that he carry out the promise he had made to them in 1979 The residents were not prepared to be split up, they had been promised homes at New Crossroads and would not settle for others, she said

The "mayor" of Crossroads, Mr Jackson Ngxobongwana, called on Dr Koornhof to meet his promises, saying peaceful consultation and negotiation were needed People could not simply be thrown "like bits of paper into a wastebin"

CAPE TIMES 3/10/83 ~~340~~ 201 ~~286~~

Self-help shelter offer for Crossroads

Mr Bezuidenhoud

Staff Reporter

AN offer of temporary self-help shelter for the people of Crossroads has been made by the Urban Foundation's Western Cape regional board to the Chief Commissioner for Co-operation and Development, Mr Timo Bezuidenhoud.

This was disclosed yesterday by the foundation's regional director, Mr C S Appleton.

He said the foundation would also seek an interview with Dr Piet Koornhof, Minister of Co-operation and Development, to clarify a speech made by his Deputy Minister, Dr G Morrison, at the Cape National Party congress last week, referring to the relocation of the people of Old Crossroads to Khayelitsha.

In a statement at the weekend, the foundation recalled that in 1979 it had acted as an intermediary between the Crossroads committees and Dr Koornhof.

On April 5, 1979, the minister had announced a scheme for the proper housing of all residents of Crossroads, subject to certain criteria, "with a view to better mutual understanding, and securing the maximum of trust and co-operation".

In its statement the foundation said "The foundation fears that parts of the speech at last week's congress, as reported, run the risk of destroying what remains of the spirit of mutual understanding, trust and co-operation.

"The foundation is not oblivious to problems which have arisen, but feels sure that nobody would wish to see innocent people suffer as a result".

The statement added that the foundation had for some time been offering to organize and finance a self-help scheme for providing temporary shelter for the people living in the open.

"This is what humanity requires right now, whatever the ultimate political solutions to be negotiated with the community," it said.

(Report by Clare Stern, 77 Burg St, Cape Town.)

Crossroads vote to resist move

Staff Reporter

IN AN angry response to the goverment's vow to destroy Crossroads, the residents of the shanty town yesterday voted to resist being moved to Khayelitsha, the resettlement township being built east of Mitchells Plain

Several thousand residents attended a meeting to discuss a statement by Dr George Morrison, Deputy Minister of Co-operation and Development, that the residents of Crossroads would be dispersed in Khayelitsha

Dr Morrison told the Cape National Party congress last week that Crossroads was a "symbol of provocation and blackmail of the government and we want to destroy that symbolism at all costs"

A statement issued by the Crossroads committee after yesterday's meeting said the residents were not prepared to be moved

"We say that Dr Morrison can come and kill us and take our dead bodies to Khayelitsha — because that's the only way we'll go there," the committee said

The residents of Crossroads called on Dr Piet Koornhof, Minister of Co-operation and Development, to honour his promises — made in 1978 and 1979 — and go ahead with the construction of New Crossroads phases two and three

Earlier this year, the government said the promised development of New Crossroads phases two and three had been scrapped

The committee said Dr Morrison must "first destroy the people" before he could destroy Crossroads They warned that the Cape Town Community Council were "burning their fingers" by supporting the "cruelty" of Dr Morrison

Housing problem

"Dr Morrison can move his councillors to Khayelitsha and we would like to see his house there as well He cannot solve the housing problem in the Western Cape by dumping us in Khayelitsha.

"We think he is trying to use hatred to win votes in the November 2 referendum"

The committee's statement said the black people of the Western Cape did not belong to Dr Morrison, they belonged to God, who had not made a mistake by putting black people on the earth

(Report by P van Niekerk, 77 Burg Street, Cape Town)

Squatters given only 72 hours

Cape Times 6/10/83

By MARTINE BARKER

ALMOST all the Crossroads residents who responded to a call to report to the Western Cape Adminstration Board offices so that they might be "indemnified against arrest" received permission to be in the area for only 72 hours, residents of the camp said yesterday

This was despite an explanation given to the Cape Times last week by the Chief Commissioner for Co-operation and Development, Mr Timo Bezuidenhoud, that the people were being granted permission to stay in the area until their status had been clarified by a committee of inquiry

Only people whose names were submitted as residents after the official census was taken in 1979 had been asked to report to the board offices, he said

The committee, whose members Mr Bezuidenhoud has not yet announced, would decide the status of each claimant by examining affidavits from them

While none of them has yet been instructed to submit an affidavit the three-day endorsement means that almost all these Crossroads residents are again without a formalized right to be in the area

Residents said yesterday the last permits issued to people awaiting the long-promised committee's decision expired in September last year They could not understand why, a year later, people had been told to report to the WCAB — and then been given only three-day stamps

One person who spoke to the Cape Times at Crossroads yesterday said he had heard of "three or maybe four people" who had been given permission to be in the Peninsula for periods of two weeks and one month

All the others had been given three days — and most of them were people with WCAB lodger cards which proved their right to be in the area, he said

The deadline for residents to report to the board to have their books stamped expired on Friday

A spokesman for the Athlone Advice Office said that Crossroads residents with three-day endorsements had approached the office for assistance and advice

Mr Bezuidenhoud was not available for comment yesterday

'Silent' change to Urban Areas Act

Post Reporter

A NEW sub-section to Section 10 of the Urban Areas Act which removes the rights of thousands of families to live together was promulgated recently, virtually without publicity

In essence the legislation prevents families of migrant workers, not yet living in the prescribed area, from joining their husbands or fathers in the urban area

A statement issued today by Mrs Sheena Duncan, National President of the Black Sash, said that the "Laws on Co-operation and Development Amendment Act" was promulgated on August 26

This Act contained a clause adding a new sub-section to Section 10 of the Urban Areas Act determining the right of a contract worker to live in an urban area.

The effect of the new sub-section is that a wife, unmarried daughter, or son who is still under 18 years of age of a black person who has a Section 10 (1) B qualification will have no legal right to remain in the prescribed area unless they can prove that

- They were already residing in a black township in the prescribed area before August 26 and that they were residing with the 10 (1) B husband or parents before that date
- The husband or parent must have completed the full 10 year or 15 year period required by Section 10 (1) B before August 26 This section requires a contract worker to have worked for the same employer for at least 10 years in the urban area or for various employers for an unbroken 15 years

Any dependents who could not prove that they were living with a husband or parent with Section 10 (1) B rights before August 26 or who came to the urban area after that date would have no rights in terms of Section 10 (1) C unless the father or husband had a house of his own

"This is a major deprivation of rights and once again removes the rights of thousands of families to live together It is obviously the Government's response to the Rikhoto judgement, but it applies to the families of all Section 10 (1) B people," the statement said

Mrs Duncan said because of the limited amount of vacant land in urban black townships, Section 10 (1) B people who did not already have a house had a small chance of getting one unless their employers became actively involved in negotiating with the Administration Boards for sites to be made available

"This amendment is disastrous and must be seen as part of the process of excluding black South Africans from political and economic participation in their own country It is part of the mechanism which seeks to lock them into the homelands, to confine them there and to erect walls around so-called 'white' South Africa to exclude them permanently," she said

3-day notice for 4 000 squatters

By MARTINE BARKER
Staff Reporter

ABOUT 4 000 Crossroads residents who responded to an "invitation" from the Western Cape Administration Board (WCAB) to see if their names were on official lists of people claiming the right to live in the Peninsula came away from the board's offices last week with stamps giving them 72 hours to get out of the area

Yesterday Mr Timo Bezuidenhoud, Chief Commissioner for Cooperation and Development, said claims from numerous Crossroads residents that they had received the 72-hour endorsement in spite of being in the area legally and having their names on the lists were "difficult to believe"

Last week he told the Cape Times that residents were being given stamps allowing them to be in the area until a committee of inquiry had met to assess their claims to be here The names of only "30 to 40" of the 4 000 who went to the WCAB offices had corresponded with those on the lists, he said

Notices

The residents received notices at the end of August telling them that people who "are of the opinion or allege" that their names appeared on the lists would "be indemnified against arrest provided they have their identification documents endorsed at the Administration Board offices in Langa on or before 30 September 1983".

Mr Bezuidenhoud said he had extended the deadline for Crossroads residents to have their passes stamped to October 14 because the Transkei Consul was having difficulty making travel arrangements for so many people

Mr G Lawrence, director of labour and housing for the WCAB, said yesterday that it was "not true" that people were told to come to the offices to have their pass books stamped Those who were "in doubt" had merely been "invited" to come to the offices to look at the lists to check if their names were included

Thousands

Asked why in that case thousands of people had had their pass books endorsed with 72-hour stamps he said "We are required by law to give a 72-hour stamp to a person who announces his presence to us"

He added that by giving them such a stamp, the board was "advising them that their presence is illegal"

He said the board had acted on strict instructions from the chief commissioner that the only basis for deciding on the endorsements was whether names in pass books corresponded with those on the lists

Tents donated

● THE Western Cape Administration Board has refused to allow squatters at Nyanga Bush to put up tents donated to them by the Red Cross "until lists giving the names of those who will live in the tents have been supplied".

Yesterday Mr Bezuidenhoud confirmed that the squatters had been ordered to dismantle five tents erected this week and has prohibited the erection of others until lists are supplied

This was because the board wanted to make sure that those using the tents were there legally and that their names corresponded with the original list of residents of the area handed to the Minister of Cooperation and Development, Dr Piet Koornhof, he said

Car kills boys: Man in court

Staff Reporter

MOMENTS after hearing a crash, a Mitchells Plain woman saw two boys being flung into the air, one them falling on to a car and being dragged a distance before the vehicle stopped, a Wynberg magistrate was told yesterday

This was evidence given in the trial of Mr Edward Adams, 42, of Carnation Street, Beacon Valley, Mitchells Plain, who pleaded not guilty to two counts of culpable homicide and one of driving under the influence of alcohol

He appeared in connection with the death of Ricardo Faro, 6, and Mario Lewis, 10, who were killed crossing A Z Berman Drive in Mitchells Plain

The accident took place on Christmas Day last year

Mr Adams also pleaded not guilty to two alternative charges of reckless or negligent driving and one of driving while his alchohol level was 0,15g per 100ml of blood

Miss Pauline Ward testified that she had seen the two boys on a field next to the road Mario had taken Ricardo's hand and after checking that there was no oncoming traffic, they had run across the double-carriage road

"They were near the island in the road when a car appeared and smashed into them I saw both boys being flung into the air The older, Mario, landed on the traffic island and Ricardo rebounded on to the bonnet of the car and was dragged for a few metres

"I screamed and and ran to the assistance of the injured boys"

Miss Ward said the car was speeding and she could not remember Mr Adams braking or using his hooter

The hearing was adjourned to December 12 and Mr Adam's bail of R50 was extended

Mr J A B Nel was the magistrate Mr A J Basson appeared for the State and Mr J Kudo for Mr Adams

Ratepayers back Garvin

Staff Reporter

THE Rondebosch Ratepayers' Association last night elected Mr Michael Garvin as its official candidate for the City Council seat which became vacant on the death of Mr Manfred Muller

Mr Garvin, a property developer and Rondebosch resident, is chairman of the Community Chest finance committee

Transkei not aware of plan to move 4 000

CAPE TIMES 12/10/83

By MARTINE BARKER

TRANSKEI's Foreign Minister Mr Mtutuzeli Lujabe says he knows nothing of travel arrangements that are supposedly being made by the Transkei Consul in Cape Town for some 4 000 Crossroads residents who have been given until the end of this week to return to Transkei

Last week Mr Timo Bezuidenhoud, Chief Commissioner for Co-operation and Development, said the Transkei Consul was "having difficulty" making travel arrangements for so many people

Mr Lujabe said yesterday that questions put to him by the Cape Times were the first he had heard about the matter He said that if claims on the matter were true, South Africa was engaged in "foul play" which "could never get the blessing of my government"

He said he would immediately investigate through the Transkei Consul in Cape Town

If South Africa was endorsing the pass books of Transkeians with 72-hour stamps, they were "not honouring the agreement between us that a Transkeian may be in South Africa for 14 days without being required to seek permission"

Transkei had made it "very clear" to South Africa that it considered the squatter problem in the Western Cape to be South Africa's problem, not Transkei's

Mr G Lawrence, director for housing and labour for the Western Cape Adminstration Board (WCAB), said the board had "invited" all the residents of Crossroads to report to WCAB to see if they had a right to be in the area They had had to do this by September 30

At the same time, however, by "announcing" themselves at the WCAB offices they had forced the board in terms of the law to give them permission to be in the area for only 72 hours, he said

Mr Bezuidenhoud announced that he had granted a 14-day extension on the September 30 deadline because the Transkei Consul was having difficulty making the necessary travel arrangements for so many people

The Transkei Consul in Cape Town could not be reached for comment yesterday

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Mrs Sieg-
... of a tele-
...eceived from her husband on Sunday night

"I read the report to my husband when he called," Mrs Mueller said "He told me similar allegations had been broadcast on TV in Germany and that he had decided to stay there.

"I asked him if he had ever had any dealings with East Germany, to which he replied 'no'. He also assured me that he had not been to the United States in 1976"

The report said Mr Mueller is alleged to have had illicit technology tradings with East Germany Together with another German businessman, Mr Volker Nast, he was "being investigated in connection with strategic computers sent to East Germany".

It said Mr Mueller and Mr Nast had fled to Germany after being indicted by a federal court in San Francisco in 1976 for alleged violations of the American Export Administration Act

Mrs Mueller said she had not asked her husband whether he had "reported" to West German police yet "But he is travelling widely in Germany — if the police are looking for him, why hasn't he been stopped at airports?

"He sounded upset and sad that I had been confronted with the allegations — he has always been very protective towards his family My husband will not return to South Africa on October 19 He wants to settle the case in Germany

"I don't think there is any substance to the allegations — otherwise he wouldn't face them,"

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Transkei to help squatters

Cape Times 13/10/83 (20)

Staff Reporter

THE Transkei Government will "leave no stone unturned" to get to the bottom of allegations that Crossroads residents with a legal claim to be in Cape Town have been endorsed out of the area, the Transkei Consul General, Mr B B Sidwaba, said yesterday.

Mr Sidwaba was responding to reports that some 4 000 residents of the camp who reported to the Western Cape Administration Boad (WCAB) were "invited" to inspect lists of names to see if they had a claim to be in the Peninsula. They were then given 72 hours to get out of the area if they did not. WCAB officials said the names of only 30 to 40 of the people who reported were on the lists.

The lists, of about 6 000 names, were compiled by the Crossroads Committee after a number of residents missed an official census of the camp in 1979. The Minister of Co-operation and Development promised that these people's claims would be investigated.

Mr Sidwaba said yesterday that he "could not believe that so few people with a rightful claim to be in Cape Town had responded to the WCAB "invitation". The "invitation" promised that people whose names were on the lists would be "indemnified against arrest".

He said any of the people who had received a 72-hour endorsement and felt that they had a legal claim to be in the area should report to the Transkei Consulate offices, where they would be given all possible assistance to establish their rights.

Mr Sidwaba wished to point out that, contrary to reports, his government had not been involved "at any stage" in making travel arrangements for the people who were endorsed out. The consulate's only involvement in the matter had been in supplying travel documents by which the residents could prove their identity.

He had requested that the WCAB extend the deadline for people to report to the board by 14 days because he could not cope with arranging documents for so many people within the given time. This was not, as reported, because he was having difficulty in arranging travel facilities for them.

'Uproot people'

"We regret this misunderstanding and wish to make quite clear that the Transkei government and its Consul in Cape Town will not, at any stage, be party to any move that will uproot people from the Western Cape".

Mr Bezuidenhoud, Chief Commissioner for Co-operation and Devlopment, who was quoted in earlier reports on the matter, could not be reached for comment yesterday

NATIONAL

Crossroads: Transkei Consul slams WCAB 'illegal' finding

ARGUS 13/10/83 (201)

Staff Reporter

ARGUS 13/10/83

REFERENDUM

THE Transkei Consul-General in Cape Town, Mr B B Sidwaba, today disputed the findings of the Western Cape Administration Board (WCAB) that more than 4 000 Crossroads people screened at the board's offices were in the Cape illegally

Crossroads residents, who claimed they appeared on lists compiled by Crossroads leaders, were asked to report to the board to have their reference books endorsed More than 4 000 people responded and most were given until the end of the week to return to Transkei

"People are being robbed of their rights My government is not going to accept people being dumped in Transkei," he said

"Playing for time"

Mr Sidwaba also criticised the way the screening was being done He said the board had given the people a deadline to report, but they had been processing people at a slow rate, making it impossible for people to meet the deadline

"My impression is that the South African Government is playing for time so they will be able to say they gave people a chance to have their positions legalised but the people did not come," he said

He had requested an extension to the September 30 deadline for people to report to the board offices He was disappointed that only a two-week extension had been granted

Torn up

There were allegations that people's documents were being torn up when they reported at the offices

He offered to help Crossroads people under pressure from the South African authorities by putting himself and his office staff at the disposal of people who claim they have rights to be in Cape Town but are rejected by the authorities

Mr Timo Bezuidenhoud, chief commissioner of the Department of Co-operation and Development of the Western Cape, said he had agreed to Mr Sidwaba's request for an extension because he realised the Transkei Consul "had many people coming to him for travel documents".

Squatters: Govt set to act

CAPE TIMES 15/10/83 (384) (201) (216) (160)

By PHILLIP VAN NIEKERK

THE government is set to take action against more than 6 000 Crossroads residents who have been endorsed out of the Peninsula

Mr Timo Bezuidenhoud, Chief Commissioner for Co-operation and Development in the Western Cape, said yesterday that the "law would take its course" against the residents, whom he described as "out-and-out illegals".

Yesterday was the deadline for people with a claim to permanent residence in Crossroads to report to the Western Cape Administration Board (WCAB) offices for stamps in their pass books

According to Dr Gert du Preez, chief liaison officer of the WCAB, 6 388 people — the vast majority of those reporting — have been given 72 hours to get out of the Peninsula

Very few of those reporting have been allowed to stay — in spite of claims by squatters that they are among people whose right to remain in the Peninsula is to be investigated by a Department of Co-operation and Development appeals committee

Squatter leaders fear that a massive operation is pending

The Consul-General of Transkei, Mr B B Sidwaba, said yesterday that his information officer had placed radio advertisments inviting people who believed they had a legal claim to be in the area and had been endorsed out to inform his office

He promised to investigate all such cases which came to his notice

● Meanwhile, WCAB demolitions of shelters are continuing at the Crossroads "bed" camp, scene of an intensive demolition campaign last month when more than 1 000 homes were torn down, and at the Cathedral tent camp. According to Dr Du Preez, 39 structures were demolished at the Cathedral camp on Thursday, while 12 were taken down at the bed camp yesterday and on Thursday

Cape Times 17/10/83

UDF vows to support squatters

Labour Reporter

MR Oscar Mpetha, a president of the United Democratic Front (UDF), yesterday pledged solidarity with the people of Crossroads and called on them to support the UDF

Speaking before a crowd of several thousand people at a joint UDF-Crossroads committee meeting — the first of its kind — Mr Mpetha said that without the support of the people, the UDF would be just a name

The meeting, held at Noxolo School in Crossroads, was called following a resolution at an anti-Ciskei rally two weeks ago in which the UDF pledged itself to actively support the people of Crossroads in their "struggle against government harassment"

Standing ovation

Mr Mpetha, who was given a five-minute standing ovation, praised the people of Crossroads for their strength and unity and said it reminded him of his vow that if his involvement in the struggle meant dying in jail, "then so be it"

However, he said, he would not die before the day of liberation

Mr Johnson Ngxobogwana, chairman of the Crossroads committee, said the government was mistaken if it believed it could move the people of Crossroads to Khayelitsha

"This dream will never materialize," he said "We will resist the removal We will die in Crossroads"

Mrs M Luke, of the Crossroads women's committee, appealed to the women of Crossroads to be united and strong She reminded them of how strong they had been when they "started the fight" from Modderdam Road

The Crossroads residents resolved that instead of supporting the community council elections, they would actively support the UDF-inspired "People's Weekend" which is to be held on the weekend before the referendum

Three days

In a statement after the meeting, the Crossroads committee said that if the government took action against the more than 6 000 Crossroads residents who have been given three days to get out of the Western Cape, "we are also going to take action"

On Friday Mr Timo Bezuidenhoud, Chief Commissioner for Co-operation and Development in the Western Cape, said the "law would take its course" against the 6 388 who have been endorsed out. He did not say when the government would act.

The committee called on the government not to take action before consulting with Mr Ngxobogwana and the committee and establishing who had the right to be in Crossroads.

(Report by P van Niekerk, 77 Burg St, Cape Town)

Mr GAVIN RELLY . . . book on influx control.

Firm closes so he misses rights

SEVEN months was all that stood between Nelson P and his realisation of a 10-year dream — the all-important Section 10 1 (b) stamp in his passbook — the right to live and work with his family beside him, in Port Elizabeth

To obtain the essential stamp a rural worker living in the city must work for the same employer for an uninterrupted period of 10 years

Nelson is from Port Alfred He is not a contract worker, but was transferred He worked as a moulder in Port Elizabeth for nine years and five months — and then the company closed down

He was described by the company as a stable, reliable worker and was issued with a letter from the company asking the East Cape Administration Board's labour department to grant him a residential permit, as he had no control over the circumstances which had lost him his job

Ten years to the day had passed before he entered the Labour Department office, nervously proffering the letter which could have been the key to a secure future for his wife and two children as well as himself

He left the office, the letter in his hand, with the words "Only completed nine years five months — does not qualify", written across it

He was, however, given verbal permission to seek employment elsewhere, which he has attempted to do, without success

No company will employ him without the appropriate stamp in his passbook, because it risks a R500 fine for hiring a worker with no permit to be there

"If Nelson can remain in Port Elizabeth for another five years he will receive a permit on residential grounds," said Mrs Judy Chalmers, a Black Sash advice-centre worker

"But he cannot remain here indefinitely without a job He is a technically skilled worker, which the centre needs If the trend to exclude rural people from the cities continues it can only be bad for our economy," she said

Nelson has not been told to return to Port Alfred as he has approved accommodation with an uncle in Kwazakele and his children are at school in Port Elizabeth, but the board would not give him a work-seeking permit.

"Of course, there is the argument that there are already too many unemployed people in Port Elizabeth," said Mrs Chalmers, "but these people are not here to see the bright city lights, only to make enough money to survive"

Another recent influx control casualty is Henry M, who has a stamp in his passbook which officially evicted him from Port Elizabeth two weeks ago But he is still here because it is his only hope for employment "There are no jobs in Middeldrift," he said

He has lived in Port Elizabeth for more than 20 years but has not been granted permanent resident status He has worked for continuous periods of three and nine years — which do not qualify him to stay

"We are turning good, law-abiding people into criminals because of the pass laws," said Mrs Chalmers

"These men are victims of a situation they cannot break the law," she said.

A query on his behalf brought a reply from the personnel officer of a local company stating "We may not employ contract workers any more We used to have a large number but we have been informed that if a contract worker leaves we must employ a local man"

The arguments for an against influx control are dealt with in a book by the new chairman of Anglo American, Mr Gavin Relly, says there is no doubt the system is central to South African affairs in general and economic development in particular.

In his book, *Influx Control and Economic Growth*, Mr Relly gives three examples which might prove justification for influx control

One, he says, is the security case which would seek to keep the unemployed from out of the towns

"But I doubt very much whether, in the long run, the creation of impoverished, excluded rural populations is less dangerous than urbanisation," he said

Another argument is the environmental case which has to do with keeping towns clean and healthy for the residents

"The argument about keeping towns clean and healthy at first seems to have considerable validity, but it is ironic that in South Africa the controls we impose do much to create the very conditions we seek to avoid

"The price we pay for having fewer blacks in towns is, first, a higher proportion of unattached males more prone to crime than they would be if their families were with them and secondly, conditions of overcrowding, which are breeding grounds for nefarious activity", perpetuated by a failure to build proper homes

The last is the case which argues that the unemployed are better off in the country than in the towns, with the explanation that influx control is a way of evading the cost of social infrastructure

"In any event I presume that given modern defensive mechanisms and weaponry it is easier to control town dwellers than rural people"

Mr Relly argues that squatter camps are in fact a less dangerous health hazard than overcrowded townships "The tendency, it seems, has been for epidemics — including outbreaks of cholera — to take place in rural areas and not in squatter camps"

There is another aspect we must take into account, says Mr Relly, and that is that the retention of influx control is necessary because the economic and political costs of increased concentration of people in the urban areas are too high

The flow of black people with new-found freedom to the towns would have a detrimental effect on the quality of life for those already there

"Restricting the supply of unskilled people enhances the demand for, and the price of, skilled labour So it stands to reason that organised labour, including black unions, could have a vested interest in supporting influx control

"But how long could we expect to nurture the 'quality of life' of a few priveleged town dwellers at the expense of the many impoverished rural people, held in that state by State coercion?"

, 1983 ★

Cape Times 201
24/10/83

Anglican clergy attack removals

By MARTINE BARKER
Staff Reporter

CAPE Town's Anglican churchmen have resolved to support actively the communities of Langa, Nyanga, Guguletu and Crossroads in their determination to resist relocation to Khayelitsha

During the 53rd session of the Synod of the Cape Town Diocese of the Church of the Province of South Africa, which ended last night, the gathering of about 300 clergy and senior churchmen noted "with deep concern and dismay" that the government intended relocating these communities in Khayelitsha

Such relocation would "uproot and destroy settled communities and cause further divisions among the poor and oppressed"

As this had been done without any consultation with the communities concerned, the synod believed it to be "a grave injustice" which conflicted with a Christian understanding of just government

The synod therefore called urgently on the Minister of Co-operation and Development, Dr Piet Koornhof, to reverse his decision

● In another motion, the synod declared its "total opposition to the authorities that the government has set up over the Ciskei region"

It gave its "full moral support" to the workers and residents of Mdantsane in their bus boycott and called on the government to immediately reverse its homeland policy by divesting the "so-called governments" of their authority

The motion, which noted the contents of the Haysom report on incidents surrounding the boycott with "dismay and concern", recognized that the boycott was the "climax of the simmering anger of workers and students against Chief Sebe's despotism", and that popular resistence to Chief Sebe's "despotism" was a manifestation of wider resistance to the homeland system and to apartheid philosophy

A widow in need of work

Cape Times 26/10/83

LIFE UNDER APARTHEID (1): The first of a series which highlight the effects of the system on the lives of ordinary people

MISS ELSIE SONJICA comes from Cofimvaba in the Transkei Her husband Wellington was a contract worker with a construction company in Cape Town for many years and although life was not easy, they managed and the children grew up and started to go to school

Mrs Sonjica came to Cape town a few times to visit Wellington, staying with her cousin in Guguletu and meeting her friends

Tragedy hit the family in 1974 when Wellington was killed in a car crash Fortunately for the Sonjica children, Elsie is a strong person and she pulled herself together and headed for Cape Town, the only place she could think of where one knew a few people and could possibly find a job She was lucky in that her mother in Cofimvaba could look after the children

Through her cousin she found a job as a living-in domestic worker Gradually she learnt to speak English and being a strong, intelligent woman she was soon indispensible to Mrs Brown

Every month Elsie sent money home for the children, but her heart ached as she picked up and tidied after the Brown children Once a year she went home for three weeks to see her own kids, taking new clothes (she had to guess how much they would have grown since last she had seen them)

Elsie's day off when she visited her cousin in Guguletu was always an anxious time because she did not have a pass and the inspectors often waited at the bus stop to stop people and demand to see their passes Only once in 1981 was she caught, and suffering the indignity of being bundled into the van, driven around until the van was full, and then to the Commissioner's Court where she was fined R70

Mrs Brown, who paid the R70, was horrified and only then realized that Elsie needed a permit to stay in Cape Town to work and support her family. They went to the Administration Board at Langa

In January this year the Brown family was transferred out of Cape Town Elsie was horrified — what was she to do? Her youngest son still at school and she needs to work Fortunately Mrs Brown has a friend who is very pleased to inherit Elsie who has been such a reliable worker for the last nine years

They go to Langa to the Administration Board offices to fix up Elsie's pass They are met with a nasty shock. Before they can stop him, the official has stamped the book with "to report to employment officer Cofimvaba"

The contract that Elsie had with Mrs Brown is not transferable and contracts like that are not being granted anymore A dazed Elsie sobs quietly in the back of Mrs Jones's car

SUE JOYNT

(Written by Sue Joynt, 5 Long Street, Mowbray)

Argus 26/10/83

Workers angry over showers

Labour Reporter

MIGRANT workers in the Nyanga East single quarters are up in arms about the demolition of two communal shower blocks and their conversion into a private dry-cleaning business

The 600 men who share the two blocks of showers say they have lost their only washing facilities, although the monthly rent they pay to the Western Cape Administration Board has not been reduced

Press liaison officer for the Western Cape Administration Board, Dr Gert du Preez, said the Community Council chairman, Mr E B Lubelwana, had approved an application from a local resident to convert the showers into a private business because they had not been used since last year

They had also been abused by vandals — taps were broken and water pipes had been ripped out of the wall, Dr du Preez said

DENIAL

A spokesman for the Nyanga Men's Hostel Association, which represents most of the men in the single quarters, angrily denied that the showers were not being used

"People have nowhere to wash. There are other shower blocks but they are far away from where we live and they are used by other men," said the spokesman

The men said they had approached the Administration Board and the community councillor for the area to discuss the matter, but had been unable to get "a clear answer"

"The only possibly relevant complaint could be based on the removal of the six wash-basins outside the block which have now been removed In any event, those basins had about two taps in working order," said Dr du Preez

Ex-Mwasa head detained

Argus Bureau ARGUS 31/10/87

EAST LONDON — A former acting president of the Media Workers' Association of South Africa (Mwasa) and freelance journalist, Mr Charles Nqakula, has been detained by the security police here

Head of security Colonel A P van der Merwe, confirmed the detention of Mr Nqakula at Leach's Bay near here yesterday

APPEAR TOMORROW

Mr Nqakula, a prohibited immigrant in South Africa, had been detained for entering the country from Ciskei without a visa

He would appear in court for remand tomorrow, Colonel van der Merwe said

Mr Nqakula had been lecturing matric pupils at a weekend camp organised by the Masazane Open School

From Pretoria Sapa reports that the general secretary of the South African Catholic Bishops Conference, Father Mangaliso Mkhatshwa, was detained by Ciskei security police at Fort Hare University yesterday, according to the associate general secretary of the conference, Sister Brigette Slanagal

Restore our showers — Nyanga men

ARGUS 10/11/83

201

Supreme Court Reporter

AN urgent application asking for the restoration and reinstatement of communal washing and shower facilities for 576 men at Nyanga East Single Quarters has been postponed in the Supreme Court, Cape Town

The application was brought yesterday by Mr Johnson Mpukumpa, chairman of the Nyanga Men's Hostel Association, against the Cape Town Community Council (CTCC), the Western Cape Administration Board (WCAB) and a Nyanga businessman, Mr Cohen Hill

Dry-cleaning

Mr Mpukumpa is asking the court to restrain the respondents from converting the washing facilities into a private dry-cleaning business

In papers Mr Mkukumpa said he had been living at the single quarters since 1965 He claimed that until recently he and 576 men, who are housed in the single quarters, had had the use of the communal shower block This block was 60m from the single quarters

Mr Mkukumpa said these facilities formed part of the accommodation which was rented to the residents by the CTCC and WCAB

No notice

"During August this year I became aware of a rumour that the communal washing facilities were to be removed Neither I nor the other residents had been given any notice that either the CTCC or the WCAB was considering any action in this regard and we had also not been asked whether we used these facilities

"Towards the end of September I and other residents were deprived of the use of the communal washing facilities I am advised that they have been allocated by the council to Mr Hill for conversion into a private dry-cleaning business

"The water pipes and basins were taken out and part of the building has been demolished"

Anger

Mr Mkukumpa said because of this deprivation he now had to walk about 300m to use similar facilities

There was considerable anger among the residents of the single quarters and he claimed they were illicitly dispossessed of the facilities without consultation

It was a matter of great urgency, as he and other residents were without facilities which were essential to health

The matter was postponed to November 17

Mr Justice Fagan was on the Bench. Mr E King, instructed by the Legal Resources Centre, appeared for Mr Mkukumpa

Bid to save showers from drycleaners

Cape Times 10/11/83

201

Staff Reporter

AN urgent application seeking to restrain a Nyanga businessman, the Cape Town Community Council and the Western Cape Administration Board (WCAB) from converting the Nyanga East Single Quarters' washing facilities into a private dry-cleaning business was brought before the Supreme Court yesterday

The application was postponed until November 17, pending answering affidavits from the respondents and a replying affidavit from the applicant, the chairman of the Nyanga Men's Hostel Association, Mr Johnson Mpukumpa

576 men

If granted, the application would order the Community Council and WCAB to restore the communal washing facilities to Mr Mpukumpa and other residents in the single quarters — which accommodates 576 men

An interdict restraining the Community Council and WCAB from depriving the residents of the facilities is also being sought

In his affidavit, Mr Mpukumpa said he has been living in the single quarters since 1965

"Up till recently, I and other residents of the single quarters had the use of the communal shower blocks, which also included some wash basins These are the only washing facilities conveniently situated for us"

They are situated about 60 metres from the quarters

Mr Mpukumpa said the residents were deprived of the facilities during September, and it was learned the block had been allocated by the council to a Nyanga businessman, Mr Cohen Hill, for conversion into a dry-cleaning business

'Demolished'

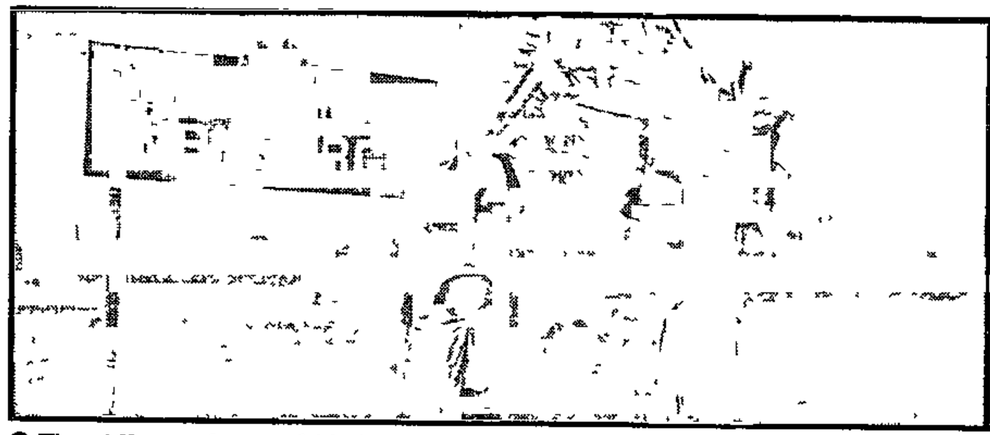
"The water pipes and basins were taken out, and part of the building has been demolished," Mr Mpukumpa said

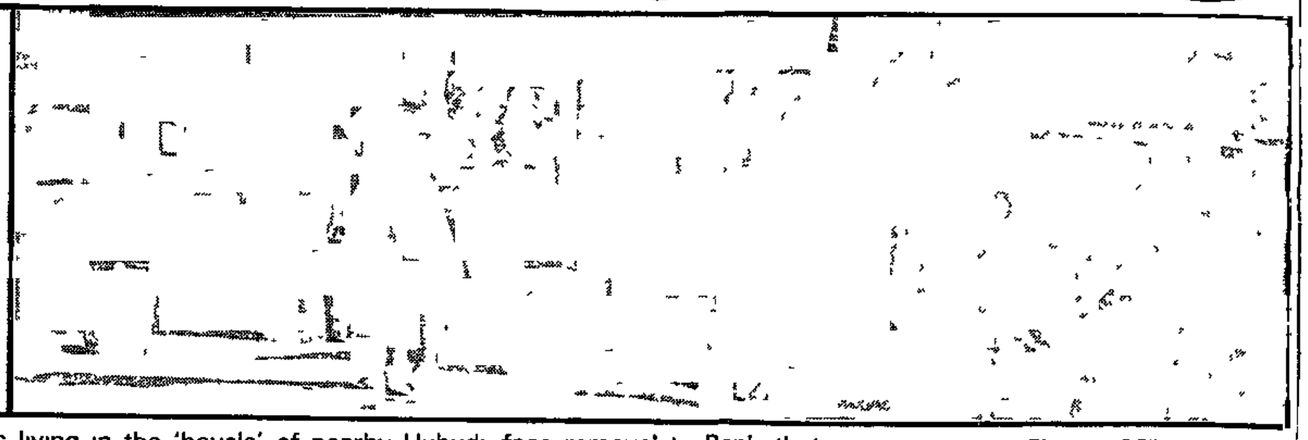
Residents were not given notice of this and deputations to the Community Council had been unsatisfactory

Other facilities, 300 metres distant, were used by other men in Nyanga East, and were overcrowded.

Mr Justice Fagan presided Mr S King, instructed by Mr G M Budlender of the Legal Resources Centre, appeared for Mr Mpukumpa

Welcome to Vryburg





● The different faces of Vryburg — a sign of welcome, but for whom? Blacks living in the 'hovels' of nearby Huhudi face removal to Bophuthatswana Pictures DEENA SHAPIRO

(But if you're black, not after 9pm. And do avoid parks)

By ARLENE GETZ

BLACK people are not allowed to walk the streets of Vryburg after nine at night — but half of the town's council would like to hear a siren or a bell ringing to remind them about it.

They would also like to see the 20 000 residents of the nearby Huhudi township moved lock, stock and barrel to the Bophuthatswana town of Pudimoe, 50km away, and fences built around the town's parks to keep out black servants

Clearly the Northern Cape town is one of the bastions of the far-Right. It is also a prime example of the schizophrenic results of trying to 'reform' apartheid.

While town councillors who support the far-Right Herstigte Nasionale Party and the Conservative Party are quite open about their hardline black policies, National Party members toe a more enlightened line.

"We're the Left-wing here," remarked an NP councillor wryly this week.

Yet they aren't quite 'liberal' enough to reject totally the racist moves advocated by those they term "the ungodly"

Last year the Vryburg town council unanimously decided to ask for the return of the curfew which forbids blacks to be on the streets between 9pm and 4am without special permission from their employers.

The motion was introduced by HNP supporter Mr Willem Kotze and supported by the NP "because they felt the people of the town wanted the curfew brought back"

NP members were not, however, in favour of such an unsubtle device as a bell or a siren. A curfew already on the statute books was acceptable as a device against "inadequate" vagrancy laws and "suspicious" behaviour, but the Nats did not want to act against "well-behaved blacks"

The issue surfaced again with the September induction of Mr Kotze as mayor His appointment gave him the casting vote in a council deadlocked by an equal number of Right-wing and NP supporters

But in an interview this week he said his plea for a siren had continued to fall on the deaf ears of police and administration board officials.

"It is out of our hands now," he said with regret.

More optimistic was fellow HNP councillor Mr Phillip 'Flip' Venter, who said the curfew had been re-introduced although police seldom made arrests

Certainly local blacks interviewed this week appeared unconcerned about their 9pm deadline and few attempted to move off the streets as the bewitching hour approached.

Explained life-long NP member and immediate-past mayor Dr W C Annandale. "At the moment the curfew law is used by police when a black person is seen acting suspiciously after 9pm.

"To my mind the police are too busy with serious crime to waste their time with meaningless, petty contraventions of a law"

A Vryburg police spokesman confirmed this week this was the case, but added that police would question anybody — black or white — seen acting suspiciously

The issue of putting up 'whites only' signs and fencing off Vryburg's parks to bar blacks — rejected last year because of the R30 000 cost involved — is also expected to be resurrected.

It's not that they're open to all races — NP policy dictates that parks should only be used by residents in their own group areas — but the occasional black nanny does visit with her white charges.

"We would still like to see the parks closed to blacks," HNP councillor Venter said.

Also high on the HNP's list of priorities is the removal of residents from Huhudi.

The move was first placed on the government's agenda almost 10 years ago, but a 1981 Sunday Express investigation highlighting the seven years of uncertainty for Huhudi residents elicited a promise from the Department of Co-operation and Development that people would not be moved against their will

The move was vigorously opposed by the local business community, but, according to the HNP's Mr Venter, trade would not be adversely affected

"Live-in workers and hostel residents would still be in Vryburg and the people would still come here to work and shop," he said

Again local NP members are reluctant to condemn it completely and speak of "a gradual and responsible movement" of people living in "hovels"

Huhudi was the scene of unrest in July when a secondary school was forced to close for a month and 31 people were arrested after more than 500 pupils complained of corporal punishment for overdue school fees, medical and library fees and a shortage of textbooks

It is not known exactly how many Huhudi residents have already agreed to move to Pudimoe.

ROW OVER AXING OF LAWYERS

VRYBURG was rocked when the town council axed its legal firm at a meeting this week

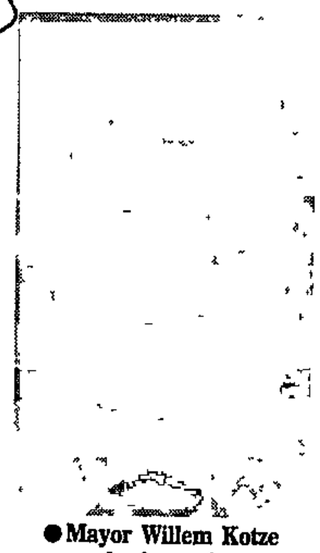
The dismissal — which had immediate effect — has caused a bitter political row in a town council split between supporters of the National Party and the far-Right parties.

NP sources have accused Herstigte Nasionale Party councillor Mr I A Mollentze of suggesting the change because a member of the former legal firm, Mr Johan Scheepers, successfully opposed him in the last provincial council elections

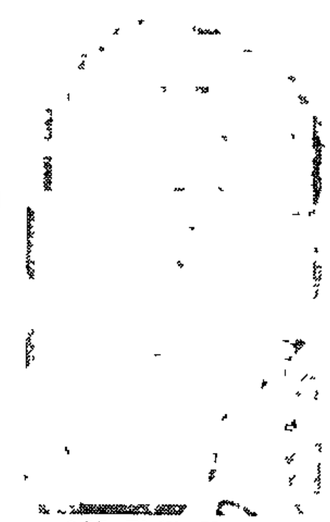
HNP members have denied this.

The mayor, Mr Willem Kotze, said this week he had agreed to dismiss the former lawyers because one of the members of the newly-appointed firm was experienced in council work.

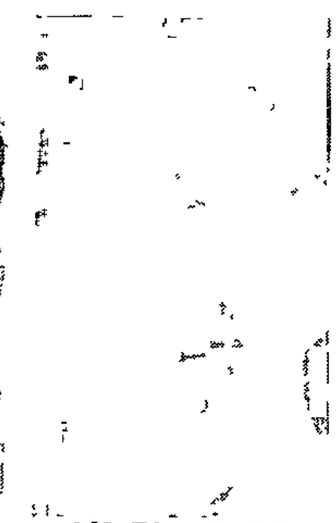
"There was nothing political about the move," said Mr Kotze



● Mayor Willem Kotze . . backs curfew



● Mr Phillip Venter ... "few arrests"



● Mr Edwin Frylink . . backed by Nats

The dam that's destroying council concord

ORDER a meal in Vryburg and you're likely to find yourself facing a portion of food overflowing from the plate.

Vryburg's like that.

Situated in the far northern reaches of the Cape It is a place where everybody thinks big

The town itself isn't that big — it has about 30 000 people of all races — but the 200km-long Vryburg district is so large residents jokingly claim it is bigger than the Free State

HNP town councillor Mr 'Flip' Venter has lived in Vryburg for 22 years and has stood as a parliamentary candidate in several general elections

For him the prosperous little town has plenty of activities to offer its residents.

"There are lots of political meetings and sometimes we have wrestling matches," he explains, adding with a smile "Of course, a lot of drinking goes on too."

The town's younger generation don't agree with all of this.

Apart from the Saturday night 'sokkie' and the odd production at the local theatre they often find the only entertainment is several hundred kilometres away in Sun City or on the coast.

But recently white Vryburg residents have had more pressing concerns than the lack of entertainment

One of the current issues is division within the city council over the building of a 10km-long dam at nearby Tiger Kloof

Consultant engineers have reported it would not be viable and could take seven years to fill, but HNP councillors are determined to go ahead.

NP councillors claim the idea is ludicrous and decided last year to build a 100-megalitre reservoir for R4,2-million

However, the appointment of HNP mayor Mr Willem Kotze has seen Right-wing councillors again trying to obtain council approval for a dam and holiday resorts

The issue was almost resolved this week when former bank manager Mr Hennie Venter — a supporter of the proposed dam — stood as an independent candidate in a municipal by-election

Had Mr Venter been elected, he would have held a deciding vote in a council evenly split between HNP and NP supporters, but he was narrowly beaten by former councillor Mr Edwin Frylinck

Although Mr Frylinck also stood as an independent, his candidature was supported by the National Party and he has refused to state his position on the dam issue

CAPE TIMES 16/11/83 201

26 Vrygrond pass arrests

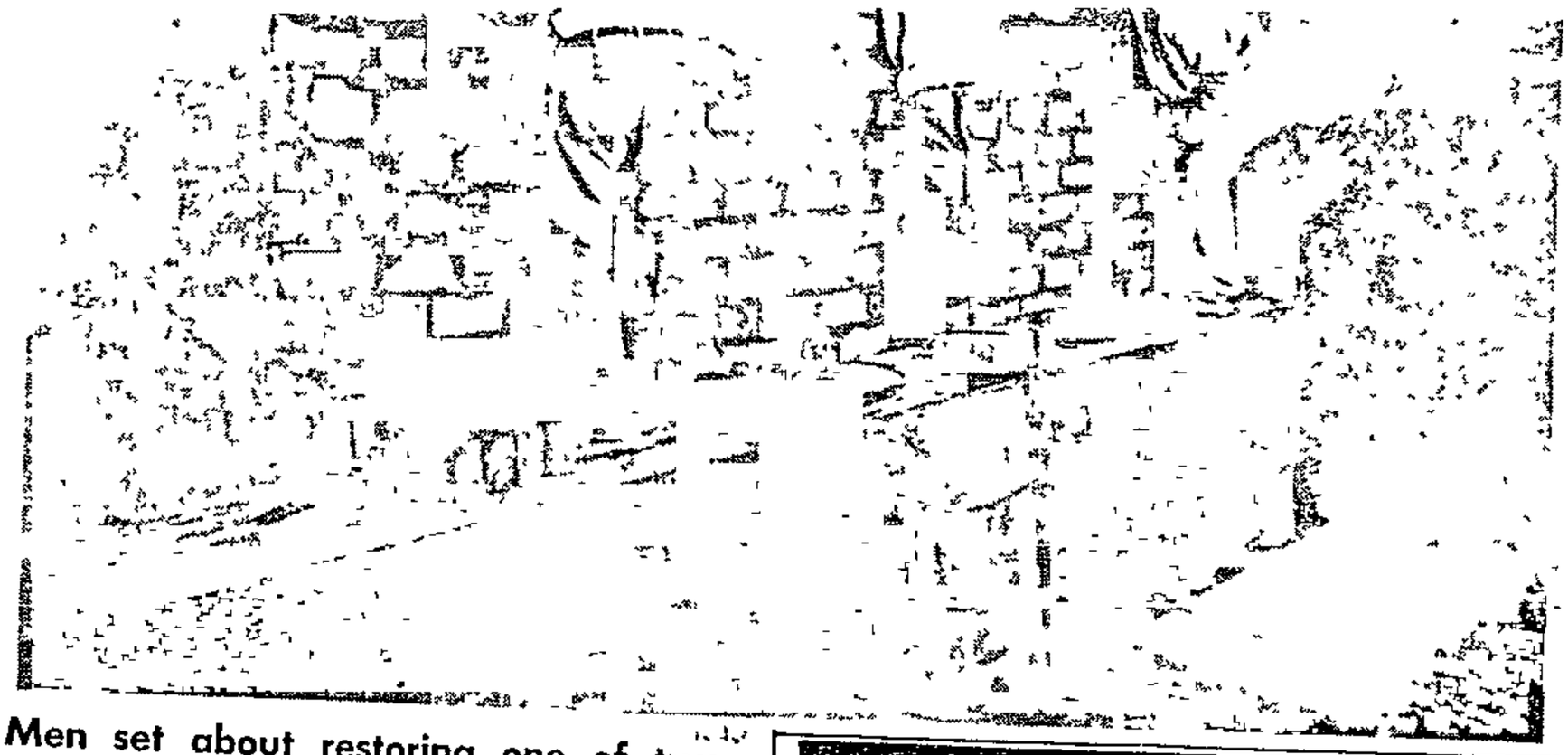
Staff Reporter

INSPECTORS of the Western Cape Administration Board (WCAB) yesterday arrested 26 people for pass-law offences in the Steenberg Vrygrond area

The chief liaison officer for the WCAB, Dr Gert du Preez, confirmed this, saying that 10 of those arrested were women and 16 were men

He said the 26, who were arrested on the street and in raids on sleeping quarters, were arrested in terms of influx-control regulations

No further pass raids were conducted in Crossroads yesterday and no demolition of squatter dwellings took place, said Dr Du Preez



Men set about restoring one of two shower blocks in the Nyanga East single quarters which were demolished more than a month ago

Nyanga washing facilities restored after legal action

Labour Reporter

THE Western Cape Administration Board and the Cape Town Community Council have agreed to restore communal washing and showering facilities for 576 migrant men in the Nyanga East single quarters in terms of an out-of-court settlement

An urgent application brought by Mr Johnson Mpukumpa, chairman of the Nyanga Men's Hostel Association, against the WCAB, the Community Council and a Nyanga businessman, Mr Cohen Hill, was postponed sine die in the Supreme Court today.

COSTS

The WCAB and the Community Council have agreed to restore the facilities by November 28 and pay the costs of the application

About 70 men from the Nyanga single quarters crammed into the civil court today

Interviewed, many said they were "very glad" to see the showers being restored

"We have not been able to wash properly for weeks now We have to fetch water from taps on the other side of the hostels," one said

In papers put before the court on November 9, Mr Mpukumpa said he had lived in the single quarters since 1965 and claimed that until recently he and 575 other men had had the use of a communal shower block about 60 m away

"Towards the end of September, I and other residents were deprived of the use of the communal washing facilities I am advised that they have been allocated to Mr Hill for conversion into a private dry-cleaning business," he said in an affidavit

Mr Justice Vivier was on the Bench.

Mr J L Sher instructed by Mr Geoff Budlender of the Legal Resources Centre, appeared for Mr Mpukumpa

CAPE TIMES 18/11/83

Nyanga men get showers back

Staff Reporter

THE Western Cape Administration Board and the Cape Town Community Council are to restore communal washing facilities to over 500 men in the Nyanga East Single Quarters

An out-of-court settlement, which followed an urgent application for a Supreme Court interdict ordering restoration of the facilities, was reached this week.

The board and council will restore the facilities to the condition they were in before alterations to convert the block into a private dry-cleaners took place

The WCAB and Community Council will also pay all costs involved

The application for restoration of the facilities was brought by the Nyanga Men's Hostel Asociation chairman, Mr Johnson Mpukumpa

He said in an affidavit that hostel residents had been deprived of their closest ablution facilities in September

It was learnt that the block had been allocated to a Nyanga businessman, Mr Cohen Hill, for conversion into a dry-cleaning business

Water pipes and basins had been removed and part of the building demolished, he said

98 squatters held in Nyanga raid

By RIAAN DE VILLIERS

NINETY-EIGHT people were arrested by Western Cape Administration Board officials in a raid on the Nyanga extension squatter camp on the perimeter of Crossroads early yesterday morning.

Officials also broke down 50 "illegal" plastic structures and confiscated their contents for safekeeping.

The WCAB's chief liaison officer, Dr Gert du Preez, said yesterday 51 men and 47 women had been arrested. Some of them would appear on charges of illegal squatting and others for pass offences, he added.

Yesterday's raid was the second in which squatters have been arrested in terms of the Prevention of Illegal Squatting Act, and their possessions impounded, since large-scale raids resumed in the area after the referendum.

The first came on Thursday morning last week when 63 ex-KTC squatters living on the edge of Crossroads were arrested, their shelters demolished and their possessions removed.

Cape Times 2/12/83

Crossroads will be 'cleared up'

By RIAAN DE VILLIERS

AFTER months of uncertainty, the fate of Crossroads seems finally to have been sealed with a firm declaration by Dr George Morrison, Deputy Minster of Co-operation and Development, that the squatter camp will be "cleared up as a matter of priority".

In an interview yesterday, Dr Morrison said legal residents of Crossroads would be the first to be moved to the new township of Khayelitsha, together with people on waiting lists for houses in other black townships

He also disclosed that the government is investigating the possibility of granting 99-year leasehold to Khayelitsha residents, which has been ruled out until now in terms of the coloured preferential area policy

In a recent speech at the congress of the Cape National Party, Dr Morrison said Crossroads had become a "symbol of defiance" that had to be destroyed "at all costs".

Yesterday he said no target date had been set for the final clearance of Crossroads and the "full strategy" for doing so had not yet been worked out

"But Crossroads will be cleared up and there must be no doubt about that whatsoever"

Initially, people who volunteered to move would be resettled first and a campaign would be launched to persuade others to move voluntarily as well

"However, in the end we will sit with a number of obstinate people who will refuse to move No decision has been taken about what we will do then It is a sensitive situation and much will depend on the political climate

"But the impression must not be created that Crossroads will be left to continue to exist"

In line with his speech at the NP congress, Dr Morrison reiterated that Crossroads residents would not be resettled together but would be dispersed among people from other areas, as a "spirit of resistance" had developed among them which could no longer be tolerated

"The emphasis will be on true community development and we don't want any cliques forming there," he said

● Dr Morrison also reiterated a policy statement by Dr Koornhof, Minister of Co-operation and Development, that residents of all established black townships in the Cape, including Langa, Nyanga and Guguletu, would eventually be resettled in Khayelitsha

But he emphasized that resettlement of blacks would be a "long-term, evolutionary process" which could take decades to complete and would "hopefully take place on a voluntary basis"

"We simply don't have the money to resettle, say, all 80 000 people in Guguletu within three years — it's physically impossible," he added

● Dr Morrison said it was hoped the development of Khayelitsha would gain a "momentum of its own" through self-help schemes

Asked whether development of the established black townships had been frozen, Dr Morrison said it was stated policy that no further "filling-in" would be allowed and no further housing would therefore be built.

However, the erection of other facilities may be allowed as they may be suitable for later use by "other population groups", and an application from the Small Business Corporation to build a shopping centre in Guguletu was being evaluated in this light

Influx controls 'failing' in Cape

Staff Reporter

PRESENT measures to combat the influx of "illegal" blacks into the Western Cape were failing, Dr George Morrison, Deputy Minister of Co-operation and Development, admitted yesterday

He estimated the number of blacks illegally in the area at 94 000 — the highest known figure yet to be given by a government spokesman

Dr Morrison disclosed that a new influx control strategy had been formulated to try to stem the tide of blacks streaming to the area from the rural areas.

He said it was already being implemented but declined to give details, saying it would "become apparent as it unfolded".

He added, however, that the new strategy contained "positive elements and not only negative elements", and referred to a recent controversial scheme in terms of which the government offered to create 4 000 jobs in Transkei on condition that 1 000 should go to "illegal" Transkeians in the Peninsula

Dr Morrison said no-one took the jobs offered, which showed that blacks had been "instigated to come to the Cape" and had come for "political purposes and not to find work".

He added that the government was continually monitoring influx control measures to see whether they were effective, and future strategies would be closely tied to new influx control legislation now under consideration by a Select Committee and due next year.

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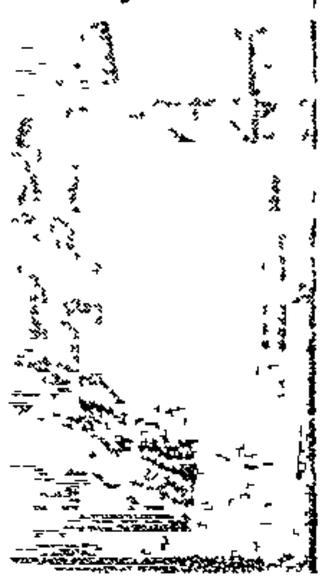

3 women with babies jailed

Staff Reporter

THREE black women carrying babies on their backs were jailed for five months after being convicted in the Wynberg Magistrates' Court yesterday of illegal squatting

They were among a group of eight women with small children who appeared in court yesterday, the first of 56 illegal squatting cases to be heard over the next two weeks after a spate of raids at Crossroads two weeks ago

The three women sent to prison, Monica Mazala, 29, Noyekanye Benn, 36, and and Alice Manyebese, 32, had been convicted previously for illegal squatting All pleaded guilty

Pronouncing sentence, the magistrate, Mr P Koekemoer, said he had taken their personal circumstances into consideration

Because their previous suspended sentences would probably come into effect as well, he would not enforce a clause in the Illegal Squatting Act in terms of which they could be sentenced to "phenomenal fines or very long prison sentences" on a cumulative daily basis since their previous offences

Mr Koekemoer said the Illegal Squatting Act was also aimed at "protecting the interests of the accused and their children, by preventing them from living under unhealthy conditions"

The five other women, all first offenders, also pleaded guilty and were fined R90 (or 90 days), suspended for three years They are Lindelne Goba, 21, Nozalule Kolisi, 28, Nothembile Tubeni, 35, Frances Mgobeni, 34, and Primrose Dosdi, 25 All had been kept in custody in Pollsmoor before appearing

● Giving evidence in mitigation, Benn told the court she was divorced and had five dependent children She had come to Cape Town to provide for them, as people were "starving" in the Transkei

Kolisi told the court she had come to Cape Town to care for her husband who was receiving treatment at Groote Schuur hospital for epilepsy He had been arrested with her and was still in Pollsmoor

Tubeni said she was divorced and had six dependent children She came to Cape Town as her former husband had not sent money home and her children were "suffering from hunger"

Mr A Segers of Omar, Vasson, Sonn and Abercrombie appeared for the accused Mr S Kunz appeared for the State

You will find Xmas shopping pleasant and profitable at

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HERE ARE SOME GIFT SUGGESTIONS

GIFTS TO BEAUTIFY YOUR HOME

- New Liebermann Pottery and tiles
- Glassware, Vases, Bowls, etc, from Sweden
- 1984 Hanging Calendars from the East
- Attractive Bottles for fruit juice, milk, etc
- SA Novelty Tablecloths, Placemats, Oven Gloves, etc
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GIVE HER A PERSONAL GIFT SHE WILL TREASURE

- Swiss boxed Hankies
- Beach Towels, Costumes and Fancy Caps
- Old English Lavender, Perfume sachets, Pomanders, etc
- Give her a Dress Length
- Attractive Nighties, Bedjackets and Shortie Pyjamas
- Cosmetic Bags, Manicure Sets, Sewing Baskets, etc

GIFT SUGGESTIONS IN OUR BRAND-NEW MEN'S SHOP

- Pyramid initial, striped or plain Hankies
- Pure Silk Ties
- Dress Shirts, Formal Shirts, Sports Shirts for the "with it" or conservative man
- Safari Suits in shorts, longs and portly fittings
- Speedos and Hang Ten Swimwear
- Paisley Dressing Gowns

Squatter vow not to be moved

Staff Reporter

THE residents of Old Crossroads have reiterated their determination to resist all attempts to move them to Khayelitsha

"They can bring in the army and shoot us and then take our dead bodies to Khayelitsha and bury them there," the squatters said in a statement issued after a meeting at Old Crossroads at the weekend

The statement was drawn up by the Old Crossroads Committee

The meeting was called in reponse to the confirmation last week by the deputy Minister of Co-operation and Development, Dr George de V Morrison, of the government's intention to move Crossroads people to Khayelitsha as a matter of priority

The community was "very, very disappointed" that the government had taken the decision without consulting the committee which represented them, the squatters' statement said

The committee again appealed to the authorities to discuss the matter with them in the light of the unfulfilled promises on development at Crossroads made by the Minister of Co-operation and Development, Dr Piet Koornhof, in 1979

The statement rejected Dr Morrison's statement that people were coming to the Peninsula from Transkei for political reasons

"They come to seek bread for life," it said

"We are here for the purpose of seeking work to be able to live We are not prepared to be moved to Khayelitsha

"We repeat that we are not moving from here alive"

Regina

Woman jailed, children left 'alone in bush'

Staff Reporter

THREE women — one eight months pregnant — yesterday received the first jail sentences meted out in the Commissioner's Court in Langa for illegal squatting

The pregnant woman, 23-year-old Priscilla Ndamande, who also has three young children, was jailed for five months without the option of a fine after pleading guilty to charges of illegal squatting and contravening the pass laws

In mitigation, Ndamande's pro Deo lawyer, Mr Stephen Dewar, said she was unmarried and without the support of the father of her children She had come to Cape Town because there was "nothing for her in the Transkei"

Under cross-examination by the Commissioner, Mr W Fourie, she said her three children, aged 7, 4 and 2, were "alone in the bush"

'Died'

Bukelwa Jiya, 25, was also jailed for five months for similiar offences In mitigation, it was pointed out that she had two young children and had come to Cape Town because all her family in Transkei had died

A mother of three, Nondumiso Mgatyelwa, 21, who is legally in Cape Town, was jailed for three months for illegal squatting The court was told that her husband was in Pollsmoor awaiting trial

All three had previous convictions for illegal squatting

The sentences follow similiar prison terms handed down in the Wynberg Magistrates' Court last week Mr Fourie said he had been guided by the Wynberg sentences

Widow

A 55-year-old widow, Nosagini Nomfulana, was fined R90 (or 90 days) for illegal squatting, suspended for three years on condition that she left the prescribed area "forthwith"

Mr Fourie told the three mothers he jailed there were social workers who could try to contact their children

Mr Dewar said the situation of the four women could be "likened to the aborted foetus of inhumane laws operating in South Africa"

He added that the court hearing was a "travesty of human values in the civilized Western world"

'Unhappy'

Mr Fourie said later he was "unhappy" with these remarks as squatting was a world-wide problem

Three men and a 15-year-old boy received fines varying from R30 (or 30 days) to R90 (or 90 days) for illegal squatting, suspended for three years on condition they leave the area within three days

Mr L Loock appeared for the State

ARGUS 15/12/83 (201)

R5 000 settlement for migrant workers

Labour Reporter

THIRTEEN migrant workers, who were dismissed from an Epping factory before their contracts had expired, have received more than R5 000 from their former employer in an out-of-court settlement.

The workers, all members of the General Workers' Union, were dismissed from Epping Cold Storage in February last year, after a recognition dispute with the company

A GWU spokesman said the workers sued the company for unlawful dismissal

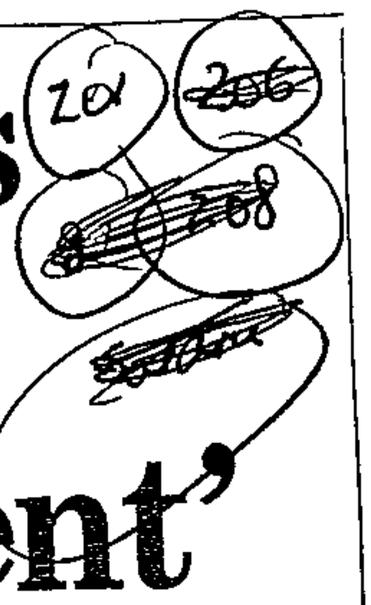
"The workers planned to take the management to court on Novemer 29, but just before the court case they agreed to pay the workers R5 347 in damages as well as their legal costs," the spokesman said.

A dispute flared up at the factory when the management would not agree to recognise the workers' elected committee, the spokesman said

"Management announced that they were not going to renew the contracts of a number of workers who were members of the union. Other workers, still in the middle of their contracts, were dismissed," the spokesman said.

ARGUS 16/12/83

'Pass raids often trap the innocent'



Staff Reporter

ABOUT 10 percent of African adults in the Peninsula are likely to be arrested in any given year under South Africa's influx-control laws, a University of Cape Town study has shown

It says pass raids frequently trap innocent people — legal residents, the handicapped and mothers with babies — who pay fines simply to get out of court and back to family life

The report says there is a "special assault" against black women in the Peninsula to enforce Government policy that wants to prevent black family life from being established in the area

Can't pay

The findings by Professor Martin West of the UCT social anthropology department have been published by the Southern African Labour and Development Research Unit (Saldru)

Professor West found that about 30 to 40 percent of Africans arrested for influx-control offences would have to serve prison sentences as they could not pay their fines

He found that in 1981, pass-law offenders spent a total of 250 000 days in jail, totalling 684 years of imprisonment

While pass-law arrests had become an occupational hazard for Africans in the Western Cape, it was worthwhile for them to risk occasional arrest and imprisonment in order to find work of any kind

He estimated that about half the African population in the greater Cape Town area was "illegal"

He said that while official statistics suggested that the number of pass-law arrests in South Africa had decreased, in the Western Cape they had increased

'Shocking'

This applied particularly to women, he added Nearly 30 percent of all arrests for pass offences of women in South Africa's major centres were in the Peninsula, which was the only place where more women than men were arrested

"It is clear that there is a special assault against women in the area, in line with Government policy of preventing black family life taking further root in the Cape Peninsula," he added

"These figures would be shocking in almost any situation, given that the offenders are not guilty of any criminal offence, but simply of trying to live — often as families — where work is available

"The fact that the de facto black population of the Cape Peninsula is only about 200 000 gives an indication of the tremendously heavy burden this population has to bear in terms of fines, imprisonment and loss of wages," he stated

Pass raids often netted legal residents, minors, handicapped people and mothers with babies They would have the strongest defence, but most preferred to plead guilty, whatever the merits of their case, in order to ensure a fast return to work and families

Festive telegrams

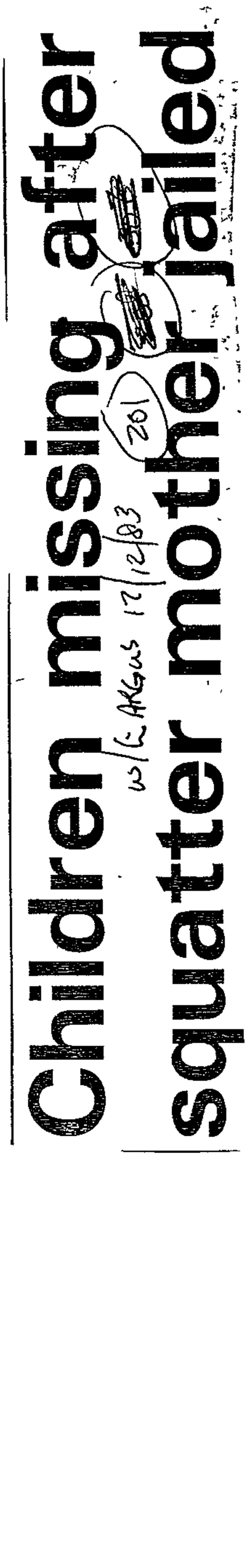
Staff Reporter

TELEGRAM deliveries in the United Kingdom, Australia, Malta and Greece will be restricted during the Christmas and New Year holidays, according to a Post Office spokesman

Postal delivery service and telegram delivery in the UK will be suspended on the following dates England, Wales and Northern Ireland, December 25—27, and January 1 and 2, Scotland, December 25—27, and January 1—3

The Post Office advises that routine or non-urgent telegrams be sent not later than December 19

Children in squatter camp missing after mother jailed



By LINDA VERGNANI, Weekend Argus Reporter

THE Red Cross Society is still searching for three young children left "alone in the bush" after their mother was arrested and sentenced to five months' jail for squatting

Ntombesibeni Priscilla Ndamande was arrested in a dawn raid almost four weeks ago and has been unable to search for her children, Albertina, 2, Albert, 6, and Elias, 7

A Red Cross spokesman said "I have been told by the organiser of the KTC women's committee that the children were definitely with Mrs Ndamande throughout her stay at KTC and in the bush. They disappeared when she was arrested on November 21.

"Ran away to escape"

"It seems the children ran away to escape the inspectors and haven't been seen since

"The KTC people are almost sure the children are being cared for by someone, but the fear is that they might have been stolen by a childless woman."

When Ndamande appeared in the Langa Commissioner's court this week her pro Deo attorney, Mr Stephen Dewar, said in mitigation of sentence that her three children were "alone in the bush".

The chief commissioner, Mr W Fourie, told Ndamande and two other mothers, all of whom he sentenced to five months without the option of a fine, that there were social workers who could try to contact their children.

Mr Dewar told Weekend Argus he was "totally sickened" when he tried to discover which social workers were responsible for contacting the children

"Nobody had any interest"

"It appeared to me that nobody had any interest in them," he said.

Mr Dewar said Mr Fourie told him the mothers could discuss any problems with the prison social worker

The prison social worker referred him to the Department of Co-operation and Development and told him arrangements for the care of the children should have been made when the mothers were sentenced

When he contacted Mrs Petra Botha, supervisor of black social workers at the Department of Co-operation and Development, she said there was not much that could be done for the children because the department did not have the facilities in the Western Cape

"She told me there was a place of safety only in Langa and the nearest children's home was in East London," said Mr Dewar "But she said no one was prepared to help the children of these illegals

Agreed to raise matter

"I said this was intolerable and she agreed to raise the matter with Mr E L Kleynhans, acting-commissioner for the Department of Co-operation and Development in the Western Cape

"Mrs Botha said she would try to find the children and get them into the place of safety in Langa while the possibility of putting them into foster homes was investigated."

When Mr Dewar contacted Mr Kleynhans he said he had given Mrs Botha a directive to find out where the children were and try to get them into the Langa place of safety.

Mr Fourie told Weekend Argus it was up to the person involved to approach social workers

Statements "could be lies"

"The problem is that many of the statements made in court are not always genuine Some of them could be lies

"The court has never been in a position to ascertain where children are and whether it is true there are such children," he said

A spokesman for the Prisons Department said: "Since admission to Pollsmoor the prisoner has not made any request or mention that her children are possibly left without care She had the opportunity to do so on admission and daily after that

"When the staff at Pollsmoor were informed of the situation on Thursday they immediately brought it to the attention of the Department of Co-operation and Development."

Mr Kleynhans had left his office for the long weekend when Weekend Argus tried to contact him

C. Times 19/12/83

Pass laws juggernaut

BETWEEN ten and eleven percent of the adult black population of the Cape Peninsula is likely to be arrested in any given year under the influx control regulations. And about 30 to 40 percent of those arrested will have to serve prison sentences They are unlikely to be able to pay their fines. In 1981, for example, pass law offenders spent a total of 250 000 days in jail These are some of the findings of Professor Martin West of the Department of Social Anthropology at the University of Cape Town. They are published in a booklet edited by Mr Dudley Horner of the South African Labour and Development Research Unit.

The statistics, shocking as they are, cannot convey a flesh-and-blood impression of the disruption and suffering caused by the draconian system of movement control which underpins the apartheid society. Only a visit to the Commissioner's Courts in full swing could do that Sausage-machine justice it has been called, with justification Professor West's findings deserve to be widely known so that the human and economic cost of the pass laws may be better appreciated by those sections of the community which are privileged to enjoy full political rights, residential security and freedom of movement and employment

The pass laws have become an occupational hazard for black labourers in the Western Cape. Yet, as Professor West points out, for most blacks it is worthwhile risking occasional arrest and spells of imprisonment in order to find work of any kind in the urban areas. Roughly half of the black population of greater Cape Town is illegal. While official statistics suggest that country-wide the number of pass arrests has decreased, in the Western Cape the figures have increased. The number of women arrested in the Western Cape has increased in dramatic fashion. Nearly 30 percent of all arrests of black women in the country take place in the Cape Peninsula! This is the only area where more women than men are arrested. Professor West concludes that there is a special drive against women in the Peninsula. This, he believes, is in line with the policy of preventing black family life taking further root in the the region. He comments·"These figures would be shocking in almost any situation, given that the offenders are not guilty of any criminal offence, but of simply trying to live — often as families — where work is available"

Professor West also considers the legal procedures associated with influx control which, he says, make a mockery of the rights to a fair trial and legal defence Legal representation is available, in theory, and the Athlone Advice Office has a lawyer available each day the court is in session Yet the lawyers are unable to act as they struggle to get the names of those waiting to be defended. And while the pass laws often net legal residents, minors, handicapped people and mothers with babies, most victims of the system prefer to plead guilty whatever the merits of their case — in order to ensure a fast return to their work and their families. An undefended trial can result in a sentence of two months — yet the proceedings may only last three minutes from start to finish. It is also possible for blacks to be summarily deported from the urban area without trial on the grounds that they are "foreigners" or citizens of so-called independent homelands

In few places this side of the Iron Curtain, surely, can there be a comparable system of movement control in force in which personal and vocational liberty counts for so little. Professor West concludes, nevertheless, that the most stringent application of influx control cannot arrest the stream of blacks seeking employment and accommodation in the Western Cape The grand design of apartheid, which envisaged the Western Cape as a "coloured labour preference area", is as far away from realization as ever Apartheid has failed, Professor West concludes. "Only a Berlin Wall could act as a deterrent to those desperate for work and family life."

Hunt for missing squatter children intensifies

By RIAAN DE VILLIERS

THREE young children are still missing after being separated from their mother during a raid by the Western Cape Administration Board on a squatter camp near Crossroads more than a month ago.

Red Cross and WCAB personnel have intensifed their search for the children, aged 2, 4 and 7, after interviewing their mother, Mrs Priscilla Ndamane, in Pollsmoor prison earlier this week.

However, they have found no trace of the children or Mrs Noma Polisa, who Mrs Ndamane said might be looking after them

A special meeting of "dune" squatters was held on Monday night at the request of the Red Cross and the board, in an attempt to find the children or Mrs Polisa

But Mr Melford Yamile, chairman of the "dune" squatter committee, said yesterday that no-one at the meeting knew anything about her or the children

Mr Getti Mercorio, assistant director of the Cape region of the Red Cross Society, said he was "extremely concerned" that the children had not yet been found

Mr Gerald Lawrence, the WCAB's director of Housing and Labour, said a senior inspector assigned to investigate the matter was continuing with his search.

Mr Les Strydom, acting Chief Commissioner of Co-operation and Development, said social workers of the department would also continue looking for the children

The search began after Mrs Ndamane, who is eight months pregnant, appeared in the Langa Commissioner's Court on Monday last week charged with illegal squatting

She was arrested with other ex-KTC squatters living under plastic shelters on the edge of Crossroads on November 17, and was held in custody until her trial

Under cross-examination, she said her three children were "alone in the bush" She was sentenced to five months in jail.

On Monday, Mrs Ndamane told Red Cross and WCAB officials permitted to interview her in Pollsmoor that during the raid she had shouted to a friend named Noma Polisa from the adjacent "dune" squatter camp to take care of her children

Mr Lawrence said earlier this week WCAB inspectors had "standing instructions" to let mothers being arrested choose whether they wanted to take their children with them to prison or leave them in someone's care

While being arrested, Mrs Ndamane had not mentioned her children to inspectors She had also not mentioned any problems regarding their care during interviews with Aid Centre officials before her trial, he said

However, in interviews at the squatter camp earlier this week, women arrested with Mrs Ndamane said "We were just rushed to the vans and we went as quickly as we could, because we think they will shoot us if we don't go."

They confirmed that the children had been missing since November 17

A spokesman for the Department of Prisons at Pollsmoor said Mrs Ndamane had not mentioned any problems regarding her children to the prison authorities till she was interviewed last Thursday as a result of press reports.

●The Red Cross has appealed to anyone with any knowledge relating to the children's whereabouts to contact their nearest police station, or to telephone Mr Mercorio at 717170

They are two girls, Vuyisile, 7, and Phindile, 4, and a two-year-old boy, Noluvuyo

Children not lost, jailed mother says

ARGUS 22/12/83

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Staff Reporter

A SEARCH for three children whose mother was jailed for five months for illegal squatting has been called off after she signed an affidavit saying she had lied about their whereabouts.

Mrs Priscilla Ndamani signed an affidavit in Pollsmoor Prison yesterday stating her three children were with her mother-in-law near Mount Fletcher in Transkei. According to the affidavit, she lied because she hoped she could get out of prison that way

She said in court last month that her three children were "somewhere in the bush" She later stated that just as she was arrested, she called to a Mrs Noma Polisa to look after the children

"Fictitious name"

In the affidavit, Mrs Ndamani said Mrs Polisa was a fictitious name

Mr Norman Patterson, Western Cape regional chairman of the Red Cross, which has been searching for the children, said today he accepted the validity of the document

He said a lot of people had gone through a lot of trouble to look for the children The search was now off

Mrs Ndamani signed the affidavit after a senior inspector of the Western Cape Administration Board visited her previous addresses at Crossroads

He said he was told at all the addresses that no children had lived with her, and when he told her this at Pollsmoor yesterday she agreed to make a new statement

Mr Graham Lawrence, the WCAB director of labour and housing, said he was putting the record straight because allegations, although not directly concerning the board, had been a reflection on it

The Cape Times, Thursday, December 22, 1983

'Missing' children 'safe' in Transkei

By RIAAN DE VILLIERS

THE hunt for three young children of a jailed squatter ended abruptly yesterday when their mother declared they were "safe" in Transkei, in a sworn statement obtained from her by the Western Cape Administration Board in Pollsmoor Prison

The Red Cross, the WCAB and the Department of Co-operation and Development have been searching for the children, who were believed to have been lost since their mother's arrest near Crossroads on November 17.

In the statement, Mrs Priscilla Ndamane admitted she had lied to the court, her lawyer, Red Cross officials, WCAB inspectors and prison authorities at Pollsmoor about the whereabouts of her children

She had told the fictitious story in an attempt to escape a prison sentence, according to the statement, which was read out at a press conference at the board's offices in Goodwood yesterday afternoon.

Mr Graham Lawrence, the WCAB's director of Labour and Housing, told the conference the sworn statement had been obtained from Mrs Ndamane yesterday following investigations by a senior inspector.

While the board had not been directly implicated in allegations that the children were missing, it had set the probe in motion as it felt reflections had been cast on its role in the matter.

"We now regard the matter as closed," he added

Mr Getti Mercorio, assistant director of the Cape Region of the Red Cross, would not comment on the statement

He said he would discuss the matter with his executive committee today

The hunt for Mrs Ndamane's children began when she appeared in court on a charge of illegal squatting last week.

Under cross-examination, she said her three children were "alone in the bush". She was later jailed for five months.

After failing to find the children, Red Cross and WCAB officials interviewed Mrs Ndamane in Pollsmoor earlier this week According to the Red Cross, she then said she had asked a friend from the nearby "dune" squatter community to look after her children.

However, in the statement read out yesterday, Mrs Ndamane said all three children were in the care of her mother-in-law in Transkei She said she had been in Cape Town without them since November last year

"I am very sorry I told all these lies and misled everyone," the statement said.

The WCAB inspector involved in the investigation said he had returned to Mrs Ndamane yesterday after friends of hers had told him her children were not with her.

Illegal worker: Woman warned

Staff Reporter

A 67-YEAR-OLD Camps Bay woman who illegally employed a gardener without the permission of the local labour bureau, was yesterday cautioned and discharged in the Magistrate's Court

Ethel Saw, of Camps Bay Drive, had pleaded not guilty to the charge

Inspector Martinus Johannes Burger, of the Western Cape Administration Board, told the court that on October 17 he had found Mr William Zinto working in the Camps Bay garden

Inspector Burger said the gardener had been in the Peninsula illegally and had come from Kentani in Transkei He was subsequently prosecuted and convicted

Saw said she had been living in the Peninsula for 30 years but was unaware that she required a permit to employ Mr Zinto She had employed him on a casual basis and he had worked for her once a month and at times once in six weeks

In mitigation, Saw said her husband was an invalid and their only source of income was a pension

Passing sentence, the magistrate, Mr E Smith, said "The accused acted very negligently as far as this court is concerned by not going through William's pass to find out if he was entitled to be in the Cape Peninsula"

Miss T White appeared for the State Saw was not represented

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22/12/83

Dilemma of the squatt

LAST week and the week before, the local law enforcement machinery has been getting on with its task of stamping out illegal squatting

Some 56 blacks have been up for trial Almost all of them have come from two small "plastics" enclaves on the edge of Crossroads which were mopped up by the Western Cape Administration Board about a month ago

One day, the people are still there, sitting on their possessions in the open after yet another raid in which their shelters are torn down, but still undaunted

Women carry on household tasks and children play in the sand

A committee member says they are ex-KTC squatters and are waiting for their futures to be clarified after appeals to Dr Piet Koornhof

The next morning, the little community has disappeared, wiped out almost without trace Only household rubble shows they have been there at all, tyre tracks in the sand and a smouldering pile of wattle poles are the only indications of what has happened to them

Special sessions

There has been another raid, but this time, everybody who has not run away has been arrested Inspectors have destroyed the shelters and confiscated their contents

A board spokesman says those arrested are in custody

The trials duly start in a special session laid on in the Wynberg Magistrate's Court

The court proceedings are marked by the formality and ceremony characteristic of the highly esteemed South African legal system

Women with babies on their backs appear first, in lots of eight a day, represented by rotating pro amico lawyers briefed by the Black Sash

A pattern develops All plead guilty and previous offences are proved against some The defence lawyer leads evidence in mitigation

A divorced mother of five carrying an infant says she came to the Cape to provide for her children There is no work in the Transkei People are starving and there is no water She lives by "broking" — petty trading — in the squatter areas

The accused are closely cross-questioned by the prosecutor and magistrate The more they probe, the worse it gets

For how long have you been here? — eight years

When last did you return to the Transkei? — I haven't been back since then

What are your plans for the future? — I will go back to Lady Frere

Why do you now see your way clear to go back and not before? — I have no other choice

She has a previous conviction and is later sent to jail

Another woman with a baby on her back says her husband has been receiving treatment for epilepsy at Groote Schuur since 1974 Borrowing her bus fare, she came to care for him last year when she heard he was very ill He was arrested with her and is in Pollsmoor

Her husband is jobless She lives by buying and selling chicken legs In the Transkei, she stayed with her elder brother but he died

Wasn't it better when you stayed with your brother in the Transkei?

It was better, when he was still alive

Who is there now in the Transkei who can care for you? — Nobody

Will you go home now? — Yes I will just have to leave my husband here

She is also sent to jail

A divorced mother of six says, she has been in Cape Town since 1971 Her husband came here to work but did not send money home, and the children suffered from hunger

Who cares for you now? — Nobody I borrow money from people to buy and sell things

Aren't there better ways of making a living in the Transkei? — No, it is better here

What are your future plans? — I have no choice If the court says I must go back, I must go

She also has a previous conviction and is sent to jail

A woman with a two-week-old baby says she came to the Cape to join her husband She presumes her other child, a year old, is with her husband, but says she doesn't know who cares for it while he is at work

A mother of five with a month-old baby says she also came to join her contract-worker husband She also does not know who cares for her two younger children in the Cape with her while her husband is at work.

Both are sent to jail

A mother of four says she came to Cape Town to find work as she was struggling to make a living in the Transkei

Don't you have a home in the Transkei to return to? — No, there is no one to return to, and no house

What do you intend doing now? — I will go to family in Crossroads

What if the court says you can't? — I don't know I am not prepared to go to the Transkei I ask permission to stay in Cape Town

Her refusal to return is later noted in judgment and she is warned that she will face spiralling penalties if she is convicted again

A board inspector testifies for the state He says the board used to transport squatters back to the homelands, but this was not effective and they returned as

The courts in Wynberg handling several cases of past weeks The human camps of the Peninsula ha evidence. **RIAAN DE VI** plight of the women who h these courts.

A woman of Crossroads nex

...ters who are told to go

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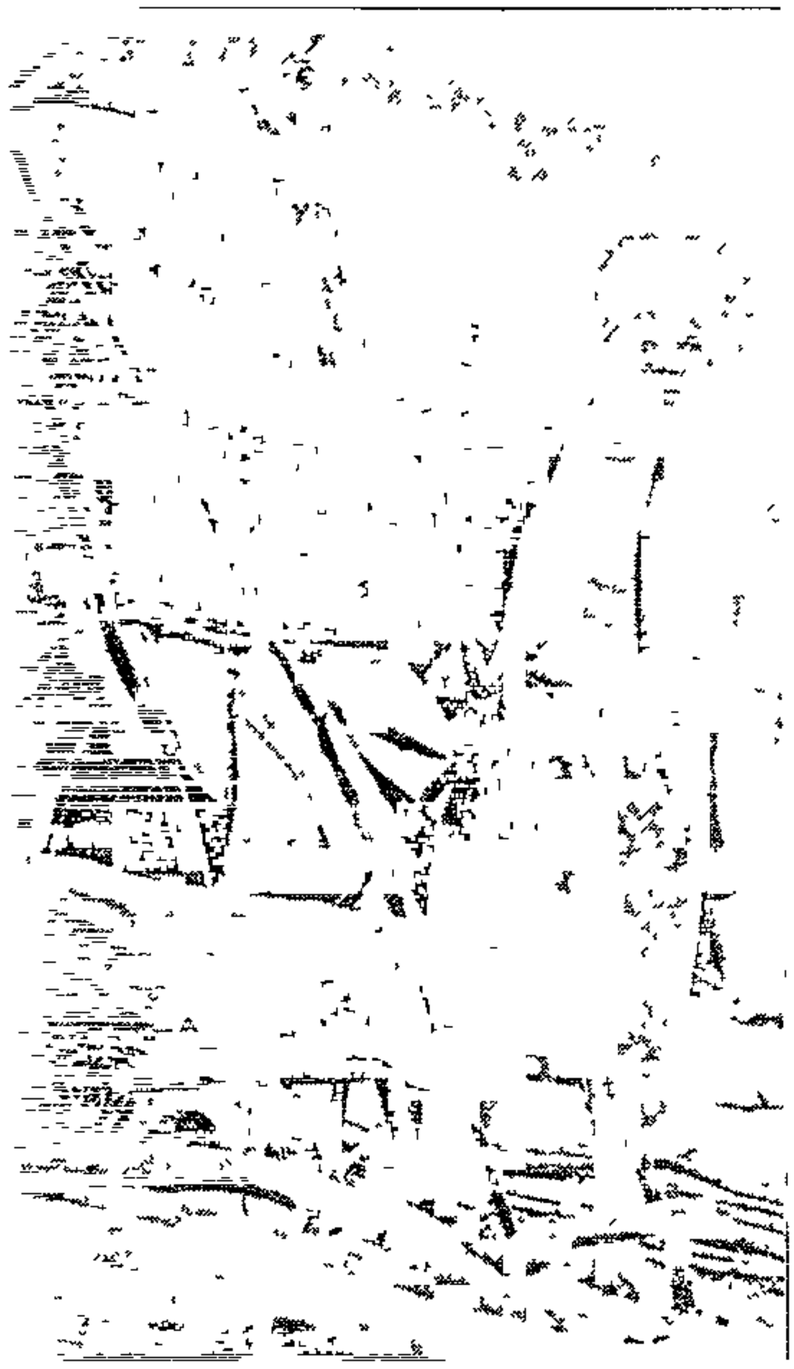

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fast as they were taken

"You see, the big thing about these people is, they just don't want to go back," he explains

The lawyers argue in mitigation One says the appearance of the accused is the result of a socio-economic problem rather than a criminal offence Their situation is a social tragedy with which, he submits, the court is not suited to deal

"Their crime amounts to a desire to live a normal family life and to escape the impoverishment of Transkei," he says

In carefully reasoned judgments, the magistrate explains to the accused that he takes their circumstances into consideration

He also takes into account the interests of the community, in this case the rightful residents of the Peninsula The act protects their interests by preventing people from staying just where they want to, and also counteracts the moral, economic and social decline of mankind

But he also explains that the act is the interests of the accused and their children as well, by preventing them from living under poor and unhealthy conditions

"The sentences will therefore also protect the accused," he adds

He tells first offenders to return to where they came from as quickly as possible

Those with previous convictions have disregarded their suspended sentences and committed contempt of court, he says If this is allowed it will lead to chaos

Sentences are pronounced The lawyer helps explain to first offenders that they have been given suspended sentences which will come into operation if they are caught again

To the others, he explains that they are going to jail for five months

Towards the end of the week, board inspectors demolish 45 new shelters in the same area Among the people who have put them up are women who appeared in court earlier in the week

The next week, the trials are transferred to the Commissioner's Court in Langa Procedure is a great deal more informal but the evidence is much the same

A young mother of three, eight months pregnant, says she came to Cape Town because there is nothing for her in Transkei She is unmarried and the children's father has gone Her lawyer asks for a suspended sentence on condition she leaves within 48 hours

Commissioner "Where will you go if you are released?"

"I don't know where I can go"

Commissioner "Where are your three children?"

A mother of two says she came to Cape Town because she has no family left in the Transkei She doesn't know where her husband is

Where do you come from? — I have no people in the Transkei, they have died

All of them? — Yes

Where can you go if you are told to leave within 48 hours? — I have nowhere to go

A lawyer says the hearing is a travesty of all that is regarded as civilized Western values The commissioner says he is unhappy about this remark as squatting is a world-wide problem

To the accused, he points out that people aren't allowed to live where they like in their countries either

The final outcome is also much the same First offenders receive suspended sentences on condition they leave Cape Town immediately

Following the examples set in Wynberg, the two pregnant women, who have previous offences, are sent to jail — the first time this is done at the Commissioner's Court

Profile emerges

● A profile emerges You come from the Transkei or Ciskei to escape poverty or join your husband You squat under a plastic shelter because there is nowhere else to go The shelter is repeatedly torn down One day you are arrested and may be separated from your children You may not know who cares for them while you are in jail Your possessions are confiscated

You are tried and released on a suspended sentence You try to find your family and reclaim your possessions

You now face the following choice you continue to squat, facing more raids, arrests and spiralling sentences, or you give up, get on a bus and return to the conditions which drove you to Cape Town in the first place

With that, this treadmill of oppression finally comes full circle

● Most of the women who received suspended sentences have been found squatting in the same area this week

A spokesman says they have no choice but to stay

"We know we're wrong, but what can we do? We have been in the Cape for a long time We have no relatives left in the homelands, and there is no work Also, we cannot leave our husbands, sisters and friends behind

"Let them do what they like, we can't go back They can shoot us or anything We don't mind"

ber 28, 1983

21 in Langa pass court

Labour Reporter

TWENTY-ONE black people — 13 men and 8 women — appeared in the Langa Commissioner's Court yesterday after being arrested in a police raid in the area stretching from Milnerton to Blouberg yesterday morning

Almost all were charged with pass-law offences, and 14 with squatting illegally on ground owned by the Graaff Trust

All pleaded guilty.

Fines for pass-law offences ranged from R10 (or 10 days) to R70 (or 70 days), with some offenders being cautioned and discharged

Fines for illegal squatting ranged from R20 (or 20 days) to R50 or (50 days).

A 65-year-old man, Filemon Skiti, was cautioned and discharged on the grounds of his age after pleading guilty to being in a prescribed area without a permit for longer than 72 hours and being unable to produce his reference book.

An 84-year-old man, Pikeman Lusibo, was also cautioned and discharged after pleading guilty to similiar pass-law offences

A 16-year-old girl was fined R30 (or 30 days) on one pass-law offence, cautioned and discharged on another and fined R30 (or 30 days) for illegal squatting

Mr L van Wyk was on the bench Mr V Majebe appeared for the State

MIGRANT LABOUR, SA. - CAPE

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JANUARY ____ NOV..

CAPE TIMES 20/1/84

Move to Khayelitsha 'not an impossibility'

Staff Reporter

PEOPLE should not be misled into believing that the government's plan to move the African population of the Peninsula to Khayelitsha over the next 20 years was an impossibility, Ms Laurine Platzky said at the University of Cape Town's Summer School last night.

The plan should instead be seen in the light of the fact that it took the government 20 years to move the coloured population of approximately the same size out of "white" areas to the Cape Flats

Ms Platzky, co-ordinator of the Surplus People's Project (SPP), said the notion that the scheme was intended as a housing solution was false Rather, the scheme was politically-motivated and the township was planned to be a "sieve" that would enable greater control of the African population of Cape Town and seperate "legals" from "illegals".

People would be moved family by family in the same way the coloured population had been moved

A spokesman for the Nyanga East Civic Association, who expressed her feelings on moving to Khayelitsha, said the government had shunted people around as if they were monkeys

'Shunted around'

"We say that Khayelisha is a homeland Though we have black skins we are no monkeys The government is not aware that by doing this to us it is uniting us

"Even though we are from Ciskei and Transkei we are one united force Never mind that there has been faction fighting The people in the townships will not go to Khayelitsha"

A member of the Nyanga Bush Committee who has lived in tents for the past three years said "They have said we can't have rights even though our parents are legals They have said we must go to the homelands They must smash us rather than that we go to the homelands

"If they want us to go to Khayelitsha, they must first kill us in our present accommodation and take our corpses there Otherwise we will not be moved"

Teachers exempt from influx laws

Cape Times 26/11/84

Education Reporter

THE Department of Education and Training (Det) has denied that influx control laws restrict its appointment of qualified teachers in black schools

Mr J Schoeman, chief liaison officer for Det, denied complaints made in a letter to the Cape Times from Mr Walter Lefuma, media officer of the Western Cape Civic Association, that the law seriously affected the type of teacher appointed to black schools

Mr Schoeman said influx control laws did not apply to black teachers

It was not required that black teachers have accommodation before they could take up posts Det approached local community councils and administration boards to find accommodation for teachers, he said

He said Det presently employed about 1 500 white teachers, "mostly" at specialized institutions

Mr Lefuma's letter blamed the high failure rate among black pupils on a lack of qualified teachers

Mr Schoeman acknowledged that the majority of applicants for teaching posts were underqualified

The 1982 annual report of Det classified 33 000 of the 39 000 teachers employed by the department as "qualified" — but this figure included 21 000 teachers who had a Junior Certificate and a diploma and 4 000 who had passed Standard 6 and had a diploma

Only 989 had a university degree and a teacher's diploma A total of 6 000 had a Senior Certificate and a diploma

Argus 1/2/84 26)

Raid: 92 [illegible] in court

Tygerberg Bureau

A TOTAL of 92 people have appeared in the Paarl Magistrate's Court following a pre-dawn raid by Western Cape Administration Board inspectors in Mbekweni Township, Paarl.

The liaison officer for the board, Dr G T du Preez, confirmed today that 15 black men, 63 black women, one coloured man and 13 coloured women were arrested yesterday.

They appeared in three magistrate's courts in Paarl yesterday charged either with being in a prescribed area for more than 72 hours while not being bona fide residents or being in a prescribed area without the consent of the housing superintendent.

Fines ranged from between R20 and R50 each

THURSDAY, 2 FEBRUARY 1984

Hansard

†Indicates translated version Q 6133

For written reply 201 ~~340~~

Western Cape: Black labour

8 Dr A L BORAINE asked the Minister of Manpower

(1) How many applications for employment of Black labour in the Western Cape were refused in 1983,

(2) how many potential Black workers were affected by these refusals?

The MINISTER OF MANPOWER

(1) 396

(2) 2 238

Cape Times 3/2/84

6 'plastic' women jailed after raid

Staff Reporter

SIX black women have gone to jail for up to 70 days after being convicted of pass law offences in the Langa Commissioner's Court this week.

They were among a group of 28 women who appeared after being arrested in a joint raid by Western Cape Administration Board inspectors and police on a "plastic" squatter camp next to Nyanga Extension on January 19

The raid followed a clash between the "plastics" group and Nyanga Extension squatters the previous weekend, in which a man was killed and and a number of shacks were gutted by fire

Thirty-one men appeared in the Athlone Magistrates' Court yesterday on charges of public violence

The women were charged with pass law offences and illegal squatting However, the illegal squatting charges were withdrawn No reasons were given for this

All were found guilty on pass law charges Sentences ranged from R30 or 30 days to R70 or 70 days Most of the sentences were suspended on condition that the convicted return to their homelands.

Six women — Nosébenzile Matinise (24), Novotile Mankayyi (27), Lakiwe Gwinta (26) and No-Andile Nzinzwa (30) went to jail for 70 days Npunzile Mpyonke (26) and Nomgco Matshaya (23) — were jailed for 30 days after being unable to pay fines

Nat leasehold appeal for WP blacks

By TOS WENTZEL
Political Correspondent

A NATIONALIST MP has appealed for the 99-year leasehold system to be extended to Africans in the Western Cape

Speaking in the second-reading debate of the Black Communities Development Bill in the Assembly, Mr Andre van der Walt, MP for Bellville, asked the Minister of Co-operation and Development, Dr P G J Koornhof, not to apply a clause in the measure that could withhold leasehold rights from blacks in the Western Cape

He said he was prepared to "stand up and be counted" on this issue

Mr van der Walt, who is a member of the Commission for Co-operation and Development, said that if the black communities were to be stabilised socially, this should be done around the basic structure of housing This was the embryo of social reconstruction

There was no point in giving 99-year leasehold rights to a black local authority because this meant that it could own an open park while a person could still not own his house in terms of a leasehold arrangement

He asked that these measures be reviewed

Mr van der Walt's speech is likely to cause a stir in some Nationalist circles, as most other Western Cape Nationalist MPs have opposed leasehold rights for blacks in the Western Cape because this is considered a coloured labour preference area

ARGUS 8/2/84

Opposition pleads for 'reality' of leasehold

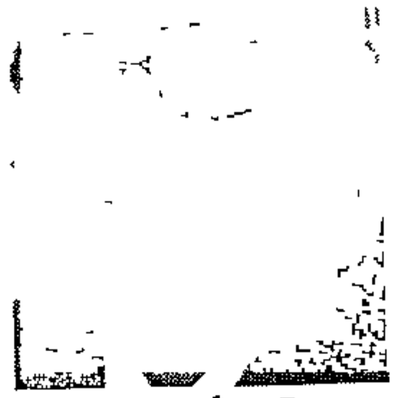
Parliamentary Staff

THE Government has rejected appeals in the Assembly for the 99-year leasehold system to be extended to blacks in the Western Cape

An argument from the Deputy Minister of Co-operation, Dr George Morrison, that it was a principle of the National Party not to do so, drew accusations from the official Opposition that apartheid was not dead as claimed by other Government spokesmen

One of the appeals had come from the National Party MP for Bellville, Mr Andre van der Walt His plea — clearly in conflict with NP policy — was described by Dr Morrison as "a healthy exchange of opinion" in the party

ASSEMBLY SUMMARY
Compiled by Frans Esterhuyse and San Vivier, Parliamentary Staff.



Mr W Vause Raw

CLAUSE

The issue was discussed during yesterday's committee stage of the Black Communities Development Bill

Mr van der Walt raised the matter during the second reading on Monday when he asked the Minister of Co-operation and Development, Dr Piet Koornhof, not to apply a clause in the measure that could withhold leasehold rights from blacks in the Western Cape

He asked for certain measures to be reviewed

In yesterday's debate the official Opposition moved an amendment to scrap a clause giving the State President the right to make certain provisions applicable only to certain areas

Mr Nic Olivier (PFP nominated) said the aim of the proposed legislation was to create contented urban black communities. This should also apply to the black communities of the Western Cape

The influx of blacks into the Western Cape dated back about 30 or 40 years According to the latest statistics there were now 337 000 blacks in this region

This considerable number of people placed a responsibility on the authorities to ensure that they were as contented as possible

He could not see how the granting of leasehold rights to these people could be in conflict with the Government's policy of labour preference for the coloured people

"We are led by realism and no longer by ideological considerations," Mr Olivier said

Supporting the official Opposition's proposal, the leader of the New Republic Party, Mr W Vause Raw, said the provision excluding blacks in certain areas was "a hangover of years gone by"

There was no place in South Africa's new era for such a provision The Government's only reason for putting it in the Bill was political

The presence of blacks legally in the Western Cape made "no jot of difference" to coloured employment.

Leasehold rights would provide stability and create a class of blacks with something that belonged to them. This would put them on the side of law and order

They would know that their properties could be damaged or burnt down in riots Such people would give South Africa additional stability

"The issue here is whether you are going to have a stable, rooted society or a restless, rootless society," Mr Raw said

OLD PRINCIPLES

Mr Daan van der Merwe (CP Rissik) said his party would not support the official Opposition's ammendment His party stood by the old principles of the NP, but it was clear that opinions differed within the NP

Mr van der Merwe asked Dr Morrison to spell out the Government's stand on this issue and to explain why it did not support the viewpoint of Mr van der Walt

Dr Morrison said it was a NP principle, repeatedly decided on at party congresses, that black leasehold rights should not apply to the Western Cape It was an old principle and he could not accept the opposition amendment.

He accused Mr van der Merwe of trying to play Mr van der Walt off against the NP

Mr van der Walt's viewpoint showed there was a "healthy exchange of opinion" within the NP

No leasehold for City blacks

CPA Times 8/2/84

HOUSE OF ASSEMBLY — It was an old National Party principle that leasehold rights would not be available to blacks in the Western Cape, the Deputy Minister of Co-operation, Dr George Morrison, said yesterday

He was rejecting an amendment proposed by the Progressive Federal Party MP for Sea Point, Mr Colin Eglin, to a clause in the Black Communities Development Bill which would include 99-year leasehold rights for blacks in the Western Cape

Mr Eglin moved during committee stage debate on the bill the deletion of a provision for the State President to exclude, by proclamation, certain areas from leasehold rights covered in the bill

In terms of government policy, the Western Cape is a preferential labour area for coloureds, and Professor Nic Olivier (PFP Nominated) said the measure was clearly aimed at the Western Cape, even though this was not directly stated

Mr Vause Raw, leader of the New Republic Party, supported the PFP amendment, saying the provision was a purely political one — a "hangover of the Verwoerdian concept"

It was a fact there were blacks who were in the Western Cape legally, and whether they rented or leased their accommodation would make no difference to their job competition with coloureds

Law and order

It would, however, make a difference to stability among the people concerned, because as "property owners" they would be on the side of law and order in times of unrest, as opposed to the rootless revolutionary

Mr Daan van der Merwe (CP Rissik) said his party would not support the PFP amendment because the measure was in line with the "old" NP policy

He added, however, that there was clearly a division of opinion in the NP on the issue, saying a speech in the second reading debate on the bill by Mr Andre van der Walt (NP Bellville) had been in agreement with Mr Eglin's proposal

Mr Eglin also pointed out that leasehold rights were in effect available to Western Cape blacks already, but that the government was hiding this from its supporters

Utility companies like Uluntu had been formed and the government leased land to them which was in turn leased to blacks for 30-year periods

This system was to prevent private enterprise from becoming involved in the development of black townships in the Western Cape

Earlier in the debate, while stating that Mr Eglin's amendment was unacceptable, Dr Morrison said it was an old NP principle that leasehold rights would not be available to blacks in the Western Cape

The PFP amendment was rejected after the House divided, with the NRP voting with the PFP against the NP and the CP — Sapa

Govt probes leasehold for Cape blacks

By TOS W NTZEL
Political Co espondent

THE Department of Co-operation and Development is taking an in-depth look at the question of 99-year leasehold rights for blacks in the Western Cape, the Minister of Co-operation and Development, Dr Piet Koornhof, said today

He said at a Press conference that he could not at present say more about the matter but an announcement would be made later

Dr Koornhof said the Deputy Minister of Co-operation, Dr George Morrison, had interpreted Government policy correctly yesterday when he rejected pleas in the Assembly for the 99-year leasehold system to be extended in the Western Cape

The latest appeal came from Mr Andre van der Walt, MP for Bellville

201 Hansard 8/2/84

Reference books/influx control

Q Col. 93

75 Mr S S VAN DER MERWE asked the Minister of Law and Order

How many Black (a) males and (b) females were arrested by the South African Police for offences relating to reference books and influx control in the Western Cape in 1983?

The MINISTER OF LAW AND ORDER:

(a) 76

(b) 14

Rhikhoto: 1 752 benefit

Staff Reporter

The Western Cape Adminstration Board has endorsed the reference books of 1 752 blacks in accordance with the Rikhoto judgment last year, but has turned down 3 521 applications

Trade unions, the Black Sash and officials of civil rights organisations in the Western Cape have expressed disappointment at the number of applications approved for residential rights in terms of the judgment

When the Appeal Court upheld an appeal by Mr Mehlolo Rikhoto in June last year these bodies hoped that at least 10 000 in the Western Cape would qualify for rights

PARLIAMENT

The Minister of Co-operation and Development, Dr Piet Koornhof, said in Parliament yesterday that 24 688 reference books had been approved throughout the country

Dr Gert du Preez, WCAB liaison officer, said the board had received 5 419 applications under Section 10 (1) (b) of the Black (Urban Areas) Consolidation Act

He said 3 521 people were refused Section 10 rights because their applications did not meet the Act's requirements.

The Appeal Court found that migrant workers could qualify for permanent residence — even if they annually interrupted their stay in an urban area — provided they worked continuously for one employer for 10 years or for different employers for 15 years

Clampdown on illegal blacks

EAST LONDON — The East Cape Administration Board, police and municipality are to combine in a joint operation to clamp down on blacks illegally sleeping in white residential areas of the city

This was announced yesterday following a meeting of various bodies which was called as a result of complaints from residents in the Nahoon, Vincent and Beacon Bay areas

Police liaison officer Major Warren Brown, who was appointed spokesman for the special crime prevention committee, said that numerous reports had been received of blacks entering white residential areas in the evening and only leaving again the following morning.

"The only blacks that are allowed to sleep in a white residential area are domestic servants and other employees who have a permit to do so," he said

"Even domestic servants who have been with a family for years and years are to be registered and have a permit to stay on the property," he added

Major Brown said the authorities conceded that the bus boycott could be responsible for the increase in complaints of this nature "but the law is the law" Major Brown said raids are to be made and illegal "tenants" will be arrested

He said householders who have unregistered employees on their property will also be prosecuted. — DDR

Parliament a

CAPE TIMES 9/2/84

24 688 get 'Rikhoto rights'

Political Staff

HOUSE OF ASSEMBLY. — A total of 24 688 Africans qualifying for rights under Section 10(1)(b) of the Blacks (Urban Areas) Consolidation Act had their reference books endorsed in accordance with the Rikhoto judgment, the Minister of Co-operation and Development, Dr Piet Koornhof, said yesterday.

He was replying to a question from Mrs Helen Suzman (PFP Houghton)

There were 1 758 endorsements made by the Western Cape Administration Board and 1 057 in the Eastern Cape.

Forced to live on the run

C. Herald 9/2/87

HIS name is Thanda and he's running scared

Twenty-six years ago, he attended school in Transkei for a year And that, as far as the authorities are concerned, makes him a citizen of Transkei

Thanda does not understand this ruling, which effectively bans him to a part of the country he doesn't know and with which he has no ties

He doesn't want to leave Cape Town, and so, he has chosen instead to be a fugitive

It is not easy, he says, to stay one step ahead of the men in brown uniforms (Administration Board officials)

He has already been picked up once And this led to a fine and deportation to Transkei

Says Thanda "They told me I'm a citizen of Transkei

BORN

"No, I said, I was born in Cape Town

'But you have a Transkeian reference book No, you must go back,' they told me

"But I was born in District Six and my family once lived in Kensington and Bonteheuwel

"In 1946, my father died and 10 years later when I also lost my mother, I was sent to my sister in Transkei During the year I spent there, I did Sub B

Thanda says that while he had been at school, a teacher had applied for reference books for the whole class And this is the cause of all his troubles

PROBLEMS

He returned to Cape Town to complete his schooling and later worked worked for a few years without incident But his problems started in 1977 when he was arrested by Administration Board inspectors

"I spent a weekend in jail and when I appeared in court I was fined R40 and my reference book was confiscated They told me I was an illegal

He says he has tried to explain his position to Administration Board officials but that this has got him nowhere

"Since I am considered an "illegal", I cannot get a house My wife, two children and I are boarding with my sister But for how long can we live like this?," he asks

● The Athlone Advice office has tried to get Thanda "legalised" on many occasions, but they too have had little success

Last week, workers at the office telephoned the chief director of the Administration Board's Observatory office They were told he was on a one-month military camp and while he was away, no-one was doing his duties

'At least they know tha

AT PRECISELY 9 30 every morning the doors of the pretty Victorian-style house opposite Observatory station are opened for business

And soon the long, wooden benches are filled with people in need — desperate people

This is the scene which greets staff at the Athlone Advice Office every weekday of every month

One by one they'll be called in And with meticulous care, workers at the office will try to unravel their problems in order to make life just a little easier, a little less complicated for the hundreds who come for advice

"We get a wide range of problems," says Sue Joint, organiser of the office

"We deal with wage and employment disputes, domestic workers' problems and housing problems But the people with the biggest problems are the African contract workers who need residence permits"

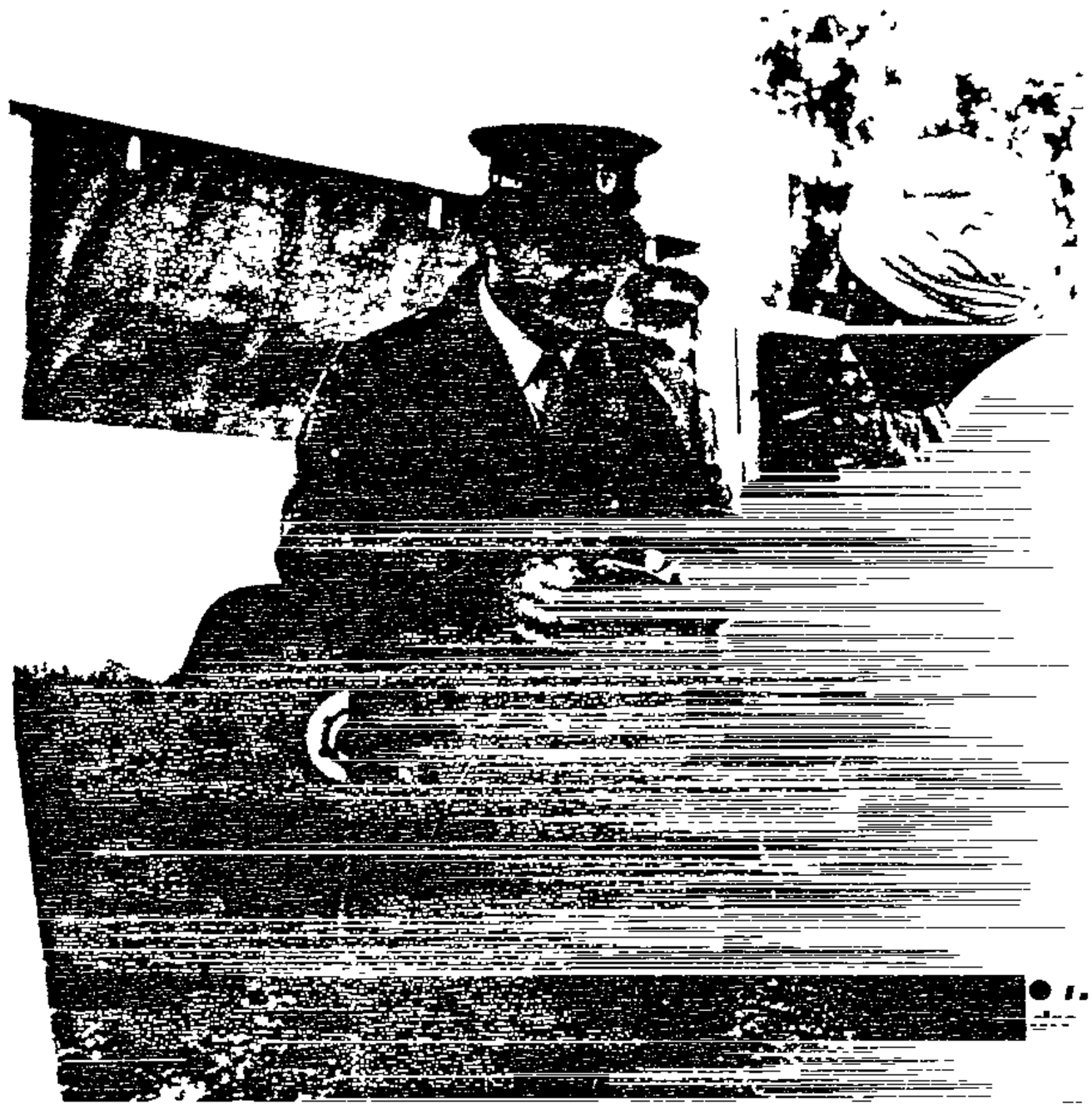
The Athlone Advice Office has a panel of 20 legal firms who offer free legal representation and advice

"Even if nothing concrete comes of their visit, these unfortunate people come away with the feeling that somebody is interested and that all possible channels are being investigated

Most of the office's bills are paid for by the Black Sash and the South African Institute of Race Relations

Anyone requiring legal advice may contact the office at ☎ 69 3150 The office is open on weekdays between 9 30 — 1 30

Pass Law

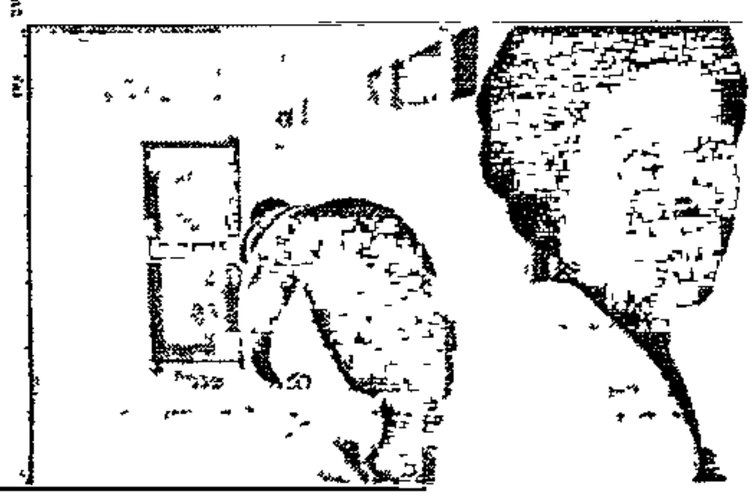


Wheels of Pass Law justice gri

SHORT-CUTS are the order of the day — every day — at the Langa Commissioner's court

Here, it takes just three minutes, and sometimes less, to turn ordinary men and women into criminals

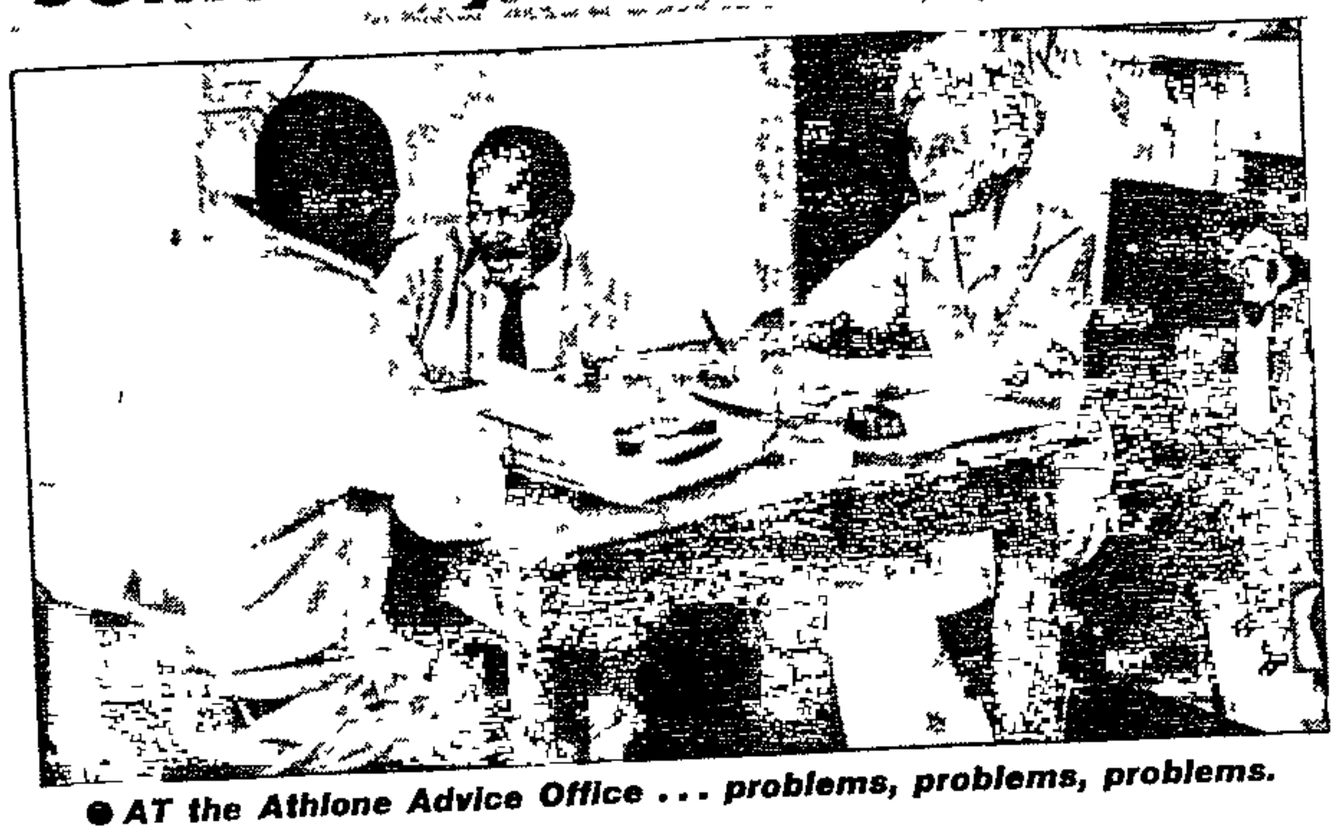
Recently, I watched proceedings from the public gallery of this



CHARM COURSE

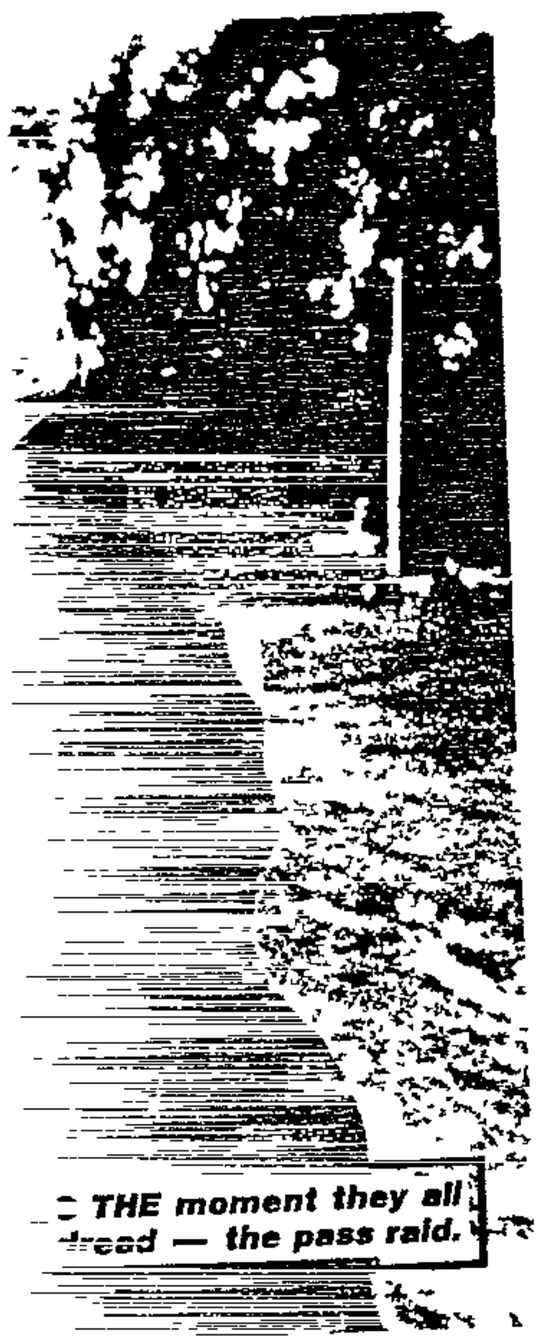
ALL LADIES

somebody is interested'



● AT the Athlone Advice Office ... problems, problems, problems.

misery



● THE moment they all dread — the pass raid.

ind swiftly

IN legal jargon it's known as the Black (Urban Areas) Act of 1945. But to the majority of South Africans, it is the oppressive piece of legislation which prevents them from earning a living or living with their families.

REPORT: Nazeem Howa

In practical terms it is a watertight law which prevents Africans from living in "white South Africa"

Although the Act has undergone many changes since 1945, none of these have been made to relax the laws

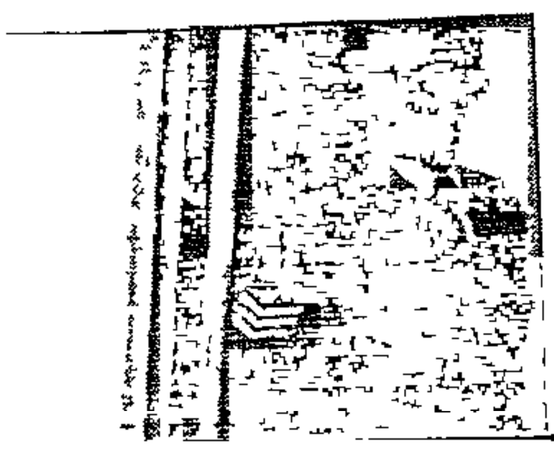
Amendments were introduced in 1946, 1947, three times in 1957, and then, each year from 1961 to 1966 Further amendments were introduced in 1968 and 1970 and annual amendments from 1974 to 1981

Today this watertight law decides who is "legal" and who is not, and by implication, who gets a job and food and who gets none

TEST

In a recent test case, the Cape Town Supreme Court granted Transkeian-born Mr Mdandweni Mthiya permanent residential rights in the Western Cape

This was accorded to him under Section 10 (1)(b) of the Act because he had worked for one employer for longer than 10 years and had lived in the same area



ployer for at least 15 years

Section 10 (1)(c) rights are given to wives and unmarried sons and daughters, under the age of 18, of those who qualify for (a) and (b) rights

And Section 10 (1) (d) gives temporary legality to certain contract workers who obtain permission from the manager of a labour bureau to reside in an area for a set period

Even if a person can get a job legally, the Government has yet another law to determine "legality" Known as the Administration of Persons to the Republic Act of 1972, it is being used increasingly to deport Africans from the Western Cape

This Act provides for

Sorry — you're too old to stay

MR John A, 31, was sitting on the pavement in front of the Athlone Advice office when I met him He kept gazing all around him nervously He told me that if Administration Board inspectors saw him he could be arrested and deported to Transkei

John was born in Cape Town and was considered a "legal" resident until he went to Johnannesburg where he worked from 1974 to 1980

On his return his father took his pass to the Langa office and asked for it to be stamped Officials at the office refused, saying he no longer qualified for "legal" status

"They say that I am too old, and for that reason I do not qualify to be 'legal' While I was under 18, I could live here, because my father is a 'legal' Now they tell me that I am a Transkeian citizen

Last week John narrowly escaped arrest during a pass raid When confronted by the Administration Board officials, he claimed to be "coloured" and resident in Mitchells Plain

● In the same boat as John is Michael M His father has been working in the Peninsula since 1940 and was recently granted Section 10 (1)(b) rights Because Michael is older than 18, he does not qualify for Section 10 rights

Recently, Michael lost his job and will now have to return to Transkei before he can apply for another job

An easier and more successful — but illegal — method would be to look for a job and then to go back to get his reference book stamped

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Here, it takes just three minutes, and sometimes less, to turn ordinary men and women into criminals

Recently, I watched proceedings from the public gallery of this grey, drab building I left after the end of case number 36 It had taken exactly 104 minutes for the three dozen unfortunates to plead, to be tried, and to be convicted.

Twenty-four of the accused were fined a total of R1 330 (or an equivalent number of days in prison. Charges against four were withdrawn

CHARGES

Even the charges were put in a kind of verbal shorthand

A charge under Section 10 (4) of the Black (Urban Areas) Consolidation Act became "ten four", while Section 15 (1) became "fifteen-one".

They've even found short-cuts when it comes to sentencing. Example. A man was found guilty on three charges and sentenced to R50 (or 50 days) on the first, R20 (or 20 days) on the second, and R10 (or 10 days) on the third

This was how sentence was pronounced "Fifty-Fifty on one, twenty-twenty on two and ten-ten on three"

● *A DEJECTED mother leaves the Commissioner's Court after paying her fine.*

ARRESTED

● One in every 10 African adults living in the Cape Peninsula — "legally" or "illegally" — can expect to be arrested under South Africa's influx control laws during any given year

This is one of the findings in a special report compiled by Professor Martin West of the University of Cape Town's Social Anthropology department

Professor West points out that pass raids frequently trap innocent people — legal residents, the handicapped and mothers and babies — who pay fines simply to get out of court and back to family life

WOMEN

And he reported further that there was a "special assault" against women in the Peninsula, to enforce Government policy aimed at preventing black family life from being established in the area

Professor West found that about 30 to 40 percent of Africans arrested for influx-control offences would have to serve prison sentences because they would not be able to afford to pay their fines

He found that in 1981, pass-law offenders spent a total of 250 000 days in jail This would total 684 years of imprisonment.

He estimated that about half the African population of the Western Cape would be classified "illegal"

Professor West added that while official statistics suggested that pass raids had decreased in South Africa, it had in fact increased in the Western Cape

Anatomy of a raid

IT was sunrise and township residents were going about their early-morning chores around their wood and iron shacks.

Children were playing in the sand nearby, while in the distance a dog barked Everything was peaceful at KTC squatter camp.

But then the terror started At 9 00 am the "hunters" arrived — dozens of them — in motor vehicles and lorries

It was my first experience of a pass-raid, and I was horrified.

More trucks arrived and I saw men armed with rubber batons jumping out and running towards the shacks.

DEFIANTLY

At first, the camp's men, women and children stood their ground, defiantly. But as the baton-wielding men drew nearer they started running for their possessions and shelters.

Steadily, a group of about 30 men moved towards the residents Women started screaming Some ran into nearby shacks to wet pieces of cloth, which they put over their faces to counteract the effects of the sneeze machine which had been started up

Trucks drove towards the crowds at high speed, and I saw men, women and young children run as men armed with rubber batons, and supported by dogs, approached.

DEMOLISHED

Shacks were systematically demolished and all the time people were running helter-skelter to avoid the fumes of the teargas and the batons of the inspectors

When the raid ended, inspectors loaded sheets of galvanised iron onto a truck and took it to their Nyanga offices.

The residents, meanwhile started searching for odd bits of plastic and branches with which to build new shelters for the evening.

Cape

This was accorded to him under Section 10 (1)(b) of the Act because he had worked for one employer for longer than 10 years and had lived in the same area for longer than 15 years But he was one of the fortunate ones Thousands of others caught up in the net of the Act have simply been banished to a homeland which can offer them neither employment nor food

The Act is made up of four different sections

To qualify for Section 10 (1) (a) rights, people have to produce proof that they were born here and have lived here all their lives

The second class legals — those who qualify under Section 10 (1)(b) — are contract workers who have worked continuously for one emplyer in the area for at least 10 years, or for more than one em-

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Morrison: City blacks permanent

CAPE TIMES 10/2/84 (201)

HOUSE OF ASSEMBLY — The development of the new black township of Khayelitsha near Cape Town clearly indicated that blacks "legally" in the Western Cape were considered permanent, the Deputy Minister of Co-operation, Dr George Morrison, said yesterday in his reply to third reading debate on the Black Communities Development Bill

Referring to the issue of leasehold rights raised earlier by Mrs Helen Suzman (PFP Houghton), he said there was no question of the permanence of urban blacks resting on the title of the land upon which they lived

The fact that leasehold rights would not be available to blacks legally in the Western Cape did not imply that the government did not regard them as permanent

'Cornerstone' bill

He said the bill was a cornerstone in the meaningful development of black communities outside the national states

Referring to a speech during the debate by Mr Albert Nothnagel (NP Innesdal), he said the member had been correct in stating that the permanence of blacks in urban areas of South Africa was not the issue at stake

"These black people are not in the urban areas as a result of government policy They came to look for work and are a reality that must be taken into account," Dr Morrison said

He pointed out, however, that development of these communities and improvement of their quality of life could take place only with their involvement and co-operation

'No cutbacks'

Referring to statements earlier in the debate by Mr Frank le Roux (CP Brakpan) to the effect there were fears among staff of personnel cutbacks during the changeover of administration boards to development boards, the deputy minister said this was out of the question

If anything, more personnel would be needed in future, he said

The bill was read a third time after the House divided, with the PFP and the NRP voting with the NP against the CP

As only four CP members were present, the Speaker, Mr J W Greeff, declared the bill read a third time because there were fewer than 15 opposing votes — Sapa

(b)	(i)	3 712	6 491
	(ii)	3 712	6 491
	(iii)	489	897
	(iv)	3 161	4 527
	(v)	0	0

President's Council

76 Mr S S VAN DER MERWE asked the Prime Minister

What was the total cost of the President's Council up to 31 December 1983?

The PRIME MINISTER

From the establishment of the President's Council on 1 January 1981 to 31 December 1983 the cost was R11 130 591

For the period 1 April 1983 to 31 December 1983 the cost was 0 012% of the total Main Budget for the 1983-84 financial year

201 Hansard Q. Col. 143 13/2/84

Reference books/influx control

74 Mr S S VAN DER MERWE asked the Minister of Co-operation and Development

How many Black (a) males and (b) females were (i) arrested, (ii) charged, (iii) acquitted, (iv) fined and (v) deported in connection with offences relating to reference books and influx control in the Western Cape in 1983?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

		Reference books offences	Influx control offences
(a)	(i)	2 432	4 380
	(ii)	2 179	4 314
	(iii)	585	350
	(iv)	1 594	3 733
	(v)	0	0

201 Hansard Q. Col. 144 13/2/84

Contract workers

106 Dr A L BORAINE asked the Minister of Co-operation and Development

How many Black contract workers were working in the Cape Peninsula in 1983?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

Twenty thousand four hundred and seventy-four (20 474)

204 Hansard Q. Col. 144 13/2/84

Repatriations

109 Mrs H SUZMAN asked the Minister of Co-operation and Development

(1) How many Black workers from (a) Zimbabwe, (b) Lesotho, (c) Swaziland, (d) Botswana and (e) Mozambique had been repatriated as at the latest specified date for which figures are available,

(2) how many of these workers in each category had as at that date been granted exemption from repatriation on the ground of long service?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

(1) The following numbers of Black workers were repatriated during the period 1 February 1983 to 31 January 1984 As a result of the recent floods certain district offices in the Pietersburg and Pietermaritzburg areas could not be reached These figures therefore do not include figures from those offices

(a) 2 412

(b) 712

(c) 52

(d) 148

(e) 20 141

(2) (a) 1 337

(b) 1 012

(c) 169

(d) 343

(e) 1 932

Bonus bonds

116 Mr H H SCHWARZ asked the Minister of Finance

What amount in bonus bond prize money was unclaimed as at the latest specified date for which figures are available?

The MINISTER OF FINANCE

30 November 1983—R4 367 550 It should be noted, however, that only a small part of this prize money has been unclaimed for any appreciable time—most relates to recent draws

Bonus bonds

117 Mr H H SCHWARZ asked the Minister of Finance

(a) What was the total value of bonus bonds (i) bought and (ii) redeemed up to 31 December 1983 and (b) for what amount were bonus bonds purchased in December 1983?

The MINISTER OF FINANCE

Details in respect of December 1983 will only be available towards the end of February 1984 but I gladly furnish the following information as at 30 November 1983

(a) (i) R964 726 195

(ii) R438 366 660

(b) R9 241 195 in November 1983

Parow calls for stricter influx control

Tygerberg Bureau

PAROW Town Council has called on the Government to exercise stricter control to curb the "apparent uncontrolled influx of blacks into the Western Cape"

The council has also sent circulars to northern area municipalities asking them to adopt a uniform policy to combat problems arising from influx

The circulars include copies of a memorandum sent to the Minister of Co-operation and Development, Dr Piet Koornhof, and to the Department of Manpower

The council said in the memorandum that it had repeatedly expressed serious concern about apparent uncontrolled influx of blacks into the area.

INADEQUATE, INEFFICIENT

It appeared as if the coloured labour preference policy was not being implemented meaningfully and that influx control was inadequate and inefficent

Large numbers of blacks were competing with coloured labour and were prepared to accept lower wages while unemployment among coloureds had doubled in the past year

The council believed that influx control should be stricter and be stepped up at homeland border posts

The council could not understand that while this was a coloured labour preference area, many applications for employment of blacks which were referred to the council for comment, were accompanied by Department of Manpower certificates saying, in effect, that suitable coloured labour was not available.

"It appears as if these certificates are being issued simply as they come without much investigation"

Parow Town Council's policy had, for 20 years, been not to allow the housing of blacks except in exceptional cases

The council made minmimum use of black labour, never employed more than 15 blacks at one time and at present had only six

The memorandum refers to reports of 72 000 illegal blacks in the Western Cape and says "the more blacks establish here, the more rapidly the standard of living of both legal blacks and coloureds deteriorates because of inadequate job opportunities"

The council calls for an explanation why more effective control cannot be exercised at border posts.

"Once the blacks are in the Western Cape, influx into the urban areas cannot be stopped."

Town clerk Mr J P Barnard said in an interview. "What irks the council is when the Department of Manpower says no suitable coloured labour is available when this is not true, as the coloured just tend not to register as unemployed"

Durbanville town clerk Mr Dennis Smit, whose council considered the issue this week, said that Parow would be informed that the council agreed to a certain extent that influx control could be stricter and that the Administration Board was too lenient

~~206~~ 201 Hansard
Q.61.316 23/2/84

Influx control/identity documents

154 Mr K M ANDREW asked the Minister of Co-operation and Development.

(1) What amount accrued to the Western Cape Administration Board in 1983 from fines imposed for offences relating to influx control and identity documents,

(2) (a) what part of this amount was paid by employers in respect of illegal employment of Blacks and (b) how many employers were convicted of this offence?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

(1) Fines imposed for offences in respect of identity documents do not accrue to the Administration Board, but to the State In 1983 R723 257,00 accrued to the Administration Board in respect of fines for influx control offences

(2) (a) R178 258,00

(b) 1 021

COL

Witness 'relies on policeman'

Court Reporter

Argus 28/2/84

DEFENCE counsel for Crossroads community leader Mr Oliver Memani has told a State witness her evidence was "tainted" because of her reliance on a policeman to allow her to remain in the Western Cape for more than 72 hours

Mr Memani, 42, and Mr Tyson Tom, 54, both of New Crossroads, last week pleaded not guilty in the Regional Court, Wynberg, to 466 counts of fraud

The State alleges that during September and November 1982 they unlawfully pretended they were authorised to issue certificates on behalf of the Crossroads Committee granting permanent residence rights in the Western Cape for a fee of R10 each

"Called tune"

Mr P J Laubscher (for Mr Memani and Mr Tom) yesterday suggested to Mrs Nomazile Nyonge, a certificate holder, that she had given false evidence to the court because she had to "dance to the tune" of Warrant-Officer Strydom of the Langa CID

He said she was granted a three-month residence permit only because she was a witness

In reply to the prosecutor, Mr T Lerm, Mrs Nyonge said no promises had been made to her by the police or the Western Cape Administration Board if she gave evidence in court

The hearing continues today

142

067 convicted for ix, pass-law offences

142 067

influx

Argus 28/2/84

~~206~~ 201

Political Correspondent

PASS-LAW convictions have again shown a considerable increase according to figures given by the Minister of Co-operation and Development, Dr P G J Koornhof

In a written answer to questions put by Mrs Helen Suzman, he said that last year, 142 067 blacks were convicted of offences relating to reference books and influx control in the main centres of the country

This is an increase of more than 42 percent on 1982, when 98 508 were arrested, which in turn was an increase of 31 percent on 1981, when there were 75 176 arrests

In contrast to many other centres, convictions in the Peninsula were down from 9 393 in 1982 to 3 209 last year

On the East Rand, however, the figure rose from 26 966 in 1981 to 55 454 last year and on the West Rand from 17 086 to 23 180

Mrs Suzman said today that the "huge increase" in convictions appeared to be the result of intensified action against squatters in some areas

People were being arrested for the crime of looking for work

Basic problem

These arrests did not touch the basic problem of unemployment in areas outside the big centres

Convictions in other centres were Pretoria, 13 976, Johannesburg, 37 562, Durban, 2 532, East London, 1 654, Port Elizabeth, 867, and Bloemfontein, 3 651

The number of people prosecuted in terms of Section 16 of the Immorality Act have decreased, according to figures given to Mrs Suzman by the Minister of Law and Order, Mr L le Grange

Last year, 169 people were prosecuted and there were 126 convictions

In 1982, 182 people were charged

Laidlaw (with mirror) gasped when at a dress rehearsal she saw
en made up for the Sea Point Place concert group's appearance at
y Carnival in Maynardville on March 1 and 3. Others in the group
, Mrs Alfrida Papie, Mrs Vickie Basson, Mrs Margie Robertson and
Mrs Mollie Born.

CITY COUNCIL

Facelift for sportsground

Municipal Reporter

THE Provincial Administration is to be asked to help fund the reconstruction and maintenance of the sportsground between Victoria Walk and Melville Road in Woodstock

The Mountain Road Primary School, which leases the field from the City Council, has claimed that vandalism and littering by the public are making it increasingly difficult to maintain the field

The City Engineer, Mr Jan Brand, recommended that council assumes the lease, reconstructs and re-fences the field at an estimated R23 750, and maintains it at an estimated R4 000 a year for shared use by the school and the public He suggested the Provincial Administration be asked to share half the costs

In council today, Mr Tom Walters moved that the matter be referred back to the Amenities and Health Committee because of the possibility of persuading the Provincial Administration that there was merit in sharing the schoolgrounds with the public.

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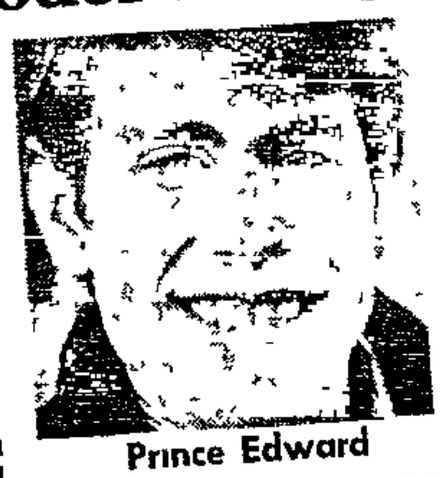

Prince Edward

a royal reunion in a few weeks

Tall, fair-haired Edward met Romy at the Royal Yacht Squadron Ball at Cowes in August Although she went with another young man, Prince Edward spent much of the evening with the 1,75m beauty

Romy's mother, Mrs Susie Adlington, a wine importer's wife from Micheldever in Hampshire, said. "I've not met Prince Edward, but he does telephone here asking for Romy."

his 19-year-old younger brother has been conducting a quiet liaison with Romy.

Romy, only 17, is now abroad on a modelling assignment but hopes for

DIVISIONAL COUNCIL

Old slave quarters to be houses

Staff Reporter

PERMISSION to renovate the old slave quarters next to Kronendal Restaurant in Hout Bay into four houses was given by the Cape Divisional Council at its monthly meeting today

The council approved a scheme to sub-divide the site of the ancient and delapidated structure, currently regarded as derelict land, into four sites of around 500 sq m each

The council said, "The

Ambulance station gym

Staff Reporter

THE City Council has authorised alterations estimated at R15 000 to ambulance station Maitland to improve and recreation facilities for staff and enable to have keep-fit class

The Deputy City A

Trial of Memani, Tom resumes today

Cape Times 29/2/84

Staff Reporter

THE trial of Crossroads community leader Oliver Memani and Tyson Tom, who face 460 counts of fraud, will continue in Wynberg Regional Court today

They have pleaded not guilty to 460 counts of fraud relating to the issuing of certificates in September and November 1982 granting the holders residence and employment rights in the Cape Peninsula

The State alleges that they unlawfully pretended to people that they were authorized to issue certificates for the Crossroads Committee granting them permanent residence in the Western Cape

People were made to pay R10 for the certificate

The State further alleges that the men unlawfully and falsely pretended to the Chief Commissioner of the Department of Co-Operation and Development that the certificate holders were residents of Crossroads and that their names appeared on a list of people claiming permanent residence rights

Mr Memani and Mr Tom's bail of R200 each was extended

Mr M J Langenhoven is the magistrate Mr T Lerm is prosecuting Mr P J Laubscher, instructed by Walker, Malherbe, Godley and Field, appears for both men

†The MINISTER No 201 Hansard 29/2/84

Identity documents

Q 601.400

*33 Mr K M ANDREW asked the Minister of Co-operation and Development·

What amount accrued to the State in 1983 from fines imposed on Blacks in the Western Cape for offences relating to identity documents?

The DEPUTY MINISTER OF CO-OPERATION

The figure requested is not available

(i) Fines imposed by Commissioners

Courts for identity-document offences may be paid at these Courts, or later at prison Admissions of guilt on summonses may be paid at any police station, at commissioners' offices or at magistrates' offices

(ii) These moneys are then paid into the state revenue account and become indistinguishable from the other moneys accrueing to the state

(iii) To find the answer to the question would entail going through every revenue receipt book used by every revenue office in the Western Cape in the year in question, i e 1983, and making an extract, a task that can only be accomplished by performing a considerable quantity of work which is deemed unjustified in this case

Obs. Trib 1/3/84

Memani 'permits' confused employers

Staff Reporter

THE former chief labour officer for the Western Cape Administration Board (WCAB) told a Wynberg Regional magistrate yesterday that certificates issued by Mr Oliver Memani and another man had caused "great confusion" among employers

Mr Graham Norman Lawrence, WCAB Director of Labour and Housing, was giving evidence in the trial of Mr Memani, 42, and Mr Tyson Tom, 54, both of Crossroads

They had previously pleaded not guilty to 460 counts of fraud relating to the issuing of certificates granting residence and employment rights in the Cape Peninsula

Mr Lawrence said employers were open to prosecution if they had employed an illegal resident "on the strength of the document alone"

Mr Lawrence said Mr Memani had ignored his warning that issuing the permits was illegal

The hearing continues today Bail of R200 each was extended

Mr M J Langenhoven is the magistrate Mr T Lerm prosecutes Mr P J Laubsher, instructed by Walker, Malherbe, Godley and Field, appears for both accused

11 Langa families spend night in rain after eviction

MG 52/3/84 340 20 [illegible]

Staff Reporter

ELEVEN Langa families spent last night in the rain after being evicted from houses they have occupied for two years

The 43 people, who have lived in Zone Three since 1982, said Western Cape Administration Board officials yesterday "threw out first our furniture and then us"

Many claim to have been born in Cape Town

They also claim an official at the Langa office of the board had promised them accommodation

The WCAB's director of labour and housing, Mr Graham Lawrence, said the people were not legally in the area

They had been allowed to stay temporarily for medical reasons, he said

"Those reasons have now dried up, and we must face the hard facts of the matter They have overstayed their welcome

"They were advised that they would have to vacate their dwellings in November, but they refused to comply with those instructions and demanded that they be allocated dwellings

"These people barricaded themselves in and adopted a threatening attitude to officials We had to call the police to assist us in removing them"

Crossroads to be 'cleared up'

CAPE Times 201 1984 March.

By RIAAN DE VILLIERS
Labour Reporter

THE authorities want to "clear up" the entire Crossroads squatter camp by the end of the year

This was disclosed by a highly-placed source yesterday after further details of the crash development of the new township Khayelitsha had been made known by the Western Cape Administration Board (WCAB)

The board has given notice that it will call for tenders for the construction of 4 000 "core" houses to be completed by the end of the year

Mr J Gunter, the WCAB's chief director yesterday confirmed that the board intended moving in residents from July

He declined to comment on which categories of blacks eligible to move to the new township would be housed first

However, a highly-placed source said later that all 4 000 houses were intended for "clearing up Crossroads", and added that the authorities hoped to complete this task by the end of the year

The disclosure foreshadows a massive "weeding out" of illegals and a possible confrontation between the authorities and Crossroads residents, many of whom have pledged to resist being moved

In an interview in December last year, Dr George Morrison, Deputy Minister of Co-operation, disclosed for the first time that "legal" Crossroads residents would be the first to be housed at Khayelitsha and that the squatter camp would be "cleared up as a matter of priority"

Mr Gunter confirmed yesterday that the WCAB would soon call for tenders for the construction of 4 000 core houses, comprising a waterborne latrine and two rooms, as well as various essential services

WCAB man denies 'tricks'

Cape Times 2/3/84

Staff Reporter

THE Chief Inspector for the Western Cape Administration Board (WCAB) denied yesterday in the Wynberg Regional Court that Crossroads residents had been 'tricked' when they had called at the board offices to claim residence rights.

Mr C M Theron was giving evidence in the trial of Mr Oliver Memani, 42, and Mr Tyson Tom, 54, both of Crossroads, who have pleaded not guilty to 460 counts of fraud.

The charges relate to the issuing of certificates granting residence and employment rights in the Cape Peninsula.

Mr Theron said he accepted that an exhibited certificate had been drawn up by an attorney and that Crossroads residents had paid R10 for his services which had included investigating their legal position.

Mr P J Laubscher, for both men, then put it to Mr Theron that the six-month extension on permits granted to Crossroads residents in 1981 had been a "transparent attempt" by the WCAB or the Department of Co-Operation and Development to get the people to the board's offices to trick them.

Mr Laubscher claimed this was because Mr Timo Bezuidenhoud of the Deparment of Co-operation and Development, and Mr Johnson Ngxobongwana — a rival community leader — had agreed that out of 6 000 people claiming permanent residence rights only 600 would be considered.

Mr Jacobus Oosthuizen the W[illegible] labour officer, said police had referred people to him in September 1982 and had requested that they be granted six-month permit extensions because they would be needed as witnesses in the present case.

Mr Oosthuizen said he had found that none of the people referred to him had qualified for permanent residence in terms of section 10 of the Black Urban Areas (Consolidation) Act.

Mr Laubscher put it to him that section 10 rights had been supplemented by Dr Piet Koornhof in 1979 by means of ministerial proclamation. It was also put to Mr Oosthuizen that had he wanted to ascertain the legal position of the people referred to him, he could have approached Dr Koornhof.

The hearing continues today. Bail of R200 each was extended.

• Mr M J Langenhoven is the magistrate. Mr T Lerm prosecutes. Mr Laubscher is instructed by Walker Malherbe, Godley and Field.

Whites ignore black rights — Sash

Labour Reporter

IN SPITE OF government rhetoric about reform before the white referendum, most white South Africans are not interested in civil rights, "let alone human rights of the majority black population", the Black Sash Advice office says in its annual report for 1983

"They have indicated strongly that they approve of apartheid being built into the constitution of South Africa, with no consideration given to the millions of blacks who are an integral part of the South African economy," it says.

The report chronicles major black affairs events last year in the Western Cape, and outlines the activities of the advice office.

Regarding Crossroads, it says that with the cancellation of building at New Crossroads and the statement by Dr G de V Morrison, Deputy Minister of Co-operation, that Crossroads residents would be dispersed throughout Khayelitsha, the year has not been a "happy one for the camp's inhabitants".

Government and administration board officials are unsympathetic to the fact that natural expansion has taken place, lodgers have been abandoned when tenants were moved to New Crossroads and plastic shelters are being endlessly torn down.

It says that the desperate need to 'be on a list' led to bribery and corruption.

Regarding Khayelitsha, it says the new township has "ironically" exacerbated the housing crisis in the black townships

Since its proclamation, all development in the established townships has been frozen and no additions to houses, new houses, classrooms or shopping centres have been approved.

The office arranged legal defence for 281 people charged with pass law offences in the Langa Commissioner's Court which resulted in 54 acquittals, 17 cautioned and discharged, 79 suspended sentences and 45 charges withdrawn.

A total of 143 people were defended on squatting charges Of these, 111 were given suspended sentences, seven were cautioned and discharged, one acquitted and three had charges withdrawn. The remainder were given unconditional sentences, usually R50 or 50 days

11 evicted families move back to Langa

Staff Reporter

ELEVEN Langa families who were evicted from their houses in Zone Three after living there for more than two years have been reinstated.

The 43 people, who were originally squatters in Killarney and Hout Bay, were evicted from three houses by Western Cape Administration Board officials last week.

The evicted people, with an official from Langa Advice Office, which is run by the Board of Social Responsibility of the Anglican Church, approached the Legal Resources Centre after spending a night in the rain.

Legal action

An attorney at the LRC said he had been instructed to take legal action to restore the houses to the Langa people.

However, in an out-of-court settlement with the board, it was agreed that the residents be allowed to return to the houses and that board officials assist them in moving back furniture which had earlier been removed.

It was also agreed that the board would make no attempt to evict them other than through the proper process of law, the attorney said.

Claim

One of the residents, Mrs Susan Dube, claimed last week a board official had promised they would not be moved out of the houses without being provided with alternative accommodation.

However, the board has denied this, saying most of the affected people were "illegally" in the Western Cape and that they were granted only temporary permission to live in the Zones.

Mr Ken Andrew, Progressive Federal Party spokesman for black affairs in the Western Cape, is to ask the Minister of Co-operation and Development, Dr Piet Koornhof, a question about the incident in Parliament tomorrow.

Mr Andrew described the incident as "unfortunate"

CAPE TIMES 7/3/84

Homeless fugitives in despair

Part of a group of more than 200 people driven out of Cro on a sand dune at KTC where they have been squatting f

Staff Reporter

"NOW we really don't know what to do," a despairing woman said yesterday after Western Cape Administration Board officials had destroyed 25 plastic shelters erected by destitute Crossroads fugitives near KTC.

"Nobody is on our side — not the whites or the blacks. We just have to suffer," she said

Dejected women with children were gathered around a smouldering pile of ashes where the materials used for the wattle-and-plastic huts had been burnt.

Factions

They had erected the shelters after sleeping in the open in the bush for more than two months

The group is likely to be stripped of all remaining shelter today Inspectors warned them yesterday that other huts hidden in surrounding bushes would be demolished too

The group of more than 200 people fled from Crossroads at the end of December when their houses were burnt in faction fighting.

They are supporters of Mr Oliver Memani, defeated rival of the dominant Crossroads leader, Mr Johnson Ngxobongwana

The board has offered them a site for new shacks at Crossroads, but they are afraid to go there as they believe they will be attacked by Ngxobongwana supporters

"That place is too dangerous," one said yesterday. "We will be surrounded there People have been shot and burnt to death We were beaten and our houses and possessions destroyed. The same evening we move in there, we will be killed"

They say they built the shelters as a last resort

"The rains are coming Where are we going to sleep? Our children are not at school and they are getting ill"

Recently some of the group were arrested by WCAB inspectors in the local Methodist church after they had sought refuge from snakes they had seen in the bush.

'Unchanged'

Charges of illegal occupation were withdrawn in the Langa Commissioner's Court after the commissioner, Mr L van Wyk, had noted that people were "indemnified" from arrest in churches and that the church authorities themselves had not complained

The WCAB liaison officer, Dr Gert du Preez, said yesterday. "As far as we are concerned, the situation regarding these people remains unchanged"

"We pointed out a new site at Crossroads for them, which they rejected. Their structures at KTC are illegal and will be demolished.

"I understand their problem, but it has to be realized that the board cannot bend over backwards and has to operate within a legally prescribed framework."

'Illegals' paid R500 000 in fines

Cape Times 9/3/84

Political Correspondent

HOUSE OF ASSEMBLY. — Black people paid fines totalling more than half a million rands last year for being in the Western Cape illegally.

Some 1 021 employers were fined a further R178 258 because of the illegal employment of black people in the area.

The total amount imposed in fines was R723 257, of which black people convicted of influx control offences paid R545 000. This money all went to the local Administration Board.

Dr Koornhof said he could not give the additional amount which went to the State from fines imposed for offences in relation to identity document offences. Fines were paid at courts, commissioner's courts and police stations and the amount of work required to collate this answer was not justified.

Mr Andrew has also tabled a series of questions about the number and frequency of black men and women convicted at Langa commissioners' courts, the extent of legal representation they had and sentences imposed.

given by the Minister of Co-operation and Development, Dr Piet Koornhof, in response to questions from Mr Ken Andrew (PFP Gardens).

Bill is unacceptable, says union president

JOHANNESBURG — The South African Boilermakers' Society found the Orderly Movement and Settlement of Black Persons Bill to be "unsatisfactory and unacceptable", its president, Mr Ike van der Watt, said yesterday

The union chief, addressing the congress of the South African Co-ordinating Council of the International Metalwokers' Federation, urged other unions to make submissions to the select committee that will hear evidence on the Bill after its second reading

"It would be sad if the society were the only union to give evidence on this highly important matter," Mr Van der Watt told the congress

"I know that many workers and their unions are reluctant to become involved in matters affecting the Government I believe, however, that it is wrong not to make the voice of labour heard when legislation is involved or where the interests of workers are affected"

Although some unions had said that in the past their representations to Government were ignored, Mr Van der Watt did not think this was a reason "not to make their voices heard".

The Orderly Movement and Settlement of Black Persons Bill that was being reintroduced to Parliament was in a form "which my own union finds unsatisfactory and unacceptable and which, I am sure, few unions here will like".

"If legislation is passed which merely perpetuates the old '*dompas*' system, those unions which remain aloof from direct action will not even be able to say they tried their best to prevent that, or to steer the legislation in a more humane and rational direction," he said

The Bill as it stood made "some concessions to workers" but left out the "main issue" — that the legislation was being put through Parliament "without reference to the people whom it affects most closely".

Mr Van der Watt said it could be true that by making their voices heard now, black workers would be condoning a system which allowed them to be consulted only through their unions and not as citizens of the country

"But I believe we should ask ourselves whether it is sensible to allow injustice to continue if we have the chance to ease the lot of the workers"

The union had already submitted written evidence and had been informed that they would have the opportunity to give evidence directly to the select committee, he said — Sapa

201 Hansard 13/3/84
Q.601.603

Repatriation

351 Mrs H SUZMAN asked the Minister of Co-operation and Development

(1) What is the total number of Black workers from (a) Zimbabwe, (b) Lesotho, (c) Swaziland, (d) Botswana and (e) Mozambique who had been repatriated as at 31 January 1983,

(2) how many of these workers in each category had as at that date been granted exemption from repatriation on the ground of long service?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

(1) The following number of foreign Black workers were repatriated as at 31 January 1983

(a) 5 655.

(b) 3 904

(c) 131

(d) 1 584

(e) 10 239

(2) (a) 4 389

(b) 1 950.

(c) 168.

(d) 1 661

(e) 3 022

Hansard

Contract workers

Q.601.640 15/3/84

536 Mr G B D McINTOSH asked the Minister of Transport Affairs

(1) How many Black (a) contract workers and (b) workers with rights under section 10 of the Blacks (Urban Areas) Consolidation Act, No 25 of 1945, are employed by the South African Transport Services in the Western Cape,

(2) (a) where are these contract workers housed and (b) what is the length of their contracts?

The MINISTER OF TRANSPORT AFFAIRS.

(1) (a) 1 735,

(b) 1 813

(2) (a) In hostels at Langa and Table Bay Harbour

(b) 12 months

Govt employs 11 000 'illegally' in Cape, says report

Political Staff

CAPE TOWN — More than 19% of the "illegal" black people in Cape Town work for governmental institutions, a University of Cape Town study has found.

With at least 60 000 illegal black people working in Cape Town, this could mean that more than 11 000 illegal black people are working for "Government and community services"

The study, written by Mr Ian Goldin, has recently been published by the Southern Africa Labour and Development Research Unit (Saldru) at the University of Cape Town.

In an analysis of the Coloured Labour Preference Policy, Mr Goldin, a UCT graduate, found 23,1% of illegal black workers were employed in the manufacturing industry, 23,1% for commerce, 19,2% for construction and 19,1% for Government and community organisations

A senior official in the Western Cape Administration Board told him that "conservative estimates" of illegal employment in the Cape Peninsula were "in the region of 60 000"

Mr Goldin found that 40,9% of the illegal workers had been recruited by labour bureaux but most, 54,6%, had found work themselves

Almost all the illegal black people — 89,4% in the Peninsula — were employed as unskilled labour whereas 70,6% of the black people with permanent residence rights were in unskilled jobs

"Illegal workers have no permission to live or work in the Western Cape and are subject to arrest and immediate deportation if discovered by the authorities," the report says

"The employers of illegal labourers are subject to a R500 fine for each illegal worker

"The motivation to employ illegal workers stems principally from the benefits to be derived from these workers, whose desparate postion ensures that they constitute the cheapest, most subservient and most easily dismissable category of workers," Mr Goldin said

Few employers were, however, prepared to admit that they employed illegal labour

The report concludes that the Coloured Labour Preference Policy has not benefitted coloured workers whose positions may have been eroded in fact.

"African labour, partly due to the savage effects of the Coloured Labour Preference Policy and influx control for employers, remains the cheapest and least problematic form of unskilled labour and is consequently preferred by employers," Mr Goldin said

CAPE TIMES 16/3/84

City 'illegals': 19% work for govt

By BARRY STREEK

MORE than 19 percent of the "illegal" black people in Cape Town work for governmental institutions, a University of Cape Town (UCT) study has found

With at least 60 000 illegal black people working in Cape Town, this could mean that more than 11 000 illegal black people are working for "government and community services"

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Labour bureaux

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Mr Goldin found that 40,9 percent of the illegal workers had been recruited by labour bureaux but most, 54,6 percent, had found work themselves

Nearly all the illegal black people were employed as unskilled labour, whereas 70,6 percent of the black people with permanent residence rights were in unskilled jobs

He also found low levels of education among black workers in the Cape Peninsula

"Illegal workers have no permission to live or work in the Western Cape and are subject to arrest and immediate deportation if discovered by the authorities

"The employers of illegal labourers are subject to a R500 fine for each illegal worker

"Employers with dispersed employment sites, rapid labour turnover and those in good favour with the inspectorate are prepared to accept the risk of employing illegals and are undeterred by the possibility of prosecution

"The motivation to employ illegal workers stems principally from the benefits to be derived from these workers, whose desperate position ensures that they constitute the cheapest, most subservient and most easily dismissable category of workers."

Although the Coloured Labour Preference Policy was aimed at giving preference for employment in the Western Cape to coloured people, black people could be employed where coloureds were not available for the work, but the Theron Commission had said that "in practice coloureds have not made themselves available, nor have they become adaptable for certain classes of work, primarily in the unskilled labour such as that of heavy labour".

He found the construction industry and "electricity, water and gas" employed the highest number of contract workers

'Easily retrenched workers'

"Contract workers provide the most reliable and stable source of legal labour for Cape employers and generally are preferred by employers who require obedient, unskilled and easily retrenched workers "

He concluded that the Coloured Labour Preference Policy had not benefitted coloured workers, whose positions may have been eroded

"Unskilled 'coloured' workers, who may have been able to compete with Africans under different circumstances, are unable to do so under the present system of ultra-exploitation of African workers

"African labour, partly due to the savage effects of the Coloured Labour Preference Policy and influx control for employers, remains the cheapest and least problematic form of unskilled labour and is consequently preferred by employers," Mr Goldin said

Crossroads: 30 000 face deportation

Cape Times 21/3/84

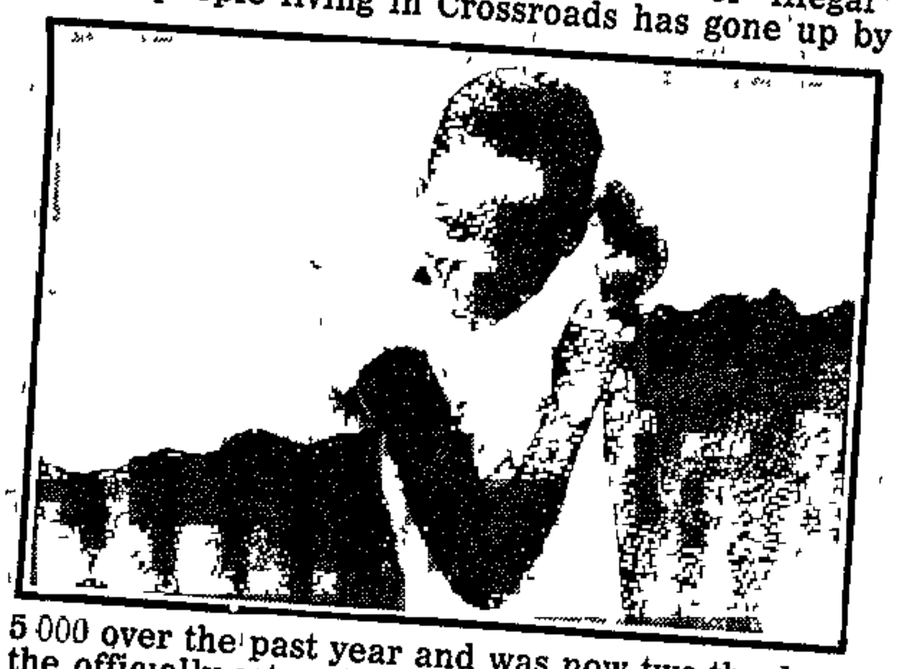
201

Political Correspondent

HOUSE OF ASSEMBLY. — Some 30 000 black residents of Crossroads will face deportation to Ciskei and Transkei when the squatter camp is eventually cleared and the "legal" residents are moved to Khayelitsha.

This is the implication of figures given to Parliament yesterday by the Minister of Co-operation and Development, Dr Piet Koornhof

The figures showed that the number of "illegal" black people living in Crossroads has gone up by



5 000 over the past year and was now two-thirds of the officially-estimated population of the squatter camp

Dr Koornhof told Mr Ken Andrew (PFP Gardens) that the estimated total population of Old Crossroads at the end of last year was 47 572, of whom 30 000 were "illegals"

A year ago the estimated total was 40 218, of whom 25 000 were illegals

The 17 572 people legally in Crossroads at the end of last year was made up of 3 912 men, 4 500 women and 9 160 children

The government has insisted that only Crossroads residents legally in the Western Cape will be resettled in Khayelitsha. It has said the others will have to return to Ciskei and Transkei

There have been strong indications that the government hopes to clear Crossroads this year

Body to look at urban rights claims

Cape Times 21/3/84

Labour Reporter

AFTER a delay of nearly five years, the government's "Crossroads appeals committee" has finally been appointed and will begin its work soon.

This was announced yesterday by Dr Piet Koornhof, Minister of Co-operation and Development.

Dr Koornhof also announced that the committee — intended to consider appeals by people who claim to qualify for permanent residence rights in terms of the 1978 "Crossroads deal" — would consider names on two lists drawn up by community leaders three years ago.

However, he made it clear that no further lists would be considered

The announcement was welcomed by sources close to the Crossroads community, who pointed out that the long delay in appointing the committee had contributed to "confusion and uncertainty" in the squatter camp

However, they expressed fears that the move foreshadowed a large-scale weeding out of "illegals" later this year, prior to the camp being cleared

Dr Koornhof originally announced his intention to appoint an appeals committee in his original "Crossroads deal" statement in 1978, to consider appeals by people who would fail to qualify for permanent urban rights in terms of the special dispensation granted to residents of the camp

These have come to include people who claim to have been missed in a survey eventually conducted by the black affairs authorities in 1979 to establish which residents qualified for rights in terms of the "deal"

Mr Johnson Ngxobongwana, chairman of the Crossroads Committee, and his then vice-chairman and later rival, Mr Oliver Memani, both drew up lists of people who claimed to have been missed in the survey

These two lists, containing 6 088 names, were eventually accepted by the authorities for consideration by the committee in 1981

In his statement yesterday, Dr Koornhof made it clear that people on these two lists would still be considered, but that no further lists would be accepted

Their claims would be considered on the basis of whether they had been "bona fide" Crossroads residents before or up to December 31, 1978

on black labour

Parliament and Politics

Parliament and Politics

Another question mark against curb

Political Correspondent

THE President's Council criticism of the coloured labour preference policy in the Western Cape is the latest official addition to a policy rejected by academics, industry and the coloured people themselves.

The criticism came in the report of the council's economic affairs committee into measures restricting a free market system in South Africa.

Although its comments were cautious, the committee has put another question mark against one of the measures limiting black employment in the Western Cape.

The policy was instituted in 1955 by Dr Willie Elselen, secretary for Native Affairs under Dr Hendrik Verwoerd. The "Elselen line" demarcated an area sweeping from Namaqualand through De Aar to Knysna within which coloured people were to have employment preference.

It has meant that Western Cape employers wanting to engage black workers first have to convince the government that no suitable coloured labour is available for the post.

The policy has repeatedly been criticized by academics, economists and coloured leaders. In recent years, however, there has also been increased questioning of the principle from government-supporting bodies, although the National Party has remained adamant that the policy will stay.

There has so far been no change in the attitude enunciated by Dr Connie Mulder when he addressed the 1978 Cape Nationalist congress on the problem of black influx into the Western Cape. The area, he said, would be preserved for white and coloured people.

"This will entail us having to act more strictly, but we are here to implement National Party policy, not popular policy."

Since then the coloured preference policy has been rejected by Professor Erika Theron, who reversed the opinion she had expressed in her earlier report on the coloured people.

She was supported by another Stellenbosch expert, Professor S P Cilliers, who said the policy would lead to economic stagnation in the Western Cape and was not in the interests of the coloured people themselves.

Then in 1980 the National Manpower Commission said the policy would be "superfluous" in terms of labour controls proposed by the Riekert Commission. The Riekert report suggested that labour movement should be restricted only on the basis of the availability of housing and jobs.

The first outright criticism from within the government came two years later. In evidence to the President's Council committee which reported this week, the Director-General of Manpower, Dr Piet van der Merwe, described the coloured labour preference policy as "discriminatory".

He said it was difficult to justify a policy which allowed black people to live in the Western Cape but effectively prevented them from looking for work there.

In its report this week, the President's Council committee said the policy was a "striking anomaly" in terms of market principles, an administrative burden and a hindrance to the functioning of the market mechanism.

It noted, however, that as 95 percent of the exemptions applied for in 1981 had been granted, the policy's impact was clearly limited. In spite of high coloured unemployment, it was difficult to find coloured labour for certain unskilled and semi-skilled posts, and permits to employ black labour were readily granted.

It also noted that as the preference policy was aimed at the socio-economic protection of coloured people, it was not based on market principles.

"The committee accepts that in government policy, other than purely economic considerations may carry the greatest weight," the committee said.

Andrew: It's a disgrace

Political Correspondent

THE PFP spokesman on black affairs in the Western Cape, Mr Ken Andrew, yesterday condemned the freeze on building in Cape Town's black townships announced by the government.

The Deputy Minister of Development, Dr George Morrison, said yesterday all building in Langa, Guguletu and Nyanga had been frozen because the communities will eventually have to move to Khayelitsha

Reacting to the announcement, Mr Andrew said he deplored any decision that caused further decay in existing black townships by stopping upgrading and improvements

"The proposed forced removals of people from existing townships to Khayelitsha is in itself an irresponsible and inhuman intention, but to leave people to suffer in a deteriorating environment when specific plans and timetables are not even available for Khayelitsha is an absolute disgrace."

Crossroads fraud trial: 2 acquitted

Staff Reporter

THE State yesterday stopped prosecution of squatter leader Mr Oliver Memani and Mr Tyson Tom in the Wynberg Regional Court on 460 counts of fraud

The magistrate, Mr M J Langenhoven, then found both men not guilty on all counts and discharged them

The men had appeared several times in the past month and a number of witnesses, including prominent Western Cape Administration Board officials, testified The trial had been expected to continue for some time and many more witnesses were expected to give evidence

No comment

The decision to stop the prosecution was taken by the Attorney-General of the Cape, Mr Neil Rossouw He would not comment on the decision yesterday

The charges related to the issuing of certificates to Crossroads' residents in 1982 The State alleged Mr Memani and Mr Tom unlawfully pretended to residents that they were authorized to issue certificates on behalf of the Crossroads committee granting them permanent residence in the Western Cape

The State also alleged certificate holders were made to believe they would be granted permanent residence rights in the Peninsula and would be entitled to obtain employment.

List

It alleged people were made to pay R10 for the certificates, and that the men falsely pretended to the chief commissioner of the Department of Co-Operation and Development that the certificate holders were residents of Crossroads and that their names appeared on a list of persons claiming permanent residence rights

Mr Memani and Mr Tom pleaded not guilty

Mr T Lerm prosecuted Mr P J Laubscher, instructed by Walker, Malherbe, Godley and Field, appeared for Mr Memani and Mr Tom

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Watchdog

All you ever needed to know about insurance.
PAGE 15

The Cape Times and the Budget

TOMORROW is Budget day and on Thursday the Cape Times will have all the information The full text of the Budget speech by the Minister of Finance, Mr Owen Horwood, will be contained in a special separate Budget supplement. Reaction, news and other matters relating to the budget will all be in Thursday's Cape Times

CAPE TIMES 27/3/84

Govt confirms freeze, move to Khayelitsha

By MICHAEL ACOTT
Political Correspondent

THE government confirmed yesterday that all building in Cape Town's three black townships had been frozen because the three communities will eventually have to move to Khayelitsha

The Deputy Minister of Development, Dr George Morrison, said in an interview that this included some new homes and all improvements to existing homes

The official confirmation of the freeze on development in Langa, Nyanga and Guguletu follows months of rumours that this was being applied to encourage the "voluntary" move of people to Khayelitsha

It follows the announcement late last year that no new schools or school extensions would be allowed in Cape Town's established black townships because schools would only be built in Khayelitsha

There has been repeated opposition criticism of the planned move, which only serves to heighten the insecurity of people in the three townships concerned

Dr Morrison could give no indication yesterday of when the move to Khayelitsha would be completed but said it would definitely have to take place

"There has been no change whatsoever in the government's attitude that the people of Langa, Nyanga and Guguletu will have to move to Khayelitsha eventually"

One exception to the ban on development was the R2,5-million Guguletu business centre, which was originally stopped by the freeze The government had decided last month it should go ahead as an exception "ad hoc and

➡➡➡➡ To page 2 A

jailed for bar gang rape

Prison

Joseph Vieira, 28, was sentenced to six to eight years Bristol County District Attorney, Mr Ronald Pina, had asked for the lesser sentence for Vieira, citing "feelings of the community" and the fact that Vieira had no previous record

The four men were convicted of aggravated rape for assaulting a 22-year-old mother at Big Dan's Tavern in nearby New Bedford on March 6, 1983, while onlookers cheered them on

Heavy security was in effect as the four entered the court in handcuffs About 200 spectators and many police officers watched from outside the court

Just before court began, supporters of the four men presented the judge with a petition with 16 000 signatures asking that the guilty verdicts be set aside because jurors were swayed by "exaggerated versions of the facts".

Silva and Vieira were tried separately from Raposo and Cordeiro to prevent the defendants from testifying against each other

Their trials ended on March 17 and 22.

● Susan Brownmiller, author of "Against Our Will", one of the most exhaustive studies of rape, has compared the impact of the national broadcast of the trial to that of the Watergate hearings.

"Just as Watergate instructed a nation on corruption in government, (the trial) instructed a nation on rape," she said in a Sunday television interview

"The time was right in the United States to take one case and examine it thoroughly

"Twenty years ago, both the national attention to the trial, and the trial itself, would have been unthinkable because a woman would not have reported the rape" she said — Sapa-AP and UPI

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The Facts correction service, ☎ 24-2233 (Mon to Fri) Cape Times, Box 11, Cape Town (Registered at the GPO as a newspaper)

Mr Robert

[illegible] has to pay for those in the end".

Clean answers to questions concerning government abandonment of large unprofitable private concerns, like Chrysler in the United States, were not always there, he said.

"Maybe we must have a trade-off with employment policies," he said. "Long-standing trade barriers are being torn down so fast in America that some good institutions are suffering."

Business was not seamy and underhand, as portrayed in the television series "Dallas", he said.

"The best companies place a high premium on integrity, and their employees pride themselves on not having to change their values between work and the office."

Although his book gave the impression that he was not generally in favour of com-

[illegible] manageers had got together and voted not to be excellent — because it was too much hard work. "It is that," he said.

Japanese companies had learned a lot of their production techniques from the United States, he said

"They bought 300 000 copies of my book, largely because the translator said they still had more to learn from us," he said.

Now many Japanese companies were streets ahead of

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had
questions put to him by police officers unless he had legal representation

This had not been granted, although he had been interviewed in the Act to ... copy of documents and not possession"

"There was no evidence that he had received this documentation" Mr Louw said

Toivo in Luanda for talks

LISBON — Mr Herman Toivo ja Toivo, a founder of Swapo, is in Luanda for talks with Angolan leaders, the official Angolan news agency, Angop, said yesterday

Angop reported that Mr Toivo arrived in Luanda on Friday accompanied by the Swapo leader, Mr Sam Nujoma

The agency said he was visiting frontline states for talks on implementing the United Nations-backed peace plan for SWA/Namibia — Sapa-Reuter

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C T. 27/3/84 (3 SEP 380) (204)

A from page

on merit'

One consideration was that the business centre did not always have to be used by black people In an apparent reference to plans to move coloured people into present black townships, he said the centre could be used by "any colour group" once black people had left Guguletu for Khayelitsha

He said the freeze would not affect maintenance of buildings and homes, but would stop home extensions or improvements planned by residents of Langa, Nyanga and Guguletu

Applications could, however, be made for other exemptions

His announcent was condemned by the PFP spokesman on black affairs in the Western Cape, Mr Ken Andrew, who deplored any decision that caused further decay in existing black townships

● Andrew: It's a disgrace, page 4

GREY PHILLIPS BUNTON MUNDEL & BLAKE 73651

Removals: Chamber warning

CAPE TIMES 28/3/84

Labour Reporter

CAPE TOWN Chamber of Commerce yesterday expressed "extreme concern" at the government's decision to move established black communities living in Langa, Guguletu and Nyanga to the new township of Khayelitsha.

In a strongly worded statement, the chamber warned that the move would heighten tension, create unnecessary conflict and "ignore the basic rights of an already restricted society to choose where to live or work".

The statement has added to a new wave of criticism of government plans to move all blacks in the Cape to the controversial new township, which were reaffirmed by Dr George Morrison, Deputy Minister of Co-Operation, earlier this week.

In an interview with the Cape Times, Dr Morrison also confirmed that all building in Cape Town's three established black townships had been frozen because of the communities' eventual removal.

In reaction, Mr R W Stern, president of the chamber, said in a statement yesterday that it had always strongly oppposed any suggestion of moving blacks in Langa, Guguletu and Nyanga to Khayelitsha

Listing reasons for the stance, he said it would force blacks to spend much more time and money, already a "heavy burden" in relation to their earnings and leisure time, on travelling between Khayelitsha and their places of work.

Individuals had spent large sums of money on renovating and improving their homes in the townships and the move would exacerbate the "critical housing shortgage" for blacks

Mr Stern pointed out that employers had erected housing for their migrant workers which would have to be rebuilt at Khayelitsha at "considerable added expense"

Also, additional rail and infrastructure costs would be "astronomical, not to mention the costs in terms of suffering arising from the disruption of settled communities"

Mr Stern said it would "make some sense" to provide accommodation at Khayelitsha of varying standards for blacks who could not be accommodated in the existing black townships

But it would be "unwise in the extreme" to uproot those already living in these townships

He added that such a step would also be "severely inimical to the interests of the economy of the Western Cape"

● Sash condemns removals, page 5
● Leading article, page 16

Critics slam move to Govt to move blacks

CITY/INTERNATIONAL

11/6/85 28/6/85

Staff Reporter

THE Government's decision to move people from Cape Town's African townships to the new township of Khayelitsha would cause extreme insecurity and would "destabilise" black communities, say critics.

There has been strong reaction to the Government's confirmation that people living in the Peninsula's townships will eventually have to move to the new settlement of Khayelitsha, about 35km east of the city.

The urban problems research unit at the University of Cape Town said the Government's decision was "guaranteed to cause an increasing degree of insecurity and instability in the black townships"

Ms Vanessa Watson, a researcher, said people in Langa, Guguletu and Nyanga who had spent money improving their homes would "see their small attempts to create a degree of comfort destroyed".

"Regression"

The threatened removals also meant that "the influx control machine can be brought to bear to weed out the illegals and send them to areas where poverty and unemployment is endemic"

Provincial councillor Mrs Di Bishop said the proposed move marked an era of "severe regression"

"This decision will only destabilise Cape Town's black communities further."

The Black Sash, which passed a strongly worded motion condemning forced removals to Khayelitsha at their recent national conference, asked today if the Government would allow the townships to deteriorate to such an extent that people would want to move to Khayelitsha

"Heighten tension"

"Is this the scenario envisaged for Guguletu, Langa and Nyanga?"

The president of the Cape Town Chamber of Commerce, Mr R W Stern, has also criticised the move, saying the uprooting of people already settled in the townships would "heighten tension, create unnecessary conflict and ignore the basic rights of an already restricted society to choose where to live and work"

Mr Stern said the move would be "severely inimical" to the interests of the economy of the Western Cape It would force blacks to spend considerably more time and money on travelling

The planned moved has also been attacked by the usually conservative Cape Town Community Council, elected to represent township residents Council chairman Mr R Njoli said: "We are prepared to fight the Government on this issue

"We are against it People have worked hard and have spent lots of money to improve their homes and we are not prepared to move"

Mr Njoli said the council would approach the Government to protest against the planned removals

CAPE Times
28/3/84

Sash condemns removals

By RIAAN DE VILLIERS
Labour Reporter

THE Black Sash has formally condemned the "intended forced removal" of all blacks in the Cape metropolitan area to the new township of Khayelitsha

In a wide-ranging resolution adopted at its recent annual conference in Johannesburg, the leading civil rights organization also

- Called for a halt to squatter camp demolitions and an end to influx control
- Demanded the development of phases 2 and 3 of New Crossroads as promised by Dr Koornhof in April 1979
- Called for the inclusion of Khayelitsha and the existing black townships in the overall planning and development of the Cape Metropolitan area as a "first step towards reshaping the metropolis along non-racial lines".

Human rights

The resolution was adopted after the conference considered a major document on black urban and human rights in Cape Town and the background to the controversial Khayelitsha project.

It notes that Khayelitsha is intended to ultimately house 300 000 blacks in hostels, self-built homes and relatively few "elite dwellings", and to replace the existing townships of Langa, Nyanga, Guguletu, New Crossroads, Mfuleni and possibly Kaya Mandi

These will be converted into housing for people classified as coloured, and the long term result would be a buffer zone of "coloured townships between the major industrial, commercial and white residential areas and a highly controllable black enclave".

Consolidating the black population would have the dual advantage of providing a "stable black labour force" and enabling influx control and the government's coloured labour preference policy (CLPP) to be more stringently and effectively applied, it says

It notes that leasehold rights are essential to successful self-build at Khayelitsha, but says the state is "ambivalent" about granting these because they constitute recognition of the permanent residential rights of the recipients

"This ambivalence too makes it clear that the township project does not represent reform or a change of heart with regard to accepting blacks as an integral part of the Cape population," it says

'Control measures'

Dealing with the political and economic background to the project, it notes that urban removals and racial segregation in the Cape have resulted in "massive social disorganisation, distortion of the economy, political destabilization and ever greater resort to paramilitary control measures".

Despite the CLPP policy, economic and socio-political forces have compelled the state to accept the black presence in the Cape as a long term necessity

It has therefore devised a number of measures for accomodating and controlling "legals" and excluding "illegals", including the three Koornhof bills drafted last year.

When judged in terms of urban and regional planning criteria, the Khayelitsha project is "little short of disastrous", it says

120 workers removed in Ecab raid on factory

E. Post 28/3/84

By SHIRLEY PRESSLY

OFFICIALS from the East Cape Administration Board (Ecab) today forcibly removed about 120 black workers from the production lines of a softdrink factory in Harrower Road, Port Elizabeth, because were not in possession of their passes

A spokesman for SA Bottling Co (EP) (Pty) Ltd today confirmed that about 120 of the company's black employees had been removed by Ecab officials from their machines and arrested

The spokesman said the Ecab officials moved in at 5am and the operation continued until 6 30am

The workers were removed from the premises

A black security guard who was manning the gate to the factory premises was also taken away by the Ecab officials when he asked them to produce identification before he would admit them

The spokesman said the company believed the Ecab officials were taking the workers to their homes to fetch their passes

He said two of the factory's three production lines were out of operation and eight out of the company's 22 delivery trucks had not gone out because the drivers were in detention.

He said the Ecab officials had arrived at the time of the shift overlap when the day shift took over from the night shift.

"The company is very upset about this action and has undertaken to pay employees their wages for the time they have been detained and to pay the fine if there is a fine imposed on any of the employees"

The spokesman said the company was satisfied that all its employees were "legal" and permitted to be in the area

The Chief Director of Ecab, Mr Louis Koch, said Mr Gerhard van Wyk, chief labour officer for Ecab, had been trying for months to get SA Bottling to "put its house in order"

If the company had done so the raid would not have taken place

Mr Koch said a Mr Martin, who handled labour affairs for SA Bottling in Port Elizabeth, had failed on many occasions to keep appointments at Ecab to discuss the registration of labour at the factory

Records showed that he had again failed to turn up for an appointment on February 7

Mr Koch said that during November it was discovered that there was falsification of endorsements in the reference books of some black workers at SA Bottling and two black Ecab officials were charged

One was found guilty and the other was acquitted from lack of sufficient evidence Both employees were dismissed from Ecab

Mr Koch said that early this year SA Bottling asked for the registration of 20 contract workers from the homelands Ecab approved and recommended the attestation of their contracts But SA Bottling failed to register these 20 employees

Mr Koch said the attestation of contracts was not

● To Page 3

120 workers removed from factory in raid

E. Post 28/3/84

● From Page 1

sufficient. The workers also had to be registered

The onus was on the employer to register them within three days of the contracts being attested

Mr Koch said because Mr Martin had failed to keep appointments. In view of the fact that Ecab had a problem with the company over a prolonged period it was decided that the only way to resolve the problem was to have a raid on the premises

Mr Koch said 109 people were arrested

He said 11 were unable to produce reference books even after they were taken to their homes, where they claimed their books were.

They were liable to a fine and their employer as well They were held in custody and are expected to appear at Africa House tomorrow

He said nine workers were Section 10 cases who had no authority to be in the area They and their employer were liable to a fine

He said a further 16 workers were from the group of 20 contract workers whose contracts were attested but who had not been registered by the company

These workers were not held in custody and were taken back to the factory before lunch Their employers would be charged

A further 29 workers qualified in terms of Section 10 to be in the area but SA Bottling had failed to register them They were also taken back to work and not held in custody

A further two passbooks with falsified endorsements were found in the possession of two workers

Ecab's dawn swoop on bottling plant comes under fire

By SHIRLEY PRESSLY

THE dawn raid on SA Bottling at its plant in Harrower Road, Port Elizabeth, by the East Cape Administration Board yesterday, in which 109 employees were arrested, was a "hostile and most unnecessary act", according to a statement issued today by the company

Heavy-handed action like this was regrettable, said Mr Ian Bishop, divisional general manager of SA Bottling, who released the statement on behalf of the company today

In the statement, the company acknowledged that it had been negotiating with Ecab officials for the registration of 24 of itsemployees It believed it was co-operating conscientiously with Ecab "because no indication was given that we were in violation of their requirements"

Mr Bishop said Mr S Martin, the company's labour officer, denied breaking appointments with Ecab officials and, on the contrary, reported that postponements of meetings with Ecab officials were called for by them

"The actions taken by Ecab proved disruptive and caused the plant to operate to only 25% of its efficiency," he said

"The system of punitive and insensitive raids is part of a system that is condemned by the company"

The company said it would have been preferable for Ecab to resolve the matter with its senior management in the first instance This was not done and dealings had only been conducted at lower levels

"Surely in today's society there are other ways of solving problems

"Ecab could have, at any time, arranged to interview all employees at the plant without humiliating those concerned and disrupting operations"

● The General Workers' Union of South Africa (Gwusa) today condemned the raid

In a statement, Mr Dennis Neer, an executive member of Gwusa said "The union feels this move by Ecab is serious than previous actions because it affects relations between workers and employers"

● The managing director of SA Bottling in Port Elizabeth, Mr P Gutsche, confirmed today that he would meet Mr Louis Koch, Chief Director of Ecab, tomorrow and that "hopefully the issue will be resolved"

Court Reporter

THREE SA Bottling Company employees and a security guard appeared in the Port Elizabeth Commissioner's Court today charged with failing to produce reference books and being in a prescribed area for more than 72 hours.

The case was postponed until May 8.

Mr P Olivier, for the defence, told the court negotiations between SA Bottling and Mr Louis Koch, Chief Director of the Eastern Cape Administration Board, were under way.

Mr Michael Ntlikwana, 25, of Yeko Street, Zwide, and Mr Bom Makazana, 30, of Masaka Street, Zwide, have been charged with not being able to produce their reference books on March 28, this year.

Mr Susile Mfombi, 30, of Mhlawali Street, Zwide, was charged with not being able to produce his pass book and for remaining for longer than 72 hours in a prescribed area Mr Norman Seya, 44, of Soweto, was charged with remaining for longer than 72 hours in a prescribed area without permission

The men were not asked to plead and their bail was extended until May 8

Mr F J Fourie was on the Bench Mr J J Claassen appeared for the State

Four in court after raid

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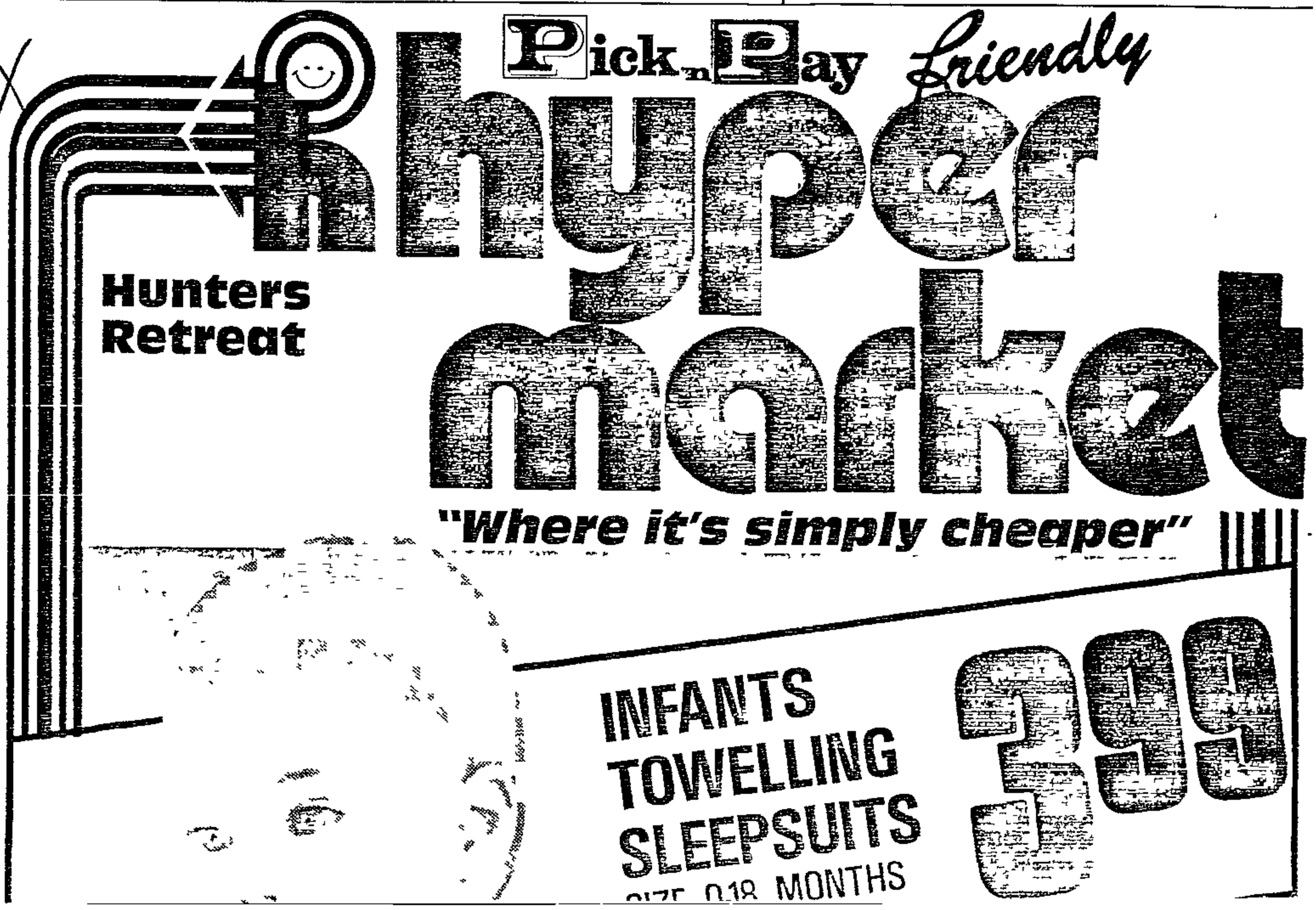

Pik Botha in Transkei talks

SAIR Times 30/3/80
201

Own Correspondent

UMTATA — The Minister of Foreign Affairs, Mr Pik Botha, flew here yesterday for a hush-hush two-hour meeting with Transkei's State President

Paramount Chief Kaiser Matanzima dashed all hopes of any information on the talks when he welcomed Mr Botha at the presidential palace tea party

Speculation was rife because of the inclusion of the chirman of the Western Cape Administration Board, Mr Timo Bezuidenhout, in the three-man delegation accompanying Mr Botha

The other two were Mr Alex van Zyl of the Department of Foreign Affairs and Mr Botha's private secretary, Mr Stephen Aldrich

Earlier this month , the Minister of Co-operation and Development, Dr Piet Koornhof, told Parliament that some 30 000 people at Crossroads faced deportation to Transkei and Ciskei when the squatter camp was eventually cleared and the "legal" residents moved to Khayelitsha

Dr Koornhof was replying to a question from Mr Ken Andrew (PFP Gardens)

There was speculation that the visit was in connection with the statement, but a veil of secrecy was thrown around the talks

In his welcoming speech, the President told the handful of dignataries and media people that Mr Botha was on a private visit

The President said "Nobody will know and nobody should know what the visit is about

"I know many people are curious and I want to remove that curiosity now

"We will meet behind closed doors"

In his reply, Mr Botha said "These talks are very important and secret. Very important"

Other Transkei ministers included in the talks were the Acting Minister of Foreign Affairs, Mr Armstrong Jonas, the Acting Prime Minister and Minister of Local Government, Chief George Ndabankulu, the Minister of Social Welfare and Pensions, Chief D D P Ndamase, the Deputy Minister of Defence and Police, Mr David Tezapi and the Deputy Minister of Health, Mr G Nota

Media men's request for a press conference and joint statement after the talks were refused and Mr Botha was whisked away in the private Lear jet which had arrived in the morning

ment and Politics

60 000 'illegals' in Cape Town

CAPE Times 31/3/83

Political Correspondent

HOUSE OF ASSEMBLY. — The government believes nearly 60 000 black people are living "illegally" in the greater Cape Town area

As most of these are from Transkei and Ciskei, they will be affected by new aliens control legislation which tightens regulations and imposes large fines on people employing illegal aliens

The government has rejected opposition claims that the new law is aimed primarily at controlling the black influx from independent former homelands, and said it will apply to all foreigners

Figures on the "legal" and "illegal" black population of greater Cape Town were given to Parliament yesterday by the Deputy Minister of Development, Mr Ben Wilkens

He told Mr Ken Andrew (PFP Gardens) that the total estimated black population in January was 229 000, of whom 169 687 were in the area legally.

The "legal" population comprised 69 540 men, 47 817 women and 52 330 children

Mr Wilkens said the number of black women legally in greater Cape Town had increased from a revised figure of 43 588 in 1982 to 47 817 this year

Reasons for the 4 229 increase included women joining their husbands following the Rikhoto and Komani cases and successful appeals to the Chief Commissioner for legal resident status in terms of section 10 (1) (b) of the Black Urban Areas Act.

The government estimated that 48 904 black men were employed and 6 000 unemployed and that 13 003 black women were employed and 1 000 unemployed

Commissioner's new 'special job'

By RIAAN DE VILLIERS

THE CHIEF Commissioner for Co-operation and Development in the Western Cape, Mr Timo Bezuidenhoud, is to step down from his job for about six months to perform a "special task" for the government

This was confirmed yesterday by the Director-General of Co-operation and Development, Mr Gyllis van de Wal, who said Mr Bezuidenhoud would be released from his job to give "special attention to problems in the Western Cape in general"

Mr Van de Wal would not comment further, but there is speculation that the move may be part of a major new government strategy to remove "illegal" blacks, especially those living in Crossroads, from the Cape later this year and deport them back to the homelands

Mr Bezuidenhoud accompanied Mr Pik Botha, Minister of Foreign Affairs, to a confidential meeting with the Transkei's State President earlier this week

Neither Paramount Chief Kaizer Matanzima nor Mr Botha would comment on the talks

However, speculation is rife that the government may have tried to negotiate a new deal with the Transkei surrounding the return of Transkeians who are illegally in the Cape

Mr Van De Wal would not comment on Mr Bezuidenhoud's presence at the talks yesterday, but said he had gone at the "request of the Department of Foreign Affairs"

It has previously been disclosed that the government has ordered the demolition of the Crossroads squatter camp this year

About 17 000 "legal" residents are to be moved to the new township of Khayelitsha

Mr Bezuidenhoud was not available for comment yesterday

Officials slate Govt plan

Job-creation plan silent over detail

NATIONAL/INTERNATIONAL

Labour Reporter

OFFICIALS were discussing details today of a jobs-creation programme for 10 000 Africans "illegally" in the Peninsula

Mr Timo Bezuidenhoud, chief commissioner of the Department of Co-operation and Development, today would not elaborate on his promise to embark on the huge jobs-creation programme

He was having "further discussions" today and would be in a better position to comment after the talks He would not say with whom the discussions would take place

Visit

Government officials would not comment on the matter Mr R K Leppan, who has taken over as chief commissioner for six months, said he knew nothing about the programme

The programme announcement follows a visit by Mr Bezuidenhoud and the Minister of Foreign Affairs, Mr Pik Botha, to Transkei's President K D Matanzima

The visit fuelled speculation of a major employment project in the Transkei linked to the removal of "illegal" squatters from Cape Town

Thousands of "illegals" in the Peninsula's squatter camps are expected to be endorsed out within the next few months, as the Government makes plans to resettle "legals" in the new township of Khayelitsha

Status legalised

There were no comments from the Department of Foreign Affairs and the Department of Co-operation and Devlopment

It is not yet known where the Government envisages creating work opportunities Mr Bezuidenhoud has said the jobs would be created "in the Peninsula and elsewhere"

One possibility is that "illegal" men squatters in Cape Town would have their status legalised if they agreed to live as contract workers and send their families to the homelands Mr Bezuidenhoud is known to have made such offers to the Nyanga Bush squatters.

Cape Times 31/4/86

201

Confusion on 'illegals' plan

Staff Reporter

CONFUSION still surrounds a major new government strategy for dealing with "illegal" blacks in the Peninsula to be administered by Mr Timo Bezuidenhoud, former Chief Commissioner for Co-Operation and Development.

Mr Bezuidenhoud has temporarily stepped down from his job to give "special attention" to black-affairs problems in the Western Cape.

The move is seen as a prelude to the demolition of the Crossroads squatter camp, resettlement of "legal" residents in Khayelitsha and the possible repatriation of "illegals" back to the homelands.

Mr Bezuidenhoud has been reported as saying that plans are being made to provide jobs for 10 000 "illegal" breadwinners in the Peninsula. He added that these jobs "could be created in the Peninsula or elsewhere".

However, sources close to black-affairs administration in the area said yesterday that they were sceptical about any suggestions that jobs would be provided for "illegals" in the Cape.

They said it was more likely the jobs would be created in the homelands. This impression has been strengthened by a "secret" visit to Transkei by Mr Bezuidenhoud and Mr Pik Botha, Minister of Foreign Affairs, last week.

However, it has been suggested that some jobs may be provided here to currently "illegal" breadwinners on an annual contract basis, requiring their families to return to the homelands.

Government officials are tight-lipped about the scheme. All inquiries yesterday were referred to Mr Bezuidenhoud, but after attending talks at the H F Verwoerd Building yesterday morning he could not be reached for comment.

Secrecy over plans for 10 000 'illegal' blacks

ARGUS 5/4/84

Labour Reporter

GOVERNMENT plans to create 10 000 jobs for Africans who are "illegally" in Cape Town are still cloaked in secrecy

The chief commissioner for the Department of Co-operation and Development in the Western Cape, Mr Timo Bezuidenhoud, has not yet spelt out details of his promise to create 10 000 jobs to employ "illegals" in the squatter communities

Mr Bezuidenhoud held top-level discussions to discuss the plan. The names of the other parties to the discussions have not been disclosed

When apoproached Mr Bezuidenhoud said it was "very difficult" to comment on the matter

"All I can say is that there have been various meetings, but I don't know when I will be able to comment," he added

The announcement of the employment programme is thought to coincide with the planned resettlement of "legal" Africans from Crossroads to Khayelitsha and the threatened endorsement out of the Western Cape of "illegals'

Speculation that the jobs would be created in Transkei could not be confirmed

The Department of Foreign Affairs declined to comment on the programme, although Mr Pik Botha, the Minister of Foreign Affairs, accompanied Mr Bezuidenhoud to Transkei last week for confidential discussions with President Matanzima

A spokesman for the Department of Co-operation and Development referred all inquiries to Mr Bezuidenhoud

Sapa

CAPE TIMES 13/4/84

Langa: One case every five minutes

Political Correspondent

HOUSE OF ASSEMBLY. — The Langa commissioner's courts processed black cases at the rate of one every five minutes last year.

This emerges from figures given yesterday by the Minister of Co-operation and Development, Dr Piet Koornhof, in reply to a question from Mr Ken Andrew (PFP Gardens).

A total of 7 890 people appeared before the courts in the 630 hours they were in session last year — an average of one case every 4,8 minutes.

The majority of cases heard in the courts relate to pass-law and influx control offences. This separate legal system for black people, under the control of the Department of Co-operation and Development, was criticized in the Hoexter Report

Cape Times 14/4/84

Announcement on Cape blacks coming

Political Correspondent

HOUSE OF ASSEMBLY — The Minister of Co-operation and Development, Dr Piet Koornhof, promised yesterday to make announcements later this month about black people in the Western Cape, including possible new job opportunities.

He was questioned yesterday about the new task given to the Chief Commissioner for the Western Cape, Mr Timo Bezuidenhoud. While Mr Bezuidenhoud retains his post, most of his duties are being taken over by Mr R K Leppan.

Dr Koornhof said Mr Bezuidenhoud was being enabled to give "special attention to certain problems relating to the quality of life of black persons in the Western Cape"

He was asked by Mr Ken Andrew (PFP Gardens) whether new job opportunities were being investigated for blacks in the region. Dr Koornhof said that if new jobs were available, black people would be employed as they had in the past.

Asked if there was a special financial allocation for Mr Bezuidenhoud's new job, Dr Koornhof said he would reserve announcements on the whole issue until the debate on his budget next month.

Study on black single parents

Staff Reporter

IN TWO papers debated at the Carnegie Inquiry into Poverty and Development, black men were criticized for their attitudes towards, and treatment of, women

In a study on the increasing number of women choosing single parenthood above marriage (or remarriage), Ms Virginia van der Vliet of the Department of Anthropology at UCT, drew attention to the growing discontent among black women in Grahamstown regarding the behaviour of men in marriage

In spite of the economic and social disadvantages traditionally suffered by single mothers, Ms Van der Vliet argued that finance was one of the main motivations behind these women remaining single

The women she surveyed criticized men for failing to support them or their children, and for wasting money on "drinking, women or gambling".

"A man who not only refuses to contribute adequately, but actually constitutes a drain on the woman's own resources is often eventually seen as dispensable"

The financial independence enjoyed by single women, even those in lowly-paid jobs, was a major incentive to remaining single and many of the women interviewed expressed the sentiment that "no man is going to tell me how to spend my money"

Remaining single was also seen as a way of controlling one's fertility, and therefore, indirectly, one's economic position, she said

"Given that men are often in favour of a large family, that they may not regard their family as complete until the wife has produced a son, or that they actively discourage, even forbid the use of contraception in the belief that it might encourage the wife to be unfaithful, women often find themselves having more children than they want or can afford"

The authors of a paper on child-care and the working mother criticized black men for failing to support their wives in their struggle for liberation, and for increasing women's burden by making them solely responsible for domestic duties and child care.

They emphasized the need to free women workers to participate more fully in labour struggles.

Pass laws 'key to domination'

Staff Reporter

MORE THAN 17 million people have been arrested or prosecuted under South Africa's pass laws and influx-control regulations since the beginning of this century, according to figures submitted to the Carnegie Inquiry

In a paper dealing with the "disorganization and reorganization of the African population in South Africa", Professor Michael Savage, of the University of Cape Town's sociology department, argues that these laws are a key part of the "legal administrative apparatus aimed at maintaining white domination" in South Africa

Declining pass-law prosecutions (from a daily average of 1 703 in the late Sixties to a daily average of 530 from 1981 to 1982) are ascribed to new methods of pass-law enforcement and the progressive tightening-up of influx controls

Professor Savage lists the government's failure to provide black housing in white areas, resettlement policies, the creation of black dormitory towns behind homeland borders yet close to white urban areas, threats of legal action against the employers of illegal labour and repatriation of illegals as some of the measures outside pass arrests which control the movement of blacks in this country

"What has been taking place is the creation of new forms of influx control," he said

According to Professor Savage, the influx-control measures create a contradictory dynamic by worsening the overcrowding and poverty in the homelands and thus reinforcing the pressures on people to enter the central economy to survive

"This in turn leads to new efforts to apply influx control The more efficient influx controls become, the more necessary it has become for people to violate them"

'Foreign' UIF offices hinder workers

CAPE TIMES 24/4/84

Staff Reporter

THE BLACK Sash Advice Office has focused attention on problems encountered by people trying to claim unemployment benefits, according to a report of its activities in March

Ciskeian and Transkeian contract workers experienced delays and problems because their governments' Unemployment Insurance Fund offices were in another country

"The UIF contributions levied from contract workers from Ciskei and Transkei are paid by the South African Government to those two governments," the report explains

"Transkeian contract workers, if they lose their job, have to return to the area from whence they were recruited and make their applications to the magistrate there

"Ciskeian contract workers, according to the consul-general, should apply to the headquarters of the UIF in Zwelitsha with their blue cards" (The Ciskei administrative centre is in Zwelitsha, outside King William's Town)

The Black Sash report cited an example of misunderstandings in attempts to claim unemployment benefits

"A contract worker was fired for asking for an increase in his wages He was paid out only R150 and his railfare back to Transkei after the intervention of the contracts commissioner (to whom we sent him) Only at this point did the company apply for a UIF card for him — so there will be a number of months' delay before the card arrives and his application can be processed"

● The February report of the Black Sash Advice Office quoted figures showing the number of pass offences convictions in the Cape Peninsula had dropped from 9 363 in 1982 to 3 209 in 1983, while figures for the rest of the country had shown a 42 percent increase

"The only reason that we can think of for this decrease is that the Administration Board officials have spent a large amount of time raiding various squatter communities to demolish plastic shelters and confiscate goods

"The raids seem to have concentrated on the demolitions of unauthorized structures rather than the arrest of their occupants," the report said

Parliament and Politics

Memani faction running from arrest

Staff Reporter

MR OLIVER Memani, the former Crossroads faction leader whose group was thrown out of Crossroads by the followers of rival leader Mr Johnson Nxobongwana, now heads a sad group of temporary dwellers at KTC

"My people no longer erect even plastic shelters in the KTC bushes, because they are constantly running from arrest," Mr Memani said

During an Easter weekend of constant patrolling by inspectors, Mr Memani collected the names of 263 residents and their 256 children and attached them to an appeal to the administration board

"The inspectors should stop interfering with the people every now and then until the board gives us a place to settle", the appeal said

On each of 14 pages attached to his petition, names, surnames, and former Crossroads shack numbers are written Mr Memani hopes that the authorities will be moved by his appeal

Winter

He stressed that he and his followers were not fighting against the inspectors

"We are just claiming a place to stay," he said

Despite the increase in raids and patrols, nobody from KTC had been arrested in the past few weeks, because they all avoided arrest, he said

However, winter was approaching and the raids were becoming unbearable "Lately, the inspectors have come three times a day," he said

Earlier this year, when Mr Memani approached the Western Cape Administration Board to secure help for the homeless, the board's liaison officer, Mr Gert du Preez, said emergency housing might be provided for homeless "legals" at Khayelitsha

"But the board is under no obligation to supply housing to people illegally in the Western Cape", he said

CAPE TIMES 208

Children in jail

28/4/86 2nd 208

Political Correspondent

HOUSE OF ASSEMBLY — A total of 70 black children accompanied their mothers to jail last year after sentences in the Langa commissioners' courts

This information was given to Parliament by the Minister of Co-operation and Development, Dr Piet Koornhof, in reply to questions from Mr Ken Andrew (PFP Gardens)

Dr Koornhof said 28 children were under one year, 31 between one and two and 11 over the age of two

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(1) Administration Board. Highveld

(a) Lebowa	39 254
(b) Gazankulu	4 740
(c) Qwaqwa	6 868
(d) KaNgwane	6 184
(e) KwaZulu	6 789
(f) KwaNdebele	17 476
(g) Venda	843
(h) Bophuthatswana	2 009
(i) Ciskei	335
(j) Transkei	6 326

(2) (a) Commuters 8 357
(b) Migrants 82 467

(1) Administration Board· Northern Cape

(a) Lebowa	40
(b) Gazankulu	31
(c) Qwaqwa	54
(d) KaNgwane	12
(e) KwaZulu	285
(f) KwaNdebele	7
(g) Venda	5
(h) Bophuthatswana	36 850
(i) Ciskei	732
(j) Transkei	1 981

(2) (a) Commuters 10 176
(b) Migrants 29 822

The numbers given under (1) represent workers requisitioned while the numbers given under (2) represent workers that accepted employment

201 Hansard

Influx control/identity documents

Q.Col.1175 9/5/84

526 Mr K M ANDREW asked the Minister of Co-operation and Development

(1) What was the total (a) amount in fines and (b) number of days in respect of sentences imposed on Blacks in 1983 in the (i) Cape Peninsula and (ii) rest of the Western Cape for offences relating to influx control and identity documents,

(2) (a) (i) how many persons paid fines and (ii) what was the total amount paid in such fines and (b) (i) how many persons served sentences, and (ii) what was the total number of days served by such persons, in each of the above-mentioned areas in that year?

The MINISTER OF CO-OPERATION AND DEVELOPMENT·

	(i)	(ii)
(1) (a)	R224 810	R185 525
(b)	225 660 days	163 985 days.

(2) (a) (i) 7 144

(ii) R313 787

(b) (i) and (ii) Unknown These matters are administered by the Department of Justice

Hansard

Family housing units

Q.Col.1176 9/5/84

678 Mr P G SOAL asked the Minister of Co-operation and Development

(1) (a) How many family housing units were built in 1983 in each national state by (i) the national state authority, (ii) private owners and (iii) the South African Government and (b) what was the total amount spent by each in respect of each national state;

(2) whether there is a shortage of housing units in any national states, if so, how many units are required in respect of each national state,

(3) whether any family housing units are being built in the national states at present by (a) the national state authority, (b) private owners and (c) the South African Government, if not, why not, if so, (i) how many units are being built by each in each national state and (ii) when are they due to be completed in each case?

The MINISTER OF CO-OPERATION AND DEVELOPMENT·

			(i)	(ii)	(iii)
(1)	(a)	Lebowa	Unknown	Unknown	540
		Qwaqwa	,,	140	1 650
		KwaZulu	,,	Unknown	2 520
		KaNgwane	,,	,,	580
		KwaNdebele	,,	,,	201
		Gazankulu	,,	,,	Nil
		Other South African Development Trust Land	,,	87	170
			(i)	(ii)	(iii)
	(b)	Lebowa	Unknown	Unknown	R2 418 464
		Qwaqwa	,,	R840 000	R6 400 000
		KwaZulu	,,	Unknown	R5 370 267
		KaNgwane	,,	,,	R1 260 000
		KwaNdebele	,,	,,	R1 600 000
		Gazankulu	,,	,,	Nil
		Other South African Development Trust Land	,,	,,	R1 800 000

(2) It is not possible to give a completely accurate figure as the shortage of housing also depends on the actual demand It is estimated that the shortage in terms of units is as follows

Lebowa	18 000
Qwaqwa	24 000
KwaZulu	75 000
KaNgwane	5 600
KwaNdebele	3 500
Gazankulu	1 500
Other South African Development Trust Land	14 800

(3) (a) Yes

(b) Yes.

(c) Yes

The number of houses which are being built by the national states are not known

The number of houses which are being built by private owners are not known

The South African Government has implemented self-build schemes within all the national states and does not build family housing units except in exceptional cases Approximately 200 housing units are being built at the moment.

The progress with self-build schemes depends on the availability of funds and consequently dates on which schemes will be completed cannot be determined

540 Hansard

Family housing units 9/5/84

Q.Col.1178

686 Mr P G SOAL asked the Minister of Co-operation and Development

(1) (a) How many family housing units were built in each specified township in the Highveld area in 1983 by (i) the Highveld Administration Board, (ii) private owners and (iii) any other specified organization and (b) what was the total amount spent by each in respect of each township,

(2) whether there is a shortage of housing units in any townships in the Highveld area, if so, how many units are required in respect of each township,

47 board officials sue Cape paper

Cape Times 16/5/84

By EBRAHIM MOOSA

FORTY-SEVEN individual inspectors of the Western Cape Development Board (WCDB) have sued the fortnightly community newspaper "Muslim News" for a total of R399 500 in a claim for defamation

The firm of attorneys acting on behalf of Muslim News — Omar, Vassen, Sonn and Abercrombie — yesterday confirmed that summonses of R8 500 from each of the 47 WCBD inspectors in their individual capacity had been received Muslim News, however, had lodged a "notice of intention to defend" at the Supreme Court, Cape Town, Mr Ramesh Vassen said

A spokesman for WCDB, Dr Gert du Preez, yesterday confirmed that a number of officials had sued the newspaper "in their personal capacity" He could not, however, confirm the number of officials or the sum of money involved

The law suit involves an article the newspaper published in 1982 concerning certain businessmen, board inspectors and permission to employ "so-called illegal labourers".

A spokesman for attorneys Bornman & Hayward, acting on behalf of the 47 inspectors, said they would now file affidavits Initially, the cases of about five plaintiffs would be heard to give an indication as to how the remaining ones should be proceeded with

The claim was brought against Muslim News (Pty Ltd), the publisher, Mr Farid Sayed, and the printers, S&S Printers, of Athlone

The paper was founded in 1961 and primarily deals with issues affecting the Muslim community in the Cape

CAPE TIMES 24/5/83

Court told of assault by WCAB officials

Supreme Court Reporter

THE Supreme Court heard yesterday that two officials of the Western Cape Administration Board (WCAB) attacked a Diazville man, Mr Patrick Moss, after he had objected to their arresting a pass-law offender

Mr Moss, 26, is claiming damages of R6 000 from the WCAB after the alleged assault by the Malmesbury board officials, Mr Johan Frederick Bester and Mr Barend Jacobus Swart, on February 3, 1982.

In papers before the court, the two officials admitted striking Mr Moss, but claimed they had done so lawfully and their actions had not amounted to assault.

Giving evidence before Mr Justice Fagan, Mr Isaac Madibeng said he had been standing outside a neighbour's house in Diazville, near Saldanha, when the officials came to arrest him

"Mr Bester came into the yard towards me He was going to catch me for pass offences He's done it about four times before already," said Mr Madibeng

"Patrick told Mr Bester to leave me as he (Mr Moss) was going to take me to Cape Town then anyhow Mr Bester told Patrick 'It's got nothing to do with you and I don't want to speak to you' and brushed him aside"

Mr Bester then hit Mr Moss on the side of the face with the palm of his right hand, Mr Madibeng said Mr Moss retaliated by grabbing the official's arms and pinning them to his side

"Then they wrestled and I saw Mr Swart climbing over the fence He pulled a truncheon out and hit Patrick between the shoulder blades"

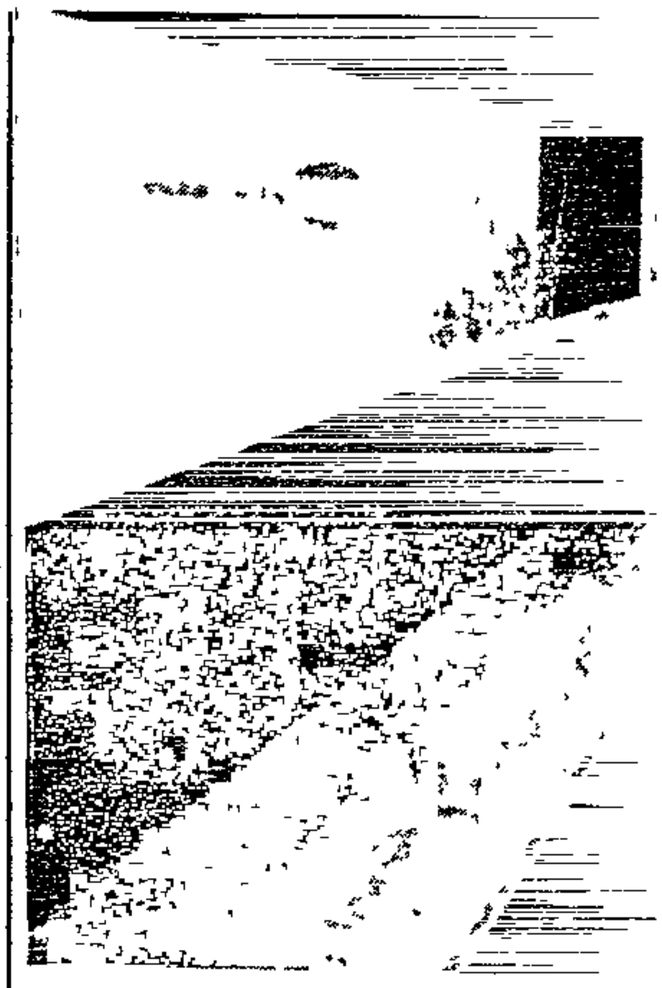
Mr Madibeng said a group of women and children were present at the scene and they pleaded with the officials not to hit Mr Moss Before he made his escape, he noticed that Mr Moss was lying on his back on the ground, kicking in the air "as they were still hitting him"

He said that when he saw Mr Moss a day later, his shirt was blood-stained and torn

In papers, it is claimed that Mr Moss suffered bruises on his back and shoulder areas and that his right eye had been "grossly" swollen

The hearing continues today

Mr P Loubscher, instructed by Mr W Booth, of Keith Hambin and Company, appeared for Mr Moss Mr J A le Roux, instructed by Bornman and Hayward, appeared for the WCAB



The chairman of the Divisional C
Jill Wheeler, at the opening of i
Bird Sanctuary on Tuesday. Th
Hide, has been erected in hono

Salt River take-away robbed

Crime Reporter

ROBBERS fired a shot during a holdup at a Salt River take-away shop on Tuesday night but the bullet crashed into a showcase and no one was injured

Two men, one with a handgun, entered Zorba's Take-Aways about 6pm and threatened the 63-year-old owner, Mrs Cynthia de Nobrega, police said

A shot was fired into a showcase and the men fled from the shop after robbing Mrs De Nobrega of R250 "The shot was not fired at me It all happened so quickly, I don't remember anything else," she said

Police investigations are continuing but no arrests have been made

● Police have arrested a 31-year-old man in connection with a R7 000 armed robbery at a Stikland petrol station in February, but the cash has not yet been recovered

Mr George Dywali, an attendant at Foxford Motors in Rug Road, was allegedly threatened by two men — one with a handgun — and ordered to open a safe containing R7 076 on February 4

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Staff

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THE MIELE PROMISE-
QUALITY AND
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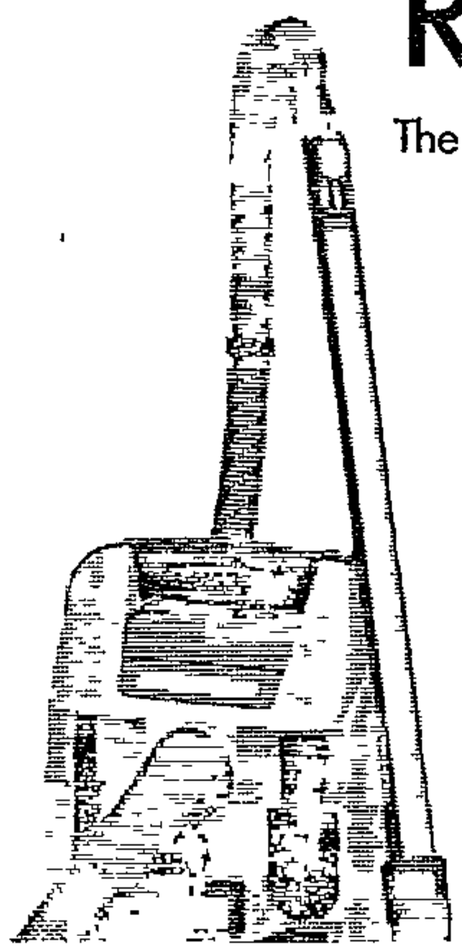

The S240i Automatic Vacuum Cleaner has a special difference. Electronically controlled suction power increases and decreases automatically to the correct level, depending on the surface. Choice of four different settings. Available in nevada beige.

R249

The S230i model possesses many of the same excellent qualities. A 1000 W fan ensures enormous suction power. Available in classic white.

R100

Labour pains

AS early as 1902, a Transkei magistrate reported that three out of every four fit and healthy black males were migrant workers In 1914, missionaries reported that the African reserves were "utterly dependent on the earnings sent home by migrant miners" and that the reserves were little more than mining villages

The exodus continued until in 1955 the Tomlinson Commission found that two out of five males between the ages of 15 and 65 were working in industrial areas The commission further found that all men became migrant workers at some stage in their lives Recently Charles Simkins, an economist at the University of Cape Town, estimated that in 1983 there were 1 437 000 migrants and that more than three-quarters of homeland residents lived below the urban breadline Cape Herald Staffer ESTELLE RANDALL looks at some of the problems facing the migrant labourer

IN 1955 the "Grand Plan", in which the Western Cape was to become a coloured labour preference area was announced.

This should have meant the removal of all Africans but today, almost 30 years later, more blacks than ever are living and working in the Cape

Minister of Co-operation and Development, Dr Piet Koornhoff, recently estimated that there were about 60 000 "illegal" blacks living in in the Western Cape

Among both the "legals" and "illegals" are many migrant workers and the determination of these workers to seek work where employment is plentiful has presented the State with a problem which many believe they will never be able to overcome

Numerous laws have been passed in an effort to stem the black tide but despite this, the flow to the city continues

A migrant worker was defined by researcher Francis Wilson in his 1976 work as a worker who spends time living between his home and work because the distance between the two places is too great for the worker to commute to and from work daily

Migrant workers, who are always black in Southern Africa, live at work without their families

And often they are forced to live under squalid conditions

● *THAT dreaded moment when you are asked to produce your passbook . . .*

'I miss my family'

SIMON Mahlangu (not his real name) is a migrant worker and, like all migrant workers, he is lonely, very lonely

"I miss my family," he says gloomily "They live in the Transkei

"I have five children, the youngest one year old"

Mr Mahlangu sees his children for only three weeks at the end of every year He says "When I get home they often don't remember me.

"The last time I was there my youngest ran away from me crying He didn't know the stranger

"It really hurts to see this, to realise that they don't know I'm their father It is only in the second week that we get used to each other, get friendly with each other"

NO PLACE

He says he has thought of bringing his wife and family to live in Cape Town but he has no place to house them

"Maybe I'll go to live in Crossroads eventually. I love my family very much and though we do write to one another, my wife and I, it is not enough You know, I can't even remember how old my eldest child is"

Mr Mahlangu writes to his wife every fortnight when he sends his money — about R40 of the R130 which he earns

Mr Mahlangu first left the Transkei in 1949 to look for work and he arrived in Cape Town in 1963 by way of Butterworth, Port Elizabeth, Stutterheim and Johannesburg

HOSTEL

Looking back to the early days of working in the city, he says "When I first started working in Cape Town I earned R6 a week and lived in a hostel

"There were three of us to a room, in which we had to do everything — cook, sleep, eat, wash There were no proper bathroom facilities

"By comparison, this hostel is not too bad here we at least have a kitchen and eating place and the rooms are cleaner"

The building in which Mr Mahlangu lives is a relatively new hostel It is one of the better sort, equipped with a kitchen, inside taps and a common room in which there is a television set. Some men have their own rooms, others share (two to a room) Bathroom facilities are outside

And the worst thing about being a migrant worker, besides the fact that you're separated from your family, he says, is that you don't have much choice jobwise

"If you hear of a better paid job somewhere you can't resign and apply for it You have signed a contract and if you want to help your family to live you have to tolerate whatever comes."

Contract renewal a sore point

"TROUBLESOME" migrant workers often find the law used against them, says Dave Lewis, general secretary of the General Workers' Union

'We have found that even when we've had an unfair dismissal overturned, the bosses try to get at workers They often wait until the end of a contract period and then refuse to renew a worker's contract

"Recently a court ruled against this practice, but the bosses still do try to get away with it

"In our agreements that we draw up we have a clause which says that to refuse to renew a worker's contract is tantamount to firing him and the usual firing procedure must be adhered to The end of contract must not be seen as a break in the worker's contract

"Where we have recognition agreements with companies, this arrangement works well"

Rounded wherever they try to set up home

CONTRACT worker Biza Samuels lives in Crossroads. He and his family come from Willowvale in the Transkei.

Although his wife does not have residence rights, soon after he arrived in Cape Town, he decided to bring his wife and children to live with him whatever the difficulties they might encounter Today they and 11 others, four of them children, live in a four-roomed wood and iron shack in Crossroads

"I had a smallholding in the Transkei but it is neglected now because there is no-one to look after it My parents still live there but they have their own land to attend to," he says

"It was bad living there There is no work and when there is no rain we cannot eat We used to grow mealies, cabbage and pumpkin

UNPLEASANT

"I came to Cape Town in 1962, living at first in the Langa barracks but conditions there were unpleasant — worse than those of horses in a stable — and I decided to rather get my family down here and to squat in Modderdam, where conditions were better

"After Modderdam was demolished, we went to Hout Bay and we came here after been hounded out of Hout Bay

DIFFICULT

Meanwhile he had had a succession of jobs and eventually lost his last permanent job in 1980 "because they didn't need so many workers anymore"

"Things are very difficult here — I have to support my seven children and my wife. Neither my wife nor I have found work Then we also have the inspectors carrying out raids here.

"My wife, children and I have all been arrested The youngest child is seven months old and the eldest, seven years old. I was once jailed for three months

"We would like the demolitions to stop but if they don't we'll continue to rebuild our shelters We only want to live a decent life with our families Is this wrong? Why is this illegal?"

Dodging the long arm of the law

MIGRANT workers are subject to many laws, but by far the most vicious has been the Pass Laws

These laws are based on the principle of returning to the "homelands" all those Africans not needed for work in the urban areas.

The Stallard Commission in 1921 stated that: "The native should only be allowed to enter the urban areas which are essentially the white man's creation, when he is willing to enter and minister to the needs of the white man and should depart therefrom when he ceases so to minister."

The Black (Urban Areas) Consolidation Act of 1945 embodied this principle. A number of amendments followed. An important one was that of 1952 which, among other things, extended influx control regulations to all urban areas and included women in its provisions. In terms of this Act a black person could only remain in an urban area for more than 72 hours if he could provide certain guarantees including:

● that he has, since birth, resided continuously in such area; or

● he has worked continuously in such area for one employer for a period of not less than 10 years or has lawfully resided in such area for a period of not less than 15 years, and has thereafter continued to reside in such area and is not employed outside such area and has not during the period or thereafter been sentenced to a fine exceeding R500 or to imprisonment for a period exceeding six months

TIGHTENING

Recently the further tightening up of the pass laws was mooted — the Orderly Movement and Settlement Of Black Persons Bill The bill, which aimed at dividing Africans into permanent urban residents (PUR's), authorised, and unauthorised residents, would have severely reduced migrant workers' chances of ever getting permanent urban resident status.

The measure which, if it had become law, would have affected about nine-tenths of the Africans in Cape Town was, however shelved after widespread protest and criticism.

Instead, existing legislation will be amended to ensure efficient control of black entry into urban areas. There is also the Administration of Persons of the Republic Act of 1972 which provides for the deportation of foreigners. All migrant workers are defined as "foreigners".

Beware liberals, students warned

AT the first annual meeting of the Azanian Student Movement(AZASM) in the Western Cape, the organisation's commitment to Black Consciousness was reaffirmed. It was seen as the only ideology revolutionary enough to bring about a radical transformation of South Africa

The new executive of AZASM (Western Cape) is Puke Maserumule (chairman), Sipho Vanga (vice-chairman); Shamikazi Kakazi (secretary)

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Minister

with reference to his reply to Question No 718 on 12 April 1984, amount of R711 120,89 paid to the Durban Corporation for 108,6151 hectares covers the full development cost of the first phase of 52 hectares referred to in his reply to Question No 9 on 9 March 1984; if not, what was the total cost (a) of the development of this phase and (b) incurred in relation to any other portions of the Umkubaan area?

†The MINISTER OF MINERAL AND ENERGY AFFAIRS (for the Minister of Community Development)

No The amount of R711 120,89 must be increased by R30 967,85 in respect of interest to a total of R742 088,74 At the same time the size of the land of 108,6151 ha must be decreased to 87,5 ha because 21,1 ha will be utilized for the Indian Teachers Training College

(a) The development cost of the first phase presently amounts to R4 684 836,34 but this figure is not final

(b) None

Durban: shooting incident

*7 Mr P C CRONJÉ asked the Minister of Transport Affairs

(1) Whether the South African Railways Police have held an inquiry into a shooting incident on a Durban station platform on or about 24 May 1984, if so, (a) what was the (i) nature and (ii) scope, and (b) who was in charge, of the inquiry,

(2) whether the inquiry has been completed; if not, (a) why not and (b) when will it be completed; if so, what were the findings,

(3) whether he will make a statement on the matter?

The MINISTER OF CO-OPERATION AND DEVELOPMENT (for the Minister of Transport Affairs)·

(1) Yes

(a) (i) and (ii) Statements were taken from eyewitnesses and a security guard of Transport Services was arrested on a charge of murder and two of attempted murder He appeared in the Magistrate's Court, Durban, on 25 May 1984 and the case was postponed until 6 July 1984

(b) A lieutenant of the SA Railways Police, Durban

(2) No

(a) The police investigation is proceeding

(b) Before 6 July 1984.

(3) No, as the matter is *sub judice*

201

Hansard

Transkei: employment projects

Q. Col. 1524 8/6/811

*8 Mr K M ANDREW asked the Minister of Foreign Affairs

(1) Whether the South African Government held discussions with the Transkei Government during the first half of 1983 concerning employment projects to be undertaken in Transkei; if so, (a) when, (b) over what period

were they to be undertaken and (c) what was the estimated total cost involved;

(2) (a) (i) what amount in financial aid was to be provided by South African and (ii) on what terms was this aid to be provided and (b)(i) how many employment opportunities were to be created and (ii) what was the nature of the employment to be provided;

(3) whether any conditions relating to the allocation of these employment opportunities were (a) requested and/or (b) required by the South African Government, if so, (i) what conditions and (ii) why,

(4) whether Blacks in the Western Cape were to be given preference in the allocation of these employment opportunities, if so, (a) how many and (b) on what basis,

(5) whether agreement was reached on these projects, if so, when are the projects due to (a) commence and (b) be completed, if not, why not,

(6) whether any subsequent attempts have been made to reach agreement on employment projects in Transkei, if so, (a) when and (b) with what results in each case?

The MINISTER OF INTERNAL AFFAIRS (for the Minister of Foreign Affairs) (Reply laid upon the Table with leave of House)·

(1) Yes

(a) Discussions were held on 21 January, 18 February; 3, 4, 10 and 11 March, 9 and 21 June 1983

(b) The employment projects discussed included short term actions for immediate implementation while medium and longer term actions were also considered. The short term actions were envisaged to take place over 2 years after which the program would be reviewed

(c) The initial cost estimate of the short term actions was R3 000 000 per year

(2) (a) (i) R3 000 000 per year

(ii) As non-recoverable financial assistance

(b) (i) 4 000

(ii) The nature of employment to be created was for maintenance work at clinics, hospitals, defence installations and plantations as well as soil conservation work, tertiary road maintenance and construction and the development of water resources on a small scale

(3) While primarily aimed at unemployed persons within the borders of Transkei, room was left for the employment of persons illegally resident in the Western Cape, who returned to Transkei

(a) Yes

(b) (i) South Africa requested that of the 4 000 jobs to be created, 1 000 should be allocated to Transkeians who returned from the Western Cape These new jobs were to be allocated on a 3 to 1 basis ie that after an initial 2 500 jobs for resident Transkeians had been created some 1 000 returning Transkeians would be em-

ployed under the program after which a further 500 locally resident Transkeians could be employed

(ii) To assist the Transkei Government in combatting unemployment while at the same time ensuring that jobs would be available for Transkeians returning from the Western Cape

(4) Yes

(a) 1 000

(b) On the basis set out in (3)(b)(i) above

(5) Agreement has been reached regarding projects providing 2 500 jobs for resident Transkeians

(a) The projects were initiated in March 1983 and the 2 500 jobs so far created were filled during the 1983–84 financial year

(b) The further implementation of the program has not yet been finalized

(6) Yes, it is a continuing process

(a) Various meetings were held in the latter part of 1983 as well as in 1984.

(b) Most, if not all, of the problems concerning the administration of the current program employing 2 500 persons have been resolved The planning of extensions or supplements to the existing program is in an advanced stage and is being continued

Blacks employed by Development Boards

*9 Mr K M ANDREW asked the Minister of Co-operation and Development:

Whether any Black persons hold posts equal or senior to that of housing manager in the employ of any Development Board, if not, why not, if so, (a) what posts in respect of each specified Development Board and (b) what (i) salary scales are applicable to, and (ii) qualifications are required for each of these posts?

†The DEPUTY MINISTER OF CO-OPERATION

It is not clear what is meant by the term "housing manager".

(a) Only two posts exist that can possibly be brought within the rather vague definition of "housing manager" Both are on the establishment of the Orange Vaal Development Board

At all Development Boards posts of various gradings exist that cannot be brought under this definition, although the incumbents are engaged in the administration of housing. Black Training Officers and Black Social Workers hold posts equal to or higher than that of "housing manager" at some Development Boards

(b) (i) R12 030 × 570 – 14 880 plus an allowance of 12% per annum in the case of Training Officers R8 820 × 414 – 10 890 × 570 – 14 880 plus an allowance of 12% per annum in the case of Social Workers

(ii) For appointment to the post Training Officer an appropriate University degree and at least three years experience in the rank of Senior Clerk is required, while for appointment to the post of Social Worker registration with the Council for Social and Associated Workers is required.

Coloured schools: materials/text books

†10. Mr R M BURROWS asked the Minister of Internal Affairs

(1) Whether any Coloured schools had not received their requisitions of school (a) materials and (b) text books for 1984 from his Department by 31 May 1984; if so, (i)(aa) how many schools and (bb) why in each case and (ii) what materials had not been supplied by that date,

(2) whether any teachers have been (a) requested and (b) required to purchase text books in order to implement school syllabuses, if so, why;

(3) whether he will make a statement on the matter?

The DEPUTY MINISTER OF INTERNAL AFFAIRS

(1) (a) and (b) Yes, there are schools that have not received all the materials and text books requisitioned

(i) (aa) Approximately 800 in respect of materials and 538 in respect of text books

(bb) The reply is incorporated in the reply to (3).

(ii) There are numerous items of material that can be and are requisitioned It is not practical to name every item but the materials that have not been supplied fall within the general description of art and stationary items

(2) (a) and (b) No

(3) It must be borne in mind that requisitions are normally made to supplement existing stock and that the fact that any particular requisition has not been carried out does not mean that the school is necessarily without stock of any particular item Whilst it remains the ideal to supply all educational institutions adequately and without delay with stationary, materials and text books, one cannot disregard the fact that the quantities, the procedures and the numerous suppliers and contractors involved in the process do carry a risk of delay in the execution of orders All education departments at some time or another experience difficulties in having requisitions, text books, etc supplied in time From the Department's side everything possible is being done to adequately supply schools and the fact that the outstanding text books represent only 2% of the total expenditure of text books, is an indication of the fruits of its efforts

*11 Mr R M BURROWS—Community Development—Reply standing over

Prohibition of Political Interference Act

*12 Mr S S VAN DER MERWE asked the Minister of Internal Affairs

(1) Whether he recently received any representations from any Coloured political parties concerning the Prohibition of Political Interference Act, No 51 of 1968, if so, (a) when, (b) from which parties and (c) what was (i) the nature of the representations and (ii) his response thereto,

(2) whether he indicated in May 1984 that he would effect certain amendments to this Act, if so,

(3) whether he intends effecting any

R3m a year spent on job-creation works

Cape Times 9/6/84 201

Political Staff

HOUSE OF ASSEMBLY. — South Africa was spending R3-million a year on job-creation projects for Transkeians, including those "illegally" resident in the Western Cape, the Minister of Internal Affairs, Mr F W de Klerk, disclosed yesterday

Responding to a question from Mr Ken Andrew (PFP Gardens) on behalf of the Minister of Foreign Affairs, Mr Pik Botha, Mr De Klerk said this "non-recoverable financial assistance" was being provided in terms of an agreement with Transkei to create 4 000 jobs as part of a two-year programme

The projects were initiated in March last year and 2 500 jobs had already been created in the 1984-85 year, he said

"While primarily aimed at unemployed persons within the borders of Transkei, room was left for the employment of persons illegally resident in the Western Cape who returned to Transkei," he said

Regarding the conditions under which the agreement was struck, Mr De Klerk said South Africa had requested that of the 4 000 jobs to be created, 1 000 should be allocated to Western Cape blacks who returned to Transkei

In terms of the agreement, after an initial 2 500 jobs for resident Transkeians had been created, some 1 000 "returning Transkeians" would be employed under the programme, after which a further 500 locally-resident Transkeians could be employed

Mr De Klerk said the sort of jobs created by the programme included maintenance work at clinics, hospitals, defence installations and plantations, as well as soil-conservation work, tertiary-road maintenance and construction and the development of water resources on a small scale

"Most, if not all, of the problems concerning the administration of the current programme employing 2 500 persons have been resolved."

August treason trial

Political Staff

THREE people, one of them a national servicemen, are to appear in court on August 1 on charges of high treason

A further four people, whose names have not yet been released, are also to be charged with high treason and alternative charges under the Internal Security Act and Terrorism Act.

This was disclosed yesterday by the Minister of Justice, Mr Kobie Coetsee, who was replying to a question from Mr Phillip Myburgh (PFP Wynberg)

The three are Mr Ronald Hunter, 25, who was attached to Defence Headquarters in Pretoria, Mrs Patricia Murray, 25, and Mr Derek Hanekom, 30 Mrs Murray is married to Mr Hanekom

Mr Hunter is the brother of Miss Catherine Hunter, who was detained last year as a possible witness in the trail of Carl Niehaus, who was jailed for high treason last year

The three first appeared in court on April 26

The minister said preparations in connection with the trial of the four were currently being made but it was not possible to say at this stage when they would appear in court.

Earlier this year, the Minister of Law and Order, Mr Louis le Grange, disclosed that the arrests had resulted from investigations into the activities of Carl Niehaus

The chief of the security police, Major-General Frans Steenkamp, confirmed last December that five people had been arrested, some of them on a farm in the Magaliesberg

Labour export down

BISHO — Recessionary conditions continued to compound Ciskei's unemployment and the crippling drought had forced many farmers off the land

The Minister of Manpower Utilisation, Chief Lent Maqoma, said in his policy speech here yesterday that although numerous job opportunities were being created in Ciskei, many thousands had no choice but to become migrant workers in South Africa

Chief Maqoma said the economic climate in South Africa had not improved and businessmen to the contrary, as indicated by the fact that Ciskei's export of labour" had dropped from an average of 2 000 a month in 1982 to 1 700 a month during the past year

The labour market remained fiercely competitive and he appealed to chiefs to ensure that their subjects knew of the situation before they were recruited to work in South Africa

Whenever and wherever possible, orientation courses were given to all migrant workers, but despite this reports of abscondments and other social evils continued to prevail All these had an adverse effect on their relationship with employers — DDR

Cape Times 27/6/84

'Illegal' Charges against bookseller

Staff Reporter

CRIMINAL charges are to be pressed against the owner of a Long Street bookshop who allegedly employed an "illegal" black woman as a casual cleaner.

This was confirmed yesterday by the director of the Western Cape Development Board, Mr J Gunter

The bookshop owner, Mr Irving Freeman, and the MP for Pinetown, Mr Roger Burroughs, were threatened with arrest on Monday morning when WCDB inspectors arrived at the shop to apprehend the woman, Ms Cynthia Mpaka

Mr Gunter said the board was not prepared to comment in detail on Mr Freeman's "allegations", published in yesterday's Cape Times, nor on "the involvement of the MP for Pinetown at this stage".

He said that the woman who was arrested was an "adult female aged 25", not a "16-year-old Xhosa girl" as reported

He said her mother is living in Transkei, not in Cape Town

Mr Gunter denied that either he or the WCDB's press liaison officer, Dr Gert du Preez, were approached at any time for comment, and said the statement that he was not available for comment was incorrect

● The Cape Times did telephone the WCDB a number of times on Monday afternoon but was told initially that Dr Du Preez was out and later that he had gone home A request for his home number was refused.

WCDB official lays charge

CAPE TIMES 28/6/84 (201) ~~206 350~~

Staff Reporter

POLICE are investigating a crimen injuria complaint lodged by a Western Cape Development Board official after the arrest of a young "illegal" cleaner at a City bookstore on Monday.

The MP for Pinetown, Mr Roger Burrows, and the owner of the Long Street bookstore, Mr Irving Freeman, were allegedly threatened with arrest during an altercation with two WCDB officials who arrived to take away a casual cleaner, Miss Cynthia Mpaka.

According to police, who said Miss Mpaka was 19, she was fined R70 (or 70 days) in the Langa Commissioner's court on Tuesday for being in the Western Cape "illegally". Her sentence was suspended for 12 months Mr Freeman said "Two police detectives arrived at my shop on Tuesday morning and told me they were investigating a charge of crimen injuria lodged by one of the WCDB officials

"I was told I had allegedly injured the dignity of one of the inspectors"

The director of the WCDB, Mr J Gunter, said earlier this week that Mr Freeman would be prosecuted for employing an "illegal" black woman

Mr Gunter said Miss Mpaka was an adult female, aged 25, not a 16-year-old Xhosa girl as had been reported. Mr Freeman said he had understood Miss Mpaka was a minor living with her mother and a child should be allowed to live with her parents

A police liaison officer for the Western Cape, Captain Gerhard van Rooyen, said yesterday police had opened a dossier and were investigating the official's complaint.

'Shocking' sentences for 'illegals' reduced

SAPL - TIMES 29/6/84

By ANDREW DONALDSON

FIVE men and 17 women — all "illegals" who were sentenced to three months' imprisonment for being in the Port Nolloth area for more than 72 hours without a permit — yesterday successfully appealed in the Supreme Court against their "excessive and unreasonable" sentences

The sentences, the maximum allowed, were passed on June 11 this year by a Port Nolloth magistrate, Mr P Kotze They were reduced to 21 days and the 22 will be released this weekend

Their appeals against their sentences were not opposed by the State

In his reasons for sentence Mr Kotze said he was not going to give the 22 a choice of paying a fine and he described the sentences he imposed as "shocking"

"The court usually acts in a sympathetic manner and as a result only the minimum fine with the alternative of a prison sentence is imposed

"This practice has proved itself effective in handling matters on the court roll quickly, but has not solved the problems that at present affects Port Nolloth to great proportions

"The accused are mostly women that flood into the area They erect their zinc structures which have been evacuated by the Municipality after their undertaking a long-term building project that will give every inhabitant of Port Nolloth a house with water and lights," he said

"Their task has been successful, but soon the old ruins are erected again and the place becomes a squatter town"

Mr Kotze said the women accused had been the direct cause of the influx into the area of Ovambos from Oranjemund, as well as of workers from Alexander Bay Bloeddrif and other areas

"Their brothels not only deal in sex, but also liquor and dagga"

Fines had proven ineffective because they were immediately paid and the "illegals" remained

Because of these reasons the court had to act so "drastically", he said

"The sentences are shocking The effect of the accuseds' sentences will be encouraging though, because within a few days there will be no squatters streaming into this area"

The 22 are Goodman Vumazonke, Goodman Zibi, Ben Mthetlandaba, Katyana Katiba, Ansika Simod, Nambeko Khethani, Brenda Mathambo, Emily Vumazonke, Nomcedisi Mankayi, Evelyn Chongwana, Sabelo Gcina, Evelyn Mlekeli, Miriam Loni Elizabeth Kopi, Julia Jack, Girl Toyitasi, Linda Dondolo, Nomsa Mqa Fundiswa Kopane, Elizabeth Loni, Sofie Mangalie and Ruth Booysen

Miss Justice Van den Heever and Mr Justice Tebbutt heard the appeals Mr B Rörich appeared for the State and Mr J J de Kock appeared amicus curiae for the prisoners

(4) Funds were invested in the Bank concerned by Development Boards.

(5) Yes. The African Bank Limited.

(6) Yes. Ongoing negotiations are being conducted between the Development Boards and the Black local authorities. The total amount is not known yet and is at this stage not readily ascertainable

Newton Park: voters' roll

*13 Mr D J N MALCOMESS asked the Minister of Internal Affairs

(1) Whether the name of a certain person, whose name has been furnished to the Minister's Department for the purpose of his reply, has been removed from the voters' roll for the Newton Park constituency; if so, (a) by whom, (b) on whose instructions, (c) why and (d) what is the name of this person;

(2) whether this person has been registered in another constituency, if so, (a) in which constituency and (b) why,

(3) whether any steps have been taken to rectify the matter, if not, why not, if so, (a) what steps and (b) with what results?

†The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING (for the Minister of Internal Affairs):

(1), (2) and (3) Yes, the name of the person furnished has been removed from the voters' roll for the Newton Park Constituency and reregistered in the Humansdorp Constituency as a result of a clerical error. The matter has been rectified and a written explanation will be furnished to the hon member.

Blacks (Urban Areas) Consolidation Act

*14. Mr R M BURROWS asked the Minister of Co-operation and Development:

(1) Whether any persons in the Western Cape were charged in terms of section 10(4) of the Blacks (Urban Areas) Consolidation Act, No 25 of 1945, in the latest specified period of 12 months for which figures are available; if so, (a) what total number of persons was charged and convicted and (b) what was the age of the youngest person in respect of whom steps were taken in terms of the provisions of this section,

(2) whether any persons were deported to (a) Transkei and (b) Ciskei for contravening the provisions of this section of the Act during the above period?

The DEPUTY MINISTER OF CO-OPERATION

(1) Yes. The particulars given are in respect of the year 1983

(a) Charged 10 805
Convicted 9 558

(b) 16 years

(2) (a) No

(b) No

Blacks (Urban Areas) Consolidation Act

*15 Mr R M BURROWS asked the Minister of Co-operation and Development:

(1) Whether any employers in the area falling under the Western Cape Development Board were charged in terms of the provisions of section 10*bis*(1) of the Blacks (Urban Areas) Consolidation Act, No 25 of 1945, during the latest specified period of 12 months for which figures are available; if so, (a) how many were charged or admitted guilt and (b) what total amount was collected in fines from these employers;

(2) whether any employers were arrested or warned of arrest during this period; if so, why in each case?

†The DEPUTY MINISTER OF CO-OPERATION

(1) Yes. The particulars are given in respect of the year 1983

(a) 1 146

(b) R178 258

(2) No

Durban: certain persons arrested

*16. Mr R A F SWART asked the Minister of Law and Order

(1) Whether any persons were arrested in the Centenary Road/Warwick Avenue area of Durban on or about 23 June 1984, if so, (a) why and (b) at what time were they arrested;

(2) whether they were released on payment of bail, if so, at what time; if not, (a) why not and (b) at what time (i) was bail arranged and (ii) were they released?

The MINISTER OF LAW AND ORDER:

(1) Yes On one occasion on 22 June and on two occasions on 23 June 1984

(a) For sticking posters to public property without permission

(b) At 22h45 on the corner of Gray and Beatrice Streets

23 June 1984 (First occasion)

(a) For attending an unlawful gathering and the illegal distribution of pamphlets.

(b) At 09h30 in Beatrice Street.

23 June 1984 (Second occasion)

(a) For attending an unlawful gathering and the illegal distribution of pamphlets.

(b) At 09h30 in Warwick Avenue

(2) Yes The last of those arrested on 22 June were released at 01h30 on 23 June 1984, while the last of those arrested on 23 June were released at 19h30 the same day

Ingwavuma/KaNgwane

*17 Mr C W EGLIN asked the Minister of Foreign Affairs:

(1) Whether the South African Government has informed the Swaziland Government of its recent decision in regard to the Rumpff Commission of Inquiry into Ingwavuma and KaNgwane, if not, why not, if so, (a) when, (b) in what manner and (c) what was the response of the Swaziland Government,

(2) whether his department has received any representations from the Swaziland Government concerning the Rumpff Commission; is so (a) when and (b) what was the nature of the representations,

(3) whether the South African Government is to hold talks with the Swaziland Government on the KaNgwane/Ingwavuma issue, if not, why not, if so, when,

(4) whether he has taken or intends to take any steps to initiate direct talks between Swaziland, KaNgwane and

Incoming blacks 'counted'

By RIAAN DE VILLIERS
Labour Reporter

THE government has set up round-the-clock checkpoints to monitor the influx of all blacks into the Cape Peninsula.

The checkpoints have been set up on the national roads at the bottom of Du Toit's Kloof Pass and Sir Lowry's Pass — the two main arteries into the Cape.

All traffic — particularly buses — carrying blacks from the homelands are being stopped and the reference books of all passengers scrutinized However, no people are being arrested or turned back.

A spokesman for the Western Cape Development Board emphasized yesterday that the checkpoints were being used for "monitoring purposes" only and that "no action" was being taken against anyone

Black-affairs experts described the move as "completely unprecedented".

The Sir Lowry's pass checkpoint has been set up at the turnoff to the Lwandle township near The Strand and has been operating since last week A police caravan is being manned on a 24-hour basis by police, Western Cape Development Board officials and provincial traffic police

Vehicles carrying blacks are pulled off the road by traffic police and are then diverted to a board building 100 metres down the road, where the reference books of all passengers are scrutinized by board personnel

A similar checkpoint near Paarl has been in operation since Friday

Approached for comment, Mr Graham Lawrence, director of labour and housing of the WCDB, said yesterday that the board was manning the checkpoints to "monitor the movement of blacks to the Peninsula from the national states"

It was being done on the instructions of the Department of Co-operation and Development.

He emphasized that "no action whatsoever" was being taken against anyone and that the project was aimed at "counting the number of people in different categories who enter the area"

He said mainly buses were being stopped but "all traffic" was involved

He described the project as a "temporary exercise at this stage".

Relaxation?

Asked what the purpose behind the move was, he said "The project is directly related to several aspects of planning in respect of blacks in the Peninsula," but declined to elaborate

The implications of the move — described by top sources as "highly sensitive" — remained unclear yesterday.

It could not be established whether the project signalled a tightening-up of influx control or a possible relaxation — on condition that no further influx takes place

"The government is also in a crucial planning stage regarding its controversial new policy on blacks in the Western Cape

In terms of repeated policy statements, the government intends to control the presence of blacks in the area by resettling all "legal" blacks in the new township of Khayelitsha, removing all "illegal" blacks back to the homelands and preventing any further influx

Confrontation

It intends clearing all squatter camps — now housing anything up to 60 000 people — and has repeatedly declared that it wants to "disestablish" Crossroads before the end of the year

However, black-affairs experts argue that the government is becoming increasingly aware that it will be unable to do this without risking a massive confrontation, particularly with squatter communities, which could also jeopardize its newly-improved international relations

Following the recent Koornhof moratorium on squatter raids, Professor Nic Olivier, Progressive Federal Party spokesman on black affairs, said it signalled an "acceptance by the authorities that coercive action against squatters cannot succeed"

Mr Timo Bezuidenhoud, top official of the Department of Co-operation and Development in the Western Cape, who is closely involved in planning the new policy, is in Pretoria and could not be reached for comment.

Other government spokesmen could also not be contacted

of government policy

It has come soon after a move initiated by Dr Piet Koornhof, Minister of Co-operation and Development, to stop shelter-demolition raids on existing squatter camps

Checkpoints: PFP calls for Govt explanation

CITY

Argus 24/7/84 (2d)

Staff Reporter

THE Progressive Federal Party has demanded a full explanation from the Government for the checkpoints monitoring the influx of blacks into the Western Cape

The checkpoints, manned by police, traffic authorities and officials of the Western Cape Development Board, have been set up in Du Toits Kloof and Sir Lowry's passes, the two main roads into the area

According to Western Cape Development Board chief director, Mr Johannes Gunter, the checkpoints were merely for "monitoring purposes"

This was confirmed today by a spokesman for the Department of Co-operation and Development in Pretoria, who said the operation was being carried out because no figures for the influx of "illegal" or "legal" blacks into the Western Cape were available

"Inadequate"

This did not mean that any further steps would be taken, the spokesman said

Mr Ken Andrew, MP for Gardens and PFP spokesman on black affairs in the Western Cape, dismissed the official reasons as "totally inadequate" and said the project should be terminated before unnecessary trouble was caused.

"Any moves against blacks such as these roadblocks will be seen to be provocative and will exacerbate the current unhappy situation"

He said that unless the authorities gave a clear explanation there would be suspicion that the Government was proposing further harsh action against blacks in the Western Cape

"The situation in the Cape Peninsula is extremely tense as a result of the Government's proposed intention of moving all blacks to Khayelitsha and because of the application and consequences of the coloured labour-preference policy"

No arrests

Mr Gunther said the purpose of the round-the-clock operation was to find out where people came from, and their destination No one had or would be arrested

The purpose of the checkpoints at two police caravans stationed off Sir Lowry's Pass and Du Toits Kloof Pass, was merely to pull vehicles carrying blacks off the road, he said

Western Cape Development Board officials were responsible for checking travel documents and reference books

In a statement the United Democratic Front also criticised Government policy on blacks in the Western Cape

Raids on domestics 'affect 300'

By EBRAHIM MOOSA

MORE THAN 300 domestic workers have been affected by midnight police raids on six blocks of flats in the Sea Point area during the past week, Miss Maggie Oewies, chairwoman of the Domestic Workers Association (DWA), said last night

Speaking at a meeting in the Green Point Art Centre, Miss Oewies said "Employers are not responsible in their duties towards their domestic workers in terms of the Key Law"

Police kicked the doors open and plainclothes police did not show any identification, she said If workers were not in their quarters, police forced their way in to search the rooms

'Cool attitude'

"It is the employers' responsibility to accompany the police to their servants' quarters whatever hour of the night. We also protest against giving the key to a manager or caretaker to accompany police In terms of the law the employer is to accompany police Employers did not protest against the law when it was introduced in 1982"

Employers had a "cool attitude" towards workers who complained of police harassment at night, Miss Oewies said To comfort workers, employers usually said "they (the police) have always done it"

One domestic worker, Miss Susan Zal, said she was "beaten twice by police during the past few weeks

"They (police) said there was someone in my room and kicked the doors open. They searched the room and found nothing," she said Police then said that a man sleeping in the yard was her visitor She denied this and an altercation between her and the police followed She was taken to the police station and later released

Miss Doreen Jacobs, a domestic servant, asked from the floor why workers could not have even family to visit and stay at weekends when most workers were from out of town

Miss Oewies said Sea Point had 10 000 domestic workers but there were no recreation facilities nor any social life for them Living conditions for workers in most cases were damp and without hot water or electricity after 10pm

Captain Gerhard van Rooyen, police liaison officer for the Western Province, last night said he was aware that, in the past week, members of the Sea Point police had acted on two bona fide complaints of illegal occupants in domestic servants' quarters He also confirmed that other investigations had been initiated after complaints had been received from the public

He said he was aware that detectives had at times forced entry to make arrests on occasions when occupants had refused to open the doors

'Influx control a failure'

By RIAAN DE VILLIERS

INFLUX control in the Western Cape is a failure, according to top officials of the Western Cape Development Board

Mr J Gunter, the board's chief director, declared that there might be anything between 70 000 and 100 000 black people illegally in the Cape — and up to 50 000 illegals in the Crossroads complex alone

In addition, he said the board estimated that up to 1 000 black people could be entering the Peninsula on certain days — and doubted whether the board was tracing a quarter of those who "remained illegally in the area"

'Impossible to stop'

"We now have proof that prosecutions are failing to stop the illegal influx and it is clearly impossible to try to stop the urbanization process here," Mr Gunter said

"The only way to do this is to offer people in the rural areas what they come to seek in the urban areas," he said

In a wide-ranging interview yesterday, Mr Gunter and Mr Graham Lawrence, the board's director of labour and housing, also indicated that official plans to "disestablish" Crossroads before the end of the year had been abandoned

They confirmed that the first 5 000 core houses — all earmarked for the resettlement of 15 000 Crossroads residents legalised in terms of the 1979 Koornhof deal — would now be completed in March next year instead of by December

"Because of the delay, it has already been accepted that Crossroads cannot cleared by the end of the year," Mr Gunter said

They also disclosed there were no firm plans for building more houses in Khayelitsha because of a shortage of funds

This will leave thousands of black families on official township waiting lists, as well as possibly thousands of squatters who may still be legalised, without any prospects of being housed in the controversial new township in the near-future

They said there were some 6 000 families on housing waiting lists in addition to the remaining Crossroads legals

However, it was "impossible" to estimate the actual shortage of black housing

Among those on the lists submitted to the government were people from Crossroads who claim that they should have been legalised in the 1979 census

However, Mr Gunter and Mr Lawrence said the board did not know how many people were involved

"All we know is that these lists contain 6 088 names. For all we know they may be breadwinners only and the lists may represent a possible 6 088 families," Mr Gunter said

They emphasized that it was not intended for these people to be accommodated in the 5 000 units being built in Khayelitsha now

They also confirmed that the fate of squatters in satellite communities outside Old Crossroads — who have been waiting for years for the government to decide on whether they would be legalised or not — was still undecided

'Judge for yourself'

Asked to comment on whether the board regarded shelter demolitions as an effective way to restrict squatting, Mr Gunter said "Shelter demolitions are not a control measure to combat illegal influx but illegal squatting. This is a task we are charged with in terms of the law."

"Whether it is successful or not, you will have to judge for yourself."

● Mr Lawrence was reported last week as saying that government plans to resettle all blacks in the established townships of Langa, Nyanga and Guguletu in Khayelitsha "would definitely not happen in (his) lifetime"

Drastic review of influx control likely

Argus 8/8/84 (20)

By FRANS ESTERHUYSE
Political Staff

A DRASTIC review of the Government's controversial black influx control policy for the Western Cape appears to be on the cards

Figures showing that the policy has failed have been disclosed by senior officials of the Western Cape Development Board

The issue is virtually certain to be thrashed out at the Cape congress of the National Party in Green Point next month

RESIGNATION

With the pending resignation of Dr Piet Koornhof from the Cabinet and the possible restructuring of his Department of Co-operation and Development the way will be cleared for a new approach by the Government to black affairs

Nationalist hardliners in the Western Cape who have doggedly adhered to the widely discredited old coloured labour preference area policy for the region may now be compelled to think again

The chief director of the Western Cape Development Board, Mr J Gunter, confirmed today that attempts to stop the tide of black urbanisation had failed

"IMPOSSIBLE"

He said "We now have proof that prosecutions are failing to stop the illegal influx and it is clearly impossible to try to stop the urbanisation process here

"The only way to do this is to offer people in the rural areas what they come to seek in the urban areas"

Mr Gunter said there might be anything between 70 000 and 100 000 black people illegally in the Cape — and up to 50 000 "illegals" in the Crossroads complex alone

CERTAIN DAYS

In addition, he said, the board estimated that up to 1 000 black people could be entering the Peninsula on certain days He doubted whether the board was tracing a quarter of those who remained illegally in the area

Mr Gunter and the board's director of labour, Mr Graham

(Turn to Page 3, col 6)

(20) Argus

Review of influx policy on the cards

(Continued from Page 1)

Lawrence, have also indicated that official plans to "disestablish" Crossroads before the end of this year had been abandoned

They confirmed that the first 5 000 core-houses earmarked for the resettlement of 15 000 Crossroads residents would now be completed by March next year instead of by December. These residents were legalised in terms of the 1979 Koornhof agreement

"Because of the delay it has already been accepted that Crossroads cannot be cleared by the end of the year," Mr Gunter said

He added that the board did not know what funds would be available for building more houses in Khayelitsha

It appeared that thousands of black families could be left without prospects of being housed there in the near future

ADMISSION

Commenting today, Mr Ken Andrew, the Progressive Federal Party MP for Gardens, said the admission that influx control in the Western Cape was a failure should make people realise that the present policies were not only unjust and inhumane, but also impractical

"Unfortunately it is not the National Party authors of the policy who have been made to suffer because of its inadequacy, but poor and defenceless black people seeking jobs and family life in the Cape Peninsula

"It is more important than ever that the Government abandon the unworkable coloured labour preference area policy and set about improving the living conditions of the black communities in Cape Town," Mr Andrew said.

(Report by F S Esterhuyse, 122 St George's Street, Cape Town)

PFP: Review policy on blacks

9/8/84 C-7 mies 201

Staff Reporter

MR KEN Andrew, Progressive Federal Party spokesman on black affairs in the Western Cape, called yesterday for a "complete review" of government policies on blacks in the area

In a statement, he said "The policies that have been applied have been unjust, inhumane and unworkable, but the government has persisted and black people of the Cape Peninsula have suffered terribly as a result"

Warning that the policies had to be "jettisoned" if there was to be any prospect of racial peace, he also called on the Prime Minister, Mr P W Botha, as head of the government and leader of the Cape National Party, to "act now before it is too late"

Mr Andrew was commenting on an acknowledgement by a top official of the Western Cape Development Board that influx control in the Cape was failing

In an interview published in the Cape Times yesterday, Mr J Gunter, the board's chief director, said prosecutions were failing to stop illegal influx and said it was "clearly impossible" to try to stop the urbanization process in the Cape alone

Mr Gunter and Mr Graham Lawrence, the board's director of labour and housing, indicated that offical plans to "disestablish" Crossroads before the end of the year had been abandoned because of delays in building houses at Khayelitsha

They also disclosed that there were no firm plans for building more houses at Khayelitsha beyond 5 000 cores now being built for Crossroads "legals", because no further funds had been made available yet

Mr Andrew said it was a "relief" that the authorities had finally conceded that influx control was failing, and said it was now up to the government to change its failed policies to take account of these realities

He called on the government to

- Abandon the coloured labour preference policy
- Give an "unequivocal undertaking" that nobody would be forced to move to Khayelitsha and that development and upgrading in Langa, Guguletu and Nyanga would continue

Ownership

- Establish "properly planned" site-and-service schemes at KTC and in the Crossroads complex
- Allow home-ownership for blacks in the Western Cape
- Review the "whole policy of influx control" with the intention of phasing it out "systematically and rapidly"

Describing the current situation as "untenable", Mr Andrew said more than half the black people in the Peninsula were homeless or lived in "grossly overcrowded conditions", without having any reasonable prospect of obtaining a house "or even of being allowed to help themselves to provide adequate accommodation for their families"

Scrap labour preference — academics

By FRANS ESTERHUYSE
Political Staff

LEADING academics of the University of the Western Cape have called for the scrapping of the Government's coloured labour preference policy for the Western Cape

Speaking at a seminar yesterday, they said the policy was harmful, discriminated unjustifiably against black people, and did not really protect coloured workers as claimed

Professor Pieter le Roux, director of the Institute for Social Development at the university, said the coloured preference policies were in conflict with declared Government objectives such as the elimination of unjustifiable discrimination on racial grounds

If the inconsistencies in the present policies received more exposure it would not be surprising if the Government was forced to reconsider its position, he said

Unskilled

Mr L J Loots, a researcher at the institute, outlined the findings in a research project which had shown that the coloured labour preference policy could be to the disadvantage of the majority of coloured people in the Western Cape

It was found that the protective effect of the policy was beneficial to only a small proportion of unskilled labourers

At the unskilled level, where the policy was supposed to provide the most protection to coloured people against African competition, unemployment was higher, rather than lower, in the Western Cape than in the "non-preference area" of South Africa where such a policy was not applied

The rector of the University of the Western Cape, Professor R E van der Ross, said the rights of blacks to be in the Western Cape should be recognised

New perspective

He suggested that the policy of reserving the Western Cape as a white/coloured labour preference area should be revised

Opening the seminar, Professor Van der Ross spoke on the need for a new perspective on the influx control laws in the Western Cape

He said the attempt to limit black people's citizenship in order to diminish their claim to basic rights was untenable

It was artificial, unjust, caused dissatisfaction, and created "statutory and technical criminals"

"Black brothers"

"People who are not black have only to ask themselves how they would react if such constraints were to be placed on their travel or movement within South Africa," Professor Van der Ross said

The answer was simply that it would not be tolerated, and yet this restriction was placed on the majority of South African citizens simply because they were black

There was an awareness on all sides of a need for people to change their attitudes

"It is not enough for us to speak of 'our black brothers', but we must translate these sentiments into practice"

Cabinet Ministers and Government officials should never be put in a position where they had to break down a person's house over his head, as had been happening in the case of squatter communities

(Report by F S Esterhuyse, 122 St George's Street, Cape Town)

Officials admit — passes fails

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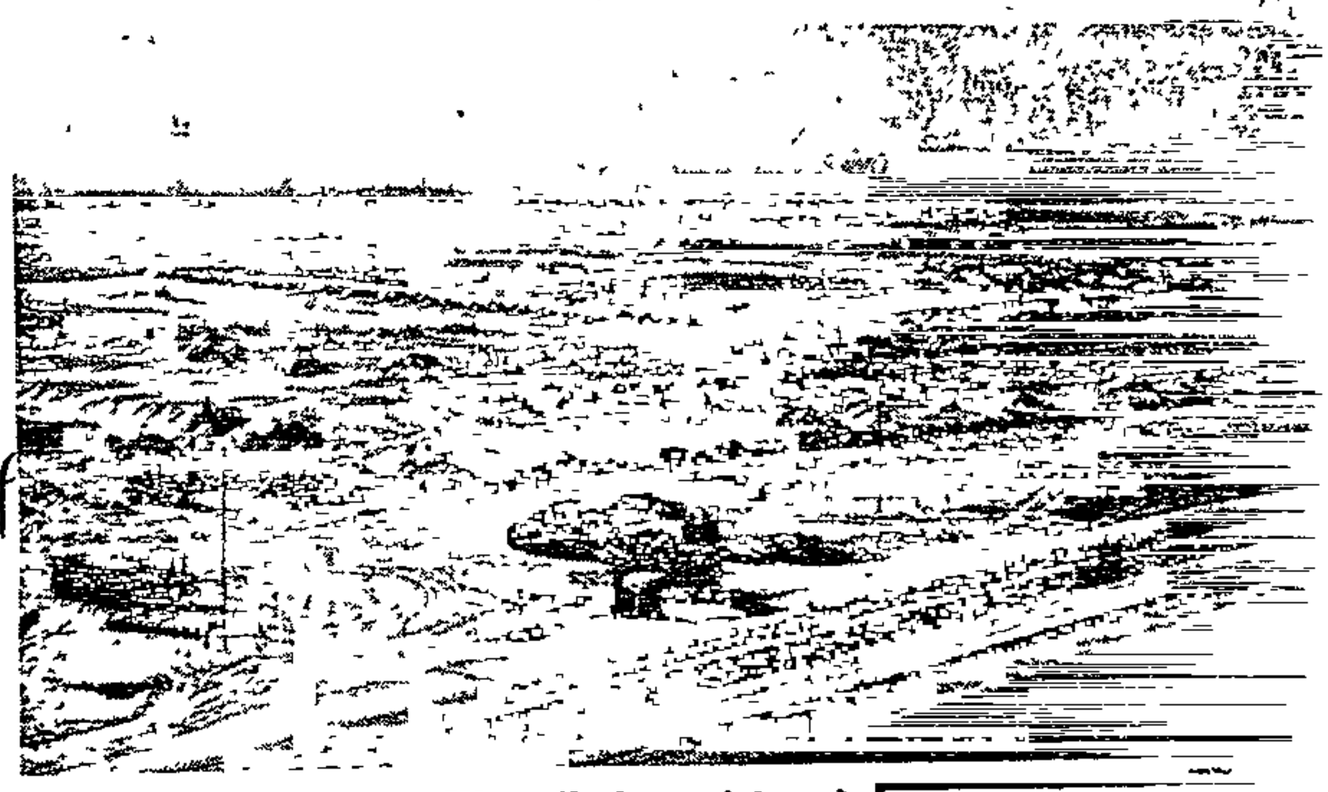


TWO top Government officials have admitted that influx control in the Western Cape is a failure.

Khayelitsha (above) will never materialise in Mr P W Botha's lifetime, says Western Cape Board official G Lawrence — there just aren't the funds.

CP Correspondent

In one of the frankest-ever statements about the collapse of Government policies, Western Cape Development Board chief director A Gunter, and board director of labour and housing G Lawrence, say there are between 70 000 and 100 000 "illegal" Africans in the Western Cape.

Ever since the Nationalist Government came into power in 1948, it has been trying to keep Africans out of the area.

It even declared the Western Cape a "coloured preference area" — which in effect meant Africans could only get jobs if there were no coloured people who wanted them

The Government also refused to extend the 99-year lease scheme to the Western Cape on the grounds that this would give African people a permanent stake there.

For more than 10 years, it did not build any houses for Africans — apparently in the belief that they would eventually go "home" to the Ciskei and Transkei

The heaviest fines and penalties for contraventions of the pass laws were imposed in the Western Cape — in line with official policies.

Squatter houses and camps have been continually demolished for more than 10 years — an average of more than 48 squatter homes were demolished every day of the first six months of 1948.

Now, two of the senior officials entrusted with the task of keeping Africans out of Western Cape have admitted the policy is a failure.

Mr Gunter said there might be up to 50 000 "illegal" squatters in the Crossroads squatter camp alone.

He also said the board estimates that up to 1 000 Africans could be entering the Cape Peninsula on certain days — and doubted that the board was tracing a quarter of those who "remained illegally in the area".

Mr Gunter admitted. "We now have proof that prosecutions are failing to stop the influx and it is clearly impossible to try to stop the urbanization process here.

"The only solution to this problem would be to offer people in the rural areas what they seek in the urban areas"

They also disclosed that there were no firm plans for building more houses in Khayelitsha because of a shortage of funds.

This will leave thousands of Cape people without homes in the forseeable future.

In spite of the announcement this year by Prime Minister P W Botha that all Western Cape Africans would be housed eventually at Khayelitsha, Mr Lawrence has been reported as saying this will "definitely not happen in his lifetime".

60 lose jobs after striking

Times 25/8/84

By RIAAN DE VILLIERS
Labour Reporter

ABOUT 60 contract workers have lost their jobs after going on strike at a Blackheath concrete plant this week and are due to be sent back to the homelands at the weekend

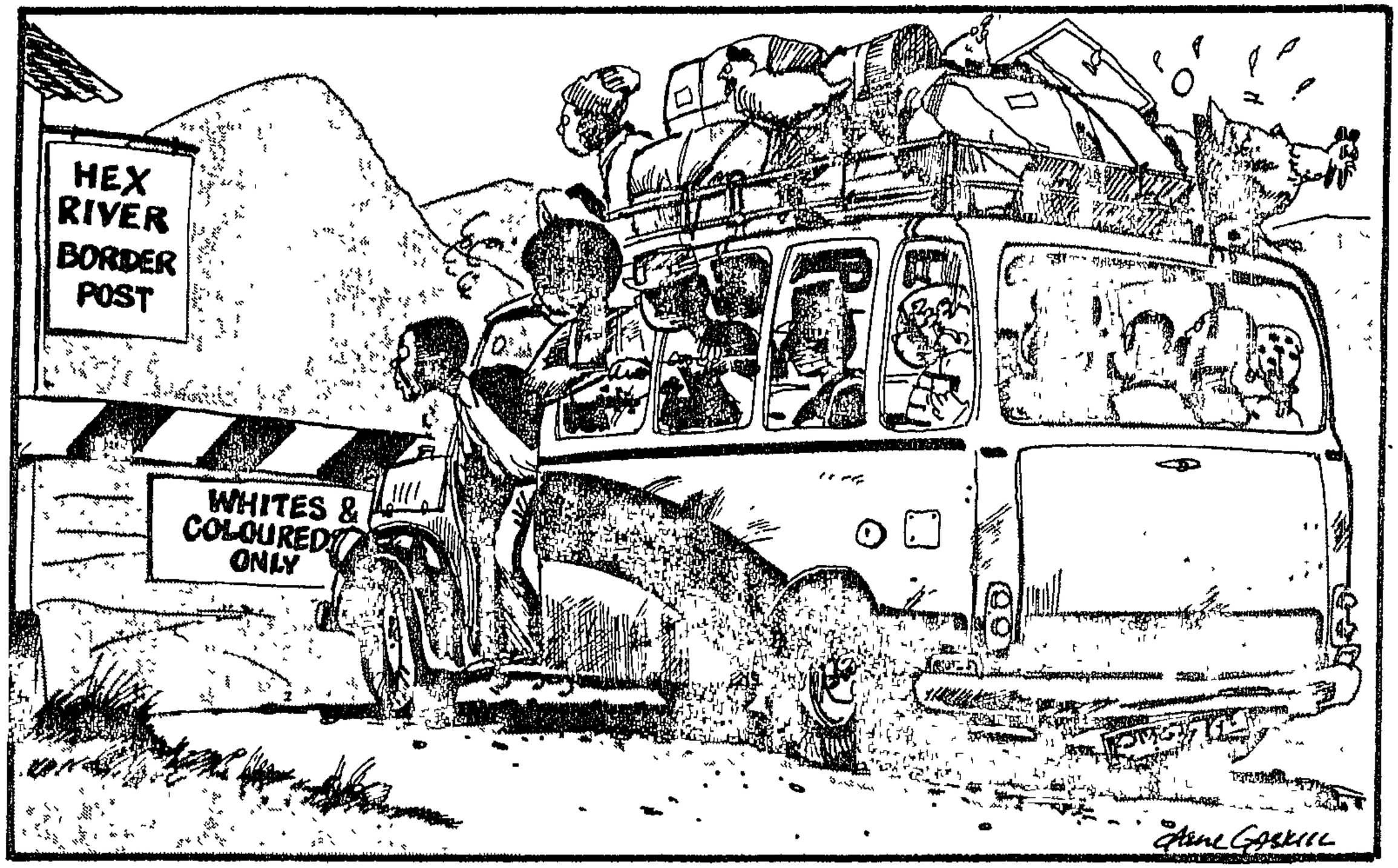
Their dismissals became effective yesterday when workers rejected a management ultimatum to apply for re-employment and collected their pay packets instead They have refused to return to work — or apply for re-employment — without the reinstatement of a recently fired worker

'Contemptuous'

The General Workers' Union, to which most of the workers belong, said yesterday that the workers were "contemptuous" of management's attempts to divide them by selective re-employment and to "threaten" them with eviction and return to Transkei

"They say they have lived without food before and they can, if necessary, live on water for another 10 years rather than capitulate now," it said

Mr John Stone, managing director of PA Concrete Products, confirmed that workers had been "effectively dismissed" when they took their pay packets



I was wrong

S. Times 206 201

26/8/84

when I said blacks should be

THE Government's policy on the "legal" and "illegal" presence of blacks in the Cape Peninsula is at the crossroads.

The position of the blacks in the Western Cape — and especially in the Peninsula — has become a focal point of the South African political and economic scene.

In no other part of the country have the interests of the different population and socio-economic groups developed — or been "rearranged" — into a position of sharper confrontation than in the Western Cape

The population of the Peninsula consists of a variety of socio-economic groups and sub-groups.

The 500 000 whites can be divided into English and Afrikaans-speakers as well as a higher and lower middle-class

The 800 000 coloureds are made up of about equal size a middle class, an upper lower class and a lower lower class

Of the 260 000 blacks, 160 000 are "legal" and 100 000 "illegal" The Indian population of about 20 000 forms the remainder.

Given this "variety" the Peninsula is a classic example of a situation where the interests of different groups lead to a complex relationship of mutual conflict and complementarity

In this dynamic and diversified situation the policymakers have the task of applying and adapting their policies in such a way that the interests of all the relevant groups are acknowledged and reconciled as far as possible, while taking the long-run interests of the country at large into account

The Theron Commission took note of the promising [illegible]

doubt multiply in the years and decades ahead — even if influx control, which probably cannot be abolished immediately or unconditionally, is still applied.

The growing presence of these people in the Peninsula and their attitude towards life, work and dwelling, necessitates a fundamental change in the Government's urban and housing policies.

In adapting policies, the Government must keep in mind that the typical Third World problems experienced in the Peninsula cannot be "solved" — and definitely not in First World terms.

The only thing that can be done is to "accommodate" these people in a more convenient and humane way.

In the meantime a strong middle class has developed in the black townships of the Peninsula.

These people have the means and the inclination towards home ownership.

If 99-year leasehold could be allowed in the Peninsula — and especially in Langa, Nyanga and Guguletu — it would have a tremendous stabilising effect

Finally, if we take the semi-Third World character of South Africa seriously into consideration, we cannot deny the fact, that squatting settlements on the periphery of our main urban areas are going to remain a permanent and a growing feature of the South African scene

The only way to "accommodate" the squatters will be to "legalise" their way of life.

This can be done by "deregulating" the economy,

When I said blacks should be kept out of the Western Cape

By SAMPIE TERREBLANCHE

Ten years ago, as a member of the Theron Commission, Professor Terreblanche called for the strict application of the coloured preference area in the Western Cape. Now, as blacks continue to flood into the Peninsula, Professor Terreblanche says that he was wrong

edged and reconciled as far as possible, while taking the long-run interests of the country at large into account

The Theron Commission took note of the promising upward mobility of the middle class and upper working class people in the coloured community

During the past 10 years these two classes have made faster progress than we expected.

The commission was, however, very concerned about the position of the lower 40 percent.

We identified their position as one of chronic poverty — an unhealthy situation that perpetuated itself from generation to generation

Given the precarious position of those caught in the vicious circle of community poverty, I — in my capacity as chairman of the study group on "Labour and Economics" — took the initiative for the adoption of Recommendation 42.

We not only asked for the maintenance of the coloured preference policy in the Western Cape, but also for a stricter application of it.

The purpose of this recommendation was to create a situation in which the employers would be "forced" or "convinced" to employ the workshy section among the coloured labourers

We regarded their employment as a necessary part of a more comprehensive policy to break the vicious cycle of poverty

We were of the opinion that if too many black workers were available in the Western Cape, they would, so to speak, "wedge in" between the lower and upper lower class of the coloured community which could perpetuate and intensify the poverty situation.

Looking at the situation n the Peninsula 10 years than the commission had hoped for.

Our approach was to try to solve these people's poverty problems by way of job opportunities in the formal sector. But people in a subculture of poverty prefer to make an unstable living in the undefined and grey world of the informal sector.

It would have been better if the commission had put greater emphasis on the importance of the informal sector.

We should have made a stronger plea for the "deregulating" of the typical First World rules and regulations in order to create greater *lebensraum* for the poor and unemployed in both the coloured and black circles in the Peninsula (and in the rest of the country).

In mitigation, I must emphasise that the relative importance of the informal sector and its "welfare-creating" capacity for Third World and poverty people, were not yet fully appreciated 10 years ago

The commission was of the opinion that the interests of the blacks and the poorer coloureds were directly in conflict with each other.

[illegible] realise that if the dence of the Department of Manpower, the Economic Committee of the President's Council made the following statement.

". . despite high unemployment among coloureds, it is very difficult to find unemployed coloureds .. despite this, employers still have to approach the Department of Manpower for work permits in order to employ black workers These permits are readily granted, as appears from the fact that during 1981 exemptions were granted in respect of 46 753 instances out of a total of 49 273 applications (in other words, in 95 percent of the cases)". (President's Council 1/1984 par. 5 21 and 5.22).

The administrative burden of the coloured preference system encouraged employers to employ "illegal" blacks. Many of the big employers are actually budgeting in advance for the possible payment of a fine for employing "illegal" blacks.

Their employment is not only "cheaper" but also without the bureaucratic red-tape!

Because coloured preference policy could not be applied and because of serious problems with influx control, the black population in the Peninsula has more than doubled in the last 10 years.

Consequently, the number of coloureds and blacks in the Peninsula that are either not continuously employed in the formal sector, or not employable in this sector and those that are not houseable (in brick houses) has increased considerably

These ranks will without [illegible] outh African scene.

The only way to "accommodate" the squatters will be to "legalise" their way of life.

This can be done by "deregulating" the economy, by accepting and promoting "self-building" and site-and-service schemes and by allowing *planned* squatting.

It is high time that we accept the fact that South Africa is a semi-Third World country, and that the population composition of the Peninsula has strong and permanent Third World features.

If we really want to acknowledge and to reconcile the conflicting interests of the different socio-economic groups and sub-groups in a way that will be beneficial to the community as a whole, and not to certain groups only, we cannot apply only the value system of the whites.

10 years proves the error of his thinking

ity poverty, I — in my capacity as chairman of the study group on "Labour and Economics" — took the initiative for the adoption of Recommendation 42

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The purpose of this recommendation was to create a situation in which the employers would be "forced" or "convinced" to employ the workshy section among the coloured labourers.

We regarded their employment as a necessary part of a more comprehensive policy to break the vicious cycle of poverty.

We were of the opinion that if too many black workers were available in the Western Cape, they would, so to speak, "wedge in" between the lower and upper lower class of the coloured community which could perpetuate and intensify the poverty situation.

Looking at the situation in the Peninsula 10 years later, I had to change my mind.

Firstly, our optimism that the employers in the Western Cape could be "forced" or "convinced" to employ the workshy element among the coloured labourers did not materialise.

It is easy for private enterprise to talk about their social responsibility towards the poor Apparently it is much less easy to do something meaningful about it.

Employers strongly prefer to employ the growing number of "legal" and "illegal" blacks, not only because they are better workers than the workshy coloureds, but because they (and especially the "illegal" ones) can be employed rather cheaply.

Secondly, the experience of the last 10 years shows that those in the state of chronic community poverty are much less employable in the formal sector

It would have been better if the commission had put greater emphasis on the importance of the informal sector.

We should have made a stronger plea for the "deregulating" of the typical First World rules and regulations in order to create greater *lebensraum* for the poor and unemployed in both the coloured and black circles in the Peninsula (and in the rest of the country).

In mitigation, I must emphasise that the relative importance of the informal sector and its "welfare-creating" capacity for Third World and poverty people, were not yet fully appreciated 10 years ago.

The commission was of the opinion that the interests of the blacks and the poorer coloureds were directly in conflict with each other.

I now realise that if the informal sector can be allowed to "grow", the interests of these two groups can turn out to be complementary.

Thirdly, in focusing on the relative poverty in coloured circles the commission, in all probability, underestimated the extent of *absolute* poverty and the tremendous population pressure in the black states of the Eastern Cape.

Perhaps the commission was at that time still optimistic that the development strategy for the black states would create the necessary job opportunities

Unfortunately it did not happen and there is a typical Third World "flight" from the rural areas to the urban areas which may even increase in the years ahead.

Justifiable concern has arisen about the way the independent black states are spending the hundreds of million of rands that are annually transferred to them via the Budget.

Apparently it has become necessary to attach rather strict "strings" to these funds to ensure that they will be spent in ways which will improve the living conditions in the black states.

Fourthly, our recommendation that the coloured preference policy be applied more strictly, was not implemented. Perhaps for the real reason that it was not implementable.

On the strength of evi-

Fired workers arrested

Labour Reporter

A NUMBER of contract workers fired after striking at PA Concrete Products in Blackheath last week were arrested early yesterday morning for allegedly being in the Cape illegally after they had failed to return to Transkei at the weekend

It is believed the workers were arrested early in the morning at their hostel in Mfuleni near Kuils River by inspectors of the Stellenbosch division of the Western Cape Development Board

Full details were not available yesterday and it was not known how many of the 57 fired workers had been arrest ed Those held are expected to appear in the Langa Commissioner's Court today

According to the General Workers' Union, they will be charged with being in the Western Cape illegally and trespassing at the hostel in which they had stayed

In a statement, the GWU said the workers had not left on Sunday because the company had failed to pay their bus fares

The workers went on strike last week to demand the reinstatement of a fellow worker Management refused to reinstate the worker and the strikers lost their jobs when they rejected a management deadline to apply for re-empoyment

Mr John Stone, managing director of PA Concrete, said yesterday that workers were supposed to return to Transkei on Sunday but had not vacated their hostel

He said the development board was responsible for clearing the hostel and the matter was "out of the company's hands"

He confirmed that the company had not paid for the workers' bus fares but said this was because the workers had "broken their contracts".

A spokesman for the development board could not supply details yesterday

Transkeians apply for W Cape residence

Supreme Court Reporter

FOUR separate but similar applications for Supreme Court orders granting Transkeian citizens permanent residential status in the Western Cape were yesterday postponed to February, 1985, for the hearing of oral evidence

The respondents in the four actions have been cited as the "Black Affairs Administration Board of the Western Cape" (the Westen Cape Development Board), the Chief Municipal Labour Officer at Malmesbury and the Municipal Labour Officers at Langa and Stellenbosch

One applicant, Mr Tyantoni Sonnyboy Fanelo, 44, of Nyanga East Hostel, said in papers before the court that he had been entitled to live in the Western Cape in terms of the Blacks (Urban Areas) Consolidation Act.

Mr Fanelo, like the other applicants, is seeking an endorsement in his reference book to the effect that he would be permitted to remain in the prescribed area of the Divisional Council of the Cape

He began working for Escom in August, 1968, and claimed that he had worked there ever since, and because he began entering a one-year service contract with Escom, his reference book was endorsed allowing him to work in the Western Cape

"Each year, before taking leave, Escom would make the necessary arrangements to have the applications for labour completed and processed by the WCDB and the Municipal Labour Officer," he said

In replying papers, the Municipal Labour Officer for Langa, Mr Graham Norman Lawrence, denied that Mr Fanelo had renewed his contract annually, but said he had from time to time entered new contracts of employment with Escom

"Each contract of employment is separate and distinct from the previous contract and therefore it cannot be said that there is a renewal of contract."

According to WCDB records, Mr Fanelo's employment was not continuous, nor had he worked continuously for Escom Since August 20, 1968 he had been absent from their employment on various occasions totalling 29 months

The matter was postponed to February 14 by Mr Acting Justice Odes

● Similar statements were made in the matters of Mr Midweni Mlindi Mr Maliyakhe Mbanjwa and Mr Bomvu Shumi

Freeway-fall man 'stable'

Medical Reporter

MR MANIE Kwaaiman, who was injured yesterday in a 20-metre fall from an unfinished freeway while trying to escape a group of panga-wielding seamen, is in a stable and satisfactory condition in Somerset Hospital.

A hospital spokeswoman said yesterday that Mr Kwaaiman was still "a bit drowsy" following surgery for among other injuries, a fractured pelvis

The spokeswoman could not say what other injuries Mr Kwaaiman had received, but said his condition was stable and not serious

Foundation calls for legal black tenure in Western Cape

The Urban Foundation regards legal tenure for blacks as an essential prerequisite for the provision of proper housing in the Western Cape, including Khayelitsha. This is an extract from a recent speech by Mr JAN STEYN (right), the foundation's chief executive.

BLACKS have been used as labourers in the Western Cape, granted in small numbers, from as early as 1840

In 1865, which was the year of the first census in the Cape, their presence and that of black women was actually recorded In 1884, blacks were imported as dock workers in Cape Town and housed in a hostel in the Cape Town docks In 1901, Uitvlugt, later called Ndabeni, was established as an emergency camp, but was almost immediately converted into what was then called a permanent location

The inhabitants of Ndabeni were eventually (in 1936) resettled in Langa, which had been established in 1923 Nyanga was established in 1946 and proclaimed as a location in that year. Nyanga was developed as a township in 1954 and Guguletu in 1958

Crossroads

The inevitable process of urbanization took place during the 1960s and the 1970s, coupled with a natural population growth Due to a shortage of housing in 1975 Crossroads was proclaimed an emergency camp and blacks were allowed to settle there In 1976 more than 3 000 squatter shacks had been erected on the site with the local authority's consent.

The 1980 census reflects there were about 32 000 people resident in Crossroads and a total of 180 000 black people in the Cape Peninsula

I have briefly sketched this historical background because there is much confusion in the public mind on the nature of our squatter problem, its causes and, I suspect, not a clear-cut vision as to how the process of urbanization in the Western Cape is to be dealt with

The Urban Foundation has, throughout its existence, demonstrated a particular concern for the black community in this part of our country because of the relatively severe state of deprivation in which they find themselves

Excluded

They have been excluded from other advances that have taken place elsewhere, such as for example the 99-year leasehold, the mass-housing sale — black civil servants do not have the benefits of subsidized housing, and access to mortgageable finance has accordingly also not been available

The present unsatisfactory situation in respect of housing provision was further compounded by tardy residential development by the authorities and the inability to find suitable land for housing development

Therefore the foundation welcomes the fact that additional land has been found in Khayelitsha and that many of the people who are now unhoused will be able to receive accommodation However, it is our belief there are certain basic essentials for this development to succeed to its optimum potential

□ Comprehensive community involvement in the planning and development processes

□ An affordable and effective transport system, provided and established *before* the first houses are occupied

□ The provision of mortgageable title

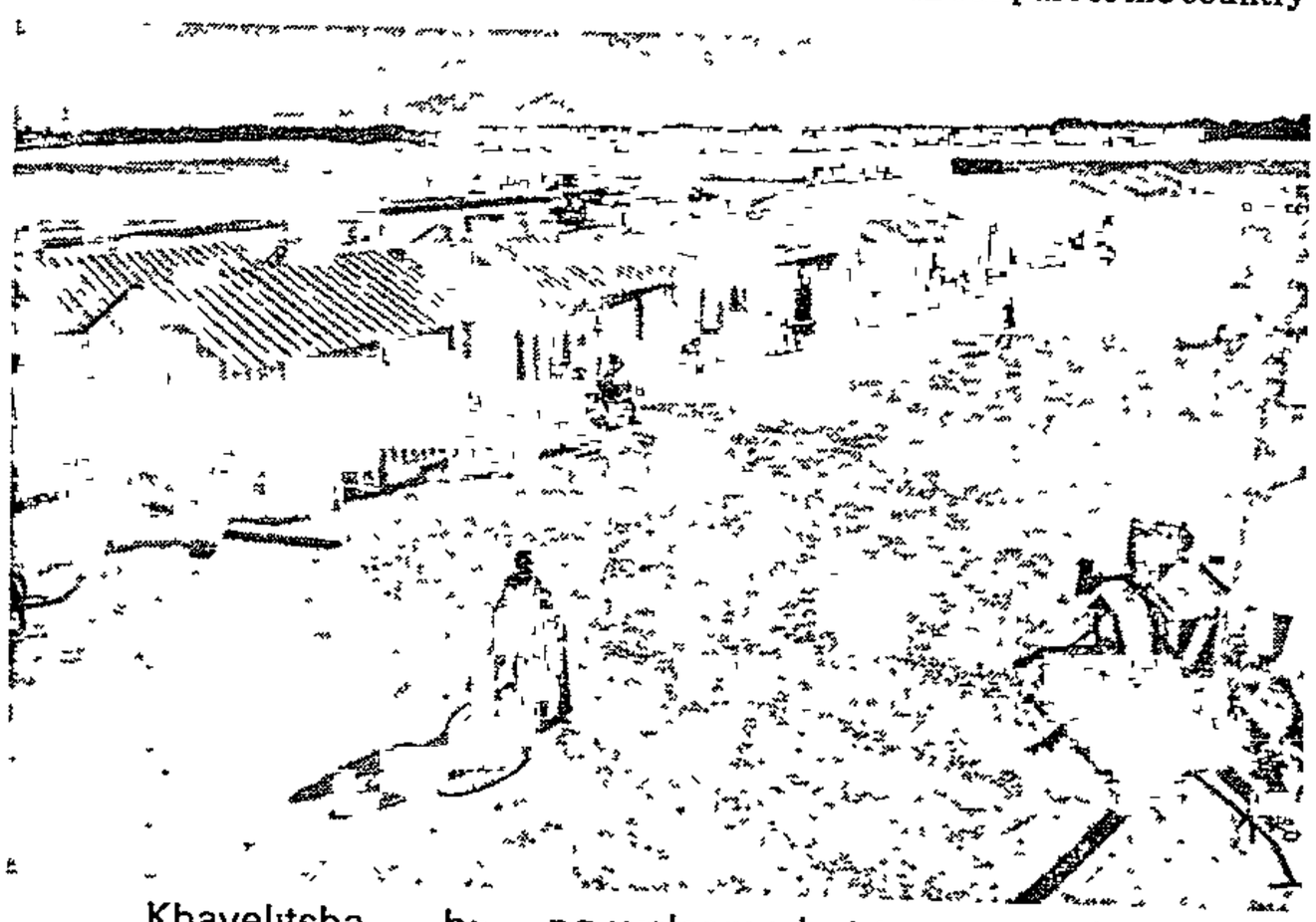
□ No forced removals to Khayelitsha

□ Stabilization of the position in the existing townships by promoting normal development activity and an appropriate form of tenure

If these conditions are complied with, I am confident the organized private sector, through the Urban Foundation and otherwise, would be prepared and indeed eager to partake in developments, in the existing townships and in Khayelitsha

The advantage of private-sector participation is obvious It relieves the state of a massive burden in a time of extreme financial stringency It will also stabilize the situation of blacks in this part of the world in the same way as the government's mass-housing sale and its new housing policy could well create new stability and a sense of belonging for black people elsewhere in the country

We do not believe the problems are intractable We have been involved in many complex negotiations of a confidential nature with the government, and we will continue to try to play a part in bringing stability and prosperity to blacks, in our part of the country



Khayelitsha . . . hou welcome but tenure needed

Black NP on leasehold congress against right

NATIONAL/CITY

Political Staff

LEASEHOLD rights for blacks in the Western Cape are advocated in a proposal to be considered by the Cape National Party at its congress this month

Motions on the congress agenda also include a request for continued repatriation of "illegal" blacks from the Western Cape to the homelands

Decisions on these issues will show whether or not the NP will yield to mounting pressure from academics, business organisations and public bodies for a new approach to black affairs in the Western Cape

The outcome of the discussions will also show whether or not Western Cape hardline Nationalists will continue to call the tune in forming Government policy in respect of black people in the Peninsula and surrounding areas

Many appeals

Until now the hardliners have doggedly refused to yield to many appeals for the scrapping of the Government's controversial coloured labour preference policy for the Western Cape

Black affairs are referred to in two congress motions from Tygervalley, the constituency of Mr Alex van Breda, chief Government whip in the old Parliament

The request for considering 99-year leasehold rights for blacks in Khayelitsha and the Western Cape may well be an indication of new thinking on this issue and possibly on other matters too

On the other hand, the proposal that repatriation of "illegal" blacks should continue could mean that Western Cape Nationalists are still not prepared to abandon the coloured labour preference policy

The Tygervalley motions also include a request that the Government, in consultation with the independent black states, should create job opportunities in those states and in their border areas.

Argus 15/8/84 (201)

'Give city blacks 99-year leasehold'

Financial Staff

BLACKS living in the Western Cape had to be given security of tenure if private enterprise was to help provide housing for them, Mr Chris Newton, president of the Cape Chamber of Industries, said today

At the annual meeting of Wesgro he suggested that the 99-year leasehold system be extended to the greater Cape Town area, that existing townships be improved and that Khayelitsha be developed only to provide additional housing

"Present Government housing policy calls for greater participation by the private sector," Mr Newton said

"This includes participation by financial institutions, developers and individuals

"This is possible only if mortgageable tenure is available

"The Western Cape is excluded from the provisions of the 99-year leasehold system

"The private sector is thus precluded from participating meaningfully in housing development for blacks, placing the entire responsibility for housing finance and delivery on the State"

DISADVANTAGES

Listing the disadvantages of moving black people from existing townships to Khayelitsha, Mr Newton said it was estimated that the legally resident black population would have grown to at least 450 000 by the year 2010

"The estimated maximum population of Khayelitsha is 280 000 even assuming a high residential density of 120 people to each hectare

"The wasted costs involved in moving the present inhabitants of Langa and other townships to Khayelitsha have been estimated conservatively at R200-million, plus the cost of recreating the social infrastructure of schools, churches and other facilities"

The private sector would also be unable to participate in providing housing and amenities for fear of being associated with population removal This would "increase the burden on the State still more"

● See Page 18

'Scrap labour policy'

(201 C-Times 4/9/84)

Staff Reporter

THE Cape Town Chamber of Commerce has called on the government to scrap the coloured labour preference policy in the Western Cape as it believes the system has no practical value and is not in the interests of the economy of the region

In an editorial in its latest weekly bulletin, the Chamber reiterates its objections to the government's draft guide plan for the Cape Metropolitan area, strongly condemning the entrenchment of racist labour policies and the intended consolidation of the black residential areas at Khayelitsha

The chamber said the growth rate of the Cape metropolitan area was slower than that of the country as a whole and coloured labour preference inhibited the acquisition of labour

The bulletin said the consolidation of blacks in the "extreme south-east corner of the guide plan area" made "no sense whatsoever"

The implications of the extremely long distances between places of work and residence in terms of additional transport costs and the erosion of leisure time were "serious indeed", it said

It drew attention to the fact that even Khayelitsha would not be able to accommodate the number of blacks expected to be living in the Cape metropolitan area by the year 2010

6/9/64 201 D. Dispatch

Migratory labour: PFP group sees effects

KING WILLIAM'S TOWN — Dr Alex Boraine said yesterday he wished the Republic's Government and employers in South Africa could see the ravages and suffering caused by the migratory labour system

Dr Boraine was speaking after a visit by a delegation of six PFP members to the Zweledinga and Zwelethemba areas in the Hewu district of Ciskei

The delegation comprises Mrs Helen Suzman, Dr Boraine, Mr Errol Moorcroft, Mr Andrew Savage, Mr Harry Schwarz and Mr Johan Malcomess

Dr Boraine said they were flown in two helicopters from East London airport This enabled them to visit resettlement areas and transit camps, the Shiloh irrigation scheme, the Tsolwana Game Reserve and a number of small business projects involving groups that were assisted to produce cash income of their own in dressmaking, sewing and knitting

He said they were accompanied by the Minister of Foreign Affairs, Mr Ntandazo Pityi, and a number of Ciskeian officials

"They received us warmly and were open and frank," Dr Boraine said

"They invited questions and comments We were impressed by the way we were received"

On the negative side he said he wished others could see the suffering caused by the migratory labour system

Dr Boraine said they saw many places and all they could see were women, children and elderly people. Men were far away where there was work This was extremely bad for family planning

He said there was a desperate sense of poverty While there were certain remedial steps being taken, there was no long term solution unless the South African government allowed workers to bring their families with them and have family housing at their places of work.

This could not be achieved overnight but at least a start should be made

With people from Herschel and Glen Grey one could still see the bad results of that move as some had been living in transit camps for eight years

The delegation was impressed by the game reserve and the attempts made to involve people living in the vicinity and in educating people in conservation and preservation of wild life

Dr Boraine said they were not sure whether they would meet any detainees They were anxious to see as many people as possible and also conditions in Ciskei prisons — DDR

100 opted for union, 'fired'

By RIAAN DE VILLIERS
Labour Reporter

A STRAND employer fired his whole black workforce of more than 100 contract workers yesterday morning immediately after they had declared their allegiance to the General Workers' Union, a union spokesman claimed

He said the union regarded the action as "completely unacceptable" and would take further steps if the workers were not reinstated

Mr David Lewis, the GWU's general secretary, said the union wrote to the management of Strand Foam last month saying it had attained majority membership in the factory and including a list of members

He said the union had recruited 111 black workers, almost the whole black work-force

On Wednesday, Mr W J Laurie, a director of the firm, called nine workers to his office and told them to elect two members to form part of a committee to which he would nominate two more

After a meeting at the workers' hostel in Lwandle township on Wednesday night, the nine workers returned to Mr Laurie yesterday to inform him that they would not do so

Soon after, Mr Laurie told all the workers to separate into those who wanted to belong to the union and those who did not When more than 100 workers declared their allegiance to the union, he told them they were fired and that transport back to the homelands would be arranged for them

Twelve workers who initially opted to continue working later also joined the dismissed workers

Mr Laurie was not able to come to the phone when Strand Foam was contacted yesterday for comment He did not respond to a request to return the call

Attempts to trace him at home last night were unsuccessful

● In another develoment last night two union organizers, Mr Howard Marawu and Mr Wilson Fundani, were released from Strand police station after having paid R40 admission-of-guilt fines for trespassing in the grounds of a hostel in Lwandle township

West Cape colour policy is damned

CAPE TOWN — The Cape Town Chamber of Commerce wants the Government to drop its coloured labour preference policy for the Western Cape

The chamber says that without the mineral resources of the PWV complex, the region cannot rely on its primary sector for future growth

There is also the disadvantage of distance from the northern markets

"It can hardly be in the interests of the area to have imposed upon it a plicy which forces employers to employ coloureds in preference to blacks," says an editorial in the chamber bulletin

The chamber also takes issue with the Government's stated intention to consolidate Cape Town's black residential areas in Khayelitsha

It points out that upwards of 470 000 blacks will be living in the Cape metropolitan area by the year 2010

8/9/84 ★ Cape

dispute

Union plans action in death threat

C-Times 201

By RIAAN DE VILLIERS
Labour Reporter

THE General Workers' Union yesterday said it had started legal action against a Strand employer who claimed workers had been intimidated and threatened with death during a dispute involving the union this week.

This follows the dismissal of contract workers at Strand Foam on Thursday

A spokesman for the Cape Town-based Legal Resources Centre said it was preparing legal action to have dismissed workers reinstated.

And a GWU spokesman said it was considering further court action restraining the Western Cape Development Board from evicting dismissed workers from their hostel accommodation until legal steps seeking their reinstatement had run their course

The union has claimed that more than 100 contract workers were fired on the spot at the factory on Thursday after declaring their allegiance to the union

Yesterday Mr W J Laurie, managing director of Strand Foam, said the company had received a letter from the union three weeks ago claiming majority membership

When a list was provided, management found that many workers had joined "under protest and under threat"

"Workers have been intimidated to such an extent that they have even been threatened with death if they did not join the union."

Workers were scared to go home after work and some had slept at the factory this week

He said the works committee had told management on Thursday that the situation could not continue and that the "agitators" should be sent back to Transkei.

When workers were called together, 50 rejected the committee and declared their support for the union They agreed to return to Transkei and were dismissed.

However, the union then "appeared on the scene again" and workers were intimidated into not leaving, Mr Laurie said The 50 workers had not yet been paid off and management was negotiating with them on their possible return

"We have no objections against them belonging to the union — but I and other workers object against the intimidation"

Mr David Lewis, the GWU's general secretary, said it dismissed the allegations of intimidation "with the contempt they deserve" It regarded them as defamatory and the matter had been handed over to the union's attorneys

A spokesman for the LRC said it had taken instructions from some of the workers yesterday. It appeared they had been unfairly dismissed and were also victims of "gross victimization solely by reason of their membership of the GWU"

Mr Lewis said later that the development board had undertaken not to evict the workers until Tuesday afternoon

However, the board was aware that legal steps were being taken aimed at the workers' reinstatement, which might take longer

50 foam workers to go back

Labour Reporter

FIFTY Strand Foam workers fired after declaring their support for the General Workers' Union last week would return to work today, a company spokesman said yesterday

However, a spokesman for the General Workers' Union said later that more workers had been involved in the dispute and some had "definitely" not been taken back.

Mr W J Laurie, managing director of Strand Foam, said the dispute had finally been settled during talks with the workers on Saturday morning

"All the problems were sorted out There is no ill-feeling and we now regard this as the end of the matter," he said

All workers would be paid for the two days when they did not work last week.

He emphasized that the company had at no stage negotiated with the General Workers' Union "Workers sorted out the differences among themselves"

At this stage, the company would continue to work "without an unregistered union such as the General Workers' Union" — but added that it might be "forced" to recognize it if the union could recruit the majority of all hourly-paid workers "in a legal manner"

Legal action

"At this stage they cannot prove majority membership and we will therefore not negotiate with them," he said

Asked to comment on legal action the union and the Legal Resources Centre intended to take against the company last week, he said "We believe we have been right from the beginning, and still stand by that If the union wants to continue with any legal action, it is welcome to do so and we will contest it"

Mr David Lewis, the GWU's general secretary, yesterday declined to comment on the settlement and its implications for legal action, but added. "If only fifty workers are returning, there are definitely some workers who will not go back"

He said the union believed the company may not have renewed the contracts of some workers, and if this were correct, it would regard this as "tantamount to victimization"

He added that the union would continue to press for recognition from the company

Foam workers all reinstated

By RIAAN DE VILLIERS
Labour Reporter

MANAGEMENT of Strand Foam yesterday reinstated all the workers involved in a dispute at the firm last week.

The reinstatements were announced by the General Workers' Union and confirmed by a management spokesman

The union said the move "vindicated its view" that the dismissals constituted victimization on the grounds of the workers' membership of the union and were therefore illegal

It said it would now stay legal action planned against the company last week — but warned that it would "watch the situation closely".

Charging management with "misrepresenting" the dispute, the GWU said it had already "categorically denied" management claims that it had intimidated workers, and was proceeding with a possible defamation action against the company

Charges against workers withdrawn

It also disputed a management claim that the dispute was resolved during negotiations between management and the workers "Workers state that management at no stage approached them directly Management merely sent them a message on Saturday indicating that they should report for work on Monday and that they would be paid their wages for Thursday and Friday," the statement said

The union warned it would take legal action if contracts of some workers due to expire soon were not renewed, as it would find it 'difficult to believe that management had not merely deferred victimization" of its members

The union said charges were withdrawn in the Strand Magistrate's Court yesterday against two workers arrested on Friday in terms of influx-control legislation It said it would also take legal action if the firm did not reinstate the two workers as well

Mr W J Laurie, managing director of Strand Foam said yesterday that the contracts of some workers would expire this week "in the normal manner" and would not be renewed because of "economic circumstances"

He declined to comment on the union's statement.

RDM 9/8/84 (201)

Blacks pouring into W Cape, admits board

Mail Correspondent

CAPE TOWN. — Prosecutions and shack demolitions are failing to stop the influx of blacks to the Western Cape, where officials now believe the number of "illegals" may have risen to 100 000, with 50 000 of these at Crossroads alone.

And up to 1 000 more "illegals" could be entering the Peninsula daily, Mr J Gunther, chief director of the Western Cape Development Board, admitted this week.

The admissions have cast renewed doubt on the feasibility of the Government's controversial black affairs policy in the Western Cape.

Mr Gunther said he doubted whether the board was tracing a "quarter of the people who remain illegally in the area".

"We now have proof that prosecutions are failing to stop illegal influx and it is clearly impossible to try to stop the urbanisation process here

"The only way to do this is to offer people in the rural areas what they come to seek in the urban areas.

"The problem will have to be solved at source instead of point of arrival," he added.

In a wide-ranging interview, Mr Gunther and Mr Graham Lawrence, the board's director of labour and housing, indicated that the official plan to "dis-establish" Crossroads before the end of the year was a failure

They also said that the first 5 000 core houses earmarked for the resettlement of 15 000 Crossroads residents legalised in terms of the 1979 Koornhof deal, would now only be completed in March next year, instead of by December

They also disclosed there were no firm plans for building any more houses in Khayelitsha because of a shortgage of funds — which will leave thousands of black families on official tonwship waiting lists, as well as possibly thousands of squatters who may still be legalised, without any prospects of being housed in the controversial new township in the near future

They said the board had applied to the National Housing Commission to agree in principle to fund another 2 500 sites and core structures — but had not yet received a reply.

"Therefore, nothing has yet been planned beyond the first 5 000 houses," they said

Also, there had been no indication that 99-year leasehold would be granted to residents

They said the board was bound by Government directives and declined to comment on the government's local black affairs policy.

But the situation they sketched pointed to a series of delays and problems which is likely to strengthen increasing doubts about the feasibility of Government plans to resettle all legal blacks in the Cape in Khayelitsha, return all illegals to the homelands and clear existing squatter camps.

The said it was "impossible" to estimate the actual shortage of black housing.

This would partly depend on pending Government decisions about the possible legalisation of various categories of squatters

Among these were Crossroads 6 088 people who claim they should be legalised as they were missed in the 1979 Crossroads census.

Give a new deal — blacks in W Cape, academic

NATIONAL/INTERNATIONAL

Political Staff

THE Government's entire policy in respect of black people in the Western Cape should be reconsidered, Stellenbosch economist Professor S J (Sampie) Terreblanche said today

Such a review should include reconsideration of the coloured labour preference policy which no longer appeared to serve any purpose, he said

Professor Terreblanche's views, outlined during an interview, are in line with some of the criticism of existing policies expressed by leading academics of the University of the Western Cape at a seminar on Friday

Although he did not attend the seminar, Professor Terreblanche, head of the Department of Economics at the University of Stellenbosch, is clearly on the side of the growing number of academics and others who are calling for a new approach to the position of black people in the Western Cape

"Package deal"

He said the coloured labour preference policy should be seen as part of an overall "package deal" for the region Related aspects of the overall policy included influx control and control over squatting

In a reconsideration of the entire policy in respect of black people in the Western Cape, attention should be given to such matters as the acceptance of controlled squatting, self-build schemes and possibly also 99-year leasehold for blacks in the Western Cape.

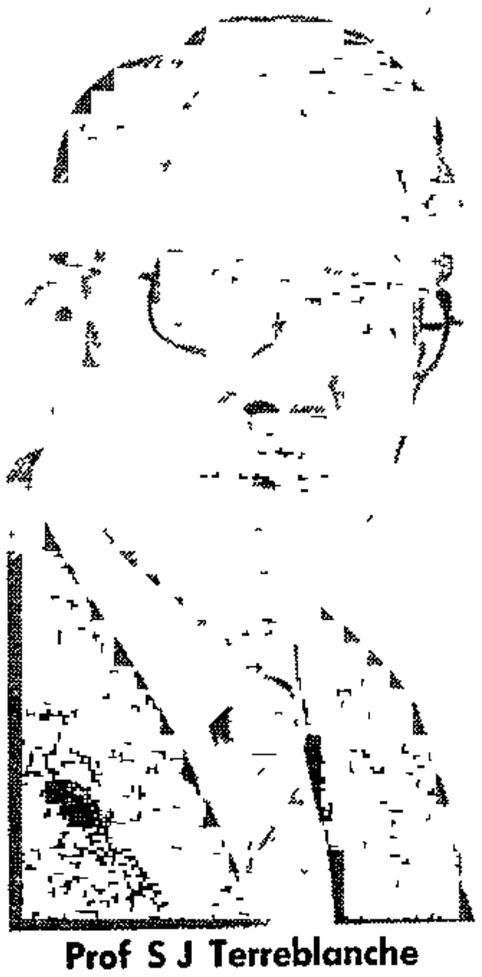
Professor Terreblanche emphasised that he was not advocating the abolition of all forms of influx control. A form of influx control, as well as more development in the black national states, would be necessary

Present policy

Commenting on existing policies, Professor Terreblanche said the issue of "illegal" blacks in the Western Cape had reached such large proportions that he did not know whether the coloured labour preference policy was still serving any purpose at all

This policy appeared to be undermining the overall policy for the region, thereby serving no purpose

At Friday's seminar of the University of the Western



Prof S J Terreblanche

Cape, Professor Pieter le Roux, director of the university's Institute for Social Development, said the present discriminatory policy against blacks did not make sense in terms of the Government's own declared policies

Migrants were kept out of the Western Cape under the same laws which applied to the rest of the country The laws and practices originally adopted to keep blacks out now made life "extremely difficult" for the permanent blacks in the Western Cape — "the so-called insiders"

This was happening at a time when the position of "insiders" in the rest of the country had improved significantly

Lead to changes

The mere acceptance that more homes had to be provided for blacks in the Western Cape might lead to changes that would undermine the coloured labour preference policy

Others who called for a review or scrapping of the labour preference policy included Mr L J Loots, a researcher of the institute, Professor R E van der Ross, rector of the UWC, Mr Alfred Stuurman, a lecturer in the university's Department of Xhosa, Dr Hannes Adonis, a lecturer in the theological faculty, and Professor Jakes Gerwel, dean of the Faculty of Arts and Philosophy at the UWC

(Report by F S Esterhuyse, 122 St George's Street, Cape Town)

13/8/84

201

Argus 22/9/84 (20)

Khayelitsha leasehold?

Nat congress to debate 99-year rights for blacks

By TOS WENTZEL,
Political Correspondent

SOME Cape Nationalists are pressing for blacks in the Western Cape to be given 99-year leasehold rights at Khayelitsha, the controversial new township near Cape Town

However, they do not seem prepared to extend these rights to the existing black townships of Nyanga, Guguletu and Langa

The issue will be debated at the Cape National Party congress in Cape Town next week

Motions on the agenda also include a request for the continued repatriation of "illegal" blacks from the Western Cape to the homelands

A resolution from Stellenbosch and Tygervallei asks that the granting of 99-year leasehold to blacks in Khayelitsha as well as the Western Cape should be considered

Draw people

The Government is likely to be asked at the congress to consider leasehold rights only for Khayelitsha in order to attract people there from other black townships in the Peninsula

Some Western Cape MPs believe that this method, which they regard as more positive, should be used to encourage people to move to Khayelitsha

Government spokesmen have in the past suggested that all blacks — especially from Crossroads, but also from townships such as Langa, Nyanga and Guguletu — would eventually have to move to Khayelitsha.

Although this has been presented as a long-term policy it has been sharply criticised because of the uncertainty it creates in black communities

It has also been pointed out that it will not be possible to house all the blacks in the Peninsula at Khayelitsha

Key debates at NP congress

25/9/84 C-Times 201

By RIAAN DE VILLIERS

THE future of hundreds of thousands of black people in the Western Cape may be at stake in two debates to be held at the annual congress of the Cape National Party this week

Congress may decide to allow 99-year leasehold to be granted in the area, thereby reversing its long-standing resistance to any form of home-ownership for black people in terms of its traditional coloured preference policy

Contrast

However, delegates will be presented with two radically-different proposals One, proposed by Stellenbosch, calls for 99-year leasehold to be granted throughout the Western Cape

Sources close to the congress confirmed this week that the resolution extended to the established Cape townships of Langa, Nyanga and Guguletu

It therefore implies the abandonment of existing government policy that more than 120 000 people in these townships be resettled in the controversial new township of Khayelitsha

In contrast, the Tygerv Valleı constituency, headed by Cape Nationalist Mr Alex van Breda, has proposed that leasehold be restricted to Khayelitsha

In another resolution, Tyger Valleı will also call on the government to "continue with the repatriation of blacks illegally present in the Western Cape" to the homelands These "illegals" are believed to number up to 100 000

Decisions on both these issues may decisively influence government policy on blacks in the Western Cape

Congress decisions are not binding on the government but the views of the powerful Cape Nationalists, under the leadership of the State President, Mr P W Botha, have been regarded as so important that the government has abided by them until now

Mr Alex van Breda

The resolutions touch on fundamental aspects of the government's policy on blacks announced last year, in terms of which all blacks legally in the area — including those in Langa, Nyanga and Guguletu — are to be moved to Khayelitsha, all squatter camps eradicated and all "illegals" sent back to the homelands

Division

Execution of the policy has stalled on a number of levels and there have been growing indications of a government reassessment

The debates are likely to indicate the extent to which this has occurred — and whether the Cape NP will agree to policy changes

They follow weeks of intensive debating and lobbying within the government and the party The situation has been repeatedly described as "highly sensitive" and no prominent Cape Nationalist has been willing to comment publicly before the debates take place

The resolutions on 99-year leasehold reflect a fundamental division within the party

While the granting of any form of 99-year leasehold may be seen by some as an advance, observers say the granting of leasehold for Khayelitsha alone will amount to a reaffirmation of the hard-line approach to the presence of blacks in the Cape

Khayelitsha has been planned as a self-help scheme and some form of tenure that can be mortgaged has always been regarded as essential for the scheme to get off the ground

Until now, the deadlock over leasehold has effectively stalled removals to the township

Therefore, observers say, the Cape NP's resistance to leasehold has hindered rather than helped existing policy which is aimed at controlling and limiting the presence of blacks in the Cape

In contrast, the Stellenbosch resolution implies a major policy change as it will effectively mean the abandonment of plans to resettle blacks in the established townships in Khayelitsha — and the acceptance of the permanence of blacks in all other towns in the Western Cape as well

Repatriation

● The resolution on the repatriation of "illegals" has equally far-reaching implications

While this was never spelled out in detail, last year's new policy clearly implied that all "illegals" in the area — said to number up to 100 000 — would be removed from the Cape back to the homelands

Observers argue that this would be almost impossible and would risk severe confrontation, particularly with "illegals" in the squatter communities

Indications have been that the government has been reassessing this as well — but hopes for a policy change will receive a setback if the resolution is adopted

Coloured preference policy ends

By ANTHONY JOHNSON and RIAAN DE VILLIERS

THE State President, Mr P W Botha, announced yesterday that the government had decided to scrap the coloured labour preference policy in the Western Cape and to grant 99-year leasehold to blacks in Khayelitsha as well as "certain other areas" in the region.

The announcement came when Mr Botha replied to a resolution on 99-year leasehold rights at the annual congress of the Cape National Party in Cape Town yesterday.

Mr Botha gave no indication of which other areas could be opened to 99-year leasehold.

However, it is thought likely they will include the established Cape Town townships of Langa, Nyanga and Guguletu and that the government has abandoned its controversial policy decision of last year to move all blacks in these townships to Khayelitsha.

The move represents a fundamental reversal of long-standing Cape Nationalist policy aimed at limiting the presence of blacks in the Western Cape.

Motivating the decision, Mr Botha said the Western world was extremely sensitive to the large-scale removal of people "just because you want to move them".

Increasing numbers of people in South Africa were also displaying great sensitivity on this issue.

"We cannot live as if we do not have to take any note of this," he said.

He also told the congress that the State needed private-sector assistance to develop black housing — and the private sector was not prepared to help on the basis of shorter leasehold systems.

The announcement that the coloured labour preference policy would also be scrapped came as a major surprise as the issue was not mentioned in the resolution under discussion.

In terms of this policy, blacks with permanent residential rights in the Western Cape may not be employed without proof that suitable coloured employees are not available.

The policy has been a severe disadvantage to local black work-seekers and the scrapping of the policy is expected to improve the economic situation of the permanent black community significantly.

The move also appears to represent a major concession to the Labour Party, which has repeatedly called for the repeal of the preference policy during its parliamentary election campaign.

Mr Botha's intervention came after discussion on conflicting proposals on 99-year leasehold. One, submitted by the Stellenbosch constituency, suggested that 99-year leasehold should be granted throughout the Western Cape.

Another, submitted by Tygervallei, suggested that it should be granted in Khayelitsha alone.

Delegates sat in silence as Mr Botha made his announcement. He said in conclusion that he felt he should give the congress some guidance on the issue.

In what appeared to be a carefully stage-managed move, the Minister of Constitutional Development and Planning, Mr Chris Heunis, then immediately called for verbal approval of the announcement, and declared it had been unanimously accepted after muted approval from some delegates.

Mr Botha emphasized that the policy change did not imply approval of "uncontrolled influx" of blacks.

He said this matter would be attended to in draft legislation on urbanization being considered by the cabinet committee under Mr Heunis's chairmanship which is looking into the position of urban blacks

He also emphasized that the government was discussing the problem of "uncontrolled influx" with homeland leaders.

Replying to reservations expressed by delegates, Mr Botha noted that property rights did not necessarily imply rights to permanent residence. However, if people had permanent residence rights already, they had a legitimate claim to property rights.

"This has to be given serious consideration by any government in the civilized world, and should also be the case in the Western Cape," he said.

He said the government had identified Khayelitsha last year as the only suitable site for urban development for blacks.

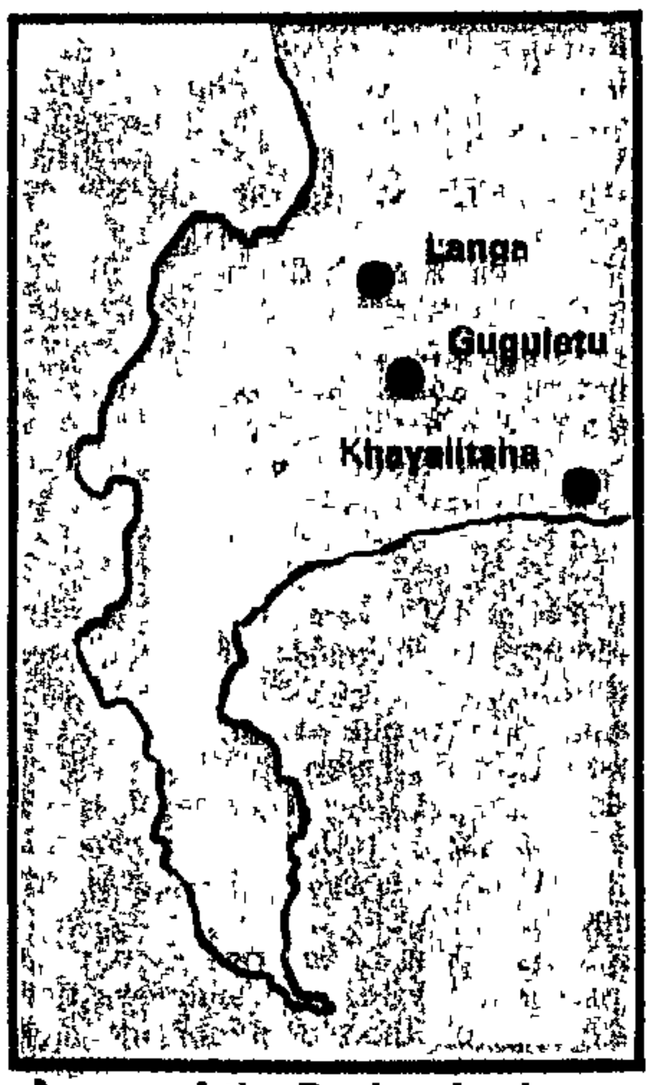
He told congress the State could not develop Khayelitsha alone and needed private-sector assistance. "The private sector is simply not interested in 30-year leasehold and we will not get their help on that basis."

Therefore it had been decided, after thorough investigation, to grant 99-year leasehold in certain areas of the Western Cape, including Khayelitsha.

Mr Botha added: "In the light of the recommendations of the Riekert Commission which have been accepted by the government, it is my view that black people permanently in the Western Cape should have the right to compete on an equal footing with others on the labour market."

● Botha on urbanization, page 23

Coloured preference polic



A map of the Peninsula showing the black townships.

By ANTHONY JOHNSON and RIAAN DE VILLIERS

THE State President, Mr P W Botha, announced yesterday that the government had decided to scrap the coloured labour preference policy in the Western Cape and to grant 99-year leasehold to blacks in Khayelitsha as well as "certain other areas" in the region.

The announcement came when Mr Botha replied to a resolution on 99-year leasehold rights at the annual congress of the Cape National Party in Cape Town yesterday.

Mr Botha gave no indication of which other areas could be opened to 99-year leasehold.

However, it is thought likely they will include the established Cape Town townships of Langa, Nyanga and Guguletu and that the government has abandoned its controversial policy decision of last year to move all blacks in these townships to Khayelitsha.

The move represents a fundamental reversal of long-standing Cape Nationalist policy aimed at limiting the presence of blacks in the Western Cape.

Motivating the decision, Mr Botha said the Western world was extremely sensitive to the large-scale removal of people "just because you want to move them".

Increasing numbers of people in South Africa were also displaying great sensitivity on this issue.

"We cannot live as if we do not have to take any note of this," he said.

He also told the congress that the State needed private-sector assistance to develop black housing — and the private sector was not prepared to help on the basis of shorter leasehold systems.

The announcement that the coloured labour preference policy would also be scrapped came as a major surprise as the issue was not mentioned in the resolution under discussion.

In terms of this policy, blacks with permanent residential rights in the Western Cape may not be employed without proof that suitable coloured employees are not available.

The policy has been a severe disadvantage to local black work-seekers and the scrapping of the policy is expected to improve the economic situation of the permanent black community significantly.

The move also appears to represent a major concession to the Labour Party, which has repeatedly called for the repeal of the preference policy during its parliamentary election campaign.

Mr Botha's intervention came after discussion on conflicting proposals on 99-year leasehold. One, submitted by the Stellenbosch constituency, suggested that 99-year leasehold should be granted throughout the Western Cape.

Another, submitted by Tygervallei, suggested that it should be granted in Khayelitsha alone.

Delegates sat in silence as Mr Botha made his announcement. He said in conclusion that he felt he should give the congress some guidance on the issue.

In what appeared to be a carefully stage-managed move, the Minister of Constitutional Development and Planning, Mr Chris Heunis, then immediately called for verbal approval of the announcement, and declared it had been unanimously accepted after muted approval from some delegates.

Mr Botha emphasized that the policy change did not imply approval of "uncontrolled influx" of blacks.

He said this matter would be attended to in draft legislation on urbanization being considered by the cabinet committee under Mr Heunis's chairmanship which is looking into the position of urban blacks.

He also emphasized that the government was discussing the problem of "uncontrolled influx" with homeland leaders.

Replying to reservations expressed by delegates, Mr Botha noted that property rights did not necessarily imply rights to permanent residence. However, if people had permanent residence rights already, they had a legitimate claim to property rights.

"This has to be given serious consideration by any government in the civil

T'kei lauds change in W Cape labour preference policy

27/9/89 E. Post

201

UMTATA — The Transkeian Government last night congratulated the State President, Mr P W Botha, on his announcement that Pretoria was scrapping its coloured labour preference policy in the Western Cape and extending 99-year leasehold there.

In a statement issued in Umtata, Transkei's Minister of Foreign Affairs and Information, Mr Mtutuzeli Lujabe, said the extension of 99-year leasehold would give blacks in the Western Cape a sense of belonging, possession and responsibility

"The remorseless harassing of the blacks by South African Government officials and subsequent relocation was causing untold harm and misery on these unfortunate people," Mr Lujabe said

The alleviation of the housing shortage would go a long way towards solving the problem of squatting

Mr Timo Bezuidenhoud, the key Government official in charge of black affairs in the Western Cape, said yesterday he was "delighted" with the policy changes

He said he had repeatedly advised the Government over a long period that the abolition of the coloured labour preference policy and the introduction of 99-year leasehold in the Western Cape was "absolutely essential".

"I believe this will lead to much greater stability in the area I hope the private sector and the Urban Foundation, which also pressed for these changes to be introduced, will now make their contribution"

The Western Cape branch of the National African Chamber of Commerce (Nafcoc)welcomed the decision and a Nafcoc spokesman said it was in line with a basic principle that people had a right to sell their labour where they wished

He said the Government's decision was long overdue and would lead to a stable and happy black community in the area

The Urban Foundation welcomed the extension of the 99-year leasehold to blacks in the Western Cape as a victory for human concern

The chief executive of the foundation, Mr J H Steyn, said in a statement in Johannesburg it would offer great opportunities Among these were that employers would be able to assist their workers to acquire their own homes and that every black who qualified for rights of permanence could now become a home owner

Building societies and other lending institutions could now lend to blacks and self-help housing would became a real option and squatter settlements could now also be upgraded — Sapa

Labour policy shift welcomed

By RIAAN DE VILLIERS
Labour Reporter

THERE was widespread reaction yesterday to the government announcement that the Coloured Labour Preference Policy (CLPP) is to be scrapped and 99-year leasehold introduced for blacks in certain areas of the Western Cape

Mr Jan Steyn, executive director of the Urban Foundation, said that while greater clarification was required concerning the areas involved, the decision was a "major breakthrough", a recognition of economic realities and a victory for human concern

It offered "great opportunities" for the UF and the private sector

Employers could now assist employees to acquire their own homes, every black qualifying for rights of permanence could now become a home owner, and building societies and other lending institutions could now help in lending to blacks

"The foundation is appreciative of all the assistance it has received over the past seven yeras, during which it has sought unceasingly to achieve this goal," he said

He was also authorized to say the private sector "would not be found wanting" in giving content to the decision and responding to the State President's request for its involvement.

● Mr Timo Bezuidenhoud, key government official in charge of black affairs in the Western Cape, said yesterday he was "absolutely delighted" at the policy changes

He said he had repeatedly advised the government over a long period that abolition of the CLPP and the introduction of 99-year leasehold in the Western Cape was "absolutely essential"

● Mr Ken Andrew, PFP spokesman on black affairs in the Western Cape, said the announcement on the CLPP would be widely welcomed

The intention to allow 99-year leasehold would also help to improve the lot of blacks in the area

"But I hope that the existing townships of Langa, Nyanga and Guguletu will be included in the leasehold scheme"

"To exclude them would cause enormous harm and in any event would be a decision that would have to be reversed in years to come," he said

● Mr Jonathan de Vries, Western Cape publicity secretary of the United Democratic Front, said before the move was applauded as a "step in the right direction", it should be pointed out that people in the townships had a number of "clear demands"

These were that no removals take place to Khayelitsha, that the State provide houses for all the people of Cape Town at rentals they could afford and that all measures controlling influx into the cities be scrapped

Freehold

"All people should have the right to live and work where they choose," he said

He added the UDF was committed to the abolition of the "entire legislative system supporting apartheid"

● The secretary of the Western Cape Civic Association, Miss Noma-India Mseketo, said in a statement that it welcomed the announcement on the CLPP — but blacks still demanded freehold rights

Concession not for 'illegal' blacks

Political Correspondent

THE 99-year leasehold concession for blacks in the Western Cape announced by the government did not mean that the door had been opened to blacks in the area, the Deputy Minister of Foreign Affairs, Mr Louis Nel, said yesterday

Speaking at the Cape congress of the National Party in Cape Town, Mr Nel said the government's willingness to grant 99-year leasehold to blacks in Khayelitsha as well as "certain other areas" in the Western Cape did not apply to those "illegally" residing in the area

He reaffirmed the government's policy of repatriating "illegal" blacks to the homelands

The government would also continue to subsidize job-creation projects in the homelands as part of its decentralization programme

R550m aid

He noted that over R550-million in financial aid for job creation and special project aid had been given to the homelands last year

A committee had been set up to investigate additional ways of boosting the economic development of the homeland areas

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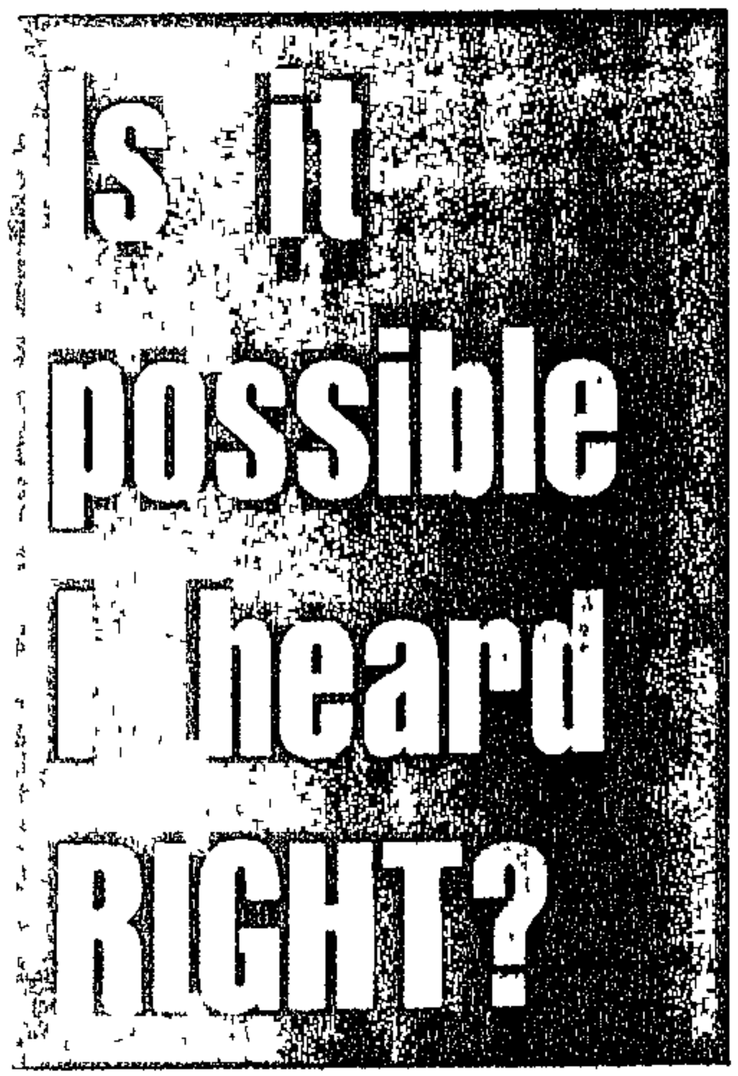

BRIAN POTTINGER REPORTS ON THE CAPE NAT CONGRESS

IT was the confession congress.

Everybody at the Cape National congress from the State President down seemed to concede that the ruling party had boobed in handling some crucial rural development and urbanisation problems.

The admissions were neither abject nor entirely new — but they had that ring of sincerity that dire economic circumstances succeed so well in bringing to the voices of politicians.

It was in this atmosphere that some incomprehensible NP shibboleths were quietly, if not enthusiastically, despatched by the Cape wing of the party. Black urban permanency was accepted in the Western Cape and the coloured labour preference policy given the boot.

The Cape Congress and its decisions on urban blacks in the Western Cape was a vignette, an almost symbolic recanting of past sins in trying to force molten demographic factors into plastic ideological moulds.

State President P W Botha provided the keynote. Overriding some obvious congress misgivings he made clear it was time to extend the 99-year-leasehold scheme to "legal" blacks living at the new township of Khayelitsha and some other areas. And he announced the dropping of the coloured labour preference policy.

Benefits

For the black communities of the Western Cape the move will not mean much in concrete terms. Only a small group is likely to benefit in the short term from the 99-year-leasehold. The real scrap between the "illegals" and the authorities remains unremedied; government spokesmen in fact made it clear that influx control would be just as tightly implemented.

The same goes for the scrapping of the preference policy. Any employer can testify that its application has been observed more in the breach than in the commission for some time and in a period of high unemployment the immediate benefits are likely to be slight.

But the political and psychological importance of the moves in NP terms should not be underestimated.

The coloured labour preference policy and the denial of permanency to blacks has been a core belief of the Cape National Party for many years.

Against all opposition the Cape NP have quixotically held their ground: against organised commerce and industry, against the Urban Foundation, against Afrikaner academics (some of them originally protagonists of the policy), the churches, the administration boards, even the declared wishes of the coloured community and, most importantly, against reality.

It also had a lot to do with a deep-rooted psychological need by the NP to carve at least a part of the country as indisputably white.

This week, at the Cape congress, President Botha burnt the security blanket.

By NP standards it was a remarkably frank speech in which he conceded that had the Government accepted more of the Tomlinson Commission report of the mid-1950s "we would have fewer problems today".

Reference to the report was significant. The Government — in creating independent homelands while pursuing the political possibilities raised by the report — has consistently refused to accept the massive parallel economic implications.

Milestone

Mr Botha admitted by implication this week that economic realities had yet again overwhelmed ideological considerations.

Blacks *would* continue coming to the Western Cape, housing *would* have to be built to deal with the influx, the Government *could not* pay for it without private sector help and the businessmen were insisting on urban black permanency and 99-year-leaseholds, as the price for their participation.

The whole Western Cape package was presented with the rationale of the technocrat. Humanitarian or moral considerations rated scarcely a mention.

Yet it was undoubtedly another milestone on the slow retreat by the Government from the implications of a political philosophy that the country has thus far survived but increasingly cannot afford.

It was only the latest acceptance of the long-denied realities of urbanisation and followed the mould of other milestones such as the acceptance of the permanency of urban blacks in other parts of the country in 1979, the extension of leasehold rights, the encouragement of small businesses and the informal sector and the ungracious acceptance of squatter improvement and self-help schemes.

The *mea culpa* mood set by the State President in trying to

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BRIAN POTTINGER REPORTS ON THE CAPE NAT CONGRESS

The Nats Saying: We were WRONG?

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The *mea culpa* mood set by the State President in trying to convince the Cape congress of the need to dump old policies unleashed similiar responses in other speakers.

Mr Chris Heunis, Minister of Constitutional Development, delivered an impassioned warning against the morass of legislation which governs virtually every move of the individual.

"This land is totally over-regulated. The sooner we get rid of these rules the better," he said.

Chided

And Dr Dawie de Villiers, Minister of Industries, Commerce and Tourism, was not far behind. He chided congress delegates for their numerous calls for Government intervention in a range of economic activities.

It was rather ironic coming from a Government that has been enlarging or amending the body of statutes in this country at an average rate of 70 Bills a year for 36 years. And still stands by the vast majority of them.

WESTERN CAPE BLACKS RULING COMES WITH A WARNING ON TRAINING

By LIN MENGE

A MAJOR development in training facilities for blacks would be needed in the Western Cape after the Government's decision to extend 99-year-leasehold to the area.

This warning has been given by Mr John Burns, executive director of the Manpower and Management Foundation.

He welcomed the decision as a significant move for the free-enterprise system. Blacks could now work and live in the area where coloured labour had had preference.

Orderly urbanisation was now on the cards and would benefit the economy.

Mr Burns said he knew of no training facilities for blacks in the area. There would be massive unemployment if they had to compete with coloureds, who had training, and many people would end up living with relatives in Khayelitsha because they could not find jobs.

Mr J H Steyn, chief executive of the Urban Foundation, which has fought for the past seven years for a change of policy towards blacks in the Western Cape, said the "statesmanlike decision to introduce this basis for greater stability and development opportunities must be particularly welcomed at a time of instability in some other areas of the country".

The effective removal of the preference in job opportunities given to certain groups accorded with free-market principles and promoted human dignity and self-respect.

Argus 6/10/84 (20)

By PIPPA GREEN
Labour Reporter

'Shall we give thanks to the Lord ?'

Sister Monica, principal of the St Francis Adult Education Centre

Joy over scrapping of coloured labour preference policy

"DEAR Sister Monica, good news today is that the coloured labour prefernce policy has been scratched off Shall we give thanks to the Lord ?"

This unsigned note left on the principal's desk at the St Francis Adult Educational Centre in Langa probably summed up the feelings of hundreds of African students in Cape Town, until now all victims of the crippling labour preference policy

State President, Mr P W Botha's announcement that the policy will be scrapped has been greeted with widespread relief

Students, young and old, who have struggled to improve their education in the hope of better job opportunities have been sorely disappointed

Maria Mbali is one of these With four out of six subjects towards a matric certificate, she has spent the past three years on and off working as a domestic servant

At the bottom

Earlier this year, she applied for a clerical job in a large retail store She was told the only jobs available to her were cleaning or cooking

"The lady who interviewed me told me about this coloured labour preference She told me I would have to start at the bottom and I said 'I don't mind'

"So she took me into the kitchen and asked whether I preferred cooking or cleaning I said cleaning, but even then she said I must not hold out any hope of a job because of this policy"

Miss Mbali did not get the job She now does temporary cleaning work for a large contracting firm while she finishes her matric at St Francis

"The scrapping of this policy has made me very happy It has made everyone in the township happy On the day the news came out, all the young people were showing each other the newspaper"

Disrupted

Miss Mbali's ambition is to teach children with learning problems

"But even if I can't do that, I hope to get a better job than cleaning"

Miss Nompumelelo Qotole has nearly finished a three year degree in jurisprudence at the University of the Transkei

But her studies were disrupted by the university's closure after the unrest there, and she plans to finish her degree through Unisa

In the meantime, she is keen to work in either a lawyer's office or the magistrate's court as an interpreter

Become labourers

"The scrapping of this policy will make a great difference to blacks with matric Until now, they have not been able to find clerical jobs Most of them have become labourers

"In Johannesburg or Port Elizabeth, blacks with matric can go and work in a bank, but not here

"Even with a law degree, it has been very difficult to find a job Many white firms say blacks are not supposed to practise here, but in the homelands", she said

There are hundreds of stories like these in Cape Town There is the young man, who has a matric, who has been doing casual "delivery boy" jobs, there is another young man, who with a matric and half a university degree, worked as a labourer in a large textile factory in Paarl, a young woman wants to be a radiographer, but has not been able to get into a hospital to train

For many the disappointments have been intensified by a peculiar practise of issuing black children with "white" career books in some schools, according to Ms Ann Major, education officer for Race Relations

"Quiet joy"

Sister Monica of St Francis said there had been "a quiet joy" at the Centre for the past few days

She said it had been a "painful experience" to see students at the Centre — many of them working adults — struggle to further their education when there were few better job opportunities

"I have been quite astounded by the patience and quiet dignity of the students in the face of this discrimination," Sister Monica said

Mr Jeremiah Mokotedi, an elderly nightwatchman at the Centre studying for matric said the Government move was a "welcome step not only towards giving blacks an oppportunity as part of their elementary human rights, but also to seek employment without hindrance"

Mr Jeremiah Mokotedi, a nightwatchman studying for matric.

Maria Mbali

Nompumelelo Qotole . . . studying jurisprudence

Leasehold welcomed

Staff Reporter

THE Cape Chamber of Industries has welcomed the government announcement that 99-year leasehold rights are to be granted to black people in Khayelitsha and certain other areas in the Western Cape, and that the coloured labour preference policy is to be abolished

The weekly bulletin of the CCIC quotes Mr C J Newton, president of the Chamber, as saying the resolution was in accord with the Chamber's plea for improved conditions for black residents

The Chamber saw the new policy as having promise for the future of the Western Cape "in terms of economic progress and the benefits which flow from providing security of tenure for those who live and work there"

● Residents move into core homes, page 11

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● Residents move into core homes, page 11

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Apart from calling it a discriminatory measure — which was not exactly in line with his department's philosophy of deracialising labour legislation — Dr Van der Merwe pointed out that it wasn't even enforced.

The month before, he told the committee, that permits to employ black workers were granted in 94% of the applications

"It would appear that the measure — in spite of the large amount of work that goes into it and its limiting influence on the free market economy — is not even applied much," he said.

So, one of the most important effects of the government's decision to scrap the preference policy is that it cuts down on a huge amount of bureaucratic work. Another step to overcoming the Department of Manpower's manpower shortage?

LABOUR WEEK

In a remarkably outspoken criticism of what was then strict government policy Dr Van der Merwe hit out at the preference policy in evidence to the President's Council's economic affairs committee in October 1982

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So, one of the most important effects of the government's decision to scrap the preference policy is that it cuts down on a huge amount of bureaucratic work. Another step to overcoming the Department of Manpower's manpower shortage?

MANPOWER chief Dr Piet van der Merwe must be pleased that his officials are now free from applying what he once referred to as a discriminatory measure — the coloured labour preference policy

201 E. Post ..

16/10/84

Few pass law cases handled under new system of justice

By JOHN CLARK

AT most, only 30 pass law cases a week are being processed in Port Elizabeth's New Brighton Court since the Commissioner's Courts came under the jurisdiction of the Department of Justice, according to Mr Hennie Mouton, the prosecutor at Court 24 which deals with pass law and trespassing offences

Mr Mouton said pass law cases were now being dealt with on only one day a week

Mr Mouton said that in cases where persons were sentenced, the case was referred immediately to the senior magistrate at the court, who examined the case to see if everything had been done according to law

He said prosecutors involved in pass-law offences examined cases thoroughly before bringing them to court

Mr Mouton said nearly 10% of cases were rejected because the evidence was incomplete

He said those found guilty were seldom fined more than R5 (or five days) and were often given until the end of the month to pay the fine or helped by the Prisoner's Friend

Mr J J Swart, assistant senior prosecutor in Port Elizabeth, said only really serious pass offences ever came to court in Port Elizabeth

"In Port Elizabeth courts, there are virtually no pass-law cases being processed," said Mr Swart

Mr Swart said since the Hoexter Commission recommendations were made, the Commissioner's Courts, which were run by the Department of Co-operation and Development, no longer existed

The commissioners had been re-appointed, but under the Department of Justice the controls and procedures were different

When people were picked up, they were immediately screened by a trained officer

Furthermore, it was procedure for the suspect to be given reasonable opportunity to produce his documentation

If the person was charged, he or she was brought to court and appeared before a magistrate as soon as possible — often that afternoon

Labour policy still in force

6/11/84 C-7 mrs B670 201

Political Staff

THE controversial coloured labour preference policy, which President P W Botha said six weeks ago was to be scrapped, is still being applied in the Western Cape

The Chief Commissioner for the Western Cape, Mr Timo Bezuidenhoud, said yesterday the policy "is still applicable"

Mr Bezuidenhoud added "I am awaiting a directive in writing from the government."

Yesterday Mrs Noel Robb, director of the Black Sash Advice Office in Cape Town, said the coloured labour preference policy was still being applied in the Western Cape, in spite of President Botha's statement at the Cape congress of the National Party on September 25

Proof

Mr Botha said then that in light of the Riekert Commission's findings, which had been accepted by the government, "it is my view that black people permanently in the Western Cape should have the right to compete on an equal footing with others on the labour market"

In terms of the policy, black people with permanent residence rights in the Western Cape may not be employed without proof that suitable coloured employees are not available

At the time of the announcement, the move to scrap the coloured labour preference policy was widely welcomed The Labour Party has also campaigned for the repeal of the policy

Although the policy is still technically in force, government sources believe that its official abolition is likely soon

'No clarity'

In the same speech, President Botha also announced the extension of the 99-year leasehold scheme to the Western Cape, and said the scheme would apply in Khayelitsha and "certain other areas", but no further details have been given

Mrs Sue Joynt of the Black Sash Advice Office said yesterday that there has been "no clarity on this matter at all"

"No one knows who can apply for 99-year leases, where they can apply or how they can apply

"It is all just pie in the sky at the moment"

Mr Bezuidenhoud said no further details about the application of the 99-year leasehold scheme in the Western Cape were available yet

"As far as the 99-year leasehold policy is concerned, this has been approved by the Cape congress of the National Party

Not available

"It will now have to be considered by Parliament The Western Cape will have to be included in the Act," he said

Mr Bezuidenhoud said he was involved in discussions about 99-year leases in the Western Cape, but they were not yet available

Although President Botha, when he was still prime minister, said it was the government's policy that all black people in the Cape Town area would have to move to Khayelitsha, he also said no one would be forced to move there

It is now hoped, however, that 99-year leases will also be available in Langa, Guguletu and Nyanga and that Khayelitsha will be used to accommodate people who cannot finding housing in these areas, because of the increasing size of Cape Town's black population and the huge costs of development at Khayelitsha where R88 million has been budgeted for the first phase of 5 000 core houses

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12/11/84

Preference policy: Scrapping not official

By BARRY STREEK

THE Department of Manpower on Friday confirmed that the scrapping of the coloured labour preference policy in the Western Cape — announced by President P W Botha at the end of September — was not yet official

"Our department is still performing the policy carried out under the old system as if there was no change," Dr Skippie Scheepers, the Deputy Director-General of the Department of Manpower, said in an interview

"There must be some sort of formal procedure When that stage is reached the officials will be duly instructed

"Nothing has transpired yet in a formal sense although something will have to be done Although the Cape Congress of the National Party has approved this decision, we cannot change the policy until we have had a formal instruction," he said

This instruction would have to come from ministerial level

Asked if there was any indication when the formal decision to abolish the policy would be taken, Dr Scheepers said "That is very difficult to say It is up to the President and his cabinet to decide"

He said other departments were also involved, particularly the Department of Co-operation and Development.

The abolition of the coloured labour preference policy, as well as the extension of the 99-year lease system to Khayelitsha and to other unnamed areas in the Western Cape, were announced by President Botha when he spoke at the Cape Congress of the National Party

Khayelitsha increasing influx conrol

C-Times 201 23/10/84

This is an adaptation by VANESSA WATSON and GEORGE ELLIS of an article in Race Relations News

IN May 1983 the government announced in Parliament that a new African township would be established in the Western Cape and that the existing African townships of Langa Nyanga and Guguletu and the squatters at Crossroads and KTC would eventually be moved there

Khayelitsha, as the new "city" is to be called, lies 35 km from the centre of Cape Town between Mitchells Plain and Somerset West and is planned to hold between 200 000 and 300 000 people

While provision has been made in the plan for facilities such as schools, sports fields, community centres, etc, Khayelitsha will in effect be a dormitory suburb for Cape Town, no work opportunities will be provided there and the population is expected to commute daily across the metropolitan region

The construction of Khayelitsha has been moving very rapidly By March 1985 it is intended to have ready 5 000 "core" houses (defined as a bathroom and two rooms) which people are expected to upgrade following the self-help principle The cost of this phase of development will be more than R80 million

In the meantime preparations are going ahead for what will become the Western Cape's biggest removal programme yet. In anticipation of the move all further development in the existing townships was frozen earlier this year and a concerted attack launched on the squatting community

Condemned

Raids on Crossroads "illegals" and KTC squatters have been a daily occurrence during the winter of 1984, and instructions have been issued that all backyard shanties in the townships (which house a significant proportion of their population) must be destroyed

The Khayelitsha plan has been condemned by a wide range of groups Residents of the existing African townships and the squatter camps have said they will not move, the PFP condemned the scheme at the outset as "a crazy and disastrous move", and subsequently the Urban Foundation, the Cape Town Chamber of Commerce and the Cape Town Afrikaanse Sakekamer have added their voices to the protest

In evaluating the Khayelitsha proposal, there are three issues that have received particular attention

The first is that the motivation for the creation of Khayelitsha cannot be seen as simply the consolidation and upgrading of African housing It forms part of a broader government strategy aimed at the tightening of influx control and the accommodation of urban Africans in the Metropolitan area in a fashion more acceptable to the National Party

The building of Khayelitsha will aim to solve a number of the government's perceived problems It will make the regulation of influx to the Western Cape (at present rendered almost unenforcable by the presence of squatter camps and backyard squatting) a far easier task and it will provide a final solution to the Crossroads problem, which has long been a thorn in the government s side

It was also intended to allow the removal of African townships such as Langa, which are situated close to the metropolitan centre and upper-income white suburbs It has now been admitted by government spokesmen that this is an unreliable dream, but the township inhabitants are still threatened by the possibility the government will try to move many of them

A second issue is that Khayelitsha is a bad decision in planning terms

In terms of location, the "satellite city" form of development has already been tried in the Western Cape at Atlantis (45 km from Cape Town) and Mitchells Plain (38 km from Cape Town) These precedents give clear indications of the way Khayelitsha will develop

[illegible] the cost of providing services will be very high as transport costs have to be added and lengthy service connections made

Khayelitsha stands no chance of becoming a "city" in the true sense of the word — no jobs will be provided there, so workers will have to commute great distances each day, a time-consuming expensive, and wearying process

There is little chance that an adequate range of community and commercial facilities will develop there as a township made up almost entirely of low-income people will not be able to support a wide range of facilities

The running costs of Khayelitsha will be extremely high and if ever an attempt is made to make it "self-financing", as is usually the case with township development this will be reflected in terms of high rents and high service charges (at present highly subsidized rents are envisaged)

In effect, Cape Town's lowest income group will be moved into some of the most expensive housing stock (relative to its standard) in Cape Town Many of them will be unable to afford this

In terms of the form of housing provision proposed it has been shown in other parts of the world that the self-help principle will only be a success if people undertake it as a voluntary choice, there is security of tenure, and the self-help approach is implemented in consultation with true community organizations as part of a community-building process With the exception of the promised 99-year leasehold, none of these holds in the case of Khayelitsha Restrictions on the way the "core houses" can be developed may well cause them to become extremely inadequate, overcrowded slum housing

Finally, when Khayelitsha is completed, the accommodation there, together with that presently available in the very overcrowded townships of Langa, Nyanga and Guguletu, will apparently still be insufficient to house the African population in the area by the end of the century The proposal is simply inadequate numerically to solve the African housing problem

The third issue which has received attention is the threatened relocation of people from existing townships and settlements

Distress

It is feared that the move will be used as a means to "weed out" illegals and break community resistance, the government has already promised that Crossroads squatters will be spread out in Khayelitsha so as to reduce their power as a protest group

The existing African townships form settled communities, and the social disruption and distress caused by such a move is likely to be severe Many tenants in the existing townships have invested significant sums of money on improvements to their rented dwellings

Under the lease agreements that bind all township tenants the Development Board is not required to pay compensation for improvements and people stand to lose financially by the move

As a result of these factors, considerable resistance, perhaps even violence, may be expected when the board eventually tries to cajole or force the African population in the existing squatter areas or townships to move to Khayelitsha

The consequences for race relations may be particularly dangerous if coloured people are moved into areas vacated by Africans who are moved to Khayelitsha against their will

Meanwhile, except for occasional respites, the attack on the squatters has continued It may be expected to intensify once the movement to Khayelitsha has begun It is totally inconceivable that whites would ever be treated the way Africans have been treated on the Cape Flats this winter, indeed, not even dogs or cattle would receive such treatment

Irrespective of ministerial assurances, the defenceless poor are still victims of the apartheid dream

MICRANT LABOR S.A – Cape

1985

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201

Closer of life

E. Post 12/1/85

iew. Above. Some sleeping quarters and the grounds at the old mu-
ing to a private firm which was upgraded four years ago.

Living conditions of migrant labourers came under the spotlight this week following Senator Edward Kennedy's visit to a Soweto, Johannesburg, hostel. Weekend Post visited similar hostels in Port Elizabeth's New Brighton township, to see if his criticism could also be levelled at conditions here. While some migrant labourers still live in old buildings which fall short of health regulations, others are paying the same rate for vastly improved conditions. Millions of rands are being spent on upgrading projects. The question remains: do Port Elizabeth's hostels provide decent living conditions?

THE "cruel, hard and difficult" situation of migrant labourers in South Africa was something he had not encountered anywhere else in the world, said Senator Edward Kennedy after a visit to the Nancefield hostel in Soweto this week

He added that it was one of the "most depressing, despairing visits made to any facility," in his life

With these comments in mind the Weekend Post paid a visit to Port Elizabeth's New Brighton black township, where it was found that living conditions in single quarters there varied from reasonable to deplorable

The contract worker system and the subsequent ills of hostel life have long been contentious issues in this country

Defenders of the migrant labour system, which separates the working father from his family, argue that without it the man would have no job at all

Opponents argue that had the system not been allowed in the first place, alternatives would have been found Instead the State and businessmen, they say, collaborated to obtain the cheapest possible labour

In recent years the private sector has taken the lead in upgrading buildings which were once condemned as "inhumane

look at quality in PE's hostels

E. Post 12/1/85 (201)

Report by BESSIE BOUWER Pictures by JACK COOPER

hovels"

The Government has also allocated millions of rands to similar upgrading projects and evidence of improvements is visible in Port Elizabeth

These ongoing projects, say defenders of the migrant labour system, will eventually provide such cheap and comfortable accommodation that nowhere else in the world will migrant labourers "have things so good"

That these improved buildings are infinitely better than the dreadful conditions of the old buildings is not to be denied, say opponents of the system But the fact that millions are being spent to prop up a totally immoral system, which destroys family life by forcing members to live apart, cannot justify migrant labour

In addition, the fact that workers are still living in some of these old hostels which were allowed to deteriorate to their present condition contravenes every health regulation in the book, they add

The question of living conditions in hostels was hotly commented on by various spokesmen this week, following Weekend Post's visit to the municipal hostel and several others owned by private firms

Mr A Mackay, personnel manager of a firm which upgraded its hostel four years ago, said he had shared Senator Kennedy's feelings when he first saw conditions at the old quarters

"I felt exactly the way he did when I saw the atrocious conditions in which workers were living It was wrong to expect workers to live in conditions of such despair

"The upgrading of this hostel has improved life for the workers tremendously and these men appreciate the change," he said

A visit to the hostel showed small but immaculately clean single and double rooms containing a cupboard for clothes, another for personal belongings and curtains on the windows

Each unit, able to accommodate 14 men, contained six clean showers, basins and separate toilet facilities with doors

Residents ate in a neat diningroom, which also contained a television set The rent was about R7 a month, said one of the workers

Mr Mackay said the hostel was able to house 60 men, but with the new housing scheme at Motherwell, only about 30 workers needed accommodation at this hostel

Hostel inhabitants tended the neat lawn outside and since the improvements the workers had formed their own disciplinary committee to combat any trouble in the building

"At least outwardly, these men are able to live like ordinary people, even though their families are not with them," he said

The cost of supplying the television et was minimal considering that this was one of the few forms of entertainment available to the workers, Mr Mackay added

From the clean, habitable conditions of this hostel, we moved to the municipal hostel which for many years has been condemned as "an outright hovel," and which is in the process of being upgraded

According to Port Elizabeth's Town Clerk, Mr P K Botha, R4,5 million will be spent on upgrading the hostel which will accommodate 1 100 migrant municipal workers

At a management committee meeting this week, a decision was taken that rent in the new buildings would be increased from the present R7 to 2% or 3% of a worker's salary

This was dependent on which of the three hostel categories the worker chose to live in, he added

Estimated upgrading costs are R4 174 for each employee and the net operation will cost R1 282 944 a year

This operation will be heavily subsidised by the council, said Mr Botha

Officials deplored the fact that Senator Kennedy had seen only a delapidated hostel and not an upgraded unit

We found conditions at a completed, upgraded unit both impressive and very comfortable

However, conditions at the old buildings spoke for themselves They have been exposed in several Press reports in the past

These conditions still include primitive ablution facilities where the stench of open toilets follows the inhabitants or the visitor who gingerly picks his way through rubble to reach the sleeping quarters

There are no lights outside the buildings at night and there is no privacy

From the outside there is a public view of five or six toilets without doors Shower facilities comprise six cold water taps protruding from a filthy wall and of those inspected, only one

Clothes hang on lines over beds because there are no clothes cupboards — in some cases they act as a partition to give an inhabitant some form of privacy.

Against one wall of a particular unit, crates of full and empty beer bottles were stored

An 18-year-old worker reclining on his bed said he was the drinker because he wanted "to forget "

In the same unit one inhabitant had, despite all the problems, attempted to turn his bit of space into a home A neatly made-up bed, clothes folded into bundles, a candle and a faded photo of a wife and children in a homeland were among his efforts

When asked how they felt about living in the hostel, most men replied that conditions were better than before. One said he had lived there for the past 18 years and conditions had been worse some years ago

According to Mr Botha, the upgrading of all these hostels should be completed within three years

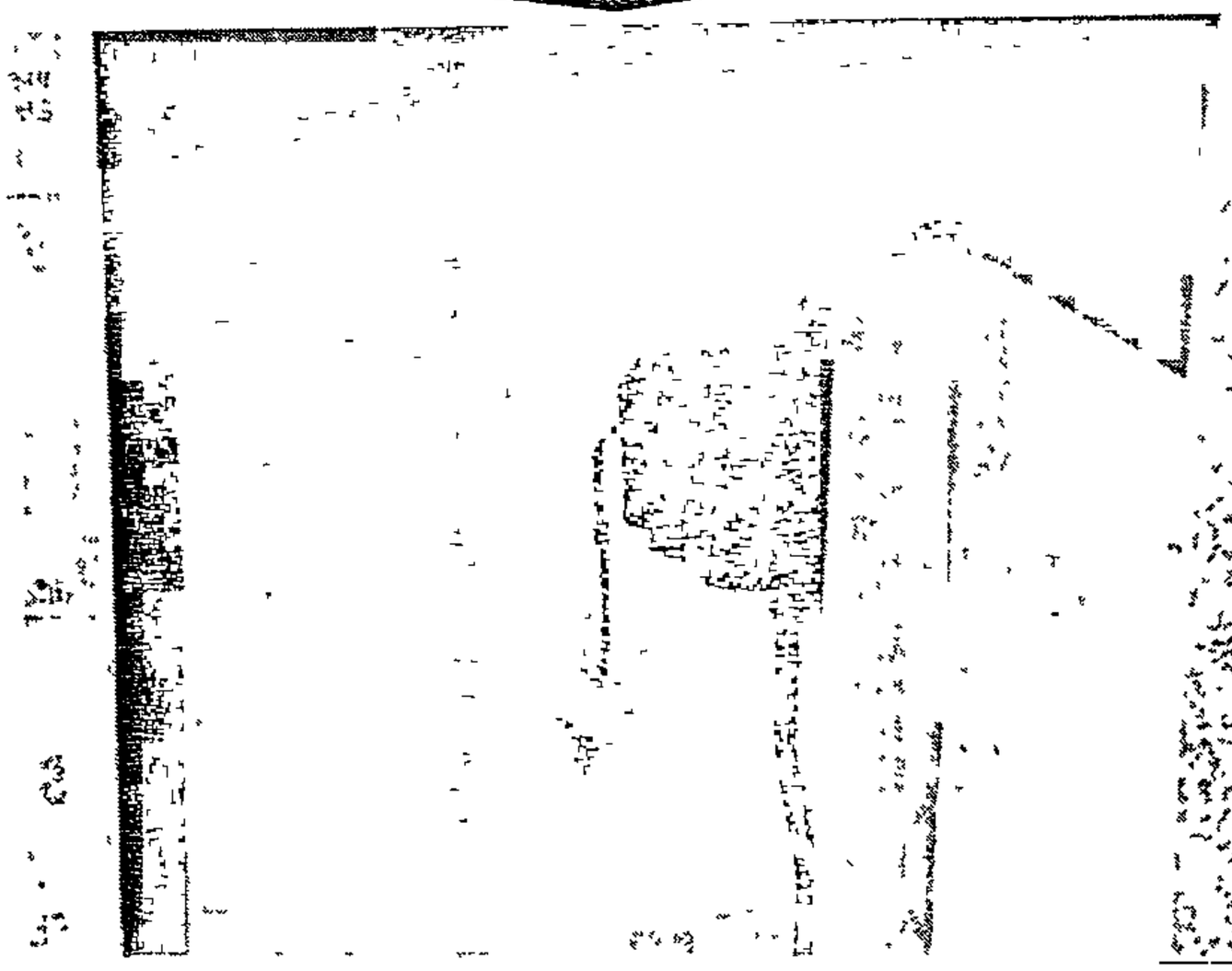
They will be similar to the one updated unit which is modern, neat and clean They have showers with bright yellow curtains, clean toilets with doors, single and double rooms, a kitchen with a stove and washing-up facilities, a recreation or meeting room, and a patio complete with braai facilities which leads onto well-tended lawns There is even a fenced-off section where an industrious resident grows mealies

Everywhere there are notices saying, "Cleanliness is the key to better health."

The upgrading projects are becoming a reality, but until they are complete workers will continue to live in the old quarters

Walmer's MPC, Mrs Molly Blackburn, said the old municipal hostels were a complete disgrace It was shocking that the council had allowed these "so

Little privacy here



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A visit to the hostel showed small but immaculately clean single and double rooms containing a cupboard for clothes, another

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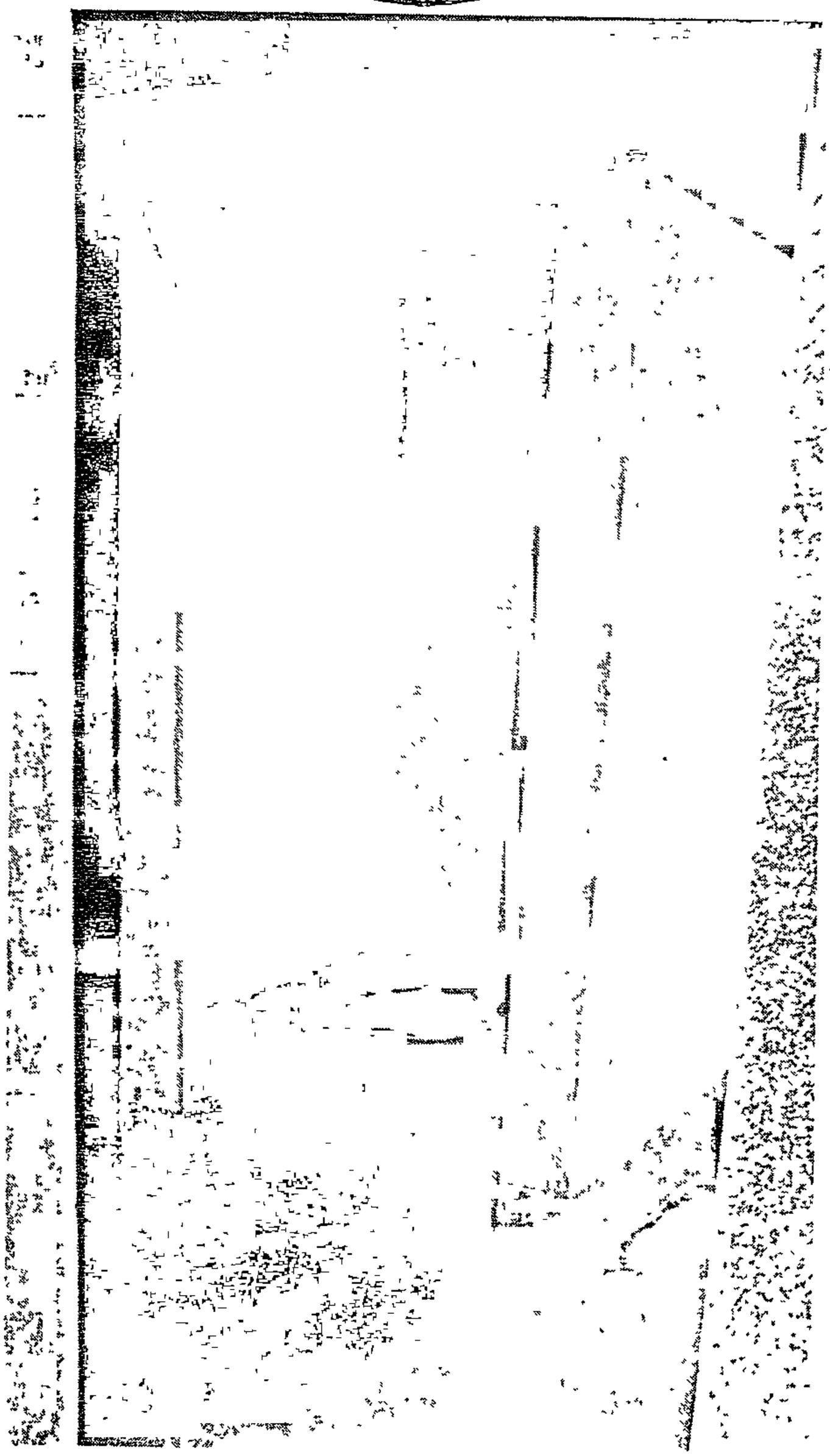

Above: One of the open toilets in the old municipal hostel. None of the toilets in any of the units has doors. Below: Improved showering and washing facilities at one of the hostels belonging to a private firm.

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These conditions still include primitive ablution facilities where the stench of open toilets follows the inhabitants or the visitor who gingerly picks his way through rubble to reach the sleeping quarters

There are no lights outside the buildings at night and there is no privacy

From the outside there is a public view of five or six toilets without doors Shower facilities comprise six cold water taps protruding from a filthy wall and of those inspected, only one worked

In these ablution blocks there are no lights and no windows — only an opening between the roof and the wall

In one unit, a deserted bird's nest hung from the beams

How do these men manage to wash on cold winter days?

"We make a fire outside to heat one shower or we just have to make do," said one inhabitant, while washing his clothes in a plastic container outside the ablution block Some taps at the outside basins still work

Sixteen men share the sleeping quarters, which comprise two dormitories separated by an entrance hall which serves as a kitchen, lounge or hall

There are no stoves and inhabitants cook their food on paraffin stoves

There are no washing-up facilities in the units nor are there dining facilities

Eight beds in different degrees of dilapidation, broken chairs, makeshift cupboards — ranging from wire lockers to broken boxes — constitute the bulk of the furniture in each dormitory

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When asked how they felt about living in the hostel, most men replied that conditions were better than before. One said he had lived there for the past 18 years and conditions had been worse some years ago.

According to Mr Botha, the upgrading of all these hostels should be completed within three years.

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Everywhere there are notices saying, "Cleanliness is the key to better health"

The upgrading projects are becoming a reality, but until they are complete workers will continue to live in the old quarters

Walmer's MPC, Mrs Molly Blackburn, said the old municipal hostels were a complete disgrace It was shocking that the council had allowed these "so-called hostels" to deteriorate to their present condition, despite health regulations

No one could deny that contract workers had been exploited to the full, she said

A vast sum of money was now to be spent to make these quarters habitable, yet a modest form of family home would create greater community stability and happiness, said Mrs Blackburn

"I would like to know whether the muncipality has informed those men who have been in their employ for more than 10 years that they are now eligible for permanent resident rights in terms of the influx control laws"

If these people were lucky enough to find "approved" accommodation, they were legally entitled to have their families living with them

She also asked if the council envisaged providing married quarters for those who qualified to live with their wives in Port Elizabeth under the present system

Development Board concerned, if so, (a) when and (b) what was (i) the nature of the representations and (ii) his response thereto,

(2) whether any action has been taken as a result, if not, why not; if so, what action?

The MINISTER OF CO-OPERATION AND DEVELOPMENT.

(1) No

(2) Falls away

Hansard Q.617

Cape Peninsula: contract workers

5/2/85

*13 Dr A L BORAINE asked the Minister of Co-operation and Development

How many Black contract workers were working in the Cape Peninsula in 1984 or the latest specified period of 12 months for which figures are available?

†The DEPUTY MINISTER OF CO-OPERATION

22 080 during the period 1 January 1984 to 31 December 1984

Mr C W EGLIN Mr Chairman, arising out of the reply of the hon the Minister, can he advise the House whether in the application of this policy of contract labour his officials are still applying the Coloured labour preference policy in this area?

Mr CHAIRMAN Order! The hon member can have his additional question taken up in the Question Paper

Western Cape: Black labour

*14 Dr A L BORAINE asked the Minister of Manpower

(1) How many applications for employment of Black labour in the Western Cape were refused in 1984,

(2) how many potential Black workers were affected by these refusals?

HoA

The MINISTER OF TRADE AND INDUSTRY (for the Minister of Manpower):

(1) 244

(2) 1 524

Farm/domestic workers: working conditions

*15 Dr A L BORAINE asked the Minister of Manpower

Whether, with reference to his reply to Question No 14 on 30 March 1984, the investigation by the National Manpower Commission into the working conditions of farm and domestic workers has been completed, if not, (a) why not and (b) when is it anticipated that it will be completed; if so, what were the findings?

†The MINISTER OF TRADE AND INDUSTRY (for the Minister of Manpower)

A provisional copy of the report of the National Manpower Commission was presented to me towards the end of last year At present the language of the report is being edited and it is being translated by the Language Services Bureau. It is anticipated that the final report in both official languages will be available towards the end of April 1985

Hansard Q.618

National Senior Certificate examinations

5/2/85

*16 Mr K M ANDREW asked the Minister of Education

(1) Whether the final results of all Black candidates who wrote the National Senior Certificate examinations in 1984 were made known by way of one general announcement on or about 24 December 1984; if not, (a) how many such candidates were unable to obtain final results at that time, (b) when did they obtain their final results and (c) what were the reasons for the delay,

(2) whether any action has been taken (a) against those responsible for the delay and (b) to prevent recurrences

of such delays, if not, why not, if so, what action in each case?

The MINISTER OF EDUCATION

(1) No

(a) 3 086

(b) Systematically after 24 December 1984, as additional information was obtained and decisions were taken

(c) (i) Due to the unrest at certain schools, candidates were allowed to write examinations at other centres than those where they were registered

(ii) Alleged irregularities that had to be investigated

(iii) The late submittance of examination points in approximately 1 000 cases by examiners

(2) (a) Yes
The delays by examiners are being investigated

(b) Yes
The existing directives in cases of irregularities, namely investigation and action, are being enforced

Mr K M ANDREW· Mr Chairman, arising out of the reply of the hon the Minister, will he tell the House when the last of these 3 086 candidates received their final results? Have they already received them, and if so, when?

The MINISTER· Mr Chairman, I shall have to obtain that information for the hon member

National Senior Certificate examinations

*17. Mr K M ANDREW asked the Minister of Education

HoA

What percentage of Blacks who wrote the National Senior Certificate examinations in 1984 (a) passed and (b) obtained matriculation exemption?

†The MINISTER OF EDUCATION

(a) 50,13%

(b) 11,45%

Mr K M ANDREW Mr Chairman, arising out of the reply of the hon the Minister, may I ask him, in view of the ongoing unsatisfactory results in these examinations, whether he thinks that there is a good case for calling a national conference of people concerned with Black education to try to remedy this situation and other problems?

The MINISTER Mr Chairman, the department and all the people involved are continuously exerting every possible effort to improve education for Black communities I should like to point out to hon members that I think the fact that both these figures which I have quoted show an improvement on the figures for the previous year, is most encouraging in view of the unrest and school boycotts that took place in many parts of the country during the last part of 1984

Hansard Q.619.10

Boycotts/disturbances at schools

5/2/85

*18 Mr K M ANDREW asked the Minister of Education

How many (a) schools and (b) pupils under the control of his Department were affected by boycotts or disturbances in 1984?

The DEPUTY MINISTER OF EDUCATION

It is not possible to determine how many schools and children were affected in some or other way, but

(a) 130 schools and

(b) 113 990 pupils' educational programmes were seriously disrupted

Development Board concerned, if so, (a) when and (b) what was (i) the nature of the representations and (ii) his response thereto,

(3) whether any action has been taken as a result, if not, why not, if so, what action?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

(1) No

(2) Falls away

(Hansard Q.617)

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5/2/85

(3) Dr A L BORAINE asked the Minister of Co-operation and Development

How many Black contract workers were working in the Cape Peninsula in 1984 or latest specified period of 12 months for which figures are available?

The DEPUTY MINISTER OF CO-OPERATION

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(Hansard Q 618)

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5/2/85

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(Hansard Q.610)

Boycotts/disturbances at schools

5/2/85

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(a) 130 schools and

(b) 113 990 pupils' educational programmes were seriously disrupted

(2) what is the shortage of policemen of each rank in each province?

The MINISTER OF LAW AND ORDER

(1) (a) Lieutenant-Colonel . . . 1
Major 3
Captain 3
Lieutenant 18
Warrant Officer 59
Sergeant 201
Constable . 732
Student . . 146
Temporary Members 115

(b) 3 644

(2)

	Transvaal	Orange Free State	Natal	Cape Province
Lieutenant	50	8	14	5
Sergeant.	755	–	259	28
Constable	–	–	–	402

Police Reserve Force

267 Mr P H P GASTROW asked the Minister of Law and Order

(1) How many persons joined the Police Reserve Force at police stations in each province of the republic in 1984,

(2) how many reservists retired from service in that year?

The MINISTER OF LAW AND ORDER

(1) Transvaal 654
Natal 136
Cape Province 417
Orange Free State 110

(2) 3 095

Hansard
Firearms Q.601.323 26/2/85

269 Mr P H P GASTROW asked the Minister of Law and Order:

(1) (a) How many persons in the republic were as at 31 December 1984 licensed to possess firearms and (b) what was the total number of licences issued as at that date;

(2) how many applications for licences were (a) received and (b) granted in 1984,

(3) whether any firearms were reported lost or stolen in 1984, if so, how many,

(4) whether, in 1984, any persons were declared unfit to possess firearms, if so, how many?

The MINISTER OF LAW AND ORDER

(1) (a) 986 334

(b) 2 137 030

(2) (a) 130 446

(b) 120 558

(3) Yes, 6 566

(4) Yes, 476

Stock theft

279 Mr P R C ROGERS asked the Minister of Justice

How many persons were convicted of theft of (a) small stock and (b) large stock in the magisterial districts of (i) East London, (ii) King William's Town, (iii) Stutterheim, (iv) Cathcart and (v) Queenstown during 1984 or the latest specified period of 12 months for which figures are available?

The MINISTER OF JUSTICE

The statistics for 1984 are as follow

Magisterial District	(a) Small Stock	(b) Large Stock
(i) East London .	36	38
(ii) King William's Town . .	55	1
(iii) Stutterheim	56	3
(iv) Cathcart .	21	1
(v) Queenstown .	18	1

Telephones

280 Mr P R C ROGERS asked the Minister of Communications

What was the backlog in respect of applications for telephone services in 1984 in the (a) King William's Town, (b) Stutterheim, (c) East London and (d) Komga area as at the latest specified date for which figures are available?

The MINISTER OF COMMUNICATIONS

(a) 127,

(b) 32,

(c) 1 300, and

(d) 1, as at 31 December 1984

Hansard Q. Col
Eastern Cape offences 26/2/85

283 Mr P R C ROGERS asked the Minister of Justice.

How many persons were convicted of (a) assault with intent to do grievous bodily harm, (b) culpable homicide, (c) murder, (d) rape and (e) robbery in the magisterial districts of (i) East London (ii) King William's Town, (iii) Stutterheim (iv) Cathcart, (v) Queenstown and (vi) [illegible] during 1984 or the latest specified period of 12 months for which figures are available?

The MINISTER OF JUSTICE

The statistics for 1984 are as follow

	(a)	(b)	(c)	(d)	(e)
(i) East London	354	77	27	81	111
(ii) King William's Town	52	13	5	14	16
(iii) Stutterheim	94	None	None	None	3
(iv) Cathcart	51	None	None	None	2
(v) Queenstown	140	48	2	42	33
(iv) Komga	77	3	1	2	3

201 Hansard
Trespass Q.601.325 26/2/85

288 Mrs H SUZMAN asked the Minister of Justice

How many Black persons were convicted of trespass in 1984 in (a) each of the main urban centres and (b) the Republic?

The MINISTER OF JUSTICE:

The required information is unfortunately not readily available Statistics of this nature have not been kept by the Department up till now The keeping of statistics of offences in general is at present the subject of an investigation

Trespass

289. Mrs H SUZMAN asked the Minister of Law and Order:

How many Black persons were arrested for trespass in 1984 in (a) each of the main urban centres and (b) the Republic?

The MINISTER OF LAW AND ORDER

(a) Pretoria

Johannesburg	7 540
Soweto	220
Durban	4 672
Pietermaritzburg	442
East London	50
Port Elizabeth	1 230
Cape Peninsula	1 012
Bloemfontein	789
West Rand	2 163
East Rand	2 941

(b) 90 555

Trespass

290 Mrs H SUZMAN asked the Minister of Justice

How many (a) Whites, (b) Coloured persons and (c) Indians were convicted of trespass in 1984?

The MINISTER OF JUSTICE

The required information is unfortunately not readily available Statistics of this nature have not been kept by the Department up till now. The keeping of statistics of offences in general is at present the subject of an investigation

Trespass

291 Mrs H SUZMAN asked the Minister of Law and Order

How many (a) Whites, Coloured persons and (c) Indians were arrested for trespass by the South African Police in 1984?

The MINISTER OF LAW AND ORDER:

(a) 1 213

(b) 12 284

(c) 1 243

Hansard Q. Col. 327
Policemen killed/injured
26/2/85

293 Mrs H SUZMAN asked the Minister of Law and Order.

HoA

How many policemen, excluding policemen killed or injured in vehicle accidents or outside the Republic, were (a) killed and (b) seriously injured in the execution of their duties in 1984?

The MINISTER OF LAW AND ORDER:

(a) 20

(b) 100

Influx control/identity documents

300 Mr K M ANDREW asked the Minister of Justice:

(1) What amount accrued in 1984 from fines imposed for offences relating to influx control and identity documents;

(2) (a) what part of this amount was paid by employers in respect of illegal employment of Blacks and (b) how many employers were convicted of this offence?

The MINISTER OF JUSTICE

The required information is unfortunately not readily available Statistics of this nature have not been kept by the Department up till now The keeping of statistics of offences in general is at present the subject of an investigation

Animals Protection Act

303 Mr R W HARDINGHAM asked the Minister of Justice:

How many persons were prosecuted in each province in the latest specified period of 12 months for which figures are available for contravening the provisions of the Animals Protection Act, No 71 of 1962?

The MINISTER OF JUSTICE:

The Central Statistical Service has furnished the following figures for the period 1 July 1982 to 30 June 1983 in regard to offences where animals were maltreated

Province	Cruelty to animals	Mutilation of animals	Other offences in regard to animals
Cape Province	166	3	21
Natal	36	7	3
Transvaal	105	1	20
Orange Free State	50	–	8

Hansard
Deaths in custody
Q.Col. 329 26/2/85

304 Mrs H SUZMAN asked the Minister of Law and Order

(a) How many persons died in police custody in 1984 and (b) what were the causes of these deaths?

The MINISTER OF LAW AND ORDER

(a) 126

(b) Injuries sustained before arrest	21
Assaulted by fellow prisoners	6
Suicide	38
Natural causes	61

Lorries impounded

313 Mr D J N MALCOMESS asked the Minister of Transport Affairs

Whether any lorries were impounded in (a) October, (b) November and (c) December 1984 by officials of the Department of Transport, if so, how many in each of these months?

The MINISTER OF TRANSPORT AFFAIRS

Yes.

(a) 10.

(b) 4.

(c) 1.

Case of alleged reckless/careless driving

329 Mrs H SUZMAN asked the Minister of Law and Order:

(1) Whether, with reference to his reply to Question No 11 on 29 June [illegible] the investigation into a case of alleged reckless or careless driving has been completed, if not, (a) why not and (b) when is it anticipated that it will be completed, if so, what were the findings,

(2) whether any persons have been (a) arrested and (b) prosecuted in regard to this matter, if not why not, if so who,

(3) whether any steps have been taken against the policeman involved, if not, why not, if so, what steps,

(4) whether he will make a statement on the matter?

The MINISTER OF LAW AND ORDER

(1) Yes, on instructions of the attorney general a member of the Force charged with negligent driving

(2) (a) No, because such a step was not justified.

(b) Yes, a detective constable

(3) Yes, on 19 January 1985 the member was found not guilty and discharged in the magistrates court

(4) No.

Own Affairs:

Teachers: application for employment

18 Mr P R C ROGERS asked the Minister of Education and Culture

HoA

the circumstances pertaining to each case.

(3) Yes, personally by the investigation officer

Burglaries

229 Mr H H SCHWARZ asked the Minister of Law and Order

How many burglaries were reported to the South African Police in 1984?

The MINISTER OF LAW AND ORDER:

156 289 Burglaries

Blacks (Urban Areas) Consolidation Act

236 Mr K M ANDREW asked the Minister of Justice:

(a) How many employers were charged in terms of the provisions of section 10*bis* (1) of the Blacks (Urban Areas) Consolidation Act, No 25 of 1945, in (i) each of the main urban areas and (ii) the Republic in 1983 and 1984, respectively, and (b) (i) how many employers were convicted or admitted guilt and (ii) what total amount was collected in fines from them in each such year?

The MINISTER OF JUSTICE

The required information is unfortunately not readily available Statistics of this nature have not been kept by the Department up till now The keeping of statistics of offences in general is at present the subject of an investigation.

Hansard Q.61.319 26/2/85

Reference books/influx control

201 255 Mr S S VAN DER MERWE asked the Minister of Law and Order.

How many Black (a) males and (b) females were arrested by the South African Police for offences relating to reference books and influx control in the Western Cape in 1984?

The MINISTER OF LAW AND ORDER:

(a) 276

(b) 127

Telephones

258 Mr A B WIDMAN asked the Minister of Communications:

(1) What was the total number of (a) private and (b) public telephones in use in the Republic as at the latest specified date for which figures are available;

(2) how many new telephones were installed in the 1983-84 financial year,

(3) how many telephone applications were outstanding (a) in the Republic, (b) on the Witwatersrand, (c) in Pretoria, (d) in Durban, (e) in Port Elizabeth and (f) in Cape Town as at the latest specified date for which figures are available?

The MINISTER OF COMMUNICATIONS

(1) (a) 3 804 672 and

(b) 33 939,

as at 31 December 1984;

(2) 176 176;

(3) (a) 225 858,

(b) 82 387,

(c) 21 513,

(d) 18 666,

(e) 7 982 and

(f) 16 610,

as at 31 December 1984

Note.

The figures furnished in respect of items (1)(a) and (b) reflect the total number of telephone instruments connected to the system, and those in respect of item (2) represents only net additions to the system

Telephones

259. Mr A B WIDMAN asked the Minister of Communications

How many applications for telephones were ouutstanding in (a) each departmental region, (b) Johannesburg, (c) Cape Town, (d) Durban, (e) Port Elizabeth, (f) East London, (g) Pretoria and (h) Soweto as at 31 December 1984?

The MINISTER OF COMMUNICATIONS

(a) Western Cape . . . 21 097,
Eastern Cape . 14 377,
Northern Transvaal (previously Transvaal) . 44 169,
Central Transvaal, including Soweto (previously Witwatersrand) 42 340,
South Eastern Transvaal (a new region which incorporates the East Rand and a portion of the Transvaal country area) 54 647,
Orange Free State 9 393,
Northern Cape . . 2 195,
Natal . 37 640,

(b) Central Transvaal, excluding Soweto and the East Rand (separate statistics for Johannesburg are not available) 21 449,

(c) Cape Town (Peninsula) 16 610,

(d) Durban . . . 18 666,

(e) Port Elizabeth . 7 982,

(f) East London 1 300,

(g) Pretoria 21 513 and

(h) Soweto 20 891

Vacant posts

260 Mr A B WIDMAN asked the Minister of Communications

How many posts on the establishment of his Department were vacant as at 31 December 1984?

The MINISTER OF COMMUNICATIONS:

2 136—based on the authorized establishment of the Department

Hansard Q.61.322 26/2/85

Flats/housing units

262 Mr A B WIDMAN asked the Minister of Communications

(a) How many (i) flats and (ii) housing units were owned by his Department and (b) how many such (i) flats and (ii) housing units had been allocated to non-White employees as at the latest specified date for which figures are available?

The MINISTER OF COMMUNICATIONS:

(a) (i) 1 131,

(ii) 1 769, and

(b) (i) 53, and

(ii) 26,

as at 13 February 1985

Hansard Q.61.322 26/2/85

Resignations/recruits/shortage

266 Mr P H P GASTROW asked the Minister of Law and Order.

(1) (a) How many policemen of each rank resigned from the Police Force from 1 January to 31 December 1984 and (b) how many new recruits were there during the same period,

(2) what is the shortage of policemen of each rank in each province?

The MINISTER OF LAW AND ORDER

(1) (a) Lieutenant-Colonel . 1
Major . .. 3
Captain 3
Lieutenant 18
Warrant Officer 59
Sergeant. 201
Constable 732
Student 146
Temporary Members . . 115

(b) 3 644

(2)

	Transvaal	Orange Free State	Natal	Cape Province
Lieutenant	50	8	14	5
Sergeant	755	–	259	28
Constable	–	–	–	402

Police Reserve Force

267 Mr P H P GASTROW asked the Minister of Law and Order

(1) How many persons joined the Police Reserve Force at police stations in each province of the republic in 1984,

(2) how many reservists retired from service in that year?

The MINISTER OF LAW AND ORDER

(1) Transvaal 654
Natal 136
Cape Province 417
Orange Free State 110

(2) 3 095

Firearms

269 Mr P H P GASTROW asked the Minister of Law and Order.

(1) (a) How many persons in the republic were as at 31 December 1984 licensed to possess firearms and (b) what was the total number of licences issued as at that date,

(2) how many applications for liccences were (a) received and (b) granted in 1984,

(3) whether any firearms were reported lost or stolen in 1984; if so, how many,

(4) whether, in 1984, any persons were declared unfit to possess firearms, if so, how many?

The MINISTER OF LAW AND ORDER

(1) (a) 986 334

(b) 2 137 030

(2) (a) 130 446

(b) 120 558.

(3) Yes, 6 566.

(4) Yes, 476

Stock theft

279 Mr P R C ROGERS asked the Minister of Justice·

How many persons were convicted of theft of (a) small stock and (b) large stock in the magisterial districts of (i) East London, (ii) King William's Town, (iii) Stutterheim, (iv) Cathcart and (v) Queenstown during 1984 or the latest specified period of 12 months for which figures are available?

The MINISTER OF JUSTICE·

The statistics for 1984 are as follow

Magisterial District	(a) Small Stock	(b) Large Stock
(i) East London	36	38
(ii) King William's Town	55	1
(iii) Stutterheim	56	3
(iv) Cathcart .	21	1
(v) Queenstown	18	1

Telephones

280 Mr P R C ROGERS asked the Minister of Communications

What was the backlog in respect of applications for telephone services in 1984 in the (a) King William's Town, (b) Stutterheim, (c) East London and (d) Komga area as at the latest specified date for which figures are available?

The MINISTER OF COMMUNICATIONS·

(a) 127,

(b) 32,

(c) 1 300, and

(d) 1, as at 31 December 1984

Eastern Cape: offences

283 Mr P R C ROGERS asked the Minister of Justice

How many persons were convicted of (a) assault with intent to do grievous bodily harm, (b) culpable homicide, (c) murder, (d) rape and (e) robbery in the magistrial districts of (i) East London, (ii) King William's Town, (iii) Stutterheim, (iv) Cathcart, (v) Queenstown and (vi) Komga during 1984 or the latest specified period of 12 months for which figures are available?

The MINISTER OF JUSTICE

The statistics for 1984 are as follow

	(a)	(b)	(c)	(d)	(e)
(i) East London	354	77	27	81	141
(ii) King William's Town	52	13	5	14	16
(iii) Stutterheim	94	None	None	None	3
(iv) Cathcart	51	None	None	None	2
(v) Queenstown	140	48	2	42	33
(vi) Komga	77	3	1	2	3

Trespass

288. Mrs H SUZMAN asked the Minister of Justice·

How many Black persons were convicted of trespass in 1984 in (a) each of the main urban centres and (b) the Republic?

The MINISTER OF JUSTICE·

The required information is unfortunately not readily available Statistics of this nature have not been kept by the Department up till now. The keeping of statistics of offences in general is at present the subject of an investigation

Trespass

289 Mrs H SUZMAN asked the Minister of Law and Order

How many Black persons were arrested for trespass in 1984 in (a) each of the main urban centres and (b) the Republic?

The MINISTER OF LAW AND ORDER

(a) Pretoria 2 276

Johannesburg	7 540
Soweto	220
Durban	4 672
Pietermaritzburg	442
East London	50
Port Elizabeth	1 230
Cape Peninsula	1 012
Bloemfontein	789
West Rand	2 163
East Rand	2 941

(b) 90 555

Trespass

290 Mrs H SUZMAN asked the Minister of Justice

How many (a) Whites, (b) Coloured persons and (c) Indians were convicted of trespass in 1984?

The MINISTER OF JUSTICE:

The required information is unfortunately not readily available. Statistics of this nature have not been kept by the Department up till now. The keeping of statistics of offences in general is at present the subject of an investigation

Trespass

291 Mrs H SUZMAN asked the Minister of Law and Order

How many (a) Whites, Coloured persons and (c) Indians were arrested for trespass by the South African Police in 1984?

The MINISTER OF LAW AND ORDER

(a) 1 213

(b) 12 284

(c) 1 243

Hansard Q. Col. 327

Policemen killed/injured

26/2/85

293 Mrs H SUZMAN asked the Minister of Law and Order·

HoA

How many policemen, excluding policemen killed or injured in vehicle accidents or outside the Republic, were (a) killed and (b) seriously injured in the execution of their duties in 1984?

The MINISTER OF LAW AND ORDER

(a) 20

(b) 100

Influx control/identity documents

300 Mr K M ANDREW asked the Minister of Justice

(1) What amount accrued in 1984 from fines imposed for offences relating to influx control and identity documents;

(2) (a) what part of this amount was paid by employers in respect of illegal employment of Blacks and (b) how many employers were convicted of this offence?

The MINISTER OF JUSTICE·

The required information is unfortunately not readily available. Statistics of this nature have not been kept by the Department up till now. The keeping of statistics of offences in general is at present the subject of an investigation

Animals Protection Act

303 Mr R W HARDINGHAM asked the Minister of Justice

How many persons were prosecuted in each province in the latest specified period of 12 months for which figures are available for contravening the provisions of the Animals Protection Act, No 71 of 1962?

The MINISTER OF JUSTICE·

The Central Statistical Service has furnished the following figures for the period 1 July 1982 to 30 June 1983 in regard to offences where animals were maltreated

Province	Cruelty to animals	Mutilation of animals	Other offences in regard to animals
Cape Province	166	3	21
Natal	36	7	3
Transvaal	105	1	20
Orange Free State	50	–	8

Hansard

Q.Col. 329 26/2/85

Deaths in custody

304 Mrs H SUZMAN asked the Minister of Law and Order

(a) How many persons died in police custody in 1984 and (b) what were the causes of these deaths?

The MINISTER OF LAW AND ORDER·

(a) 126.

(b)

Injuries sustained before arrest	21
Assaulted by fellow prisoners	6
Suicide	38
Natural causes	61

Lorries impounded

313 Mr D J N MALCOMESS asked the Minister of Transport Affairs

Whether any lorries were impounded in (a) October, (b) November and (c) December 1984 by officials of the Department of Transport, if so, how many in each of these months?

The MINISTER OF TRANSPORT AFFAIRS

Yes

(a) 10

(b) 4

(c) 1

Case of alleged reckless/careless driving

329. Mrs H SUZMAN asked the Minister of Law and Order.

HoA

(1) Whether, with reference to his reply to Question No 11 on 29 June 1984, the investigation into a case of alleged reckless or careless driving has been completed, if not, (a) why not and (b) when is it anticipated that it will be completed, if so, what were the findings,

(2) whether any persons have been (a) arrested and (b) prosecuted in regard to this matter, if not, why not, if so, who,

(3) whether any steps have been taken against the policeman involved, if not, why not, if so, what steps,

(4) whether he will make a statement on the matter?

The MINISTER OF LAW AND ORDER.

(1) Yes, on instructions of the attorney-general a member of the Force was charged with negligent driving

(2) (a) No, because such a step was not justified

(b) Yes, a detective constable

(3) Yes, on 19 January 1985 the member was found not guilty and discharged in the magistrates court

(4) No

Own Affairs·

Teachers: application for employment

18. Mr P R C ROGERS asked the Minister of Education and Culture

Gardens constituency, if so, (i) how many in each case and (ii) when is it anticipated that the backlog will be eliminated?

The MINISTER OF COMMUNICATIONS

Yes,

(i)	(a)	(b)
Barrack Street exchange	2,	2,
Leeusig exchange	3,	2, and

(ii) in both cases it is expected that the applicants will be provided with service within two or three months

201 Hansard Q. 61. 311 Deportations 26/2/85

182 Mr K M ANDREW asked the Minister of Co-operation and Development

(1) How many (a) men, (b) women and (c) children were deported to (i) Transkei and (ii) Ciskei in each month from January to December 1984,

(2) whether any such (a) men, women and (c) children qualified for permanent residence in the Western Cape in terms of Section 10 of the Blacks (Urban Areas) Consolidation Act; if so, how many in each category?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

(1) (a), (b) and (c) (i) and (ii) None

(2) Falls away

Hansard Q. 61. 311 26/2/85 Farm schools

183 Mr K M ANDREW asked the Minister of Education:

How many (a) farm schools, (b) farm school teachers and (c) farm school pupils were there in the White areas of the Republic at the end of 1984?

The MINISTER OF EDUCATION:

(a) 5 331

(b) 11 113

(c) 468 619

Statistics for March 1984

Influx control/identity documents

196 Mr K M ANDREW asked the Minister of Justice

(1) What was the total (a) amount in fines and (b) number of days in respect of sentences imposed on Blacks in 1984 in the (i) Cape Peninsula and (ii) rest of the Western Cape for offences relating to influx control and identity documents;

(2) (a) how many persons paid fines and (b) what was the total amount paid in such fines?

The MINISTER OF JUSTICE:

The required information is unfortunately not readily available. Statistics of this nature have not been kept by the Department up till now The keeping of statistics of offences in general is at present the subject of an investigation.

Cape Town Gardens: post boxes

197 Mr K M ANDREW asked the Minister of Communications:

Whether any applications for private post boxes were outstanding in the Cape Town Gardens Parliamentary constituency as at the latest specified date for which figures are available; if so, (a) at which post offices, (b) how many in each case, (c) what is the longest period for which any such application has been outstanding and (d) when is it anticipated that the backlog will be eliminated?

The MINISTER OF COMMUNICATIONS

Yes, as at 13 February 1985,

(a)	(b)	(c)
Mill Street post office	28	Since 8 March 1984,
Vlaeberg post office	65	Since 25 November 1983, and

(d) during March 1985 when boxes in respect of which rentals have not been renewed for 1985 will become available for reallocation at both offices The Mill Street and Vlaeberg post offices will be amalgamated during the latter half of 1985 and accommodated in new premises Sufficient private boxes will then be available to meet future demand

Hansard Executions Q. 61. 313 26/2/85

212. Mrs H SUZMAN asked the Minister of Justice

(a) How many (i) males and (ii) females of each race group were executed in the Republic in 1984 and (b) for what crime or crimes had each death sentence been imposed?

The MINISTER OF JUSTICE:

(a) (i) 2 White males
87 Black males
24 Coloured males
1 Indian male

(ii) 1 Black female.

(b) MURDER
2 White males
72 Black males
22 Coloured males
1 Indian male
1 Black female.

RAPE
2 Black males
1 Coloured male

HOUSEBREAKING WITH THE INTENT TO ROB, ROBBERY WITH AGGRAVATING CIRCUMSTANCES AND RAPE
1 Black male

MURDER AND ROBBERY WITH AGGRAVATING CIRCUMSTANCES
4 Black males

ROBBERY WITH AGGRAVATING CIRCUMSTANCES
4 Black males

MURDER AND RAPE
2 Black males
1 Coloured male

KIDNAPPING AND RAPE
1 Black male

HOUSEBREAKING WITH THE INTENT TO ROB AND ROBBERY WITH AGGRAVATING CIRCUMSTANCES
1 Black male

Hansard Intimidation Act Q. 61. 314 26/2/85

213 Mrs H SUZMAN asked the Minister of Justice

Whether any persons were convicted in 1984 of offences under the Intimidation Act, No 72 of 1982, if so, how many persons in each race group?

The MINISTER OF JUSTICE

Centralized statistics are not maintained All the Attorneys-General were approached The following four of them had the statistics that are given below on record It cannot however with certainty be said that these were the only convictions

Place	Number	Race Group
Johannesburg	2	Black
Grahamstown	4	Black
Bloemfontein	None	
Pietermaritzburg	None	

Gardens constituency, if so, (i) how many in each case and (ii) when is it anticipated that the backlog will be eliminated?

The MINISTER OF COMMUNICATIONS

Yes,

(i)	(a)	(b)
Barrack Street exchange	2,	2,
Leeusig exchange	3,	2; and

(ii) in both cases it is expected that the applicants will be provided with service within two or three months.

201 Hansard Q. 61. 311 26/2/85

Deportations

182 Mr K M ANDREW asked the Minister of Co-operation and Development·

(1) How many (a) men, (b) women and (c) children were deported to (i) Transkei and (ii) Ciskei in each month from January to December 1984,

(2) whether any such (a) men, women and (c) children qualified for permanent residence in the Western Cape in terms of Section 10 of the Blacks (Urban Areas) Consolidation Act; if so, how many in each category?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) (a), (b) and (c) (i) and (ii) None.

(2) Falls away

Hansard 26/2/85 Q. 61. 311

Farm schools

183. Mr K M ANDREW asked the Minister of Education:

How many (a) farm schools, (b) farm school teachers and (c) farm school pupils were there in the White areas of the Republic at the end of 1984?

The MINISTER OF EDUCATION:

(a) 5 331.

(b) 11 113.

(c) 468 619.

Statistics for March 1984

Influx control/identity documents

196. Mr K M ANDREW asked the Minister of Justice·

(1) What was the total (a) amount in fines and (b) number of days in respect of sentences imposed on Blacks in 1984 in the (i) Cape Peninsula and (ii) rest of the Western Cape for offences relating to influx control and identity documents;

(2) (a) how many persons paid fines and (b) what was the total amount paid in such fines?

The MINISTER OF JUSTICE:

The required information is unfortunately not readily available. Statistics of this nature have not been kept by the Department up till now The keeping of statistics of offences in general is at present the subject of an investigation.

Cape Town Gardens: post boxes

197 Mr K M ANDREW asked the Minister of Communications:

Whether any applications for private post boxes were outstanding in the Cape Town Gardens Parliamentary constituency as at the latest specified date for which figures are available, if so, (a) at which post offices, (b) how many in each case, (c) what is the longest period for which any such application has been outstanding and (d) when is it anticipated that the backlog will be eliminated?

The MINISTER OF COMMUNICATIONS·

Yes, as at 13 February 1985:

(a)	(b)	(c)
Mill Street post office	28	Since 8 March 1984,
Vlaeberg post office	65	Since 25 November 1983, and

(d) during March 1985 when boxes in respect of which rentals have not been renewed for 1985 will become available for reallocation at both offices The Mill Street and Vlaeberg post offices will be amalgamated during the latter half of 1985 and accommodated in new premises. Sufficient private boxes will then be available to meet future demand.

Hansard 26/2/85 Q. 61. 313

Executions

212. Mrs H SUZMAN asked the Minister of Justice

(a) How many (i) males and (ii) females of each race group were executed in the Republic in 1984 and (b) for what crime or crimes had each death sentence been imposed?

The MINISTER OF JUSTICE:

(a) (i) 2 White males
87 Black males.
24 Coloured males.
1 Indian male

(ii) 1 Black female

(b) MURDER
2 White males.
72 Black males
22 Coloured males.
1 Indian male.
1 Black female.

RAPE
2 Black males.
1 Coloured male.

HOUSEBREAKING WITH THE INTENT TO ROB, ROBBERY WITH AGGRAVATING CIRCUMSTANCES AND RAPE
1 Black male.

MURDER AND ROBBERY WITH AGGRAVATING CIRCUMSTANCES
4 Black males

ROBBERY WITH AGGRAVATING CIRCUMSTANCES
4 Black males

MURDER AND RAPE
2 Black males.
1 Coloured male.

KIDNAPPING AND RAPE
1 Black male

HOUSEBREAKING WITH THE INTENT TO ROB AND ROBBERY WITH AGGRAVATING CIRCUMSTANCES
1 Black male

Hansard 26/2

Intimidation Act

Q. 61. 314

213 Mrs H SUZMAN asked the Minister of Justice·

Whether any persons were convicted in 1984 of offences under the Intimidation Act, No 72 of 1982; if so, how many persons in each race group?

The MINISTER OF JUSTICE·

Centralized statistics are not maintained. All the Attorneys-General were approached. The following four of them had the statistics that are given below on record. It cannot however with certainty be said that these were the only convictions:

Place	Number	Race Group
Johannesburg	2	Black
Grahamstown	4	Black
Bloemfontein	None	
Pietermaritzburg	None	

The MINISTER OF LAW AND ORDER.

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
Vereeniging	29	41	161	362	24	—	139	725	185	1 389	1
Vanderbijlpark	50	47	345	691	75	—	200	1 043	423	1 442	—
Sebokeng	294	66	1 695	1 066	217	—	722	131	780	524	—
Meyerton	17	17	183	120	23	—	46	131	92	347	—
Klipriver	22	11	110	72	21	—	21	49	53	139	—
The Barrage	5	7	72	42	8	—	21	24	35	121	—
Sharpeville	47	3	472	236	61	—	196	59	222	175	—
De Deur	33	31	296	147	49	—	98	89	162	334	1

Note For statistical purposes burglary and housebreaking with intent to steal and theft are codified under the same code.

Soweto East: offences

307 Mrs H SUZMAN asked the Minister of Law and Order

How many cases of (a) murder, (b) culpable homicide, (c) assault with intent to do grievous bodily harm, (d) common assault, (e) rape, (f) burglary, (g) robbery, (h) theft of vehicles and cycles, (i) damage to property, (j) housebreaking with intent to steal and theft and (k) possession of drugs were reported at each specified police station in the Soweto East police district in 1984?

The MINISTER OF LAW AND ORDER

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
Orlando	289	98	1 418	928	207	—	368	353	677	358	1
Meadowlands	216	38	1 096	533	168	—	302	133	396	143	—
Dobsonville	56	4	430	99	51	—	102	69	94	65	1

Note For statistical purposes burglary and housebreaking with intent to steal and theft are codified under the same code

Hansard Q.Col. 371

Proclamation No R 103 of 1973: detainees

4/3/85

308 Mrs H SUZMAN asked the Minister of Law and Order

(1) Whether any persons have been detained under Proclamation No R 103 of 1973, as amended by Proclamation No R 226 of 1978, if so, (a) how many have been detained in each magisterial district since its promulgation in 1973 and (b) in respect of what date is this information furnished;

(2) whether any persons are being detained under this proclamation at present, if so, (a) how many, (b) for what alleged offences and (c) for how long has each been in detention?

The MINISTER OF LAW AND ORDER

(1) Yes

(a) Magisterial district	(b) From
Msinga—1 520	1973 to 1985-02-07
Klipriver—92	1973 to 1984-07-27

(2) No

Internal Security Act 4/3/85 Q.Col 373

333 Mrs H SUZMAN asked the Minister of Law and Order

(a) How many persons were detained in 1984 under section 29(1) of the Internal Security Act, No 74 of 1982, (b) for how long was each of these persons detained and (c) how many of them are still being detained?

The MINISTER OF LAW AND ORDER

(a) 339

(b) In view of the volume of work and the time involved in collecting and compiling the particulars asked for, I consider it impracticable to furnish the required information

(c) 85

Qacu forestry: land

342 Mr P R C ROGERS asked the Minister of Environment Affairs and Tourism

(1) Whether forestry land known as Qacu was transferred to the Ciskei Government, if so,

(2) whether this land was so transferred in terms of consolidation proposals,

(3) whether this land was transferred free of charge, if so, (a) when was it transferred, (b) what was the extent of the land and (c) what was the (i) nature and (ii) extent of this forest in terms of (aa) natural forest and (bb) plantations,

(4) what was the estimated value of such forest at the time of its being transferred to Ciskei,

(5) whether the Qacu forest has reverted or is to revert to South African control, if so,

(6) whether his Department (a) has purchased or intends to purchase this forest from the Ciskei Government and/or (b) has compensated or intends to compensate the Ciskei Government for this forest, if so, (i) why in each case and (ii) what is the amount involved,

(7) what was the state of the forest at the time of its (a) being transferred to the Ciskei Government and (b) reverting to South African Control,

(8) whether he will make a statement on the matter?

The MINISTER OF ENVIRONMENT AFFAIRS AND TOURISM

(1) No

(2), (3), (4), (5), (6) and (7) Fall away

(8) No

201 Hansard Q.Col. 374 4/3/85

Western Cape: contract workers

345 Mr G B D McINTOSH asked the Minister of Transport Affairs

(1) How many Black (a) contract workers and (b) workers with rights under section 10 of the Blacks (Urban Areas) Consolidation Act, No 25 of 1945, are employed by the South African Transport Services in the Western Cape;

(2) (a) where are these contract workers housed and (b) what is the length of their contracts,

(3) in respect of what date is this information furnished

The MINISTER OF TRANSPORT AFFAIRS

(1) (a) 1 921

(b) 1 869

(2) (a) In hostels at Langa and Table Bay Harbour

(b) 12 Months

(3) 15 February 1985

the circumstances pertaining to each case

(3) Yes, personally by the investigation officer.

Burglaries

229. Mr H H SCHWARZ asked the Minister of Law and Order:

How many burglaries were reported to the South African Police in 1984?

The MINISTER OF LAW AND ORDER:

156 289 Burglaries

Blacks (Urban Areas) Consolidation Act

236 Mr K M ANDREW asked the Minister of Justice

(a) How many employers were charged in terms of the provisions of section 10*bis* (1) of the Blacks (Urban Areas) Consolidation Act, No 25 of 1945, in (i) each of the main urban areas and (ii) the Republic in 1983 and 1984, respectively, and (b) (i) how many employers were convicted or admitted guilt and (ii) what total amount was collected in fines from them in each such year?

The MINISTER OF JUSTICE

The required information is unfortunately not readily available Statistics of this nature have not been kept by the Department up till now The keeping of statistics of offences in general is at present the subject of an investigation

Hansard Q.601.319
Reference books/influx control
26/2/85

255. Mr S S VAN DER MERWE asked the Minister of Law and Order:

How many Black (a) males and (b) females were arrested by the South African Police for offences relating to reference books and influx control in the Western Cape in 1984?

The MINISTER OF LAW AND ORDER:

(a) 276.

(b) 127.

Telephones

258 Mr A B WIDMAN asked the Minister of Communications:

(1) What was the total number of (a) private and (b) public telephones in use in the Republic as at the latest specified date for which figures are available,

(2) how many new telephones were installed in the 1983-84 financial year;

(3) how many telephone applications were outstanding (a) in the Republic, (b) on the Witwatersrand, (c) in Pretoria, (d) in Durban, (e) in Port Elizabeth and (f) in Cape Town as at the latest specified date for which figures are available?

The MINISTER OF COMMUNICATIONS

(1) (a) 3 804 672 and

(b) 33 939,

as at 31 December 1984;

(2) 176 176,

(3) (a) 225 858,

(b) 82 387,

(c) 21 513,

(d) 18 666,

(e) 7 982 and

(f) 16 610,

as at 31 December 1984

Note:

The figures furnished in respect of items (1)(a) and (b) reflect the total number of telephone instruments connected to the system, and those in respect of item (2) represents only net additions to the system.

Telephones

259. Mr A B WIDMAN asked the Minister of Communications:

How many applications for telephones were outstanding in (a) each departmental region, (b) Johannesburg, (c) Cape Town, (d) Durban, (e) Port Elizabeth, (f) East London, (g) Pretoria and (h) Soweto as at 31 December 1984?

The MINISTER OF COMMUNICATIONS:

(a)	Western Cape	21 097,
	Eastern Cape	14 377,
	Northern Transvaal (previously Transvaal)	44 169,
	Central Transvaal, including Soweto (previously Witwatersrand)	42 340,
	South Eastern Transvaal (a new region which incorporates the East Rand and a portion of the Transvaal country area)	54 647,
	Orange Free State	9 393,
	Northern Cape	2 195,
	Natal	37 640;
(b)	Central Transvaal, excluding Soweto and the East Rand (separate statistics for Johannesburg are not available)	21 449,
(c)	Cape Town (Peninsula)	16 610,
(d)	Durban	18 666,
(e)	Port Elizabeth	7 982,
(f)	East London	1 300,
(g)	Pretoria	21 513 and
(h)	Soweto	20 891

Vacant posts

260 Mr A B WIDMAN asked the Minister of Communications:

How many posts on the establishment of his Department were vacant as at 31 December 1984?

The MINISTER OF COMMUNICATIONS

2 136—based on the authorized establishment of the Department

Hansard Q.601
Flats/housing units
26/2

262. Mr A B WIDMAN asked the Minister of Communications

(a) How many (i) flats and (ii) housing units were owned by his Department and (b) how many such (i) flats and (ii) housing units had been allocated to non-White employees as at the latest specified date for which figures are available?

The MINISTER OF COMMUNICATIONS

(a) (i) 1 131,

(ii) 1 769, and

(b) (i) 53, and

(ii) 26,

as at 13 February 1985

Hansard Q.601
Resignations/recruits/shortage
26/2/85

266. Mr P H P GASTROW asked the Minister of Law and Order

(1) (a) How many policemen of any rank resigned from the Police Force from 1 January to 31 December 1984 and (b) how many new recruits were there during the same period

Call to end influx control

CAPE TIMES 6/3/85. (201)

Staff Reporter

MRS Di Bishop, MPC for Gardens, appealed for the total abolition of influx control and the granting of freehold home ownership to blacks during the debate on the Appropriation Draft Ordinance in the Provincial Council yesterday

Influx control had been estimated to cost the State up to R100m a year, but it did not work

The Provincial Administration did not escape involvement in the application of influx control

Provincial traffic inspectors had been present at two influx monitoring points, one on the N1 and one on the N2, for 4 388 working hours and 3 020 hours overtime

"Yet there is almost no traffic control in the black townships — the Western Cape Development Board say they have no money to start a traffic service"

Mrs Bishop welcomed recent government concessions, such as the plan to develop Crossroads, but asked whether the government still intended to move Kaya Mnandi, near Stellenbosch, and Mfuleni, near Blackheath, to Khayelitsha, "as we were told in March 1983"

Transkeians warned about influx control

EAST LONDON — Transkeians living in Duncan Village were warned at a meeting yesterday at the Civic Centre that influx control regulations would be more strictly applied in future.

The warning was made by Mrs Muriel Mtshengu, a member of the consultative committee, who warned Transkeians to be prepared for an "invasion" as many who do not qualify would be endorsed out depending on which category was endorsed in their pass books

Mrs Mtshengu also warned that even those who qualified to be in the urban area of East London, and who owned houses, would not be free from prosecution if they harboured people who did not qualify. She said the owner of a house could be prosecuted and sentenced to six months' imprisonment or fined up to R500

Mrs Mtshengu also warned that there would be raids by police in Duncan Village because of the selection to be done in sorting out who could remain and enjoy urban rights when Duncan Village was retained She said Transkeians would suffer most when this selection was done, and they should have their pass books in order

She said it was time for Duncan Village residents to elect community councillors who were prepared to fight for the basic rights of the people who voted for them It was time that officers well-versed in these topics were invited by the councillors to meetings where residents were educated about the regulations and how they were applied

A member of the Transkei Consular Advisory Board, Mr R Ramncwana, explained to the meeting how the board would handle irregularities reported to members, and how it would safeguard the public from being exploited by individuals, organisations and administrators

Mr Ramncwana told the audience about the Transkei development tax of R10 a year, where it was paid and how it assisted Transkeians — DDR

(2) how many persons were charged with theft of (a) small stock and (b) large stock in this police station area in 1984 or over the said period?

The MINISTER OF LAW AND ORDER

January–December 1984

(1) (a) 30

(b) 9

(2) (a) 3

(b) 1

Theft of motor vehicles

689 Mr H H SCHWARZ asked the Minister of Law and Order

(1) (a) How many motor vehicles were reported stolen during the period 1 January to 31 December 1984 and (b) what is the value of the motor vehicles stolen during such period,

(2) how many such vehicles were recovered in (a) an undamaged, (b) a damaged and (c) a cannibalized condition?

The MINISTER OF LAW AND ORDER

(1) (a) 45 025

(b) R171 845 677-00

(2) (a) 14 640

(b) 8 094

(c) 2 818

Hansard Q.01 895
Koevoet
26/3/85

693 Mr S S VAN DER MERWE asked the Minister of Law and Order

Whether any members of the fighting unit Koevoet have any previous convictions, if so, (a) in respect of what specified crimes and (b) how many have previous convictions in respect of each such crime?

The MINISTER OF LAW AND ORDER

No

Own Affairs
Hansard
Q.01-896 26/3/85

Housing loans for farm labourers

46 Mr P A MYBURGH asked the Minister of Agriculture and Water Supply

(1) How many farmers in (a) the Greater Western Cape area, (b) the remainder of the Cape Province, (c) the Orange Free State, (d) the Transvaal and (e) Natal applied for housing loans for farm labourers in 1984,

(2) (a) how many of the applications in each area were granted and (b) what was the total amount granted in (i) each area and (ii) the Republic as a whole?

The MINISTER OF AGRICULTURE AND WATER SUPPLY

(1) (a) 123

(b) 47

(c) 8

(d) 23

(e) 7

(2)

	(a)	(b)(i)
Greater Western Cape area	118	R1 762 862
Remainder of Cape Province	45	R 719 779
Orange Free State	8	R 148 400
Transvaal	23	R 443 150
Natal	7	R 177 400

(2) (b) (ii) R3 251 591

Agricultural Credit Board

49 Mr E K MOORCROFT asked the Minister of Agriculture and Water Supply

What amount was allocated by the Agricultural Credit Board in the latest specified year for which figures are available, in respect of (a) the electrification of houses for, (b) the provision of water for domestic consumption by, and (c) any other specified services in respect of, farm employees?

The MINISTER OF AGRICULTURE AND WATER SUPPLY

(a) R122 000

(b) R205 489

(c) R70 002 in respect of additions The Scheme for farm worker housing was temporarily suspended on 24 August, 1984 until at least 31 March 1985

Fencing. subsidies

53 Mr R W HARDINGHAM asked the Minister of Agriculture and Water Supply

What was the total amount paid out in subsidies for fencing in each province of the Republic in terms of the Conservation of Agricultural Resources Act, No 43 of 1983, in respect of each of the latest specified two years for which figures are available?

The MINISTER OF AGRICULTURE AND WATER SUPPLY

	1982-83	1983-84
Highveld Region	R 15 349	R 17 204
Karoo Region	R171 199	R144 210
Natal Region	R 33 897	R 16 755
Eastern Cape Region	R 54 895	R 63 786
Free State Region	R174 679	R199 224
Transvaal Region	R 57 128	R 64 981
Winter Rainfall Region	R 32 178	R 25 681

Figures per province not available

WEDNESDAY, 27 MARCH 1985

†Indicates translated version

For written reply
General Affairs
Hansard
Q.01 898
27/3/85

Reference books/influx control

144 Mrs H SUZMAN asked the Minister of Co-operation and Development

(1) How many (a) males and (b) females were arrested for offences relating to reference books and influx control in each of the main urban centres of the Republic in 1984 by officers of Development Boards,

(2) what was the total number of such arrests in the Republic in that period?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

(1)

	(a)	(b)
Bloemfontein	2 739	727
Durban	2 591	293
Johannesburg	4 926	2 886
Cape Peninsula	773	896
East London	142	97
East Rand	21 895	5 473
Port Elizabeth	1 015	267
Pretoria	865	58
West Rand (excluding Johannesburg)	4 472	1 505

(2) 75 032

27/3/85
Hansard Q.01-898

Langa Commissioners' Courts

177 Mr K M ANDREW asked the Minister of Justice

(a) For what total number of hours were the Langa Commissioners' Courts in session in 1984 and (b) what total number of persons appeared before these courts in that year?

7

The MINISTER OF JUSTICE

Statistics for the period 1 January 1984 until 31 August 1984 are as follows

(a) 433 hours

(b) 4 615 persons.

Since 1 September 1984, the date on which judicial work was taken over from the Department of Co-operation and Development, the adjudication of *all cases* emanating from the various magisterial districts is dealt with by the Magistrates' Courts concerned.

Hansard Q. Col. 899 27/3/85

Housing loans/subsidies

208 Mr R M BURROWS asked the Minister of Public Works,

(1) How many (a) White, (b) Coloured, (c) Indian and (d) Black persons in the Public Service had obtained State-guaranteed housing loans as at the latest specified date for which figures are available;

(2) (a) how many (i) White, (ii) Coloured, (iii) Indian and (iv) Black persons in the Public Service were in receipt of State housing subsidies as at the latest specified date for which figures are available and (b) what annual sum was spent in each case for (i) compulsory mortgage repayments and (ii) voluntary repayments?

The MINISTER OF PUBLIC WORKS

(1) Statistics in respect of State-guaranteed housing loans are not kept separately in respect of the various population groups 53 771 loans have however been granted to public servants up to 31 December 1984

(2) Such statistics are not kept

Commissions/departmental committees

408 Mr K M ANDREW asked the Minister of Transport Affairs

(1) How many (a) commissions and (b) departmental committees of inquiry were appointed in respect of the South African Transport Services in 1984,

(2) whether any of the reports of such commissions and committees have been completed, if so, (a) how many and (b) of which commissions and committees,

(3) whether any of the reports of such commissions and committees have been made public, if so, (a) how many and (b) of which commissions and committees,

(4) what is the total estimated cost relating to each of these commissions and committees?

The MINISTER OF TRANSPORT AFFAIRS.

(1), (2), (3) and (4) No commissions were appointed but Transport Services appointed several departmental Committees of Inquiry which is normal management practice and takes place according to need Particulars in this regard are not readily available

Sporting facilities

447 Mr M A TARR asked the Minister of Co-operation, Development and Education

What was the total amount spent by the Department of Co-operation and Development on the provision of sporting facilities in South Africa in the 1984-85 financial year?

The MINISTER OF CO-OPERATION, DEVELOPMENT AND EDUCATION.

(a) Amount approved for sport facilities to date R4 698 440,10

(b) Applications at present under consideration R1 261 500,00
If (b) is approved before 31 March 1985, the total amount will be R5 959 940,10

(c) The total amount already spent on the provision of sports facilities by the Department during the 1984-85 financial year stands at R4 107 989,86

Hansard Q. Col. 901 27/3/85

National states: persons employed

518 Mr R A F SWART asked the Minister of Co-operation, Development and Education

How many Blacks in each national state were employed in undertakings established (a) on an agency basis and (b) by development corporations for national states as at the latest specified date for which figures are available?

The MINISTER OF CO-OPERATION, DEVELOPMENT AND EDUCATION

	(a)	(b)	Total
Lebowa as at 31/12/1984	6 280	13 290	19 570
KwaZulu as at 28/2/1985	2 004	4 624	6 628
KwaNdebele as at 28/2/85	235	242	477
Gazankulu as at 31/3/1984	2 863	2 089	4 952
KaNgwane as at 28/2/1985	1 057	626	1 683
Qwaqwa as at 28/2/1985	9 550	86	9 636
Total	21 989	20 957	42 946

Hansard Q. Col. 901 27/3/85

Zambia: locomotives

527 Mr J H VISAGIE asked the Minister of Transport Affairs †

(1) Whether diesel locomotives were lent or leased to Zambia in the latest specified period of two years for which figures are available, if so, (a) how many such locomotives were so (i) lent and/or (ii) leased, (b) what class of locomotives were they in each case and (c) on what date were these locomotives (i) lent and (ii) leased to Zambia in each case,

(2) whether the rental in respect of the leased locomotives has been paid, if not, why not, if so, (a) what amount in respect of each leased locomotive was agreed upon and (b) what total amount in rental had been paid as at the latest specified date for which figures are available,

(3) whether any (a) maintenance and (b) repair work has been carried out in respect of the lent and/or leased locomotives, if so, (a) by whom and (b) how much did this work cost in each case,

(4) whether the maintenance and repair work has been paid for, if not, why not, if so, by whom?

The MINISTER OF TRANSPORT AFFAIRS.

(1) Yes, during the period January 1983 to December 1984 several class 33-400 diesel locomotives were hired out to the Zambian Railways Details of such locomotives are not readily available as they are being changed regularly for maintenance At the end of December 1984 nine locomotives were hired out

(2) All rental and insurance were paid in full up to July 1984 Arrears are being paid in three instalments The first has already been received.

(a) Rental varied from R543 per day in January 1983 to R650 per day in December 1984

(b) R6,3 million has been received up to February 1985

(3) and (4) Yes, the hire tariff is comprehensive and includes normal maintenance charges except for light repairs and maintenance which is attended to by Zambian Railways for its own account Supplies and spares for this purpose are provided by Transport Services

Locomotives are also insured against accidents and such repair costs are recovered therefrom.

Separate costs are not readily available

edies and Stock Remedies exercizes control in this respect

(a) and (b) Fall away

(3) No I refer the honourable member to the reply to Question No 26 of 5 March 1985

Hansard Q. 61. 875
26/3/85

Coloured labour preference policy

*30 Mrs H SUZMAN asked the Minister of Co-operation, Development and Education

(1) Whether the Coloured labour preference policy is still in operation in any areas of the Republic, if so, (a) in respect of which specified areas or townships and (b) why,

(2) whether he intends taking any action in respect of this policy in these areas, if not, why not, if so, (a) what action, (b) in which areas and (c) when in each case?

†The DEPUTY MINISTER OF FOREIGN AFFAIRS (for the Minister of Co-operation, Development and Education)

(1) No (a) and (b) falls away

(2) (a), (b) and (c) falls away

Hansard Q. 61. 875
26/3/85

Uitenhage: action taken at certain high school

*31 Mrs H SUZMAN asked the Minister of Law and Order

(1) Whether any action was taken by members of the South African Police at a certain high school in Uitenhage, the name of which has been furnished to the Minister's Department for the purpose of his reply, on or about 8 March 1985, if so, (a) what action, (b) why, (c) on whose request, (d) at what time, (e) with what result and (f) what is the name of the school,

(2) whether any school-children were killed or injures as a result, if so, how many in each case,

HoA

(3) whether he will make a statement on the matter?

†The MINISTER OF COMMUNICATIONS (for the Minister of Law and Order)

(1) Yes

(a) to (d) On 8 March 1985 the police fired two rounds of birdshot at approximately 400 riotous pupils who stoned a delivery vehicle and the police vehicle escorting it

(e) The stoning stopped and the pupils returned to the school premises

(f) Limakaya High School

(2) Although the principal of the school averred that pupils were wounded he refused to furnish further particulars

(3) No, except to state that as a precautionary measure against attacks and arson, the police where possible escort delivery vehicles to their destination

Black marriages

*32 Mrs H SUZMAN asked the Minister of Justice

Whether the South African Law Commission has completed its investigation into Black marriages, if so, when will the report be available, if not, (a) what progress has been made in the investigation and (b) when is it anticipated that the investigation will be completed?

The MINISTER OF JUSTICE

No The investigation into the matrimonial property law of Black persons is a comprehensive and complex one in which prominent academics are involved A committee of the Law Commission consisting of Professor J Church, Mr G G Smit and Professor C M R Dlamini, controls the course of the research work The finalization of the project as a whole will

of necessity take a considerable time The final results of the research on the project as a whole will be available at the end of June 1985 Consultation with interested parties on specific proposals, will then follow

Because I am aware of certain difficulties as far as the granting of loans to and the provision of security by Black women in respect of immovables are concerned, I have canvassed with the Law Commission the need for an early report As a result they will now consider an interim report with proposals to deal with these specific problems at their meetings on the 18th and 19th April 1985, whereafter a report will be submitted to me

South African Citizenship Act

*33 Mr S S VAN DER MERWE asked the Minister of Home Affairs

Whether any aliens who made declarations in terms of section 11A(1) of the South African Citizenship Act, No 44 of 1949, have been ordered to leave the Republic, if so, (a) how many, (b) why were they ordered to leave, (c) how much time were they given to leave the country and (d) what criteria are applied in deciding which aliens will be required to leave?

†The DEPUTY MINISTER OF HOME AFFAIRS

Yes

(a) 30 persons

(b) Because they lost their right of permanent residence and their subsequent applications for work permits have been refused

(c) 3 months

(d) The most important criterion for the granting of work permits is the availability of South African citizens and permanent residents to perform the work concerned

I wish to add for the information of the hon member that in respect of persons who opted not to automatically become South African citizens, additional factors, such as contractual obligations, present enrolment at a tertiary institution, etc , are also taken into account Temporary residence permits to minor persons on behalf of whom declarations were made, are not refused while their parents are still in the Republic Minors on behalf of whom declarations were made, may on reaching the age of 21 years, decide whether or not they wish to acquire South African citizenship

HoA

Criminal Procedure Act

*34 Mr D J DALLING asked the Minister of Law and Order.

(1) Whether (a) he and/or (b) any senior members of the South African Police have held discussions with representatives of the Press in connection with the application of section 205 of the Criminal Procedure Act since 1 January 1985, if so, with whom were these discussions held,

(2) whether the South African Police stated their attitude in this regard to the persons concerned, if so, what was this attitude,

(3) whether the said representatives of the Press made any comments in reaction to the attitude stated by the South African Police; if so, what was the purport of these comments,

(4) whether these representatives made any representations to the South African Police in this regard, if so, what was the (a) nature of the representations and (b) response thereto?

The MINISTER OF COMMUNICATIONS (for the Minister of Law and Order)

(1) No

(2)-(4) Falls away

Act, 1967, the Registration of Deeds Act, 1937 and the Housing Act, 1966 were effected during 1984

I do, however, extend an invitation the hon member for Sea Point, if he desires further information on this matter, which I am not able to give him in a brief reply such as this, to feel welcome to visit me in my office, and I will then give him further details, as he wishes

Hansard Q. 61. 83
26/3/85

Unemployment insurance cards

*22 Dr A L BORAINE asked the Minister of Manpower.

Whether any employers were (a) prosecuted and (b) warned in 1984 for failing to keep their employees' unemployment insurance cards up to date, if so, how many in each category?

The MINISTER OF TRANSPORT AFFAIRS (for the Minister of Manpower)

(a) Yes, 459 employers were prosecuted

(b) Yes, 10 986 employers were warned

Hansard Q. 61. 863
26/3/85

Khayelitsha: workers from Transvaal

*23 Mr K M ANDREW asked the Minister of Co-operation, Development and Education.

(1) Whether with reference to his reply to Question No 41 on 5 March 1985, the date of departure from Khayelitsha of the group of 350 workers from the Transvaal is now known, if so, what is the date,

(2) what was the (a) total cost of bringing these workers down from the Transvaal, and (b) daily total cost, including accommodation, wages and food, of keeping them at Khayelitsha, as at the latest specified date for which figures are available,

(3) whether any attempts were made to obtain the services of unemployed Black males in the Cape Peninsula to perform the work currently done by the said group of workers, if not, why not, if so, (a) what attempts, (b) when and (c) with what result,

(4) whether any restrictions have been placed on this group of workers in respect of (a) movement, (b) talking to the Press or any other persons and (c) any other specified matters, if so, (i) what restrictions and (ii) why?

†The DEPUTY MINISTER OF FOREIGN AFFAIRS (for the Minister of Co-operation, Development and Education)

(1) No At present there are only 191 of the work force left in Khayelitsha

(2) (a) R4 707,54

(b) R1 566,65 as at 18 March 1985

(3) No The workers in question are trained and have the necessary experience

(a), (b) and (c) Fall away

(4) (a) No

(b) No, but it is policy that discussions with the press and outsiders about official matters be arranged or granted by the liaison section of the Department, or by executive officers

(c) No

(i) and (ii) Fall away

Hansard
Q. 61. 864 26/3/85

Salaries of teachers: two-day stayaway

*24 Mr P G SOAL asked the Minister of Co-operation, Development and Education

(1) Whether his Department has taken any steps in respect of the salaries of teachers employed at schools falling under his Department in connection with the two-day stayaway in the Transvaal in November 1984, if so, (a) what are the details of the steps taken, (b) why were they taken, (c)

how many teachers were affected and (d) who took this decision,

(2) whether any representations were received in connection with these steps, if so, (a) when, (b) from whom and (c) what was (i) the nature of the representations and (ii) his response thereto?

The DEPUTY MINISTER OF FOREIGN AFFAIRS (for the Minister of Co-operation, Development and Education)

(1) Yes

(a) Steps were taken in accordance with a departmental circular which was sent out and which laid down that

(i) If an official/employee has arranged for absence from work in advance on account of expected problems regarding the riots/boycotts, such applications should be considered sympathetically and the subsequent absences from work should be covered by the granting of vacation leave with or without payment, depending on the leave credit available

(ii) In the case of teachers and officials who participated in the riots/boycotts and the subsequent unauthorized absences from work, such absences should be covered by the granting of vacation leave without payment

(ii) In cases where the *bona fides* of staff has been established beyond doubt and the employee's absence was not the result of boycott actions, but he was prevented from reporting for duty as a result of intimidation or the lack of commuter services, such absence can be covered by the granting of special leave with full payment The conditions, however, are that the employee will submit a declaration to this effect and that the circumstances will be confirmed by the South African Police If, however, the employee's *bona fides* cannot be established beyond doubt and there were ample reasons to assume that he could have reported for duty, but that his absence can be attributed to other unacceptable reasons, such absence should be covered by the granting of vacation leave without payment.

(b) It is normal personnel procedure to follow up any absence without leave

(c) 4 076 had to take unpaid leave

(d) The Department in accordance with standard personnel practice and the guidelines laid down by the Commission for Administration

(2) Yes

(a) 7 March 1985

(b) Transvaal United African Teachers' Association

(c) (i) Complaints from teachers about steps taken due to their unauthorized absence from work

(ii) Mindful of the exceptional circumstances a press statement was released on 5 March 1985 and Regional Directors were informed how to handle unavoidable cases of absence

Q. 61. 806 26/3/85

Coloured labour preference area policy

*25 Mr K M ANDREW asked the Minis-

Hansard
201)

ter of Co-operation, Development and Education

(1) Whether he has taken any steps concerning a change in the Coloured labour preference area policy in the Western Cape, if not, why not, if so, (a) what steps, (b) when, (c)(i) which specified (aa) regulations and (bb) other rules or directives are affected by this change in policy and (ii) in what manner were they affected in each case and (d) in respect of which townships or areas does this change apply,

(2) whether he or any member of his Department has issued any instructions to the relevant officials concerning this change in policy, if not, (a) why not and (b) when will the necessary instructions be issued, if so, (i) what instructions and (ii)(aa) to which specified authorities and organizations and (bb) when were these instructions issued,

(3) whether he or any member of his Department has received any representations or complaints concerning the implementation of this change in policy, if so, (a) from whom, (b) when and (c) what was the (i) nature of the representations or complaints and (ii) response thereto?

†The DEPUTY MINISTER OF FOREIGN AFFAIRS (for the Minister of Co-operation, Development and Education) (Reply laid upon the Table with leave of House)

(1) Yes

(a) By giving instructions that the Coloured labour preferential policy should not be applied administratively and that amending legislation in this regard be prepared

(b) 24 December 1984

(c) (i) (aa) Black Labour Regulations as published in Government Notice R 1892 of 3 December 1965 The following individual Regulations are affected
1(1)(xxxix) of Chapter I,
7(4) of Chapter VI,
14(3)(aA), 14(4)(b), 21(5), 22(2c) and 27(e) of Chapter VIII,
8(d) of Chapter IX, and
Parts C and D of Schedule 46

(bb) Various circulars issued from time to time

(ii) They all refer to the application of the Black Labour Regulations to the Western Cape and must consequently be amended to ensure that the practice there be brought in line with that in other areas

(d) The area of the Western Cape as defined in Regulation 1(xxxix) of Chapter I of the Black Labour Regulations and all the townships situated in that area

(2) Yes.

(a) falls away

(b) falls away

(i) As is set out under item 1 above

(ii) (aa) and (bb) Chief Commissioner Western Cape 31 December 1984
Chief Commissioner Eastern Cape 31 December 1984
Chief Commissioner Western Areas 31 December 1984
Development Board and Magistrates in the Western Cape Area 11 January 1985
Development Board, Western Areas 8 January 1985
Development Board, Eastern Cape 7 January 1985
Department of manpower 28 December 1984

HoA

(3) Yes

(a) Mr K M Andrew MP

(b) 1 March 1985

(c) (i) From a reply to a question put by Mrs D Bishop MPC, Gardens on 26 February 1985, in the Cape Provincial Council it appeared that the Cape Provincial Administration was unaware of the fact that the Coloured preferential policy was administratively not being applied any longer

(ii) Further instructions were issued to the Chief Commissioners, Eastern and Western Cape to the effect that they must ensure that all relative bodies are informed

Hansard Q.61.869
26/3/85

Education: communication structure

*26 Mr K M ANDREW asked the Minister of Co-operation, Development and Education

(1) Whether he or his Department has received any comments or representations in respect of the proposed communication structure for Black education dated 9 October 1984, if so (a) from whom, (b) what was the essence of the comments or representations and (c) when were they received,

(2) whether any action has been taken in response to these comments or representations, if so, (a) what action and (b) when,

(3) whether the proposed communication structure has been implemented at any schools, if not, why not, if so, (a) at which schools and (b) with what result,

(4) whether agreement in this regard was reached with the pupils at the schools concerned, if not, why not, if so, in what manner was it reached?

The DEPUTY MINISTER OF FOREIGN AFFAIRS (for the Minister of Co-operation, Development and Education)

(1) and (2) Yes The case is under consideration and persons who wish to comment have asked for an extension of time As soon as these comments have been received, a decision will be taken

(3) In no school has the structure as a whole been implemented In some schools it is being implemented partially

(4) In the schools where the structure is being implemented, the principal explained and discussed particulars of the structure with the pupils.

Hansard Khayelitsha 26/3/85
Q.61.870

*27. Mr P C CRONJÉ asked the Minister of Co-operation, Development and Education·

(1) Whether with reference to his reply to Question No 34 on 30 May 1984, the revision of the estimated cost of Khayelitsha has been completed, if not, (a) why not and (b) when is it anticipated that it will be completed, if so,

(2) (a) what was the (i) date of the original estimate, and (ii)(aa) date and (bb) amount of the revised estimate, of the cost of the first phase of the

(2) whether he has received any representations from any landowners in this area, if so, (a) when and (b) what was (i) the nature of the representations and (ii) his response thereto?

The MINISTER OF PUBLIC WORKS

(1) Yes

(a) The properties are acquired by way of negotiation and expropriation

(b) Department of Defence

(c) (i) 62 properties,

(ii) 24 properties

(d) The properties involve have various characteristics which have a bearing on the value thereof Furthermore, in terms of the provisions of the Expropriation Act, 1975, amounts have to be added in respect of actual financial loss and the so-called solatium. As will be seen from my reply to question 2(b)(ii) negotiations regarding prices are constantly conducted on a confidential basis with each individual owner. Some of the owners have applied to the courts for the determination of the compensation Even there negotiation will still be the course to be followed Only a few owners thusfar accepted offers In the light of these circumstances it is not possible to indicate a price per hectare

(2) Yes

(a) Since it became known that the land was to be acquired by the State

(b) (i) Representations were received mainly to the effect—

(a) that the acquisition of the ground be abandoned,

(b) that a right of access or entry be granted to the owners after the land has been acquired,

(c) That the owners may continue to stay on the land after it has been purchased until such time as it will be utilized; and

(d) in certain cases, that the prices offered were to low

(ii) In so far as (a), (b) and (c) are concerned, these are matters which do not fall under my jurisdiction Representations regarding the prices which were offered are dealt with on the basis that it is throughout the aim to come to an agreement regarding the price with the owner by means of negotiation and he is welcome to submit factual information to motivate a higher compensation Such motivations are considered most carefully and all aspects which may influence the price are taken into consideration

Hansard Q. Col. 472
11/3/85

Zweletemba: population

153 Mr K M ANDREW asked the Minister of Co-operation and Development·

(1) (a) What is the (i) adult (aa) male and (bb) female and (ii) child population of Zweletemba, Worcester, and (b) how many houses are there in this township,

(2) whether it is intended to build any further housing units in Zweletemba; if not, why not, if so, (a) when, (b) how many units and (c) what is the total anticipated cost involved?

The MINISTER OF CO-OPERATION AND DEVELOPMENT

(1) (a) (i) (aa) 2 267

(bb) 2 143

(ii) 4 555.

(b) 1 036

(2) Yes

(a) and (b) An application by the Western Cape Development Board for funds to build an additional 100 housing units was approved by the National Housing Commission on 5 February 1985

(c) R1 122 471

Smoking: deaths

241. Dr M S BARNARD asked the Minister of Health and Welfare

How many patients in the Republic died from diseases caused by or related to smoking in each of the latest specified five years for which figures are available?

The MINISTER OF HEALTH AND WELFARE

It is not possible to answer the Question, because irrefutable correlation of any particular death with smoking as the causative or related agent, does not exist

Hansard (201)

Reference books/influx control

Q. Col. 473 11/3/85

256 Mr S S VAN DER MERWE asked the Minister of Co-operation, Development and Education.

How many Black (a) males and (b) females were (i) arrested, (ii) charged, (iii) acquitted, (iv) fined and (v) deported in connection with offences relating to reference books and influx control in the Western Cape in 1984?

The MINISTER OF CO-OPERATION, DEVELOPMENT AND EDUCATION

The numbers below are in respect of the period 1 January 1984 to 31 August 1984 The courts were taken over by the Department of Justice on 1 September 1984

(a) (i) 6 304

(ii) 6 304

(iii) 143

(iv) 6 161

(v) None

(b) (i) 6 035

(ii) 6 035

(iii) 363

(iv) 5 672

(v) None

Hansard
Q. Col 474 11/3/85

National states: mineral production

275 Mr P R C ROGERS asked the Minister of Co-operation, Development and Education

What was the value of the mineral production in each of the national states in 1984?

The MINISTER OF CO-OPERATION, DEVELOPMENT AND EDUCATION

	Actual value for period 1/1/84–30/11/84	Projected value for period 1/1/84–31/12/84
Lebowa	R46 055 000	R50 242 000
KwaZulu	R36 564 000	R39 880 000

(2) whether he has received any representations from any landowners in this area, if so, (a) when and (b) what was (i) the nature of the representations and (ii) his response thereto?

The MINISTER OF PUBLIC WORKS:

(1) Yes

(a) The properties are acquired by way of negotiation and expropriation.

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11/3/85

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Hansard (201)
11/3/85

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Q.Col.473

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Hansard
Q.Col.474 11/3/85

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Lebowa	R46 055 000	R50 242 000
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Viljoen scraps Cape coloured labour policy

Staff Reporters

LABOUR officials in the Western Cape need no longer observe the coloured preference policy

An employer can now hire an African worker without first having a certificate from the Department of Manpower stating that no coloured labour is available

This news is contained in the latest bulletin of the Cape Chamber of Industries

The Minister of Co-operation, Development and Education, Dr Gerrit Viljoen, told the chamber he had issued an administrative directive to officials in the Western Cape to discontinue the coloured labour preference policy

The official withdrawal of the policy has been "warmly welcomed" by the Chamber of Commerce

Director Mr Brian McLeod said today the chamber had long campaigned for a change in the policy

Mr Chris Newton, president of the Cape Chamber of Industries, praised the Minister for changing the policy within six months of the first discussions with the private sector

85

Argus 13/7/85 201

'Coloured labour preference policy no longer applied'

Parliamentary Staff

THE Minister of Co-operation and Development, Dr Gerrit Viljoen, has confirmed that the coloured labour preference policy for the Western Cape was officially no longer being applied

Replying to the second-reading debate on the Black Communities Development Amendment Bill in the House of Representatives yesterday, he dismissed reports that the policy was still applied in spite of President P W Botha's announcement to the Cape National Party congress last year that it was being scrapped

If anybody had applied the policy it had been applied wrongly, he said. The policy had been suspended from the time of President Botha's announcement

"Administratively — and very soon legally — this policy has been suspended and cancelled," he said

The implementation of new legislation, especially important reform measures, would be speeded up

12 339 influx-control arrests

Political Correspondent

A TOTAL of 12 339 blacks were arrested for reference-book and influx-control offences in the Western Cape during the first eight months of last year, the Minister of Co-operation and Development, Dr Gerrit Viljoen, said yesterday

All of those arrested between January 1 and August 31 were charged and 506 were acquitted, Dr Viljoen said in reply to a written question from Mr Tian van der Merwe (PFP Green Point).

Of those arrested, 11 833 were fined but none were "deported"

The number of men and women arrested was almost the same — 6 304 and 6 035 respectively. However, more women (363) than men (143) were acquitted of these offences

(2) how many persons were charged with theft of (a) small stock and (b) large stock in this police station area in 1984 or over the said period?

The MINISTER OF LAW AND ORDER

January–December 1984

(1) (a) 30

(b) 9

(2) (a) 3

(b) 1

Theft of motor vehicles

689 Mr H H SCHWARZ asked the Minister of Law and Order

(1) (a) How many motor vehicles were reported stolen during the period 1 January to 31 December 1984 and (b) what is the value of the motor vehicles stolen during such period,

(2) how many such vehicles were recovered in (a) an undamaged, (b) a damaged and (c) a cannibalized condition?

The MINISTER OF LAW AND ORDER

(1) (a) 45 025

(b) R171 845 677-00

(2) (a) 14 640

(b) 8 094

(c) 2 818

Hansard Q.601 895

Koevoet 26/3/85

693 Mr S S VAN DER MERWE asked the Minister of Law and Order

Whether any members of the fighting unit Koevoet have any previous convictions, if so, (a) in respect of what specified crimes and (b) how many have previous convictions in respect of each such crime?

The MINISTER OF LAW AND ORDER

No

Own Affairs Hansard Q.601-896 26/3/85

Housing loans for farm labourers

46 Mr P A MYBURGH asked the Minister of Agriculture and Water Supply

(1) How many farmers in (a) the Greater Western Cape area, (b) the remainder of the Cape Province, (c) the Orange Free State, (d) the Transvaal and (e) Natal applied for housing loans for farm labourers in 1984,

(2) (a) how many of the applications in each area were granted and (b) what was the total amount granted in (i) each area and (ii) the Republic as a whole?

The MINISTER OF AGRICULTURE AND WATER SUPPLY

(1) (a) 123

(b) 47

(c) 8

(d) 23

(e) 7

(2)

	(a)	(b)(i)
Greater Western Cape area	118	R1 762 862
Remainder of Cape Province	45	R 719 779
Orange Free State	8	R 148 400
Transvaal	23	R 443 150
Natal	7	R 177 400

(2) (b) (ii) R3 251 591

Agricultural Credit Board

49 Mr E K MOORCROFT asked the Minister of Agriculture and Water Supply

What amount was allocated by the Agricultural Credit Board in the latest specified year for which figures are available, in respect of (a) the electrification of houses for, (b) the provision of water for domestic consumption by, and (c) any other specified services in respect of, farm employees?

The MINISTER OF AGRICULTURE AND WATER SUPPLY

(a) R122 000

(b) R205 489

(c) R70 002 in respect of additions The Scheme for farm worker housing was temporarily suspended on 24 August, 1984 until at least 31 March 1985

Fencing: subsidies

53 Mr R W HARDINGHAM asked the Minister of Agriculture and Water Supply

What was the total amount paid out in subsidies for fencing in each province of the Republic in terms of the Conservation of Agricultural Resources Act, No 43 of 1983, in respect of each of the latest specified two years for which figures are available?

The MINISTER OF AGRICULTURE AND WATER SUPPLY

	1982-83	1983-84
Highveld Region	R 15 349	R 17 204
Karoo Region	R171 199	R144 210
Natal Region	R 33 897	R 16 755
Eastern Cape Region	R 54 895	R 63 786
Free State Region	R174 679	R199 224
Transvaal Region	R 57 128	R 64 981
Winter Rainfall Region	R 32 178	R 25 681

Figures per province not available

WEDNESDAY, 27 MARCH 1985

†Indicates translated version

For written reply Hansard

General Affairs Q. 601 898

27/3/85

Reference books/influx control

144 Mrs H SUZMAN asked the Minister of Co-operation and Development

(1) How many (a) males and (b) females were arrested for offences relating to reference books and influx control in each of the main urban centres of the Republic in 1984 by officers of Development Boards

(2) what was the total number of such arrests in the Republic in that period?

The MINISTER OF CO OPERATION AND DEVELOPMENT

(1)

	(a)	(b)
Bloemfontein	2 739	727
Durban	2 591	293
Johannesburg	4 926	2 886
Cape Peninsula	773	896
East London	142	97
East Rand	21 895	5 473
Port Elizabeth	1 015	267
Pretoria	865	58
West Rand (excluding Johannesburg)	4 472	1 505

(2) 75 032

(20) 27/3/85

Hansard Q 601-898

Langa Commissioners' Courts

177 Mr K M ANDREW asked the Minister of Justice

(a) For what total number of hours were the Langa Commissioners Courts in session in 1984 and (b) what total number of persons appeared before these courts in that year?

7

The MINISTER OF JUSTICE·

Statistics for the period 1 January 1984 until 31 August 1984 are as follows

(a) 433 hours

(b) 4 615 persons

Since 1 September 1984, the date on which judicial work was taken over from the Department of Co-operation and Development, the adjudication of *all cases* emanating from the various magisterial districts is dealt with by the Magistrates' Courts concerned

Hansard
Housing loans/subsidies
Q. Col. 899 27/3/85

208 Mr R M BURROWS asked the Minister of Public Works

(1) How many (a) White, (b) Coloured, (c) Indian and (d) Black persons in the Public Service had obtained State-guaranteed housing loans as at the latest specified date for which figures are available,

(2) (a) how many (i) White, (ii) Coloured, (iii) Indian and (iv) Black persons in the Public Service were in receipt of State housing subsidies as at the latest specified date for which figures are available and (b) what annual sum was spent in each case for (i) compulsory mortgage repayments and (ii) voluntary repayments?

The MINISTER OF PUBLIC WORKS

(1) Statistics in respect of State-guaranteed housing loans are not kept separately in respect of the various population groups 53 771 loans have however been granted to public servants up to 31 December 1984

(2) Such statistics are not kept

Commissions/departmental committees

408 Mr K M ANDREW asked the Minister of Transport Affairs

(1) How many (a) commissions and (b) departmental committees of inquiry were appointed in respect of the South African Transport Services in 1984;

(2) whether any of the reports of such commissions and committees have been completed, if so, (a) how many and (b) of which commissions and committees,

(3) whether any of the reports of such commissions and committees have been made public; if so, (a) how many and (b) of which commissions and committees,

(4) what is the total estimated cost relating to each of these commissions and committees?

The MINISTER OF TRANSPORT AFFAIRS

(1), (2), (3) and (4) No commissions were appointed but Transport Services appointed several departmental Committees of Inquiry which is normal management practice and takes place according to need Particulars in this regard are not readily available

Sporting facilities

447 Mr M A TARR asked the Minister of Co-operation, Development and Education

What was the total amount spent by the Department of Co-operation and Development on the provision of sporting facilities in South Africa in the 1984-85 financial year?

The MINISTER OF CO-OPERATION, DEVELOPMENT AND EDUCATION

(a) Amount approved for sport facilities to date R4 698 440,10

(b) Applications at present under consideration R1 261 500,00
If (b) is approved before 31 March 1985 the total amount will be R5 959 940,10

(c) The total amount already spent on the provision of sports facilities by the Department during the 1984-85 financial year stands at R4 107 989,86

Hansard Q.Col.901
27/3/85
National states: persons employed

518 Mr R A F SWART asked the Minister of Co-operation, Development and Education

How many Blacks in each national state were employed in undertakings established (a) on an agency basis and (b) by development corporations for national states as at the latest specified date for which figures are available?

The MINISTER OF CO-OPERATION, DEVELOPMENT AND EDUCATION

	(a)	(b)	Total
Lebowa as at 31/12/1984	6 280	13 290	19 570
KwaZulu as at 28/2/1985	2 004	4 624	6 628
KwaNdebele as at 28/2/85	235	242	477
Gazankulu as at 31/3/1984	2 863	2 089	4 952
KaNgwane as at 28/2/1985	1 057	626	1 683
Qwaqwa as at 28/2/1985	9 550	86	9 636
Total	21 989	20 957	42 946

Hansard
Zambia: locomotives
Q. Col-901 27/3/85

527 Mr J H VISAGIE asked the Minister of Transport Affairs †

(1) Whether diesel locomotives were lent or leased to Zambia in the latest specified period of two years for which figures are available, if so, (a) how many such locomotives were so (i) lent and/or (ii) leased (b) what class of locomotives were they in each case and (c) on what date were these locomotives (i) lent and (ii) leased to Zambia in each case,

(2) whether the rental in respect of the leased locomotives has been paid, if not, why not; if so, (a) what amount in respect of each leased locomotive was agreed upon and (b) what total amount in rental had been paid as at the latest specified date for which figures are available,

(3) whether any (a) maintenance and (b) repair work has been carried out in respect of the lent and/or leased locomotives if so, (a) by whom and (b) how much did this work cost in each case,

(4) whether the maintenance and repair work has been paid for, if not, why not, if so, by whom?

The MINISTER OF TRANSPORT AFFAIRS

(1) Yes, during the period January 1983 to December 1984 several class 33-400 diesel locomotives were hired out to the Zambian Railways Details of such locomotives are not readily available as they are being changed regularly for maintenance At the end of December 1984 nine locomotives were hired out

(2) All rental and insurance were paid in full up to July 1984 Arrears are being paid in three instalments The first has already been received

(a) Rental varied from R543 per day in January 1983 to R650 per day in December 1984

(b) R6,3 million has been received up to February 1985

(3) and (4) Yes, the hire tariff is comprehensive and includes normal maintenance charges except for light repairs and maintenance which is attended to by Zambian Railways for its own account Supplies and spares for this purpose are provided by Transport Services

Locomotives are also insured against accidents and such repair costs are recovered therefrom

Separate costs are not readily available

Act, 1967, the Registration of Deeds Act, 1937 and the Housing Act, 1966 were effected during 1984

I do, however, extend an invitation the hon member for Sea Point, if he desires further information on this matter, which I am not able to give him in a brief reply such as this, to feel welcome to visit me in my office, and I will then give him further details, as he wishes

Hansard Q. 61. 83
26/3/85

Unemployment insurance cards

*22 Dr A L BORAINE asked the Minister of Manpower

Whether any employers were (a) prosecuted and (b) warned in 1984 for failing to keep their employees' unemployment insurance cards up to date, if so, how many in each category?

The MINISTER OF TRANSPORT AFFAIRS (for the Minister of Manpower)

(a) Yes, 459 employers were prosecuted

(b) Yes, 10 986 employers were warned

Hansard Q. 61. 863
26/3/85

Khayelitsha: workers from Transvaal

*23 Mr K M ANDREW asked the Minister of Co-operation, Development and Education

(1) Whether with reference to his reply to Question No 41 on 5 March 1985, the date of departure from Khayelitsha of the group of 350 workers from the Transvaal is now known, if so, what is the date,

(2) what was the (a) total cost of bringing these workers down from the Transvaal, and (b) daily total cost, including accommodation, wages and food, of keeping them at Khayelitsha, as at the latest specified date for which figures are available,

(3) whether any attempts were made to obtain the services of unemployed Black males in the Cape Peninsula to perform the work currently done by the said group of workers, if not, why not, if so, (a) what attempts, (b) when and (c) with what result,

(4) whether any restrictions have been placed on this group of workers in respect of (a) movement, (b) talking to the Press or any other persons and (c) any other specified matters, if so, (i) what restrictions and (ii) why?

†The DEPUTY MINISTER OF FOREIGN AFFAIRS (for the Minister of Co-operation, Development and Education)

(1) No At present there are only 191 of the work force left in Khayelitsha

(2) (a) R4 707,54

(b) R1 566,65 as at 18 March 1985

(3) No The workers in question are trained and have the necessary experience

(a), (b) and (c) Fall away

(4) (a) No

(b) No, but it is policy that discussions with the press and outsiders about official matters be arranged or granted by the liaison section of the Department, or by executive officers

(c) No

(i) and (ii) Fall away

Hansard
Q. 61. 864 26/3/85

Salaries of teachers: two-day stayaway

*24 Mr P G SOAL asked the Minister of Co-operation, Development and Education

(1) Whether his Department has taken any steps in respect of the salaries of teachers employed at schools falling under his Department in connection with the two-day stayaway in the Transvaal in November 1984, if so, (a) what are the details of the steps taken, (b) why were they taken, (c) how many teachers were affected and (d) who took this decision,

(2) whether any representations were received in connection with these steps; if so, (a) when, (b) from whom and (c) what was (i) the nature of the representations and (ii) his response thereto?

The DEPUTY MINISTER OF FOREIGN AFFAIRS (for the Minister of Co-operation, Development and Education)

(1) Yes

(a) Steps were taken in accordance with a departmental circular which was sent out and which laid down that

(i) If an official/employee has arranged for absence from work in advance on account of expected problems regarding the riots/boycotts, such applications should be considered sympathetically and the subsequent absences from work should be covered by the granting of vacation leave with or without payment, depending on the leave credit available

(ii) In the case of teachers and officials who participated in the riots/boycotts and the subsequent unauthorized absences from work, such absences should be covered by the granting of vacation leave without payment

(ii) In cases where the *bona fides* of staff has been established beyond doubt and the employee's absence was not the result of boycott actions, but he was prevented from reporting for duty as a result of intimidation or the lack of commuter services, such absence can be covered by the granting of special leave with full payment The conditions, however, are that the employee will submit a declaration to this effect and that the circumstances will be confirmed by the South African Police If, however, the employee's *bona fides* cannot be established beyond doubt and there were ample reasons to assume that he could have reported for duty but that his absence can be attributed to other unacceptable reasons such absence should be covered by the granting of vacation leave without payment

(b) It is normal personnel procedure to follow up any absence without leave

(c) 4 076 had to take unpaid leave

(d) The Department in accordance with standard personnel practice and the guidelines laid down by the Commission for Administration

(2) Yes

(a) 7 March 1985

(b) Transvaal United African Teachers Association

(c) (i) Complaints from teachers about steps taken due to their unauthorized absence from work

(ii) Mindful of the exceptional circumstances a press statement was released on 5 March 1985 and Regional Directors were informed how to handle unavoidable cases of absence

Q. 61. 806 26/3/85

Coloured labour preference area policy

*25 Mr K M ANDREW asked the Minis-

Hansard
201

ter of Co-operation, Development and Education.

(1) Whether he has taken any steps concerning a change in the Coloured labour preference area policy in the Western Cape, if not, why not, if so, (a) what steps, (b) when, (c)(i) which specified (aa) regulations and (bb) other rules or directives are affected by this change in policy and (ii) in what manner were they affected in each case and (d) in respect of which townships or areas does this change apply,

(2) whether he or any member of his Department has issued any instructions to the relevant officials concerning this change in policy, if not, (a) why not and (b) when will the necessary instructions be issued, if so, (i) what instructions and (ii)(aa) to which specified authorities and organizations and (bb) when were these instructions issued,

(3) whether he or any member of his Department has received any representations or complaints concerning the implementation of this change in policy, if so, (a) from whom, (b) when and (c) what was the (i) nature of the representations or complaints and (ii) response thereto?

†The DEPUTY MINISTER OF FOREIGN AFFAIRS (for the Minister of Co-operation, Development and Education) (Reply laid upon the Table with leave of House)

(1) Yes

(a) By giving instructions that the Coloured labour preferential policy should not be applied administratively and that amending legislation in this regard be prepared

(b) 24 December 1984

(c) (i) (aa) Black Labour Regulations as published in Government Notice R.1892 of 3 December 1965. The following individual Regulations are affected:
1(1)(xxxix) of Chapter I,
7(4) of Chapter VI,
14(3)(aA), 14(4)(b), 21(5), 22(2c) and 27(e) of Chapter VIII,
8(d) of Chapter IX, and
Parts C and D of Schedule 46

(bb) Various circulars issued from time to time

(ii) They all refer to the application of the Black Labour Regulations to the Western Cape and must consequently be amended to ensure that the practice there be brought in line with that in other areas

(d) The area of the Western Cape as defined in Regulation 1(xxxix) of Chapter I of the Black Labour Regulations and all the townships situated in that area

(2) Yes

(a) falls away

(b) falls away

(i) As is set out under item 1 above

(ii) (aa) and (bb) Chief Commissioner Western Cape 31 December 1984
Chief Commissioner Eastern Cape 31 December 1984
Chief Commissioner Western Areas 31 December 1984
Development Board and Magistrates in the Western Cape Area 11 January 1985.
Development Board, Western Areas 8 January 1985.
Development Board, Eastern Cape 7 January 1985
Department of manpower 28 December 1984

(3) Yes

(a) Mr K M Andrew MP

(b) 1 March 1985

(c) (i) From a reply to a question put by Mrs D Bishop MPC, Gardens on 26 February 1985, in the Cape Provincial Council it appeared that the Cape Provincial Administration was unaware of the fact that the Coloured preferential policy was administratively not being applied any longer

(ii) Further instructions were issued to the Chief Commissioners, Eastern and Western Cape to the effect that they must ensure that all relative bodies are informed

Hansard Q.61.869

Education: communication structure

26/3/85

*26 Mr K M ANDREW asked the Minister of Co-operation, Development and Education

(1) Whether he or his Department has received any comments or representations in respect of the proposed communication structure for Black education dated 9 October 1984, if so (a) from whom, (b) what was the essence of the comments or representations and (c) when were they received,

(2) whether any action has been taken in response to these comments or representations, if so, (a) what action and (b) when,

(3) whether the proposed communication structure has been implemented at any schools, if not, why not, if so, (a) at which schools and (b) with what result,

(4) whether agreement in this regard was reached with the pupils at the schools concerned, if not, why not, if so, in what manner was it reached?

The DEPUTY MINISTER OF FOREIGN AFFAIRS (for the Minister of Co-operation, Development and Education)

(1) and (2) Yes The case is under consideration and persons who wish to comment have asked for an extension of time As soon as these comments have been received, a decision will be taken

(3) In no school has the structure as a whole been implemented In some schools it is being implemented partially

(4) In the schools where the structure is being implemented, the principal explained and discussed particulars of the structure with the pupils

Hansard Khayelitsha 26/3/85 Q.61 870

*27 Mr P C CRONJE asked the Minister of Co-operation, Development and Education

(1) Whether with reference to his reply to Question No 34 on 30 May 1984, the revision of the estimated cost of Khayelitsha has been completed, if not, (a) why not and (b) when is it anticipated that it will be completed, if so,

(2) (a) what was the (i) date of the original estimate, and (ii)(aa) date and (bb) amount of the revised estimate, of the cost of the first phase of the

edies and Stock Remedies exercizes control in this respect

(a) and (b) Fall away

(3) No I refer the honourable member to the reply to Question No 26 of 5 March 1985

Hansard Q. 601. 875
26/3/85

Coloured labour preference policy

201 *30 Mrs H SUZMAN asked the Minister of Co-operation, Development and Education

(1) Whether the Coloured labour preference policy is still in operation in any areas of the Republic, if so, (a) in respect of which specified areas or townships and (b) why,

(2) whether he intends taking any action in respect of this policy in these areas, if not, why not, if so, (a) what action, (b) in which areas and (c) when in each case?

†The DEPUTY MINISTER OF FOREIGN AFFAIRS (for the Minister of Co-operation Development and Education)

(1) No (a) and (b) falls away

(2) (a), (b) and (c) falls away

Hansard Q. 601. 875
26/3/85

Uitenhage: action taken at certain high school

*31 Mrs H SUZMAN asked the Minister of Law and Order

(1) Whether any action was taken by members of the South African Police at a certain high school in Uitenhage, the name of which has been furnished to the Minister's Department for the purpose of his reply, on or about 8 March 1985, if so, (a) what action, (b) why, (c) on whose request, (d) at what time, (e) with what result and (f) what is the name of the school,

(2) whether any school-children were killed or injures as a result, if so, how many in each case,

(3) whether he will make a statement on the matter?

†The MINISTER OF COMMUNICATIONS (for the Minister of Law and Order).

(1) Yes

(a) to (d) On 8 March 1985 the police fired two rounds of birdshot at approximately 400 riotous pupils who stoned a delivery vehicle and the police vehicle escorting it.

(e) The stoning stopped and the pupils returned to the school premises

(f) Limakaya High School

(2) Although the principal of the school averred that pupils were wounded he refused to furnish further particulars

(3) No, except to state that as a precautionary measure against attacks and arson, the police where possible escort delivery vehicles to their destination

Black marriages

*32 Mrs H SUZMAN asked the Minister of Justice

Whether the South African Law Commission has completed its investigation into Black marriages, if so, when will the report be available, if not, (a) what progress has been made in the investigation and (b) when is it anticipated that the investigation will be completed?

The MINISTER OF JUSTICE:

No The investigation into the matrimonial property law of Black persons is a comprehensive and complex one in which prominent academics are involved A committee of the Law Commission consisting of Professor J Church, Mr G G Smit and Professor C M R Dlamini, controls the course of the research work The finalization of the project as a whole will

of necessity take a considerable time The final results of the research on the project as a whole will be available at the end of June 1985. Consultation with interested parties on specific proposals, will then follow

Because I am aware of certain difficulties as far as the granting of loans to and the provision of security by Black women in respect of immovables are concerned, I have canvassed with the Law Commission the need for an early report As a result they will now consider an interim report with proposals to deal with these specific problems at their meetings on the 18th and 19th April 1985, whereafter a report will be submitted to me

South African Citizenship Act

*33 Mr S S VAN DER MERWE asked the Minister of Home Affairs

Whether any aliens who made declarations in terms of section 11A(1) of the South African Citizenship Act, No 44 of 1949, have been ordered to leave the Republic, if so, (a) how many, (b) why were they ordered to leave, (c) how much time were they given to leave the country and (d) what criteria are applied in deciding which aliens will be required to leave?

†The DEPUTY MINISTER OF HOME AFFAIRS

Yes

(a) 30 persons.

(b) Because they lost their right of permanent residence and their subsequent applications for work permits have been refused

(c) 3 months

(d) The most important criterion for the granting of work permits is the availability of South African citizens and permanent residents to perform the work concerned

I wish to add for the information of the hon member that in respect of persons who opted not to automatically become South African citizens, additional factors, such as contractual obligations present enrolment at a tertiary institution, etc , are also taken into account Temporary residence permits to minor persons on behalf of whom declarations were made, are not refused while their parents are still in the Republic Minors on behalf of whom declarations were made, may on reaching the age of 21 years decide whether or not they wish to acquire South African citizenship

Criminal Procedure Act

*34 Mr D J DALLING asked the Minister of Law and Order

(1) Whether (a) he and/or (b) any senior members of the South African Police have held discussions with representatives of the Press in connection with the application of section 205 of the Criminal Procedure Act since 1 January 1985, if so, with whom were these discussions held,

(2) whether the South African Police stated their attitude in this regard to the persons concerned if so what was this attitude,

(3) whether the said representatives of the Press made any comments in reaction to the attitude stated by the South African Police, if so what was the purport of these comments

(4) whether these representatives made any representations to the South African Police in this regard if so, what was the (a) nature of the representations and (b) response thereto?

The MINISTER OF COMMUNICATIONS (for the Minister of Law and Order)

(1) No

(2)-(4) Falls away

Cape Times 27/3/81

Coloured labour policy redundant

Political Staff 165 201

HOUSE OF ASSEMBLY. — The controversial coloured labour preference policy is no longer being applied anywhere in South Africa

The Minister of Co-operation and Development, Dr Gerrit Viljoen, said yesterday in reply to PFP questions that he had given instructions on December 24 last year that the coloured labour preference policy should not be applied administratively and that amending legislation in this regard should be prepared.

In terms of the policy, people classified as coloured had to be given preference for jobs over Africans in certain areas of South Africa.

At the Cape congress of the National Party last year, President P W Botha announced that the policy would be scrapped in the Western Cape.

But in February this year, Mrs Di Bishop, PFP MPC in Gardens, was told in the Cape Provincial Council that the policy was still being applied.

Dr Viljoen said yesterday from the reply given to Mrs Bishop that "it appeared that the Cape Provincial Administration was unaware of the fact that the coloured preferential policy was administratively not being applied any longer".

CAPE TIMES 3/4/85

Residence rights for 5 groups

Staff Reporter

FIVE Crossroads squatter groups have been granted legal residential rights for 18 months provided they move to Khayelitsha "as soon as possible", the top local black affairs official, Mr Timo Bezuidenhoud, confirmed yesterday.

The groups — Cathedral, Dodwana, Sipeke, Tutu and Nyandeni — have been negotiating with Mr Bezuidenhoud since large-scale unrest broke out at Crossroads in February, leaving 18 people dead

Mr Bezuidenhoud, who was initially reluctant to release details of a "deal" made with the government on behalf of the squatter groups, said that during the 18 months the groups "must look for work — the government will assist in this There will be no deportation".

After the 18 months the government would review the situation, he said

'Not forcing'

Mr Bezuidenhoud said an area known as "site C" within the perimeters of Khayelitsha had been made available

"We're not forcing anybody, but we hope to be able to move them before the rainy season," he said

Mr Bezuidenhoud said he had met with leaders of one of the five groups and planned to meet with the other four by the end of the week to inform them of the government's offer.

He confirmed that Dr Gerrit Viljoen, the Minister of Co-operation and Development, had not yet met with any of the squatter leaders but added that Dr Viljoen would "definitely meet with them within the next few weeks after I've relayed the offer".

Although squatter leaders were unavailable for comment yesterday they have been widely reported as rejecting the offer and demanding full Section 10 (1) (a) rights "and not temporary permits"

Asked if the 600 government workers from Kwa Ndebele whose presence in Khayelitsha in February is widely believed to have sparked the Crossroads unrest, Mr Bezuidenhoud said all but 72 had been returned to Kwa Ndebele.

"There are now 10 lorries and 72 workers engaged in ongoing work transporting people from the black townships to Khayelitsha," he said

RAND DAILY MAIL, Thursday,

Case on rights in SA dismissed

Mail Correspondent

CAPE TOWN — A prominent man in the Eastern Cape lost a key court bid to stop the Government from withdrawing his rights to enter South Africa without a visa and live in the Republic without a temporary residence permit.

Mr Stephen Tshwete has lived inside SA since his birth in 1938

Although Mr Tshwete has been affected as an individual, legal spokesmen say the judgment — handed down in the Eastern Cape Division of the Supreme Court two weeks ago — has serious implications for millions of blacks living outside the homelands

A spokesman said this week. "Every black from the Transkei, Ciskei, Bophuthatswana or Venda living in the Republic when these countries became independent are now aliens in SA

"Blanket exemptions were issued to all such persons from having to acquire visas and temporary residence permits..."

But this, he said, has changed since Mr Tshwete's unsuccessful bid

On November 8 last year, Mr Tshwete — working in King Williams' Town and having to travel through the Ciskei to get there — received a notice from the Director-General of Home Affairs informing him that his exemption from visa requirements and for a temporary resident permit had been withdrawn

He then applied for an urgent court order against these actions.

But the judge dismissed the application with costs

Following this, Mr Tshwete may no longer live in Nkqonkqeni — between East London and Queenstown — without a permit and work without a visa

CAPE Times 1/6/85

Body launched to protect workers

Political Correspondent

A NEW body dedicated to fighting for the rights of hostel-dwellers in the Western Cape is to be launched today

One of the major goals of the organization — to be known as the Western Cape Men's Hostel Association (WCMHA) — will be to press for the right of workers to live with their families near their places of work

WCMHA will accordingly campaign for the provision of family housing and special married quarters for workers, the organization's secretary, Mr S Nkathzo, said this week

Other aims of the new body include

- Campaigning for full residence and employment rights, and the end of the present contract system
- Working for the upgrading of facilities and amenities
- Encouraging and providing opportunities for adult education and cultural activities
- Developing good relationships with fellow residents who already live with their families in townships

The WCMHA is also keen to develop a working relationship with other bodies or individuals who support their goals

The association will be launched at the Presbyterian Church Hall in Nyanga at 2pm today

It's still the same old story

THE Government has now begun to show signs of rethinking their old style of controlling African urbanisation In September last year the State President announced that the Coloured Labour Preference Policy of the Cape, in existence since 1955, was to be scrapped. The Policy prevented Africans, even those who had permanent residence rights, from getting jobs in Cape Town unless they could get a certificate to show that no "suitable" coloured labour was available.

Despite this announcement, little has changed in reality. People still have to get "clearance" certificates from the Department of Manpower before they can be registered in employment.

Mr P W Botha also announced that 99-year leasehold would be available in Khayelitsha and "certain other areas". Again little has been heard of this since

ILLEGAL

Still more recently, there is the Government's 18-month deal to "illegal" Crossroads squatters The Government has offered to consider granting the squatters permanent residence rights if they agree to move to Site C at Khayeltsha, 40 km outside Cape Town, where they would be housed in tents on serviced sites In the meantime, Crossroads would be developed The squatters were told that they would be able to live in their existing groups at Site C and that no deportations will occur after the 18 months.

Last week, Dr Gerrit Viljoen, Minister of Cooperation and Development said legislation aimed at changing influx control would be introduced later this year. He conceded that influx control was one of the main reasons for African dissatisfaction and frustration and said the Government acknowledged that African influx into the cities was unavoidable.

But he did not support migration to the cities at the expense of rural development. Mr Timo Bezuidenhoud, Chief Commissioner of the Department of Cooperation and Planning in the Western Cape said last week that the Government had no plans to relax the homeland policy.

This is borne out by Government expenditure on homeland consolidation. Last year R126-million was spent and this year's amount is expected to reach R175-million.

So apparent shifts in Government urbanisation policy do not mean a shift away from the homelands policy Rather, they seem to have opted for a policy of orderly urbanisation with accompanying rural development

● *A TREASURED possession — the pass book.*

Interim committee elected

Herald
20/4/85

A JOINT interim committee representing hostel dwellers in Langa, Nyanga and Guguletu was elected at a meeting in Langa on Saturday.

Chairman of the committee, Mr Johnson Mpukumpa, also national president of the General Workers' Union, said a constitution was accepted at Saturday's meeting and the organisation would be formally launched at the beginning of June.

The organisation already has 800 members from Nyanga and has a potential membership of 27 000.

It aims to fight for family rights for hostel dwellers, a review of the qualifications for contracts for migrant workers and improvements in the conditions and facilities at hostels.

Statistics regarding the matter can be found on page 15 of the Annual Report of the Department of Public Works and Land Affairs for 1984 which has already been tabled.

(2) No The relevant information has been given in paragraph (1).

Hansard Q. 61. 1317
(201) **Mr S Tshwete: citizenship**
30/4/85

*4 Mrs H SUZMAN asked the Minister of Home Affairs

(1) Whether his Department took any action regarding visa and residence permit requirements in respect of a Mr Stephen Tshwete in November 1984, if so, (a) what action, (b) on what date, (c) why, (d) who took the decision in this regard and (e) of what country is Mr Tshwete a citizen;

(2) whether Mr Tshwete was a citizen of the Republic at any time, if so, how did he acquire citizenship of the Republic,

(3) whether he subsequently lost this citizenship, if so, (a) when and (b) why,

(4) whether he has applied for a (a) visa and (b) temporary residence permit since November 1984, if so, on what date,

(5) whether this application has been granted, if so, when, if not, why not,

(6) whether this Department intends providing Mr Tshwete with any documentation enabling him to (a) live and (b) work in the Republic; if not, why not, if so, (i) what documentation and (ii) when;

(7) whether any conditions will be attached to the issuing of this documentation, if so, (a) what conditions and (b) why,

(8) whether this Department intends taking any similar action in respect of any other Black persons, if so, (a) in respect of how many, (b) what action, (c) why, (d) when, (e) of which countries are they citizens and (f) what are the circumstances surrounding each case,

(9) whether he will make a statement on the matter?

†The MINISTER OF HOME AFFAIRS:

(1) Yes

(a) The exemptions granted to citizens of Ciskei to enter the Republic without a visa or to sojourn in the Republic without a temporary residence permit have been withdrawn in his case, in terms of section 40(2)(c) of Act 59 of 1972 and section 7 *bis* (3) of Act 1 of 1937

(b) 16 October 1984.

(c) It is not customary to divulge the reasons The decision relates to individual circumstances and does not encroach upon the mutual arrangements between the Republic of South Africa and the Government of Ciskei

(d) I took the decision

(e) Republic of Ciskei

(2) Yes, before the independence of Ciskei he was a South African citizen by birth

(3) Yes

(a) and (b) With the independence of Ciskei on 4 December 1981, he became a citizen of Ciskei, in terms of section 6(1) of the Status of Ciskei Act, No 110 of 1981

(4) (a) and (b) No such applications are on record.

(5) Falls away

(6) and (7) There are no applications for

documentation on record which can be considered

(8) No, no similar action in respect of individual citizens of Transkei, Bophuthatswana, Venda or Ciskei are presently under consideration

(9) No

†Prof N J J OLIVIER Mr Speaker, arising out of the hon the Minister's reply, does he think that, in the light of the other provisions of section 6 of the Act which he quoted, which—with the exception of citizenship—specifically retain the rights, privileges and immunities of people who were South African citizens at the time of independence, this action was in accordance with the protection of rights which section 6 of the Status Act provides for?

†The MINISTER Mr Speaker, I think more or less the same point which the hon member tries to make was the subject of an application in court by this person concerned The court made a particular finding in this regard which attaches—as I interpret it—a different interpretation to that section as that which the hon member does in his question The possibility of appeal exists and therefore I will not elaborate on it at this stage.

De Hoop missile testing range

*5 Mr P A MYBURGH asked the Minister of Public Works

(1) Whether, with reference to his reply to Question No 887 on 16 May 1984, the properties referred to in subparagraph (2)(c)(ii)(22) of that reply have been acquired on behalf of Armscor, if so, (a) when, (b) what total amount was paid for these properties and (c) what is the total area of these properties, if not,

(2) whether negotiations are in progress with a view to acquiring these properties, if not, why not, if so, (a) with whom, (b) what is the total size of these properties and (c) what offer has been made to the owner thereof,

(3) whether this offer has been accepted by the owner, if not, why not, if so, when?

The MINISTER OF PUBLIC WORKS.

(1) Yes

(a) Expropriated on 9 January 1985

(b) Negotiations between the expropriated party and the Department of Public Works and Land Affairs regarding the amount of compensation are still proceeding

(c) 1491.9414 ha

(2) Falls away

(3) As in (1)(b)

Kruger family: documents

*6 Mr G B D McINTOSH asked the Minister of National Education

(1) Whether any documents relating to the ancestry of the Kruger family were noticed to be missing from the National Archives in 1985, if so, (a) from which depot of the National Archives, (b) on what date was this discovered and (c) what documents are missing,

(2) whether any steps have been taken to (a) recover the documents and (b) prevent the disappearance of any further documents from the National Archives in the future, if not, why not, if so, (i) what steps and (ii) with what result in each case

(3) whether he will make a statement on the matter?

The DEPUTY MINISTER OF NATIONAL EDUCATION

(1) No (a), (b) and (c) Fall away

(2) Falls away

Statistics regarding the matter can be found on page 15 of the Annual Report of the Department of Public Works and Land Affairs for 1984 which has already been tabled

(2) No. The relevant information has been given in paragraph (1).

Hansard Q. 61. 1315

201 **Mr S Tshwete: citizenship**

30/4/85

*4 Mrs H SUZMAN asked the Minister of Home Affairs

(1) Whether his Department took any action regarding visa and residence permit requirements in respect of a Mr Stephen Tshwete in November 1984, if so, (a) what action, (b) on what date, (c) why, (d) who took the decision in this regard and (e) of what country is Mr Tshwete a citizen,

(2) whether Mr Tshwete was a citizen of the Republic at any time, if so, how did he acquire citizenship of the Republic,

(3) whether he subsequently lost this citizenship, if so, (a) when and (b) why,

(4) whether he has applied for a (a) visa and (b) temporary residence permit since November 1984, if so, on what date,

(5) whether this application has been granted, if so, when, if not, why not,

(6) whether this Department intends providing Mr Tshwete with any documentation enabling him to (a) live and (b) work in the Republic, if not, why not; if so, (i) what documentation and (ii) when;

(7) whether any conditions will be attached to the issuing of this documentation, if so, (a) what conditions and (b) why;

(8) whether this Department intends taking any similar action in respect of any other Black persons; if so, (a) in respect of how many, (b) what action, (c) why, (d) when, (e) of which countries are they citizens and (f) what are the circumstances surrounding each case;

(9) whether he will make a statement on the matter?

†The MINISTER OF HOME AFFAIRS

(1) Yes

(a) The exemptions granted to citizens of Ciskei to enter the Republic without a visa or to sojourn in the Republic without a temporary residence permit have been withdrawn in his case, in terms of section 40(2)(c) of Act 59 of 1972 and section 7 *bis* (3) of Act 1 of 1937

(b) 16 October 1984

(c) It is not customary to divulge the reasons The decision relates to individual circumstances and does not encroach upon the mutual arrangements between the Republic of South Africa and the Government of Ciskei

(d) I took the decision

(e) Republic of Ciskei

(2) Yes, before the independence of Ciskei he was a South African citizen by birth

(3) Yes

(a) and (b) With the independence of Ciskei on 4 December 1981, he became a citizen of Ciskei, in terms of section 6(1) of the Status of Ciskei Act, No 110 of 1981

(4) (a) and (b) No such applications are on record

(5) Falls away

(6) and (7) There are no applications for

HoA

documentation on record which can be considered

(8) No, no similar action in respect of individual citizens of Transkei, Bophuthatswana, Venda or Ciskei are presently under consideration

(9) No

†Prof N J J OLIVIER Mr Speaker, arising out of the hon the Minister's reply, does he think that, in the light of the other provisions of section 6 of the Act which he quoted, which—with the exception of citizenship—specifically retain the rights, privileges and immunities of people who were South African citizens at the time of independence, this action was in accordance with the protection of rights which section 6 of the Status Act provides for?

†The MINISTER Mr Speaker, I think more or less the same point which the hon member tries to make was the subject of an application in court by this person concerned The court made a particular finding in this regard which attaches—as I interpret it—a different interpretation to that section as that which the hon member does in his question The possibility of appeal exists and therefore I will not elaborate on it at this stage

De Hoop missile testing range

*5 Mr P A MYBURGH asked the Minister of Public Works

(1) Whether, with reference to his reply to Question No 887 on 16 May 1984, the properties referred to in subparagraph (2)(c)(ii)(22) of that reply have been acquired on behalf of Armscor, if so, (a) when, (b) what total amount was paid for these properties and (c) what is the total area of these properties, if not,

(2) whether negotiations are in progress with a view to acquiring these properties, if not, why not, if so, (a) with whom, (b) what is the total size of these properties and (c) what offer has been made to the owner thereof;

(3) whether this offer has been accepted by the owner, if not, why not if so, when?

The MINISTER OF PUBLIC WORKS

(1) Yes

(a) Expropriated on 9 January 1985.

(b) Negotiations between the expropriated party and the Department of Public Works and Land Affairs regarding the amount of compensation are still proceeding

(c) 1491,9414 ha

(2) Falls away

(3) As in (1)(b)

Kruger family: documents

*6 Mr G B D McINTOSH asked the Minister of National Education

(1) Whether any documents relating to the ancestry of the Kruger family were noticed to be missing from the National Archives in 1985, if so, (a) from which depot of the National Archives, (b) on what date was this discovered and (c) what documents are missing,

(2) whether any steps have been taken to (a) recover the documents and (b) prevent the disappearance of any further documents from the National Archives in the future, if not why not, if so, (i) what steps and (ii) with what result in each case

(3) whether he will make a statement on the matter?

The DEPUTY MINISTER OF NATIONAL EDUCATION

(1) No (a), (b) and (c) Fall away

(2) Falls away

HoA

Ruling on Mthiya case soon

Labour Reporter

JUDGMENT in the landmark Mthiya case which could affect the permanent residence rights of at least 10 000 city migrant workers is expected to be delivered by the Appeal Court in Bloemfontein soon

The case involves Mr Mdandweni Mthiya, a contract worker who had worked for one employer "continuously" for 10 years even though he had three long absences from work

In April last year Mr Justice Tebbutt granted Mr Mthiya Section 10 (1) (b) rights, or permanent city residence. The judge found that Mr Mthiya was entitled to these rights because he had proved he had worked for one employer continuously for longer than 10 years and had lived in the city continuously for 15 years

The Western Cape Development Board was refused leave to appeal against the Cape Supreme Court judgment, but it was taken to the Appeal Court after the Chief Justice was petitioned for leave to appeal

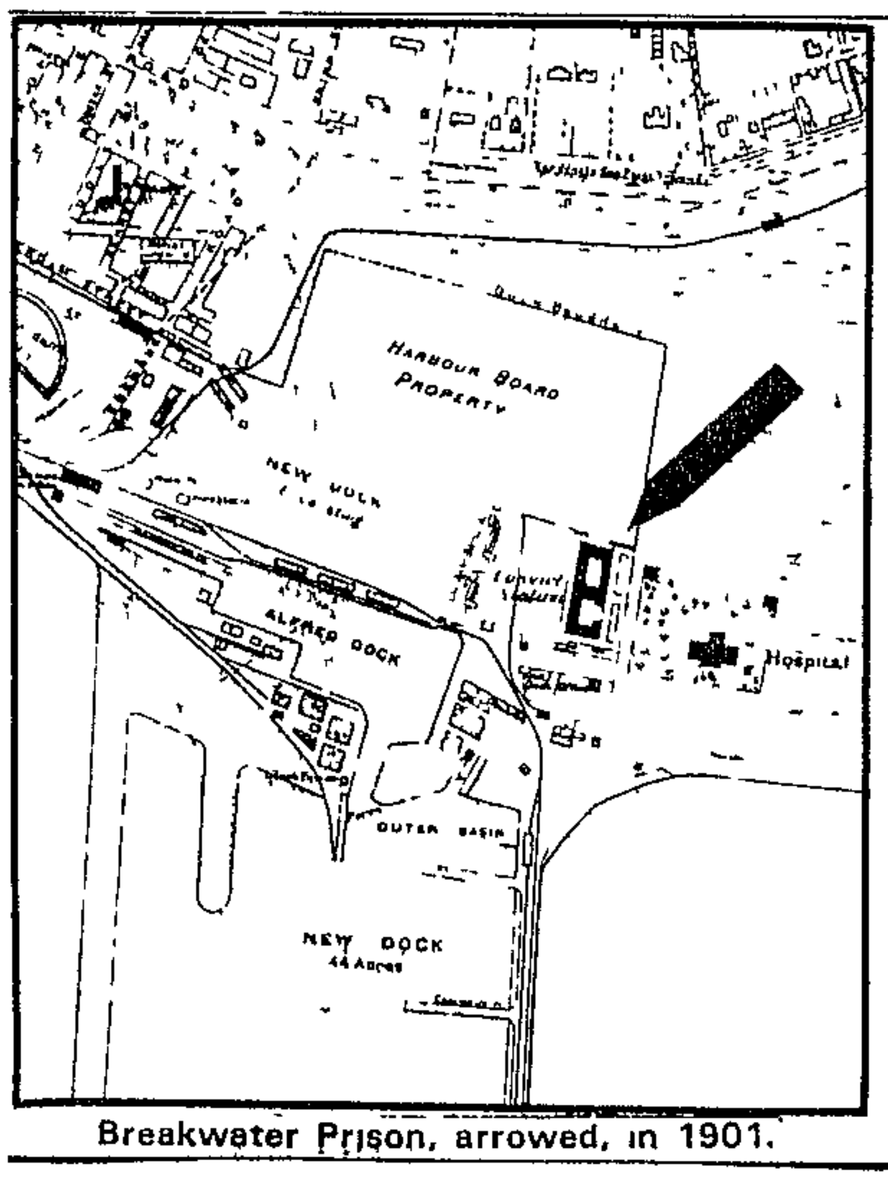
The board's appeal was heard in February and judgment is expected soon

Estimates are that at least 10 000 city contract workers could gain permanent residence in the Peninsula if the Appeal Court upholds the Supreme Court ruling

ARGUS 23/5/85 201

Behind high walls

Former prison still has the dreaded Tread Mill



Breakwater Prison, arrowed, in 1901.

ON countless occasions I have either driven or walked the length of Portswood Road, past the high stone wall topped with broken glass that guards the old breakwater prison.

And always my thoughts have turned to the sinister and once notorious building looming behind that formidable barricade.

During the past few months I have been exploring the older parts of dockland, and the former prison was high on my list of priorities — for its unfortunate occupants were, after all, responsible for the construction of the breakwater. In fact they were pioneers in the future development of the harbour as we know it

It is paradoxical that an old building with an infamous and unsavoury record should have been the cradle of one of the world's most important ports.

Prince Alfred

The former prison is now a compound housing Sats labourers but in spite of the now wide-open gates it's old atmosphere still persists and it takes only a limited imagination to picture the scenes of cruelty, hardship and despair that once prevailed in the not too distant past within its menacing walls.

The present compound manager, Mr Marais, escorted me over his domain.

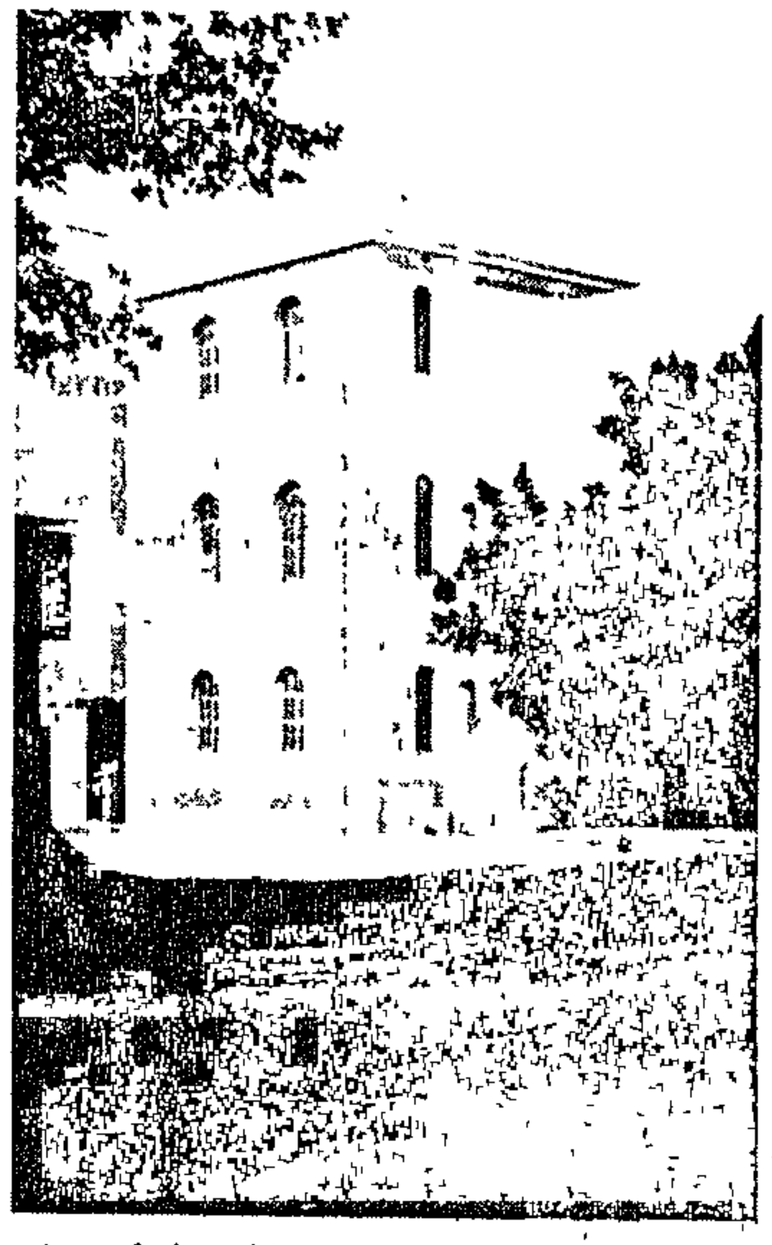
Above the intimidating main entrance is engraved the date AD 1901 but I was told the building was actually completed in 1896.

This puzzled me, for I knew that the prison had been in existence long before then — as the plentiful graffiti readily confirmed.

IDB culprits were there

Sure enough, it transpired that the original jail was established about the time Prince Alfred tipped the first load of breakwater stone on 17 September 1860 but in those days it was located much nearer the waterfront and as the prison population increased — swollen by IDB culprits from Kimberley — so the complex spread itself further inland to its

By Captain C J HARRIS



Portion of the old, notorious Breakwater prison. The small cell windows still retain their bars.

...prison still has the dreaded Tread Mill

topped with broken g... the old breakwater prison.

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The main gateway led to a vast courtyard surrounded by cell blocks with barred windows but it is nearer the sea that the real interest lies.

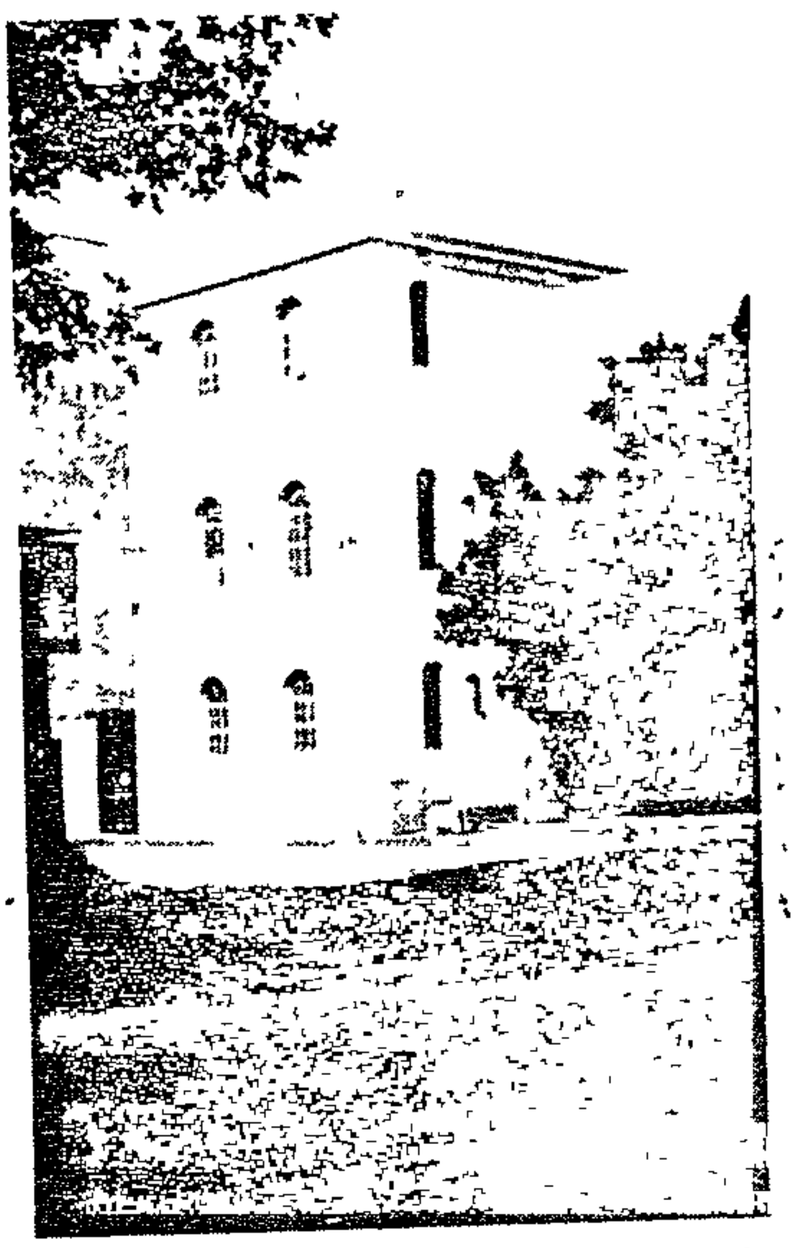
There, one finds the former hospital flanked by the doctor's house and single quarters for warders. The whole has now been put to domestic use or converted into store rooms.

Nearby is a long line of solitary confinement cells terminating in the dreaded Tread-Mill.

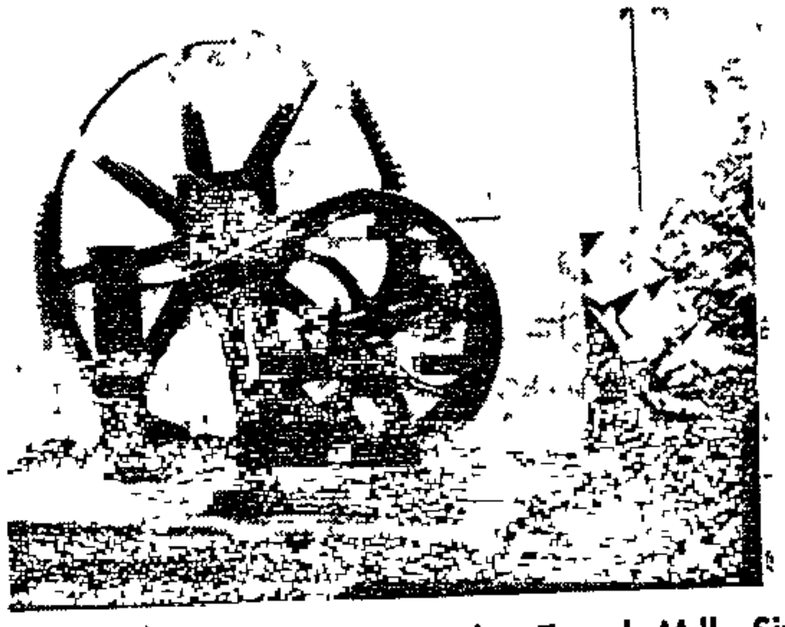
Installed in 1870 and enlarged in the 1890s to take six men at a time, the machinery for controlling this inhumane device is still there. Regulated by a warder and dependent on his mood or nature, so was the speed of rotation governed. Any tardiness on the part of convicts undergoing this harsh punishment and the spinning planks lacerated the shins. This dreadful penalty, which lasted the whole day with a few short breaks, was only finally abolished in 1905.

Although the prison ceased to exist in 1923 it is nevertheless with a feeling of relief that one passes out through its grim portals and back into the outside world.

HARRIS



Portion of the old, notorious Breakwater prison. The small cell windows still retain their bars.



The machinery controlling the Tread Mill. Six men at a time could undergo this punishment.

Only 20pc gain urban rights

Staff Reporter

ONLY one in five migrant workers in the Western Cape who applied for permanent urban rights under the Rikhoto court ruling over a 20-month period, had been granted this status

This is one of the key findings of the latest publication from the University of Cape Town's Southern Africa Labour and Development Research Unit (SALDRU)

According to Mr Mandla Seleoane, author of the SALDRU publication "Nyanga East Men's Hostels The Condition Of Migrant Workers', only 2 226 or 21,3 percent, of the 10 474 applications for permanent urban rights received between July 1983 and February 1985 were approved

Acclaimed as breakthrough

Nearly 70 percent of the applications (7 230) were rejected and 1 018, or 9,7 percent, were still under investigation

The Rikhoto ruling of 1981, in which permanent urban rights were granted to migrant worker Mr Tom Rikhoto, was widely acclaimed at the time as a breakthrough for more than 140 000 migrant workers then in urban areas

In terms of the ruling, annual vacations to renew employment contracts did not constitute breaks in the continuous employment — either with one employer for 10 years or in the same area for 15 years — required by law to gain Section 10 (1) (b) rights

However, complicated application procedures and "extremely narrow administration board interpretation" of the ruling have prevented thousands of migrant workers from gaining permanent urban rights, Mr Seleoane found

He estimated that 77 percent of those he interviewed while researching the conditions of migrant workers were eligible for these rights

"The bureaucratic attitude to the acquisition of 'Rikhoto rights', therefore, has stood the government in good stead in ensuring that the number of people applying for these rights, to say nothing of those who acquire them, does not escalate," said Mr Seleoane

His study into the Western Cape hostels, home to more than 25 000 people, concluded that overcrowding was inevitable under current conditions

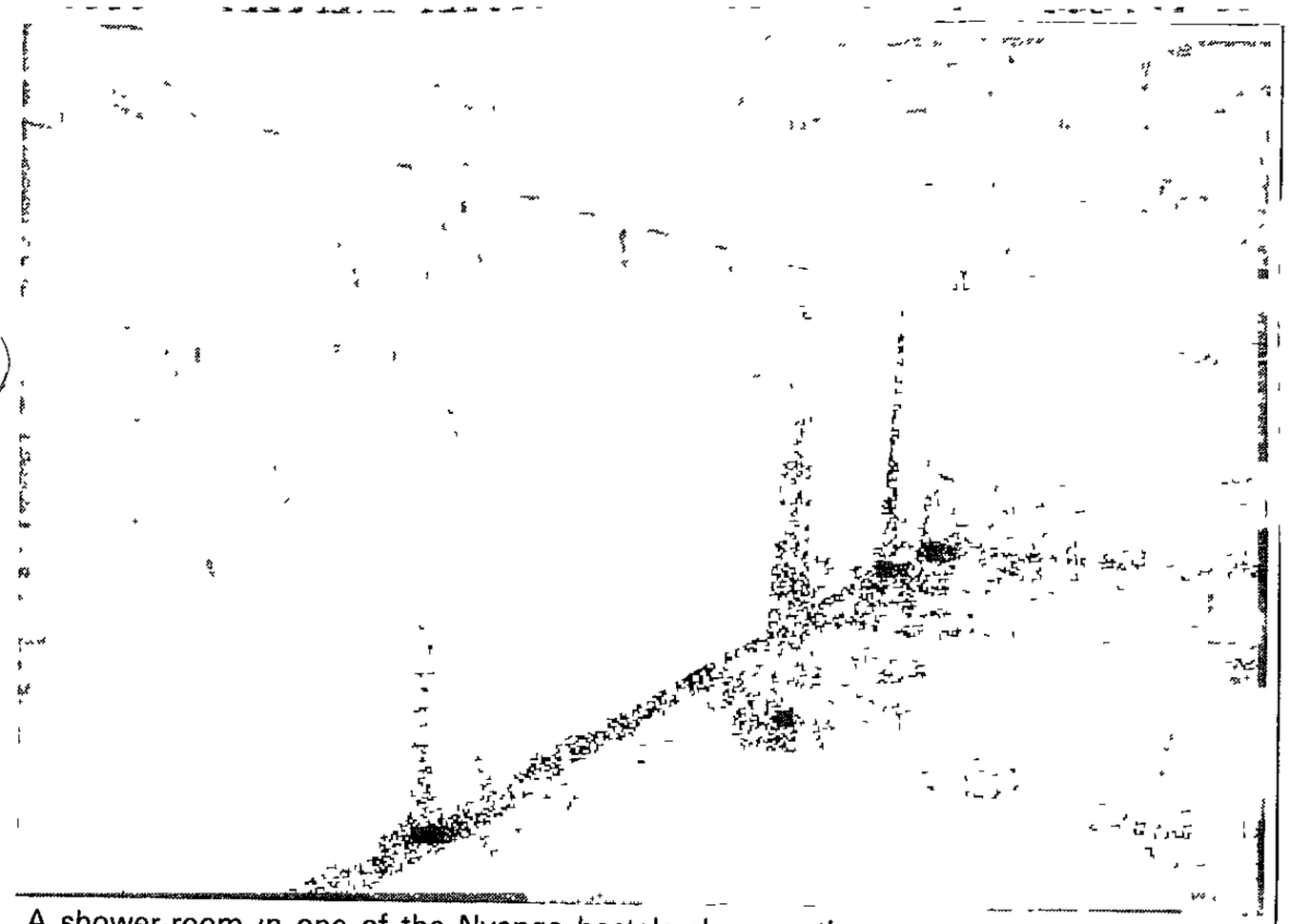
Separated by ceiling boards

He found that in one hostel 356 people occupied 245 beds, including a number of double-bunk beds

In a "room", measuring about four metres by 2½ metres and separated from the next by cardboard boxes or ceiling boards, were between one and four beds and on average three to four people

Other major findings of the study include

Most hostellers pay for and do their own repairs to hostels, most installed their own ceilings to protect belongings from dirt falling from asbestos roofs, most hostel blocks had only one or two taps, many toilets in hostel blocks were out of order, very few hostel rooms have electricity (seven out of 96 rooms), and street lamps in areas where hostels are located are seldom in operation ("for the two months during which the interviews were conducted, there was not one night on which these lamps were on")



A shower-room in one of the Nyanga hostels showing the poor condition of ablution facilities endured by many hostel-dwellers

Professor Francis Wilson (left), director of the Southern Africa Labour and Development Research Unit (SALDRU), hands over a research paper to Mr Super Nkathzo and Mr Johnson Mpukumpa (right and far right), who represent the Western Cape Men's Hotel Association. The newly-formed association, to be launched today, commissioned SALDRU to research the paper which will be used in its campaign for improved living conditions for hostel residents Next to Professor Wilson is Mr Mandla Seleoane, author of the paper

Cape Times 3/6/85 201

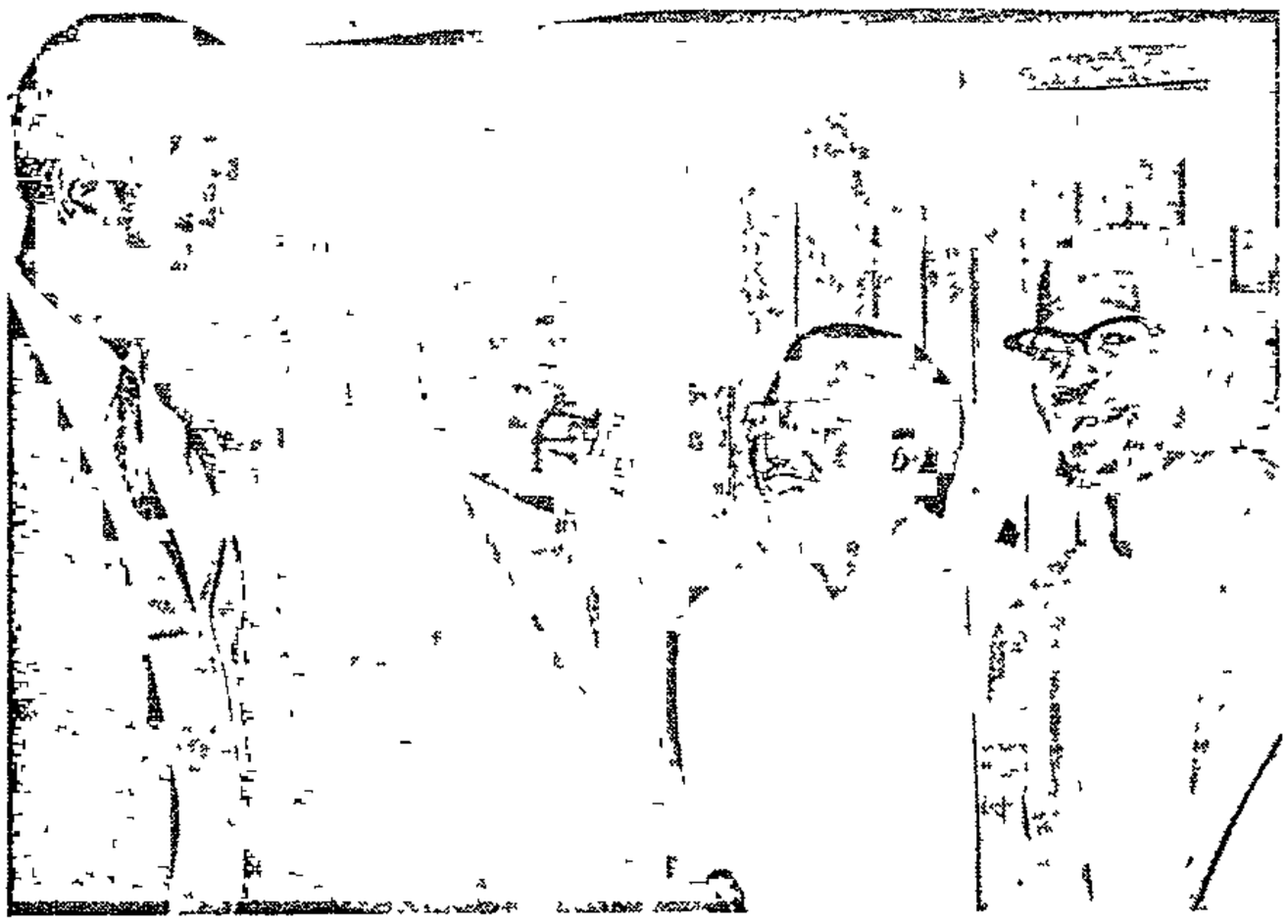
Workers claim hostels inhuman

By ANTHONY JOHNSON
Political Correspondent

THE "inhuman" conditions in single-sex hostels and the destruction of family life by influx-control laws were highlighted at the launching of the Western Cape Men's Hostel Association (WCMHA) at the weekend

Almost a thousand migrant workers gathered in and around the Presbyterian Church Hall in Langa on Saturday to register their support for the founding of the first community organization geared primarily to fight for the rights of migrant workers in the black townships

The launch of the WCMHA, which dedicated itself to fighting for a better deal for the roughly 25 000 hostel dwellers of the Western Cape, was also attended by representatives of various trade unions, churches, community bodies, Azapo, the Black Sash and local universities Messages of support were also received from a number of community organizations, including the UDF.



Executive members of the Western Cape Men's Hostel Association welcome guest speaker Bishop Patrick Matolengwe (second from left) at the launching of the association at the Presbyterian Church Hall in Nyanga on Saturday The WCMHA's newly elected office bearers are (from left) Mr Clarence Mahamba (chairman), Mr Super Nkatazo (secretary) and Mr Johnson Mpukumpa (publicity secretary and organizer).

'Horrible'

Mr Andy Johnson, spokesman for several Western Cape unions, said the "horrible conditions" that prevailed in single-sex hostels — including gross overcrowding, lack of privacy and separation from families — were not chosen by workers

"Workers are forced to live in hostels because the government, through the influx-control laws, ensures that all Africans who want to come to the 'white' areas can be controlled

"These laws form the cornerstone of apartheid in that they enforce the government's divide-and-rule policy," he said

Mr Johnson said influx-control laws could also be blamed for the faction fighting and killing that took place in the compounds, because the system was responsible for migrant labourers living under constant stress

The WCMHA publicity secretary, Mr Johnson Mpukumpa, said the burning issue facing the association was how to reunite with their families bachelors at present confined to single-sex hostels

Despite the "inhuman and cramped" conditions hostel dwellers had to endure, they paid among the highest rents in the Western Cape, he said

Hostel accommodation often lacked ceilings, lights and many other facilities

"People who live under these conditions must have one voice to be listened to by those in power The time has come for someone to stand up for the rights of the migrant worker'

Mr Walter Lefuma of the Western Cape Civic Association said that in the past migrant workers had often not been united with other community organizations in their struggle against injustice

'Struggle'

"South Africa belongs to all of us and it is important that WCMHA has now joined the struggle They have come back to the people and we welcome the WCMHA into the fold "

Bishop Patrick Matolengwe said the hostel system violated Christian principle because it forced husband and wife to live apart "We must not rest before we can get the right to live with our families," he declared

The WCMHA elected the following office-bearers at the weekend Mr Clarence Mahamba (chairman) Mr Welcome Zenzile (vice-chairman), Mr Super Nkatazo (secretary), Mr Willard Nodlela (assistant secretary), Mr Nicolas Maphundu (treasurer), Mr Johnson Mpukumpa (publicity secretary and organizer) and Mr Lucas Mbebe, Mr Robert Qhubilanga, Mr Samson Phike and Mr Stanford Gatyeni (committee members)

Cape Times

TUESDAY, JUNE 4, 1985

Keeping the peace

A REPORT by the Southern Africa Labour and Development Research Unit has drawn attention to bad conditions in the Nyanga East Men's Hostel which houses some of the 25 000 migrant labourers who live an enforced bachelor existence in single-sex hostels in the Western Cape These men, parted from their wives and children by the influx control system, have banded together to form the Western Cape Men's Hostel Association to fight for better conditions and for the rights of migrant workers in the black townships. According to the Association, they are concerned to secure the rights of all workers to have their wives and children with them and to enjoy family life — rather than have to endure "inhuman and cramped" conditions in the hostels

The Saldru report notes that the rooms in the Nyanga hostel were poorly maintained Not many rooms had ceilings in good repair About 22 people had to share each toilet, many of which were out of order Some had been out of order for five years Shower rooms, such as they were, had no hot water Many had been turned into toilets and were unusable for washing or showering Many hostel-dwellers wash at work or in basins or pails outside their rooms Taps are scarce Of 96 rooms visited, only seven had electricity

It is to be hoped that the Association will make headway in securing improvements But the ultimate goal is achievement of the right of family life for all workers The hostel-dwellers are to be congratulated on their initiative It is gratifying to note that they are also intent upon establishing good relations with the more established inhabitants in the black townships and are determined to avoid the tensions between migrants and urban Africans which have caused friction in the past All this should contribute to the maintenance of peace in the Cape Peninsula townships Happily, the endemic disorder of the Eastern Cape and the Vaal Triangle has not taken root in the Western Province Let it stay that way

Urban rights applications turned down

ALMOST 70 percent of Western Cape migrant workers, who, in the past two years, have applied for permanent urban rights under the Rikhoto court ruling, were refused their coveted Section 10 (1)(b) rights.

This is one of the key findings of the latest publication to be produced by the University of Cape Town's Southern Africa Labour and Development Research Unit (Saldru).

Mr Mandla Seleone, author of **Nyanga East Mens' Hostel: The Condition Of Migrant Workers,** writes that out of 10 474 applications received between July 1983 and February 1985, only 2 226 were approved

Sixty-nine percent or 7 230 applications were rejected and 1 018 or 9,7 percent were still under investigation.

The Rikhoto ruling of 1981, in which the court granted permanent urban rights to migrant worker Tom Rikhoto, was widely acclaimed at the time as a breakthrough for more than 140 000 migrant workers then working in urban areas

The court ruled that annual holidays to renew employment contracts did not constitute breaks in the continuous employment — with one employer for 10 years or in the same area for 15 years — required by law to gain Section 10 rights.

Mr Seleone found that 77 percent of the migrants he interviewed were eligible for urban rights but that complicated application procedures and an extremely narrow administration board interpretation of the ruling had prevented thousands of migrant workers from gaining these rights

Hostel Workers Unite

Herald 8/6/85

By ESTELLE RANDALL

UNITE families is the motto of the newly-formed Western Cape Men's Hostel Association (WCMHA) and more than 500 people crowded into and around the Presbyterian Church hall in Nyanga on Saturday for its launching.

The meeting was also attended by representatives from trade union, community, religious and educational organisations, among them, the Azanian People's Organisation, the South African Domestic Workers' Association, the Cape Town Municipal Workers' Association and the Crossroads Executive Committee.

The organisation, with a membership of more than 1 000 and a potential membership of about 27 000, aims to fight for family rights for hostel dwellers, a review of the qualifications for contracts for migrant workers and improvements in the conditions and facilities at hostels.

Mr Johnson Mpukumpa, president of the General Workers' Union and newly-elected organiser and publicity secretary of the WCMHA, told the crowd that one of the bad things migrant workers had to face was high rent.

"We are among those people who pay the most rent in the Western Cape," he said. "We have to pay R48 for each door and R192 for each block. And this is for overcrowded rooms often with no ceilings or lights".

"We decided that people who have to live under these conditions have to have one united voice which can be listened to by the authorities.

"There is no end to the list of organisations established by the Government to look after the interests of these people, but they don't attend to the real problems".

Bishop Patrick Matolengwe questioned the nature of a government which prevented a man from living with his wife and family. The system of migrant labour, he said, led to homosexuality, corruption and concubinage.

Officials have 'forgotten' Rikhoto's victory

DEAF TO THE LAW

By MOIRA LEVY

THE Rikhoto Supreme Court ruling — once hailed as paving the way for up to 140 000 contract workers to gain urban rights — has proved to be a let-down.

A study by the Southern African Labour and Development Research unit shows that only 21,3 percent of Western Cape contract workers who applied for urban rights under the Rikhoto ruling have gained them

The ruling granted Section 10 (I) (B) rights to contract worker Tom Rikhoto in 1981

The judge decided that annual vacations to renew employment contracts did not break the continuous employment Workers who had been with one employer for 10 years or in the same area for 15 years were required by law to gain a Section 10 (I) (B) stamp

But the author of the study, Mandla Seleoane, writes that out of 10 474 applications received by the Western Cape Administration Board over 20 months since then, only 2 226 were approved

Sixty-nine percent (7 230) were rejected and 9,7 percent (1 018) were still being investigated

Mr Seleoane's study was commissioned by the Western Cape Mens' Hostel Association for use in its campaign for improved living conditions for hostel residents

He found that almost 10 percent of the hostel dwellers live with their wives in the hostels There is at least one woman living in every second room

Ninety-three percent of the hostel dwellers said they had children — and of these, 19 percent had their children living with them in the hostels

"If so many women and children already live in these hostels, it becomes a farce to insist on them staying single quarters," Mr Seleoane said

• Sixty-five percent of married men at the hostels said if influx control laws were changed and reasonable accommodation provided, they would choose to stay with their wives and children in Cape Town

• In most hostels about 22 people share one toilet Thirty-seven people interviewed said toilets at their hostels were broken — and some had been broken for five years

• Of the 96 rooms visited, only seven had electricity Paraffin users spent about R13 a month to light their rooms

• Half the hostel dwellers said they do their own repairs Eighty percent pay for the repairs even those done by administration board of the employer

Mr Seleoane found serious overcrowding in the hostels, which are home to more than 25 000 people in the Western Cape

At one hostel 356 people occupied 245 beds Clearly some hostellers have to share beds, Mr Seleoane writes

Hostel dwellers of the Cape unite

"UNITE families" is the war cry of the Western Cape Mens' Hostel Association, which was launched this week.

WCMHA is the first community organisation formed to fight for a better life for Western Cape's 25 000 hostel dwellers.

Publicity secretary Johnson Mpukumpa told the launch meeting that hostel residents paid some of the highest rents in the Western Cape.

"No houses in the township earns the council as much money, yet facilities are poor — our rooms are without ceilings and streets are without lights.

"People living under these conditions must have one united voice which those in power will listen to," he said.

'This square is not for squares'

A "LIBERATED ZONE" has been discovered in one of Cape Town's hostels — and authorities have dubbed it H Block, saying "it is invaded by unemployed youth".

Hostel residents, on the other hand, have dubbed the area Freedom Square. They say even the administration board cops are afraid to enter

Freedom Square was seized in 1976 by local youngsters who took advantage of the nationwide upnsing.

"The cops drove them out, but they returned soon after and all subsequent attempts by the Administration Board to repossess this section have failed," Cape Town University researcher Mandla Seleoane says in his study of conditions at the hostels.

One of the residents, who refused to be named, told him: "When you reach a certain age, there are things you would like to do, but which custom does not allow you to do in the presence of parents."

Remove, not just relax, influx control

CAPE TIMES 18/6/85

From Mrs R N ROBB, Black Sash Advice Office (Mowbray).

THE following story well illustrates the reason why the Black Sash and many other organizations and individuals are campaigning for the *removal* of influx control, not its *relaxation*

Mrs Makanauda was living legally at old Crossroads with her two sons and two daughters who all had permits to be there. In January this year Mrs Makanauda was offered a house at Khayelitsha which she accepted She took with her, her two sons, two daughters and her two daughters-in-law and two grandchildren.

They found the small two-roomed core house impossibly small for nine people and the two sons applied for houses of their own since both were in permanent employment and legally married. This has been refused on the grounds that the wives do not qualify to live in Cape Town, although their husbands have permits to do so

These men were married by Christian rites in 1981. Since then their wives have lived with them illegally and have been endorsed out of the area several times

Does this mean that no Crossroads resident will ever be allowed to live with his legal wife unless she already has a permit to be in Cape Town?

Cape Times 20/6/85

Cape influx control costs

Political Correspondent

HOUSE OF ASSEMBLY — The government devoted 9 936 "man-hours" at a cost of R426 854,53 to monitor the movement of blacks to the Cape Peninsula last year, the Minister of Co-operation and Development, Dr Gerrit Viljoen, disclosed yesterday

Dr Viljoen said that monitoring points were set up for 202 hours at the Market Street interchange at the bottom of Du Toitskloof at Paarl and for 212 hours at the bottom of Sir Lowry's Pass at Strand "to determine the number of blacks entering the Cape Peninsula from Transkei and Ciskei without authority"

Replying to a written question by Mr Ken Andrew (PFP Gardens), he said that 2 168 buses and 175 other vehicles were stopped — 1 822 at Du Toitskloof and 521 at Sir Lowry's Pass People were questioned but not arrested

'Ominous'

Dr Viljoen said that monitoring points would be set up again this year as soon as a bus terminal at De Doorns became operative

Mr Andrew, the PFP's chief spokesman on black Affairs in the Western Cape, said last night that it was "distressing and ominous" that the government was spending large sums of money monitoring the movement of black people into the Peninsula

Not only was the monitoring exercise a "waste of time and money" but Dr Viljoen had got his facts wrong, said Mr Andrew

"He talks of blacks entering the Cape Peninsula without authority whereas he should know that they do not require any authority whatsoever, as long as they do not stay for longer than 72 hours"

More serious, said Mr Andrew, was the apparent intention to control the movement of blacks by using a bus terminal at De Doorns

'Come clean'

"What mad scheme does the government have in mind now? At the time of monitoring last year, assurances were given that it was a benign exercise and should not be seen in a negative light Now it looks very different."

Mr Andrew called on Dr Viljoen to "come clean" on the motives behind the latest scheme and to stop wasting money on influx control schemes that were unjust and unworkable

President P W Botha and Dr Viljoen could talk "until the cows come home" about reform and good intentions, "but it will be worthless if they continue to harass people who wish only to seek work, live with their families or visit relatives", he said

Plan calls for 'opportunities'

By HILARY VENABLES
Municipal Reporter

ORDERLY urbanization requires fewer controls and the provision of more opportunities for people to become self-sufficient, according to a City Council report submitted to the President's Council's Committee for Constitutional Affairs

The report, prepared by the City Engineer's department, calls for the scrapping of the Group Areas Act, the easing of controls on home industries, informal trade, informal public transport and informal settlements, and the provision of more residential land, self-help housing, education opportunities and freehold for blacks

More companies must be attracted to Greater Cape Town to stimulate the economy and provide employment, and more industrial land should be proclaimed and serviced close to major residential areas such as Mitchells Plain and Khayelitsha

Financial institutions should be encouraged to provide low-interest loan programmes and facilities for small-scale entrepreneurs, and marketing opportunities in low-income areas should be improved to increase industrial activity and retain income in these areas

The report stresses that the community should be involved in decisions affecting the planning of the residential environment and that more funds for housing should be provided by the establishment of a "development corporation" and the creation of credit and saving unions

Fastest growth

The report says Greater Cape Town is experiencing the fastest relative population growth of any of the country's metropolitan areas

To slow down the movement of people to the city, urban development should be complemented by the stimulation of development in rural areas

Failure to develop the rural areas had "turned the black homeland areas into dumping grounds whose capacity was being eroded as fast as these communities expand"

More W Cape check points

CAPE TOWN — The Western Cape Development Board would set up further monitoring points this year to control the movement of "unauthorised" black people from Transkei and Ciskei into the Peninsula, the Minister of Co-operation and Development, Dr Gerrit Viljoen, told Parliament this week.

Replying in writing to a question from Mr Ken Andrew (PFP Gardens), Dr Viljoen said 64 651 black people stopped at monitoring points set up near Paarl and Strand last year "had no authority to enter the Cape Peninsula"

Another 16 333 had authority, while 2 168 buses and 175 other vehicles had passed the monitoring points, at the foot of the Sir Lowry's and Du Toit's Kloof passes

Dr Viljoen said new monitoring points would be set up this year as soon as a bus terminal at De Doorns, near Worcester, became operative

Last year's monitoring had cost R426 854,53 and taken 9 936 man-hours — Sapa

Professor warns of 'second Crossroads'

Staff Reporter

KHAYELITSHA will become a "second Crossroads" if influx control is not scrapped and security of tenure is not granted to blacks, according to sociologist Professor S P Cilliers of Stellenbosch University

He told a seminar on Khayelitsha, convened by the Western Cape branch of the South African Institute of Housing at the Civic Centre yesterday, that migration from rural areas would continue and nothing could be done to stop it

If the system in which Crossroads had developed was retained, Khayelitsha would end up "as Crossroads is today".

"UNCONTROLLED"

"As long as the whole system is based on insecurity of tenure and control of movement of people, you will have an uncontrolled situation"

People had to live where they hoped to make a living, Professor Cilliers said.

"If they can't live there lawfully they will live there unlawfully, where they hope the authorities can't control them

"We have to scrap influx control and institute freedom of movement and settlement"

Professor Cilliers questioned the 18-month permit system at Site C "Who is going to dare throw the people out after 18 months?"

The concept behind Khayelitsha was "the only meaningful way" in which the housing crisis could be handled

"Controlled informal settlement" such as Site C was the answer, but the present system was "guaranteed to make it fail", he said

"The key to success is security of tenure"

CM- Times 4/3/85

201

Hard times in Namaqualand

By RONNIE MORRIS

NAMAQUALAND is not only the "Land of the Thirst King" but also the land of the unemployed and children suffering from first-degree malnutrition

Unemployment is high and there is no relief in sight as the copper mines battle to survive the slump which has nearly paralysed the industry

Alternative employment is non-existent and with the area in the grip of a severe drought, the outlook remains bleak.

The executive director, Operation Hunger, Mrs Ina Perlman, said yesterday that 51 percent of the schoolchildren in the O'Kiep, Springbok, Nababiep triangle were suffering from first-degree malnutrition

She said the organization, which had fed 5 500 children under the age of 12 in 1981, now had to feed more than 8 500 children

Operation Hunger, in conjunction with the South African Red Cross Society, has set up a schoolfeeding project and is now feeding both primary and pre-school children

The organization is also providing relief schemes for entire families

In some villages there was 100 percent unemployment, Mrs Perlman said

Determination

"The situation is very serious One of the mines has closed down completely and the other mines have retrenched heavily The fishing industry is also in trouble and there is no alternative farming as a result of the drought."

However, people in Namaqualand were well-organized and were eager to help themselves A variety of schemes was being put forward by the community and an atmosphere of determination prevailed, Mrs Perlman said

Operation Hunger is feeding 652 000 people countrywide with an additional 200 000 on its waiting list. Appeals from Bushmanland, Cape Town, Graaff-Reinet and other areas in the Eastern Cape are straining the resources of the organization

"All over the country we are faced with a deteriorating situation and increasing appeals for help Frankly we don't know where to turn This is undoubtedly going to be the worst winter," Mrs Perlman said

She praised the Apple Board who recently donated 22 000 boxes of export-grade apples to Operation Hunger for distribution in South Africa She appealed to producers to donate their surpluses to the organization

A spokeswoman for the South African Red Cross Society said yesterday that the Red Cross ran a pre-school for children in O'Kiep They also planned to extend the schoolfeeding scheme to include elderly people

She confirmed that the society, in conjunction with Operation Hunger, was feeding 8 875 children in Namaqualand

Carnegie Inquiry

They had conducted an informal survey on a family basis in seven communities in April this year and the outcome "was very much in line" with the findings presented to the Second Carnegie Inquiry into Poverty and Development in Southern Africa last year

The informal survey found that the average income per family was R139 a month, which was R6 less than was found by field workers of the University of Cape Town last year, she said

The spokeswoman said they believed that the current situation was linked to the drought, the drop in copper production and the lack of alternative employment. The situation was unique to Namaqualand as people traditionally depended on the mines, she said

"There has been tremendous migration to the cities by young people who send some sort of finance home

"In Bushmanland the migratory labour force are going around in circles looking for work especially in the Britstown, Victoria West area"

But, she said, people in Namaqualand were becoming more motivated towards self-help They also relied on the leadership of church ministers

Influx control 'still in force'

By ANTHONY JOHNSON
Political Correspondent

THE much-heralded decision last year to scrap the 30-year-old Coloured Labour Preference (CLP) policy appears to have strengthened rather than weakened the government's determination to limit the number of Africans in the Western Cape

This is the conclusion reached by a researcher for the South African Institute of Race Relations, Mr Rob Evans, in a paper recently published by the Institute.

Although the CLP policy had recently undergone "minor changes on an administrative level", the other side of the policy — "the removal of foreign Africans" — remains very much in force, Mr Evans argues

He said the institutional structures that enforced and administered influx control were continuing in the same manner as before and no "clear and decisive directive" had been forthcoming from the government to indicate that this position had been altered.

"Indeed, action being taken at present appears to be moving in the opposite direction."

Firstly, there was a movement towards application of influx control through linking it to provision of housing — thereby excluding many people who were already in the area

Secondly, the authorities were demanding and then refusing visas to "foreign" Africans, "even if they have been born in South Africa and lived here always"

Not deterred

Mr Evans said that historically such mechanisms had not deterred workseekers from entering the Western Cape and competing on the labour market "illegally" — a process that is recognized by the government

The problem of the inevitable influx of people into the Western Cape remained because the reason for the migration — the conditions in the rural areas and the homelands — still applied

While the abolition of CLP would mean greater opportunity for African workseekers already in the area, this could also lead to intensified competition between local residents on the one hand and migrants and "illegals" on the other

Mr Evans argues that this second group, because of their less secure status, are "more exploitable" and therefore cheaper to employ than local labour, despite minimum wage controls

"In this instance, it could occur that wages are dropped to sub-economic levels in order to draw the cheaper labour ...

"This could seriously disadvantage 'resident' Africans on the unskilled level," he says

While the abolition of CLP would allow greater upward mobility among the more educated Africans legally in the area, in terms of separate development policy "it would appear that the intended move will not rearrange the population of the Western Cape in any significant way"

However, if influx controls were abolished, all those who found employment could be accepted without restriction and no particular group would be disadvantaged

1 000 city construction workers call off strike

ARGUS 13/8/83

Tygerberg Bureau

THE strike by about 1 000 Murray and Roberts construction workers has been called off

The Cape Town branch organiser of the South African Allied Workers' Union, Mr Zezile Ramncwana, said the company had agreed to further discussion of workers' demands on Thursday The union has to prove to the company that it is representative of its workers, he said

Mr H E Minott, managing director of Murray and Roberts Buildings (Cape Town), said about 1 000 workers did not report for work yesterday and that "above average absenteeism" was experienced at the company's Tyger Valley shopping centre construction site in Bellville.

Among workers' gripes is that rent for the single men's hostels they occupy in Guguletu has been increased from R12,50 to R15,50

Hostel-dwellers pin hopes on Botha

Argus 15/8/85 (201)

Political Staff

TOWNSHIP hostel-dwellers in Cape Town are pinning their hopes on an announcment by President P W Botha that influx control will be relaxed.

The Western Cape Hostel Association, which has more than 8 000 members in Langa, Nyanga and Guguletu, has said it expects some changes to be announced in Mr Botha's speech tonight.

Initially Mr Botha was expected to announce major reforms in his speech at the opening of the Natal National Party Congress However, there have since been attempts to quash high hopes of reforms

"EXPECTED MORE CHANGE"

Mr Johnson Mpupkumpa, publicity secretary of the association, said thousands of contract workers in the city "expected more change from Mr Botha".

"We hope he will make a picture of reform, because migrant workers want to live with their families."

There are about 25 000 contract workers living in single quarters in Cape Town, several thousands of whom have worked for one employer for more than 10 years, thereby qualifying for permanent residence in terms of influx control laws.

However, a South African Labour and Development Research Unit study has found that 77 percent of the men who qualified have not been granted permanent residence

APARTHEID

ARGUS 19/8/85 201

Influx control changes in the Cape, but . . .

Over the past year, the black affairs authorities in Cape Town have quietly stopped their raids on squatter camps, but statistics show that it is a change in methods only reports PIPPA GREEN

THERE has been a major shift in the traditionally harshly applied influx control policy in the Western Cape, evidence suggests, but little sign of a phasing out the unpopular pass laws

Previously, Western Cape Development Board inspectors raided squatter camps and migrant worker hostels in their search for passless people Now, they appear to be cracking down on "illegals" with jobs

There have been no board raids for nearly a year Thumb-in-the-dyke tactics like "monitoring" roadblocks on national roads into Cape Town and a strong police presence outside the vast Site C squatter camp have been abandoned

But the number of people arrested daily under the pass laws has not declined

There is also no sign of a change in official attitudes towards 23 000 city contract workers, many of whom have been denied permanent residence rights, although they qualify in terms of the stringent laws

Chief director of the board Mr Hannes Gunter said inspectors were concentrating on arresting pass law transgressors on employers' premises

"The number of illegals in Crossroads is so big, it is almost impossible there It is a question of limited manpower resources"

Last year 1 073 Cape Town employers were convicted of employing 'illegals' and 11 073 Africans were prosecuted, of whom 9 658 were found guilty

In the first six months of this year 6 201 Africans were prosecuted and 5 310 were found guilty, while 508 employers were convicted

Recently two squatters at the Nyanga Bush camp, who were offered jobs, were endorsed out of Cape Town when they took letters confirming their employment to the board offices Their prospects for employment dashed, the two have nevertheless remained at Nyanga Bush

A Crossroads woman, quoted in a recent study on resettlement by Laurine Platzky and Cheryl Walker, explained her determination to return to Cape Town after being resettled in the Ciskei

"When I get there (Ciskei) things were tough for me because the place is dry and there are no jobs It is just impossible for a human being to live in those conditions So I only stayed for two months and after that I felt I couldn't take it any longer and I forced my way back to Cape Town"

Official estimates of the African population in Cape Town today stand at 275 000 — of which about 40 percent are "illegal"

Mr Tom Rikhoto, a legal breakthrough

Preliminary census figures show a 78 percent increase in African population in Cape Town in the last five years, although there is some doubt about whether the real increase is as high as this

"Population has not necessarily increased by that much It is simply that the board is acknowledging more African people than previously, because the means of controlling influx is different," said Ms Platzky

But while people — whether they be the wives and children of Cape Town workers, or simply hungry in the homelands — may come into the city unhindred, residence here for longer than two weeks is fraught with anxiety

A leading member of the Crossroads community explained how the many thousands of "illegals" in the vast shanty town survived "They stay in Crossroads from Monday to Friday when board inspectors are working Then they try to make a little money at the weekend by going gardening"

Neither has there been much joy for the estimated 10 000 migrant workers who qualify for the precious Section 10 1(b) stamps

A Southern African Labour and Development Research Unit study has found that 77 percent of migrant workers who have lived and worked in Cape Town for longer than the stipulated 10 years entitling them to urban rights, have not been granted them

The flood of applications for urban rights followed the Rikhoto court case in 1981 when the court ruled that enforced absence from work, in terms of contract labour regulations, did not constitute a break in service

The recently launched Western Cape Hostel Association, with 8 000 paid up members, has said its major aim is to "fight for the God-given right to live with our families"

Publicity secretary Mr Johnson Mpukumpa said migrant workers were committed to fighting firstly "for family rights" and then for an end to the contract labour system

The only relief in influx control laws so far is greater freedom of movement between cities for people who already qualify for permanent urban residence

Cape Times
22/8/83

201

Phase one of new Herschel water scheme on schedule

By JOHN GLEN-LEARY

UMTATA — A R2,7 million water supply scheme in the Herschel area was on schedule with the first two phases now complete, Mr M Shaker, acting chief director of engineering services branch of the Department of Agriculture and Forestry reported here yesterday

He said the second phase of the Herschel rural water supply scheme had been completed with the third and fourth phases now in progress

It was the first time a project of this nature had been undertaken with a minimum of machinery and was designed to be labour intensive, using the large labour resources available in the area

He said 4 169 people had been employed during phase two, and a survey conducted among local businesses in Sterkspruit indicated a positive improvement in turnover since the start of the phase two construction which on the average was about 40 per cent

He said materials not obtainable in Transkei such as pipes valves, control equipment etc were purchased from East London and other areas close to Transkei

Commuter labourers from Transkei were also employed by these suppliers and manufacturers

Also, a sizeable proportion of wages earned by commuter labourers were actually spent inside Transkei by dependents

"The Herschel rural water supply scheme resulted from studies undertaken by the Department of Agriculture and Forestry during 1977, with the first report submitted to the department by the consulting engineers, Messrs O'Connell, Manthe and Partners, in November 1977

"After the acceptance of this report, the department embarked on an active construction and development programme to meet the objectives of the scheme," he said

The first White Paper, Report on the Proposed Sterkspruit Rural Water Supply Scheme was tabled in 1978 and the First Supplementary Report of the Proposed Sterkspruit Rural Water Supply Scheme in June 1980

He mentioned that the objectives of the scheme were to improve health as some 14 communicable diseases were water-borne or suspected to be so, some of the well-known ones being cholera, infectious hepatitis, poliomyelitis, schistosomiasis and typhoid fever

"Training and involvement of the local population in any development project contributes greatly to the success of development as well as to the general economic momentum lacking in many developing areas

"By concentrating on labour intensive construction methods and by phasing the implementation over a reasonably long period, maximum involvement of the local population and the training of local expertise to entrepreneur level will ensure a meaningful end result," he said

He said that too often the economic activities ceased as soon as the contractor left the area, therefore projects of this nature were ideally suited for the development of the local potential by direct employment or indirect subcontracting

He said that as the prosperity of the rural population in Transkei depended greatly on the state of the stock farming, any rural development should take cognisance of this fact

"Stock farming depends, among others, on the judicious use of available grazing Unreliable and poorly distributed watering points cause overconcentration of animals around a particular waterpoint, overgrazing and the inevitable sheet erosion of the top soil

"The proposed rural water schemes incorporate all grazing camps either by providing a drinking trough or by making windmills available for stock watering previously used exclusively for domestic purposes," he said

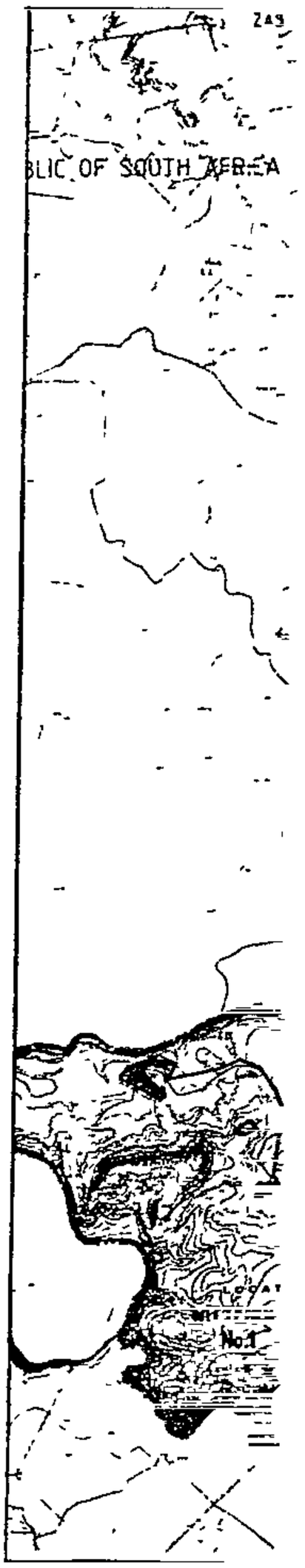
He said the combined effect of better cattle farming conditions, rotational grazing and improved standards of living would create a bigger money economy in " region that would re in bigger government i come by means of dir and indirect taxation.

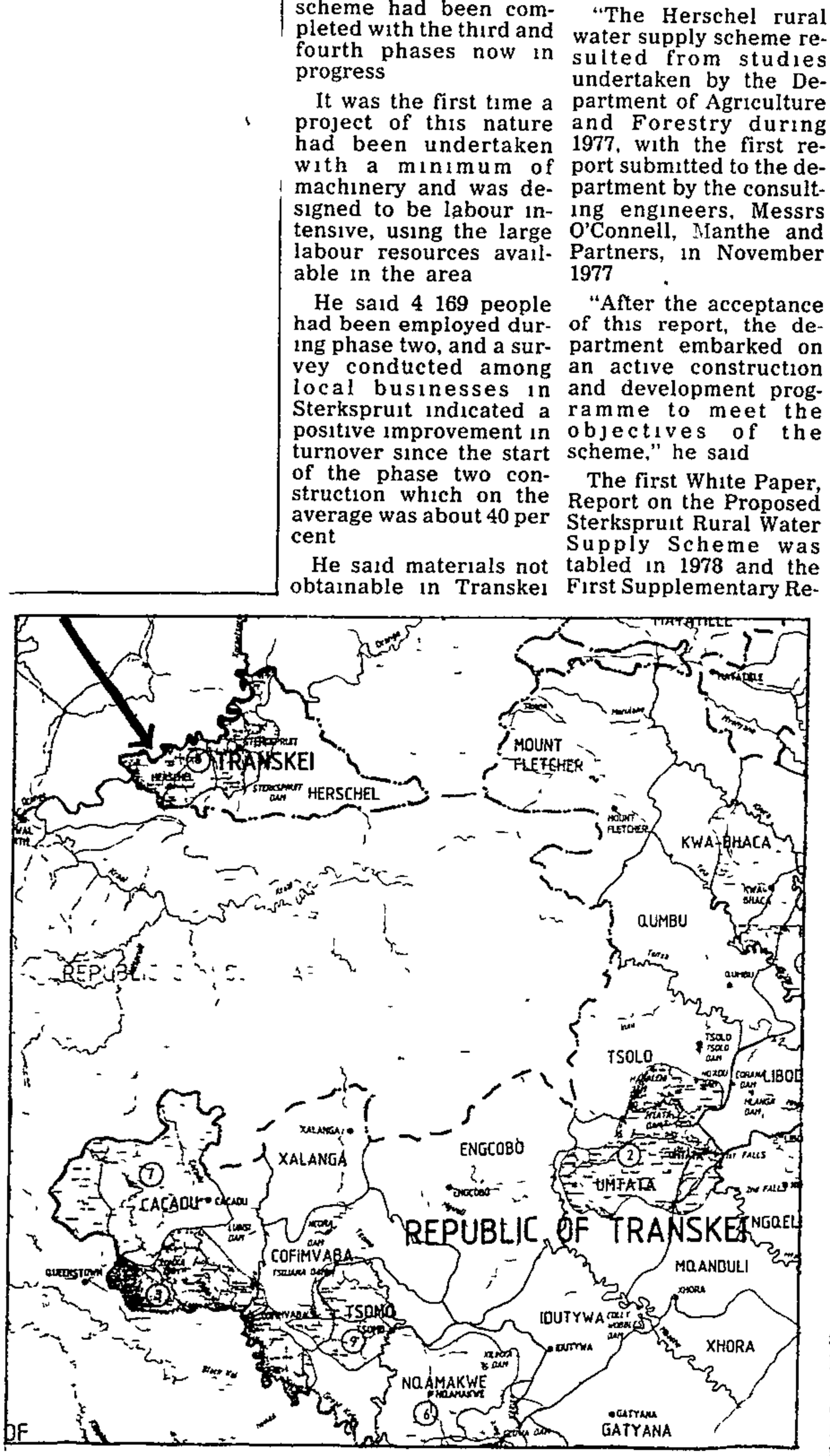
"The changeover fr a barter to a mone based economy could enhanced and the ripp effect in the econ should also reach m wider than the imm ate area of the devel ment," he said

He said the purpose the bulk rural wate supply scheme was thu to put within reasonabl reach of the consumer all reasonable times th needed quality of acceptable quality at acceptable price

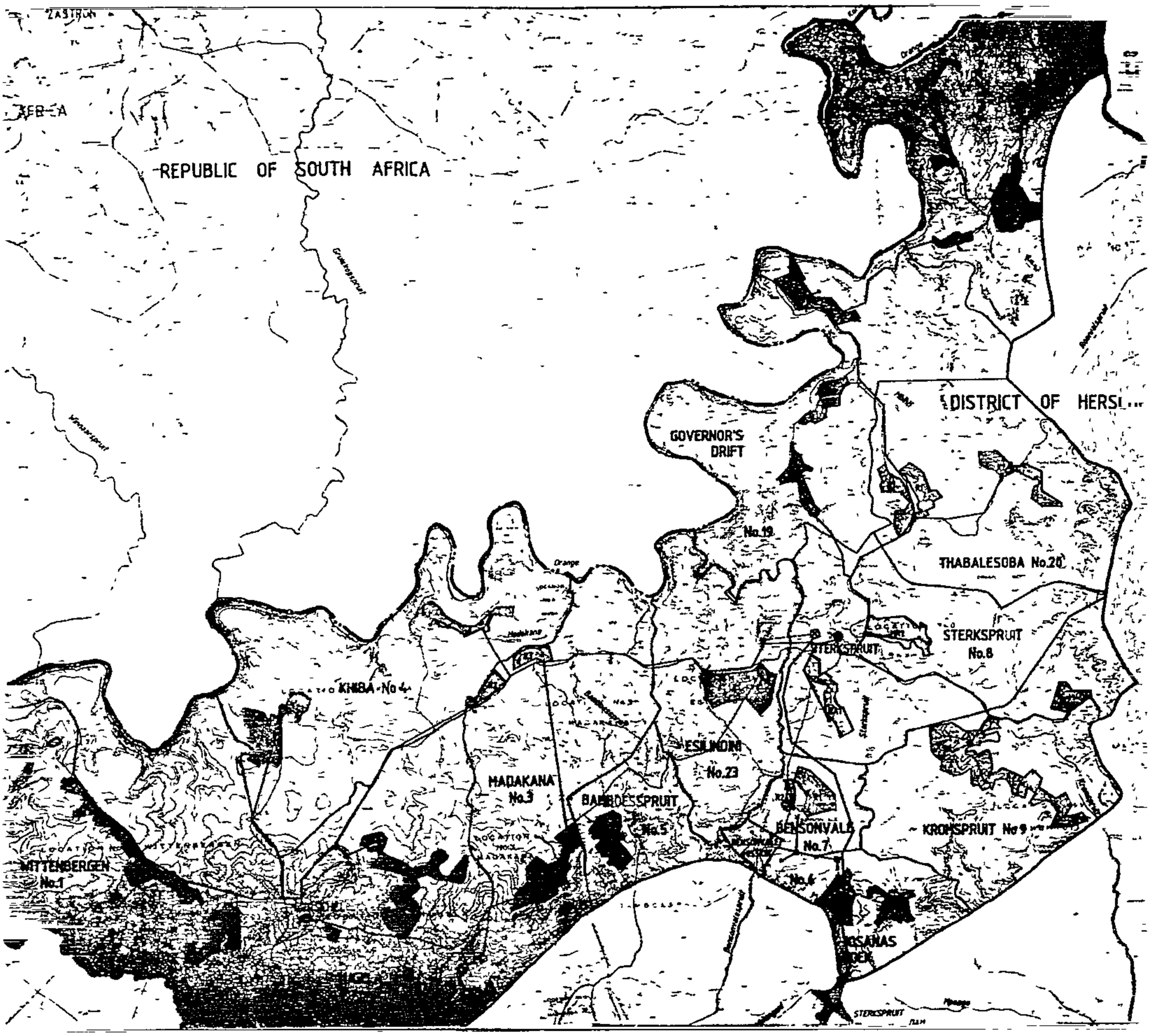
He said very few of th smaller schemes su cessfully met with thes criteria, which made well planned and prop erly maintained bul water supply scheme far superior long ter water supply system

He also reported th the completed sche would supply water to rural wards





This map shows the locality of Herschel (arrowed), where a R2,7 million water supply scheme is on schedule



The administrative areas and wards to be served with water under the various development phases are identified on this map.

Phase	Administrative Area	Ward
2	Sterkspruit	RA 1
	Sterkspruit village	MR 1
	Empilisweni Hospital	
3	Esilindini	R 1
	Bamboesspruit	R 1
	Madakana	R 1
		R 2
		R 3
		R 4
	Tugela	RA
	Herschel village	
	Khiba	R 1
		R 2
	Witten bergen	R 1
		R 2
		R 3
4	Josanas Hoek	R 1
		R 2
	Bensonvale	R 1
		R 2
	Bensonvale Mission	
	Mlamli Hospital	
	Kromspruit	R 1
		R 2
	Thabalesoba	R 1
		R 2
	Governor's Drift	MR 1
		MR 2
		WR 1

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Worker sues SATS after shooting

Supreme Court Reporter

A CONTRACT worker is suing South African Transport Services for R3 500 in damages, claiming that he was shot in his "single quarters" home by a railway policeman and then arrested on January 15, 1983.

Mr Bhobhotyana Mchwetyana, of NY64 number 50 in Guguletu, originally sued for R10 000, half for pain, suffering, and loss of amenities of life and the other half for unlawful deprivation of liberty

His counsel, Mr Deon Irish, came to an agreement last week with Mr D Uys, for SATS, that the amount would be R2 500 for the alleged assault or alleged negligence in firing and R1 000 for the arrest

Mr Mchwetyana told the court railway police had come to his home late one Friday night in search of a person he did not know The following week they came again late, when he was asleep.

They wanted to see passports but these were at the Besterecta offices awaiting endorsements.

He said the police stripped the beds of two men who shared his room, and did not believe that all the lights in the building had fused

Most of the ten or so men who were then in the hostel came into the common room and spoke to the police in raised voices The police were retreating but one fired and the bullet lodged in his wrist

The police left but came back with reinforcements. They told him to open the door of his room, and then he was hit with a broomstick and a baton. When they saw by torchlight that he was injured, he was taken bodily to the police van

He was charged with assaulting a policeman but was acquitted

Mr Uys, for SATS, said the policemen would say Mr Mchwetyana had closed the door so that the policemen could not escape, had suggested kieries should be fetched, and threw something at the constable who shot him

Mr Acting Justice R G Comrie presided Mr Irish was instructed by Herbsteins Mr Uys was instructed by the office of the Attorney-General

Citizenship a major NP policy switch

Political Staff

BLOEMFONTEIN. — The government's decision to restore South African citizenship to all blacks as announced yesterday by the State President, Mr P W Botha, is a major policy switch for the National Party.

It amounts to another nail in the coffin of Verwoerdian apartheid philosophy because, as Mr Botha said, the government now accepts that blacks outside of the homelands will have to have the opportunity of exercising their political aspirations in South Africa at the highest level He did not go into detail as to how this would be achieved

Mr Botha made it clear, however, that the prospect of dual citizenship for blacks living in the independent homelands in no way affected the independence or sovereignty of the homelands

Mr P W Botha

Experience had shown that blacks outside of the homelands did not exercise their political rights in the homelands

"Because of these realities it has become necessary to reconsider and revise this policy'

The citizenship issue had been discussed with many black leaders and had been investigated by the Special Cabinet Committee which had enabled him to announce in Parliament that independence for a homeland would no longer necessarily mean the loss of South African citizenship

He recalled that in January he had announced the government's acceptance of the permanency in South Africa of many blacks outside of the independent and self-governing territories

"I furthermore stated unequivocally that the legitimate political aspirations of these communities will be accommodated by structures within South Africa, both for their own and general affairs," he said

"The government is prepared to negotiate with the four governments about restoring the South African citizenship of members of the black communities residing within the borders of Transkei, Bophuthatswana, Venda and Ciskei, who lost that citizenship as a result of independence

"We propose that this be done on the basis of dual citizenship"

Influx 'Start' welcomed

Staff Reporter

THE government's decision to scrap the pass and influx-control laws was yesterday cautiously welcomed by Umziwonke, an umbrella organization claiming to represent Langa, Guguletu, Nyanga, New Crossroads and Khayelitsha communities.

The organization's secretary, Mr Matthews Cabadiya, said the move was a start by the government to dismantle apartheid.

"It is now very much in the government's interest to lift the state of emergency, restore peace in the troubled townships, allow children to return to school and release from prison and detention all our true leaders and students who have been held there," he said.

Blacks in the Western Cape had been hit the hardest by the harmful laws — a "major element of the ruthless application of the government's policy towards blacks" — because of the coloured preferential labour policy, he said.

"We think the government should further declare its stand with regard to job preference as it's not yet clearly understood by the private and industrial sector."

It was also necessary that urban blacks be given the opportunity of participating in the process of any negotiations regarding their future, Mr Cabadiya said.

Cape Times 17/9/85 (20)

City man wins 'rights' battle

Own Correspondent

JOHANNESBURG — A Cape Town contract worker's 2½-year battle for residence rights ended yesterday when the Appeal Court in Bloemfontein upheld a Cape Supreme Court finding that he qualified for them

The judgment has major implications for thousands of migrant workers who have been denied their right to permanent urban residence because they took long leave during their 10 or 15 year qualifying periods

Mr Mzwandile Mthiya, a worker at Chick's Scrap Metals, first made an application for Section 10 (1) (b) rights in March 1983, on the basis that he worked for one employer continuously for 10 years and had lived in Cape Town continuously for 15 years

It was on this basis that in 1983 Mr Mehlolo Rikhoto was granted rights in terms of Section 10 of the Blacks (Urban Areas) Consolidation Act in an historic ruling by the Appeal Court

Both Mr Rikhoto and Mr Mthiya were represented by the Legal Resources Centre

Unlike Mr Rikhoto, Mr Mthiya took three periods of long leave ranging from four to eight months during his qualifying period

Mr Justice Pat Tebbutt ruled in May 1983 that there was no material difference between Mr Rikhoto and Mr Mthiya and that "A man cannot be expected to work day in and day out without a break of any kind"

Appeal

At the end of 1983 the Western Cape Development Board appealed against the judgment, which was upheld by Mr Justice Jansen yesterday

He said there appeared little difference between the short period of paid leave and leave that was long and unpaid

The judge said the common basic element was the agreement that the employee would, in the future, be entitled to resume his work for the same employer

He said that, at first blush, the third absence of some eight months appeared to be a formidable obstacle in the way of a conclusion, but a salient factor was that it was agreed he would be re-employed before he took the leave

'A tragedy'

Mrs Sheena Duncan, president of the Black Sash, said last night that while she was delighted with the judgment it was a tragedy that many people who ought to have Section 10 rights were rotting in the homelands

"The boards have refused so many people these rights in the past, on the same basis that Mr Mthiya's was refused This can be seen by the tiny number of migrants who got Section 10 rights following the Rikhoto judgment."

Mrs Duncan said that if the government moved as fast as she hoped and scrapped Section 10 of the Act, the whole matter would become irrelevant anyway

Hope for contract workers?

Cape Times 24/9/85 (360) (201)

Staff Reporter

MR Lee Bozalek, director of the Legal Resources Centre in Cape Town, yesterday urged all contract workers who had applied for permanent residence rights following the historic Rikhoto and Mthyia court decisions to renew their approaches to the Western Cape Development Board (WCDB

He issued this advice after Mr Mzwandile Mthyia received a 10(1)(b) stamp in his reference book at the WCDB offices in Nyanga yesterday

This brought to an end a four-year battle for rights which has implications for thousands of migrant workers who have been denied permanent urban residence rights because they took long leave during their ten- or 15-year qualifying periods

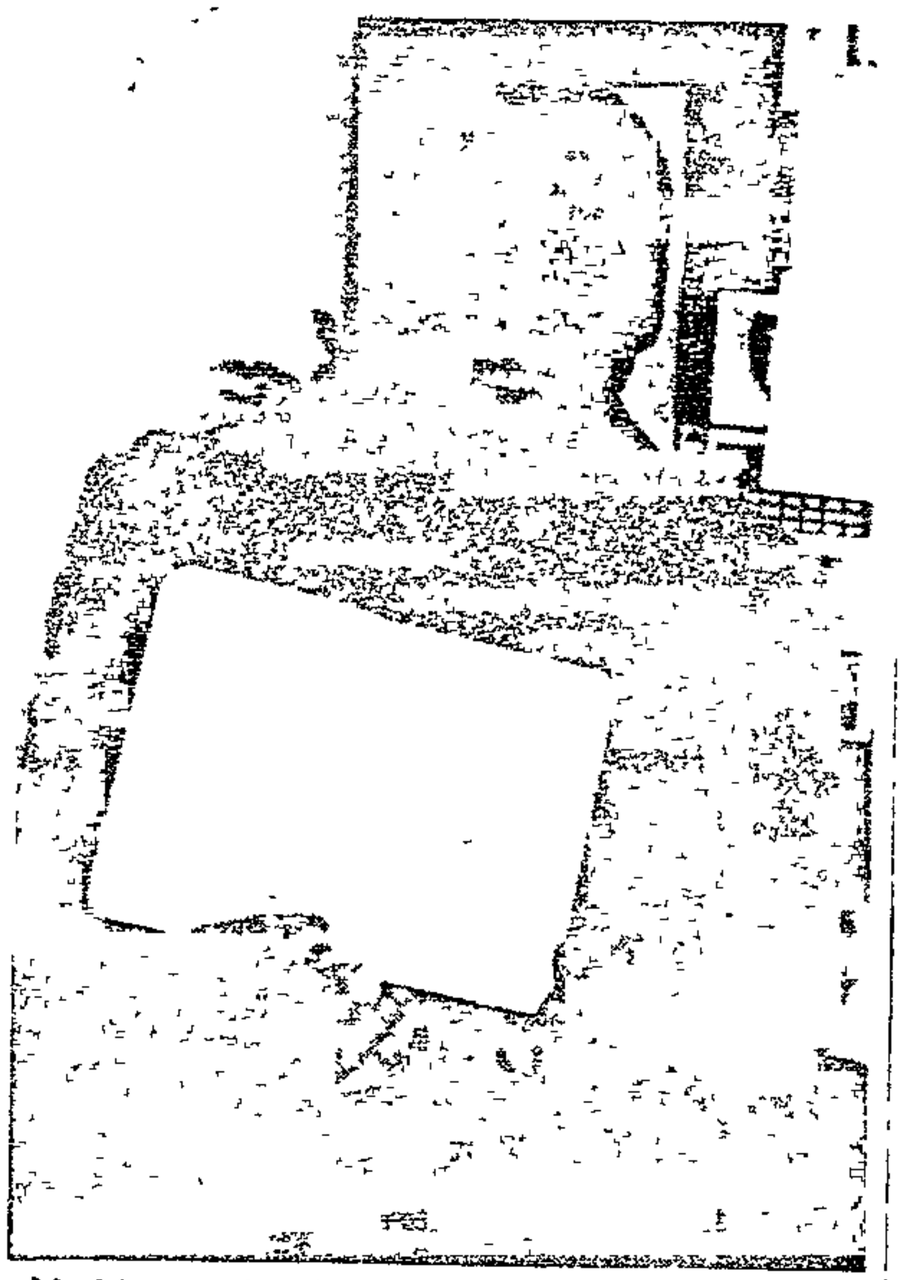
The Appeal Court in Bloemfontein last week upheld a Cape Town Supreme Court finding that Mr Mthyia qualified for 10(1)(b) rights despite the fact that he took three periods of long leave ranging from four to eight months during his qualifying period

Mr Mthyia a 47-year old father of six has worked for Chicks Scrap Metals since 1967

Later, Mr Bozalek — who started dealing with the Mthyia case while in private practice some four years ago — said he understood 4 451 contract workers had been granted 10(1)(b) rights since the Rikhoto decision and a further 163 had been granted rights since the announcement of the Mthyia decision

However thousands of applications were still pending many from people in a similiar position to Mr Mthyia who had been told to wait for the final Appeal Court decision

"I don't believe the board will now look up these applications and contact the applicants, and I therefore urge all people who have applied for rights to make a fresh approach to the board," Mr Bozalek said



Mr Mzwandile Mthyia displays the 10(1)(b) stamp in his reference book

New deal for migrants

PRETORIA. — Migrant labourers from the TBVC (Transkei, Bophuthatswana, Venda, Ciskei) states will no longer have to travel "home" to renew their contracts as of November 1.

This is one of the results of high-level SATBVC manpower ministers' discussions in Mmabatho on Tuesday, according to a statement released in Pretoria yesterday by the Secretariat for Multilateral Cooperation in Southern Africa (Secosaf).

Streamline

"The most significant aspect of the talks was a number of important decisions to streamline the administrative arrangements for the re-attestation of employment contracts of TBVC citizens working in South Africa."

The requirement that migrant labourers must return to their home states to have their contracts stamped and renewed has been a controversial issue.

"In terms of the multilateral understanding reached by the five governments, consular representatives of the TBVC states accredited in South Africa will as from November 1 be able to renew the service contracts of their citizens employed in the Republic, provided that the individuals concerned are still working for the employers with whom their contracts were originally concluded.

Amended

"The exisiting labour agreements will be amended in due course to incorporate the new arrangements.

"The first contract between an employer in South Africa and a citizen of one of the four states should still, as is presently the case, be attested an the employee's country of origin," Secosaf said.

"These arrangements were intended to facilitate the participation of citizens of the TBVC states in the labour market of South Africa, Secosaf said — Sapa

CAPE TIMES 17/10/85

Obstacles to solving housing crisis

Staff Reporter

INFLUX control and formal building regulations remained the greatest obstacles to an effective black housing solution, the director of the Peninsula Community Association, Mr Ivan van der Merwe, told the Institute of Public Health's biennial congress yesterday

"The challenge for the future is to do away with these unrealistic rules and to scrap influx control and other statutory limitations that are currently hindering black housing schemes on a self-help basis," he said

While coloured and Indian housing shortages were serious, the black housing shortage was extremely urgent — especially in urban areas

"Formal suburbs, like Soweto, are completely over-populated, with an average of 15 people per four-roomed house"

Squatter settlements had grown in the major urban areas for unhoused people — with an estimated population of 2,2-million squatters living in the Durban, Pretoria-Witwatersrand-Vereeniging, Port Elizabeth, Bloemfontein and Cape Town urban areas

Statistics for the current housing backlog were not available, but South Africa's black population was expected to double by the year 2 000

Mr Van der Merwe said "Rapid urbanization of the already considerable black rural population is unavoidable — and that coincides with experience from other developing countries"

The government had come to accept a new, less formal housing policy, based on a partnership of the public and private sectors in the provision of housing, home-ownership and self-help schemes

Although self-help schemes did have drawbacks and should not be regarded as the only possibility, they did have a number of important advantages

Self-help homes were cheaper than mass-produced schemes which were drab, uniform and did not cater for individual needs

It was also important that self-help schemes were not regarded as a lessening of the State's primary responsibility in providing housing

With proper support, black settlements had the ability to develop into communities that could cater for their own welfare and be in a position to contribute to society

Training centre for Cape needed

Tygerberg Bureau

THE Director-General of Manpower, Dr Piet van der Merwe, has appealed to the private sector in the Western Cape to create a control board and set up a group training centre.

Fourteen group training centres operated in South Africa but none had been set up in the Western Cape because of the coloured preferential labour policy. A training centre was needed now that the policy had been abandoned Dr van der Merwe said yesterday

He was speaking at a training centre at the Cape Showground, Goodwood, which was set up at the start of the Government's scheme for training the unemployed

PRIVATE SECTOR

This could be the foundation of such a centre for the Western Cape but it had to be controlled by the private sector, he said

The State offered employers a 75 percent subsidy on training costs at group training centres and a further 12,5 percent of the costs could be deducted from tax

More than 3 000 workers had received training locally in the programme to train the unemployed which began in July and a substantial number had found work

Cape Times 22/10/81

Hooliganism 'direct product of apartheid'

Staff Reporter

A MEETING between the residents of Nyanga Langa and Guguletu and workers living in men's hostels in the area has blamed the tension between the two groups on apartheid and the presence of troops and police in the townships

The meeting in the Nyanga Zolani Community Centre was called by the Western Cape Civic Association (WCCA) after hostel residents threatened to take action against youths who raided shebeens in the townships on Friday

According to the WCCA secretary, Mr Pro Jack the 1 800-strong audience passed a resolution blaming the government for 'all the condemnable actions perpetrated by young unruly elements in our townships'

"Hooliganism is a direct product of the apartheid system which is mother of corruption'

He said they had sufficient evidence that the army and police presence would worsen the crisis

CAPE TIMES 23/10/85

Hostel food row boils over

By HILARY VENABLES

MORE than half the 1 601 railway workers living in the Ikwezi Hostel in Langa are refusing to eat hostel food until the management agrees to deal with their complaints about the quality and price of meals.

The workers, who are mainly migrants, have accused management of refusing to act on complaints raised at meetings between management and the elected hostel committee earlier this year

They are now considering taking legal action against South African Transport Services, which, they say, is deducting more from their monthly pay for board than the amount specified in their contracts

According to the minutes of meetings between the Hostel Committee and the hostel management before the boycott began, the committee said workers had complained about sour samp, watery stew, small portions, uncleaned fish and re-cooked leftovers, that workers are paying for three meals a day when many of them do not return to the hostel for lunch, and deductions continue to be made while they are on leave, and that the amounts deducted are in excess of the amounts contracted for at the recruitment office in the Transkei

Workers say that none of these complaints has been dealt with

The regional manager of the SATS, Mr Bertie Heckroodt, confirmed that most hostel residents were refusing to eat the food provided

"We don't know why this is We have tried our damndest to get the reasons for the boycott out of the Hostel Committee with no success," he said "Individuals have complained, but the committee as a formal body has not approached us."

Mr Heckroodt denied that there were any discrepancies between the deductions for food in the contracts and the amount deducted from the workers' salaries

Woman opts for jail as protest

JOHANNESBURG — A woman who was sentenced to R100 or 10 days in jail for not registering her "illegal" domestic worker last week chose to go to jail

Mrs Marion Crawford, 43, of Orchards, appeared in the Magistrates Court here on Thursday before Mr H P Holtzhausen

Mrs Crawford left the dock after sentence was passed and told her husband "I'm going to jail I will not pay a cent to support this iniquitous system"

When Mrs Crawford was ushered into a basement room of the court building where fines are paid, she told several policemen there "I'm not paying the fine"

She was then ushered out to begin serving her sentence

Mrs Crawford, who is the mother of two daughters aged 17 and 18, said she found the influx control and pass laws in South Africa abhorrent

Moral

She said she would not be party to such a discriminatory, unjust system that violated human dignity and rights

Mrs Crawford, who was represented by Mr Modise Khosa, said she could not bring herself on moral grounds, to comply with the influx control laws

"I find myself having to choose between what is morally right and what is legal It is a pity that the two do not coincide"

Mrs Crawford said that although calls for the abolition of pass and influx control laws had been made by government bodies, influential businessmen and individuals, some of whom she cited, she was "amazed, surprised and saddened that raids are still being made"

The magistrate said the court did not make the law but had to enforce it. — Sapa

Argus 2/11/85

201

METROPOLITAN

Two migrants get residential rights

Supreme Court Reporter

TWO migrant workers from Transkei have been granted rights to remain in the Stellenbosch area, after taking the Western Cape Development Board to court

Mr Mjuleni Baleni, and Mr Gavele Maduna sought a declaratory order in the Supreme Court, Cape Town, in terms of Section 10 (1) b of the Black (Urban Areas) Consolidation Act of 1945 to grant them rights to live in the prescribed area

Both claimed in affidavits to have worked on contract for a brick manufacturing company in the area for more than 10 years but were refused Section 10 rights by the board.

The Act states that a man who has worked continuously in an area for one employer for not less than 10 years is entitled to remain in the prescribed area The law was upheld in the landmark Rikhoto judgment

The board refused the men on the grounds that they took periods of leave which were longer than the one month specified in the Rikhoto case

Mr Maduna said the board was "using the wrong test"

"Instead of inquiring whether there was continuous employment, the board is concerned to establish whether leave was in excess of one month"

Mr Baleni said that during a 10-year period of employment at a farm near Stellenbosch he had returned to Transkei only three times, for six months at a stretch.

The men also asked the court to order the municipal labour officer in Stellenbosch to endorse their reference books.

The case was withdrawn by agreement and the board was ordered to pay costs

The applicants' lawyer said after the case that the men had been granted Section 10 rights

● Two other cases involving Section 10 rights came before the Supreme Court, Cape Town, but were postponed

Miss Thelma Nontsikelelo Matinyani, who claims she was born in Stellenbosch and spent all but four months of her life there, is seeking a declaratory order under Section 10 (1) a of the Act

● Mrs Nomission Pitsha asked for a declaration in terms of Section 10 (1) c to allow her to remain in the Western Cape

The section deals with the rights of "the wife, unmarried daughter or son under the age of 18" of a man who qualifies for residence rights

(201 Case Times 7/11/85

Women sue for urban rights

Supreme Court Reporter

TWO contract workers and two women from Khayamandi, Stellenbosch, applied to the Supreme Court yesterday for orders that the Western Cape Development Board should recognize their right to remain in a "prescribed" urban area

Applications by Mr Gavele Mduma and Mr Mjuleni Baleni were withdrawn after the rights were conceded and the WCDB and local labour officer agreed they should pay costs

The two women's cases were postponed *sine die*

One was an application by Ms Thelma Matinyani for an order declaring her right under Section 10(1)(a) of the Urban Areas Act to stay in the Peninsula

In an affidavit she said she was born in Stellenbosch in 1947 to parents who had lived there before the Act came into being All but four months of her life had been spent in Stellenbosch

She was arrested and fined "on several occasions, and even imprisoned" In 1982 she had been acquitted of being in a prescribed area but now had no fixed abode since the aunt with whom she had stayed feared prosecution

Mrs Nomission Pitsha, 27, said in an affidavit that she was entitled to section 10(1)(c) rights as she was married to a man who had urban rights

Appeal

She had been endorsed out of Stellenbosch last year and her appeal against this was dismissed by the Chief Commissioner, she said

She was still living with her husband, despite lack of permission

Mr Justice R M Marais presided Mr M Donen, instructed by Groepe and De Bruyn, appeared for all four applicants The respondents were not represented

Influx control dismal failure, says Nat MP

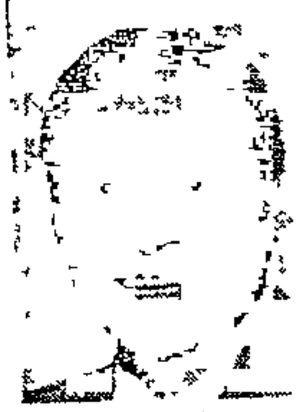
Political Correspondent

INFLUX control has "failed dismally" and steps should be taken to redress ills caused by it, says Mr André van der Walt, National Party MP for Bellville

Addressing the Institute of Citizenship in Cape Town, Mr Van der Walt said there should be a social reconstruction programme in the Peninsula

Influx control had failed because an outdated ideological instrument was applied to regulate a pure economic process, he said.

The debate should not be on whether there should be influx control but on how the consequences of urbanisation in a First and Third World situation were going to be handled



Mr André van der Walt

Crossroads was a living monument to the failure of the present influx control system The total legal black population of the greater Peninsula was in the region of 230 000 and the illegal population was 250 000, he said

Among the steps for social reconstruction suggested by Mr van der Walt were the recognition of people's legal right to remain in the area The 18 months dispensation should be converted into permanent status

Permanency would be an incentive for community participation in self-help housing and upgrading schemes which in turn would open up job opportunities

The upgrading of Crossroads and the KTC camp as well as Langa, Nyanga and Guguletu should be part of a national urbanisation policy.

A steering committee to plan social reconstruction should be formed from bodies in the public as well as the private sector

165 rooms burnt out as hostels blaze in Guguletu

Staff Reporter

ABOUT 165 rooms at three hostels owned by Murray and Roberts in Guguletu have been destroyed by fire.

Police believe the fires were started deliberately.

Damage is estimated at R1-million.

The blaze began yesterday morning and last night another room was set alight.

In addition to the rooms, 16 bathrooms and two kitchens were damaged.

While the fires burned stones were thrown.

Last week hostel-dwellers, dismissed after the second of two strikes in August and still in the hostels began a withdrawal negotiated by the Building Workers' Union. The withdrawal was to have been completed by yesterday.

The strikes, by workers then belonging to the South African Allied Workers' Union, were in support of recognition of the union by the company, changes in the nightwatch system and better hostel conditions.

COURTS

Six-month food boycott leads to court action

ARGUS 4/12/85

Labour Reporter

A SIX-month food boycott by 1 600 residents at the South African Transport Services Ikwezi hostel in Langa could be resolved by a Supreme Court hearing which starts this week.

The men have been boycotting hostel food since June after protests to the management about quality and quantity failed to produce improvements

The food protest by the contract workers is linked to dissatisfaction over deductions made from wages for food and accommodation The workers claim their contracts provided for deductions of R17 a month but say Sats has been deducting up to three times that amount from several hundred residents

Contract terms

Hostel residents also claim the food does not meet the standard laid down by law for black workers

Now the residents are asking the Supreme Court to order Sats to abide by contract terms

Discontent has been serious for more than a year when a hostel committee was formed to meet the management in attempts to resolve some of the points at issue

Workers claim their complaints were largely ignored and conditions did not improve

"Staff drank on duty"

Food at the hostel often ran out, they say, before all residents had eaten, which sometimes led to anger and fights They also claim the kitchen staff were aggressive, untidy and drank on duty.

Requests for information about hostel finances were refused by the management The workers say that R35 a month from each of 1 600 residents for food and accommodation should provide R672 000 a year for running the hostel which they allege should be enough to provide decent meals

Another complaint is that outsiders, including watchmen and railway policemen, often help themselves to food from the kitchen

The boycott started after residents felt their requests for improvements had been ignored

Hostel men lodge application

Staff Reporter

RAILWAY workers living in the South African Transport Services Hostel in Langa have lodged an urgent application in the Supreme Court, Cape Town, to stop SATS deducting more money from their wages for food and lodging than the amount stipulated in their contracts

According to the Legal Resources Centre, which is representing the workers, more than half the 1 600 hostel residents are boycotting the hostel food in protest against the deductions which in some cases are double the amount contracted for

The applicants have also asked the court to order their employers to improve the quality of the food

The application is due to be heard tomorrow

Molly Blackburn and Brian Bishop 'fought to the end' for a democratic South Africa

STAR 30/12/85 (201)

They died on an errand of mercy

By Jo-Anne Collinge

Human rights activists Mrs Molly Blackburn and Mr Brian Bishop died after a trip to Oudtshoorn to investigate claims that children had been taken into detention

Mrs Blackburn, Mr Bishop and two companions were involved in a head-on collision The Port Elizabeth MPC and the Civil Rights League vice-chairman were killed They were returning to Port Elizabeth from Oudtshoorn on Saturday evening

It was typical that the four — Mrs Blackburn, her sister and Black Sash Eastern Cape chairman Mrs Judy Chalmers, Mr Bishop and his wife, Cape Town MPC Mrs Di Bishop — would be on a mission of this kind "on the slackest weekend of the year while the rest of white South Africa was relaxing", commented Black Sash president Mrs Sheena Duncan

'One can't pinpoint any one outstanding action of Molly's and say, 'that was what made her great' It was just her way of coping with the daily grind of fighting apartheid that made her special," Mrs Duncan said

In her tailored attire, her greying hair well-groomed, Mrs Molly Blackburn (54) might have seemed an unlikely ally to the T-shirted activists of the townships She explained her outspoken attacks on apartheid in terms as traditional as the pearls around her neck. Things like "little people being pushed around" enraged her, she said

But the overall political aim of the leading Eastern Cape civic associations was the goal with which she unequivocally associated herself a single democratic South Africa

She was referred to scathingly as "Comrade Molly" in slur pamphlets designed by pro-apartheid forces to further inflame feelings between the United Democratic Front and the Azanian People's Organisation in July this year

It was a title (unique in its South African usage — neither narrowly Leftist nor sloppily old boys' club) which some township activists used sincerely when referring to the Progressive Federal Party member who had stepped well beyond the confines of her white constituency and become committed to the destruction of apartheid

Taken to court time and again — on charges of entering townships illegally, attending an illegal gathering, slandering a policeman (a charge which did not stick) — Mrs Blackburn said it was her anger at injustice which kept her going

Death threats had become a part of life to her — as they had become to the Bishops in their Cape Town home. In two recent raids on Mr Bishop's car was set alight and their home was teargassed

Mrs Molly Blackburn

'Hardest role was that of bridge-builder'

PORT ELIZABETH — Mrs Molly Blackburn, MPC for Walmer and a prominent PFP activist in the Eastern Cape, died at the weekend in a motor car accident.

Mrs Blackburn (55) attended Collegiate High School in Port Elizabeth and afterwards majored in psychology and geography at Rhodes University in Grahamstown

In 1954 she married Mr Geoff Fletcher, a shipping lawyer They parted in 1963 and she returned to Port Elizabeth with her children, Mark, Judy and Gillian

In April 1967 she married Dr Gavin Blackburn, who had been a childhood friend and a groomsman at her first wedding, and had four children, Simon, Andrew, Josephine and Fenella

Mrs Blackburn was elected to the Provincial Council for the Walmer seat in May 1981 and in her four-year term made about 40 speeches and tabled at least 100 questions

Earlier this year she was charged with attending an illegal gathering at the Dan Qeqe stadium but this was eventually dropped, and later with crimen injuria of which she was found not guilty

During an interview in May this year, Mrs Blackburn said "I believe in building bridges and the hardest thing in my political life has been to play the role of bridge builder

"Being concerned and involved has set me up as a person to be discredited Anonymous threats are made on my life on the telephone, my car tyres are slashed I can only regard this as harassment" — Sapa

Mrs Di Bishop

Parallel

The public lives of the Bishops ran independent but parallel courses — hers on the party political circuit and within the Black Sash, his in the extra parliamentary Civil Rights League

Mrs Bishop told *The Star* in an interview earlier this year 'I feel I have so much by way of security and a happy marriage I am in the fortunate situation where I don't have to work and it is important for me to use my time to bring about a better South Africa"

Ironically, it was this social commitment, shared with her husband which set in motion the chain of events which ended their marriage this weekend The couple have five children and Mrs Bishop (36), lying with both legs in plaster casts in the Port Elizabeth Provincial Hospital, is said to be anxious to get home to Cape Town and her family

Mrs Blackburn leaves her husband, Gavin, and seven children, ranging in age from 14 to 27 years

The loss of Mrs Molly Blackburn would be mourned by everyone who was privileged to know her as a friend black and white alike, Mrs Helen Suzman, MP for Houghton said in a statement to Sapa today

'Molly built up a remarkable relationship with the black communities with whom she worked and her passing is something which will be deeply felt by millions of people

'Nor will Brian Bishop's work be soon forgotten

"This tragic accident is indeed a sad end to this year for South Africa, Mrs Suzman added

The leader of the PFP Dr van Zyl Slabbert said from Swaziland he was 'deeply shocked' by the deaths

He described Mrs Blackburn as a 'courageous fighter for justice who had 'very high credibility and admiration from many black South Africans and colleagues

Mr Keith Gottschalk, chairman of the Civil Rights League, said "Molly and Brian fought to the end for human rights in those parts of South Africa where the consequences of opposing apartheid include death

"The numberless victims of State harassment, assault and shootings they aided remember their concern Political workers of their calibre will be missed in a future South Afri

A spokesman for the Western Cape region of the Black Sash said The tragic death of Molly and Brian has robbed us of two of our most courageous civil rights campaigners

All those of us who are working for a just and peaceful South Africa will take strength from their example

The national chairman of the PFP Mr Colin Eglin, said, 'The death of Molly Blackburn and Brian Bishop is a tragic loss for our country and our people Molly Blackburn was a tireless and courageous fighter for justice and reconciliation

'Brian Bishop was a vigorous campaigner for civil liberties Progressives will join millions of South Africans in mourning their passing

Chief Whip of the PFP in the Provincial Council Mr Frank van der Velde, praised Mrs Blackburn for her courage and said South Africa had lost "a patriot and a politician who cared not for her own position but for the people she served'

Mr Andrew Peile president of the Cape Town Chamber of Commerce, said Mr Bishop "played an important function by keeping the executive in touch with community views and realities'

'Brian Bishop was a Christian idealist with an enormous capacity to love people and enjoy life His death is a great loss to the business community of Cape Town

Father Basil van Rensburg of the Holy Cross Church in District Six said Mr Bishop s death was a "tragic loss' to the church and its parishioners

Mr Tom Walters, city councillor for Woodstock, Salt River and District Six, and a lifelong friend of Mr Bishop, said. "The cause of civil liberties has suffered a tremendous blow through Brian and Molly s deaths

Mourn

I deeply mourn this tragic loss It is up to all of us who knew them to carry on their fight

The retiring Divisional Commissioner of Police for the Western Cape, Brigadier Gert Odendaal today described the deaths as "terrible

'Any such tragedy is a very sad thing Our condolences to the families he said

MIGRANT LABOUR, SA - Cape

1986

195 held in police raid on hostel

Staff Reporter

POLICE raided a Langa hostel early on Thursday morning, arrested them and questioned them with respect to the murder of Mr Ramncwana Zuzine, a South African (Saawu), Workers' Union official.

Mr Ramncwana was found stabbed to death in his room on the first floor of the hostel on August 20.

Police had been looking for the murderer since last August and had to leave the hostel because of threats to their lives.

Mr Zuzine was also the chairman of the hostel committee.

Police said they were still investigating the murder.

Mr Ramncwana's funeral will be held in Langa tomorrow.

Police said that 195 men were arrested in the raid.

Of these, 150 were charged with being in the area illegally.

The remaining 45 were charged with various offences, including the possession of dagga, dagga pipes, knives and other weapons.

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Police said

The Argus, Frid

201

ARGUS 14/2/86

Draft Bill on joint Natal/Kwazulu rule submitted

Political Staff

SWEEPING powers have been recommended for a joint Natal/Kwazulu executive which would enable the region to be governed as one unit

A draft Bill has already been drawn up during the negotiations between Kwazulu and Natal and submitted to the Government

Mr Frank Martin, Natal's senior MEC and Dr Oscar Dhlomo, secretary general of Inkatha, announced yesterday that negotiations on the second phase, which included the agreement on a joint administration, had been completed

This would now be followed by a conference to negotiate political structures

It is understood however that the Bill, which has been submitted to the Ministry of Constitutional Development, is unlikely to go before Parliament in its current form but could be included in legislation establishing a new provincial system.

The Bill is still under wraps

However, The Argus can reveal that it would give the adminsitrations of Kwazulu and Natal the power to establish a joint executive authority and administration

The State President would be empowered to establish the executive, its powers and members

Not only would the new authority be able to take over tasks at the moment administered individually by Natal and Kwazulu, but it is also anticipated that further duties and powers could be delegated by the central government

However, the power that the Chief Minister of Kwazulu and the Administrator of Natal have to issue proclamations or make regulations would be retained

It is clear from this measure that this would ensure no step would be taken without the agreement of both administrations

The two senior executives would be empowered to make joint regulations

The Act encompasses details on the appointment of staff and their general duties and functions.

The Bill constitutes empowering legislation to get the executive off the ground and does not deal in specifics

(4) to (6) During the period 25 February 1985 to 15 July 1985, 59 complaints in respect of assault, murder, attempted murder and public violence were lodged against members of the Council In one case the accused have already been charged, 2 formal inquests ordered, in 18 cases the Attorney-General's decision is awaited; 12 cases were undetected, 24 cases were withdrawn; 1 case was unfounded and in 1 case the accused was acquitted.

(7) No.

Detainees: representations

*17. Mrs H SUZMAN asked the Minister of Law and Order:

Whether he received any written representations in 1985 from detainees held under section 29 of the Internal Security Act, No 74 of 1982, relating to their detention or release, if so, (a) how many and (b) in how many cases did the representations result in the release of the detainees concerned?

†The DEPUTY MINISTER OF LAW AND ORDER.

Yes.

(a) 69.

(b) None

Kannemeyer Commission: report

*18 Mr D J N MALCOMESS asked the Minister of Law and Order.

(1) Whether the South African Police have held an investigation into any matters arising out of the report of the Kannemeyer Commission, if not, why not, if so, into what matters,

(2) whether this investigation has been completed, if not, when is it anticipated that it will be completed; if so, what were the findings,

(3) whether any action has been taken against any members of the South African Police as a result of this investigation; if so, what action in each case?

The DEPUTY MINISTER OF LAW AND ORDER.

(1) Yes, into all the matters which in any way apply to the police

(2) Not entirely and the findings will not be divulged by me because it is of a purely departmental nature

(3) Regarding the matter which is completed, departmental steps were already taken against three officers, while suitable remediating steps were also taken with regard to the partially completed matters Because departmental steps which were taken thus far may be of preliminary nature and also because the investigation is of an internal nature, particulars thereof will not be divulged

Black labour

*19. Dr A L BORAINE asked the Minister of Manpower.

(1) How many applications for employment of Black labour in the Western Cape were refused in 1985,

(2) how many potential Black workers were affected by these refusals?

†The MINISTER OF TRADE AND INDUSTRY (for the Minister of Manpower):

(1) Three.

(2) Three.

Strikes

*20. Dr A L BORAINE asked the Minister of Manpower:

(a) How many strikes involving Black workers occurred in 1985, (b) in how many cases did the strikes arise out of wage demands and (c) what were the main causes of the remainder of the strikes?

The MINISTER OF TRADE AND INDUSTRY (for the Minister of Manpower):

(a) 381

(b) 144

(c) Disciplinary measures
Conditions of employment other than wages.
Trade union matters
Unknown reasons.

Resettlement

*21. Mr E K MOORCROFT asked the Minister of Constitutional Development and Planning:

(1) Whether, with reference to his reply to Question No 12 on 18 June 1985, a final decision has been taken regarding the resettlement of Black communities; if not, (a) why not, and (b) when is it anticipated that a decision will be taken, if so, (i) when and (ii) what is the nature of this decision;

(2) whether any Black communities scheduled to be resettled are still to be moved; if so, (a) why and (b) which Black communities (i) will and (ii) will no longer be resettled;

(3) whether any provision will be made for residents of these communities who do not wish to move; if not, why not, if so, what provision in each case,

(4) whether he will make a statement on the matter?

†The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

(1) Yes, in regard to various towns. No, in regard to others

(a) Because the investigation concerning removal or retention of certain towns (which is done mainly on a regional basis) has as yet not been completed and/or negotiations in regard to certain towns have as yet not been completed

(b) In view of the reply to question (1)(a), no indication can be given at this stage (i) and (ii) Fall away

(2) and (3) This will depend on the result of the investigation and the agreements referred to in the reply to question (1). Each case will be treated on its own merits and no definite reply can therefore be furnished at this stage I will however do it as soon as possible.

(4) No.

Teledata service/decoder

*22 Maj R SIVE asked the Minister of Communications:

(1) Whether his Department is responsible for the (a) teledata service and (b) teledata decoder; if not, who is responsible for them; if so,

(2) whether these decoders have been advertised to the public, if not, when will they be advertised; if so, as from what date;

(3) whether these decoders can decode information in Afrikaans; if not, (a) why not and (b) when will Afrikaans decoders be available?

The MINISTER OF COMMUNICATIONS:

(1)(a) and (b) No; the South African Broadcasting Corporation. (2) and (3) Fall away.

*23 Mr P R C ROGERS—Defence [Reply standing over.]

201

When human dignity takes the back seat

The harshness of South African poverty is portrayed by this poignant picture of a migrant worker who has to live in a single-quarters compound in Johannesburg and sleep on a concrete bed The picture was taken in 1980 Published in a new book, "South Africa The Cordoned Heart", the photographs deal with all aspects of poverty — economic issues, as well as the lack of basic needs, such as education, health, water, fuel and human dignity The book is a result of the Second Carnegie Inquiry into Poverty and Development in Southern Africa It features photographs by 20 South African photographers who believe artists cannot be neutral about their country's suffering The book, launched this week, is published by The Gallery Press, Cape Town.

US professor ... US aid to Unita a vag

George bars anti-black gathering

Staff Reporter

THE George Town Council cancelled permission granted to the Unity Movement — an organization which wants "to get the black man out of George" — to hold a meeting in the civic centre last night.

The Unity Movement (UM) began in George about two months ago, according to its leader, farmer Mr Malcolm Dubell, who insists that it is not a political movement. "Why we formed the movement is 99 percent economical," he said.

'Taken over'

UM stood for "unifying whites, coloureds and Indians" with "full rights all the way down the line" but wanted "to get the black man out of George"

UM intended doing this through "disinvestment in the black man" — withholding employment, housing, food and friendship

Mr Dubell said black people had "taken over the town".

"There used to be 200 in 1961 Now there are over 10 000 No-one has any idea how many It's not that we are biased or hate anybody We are in economic trouble There's no room Theft and anarchy are the order of the day"

Mr Dubell said people were "in a hell of a mood" about the cancellation of the meeting He claimed his lawyer had been told by the town clerk that permission had been cancelled "because black people from Lawaaikamp had phoned and threatened to burn down the hall"

However, the deputy town clerk, Mr Johan Basson, said he was not aware of any such threat and it had not been discussed

"The only thing I can say is that my council does not wish to be associated with this movement in any way," he said

A spokesman for the George Youth Organization, Mr Kenneth Siboto, said he had been asked by his executive yesterday to "find out why they don't want to employ us We don't understand," he said.

Support

"We support local businesses very well and would like to arrange a meeting with local businessmen to discuss this"

Mr Siboto also dismissed the reality of any threat to burn down the town hall

Mr Dubell, meanwhile, is planning to conduct a poll "of coloureds, whites and Asians" in the area to test support "If I can't get 90 percent behind me I'll drop it," he said

from repatriation on the ground of long service as at the latest specified date for which figures are available?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

(1)	(a)	Zimbabwe	2 939
	(b)	Lesotho .. .	460
	(c)	Swaziland	399
	(d)	Botswana .. .	195
	(e)	Mozambique .. .	20 522
(2)	(a)	Zimbabwe	532
	(b)	Lesotho	260
	(c)	Swaziland .. .	8
	(d)	Botswana	10
	(e)	Mozambique .	378

Religious objectors

430 Mr P R C ROGERS asked the Minister of Manpower:

(a) How many persons classified as religious objectors were placed in employment during the period 1 July 1985 up to the latest specified date for which figures are available, (b) in which specified government Departments and bodies were these persons placed and (c) how many such persons were placed in each Government Department or body?

The MINISTER OF MANPOWER:

(a) 116 religious objectors were placed in employment during the period 1 July 1985 to 28 February 1986

(b) and (c)	Administration: House of Assembly	1
	Administration: House of Representatives	2
	Department of Agriculture	1
	Department of Agriculture and Water Supply	1
	Department of Agriculture, Economics and Marketing	3
	Department of Education and Training	1
	Department of Finance (Receiver of Revenue)	3
	Department of Manpower	50
	Department of Mineral and Energy Affairs	1
	Department of National Health and Population Development	4
	Department of Public Works and Land Affairs	3
	Department of Water Affairs	3
	Cape Provincial Administration	5
	Natal Provincial Administration	2
	Orange Free State Provincial Administration	1
	Transvaal Provincial Administration	12
	Divisional Council of the Cape	2
	Municipalities and City Councils	21
	TOTAL	116

25/3/86 HANSARD Q Con 735

Contract workers (201)

445. Mr K M ANDREW asked the Minister of Constitutional Development and Planning:

How many Black contract workers were working in the Cape Peninsula in 1985?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

17 884 Registered Black Contract workers were employed in the Cape Peninsula in 1985.

HoA

Q Con 737 HANSARD 25/3/86

Industrial accidents

456. Mr P H P GASTROW asked the Minister of Manpower:

(1) How many workmen in each race group (a) suffered permanent disablement and (b) died as a result of injuries sustained at work during the latest specified year for which figures are available,

(2) how many industrial accidents occurred in the Republic in that year, (b) what amount was paid out by the Accident Fund in respect of such accidents and (c) what was the total period for which persons injured in such accidents were absent from work in that year?

The MINISTER OF MANPOWER:

The latest available figures are for 1982 and are as follows:

(1)	(a)	Asians	207
		Coloureds	1 508
		Members of the Black population groups	20 518
		Whites	1 687
	(b)	Asians	26
		Coloureds	128
		Members of the Black population groups	1 578
		Whites	183
(2)			
	(a)	289 052	
	(b)	R68 155 338	
	(c)	3 475 627 man days	

Q Con 737 HANSARD 25/3/86

Trade unions

457. Mr P H P GASTROW asked the Minister of Manpower.

How many trade unions applied between 1 January and 31 December 1985 for registration in respect of (a) Black employees only, (b) White employees only, (c) Coloured employees only and (d) employees of more than one population group?

The MINISTER OF MANPOWER:

(a) Three.

(b) One.

(c) None.

(d) Five.

Q Con 738 HANSARD 25/3/86

Unemployed persons

459 Mr P H P GASTROW asked the Minister of Manpower:

How many Whites, Coloureds and Asians, respectively, were registered as unemployed in each inspectorate area as at the latest specified date for which figures are available?

The MINISTER OF MANPOWER:

	Whites	Coloureds	Asians
Bloemfontein ..	1 901	763	—
Kaapstad	3 030	11 801	—
Durban . . .	4 833	2 931	12 189
Oos-Londen ...	707	472	21
George	364	867	—
Johannesburg ..	10 637	4 298	832
Kimberley .. .	267	1 370	15
Port Elizabeth	2 904	5 758	63
Pretoria	2 203	308	88
Total	26 846	28 569	14 208

These figures are as at 31 December 1985.

HANSARD 25/3/86 Q Con 738

Guidance and Placement Act

461 Mr P H P GASTROW asked the Minister of Manpower:

How many males and females, respectively, were registered at labour bureaux as work-seekers in terms of the Guidance and Placement Act, No 62 of 1981, as at the end of each specified month in 1985?

The MINISTER OF MANPOWER:

Figures as per attached schedule.

HoA

Touring migrant hostels in Langa, Nyanga, and Guguletu yesterday were (from right to left) the Australian second secretary, Mr Chris Marchant, the Rev David Russell, the Canadian second secretary, Mr David Baker, the Dutch third secretary, Mr Luc Schillings, and the Norwegian consul, Mr Gunnar Skagestad, with the Western Cape Men's Hostel Association organizer, Mr J Mpukumpa

Embassy officials tour township hostels

By CLARE HARPER

REPRESENTATIVES of the Dutch, Canadian, and Australian embassies and the Norwegian Consulate yesterday toured migrant worker hostels in Langa, Nyanga and Guguletu to examine living conditions in the townships

The embassy officials were escorted to several hostels by members of the Western Cape Men's Hostel Association and were accompanied by the Rev David Russell, the migrant workers' chaplain in the Cape Town diocese

The second secretary of the Australian Embassy, Mr Chris Marchant, said that "any pre-conditions I had about living conditions here have been fulfilled" — life must be pretty grim".

He said there was "a possibility of the embassy contributing towards a local aid programme"

The vice-president of the Hostel Association, Mr Welcome Zenzile, said the association had invited the embassies because "we want people to see the reality of living conditions in migrant hostels"

The association, launched in June last year, has as a short-term goal been campaigning to improve the living conditions of workers, focusing on housing and migrants rights

"But ultimately we want these conditions done away with and proper family housing constructed," the organizer of the tour, Mr J Mpukumpa, said

The association, which is opposed to the contract labour system, believes people in the hostels have "a right to a family life", he said

Mr Russell said "Many countries have invested in and employ people from these hostels They should see the conditions their workers cope with — it is inhuman"

Mr Mpukumpa listed the appalling overcrowding, the lack of decent homes, the shortage of washing facilities and the destruction of family life as the major grievances of the inmates

The Canadian second secretary, Mr David Baker, who described the sprawling hostels as "awful", said his Embassy had given funds to the association for a health project

The Consul of the Royal Norwegian Consulate General, Mr Gunnar Skagestad, declined to comment

However, the Dutch third secretary, Mr Luc Schillings, said that in the light of the visit the embassy would consider helping the association

CM Times 9/4/86

George not to employ blacks

201 215 150 200 300

Staff Reporter

GEORGE Municipality has fired 215 black workers, will demolish their hostel today and will in future employ only workers from the coloured community

In addition, 150 squatter shacks adjacent to the Lawaaikamp squatter camp are earmarked for demolition. The approximately 5 000 residents of Lawaaikamp have been given until April 16 to pay rent arrears — failing which legal action will be taken against them.

The National Party MPC for George, Mr George Kellerman, has been negotiating in vain between the town council and black community leaders to find a solution

Mr Kellerman could not be reached for comment last night, but black community leaders said he was "sympathetic to our trouble" and was "doing his best to help us".

But the town clerk, Mr Carel du Plessis, confirmed yesterday that despite Mr Kellerman's intervention, "the 215 workers who have stayed away from work since last week because of unrest are being dismissed".

He said that "they were staying in our compound and now we are going to demolish that hostel because otherwise they will just move in again

"We have decided to only employ coloured workers from now on because every time there is unrest, the blacks stayed away."

Demolition of shacks

He confirmed that the rent in Lawaaikamp — which has no sanitary services and has four taps servicing the entire community — was R13,45 a month per household.

"The whole purpose behind this exercise (the rent arrears evictions and the demolition of shacks) is to get the people of Lawaaikamp to move to Sandkraal", where "self-help" stands have been provided and where residents will have to build their own houses, Mr Du Plessis said.

Residents alleged yesterday that there would be no difference between Sandkraal and Lawaaikamp, as squatter shanties would be erected in Sandkraal, save that Sandkraal was "further away from the white town".

Last week two black community leaders in the town, the Rev Freddie Booi and Mr Phulnulang Legholo, were detained by police under Section 50 of the Internal Security Act.

Cannon prank misfires

Crime Reporter

AN old ship's cannon that disappeared from Camps Bay on April Fool's Day has been returned to its home — after a brief stay at a city hotel.

The cannon, dug up in Waterkant Street in the 1880s, has been in the Van Heerde family since then and the present owner, Mr John van Heerde, was upset by its disappearance

But after a report in The Argus on Monday an anonymous caller told Mr van Heerde where to find the weapon

He told the police, who found it at the hotel last night It had been stolen as a prank by three trainee caterers.

"It was a youngsters' prank that went too far

"The lads who took it returned it and insisted on putting it back in the right position They even said they would paint it," Mr van Heerde said

PFP's Van Eck to probe George demolition plan

Staff Reporter

MR Jan van Eck of the Progressive Federal Party's unrest monitoring committee is in George today to observe the situation after the decision by the municipality to demolish a workers' compound

Bulldozers were to begin the demolition today, but a spokesman for the Lawaaikamp Parents' Representative Committee, Mr Kenneth Siboto, said residents would resist attempts to level their quarters

Mr Siboto said dozens of single workers fired by the municipality this week were still living in the compound, but this was disputed by the Town Clerk of George, Mr Carel du Plessis

"If the municipality tries to demolish that compound there will be trouble for sure Our committee is doing the best it can to talk to the municipality about the buildings' future, but they just refuse to listen to us," Mr Siboto said

Last week the municipality demolished 150 squatter shacks on the outskirts of Lawaaikamp township and on Monday fired its entire black workforce who were refusing to work, apparently in retaliation for the levelling of the shacks.

Mr Siboto said today that many municipal employees had lived in the shacks and were enraged to find their homes flattened when they returned from work

The municipality claims the squatters were in the area illegally and were unemployed.

uments Mr Maxwell was put up R30 000 for Dyn- To page 2

Reprieve for George workers

Council halts demolition

Cape Times - 10/4/86

By CHRIS BATEMAN

IN A DRAMATIC last-minute reprieve yesterday morning, George Municipality agreed to stay the demolition of a Lawaaikamp workers' hostel pending the result of an urgent meeting late last night.

The reprieve comes amid rising tension a week after the municipality fired 215 black workers living at the hostel and employed coloured labourers in their place

The hostel was due to be demolished at 11am yesterday but municipal officials agreed to a "stay of execution" after urgent representations by township leaders and two MPCs

At the meeting, which finished about 10pm, the council provisionally agreed that no further demolitions would take place in Lawaaikamp This included the hostel, said Mr George Kellerman, National Party MPC for George, who played a key role in setting up the negotiations

Mr Kellerman said the council held a second exclusive meeting late last night to draw up a draft agreement which would include proposals for a cessation of violence in return for concessions on the rental payments and "the squatting problem"

Late yesterday the 215 former municipal workers were keeping their belongings at the hostel but had prepared themselves for sudden departure

The respite comes in the wake of mounting pressure on the municipality by Mr Kellerman and Mr Jan van Eck (PFP MPC for Groote Schuur) to negotiate

The George Town Clerk, Mr Carel du Plessis, confirmed before last night's meeting that the reprieve would form part of the basis for negotiations on the relocation of the estimated 5 000 Lawaaikamp residents to nearby Sandkraal where "self-help" stands were provided

"The fact that the 215 didn't come to work is one of the minor problems — the main problem is the unrest in Lawaaikamp," Mr Du Plessis said

The issue of coloured preferential labour was not on the agenda for last night's meeting, he added

Lawaaikamp residents have refused to pay rents until living conditions are improved while the George Municipality has set an April 16 deadline for the payment of outstanding rents and the demolition of all "illegal" constructions

Residents face a 100 percent increase in plot rentals, effective from May 1, because of "rising administrative costs".

Commenting on his return from the township yesterday, Mr Van Eck warned that if the George City Council carried out its plans it would provoke "a major political explosion"

"I saw tremendous hostility and anger there today, it's like a powder keg The implementation of any one of the council proposals will lead to a major political explosion," he said

Mr Van Eck said he had found the township in an advanced state of neglect and decay

"How they can threaten to increase the rents is totally beyond me The place hasn't been serviced for ages"

Stalemate over future of George's Lawaaikamp

Staff Reporter

THE DISPUTE over the future of Lawaaikamp near George has reached a stalemate after a meeting of the parties ended with the black community refusing to negotiate with the white municipality.

The municipality threatened to bulldoze all "illegal structures" on its property and the single workers' compound and proposes to raise Lawaaikamp site rents by more than 100 percent

"It is impossible to negotiate with the municipality. They refuse to answer our questions and pretend all the problems of the township are a result of unrest," said community leader Mr Kenneth Siboto, who attended last night's meeting.

The municipality has proposed that rent and service charges be more than doubled from R13,45 a month to R25, but residents complain that they receive nothing for their money

"We can no longer talk to them From now on we will refuse to pay even the existing rents and will talk only to the Government."

The Progressive Federal Party MPC for Groote Schuur, Mr Jan van Eck, who visited the area yesterday, said the township was in a "terrible state"

CAPE TIMES 12/4/86

'Hard thinking' on George deal

Staff Reporter

RESIDENTS of Lawaaikamp township outside George have not yet reacted to a "package deal" offered them by the municipality, but have condemned the "hard attitude" of the town council

The package deal was drawn up on Wednesday after days of friction between the municipality and township residents

This week 5 000 residents were threatened with relocation to nearby Sandkraal, and 215 fired municipal workers were told their Lawaaikamp hostel was to be demolished

In response to the deal, which includes a guarantee of "undisputed occupation" for residents until December 31 if they move to Sandkraal, a Lawaaikamp spokesman said "We will do some hard thinking"

Mr Kenneth Siboto, speaking for the Lawaaikamp residents committees, said yesterday the municipality had made "strict and hard conditions in the deal"

The main grievances of residents are the proposed increase in rent of almost 100 percent and the threat of removals to Sandkraal

Residents, have refused to pay more rent until living conditions have been improved, but the deal offered by the municipality insists on the rent increase

Residents have been given until May 31 to pay all outstanding rentals and register all "illegal structures". The rent increases from June 1

The municipality has given the committees until the end of next week to decide on the deal

If the deal is rejected, the "illegal" houses of 5 000 people will be demolished and the municipality will make no concessions on rent payments "We are very worried about this," said Mr Siboto

Mr Jan van Eck, the PFP MPC for Groote Schuur, who has been negotiating for the residents of Lawaaikamp, said the present attitude of the municipality "had to result in a direct confrontation".

Mr Carel du Plessis, the town clerk of George, said yesterday that, apart from the deal, a solution to the problems could be a "mixed town council"

'Ruling'

● Attorneys acting for the 215 council dismissed workers yesterday gave the municipality notice to reinstate the workers

The notice said an application for a ruling to have the workers reinstated would be made to the Industrial Court if the municipality did not act

CAPE TIMES 21/4/86

meeting teargassed

By ANDRÉ KOOPMAN

POLICE yesterday fired teargas at a group of about 400 Lawaaikamp residents who had met in a church to discuss the details of a municipal plan to move them from the shanty town a few kilometres outside George

The head of the George Civic Association, Mr Kenneth Siboto, said last night that they had been in the meeting for about 30 minutes when a police Casspir arrived at the church

The police issued a warning that people standing outside the church had five minutes to leave. People had stood outside because there was no place left inside the church

After waiting five minutes the police fired teargas at the crowd outside the church as well as into the church, Mr Siboto said

People in the church fought to get out, some of them fainted and others jumped out of the windows to escape the gas

Afterwards large crowds of angry people gathered in the town while police watched

Mr George Kellerman, Nationalist MPC for George and a mediator in the Lawaaikamp dispute, said last night he had attended a meeting between community leaders and a Major Strauss of the police which took place after the incident

The teargas had been fired because of a "misunderstanding", Mr Kellerman said Major Strauss told him

Police had apparently been told last week that the meeting would take place at another church and no one had informed them that the venue had changed

Petrol-bomb

Mr Kellerman said that an unexploded petrol bomb and stones had been thrown at the police, but he did not know whether this was before or after the teargassing

In terms of a deal proposed by the municipality, the 5 000 residents of Lawaaikamp had to apply to move to the new self-help housing scheme at Sandkraal, make good rent arrears and pay 100 percent more rent by June or face summary eviction

If they complied with these conditions they would be granted "undisputed occupation" of Lawaaikamp until December 31

A police spokesman in Pretoria said last night told Sapa that he had no knowledge of the incident Any events occurring late at night would be contained in the 7am police report.

Advertisement

George to take action soon

Staff Reporter

GEORGE municipality has threatened to take "action this week" against residents of Lawaaikamp township after failing to reach a compromise over the future of the settlement.

Mr Carel du Plessis, the town clerk of George, said yesterday that "no progress" had been made since he had given residents his proposals for the township.

In terms of the deal, the 5 000 residents must agree to move to the Sandkraal township and pay the rent arrears for the six weeks or so of their rent boycott.

In addition, the municipality is to double rents at Lawaaikamp

Mr Du Plessis said he would try to negotiate with residents "soon", but said the municipality would "take action" this or next week if no compromise were reached.

Mr Kenneth Siboto, the president of the George Civic Association, which represents the residents, has called the deal "crazy".

"Mr Du Plessis can take whatever action he wants — we can do nothing to prevent it," he said yesterday

"But he must hear us first.

"We are living in dirt here and something must be done.

"It will not solve any problems if we are teargassed, like on Sunday

"We need more time and we do not need to be hassled by Mr Du Plessis We are discussing our future here"

CAPE Times 11/5/86.

Police, army raid on Strand worker hostel

By CHRIS BATEMAN

IN a pre-dawn swoop yesterday security forces surrounded a workers' hostel at Lwandle township outside the Strand, arresting scores of people on charges of trespassing

Late yesterday it was established that at least 20 people had either paid R30 admission-of-guilt fines or appeared in Strand Magistrate's Court.

One source claimed that dozens of people were still being held.

Mr Johnson Mpukumpa, publicity secretary for the Western Cape Men's Hostel Association, said police, soldiers and Western Cape Development Board inspectors distributed placatory pamphlets to residents before arresting "more than 100 men women and children" about 3am.

Mr Mpukumpa quoted the pamphlet as saying "there are too many people in the hostel who should not be there".

He said the pamphlets were in English and Afrikaans.

A spokesman for the Western Cape Development Board, Mr Sampie Steenkamp, late last night said the matter would be investigated.

Hostel raids criticized

THE chairman of the Western Cape Hostels Association, Mr Clarence Mahamba, yesterday criticized last week's pre-dawn raid and arrest of about 100 people at Lwandle Hostel near the Strand as "proof of the government's empty promises about scrapping influx control".

Mr Mahamba said all but nine of those arrested on Wednesday had since been released after paying R30 admission-of-guilt fines on charges of trespassing

Those still in custody faced additional charges which included possession of dagga, he said.

Most of those arrested were women, "living with their husbands".

Mr Sampie Steenkamp, a WCDB spokesman, said police acted on their own initiative after overcrowding increased over the past four months and "certain elements" emerged

lar in the decision to make the arrest at the meeting or with the manner in which it was done which could necessitate an investigation into, or action arising from the incident

(8) The arrest took place without incident Some of the bystanders did however, ask the members who made the arrest where the warrant of arrest of lance corporal Wilkinson was In terms of section 40 of the Criminal Procedure Act, 1977, and section 52 of the First Schedule to the Defence Act, 1957, a warrant is not necessary in this case, and the person who made the enquiry was informed that he was interfering with the course of justice At the vehicle it appeared as if bystanders wanted to prevent lance corporal Wilkinson from entering the vehicle To prevent him being freed he was quickly helped into the vehicle whereupon it drove away immediately

†Mr P A MYBURGH Mr Speaker, arising out of the hon the Deputy Minister's reply, I would like to ask him whether, in the rather sensitive circumstances it would not have been beneficial if the captain concerned had a warrant with him and had shown it to those persons who asked for it

†The DEPUTY MINISTER Mr Speaker, as I have indicated, it was not necessary to obtain a warrant and to produce it The Military Police identified themselves to the person and the person knew what it was about Therefore we did not deem it necessary

†Mr P A MYBURGH. Mr Speaker, further arising out of the hon the Deputy Minister's reply, may I ask him who gave him the assurance that the captain concerned did in fact identify himself, because the information furnished to the hon the Minister and myself by the public indicates that the person did not identify himself?

†The DEPUTY MINISTER· Mr Speaker, I accept that when military policemen come across a person whom they have to arrest, they will tell him that they are there to fetch him, and also that they will identify themselves, and we have the word of these military policemen that they did identify themselves

†Mr P A MYBURGH· Mr Speaker, further arising out of the Deputy Minister's reply, may I ask him whether he would be prepared to have the captain concerned sign an affidavit in respect of the fact that he did indeed identify himself? [Interjections]

†The DEPUTY MINISTER Mr Speaker, the hon member for Wynberg is now advancing a very strange argument We are dealing here with a man who has evaded a law, who is asserting that the Police did not identify themselves to him There are members of the Military Police who give me the assurance, and whose word I am prepared to accept, that they did indeed identify themselves to the person The hon member is now trying to make out a case that they did not identify themselves We accept the word of the Military Police when they say that they did indeed identify themselves [Interjections]

†Mr P A MYBURGH Mr Speaker, further arising out of the hon the Deputy Minister's reply, must I deduce that he is not prepared to ask the captain concerned to sign an affidavit? [Interjections]

†The DEPUTY MINISTER· Mr Speaker, the person who made the arrest, has already given us the assurance that he did identify himself It is not necessary for him to also sign an affidavit in this regard [Interjections]

13/5/86 Q eor 1704
HANSARD Cosas (300) ($2)

*16 Mr P G SOAL asked the Minister of Education and Development Aid

(1) Whether he or any Deputy Minister in his Department was consulted prior to the decision being taken to ban the Congress of South African Students (Cosas), if so, (a) when, (b) by whom and (c) what was his response, if not,

(2) whether he or any member of his Department made any representations

to the Minister of Law and Order or any other member of the Cabinet concerning the banning of this organisation, if so, (a) when, (b) to whom and (c) what was the (i) nature of the representations and (ii) response thereto,

(3) whether he will make a statement on the matter?

†The DEPUTY MINISTER OF EDUCATION AND DEVELOPMENT AID

It is neither customary nor in public interest to make known the contents of discussions held with Ministers concerned on security matters Also a pending action in the Supreme Court has been instituted in connection with the banning of COSAS which therefore renders this case *sub judice*

Q C2 1705
Parent accociations
HANSARD 13/5/86 ($2)

*17 Mr R M BURROWS asked the Minister of National Education

(1) Whether draft guidelines have been laid down for the recognition of parent associations, if not, why not, if so,

(2) whether these guidelines have been distributed for comment, if not, why not, if so, (a) to what organisations and (b) what person or persons were responsible for drafting these guidelines,

(3) whether these guidelines have been discussed with the South African Council for Education, if not, why not?

The MINISTER OF TRANSPORT AFFAIRS (for the Minister of National Education)

(1) No such guidelines have been laid down by myself or my Department.
In terms of paragraph 6 2 of the White Paper on the Provision of Education in the Republic of South Africa, 1983, the policy is that the determination of guidelines on matters like these for schools at the local level is to be treated as an own affair

(2) Falls away

(3) The South African Council for Education gave attention to the composition and functions of parent representative bodies at its meeting of 25 November 1985 advised me that it be treated as an own affair I accepted this recommendation after consulting the Ministers of Education

HANSARD 13/5/86 Q C2 1706.
Lwandle
(200) (250) (125)

*18. Mr K M ANDREW asked the Minister of Law and Order

(1) Whether any persons were arrested in or in the vicinity of Lwandle, near the Strand, on 29 and 30 April 1986; if so, (a) how many and (b) for what alleged offences,

(2) whether all the persons arrested have been charged or released, if not, why not,

(3) whether any of these persons were found guilty of trespass, if so, how many,

(4) whether those found guilty were represented by legal counsel in court?

†The MINISTER OF LAW AND ORDER:

(1) Yes

(a) 172 persons.

(b) Possession of dagga.
Trading in dagga.
Possession of dangerous weapons
Possession of presumably stolen goods
Trespass

(2) Yes

(3) Yes, 163 persons

BRUTALISED MEN WHO IN TURN BRUTALISE THEIR WOMEN

18/7/86

The deliberate exclusion of the word "men" from the hostel association title might seem a small concession, but it was a significant shift, both in the style of organisation and in the general perception of women by migrant men.

"There are no short cuts to the evolution of alternative power relations. When the hostel association was started it was conceived, structured and launched by men for the purpose of addresing hostel men's issues," she said.

However, through practice and discussion it became clear to the men that the "silent power" of women, for example, in pressurising men to take family housing in Khayelitsha, could not be ignored.

The example of the hostel association is in stark contrast to both the situation at Crossroads, and the position of women in the migrant hostels generally.

Ramphele, who has worked at UCT after spending six years in a remote Northern Transvaal village to where she was banished, painted a grim picture of the lot of women in migrant worker hostels in the Western Cape.

There were a "significant number" of women living in the Cape Town hostels — wives, local women and younger relatives from the rural areas.

For many, their access to the city depended on the goodwill of husband or lover and thus placed these women in an extremely dependent position.

However, hostel women played an economic function which was not calculated in either the family or the national accounts. Women not only reproduced labour, but also played a "particularly onerous" nurturing role in the hostels.

"To have to clean up not only after your own family but after other strangers is too much to expect of any person. Yet these women have no choice".

Nurturing also involved soothing the wounded egos of migrant men, who were both "dehumanised" at their workplace and looked down by many urban township dwellers. Such a man was "bound to be unreasonably assertive in relation to his partner ... There is little scope for reason and discussion and women suffer assaults and other abuses silently.

"It is the only way in which this man can reaffirm his humanity and maintain some measure of control over his environment.

"The women are thus silent unpaid psycho-therapists to keep these men in a brutal and insane world."

Stressing the importance of these power relations for political activists, Ramphele said the "rot" in Crossroads had set in when women relinquished control over the settlement to a male-dominated system of headmen. Outsiders had "consciously or unconsciously" reinforced that phenomenon.

It was "easier to deal with orthodox leadership than to attempt to strengthen the hand of people operating at an informal level with no rigid leadership structures. This is interesting in the light of the rhetoric about democracy.

"This mistake was made by all groups: lawyers, community workers and churches. Thus those purporting to be headmen won the day and made their fortunes."

She criticised progressive political leadership which was clearly working against the interest of the majority in their areas.

"Short-term gains were allowed to overshadow issues of principle. No one was concerned about the exclusion of women and ordinary people from the decision-making process".

Ramphele also criticised opposition political groupings for allowing supporters to operate under a political morality that "would have been unacceptable anywhere else".

West Cape Xhosas now 'worse' off

Labour Reporter

ALMOST no blacks in the Western Cape will benefit from the scrapping of the pass laws unless South African citizenship is restored to people from the Ciskei and Transkei, the director of the Legal Resources Centre in Johannesburg, Mr Geoff Budlender, said yesterday

He was speaking at a Cape Town Chamber of Commerce seminar on urbanization

Mr Budlender said the situation for Xhosa-speakers "could even be worse" under the new dispensation as they would now be subject to the Aliens Act which provided for much heavier penalties than the old influx control laws

For one thing, people could be summarily deported even if they had permanent residence in South Africa

"It is really a disaster The abolition of influx control has been totally wiped out by the government's failure to deal effectively with citizenship," he said

"It is a particularly grim picture for the Western Cape where the new status of Ciskeians and Transkeians makes almost every Xhosa-speaking person an alien"

Mr Budlender said despite the government's undertaking to negotiate the matter of South African citizenship with homeland leaders, he doubted whether this would solve the problem.

"We don't know what the government wants. It hasn't said whether it is in favour of restoring citizenship to these people or not

"However there are rumours that the government has sent a document to the TBVC leaders in which it persuasively argues against the restoration of South African citizenship to the people of those homelands"

He said although common citizenship for all was the best solution to the problem, the government could also give citizens from TBVC countries freedom to move and work in South Africa by exempting them from the provisions of the Aliens Act.

If the government was sincere in its aims to remove influx control, it would also dedicate itself to solving the housing crisis which was an important factor in preventing people from the homelands from residing legally in South Africa

Cape Times 17/9/86

Women fined for sleeping with husbands

Staff Reporter

SIX women from Mfuloni township near Stellenbosch who pleaded guilty were convicted of contravening the Black Communities Development Act, number 4 of 1984, in the Kuils River Magistrate's Court yesterday

They were found sleeping with their husbands, common-law or otherwise, in a pre-dawn raid on the township's "single quarters".

Tobeka Sitetu, 21, Rosie Mayekiso, 19, Paulina Tsotetsi, 27, Margaret Booysens, 24, Denise Abrahams, 21, and Nolusapho Tyatyeka, 22, were fined between R30 and R50 each

Mr E Kleynhans was on the Bench
Mr L Jordaan prosecuted

Six women held in raid on township hostels

Cape Times 17/9/86 (1224) (201)

By PETER DENNEHY

SIX WOMEN, some of them married, were taken from their beds in a "routine" pre-dawn raid on the single-quarter hostels at Mfuleni township, Stellenbosch, yesterday.

A woman who escaped by fleeing into the bushes, Mrs Mavis Nkawane, said she thought 26 women had been taken

The township manager, Mr Terius Ellis, said only six had been arrested for "sleeping there without permits"

Mrs Florence van Wyk said· "They used to catch us for passes, now it is for trespasses, but the fines are still the same, R30 to R50."

Mr Ellis said 2 500 of the 3 900 official Mfuleni residents were single men who lived in "hostels" owned by the Community Services (formerly the Western Cape Development Board)

Each hostel was a single-roomed semi-detached house, in which up to ten men paying R8,18 a month live Women could not live there, he said.

Mr Stanley Tsotetsi, a construction worker, said his wife Paulina had been taken with their seven-month-old baby Princess A Mr Tobile Tyatyeka and his wife Nolusapo had also been separated, he said

Mr Tsotetsi said his children, four-year-old Mapula and the baby, had been born in his present home in Mfuleni

Mrs Nkawane said the previous raid had taken place two weeks ago

WCHA: 'Police halted meeting'

POLICE disrupted a meeting of several hundred people organized by the Western Cape Hostel Association ((WCHA) in Langa on Saturday, the WCHA said yesterday

Mr Johnson Mpukumpa, WCHA publicity secretary, said police arrived at the Langa Presbyterian Church hall about 2 30pm and told the organizers that the meeting was being-halted in terms of the state of emergency

"The youth got very angry but we managed to calm everybody down and people eventually went home without incident," said Mr Mpukumpa

He said that at the meeting a brewery had handed over a mini-bus for use on a WCHA health project and speeches were made by United Democratic Front and Western Cape Civic Association officials

Mr Super Nkatazo, WCHA general secretary, said the incident was "yet another example of the government not wanting people to voice their opinions You open your mouth and they take action regardless of what you are saying"

A Bureau of Information spokeswoman, Miss Ronelle Henning, said last night that police had acted on a report of an illegal gathering After arriving and speaking to brewery officials at the hall, police had left, she said

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The Western Cape Hostel Dwellers' Association will now operate a mobile clinic for thousands of people living in 1 200 hostels in Nyanga, Langa and Guguletu At the weekend the marketing manager of South African Breweries, Mr Raymond Howard (left), handed over the keys of the clinic to an executive member of the association, Mrs Nokwakha Toti (centre). Dr Mamphela Ramphele (right), adviser to the WCHDA, said the mobile clinic would screen patients for diseases and refer them to appropriate TB clinics and hospitals

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Scrapping of Act 'stalls high black growth rate'

PRETORIA—If influx control had not been scrapped South Africa's black population would have reached 846 million by the year 2100, the Human Sciences Research Council said

Projections by HSRC demographers in a newsletter released yesterday compared that figure to only 73 million if the system's scrapping was combined with industrialisation of the national states

Without the industrialisation factor, but with the influx system gone, the black population would reach 132 million by the year 2100, the newsletter said

'Continued influx control in South Africa could have led to an unmanageably large population in the country'

The Government scrapped the system, structured to keep blacks from the poor rural areas streaming to the urban regions in search of jobs and food, earlier this year as part of its new orderly urbanisation policy

'The scrapping of influx control and the development of a meaningful urbanisation policy are positive steps towards counteracting the high population growth rate,' the demographers, Dr W P Mostert, Dr J L van Tonder, and Mr P C Kok, said

Laws in the past severely hampered the migration of blacks to the industrial and urban centres of South Africa, with the result they did not share to the same extent as other population groups in the benefits of modernisation

This would have included a rapid reduction in child mortality and a swing towards low fertility or smaller families

The demographers say a strong correlation has been found worldwide between low levels of mortality and fertility, and industrialised urban populations

Urban woman

The average number of children per white woman in the Republic now is about two, while the corresponding number for Indians and coloureds is approximately three

For blacks, the urban woman has about four children, while her counterpart in black national states has between six and seven

The demographers say the rapid population growth can be ascribed to declining mortality rates among blacks and the absence of family-planning programmes in the homelands, where about two-thirds of the black female population live during their reproductive years

Without extensive modernisation in the national states, and a substantial decline in the size of black families here, 'the increasing natural growth will lead to such a [illegible] overall population in South Africa [illegible] next century that eventually widespread poverty and famine will be the order of the day'

The extent to which relative over-population already occurs in the homelands is evident from the fact that population density there in 1980 was 67 persons per square kilometre

This was opposed to about 16 people per square kilometre in the rest of South Africa

'Were the migrant labour system to be maintained, population density in the 10 national states collectively may rise to respectively 140 and 360 persons per square kilometre by the years 2000 and 2030'

This would bring the states on a par with the Netherlands, which has one of the highest population densities in the world

The demographers say HSRC research 'indicates the low level of black urbanisation, inter alia as a result of the policy of separate development, has contributed significantly to the present undesirably high mortality and fertility levels among blacks, especially in the national states

Lifestyle

'The majority of blacks, women and children in particular, live in traditionally orientated rural or urban environments that are isolated from the modernised industrialised segment of the population

'Consequently the technological revolution that has changed the lives of millions of people across the world has had hardly any effect on the lifestyle of a large percentage of blacks in South Africa'

In spite of South Africa's high degree of modernisation, the average black person in most of the homelands has, on account of this physical and cultural isolation, to a large extent continued to maintain the lifestyle of his forefathers

The demographers give details of three projections they compiled for the black population one being if influx control had been maintained, the second reflecting the effect of the system's scrapping, and the third combining the second with an envisaged industrialisation programme for the homelands

Only one projection has been made for the white, coloured and Indian populations as they are already largely urbanised and were never subject to influx control

'It is clear that the whites, Indians and coloureds will only gradually increase from their present total of 8 000 000 to about 13 million by the year 2010 because of their already low and still declining fertility'

Starting with a figure of 22 million in 1980 for all three [illegible] blacks, the demographers say that if influx control had been maintained, their total population would have increased to 37 million by the year 2000, 160 million by the year 2050 and to 846 million by 2100

With the system scrapped, the respective figures would be 35 million, 85 million and 132 million

A combination of the scrapped system with industrialisation in the homelands would result in respective populations of 35 million, 67 million and 73 million

Integration

'A sharp decline in the growth rate could, however, be brought about by rapidly replacing the largely traditional way of life of blacks in the national states with a more modern industry-orientated urban lifestyle'

Their projections indicate that the longer the large-scale integration of blacks in an industrialised urban society is postponed, the more the population is likely to expand before growth ceases

'It is clear, however, that while influx control and continuing under-development in the national states could lead to alarmingly high population numbers, large-scale poverty together with an increase in mortality among the total population would probably prevent these numbers from being realised

'In contrast to measures used in the past whereby attempts were made through legislation to effect population redistribution and segregation on a racial basis, pragmatic economic measures applied now would succeed in bringing about a rational population distribution

'Such measures would have the additional advantage of curbing population growth'

The demographers, however, warn the total potential urban population should not be concentrated mainly in the existing four metropolitan complexes, particularly the Pretoria-Witwatersrand-Vereeniging area

This is because of practical problems involving the provision of sufficient high-density housing, urban infrastructure, transport networks, schools, and health and sanitation services

The development of alternative industry-based metropolitan complexes in or near the homelands would in the long run benefit not only the urban population, but would also promote the socio-economic advancement of the neighbouring rural population

The importance of pragmatic economic planning extends futher than the influencing of demographic trends — geographic and racial inequalities in respect of social, economic and political development could at the same time be eliminated The demographers say — (SAPA)

Influx control still alive?

Dispatch Correspondent

CAPE TOWN — The abolition of influx control has made "no difference" to a large number of black people in the Western Cape, and does not allow freedom of movement for everybody, according to the Black Sash.

In its August report, the Sash highlights an incident in which a woman born in Graaff-Reinet — who has worked for many years in Cape Town — was detained at the border by Transkei authorities and sent to jail for nine days.

This was in spite of having her reference book with so-called Section 10 rights "rights stamped in it" She woman had to pay R24 before being freed

The Sash's Mrs Sue Joynt said yesterday migrant workers whose families lived in Transkei were regarded as "foreigners" and in terms of the Aliens' Act they needed a temporary residence permit issued by the Department of Home Affairs to enter the country.

If people were expected to carry some proof of permanent residence, "this would be a negation of the claim that influx control is abolished, particulary in the Western Cape, where many people carry Transkei or Ciskei travel documents"

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Job crisis on Cape Flats

Cape Times 16/10/86 201

Cape Times Investigation
CAPE FLATS CRISIS

By HILARY VENABLES
Labour Reporter

COMMUNITY and family life is steadily disintegrating under the weight of mass unemployment and poverty on the vast low-cost housing projects of the Cape Flats

The Advice Office Forum — an umbrella body for 14 advice offices in the Western Cape — said this came to light during their current two-week focus on unemployment in Cape Town's coloured community

● Mitchells Plain owes the city council R2-million in rental arrears An estimated 75 percent of Mitchells Plain households are behind in their rent because their breadwinners are unemployed, according to figures given to the AOF by the City Council Some families owe the council R600 for rent. Local advice office worker Ms Shahieda Issel believes there is "at least one person out of work in every house in Mitchells Plain"

● In Manenberg in August, only 52 out of 4 700 tenants paid their full rent. "Ninety-three sub-economic tenants were in arrears in May If the City Council decides to evict people who can't pay their rent, they will have to evict the whole of Manenberg," Mr Kevin Patel of the Hanover Park Advice Office said

● Health screenings of the unemployed and their families last week showed unusually high levels of chronic depression, high blood pressure, malnutrition, scabies, alcoholism and drug addiction "All the children are losing weight. One woman had a nervous breakdown because she was so worried about her arrears and she now goes for treatment at Valkenberg," Mr Patel said

● Domestic violence is spiralling The AOF said Red Cross workers had reported an alarming increase in incest, wife and child battering and general aggression in the home AOF workers say the pressure of unemployment and grinding poverty is putting a strain on the most stable marriages

Mr Patel described unemployment as "a virulent and debilitating social disease"

"If you go into the town centres of Manenberg, Hanover Park or Mitchells Plain any day of the week, you will find them full of people, out of work and begging for anything that will put some bread in their children's mouths

"Every day is like a Saturday When we go around to the houses any time of the day, there is always someone home

"I went to one house at 11am and both the parents were still in bed There is nothing for them to get up for They are too depressed to leave the house

"The whole fabric of the community is breaking down People are screaming at each other for money Married women say they have turned to prostitution to try and feed their kids It is a social disaster"

Mr Patel said the AOF focus was an attempt to reverse the "creeping paralysis" of unemployment and to help people articulate their demands

"People want better and extended UIF payments, pay-out offices close to where they live, they want the council to scrap all the arrears, they want money to be ploughed into job-creation, self-help projects and training and they want free health care right in their neighbourhoods because they can't afford transport.

"We hope our focus will bring these demands to the attention of the authorities, make the unemployed realize that they have certain rights, and encourage them to act instead of just sliding into a pit of depression and helplessness," Mr Patel said

● Survey of unemployed shocks students, page 3

UCT: 3
67 MAIN ROAD, CLAREMONT
NEXT TO GRAND BAZAARS
The Facts correction service

New ID — some may have problems

ALL XHOSA, Venda and Tswana people in SA may have difficulty in obtaining the new Identity Documents (ID) because they are now "foreigners" in view of the independence of the TBVC Homelands.

People who may be affected are those whose reference books or birth certificates show them to be citizens of Transkei, Bophuthatswana, Venda and Ciskei.

This warning is contained in a document released by Sheena Duncan, past President of the Black Sash.

The document states that the new ID is the same for all race groups, with no difference in law between black and white people.

The ID will be given to any person who is permanently and lawfully resident in SA. This means that all South African citizens are entitled to an ID.

Foreigners who are permanently resident in SA with permission are also entitled to an ID.

Photographs

In order to apply for an ID a black person can go to any office of the Home Affairs Department, formerly known as the offices of the Commissioner of Co-operation and Development.

People who do not have a Reference Book need a birth certificate or other proof of birth and two photographs in order to obtain an ID.

SOPHIE TEMA

People who do have a reference book need only take the book and two photographs to apply for an ID.

Everybody's fingerprints will be taken when they apply for an ID — including white, coloured and Indian people.

People who were endorsed out of town in the past or who were never registered can apply for an ID without apprehension. Now, it does not matter whether they had a permit or not to be in a town in the past.

No official has the right to demand proof of a house or lodger's permit.

"Lawful residence" does not mean that you have to have a permit to be in a particular place. It means that a person must be lawfully resident in SA.

Because people of the TBVC homelands are "foreigners" and some, therefore, not lawfully resident in SA, they may have difficulty in obtaining an ID document.

A person — black, white, Indian or coloured — is only lawfully in SA if he or she has been issued with a specific permit.

According to the Black Sash, all those Xhosa, Tswana and Venda of the TBVC areas who have never lived in one of the independent homelands — or who were born in, or who have lived in one of the independent homelands and moved to areas outside the homelands before their independence day — are lawfully and permanently resident in SA and are entitled to an ID, even if they have a homeland passport instead of a reference book.

All persons born in the TBVC areas before independence day are South African.

Whether or not they are lawfully and permanently resident in SA will depend on individual circumstances.

A 'harsher guise' for coloured preference policy 2010 2nd

New 'pass laws' under fire

CAPE

By DICK USHER
Labour Reporter

INFLUX control and a local labour preference policy are still being applied in the Western Cape in spite of Government claims that the "pass laws" are dead

Unions and businessmen say they are enraged and the situation is to be discussed by the executive of the Cape Chamber of Industries tonight

The Aliens Act of 1937 is the new control mechanism and an increasing number of applications by employers for renewal of contracts for workers from Transkei and Ciskei are being refused by the Department of Home Affairs

In one case Calsica Bricks of Eerste River had its application for the re-employment of 24 workers with up to six years' service turned down

"Local labour available This contract not approved" was written across the application

Experts say that this is an extension of the coloured labour preference policy in a new and harsher guise, in that

- All provisions that existed under influx control still apply
- Because the refusal of contracts is an administrative procedure instead of a legal process those affected do not have recourse to the courts.
- Employers are being asked to complete forms detailing the number of "foreign" workers they employ Stringent penalties apply to contraventions
- Migrants could previously "qualify" for urban rights by living and working in an area for the required period Now, once their status is fixed they can never qualify

Employers claim that they have been misled on the question of contracts because they had been told by the now-defunct Western Cape Administration Board that contract labourers from the TBVC (Transkei, Bophuthatswana, Venda and Ciskei) could be employed on whatever basis was satisfactory to the two parties

Mr Dave Watson, general manager of Allied Concrete of Salt River, was told by the Department of Home Affairs that this advice was not correct

"The position has not changed at all, according to the department's reply to my queries," he said

"The growing dissatisfaction follows several months of confusion following the Government's announcement that influx control would be abolished and replaced by "orderly urbanisation" and confirms the suspicions of many critics that this would be a reformulation of the old policy

Mr Nick Henwood, regional secretary of the Congress of South African Trade Unions, said the period of confusion had probably been deliberately used by the Government to lull people while the machinery to administer the Aliens Act was being set up

"Workers from the TBVC areas are even worse off now than they were under the pass system," he said

● Mr Johan Pretorius, chief director, migration, for the Department of Home Affairs, said the policy had nothing to do with influx control

"There are certain agreements between South Africa and the TBVC states in terms of which the movement of people and labour aspects are regulated

"It is true that the local situation is an overriding factor when considering applications for employment of people from another place

"If there are unemployed people in Cape Town you have to look at them first"

Xhosas are being treated as 'aliens'

By BARRY STREEK
Political Staff

XHOSA-SPEAKING Africans in the Cape Town were being treated as "aliens" and were therefore losing rights to unemployment insurance benefits and pensions, according to the Black Sash Advice Office

The advice office's organizer, Mrs Sue Joynt, said in her latest monthly report that the Unemployment Insurance Fund contributions paid by black people in Cape Town were transferred to the Ciskei and Transkei governments, but few went to the homelands to claim them

Mrs Joynt also said the problem of poverty presented itself everyday to the Black Sash Advice Office in Mowbray

Most of the people who came to the office were Africans and "their problems, if they are destitute, are exacerbated by the restrictive provisions of the Aliens Act

"All Xhosa-speaking people are by definition Transkeian or Ciskeian citizens and therefore 'aliens'

"Unless they are regarded by the authorities as permanent residents (which seems to mean that they must have now defunct section ten rights and/or have their whole family living in accomodation here with them) they are not eligible for UIF benefits, pensions, disability grants and so on

"The UIF contributions for Transkei and Ciskei citizens are paid over to the governments of these countries and the workers are supposed to return there to claim there benefits

"Very few do this because the chances of ever getting another job are even more remote up country than they are here Workers thus forfeit the 'insurance' for which they are paying," Mrs Joynt said

The overburdened state of welfare agencies, together with the inadequacies of the Unemployment Insurance Fund, had led the Black Sash to feel that the problems should be tackled in a different way

"It is quite clear that labour-intensive methods of manufacturing, massive job creation, self-help schemes, a measure of deregulation without the loss of minimum wages and so on, need to be discussed and encouraged with great urgency while at the same time some sort of immediate relief — not charity — needs to be made available," Mrs Joynt said

INDUSTRY

Aliens Act used to control influx of workers — CCI

By MAGGIE ROWLEY

THE Cape Chamber of Industries (CCI) has expressed concern that influx control is being re-applied to citizens of the national states through the Aliens Act of 1937 and has called on the Government to "clarify the matter"

In the latest issue of the CCI's weekly bulletin, the chamber said while it welcomed the repeal of influx control legislation on July 1 this year, as well as the abolition of the Coloured Labour Preference Policy, it was concerned about the implications of the Aliens Act with regard to Transkei, Bophututhatswana, Venda and Ciskei (TBVC) citizens

The chamber had approached the Department of Home Affairs for clarity on the matter but had as yet not received a reply, Mr Colin McCarthy, director of CCI said

In an interview Mr McCarthy said that an "excessive onus" was being placed on industrialists as they were having to apply the Act before hiring workers

"The situation at present is very difficult for industry"

Mr McCarthy said that if industries were recruiting in the independent states they would automatically apply the laws for itinerant labour

"However, when you have three people coming to you to apply for jobs and they all say they were born in South Africa, as things stand now, it is up to industries to determine who has the right to be employed," he said

He said it appeared that the Aliens Act was merely replacing the repealed influx control regulations

"We believe it is not up to the industrialist to have to sift through who has the right to be here and who does not," he said

"An early resolution of the procedures relating to the employment and residence of TBVC citizens is an urgent necessity to avoid unnecessary friction," the bulletin says

In the bulletin, the chamber also reaffirmed its endorsement of the rights and principles contained in the Federation of Chamber of Industries Charter particularly

- Everyone has the right to freedom of movement and residence within the borders of the state, and,
- Everyone born in South Africa or the independent or national states, or naturalised in accordance with law, has the right to South African citizenship