

Act No. 45
of 1959.

ACT

To provide for the establishment, maintenance, management and control of university colleges for non-white persons; for the admission of students to and their instruction at university colleges; for the limitation of the admission of non-white students to certain university institutions; and for other incidental matters.

(English text signed by the Governor-General.)
(Assented to 11th June, 1959.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Interpretation
of terms.

1. In this Act, unless the context otherwise indicates—
 - (i) "advisory council" means the advisory council of a university college referred to in section *seven*; (i)
 - (ii) "advisory senate" means the advisory senate of a university college referred to in section *nine*; (ii)
 - (iii) "Bantu person" means a native as defined in section *one* of the Population Registration Act, 1950 (Act No. 30 of 1950); (iv)
 - (iv) "Bantu Education Account" means the account referred to in section *twenty* of the Exchequer and Audit Act, 1956 (Act No. 23 of 1956); (iii)
 - (v) "council" means the council of a university college referred to in section *five*; (xiii)
 - (vi) "council post" means any post on the establishment of a university college designated by the Minister in terms of sub-section (2) of section *twenty-four* as a council post; (xiv)
 - (vii) "ethnic or other group" means an ethnic or other group as defined in section *one* of the Population Registration Act, 1950 (Act No. 30 of 1950); (vi)
 - (viii) "Medical School" means the Medical School for Non-Europeans of the University of Natal; (viii)
 - (ix) "Minister" means—
 - (a) in any provision of this Act applying to a university college for Bantu persons or to a Bantu person, the Minister of Bantu Education, or the Minister of Bantu Education acting in consultation with another Minister in terms of a proclamation issued under section *thirty-eight*; or
 - (b) in any provision of this Act applying to a university college for non-white persons other than Bantu persons or to a non-white person other than a Bantu person, the Minister to whom or the Minister to whom acting in consultation with another Minister, the administration of that provision has been assigned by proclamation issued under section *thirty-eight*; (ix)

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- (x) "non-white person" means any person who is not a white person; (x)
- (xi) "pensionable emoluments" means pensionable emoluments as defined in section *one hundred and nine* of the Pensions Act; (xi)
- (xii) "Pensions Act" means the Government Service Pensions Act, 1955 (Act No. 58 of 1955); (xii)
- (xiii) "prescribed" means prescribed by regulation; (xxiii)
- (xiv) "regulation" means any regulation made and in force under this Act; (xv)
- (xv) "Secretary" means—
 - (a) in any provision of this Act applying to a university college for Bantu persons or to a Bantu person, the Secretary for Bantu Education, and includes an Under-Secretary for Bantu Education, a Director of Bantu Education and a Deputy-Director of Bantu Education; or
 - (b) in any provision of this Act applying to a university college for non-white persons other than Bantu persons or to a non-white person other than a Bantu person, the head of the Department administered by the Minister to whom, or the Minister to whom acting in consultation with another Minister, the administration of that provision has been assigned by proclamation issued under section *thirty-eight*; (xvi)
- (xvi) "senate" means the senate of a university college referred to in section *eight*; (xvii)
- (xvii) "State post" means any post on the establishment of a university college other than a council post; (xviii)
- (xviii) "this Act" includes any regulation; (vii)
- (xix) "university college" means any university college established under this Act for the provision of university education; (xix)
- (xx) "university education" means education of a standard equivalent to that provided by universities established by Act of Parliament; (xx)
- (xxi) "University of Natal" means the university established by the University of Natal (Private) Act, 1948 (Act No. 4 of 1948); (xxi)
- (xxii) "University of South Africa" means the university established by the University of South Africa Act, 1916 (Act No. 12 of 1916), and now performing its functions under the University of South Africa Act, 1959 (Act No. 19 of 1959); (xxii)
- (xxiii) "white person" means a white person as defined in section *one* of the Population Registration Act, 1950 (Act No. 30 of 1950). (v).

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CHAPTER I.

ESTABLISHMENT OF UNIVERSITY COLLEGES FOR NON-WHITE
PERSONS.

Establishment
of university
colleges for
Bantu persons.

2. (1) The Minister may, in consultation with the Minister of Finance, out of moneys appropriated by Parliament out of the Bantu Education Account for the purpose—

- (a) establish;
 - (b) maintain and conduct,
- university colleges for Bantu persons.

(2) The establishment of any such university college shall be notified by notice in the *Gazette*.

(3) The Minister may, in consultation with the Minister of Finance, out of moneys appropriated by Parliament out of the Bantu Education Account for the purpose, pay to the council of such a university college annually such amounts as are necessary for carrying out such functions as may be entrusted to it by or under this Act and subject to such conditions and on such basis as may be determined by the Minister.

Establishment of
university
colleges for
non-white
persons other
than Bantu
persons.

3. (1) The Minister may, in consultation with the Minister of Finance, out of moneys appropriated by Parliament for the purpose—

- (a) establish;
 - (b) maintain and conduct,
- university colleges for non-white persons other than Bantu persons.

(2) The establishment of any such university college shall be notified by notice in the *Gazette*.

(3) The Minister may, in consultation with the Minister of Finance, out of moneys appropriated by Parliament for the purpose, pay to the council of such a university college annually such amounts as are necessary for carrying out such functions as may be entrusted to it by or under this Act and subject to such conditions and on such basis as may be determined by the Minister.

Constitution of
a university
college.

4. A university college shall consist of—

- (a) a council;
- (b) an advisory council;
- (c) a senate;
- (d) an advisory senate;
- (e) such other body or bodies as the Minister, after consultation with the council, may from time to time establish;
- (f) a rector; and
- (g) the professors, lecturers and students of the university college.

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Council.

5. (1) The council of a university college shall consist of—
 (a) the rector of the university college *ex officio*; and
 (b) not less than eight members to be appointed by the Governor-General, at least four of whom shall be appointed on the grounds of their special knowledge of or connection with university affairs.

(2) Subject to the provisions of this Act, the members of the council shall hold office for the period prescribed and shall be eligible for reappointment.

(3) The Governor-General shall designate one of the members of the council as chairman who shall hold office as such for the period prescribed: Provided that if the chairman is not present at any meeting of the council, the members present at such meeting shall elect one of their number to preside at such meeting.

(4) The powers, duties, functions and procedure at meetings of the council and the allowances of members shall be as prescribed by this Act: Provided that any allowance payable to any member who is in the whole-time employment of the State shall be in accordance with the laws governing the conditions of his employment.

(5) If any member of the council dies or for any reason vacates office before the expiry of his period of office, the Governor-General shall appoint another person in his place, and any person so appointed shall hold office as a member of the council for the unexpired portion of the period of office of the member who has died or vacated office.

(6) The council may, in consultation with the Minister, establish committees of the council, and the constitution, powers, functions and duties of such committees shall be as prescribed after consultation with the council.

Corporate
status of
council.

6. The council of a university college shall be a body corporate with perpetual succession, capable of suing and being sued in its own name and of performing all such acts as are necessary for or incidental to the carrying out or the performance of the powers, duties and functions conferred or imposed upon or entrusted to it by or under this Act or which may in terms of this Act from time to time be delegated to it by the Minister.

Advisory
council.

7. (1) The advisory council of a university college shall consist of not less than eight members to be appointed by the Governor-General.

(2) The Governor-General shall designate one of the members of the advisory council as chairman: Provided that if the chairman is not present at any meeting of the advisory council, the members present at such meeting shall elect one of their number to preside at such meeting.

(3) The chairman of the council may, and the rector or his representative shall attend meetings of the advisory council as advisers but shall not be entitled to vote.

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(4) The term of office and allowances of members and of the chairman and the powers, duties, functions and procedure at meetings of the advisory council shall be as prescribed after consultation with the council: Provided that any allowance payable to any member who is in the whole-time employment of the State shall be in accordance with the laws governing the conditions of his employment.

Senate.

8. (1) The senate of a university college shall consist of—
 (a) the rector of the university college *ex officio*; and
 (b) such professors and lecturers of the university college as the Minister, after consultation with the council, may from time to time designate for the purpose.

(2) The rector of the university college shall be *ex officio* chairman of the senate: Provided that if the rector is not present at any meeting of the senate, the members present at such meeting shall elect one of their number to preside at such meeting.

(3) The superintendence and regulation of the discipline and instruction of the several departments, lectures and classes of the university college shall be vested in the senate in accordance with the manner prescribed on the recommendation of the council.

(4) The senate shall from time to time submit to the council—
 (a) reports upon its work;
 (b) such recommendations as may seem expedient to the senate as to any matters of importance affecting the university college; and
 (c) recommendations on any matters referred to it by the council.

(5) Subject to the provisions of this Act, the functions of the senate shall include the organization and control of examinations instituted in terms of section *twenty-two*.

(6) The senate may, with the consent of the council, delegate to the advisory senate any of the functions entrusted to it by sub-sections (3), (4) and (5).

(7) Subject to the provisions of sub-sections (3), (4) and (5), the term of office of members, powers, duties, functions and procedure at meetings of the senate shall be as prescribed after consultation with the council.

Advisory senate.

9. (1) The advisory senate of a university college shall consist of such professors and lecturers of the university college as the Minister, after consultation with the council, may from time to time designate for the purpose.

(2) The rector shall, after consultation with the council, designate one of the members of the advisory senate as chairman: Provided that if the chairman is not present at any meeting of the advisory senate, the members present at such meeting shall elect one of their number to preside at such meeting.

(3) The rector of a university college shall attend the meetings of the advisory senate as an adviser but shall not have the right

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Appointment of rector.	<p>10. The rector of a university college shall be appointed by the Minister and his powers, privileges, duties and functions shall be as prescribed by this Act.</p>
Power of council to acquire stores and equipment and to exercise control thereover.	<p>11. (1) The council may acquire for the use of the university college such stores and equipment in such a manner and on such conditions as the Minister may determine.</p> <p>(2) The control to be exercised over such stores and equipment by the council shall be as determined by the Minister.</p>
Faculties and departments.	<p>12. There may be established at a university college such faculties and departments as may from time to time be prescribed after consultation with the council.</p>
Registration as a student.	<p>13. (1) No person shall be registered as a matriculated student of any university college unless—</p> <p>(a) he has obtained the matriculation certificate issued by the Matriculation Board established under sub-section (1) of section <i>fifteen</i> of the Universities Act, 1955 (Act No. 61 of 1955), or has in the opinion of the Matriculation Board satisfied the conditions of exemption from the matriculation examination and has obtained a certificate to that effect: Provided that the Minister may on the recommendation of the council, in addition prescribe as a prerequisite to admission to any particular course at any university college, the attaining of a specified standard in specified subjects at the matriculation examination or at an examination recognized for the purpose by the Matriculation Board; or</p> <p>(b) he is a graduate of a university or has been admitted by such university to the status of graduate; and</p> <p>(c) he has complied with such other conditions as may be prescribed.</p> <p>(2) Every person registered as a student of a university college shall renew his registration annually so long as he continues to be a student thereof and shall in respect of such renewal comply with such conditions as may be prescribed.</p> <p>(3) A student of a university college who fails to satisfy the minimum requirements of study may be refused permission by the council to renew his registration as a student of the university college.</p>

Act No. 45 of 1959.	(4) The Minister may, after consultation with the council, in his discretion limit the number of students who may be permitted to register for any course.
	(5) The Minister may limit the admission of non-white persons to any university college, to persons of one or more ethnic or other groups: Provided that the Minister may in any such case grant permission—
	(a) in the case of a university college established in terms of section <i>two</i> , to any Bantu person of any other group to attend such university college; or
	(b) in the case of a university college established in terms of section <i>three</i> , to any non-white person (other than a Bantu person) of any other group to attend such university college.
Refusal of admission as student.	14. The Minister may refuse admittance to any person who applies for admission as a student of a university college if he considers it to be in the interests of the university college concerned to do so.
Discipline.	15. A student of a university college shall be subject to such disciplinary provisions as may be prescribed after consultation with the council.
Power to require students to reside at approved places of residence and to determine the place at which students shall receive instruction.	16. (1) The council may require a student to reside for the periods during which a university college is in session, at a place of residence approved for the purpose by it. (2) The council may determine at which place under the control of the university college a student shall attend for the purpose of receiving instruction.
Prohibition of admission of white persons as students.	17. No white person shall register with or attend any university college as a student.
Financial and other assistance to Bantu students.	18. (1) The Minister may, out of moneys appropriated by Parliament out of the Bantu Education Account for the purpose and subject to such conditions as may be prescribed in consultation with the Minister of Finance, grant to any Bantu student such financial or other material assistance or both such financial and other material assistance as he may determine. (2) The Minister may out of moneys appropriated by Parliament for the purpose and subject to such conditions as may be prescribed in consultation with the Minister of Finance, grant to any Bantu student admitted to the Medical School such financial or other material assistance or both such financial and other material assistance as he may determine. (3) Any moneys recovered in respect of a loan or bursary granted under sub-section (1) shall be paid into the Bantu Education Account.

<p>Act No. 45 of 1959.</p> <p>Financial and other assistance to non-white students other than Bantu students.</p> <p>Examinations.</p> <p>Degrees, diplomas and certificates.</p> <p>Award of diplomas and certificates by a university college.</p>	<p>19. The Minister may, out of moneys appropriated by Parliament for the purpose and subject to such conditions as may be prescribed in consultation with the Minister of Finance, grant to any non-white student other than a Bantu student such financial or other material assistance or both such financial and other material assistance as he may determine.</p> <p>20. The examinations of the university colleges for degrees, diplomas and certificates shall, until Parliament otherwise provides by law, be those of the University of South Africa.</p> <p>21. The degrees, diplomas and certificates for which students at any university college may be prepared, shall, until Parliament otherwise provides by law, be those of the University of South Africa.</p> <p>22. Notwithstanding the provisions of sections <i>twenty</i> and <i>twenty-one</i>, a university college may, with the approval of the Minister—</p> <ul style="list-style-type: none"> (a) determine the curricula; (b) prepare students for examinations; (c) conduct examinations; and (d) institute and award diplomas and certificates, <p>in any prescribed subject or course of instruction and training in which the University of South Africa does not issue diplomas or certificates.</p>
<p>CHAPTER II.</p> <p>PROVISIONS IN RESPECT OF STAFF.</p>	
<p>Determination of establishment.</p> <p>Classification of posts.</p>	<p>23. The establishment at any university college shall be determined by the Minister and shall make provision for—</p> <ul style="list-style-type: none"> (a) the teaching staff; (b) the administrative and clerical staff; and (c) such other employees as the Minister may deem necessary. <p>24. (1) Posts on the establishment of a university college shall be classified as—</p> <ul style="list-style-type: none"> (a) posts for the teaching staff; (b) posts for the administrative and clerical staff; and (c) posts for such other employees as the Minister may deem necessary. <p>(2) The Minister may after consultation with the council designate any post on the establishment of a university college as a council post, and every post on such establishment not so designated shall be a State post: Provided that the Minister may at any time after consultation with the council convert a State post and designate it as a council post or convert a council post into a State post, subject, in the case of a post for the time being occupied by any person, to the concurrence of the incumbent thereof.</p>

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Appointment
of staff.

25. (1) The power to appoint, promote or discharge any person employed at a university college in a State post shall be vested in the Minister who may delegate any or all of the said powers in respect of any State post classified under paragraph (b) or (c) of sub-section (1) of section *twenty-four*, to the Secretary: Provided that the appointment, promotion, or discharge of any person employed in a State post classified under paragraph (a) of sub-section (1) of section *twenty-four* shall take place only after consultation with the council: Provided further that in respect of any State post classified under paragraph (b) or (c) of sub-section (1) of section *twenty-four* and designated by the Minister any such appointment, promotion or discharge may be effected by an officer of his Department deputed thereto, either generally or specially in a particular case, by the Minister.

(2) The power to appoint, promote or discharge persons employed at a university college in a council post shall be vested in the council: Provided that every appointment, promotion or discharge by the council shall be subject to the approval of the Minister.

Conditions
of service.

26. (1) The conditions of service and leave and other privileges of all persons appointed permanently or temporarily to State posts shall be as prescribed, and their scales of salary and allowances shall be as determined by the Minister after consultation with the Public Service Commission.

(2) The conditions of service, salary, scales of salary, allowances and leave and other privileges of all persons appointed to council posts shall be as determined by the council concerned with the approval of the Minister.

Pension rights
and retirement
benefits.

27. (1) Any person appointed permanently to a State post shall in respect of pension rights and retirement benefits be dealt with as if he were appointed to a post classified in a division of the public service referred to in sub-paragraph (i) of paragraph (a) of sub-section (1) of section *three* of the Public Service Act, 1957 (Act No. 54 of 1957).

(2) Any person occupying a council post who is employed full-time and whose appointment has been approved by the Minister for the purpose shall become a member of and contribute to the provident fund and pension scheme established under any law for members of the staffs of universities, in the same manner and subject to the same conditions as if he were a member of the teaching or administrative staff of a university as defined in section *one* of the Universities Act, 1955 (Act No. 61 of 1955), and a university college shall for all purposes of the said provident fund and pension scheme be regarded as a university as so defined.

(3) The council of a university college shall for all purposes of the said provident fund and pension scheme be deemed to be a council as defined in section *one* of the Universities Act, 1955 (Act No. 61 of 1955).

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(4) Notwithstanding anything contained in the regulations governing the provident fund and pension scheme referred to in sub-section (2), any amount which would in terms of such regulations have been payable from the Consolidated Revenue Fund in respect of the incumbent of a council post at a university college established in terms of section *two* of this Act, shall be paid from the Bantu Education Account.

(5) Notwithstanding the provisions of sub-sections (1) and (2), the incumbent of a post which is converted in terms of the proviso to sub-section (2) of section *twenty-four* shall in respect of pension rights and retirement benefits be dealt with as if the post occupied by him had not been so converted.

**Transfer of
certain persons
employed at
university
colleges.**

28. Every person employed in a State post may be transferred from such post to any other State post at the same university college or at any other university college, whether or not such transfer is to a State post of a lower grade: Provided that upon transfer such a person shall not suffer any reduction in his pensionable emoluments without his consent, unless the transfer is in consequence of a degradation imposed under the provisions of the Public Service Act 1957 (Act No. 54 of 1957), as applied by sub-section (1) of section *thirty*: Provided further that a person who has been transferred to a State post of a lower grade without reduction of his pensionable emoluments shall be transferred to a State post of a grade to which his salary is appropriate as soon as a suitable vacancy occurs.

**Discharge
of persons
appointed
permanently.**

29. (1) Subject to the provisions of the first proviso to sub-section (1) of section *twenty-five*, every person appointed permanently to a State post may be discharged by the Minister—

- (a) on account of attaining the pensionable age;
- (b) in the case of a female member of the staff, on account of her marriage;
- (c) on account of continued ill-health;
- (d) owing to the abolition of his post or to any reduction in or re-organization or re-adjustment of the staff of the university college at which he is employed;
- (e) if in the opinion of the Minister his discharge will facilitate improvements in the organization of the university college at which he is employed by which greater efficiency or economy will be effected;
- (f) on account of unfitness or incapacity; or
- (g) on account of misconduct.

(2) Every person appointed permanently to a council post may be discharged by the council, with the approval of the Minister—

- (a) on account of attaining the pensionable age;
- (b) in the case of a female member of the staff, on account of her marriage; or
- (c) in terms of the conditions of service governing his appointment.

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(3) For the purposes of this section, "pensionable age" means—

- (a) in the case of a person referred to in sub-section (1), the pensionable age as defined in section *twenty-one* of the Pensions Act; or
- (b) in the case of a person referred to in sub-section (2), the superannuation date as defined in the regulations governing the provident fund and pension scheme referred to in sub-section (2) of section *twenty-seven*.

Misconduct
and inefficient
employees.

30. (1) The provisions of the Public Service Act, 1957 (Act No. 54 of 1957), relating to misconduct and inefficient officers shall *mutatis mutandis* apply in respect of every person appointed permanently to a State post as if he were an officer in the public service.

(2) In respect of every person appointed permanently to a council post, the procedure to be adopted in the case of a staff member who is alleged to be inefficient or whose conduct is alleged to be unsatisfactory, shall be as provided in the conditions of service as determined by the council concerned with the approval of the Minister.

(3) If in the opinion of the Minister any staff member to whom sub-section (2) applies, has committed any act or omitted to do any act which would make him liable to a charge of misconduct or inefficiency in terms of his conditions of service and the council fails, within a period of one month after having been requested in writing by the Minister to do so, to institute an enquiry into the conduct of the staff member concerned in accordance with the said conditions of service and to take appropriate steps on the findings of the enquiry, the Minister may direct the council to institute such an enquiry or such further enquiry as he may consider necessary and to submit to him the record of the enquiry and a report on the action contemplated by the council on the findings at such enquiry.

(4) On receipt of the record and report referred to in sub-section (3), the Minister may approve the action contemplated by the council or direct the council to take such other steps as the council may lawfully take against the staff member concerned in terms of the conditions of service governing his appointment; and the council shall thereupon take such steps.

(5) A report of any action which has been taken in terms of sub-section (4) shall be laid by the Minister upon the Tables of both Houses of Parliament within thirty days thereafter if Parliament is then in session, or if Parliament is not then in session, within thirty days after the commencement of its next ensuing session.

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CHAPTER III.

GENERAL PROVISIONS.

Interim limitation on the registration or attendance of non-white persons as students of certain universities.

31. As from a date to be fixed by the Governor-General by proclamation in the *Gazette* for the purposes of this section, no non-white person who was not registered as a student of a university established by Act of Parliament, other than the University of South Africa, on or before the said date, shall register with or attend any such university as a student without the written consent of the Minister: Provided that this section shall not apply to non-white persons in respect of their registration and attendance as students at the Medical School.

Prohibition of registration or attendance of non-white persons as students of certain universities.

32. (1) As from a date to be fixed by the Governor-General by proclamation in the *Gazette* for the purposes of this sub-section, no non-white person shall register with or attend any university established by Act of Parliament, other than the University of South Africa, as a student: Provided that the provisions of this sub-section shall not be construed as preventing any non-white person who is registered as a student at a university other than the University of South Africa, on the said date or who was so registered prior to the said date, from completing at that university the course of study or training for the degree, diploma or certificate for which he is or was so registered: Provided further that this sub-section shall not apply to non-white persons in respect of their registration and attendance as students at the Medical School.

(2) Different dates may be fixed under sub-section (1) in respect of—

- (a) different universities;
- (b) separate faculties or departments of a university;
- (c) Bantu persons;
- (d) non-white persons other than Bantu persons; and
- (e) different ethnic or other groups of non-white persons.

Representatives of a foreign government not affected by provisions of sections 31 and 32.

33. The provisions of sections *thirty-one* and *thirty-two* shall not apply to a person who is a representative in the Union of a foreign government or to a member of such person's family.

Post-graduate training.

34. Subject to the provisions of sections *thirty-one* and *thirty-two*, the Minister may in consultation with the Minister of Finance—

- (a) out of moneys appropriated by Parliament out of the Bantu Education Account for the purpose, make financial and other arrangements, including the appointment of temporary or part-time staff, for the post-graduate training of any Bantu student also at a place other than at a university college; and

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- (b) out of moneys appropriated by Parliament for the purpose, make financial and other arrangements, including the appointment of temporary or part-time staff, for the post-graduate training of any non-white student other than a Bantu student also at a place other than at a university college.

Fees.

35. (1) The fees payable to any university college shall be as prescribed.

(2) The fees paid to any university college under the control of the Minister of Bantu Education shall be paid into the Bantu Education Account.

Regulations.

36. (1) Subject to the provisions of this Act, the Minister may make regulations as to—

- (a) the maintenance, management and control of university colleges;
 - (b) the powers, duties and functions of a council, advisory council, senate, advisory senate and committees of a council;
 - (c) the constitution of committees of a council;
 - (d) the allowances payable to members of a council and advisory council: Provided that such regulations shall be made in consultation with the Minister of Finance;
 - (e) the term of office of members and the procedure at meetings of a council, advisory council, senate and advisory senate;
 - (f) constitution, term of office and allowances of members, functions, powers, duties and procedure at meetings of a body established under paragraph (e) of section *four*: Provided that the regulations in regard to the allowances shall be made in consultation with the Minister of Finance;
 - (g) the conditions for the registration of students, and tuition, boarding and other fees;
 - (h) the faculties and departments and the courses of instruction and training at a university college;
 - (i) the admission of students to, the control of students at, and the discharge of students from university colleges;
 - (j) financial and other material assistance to students;
 - (k) the appointment, grading, promotion, transfer, discharge, discipline, conduct, powers, duties, hours of attendance, leave and other privileges, and the conditions of service including the occupation of official quarters, of persons appointed to State posts permanently, temporarily or part-time on the staff of a university college;
 - (l) the circumstances in which medical examinations shall be required for the purposes of any particular provision of this Act;
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Act No. 45 of 1959.	<p>(m) the institution and award of diplomas and certificates in terms of section <i>twenty-two</i>;</p> <p>(n) any matter which by this Act is required or permitted to be prescribed;</p> <p>(o) generally, all matters which he considers it necessary or expedient to prescribe in order that the purposes of this Act may be achieved, the generality of the power conferred by this paragraph not being limited by the provisions of the preceding paragraphs.</p> <p>(2) Different regulations may be made in respect of different university colleges and in respect of different persons or groups or classes of persons or races employed thereat.</p>
Delegation of Minister's powers.	<p>37. (1) The Minister may delegate to the Secretary or to any other officer in his Department, any or all of the rights, duties, powers, authorities and functions conferred or imposed upon or entrusted to him by sub-section (4) of section <i>thirteen</i>, sections <i>eighteen</i>, <i>nineteen</i> and <i>twenty-eight</i>, and paragraphs (a) and (b) of sub-section (1) of section <i>twenty-nine</i>.</p> <p>(2) The Minister may delegate to the council of a university college any or all of the rights, duties, powers, authorities and functions conferred or imposed upon or entrusted to him by paragraph (b) of sub-section (1) of section <i>two</i>, paragraph (b) of sub-section (1) of section <i>three</i>, section <i>ten</i>, sub-section (4) of section <i>thirteen</i> and section <i>fourteen</i>.</p>
Administration of Act to be assigned and prescribed by proclamation.	<p>38. (1) Subject to the provisions of section <i>one</i>, the Governor-General may by proclamation in the <i>Gazette</i> assign the administration of the provisions of this Act to any Minister, or partly to one Minister and partly to another Minister, or any part thereof for certain purposes to one Minister and for other purposes to another Minister; and may in such proclamation prescribe the powers and functions which shall be exercised and performed by the several Ministers; and may further prescribe that any power or duty conferred or imposed by this Act upon a Minister shall be exercised or performed by one Minister acting in consultation with another Minister.</p> <p>(2) The Governor-General may from time to time vary or amend such proclamation.</p>
Power to expropriate land for university college purposes.	<p>39. The Minister may in consultation with the Minister of Finance expropriate any land required for or in connection with any university college, and the Expropriation of Lands and Arbitration Clauses Proclamation, 1902 (Proclamation No. 5 of 1902), of the Transvaal, shall, <i>mutatis mutandis</i>, apply in respect of any such expropriation in any part of the Union.</p>
Penalties.	<p>40. Any person who contravenes any provision of section <i>seventeen</i>, <i>thirty-one</i> or <i>thirty-two</i> shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or in default of payment to imprisonment for a period not exceeding six months.</p>

Act No. 45 of 1959. Repeal and amendment of laws. Short title.	41. The laws mentioned in the Schedule to this Act are hereby repealed or amended to the extent set forth in the third column of that Schedule. 42. This Act shall be called the Extension of University Education Act, 1959.
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Schedule.

(Section 41.)

LAWS AMENDED OR REPEALED.

No. and year of law.	Short title.	Extent of amendment or repeal.
Act No. 38 of 1945.	The Financial Relations Consolidation and Amendment Act, 1945.	In section <i>seventeen</i> , the substitution in paragraph (b) of sub-section (1) for the words "University College of Fort Hare" of the words "university college now known as the University College of Fort Hare and other university colleges established under the Extension of University Education Act, 1959;".
Act No. 23 of 1956.	The Exchequer and Audit Act, 1956.	In section <i>twenty</i> , the insertion in sub-section (2) after the expression "Bantu Education Act, 1953 (Act No. 47 of 1953)" of the expression "and of the Extension of University Education Act, 1959;".

**Act No. 46
of 1959.**

ACT

To provide for the gradual development of self-governing Bantu national units and for direct consultation between the Government of the Union and the said national units in regard to matters affecting the interests of such national units; to amend the Native Administration Act, 1927, the Native Trust and Land Act, 1936, and the Bantu Authorities Act, 1951, and to repeal the Representation of Natives Act, 1936; and to provide for other incidental matters.

(Afrikaans text signed by the Governor-General.)
(Assented to 17th June, 1959.)

WHEREAS the Bantu peoples of the Union of South Africa do not constitute a homogeneous people, but form separate national units on the basis of language and culture: