

- (6) As from the date fixed under section thirty-seven for any province of the Union, or for any area in the province of the Cape of Good Hope, Natal or Transvaal, the provisions of sub-section (1) of section one of the Natives Land Act, 1913 (Act No. 27 of 1913) shall cease to apply in respect of land in that province or area which is situated in the controlled area or in any group area.
- (7) Nothing in this Act contained shall affect in any way the application of the provisions of the Diplomatic Immunities Act, 1932 (Act No. 9 of 1932).

Short Title

39. This Act shall be called the Group Areas Act, 1950.
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FIRST SCHEDULE

| Law Amended | Extent of Amendment |
|--|---|
| Transvaal Asiatic Land Tenure Amendment Act, 1936 (Act No. 30 of 1936) | The repeal of paragraphs (e) and (f) of sub-section (1), and sub-sections (4) and (5) of section fourteen. |
| Asiatic Land Tenure Act, 1946 (Act No. 28 of 1946). | The repeal of sections one to and including four, sections six to and including nine bis, and sections sixteen, seventeen and thirty-nine |
| Asiatic Land Tenure Amendment Act, 1949 (Act No. 53 of 1949) | The repeal of sections six to and including thirteen, and sections seventeen and eighteen. |
| Asiatic Land Tenure Amendment Act, 1950 (Act No. 15 of 1950). | The repeal of section three. |

SECOND SCHEDULE

| Law repealed or amended | Extent of repeal or amendment |
|---|---|
| Law No. 3 of 1885 of the Transvaal. | The repeal of the whole. |
| The Asiatics (Land and Trading) Amendment Act (Transvaal) 1919 (Act No. 37 of 1919) | The repeal of the whole, except section one, so much of section eleven as defines any expression used in section one and section twelve. The amendment of section twelve by the substitution for the words "Asiatics (Land and Trading) Amendment Act (Transvaal)" of the words "Gold Law (Coloured Persons) Amendment Act." The amendment of the long title by the deletion of the words "with reference to the prohibition of ownership of land by Asiatics and", and the substitution for the words "and trading by them" of the words "by coloured persons". |
| Asiatics (Cape Malay) Amendment Act, 1924 (Act No. 12 of 1924. | The deletion in sub-section (1) of section one, of the words "Law No. 3 of 1885 of the Transvaal, of section two of the Asiatics (Land and Trading) Amendment Act (Transvaal) 1919 (Act No. 37 of 1919) or" and of the word "other". |
| Asiatics in the Northern Districts of Natal Act, 1927 (Act No. 33 of 1927) | The repeal of section fourteen. |

 SECOND SCHEDULE (Contd)

| | |
|--|---|
| Transvaal Asiatic Land Tenure Amendment Act, 1932 (Act No. 35 of 1932) | The repeal of sections seven, eight and nine. |
| Transvaal Asiatic Land Tenure Amendment Act, 1936 (Act No. 30 of 1936) | The repeal of sections one, eight nine, ten and eighteen. The deletion of paragraphs (e) and (f) of sub-section (1) and of sub-sections (4) and (5) of section fourteen. |
| Asiatic Land Tenure Act, 1946 (Act No. 28 of 1946) | The repeal of sections one, five, six, seven eight and nine bis, sections sixteen to and including nineteen, sections twenty-five to and including thirty-two and sections thirty-seven and thirty-nine |
| Asiatic Land Tenure Amendment Act, 1949 (Act No. 53 of 1949). | The repeal of sections one to and including five, sections ten to and including thirteen, and sections seventeen to and including nineteen. |

 ADDITIONAL SECTIONS OF GROUP AREAS AMENDMENT ACT
 1955

23. Section sixty-nine of the Precious and Base Metals Act, 1908, of the Transvaal is hereby amended by the insertion in sub-section (1) after the word "may" where it occurs for the first time, of the words "subject to the provisions of section one hundred and thirty-one.
24. Section seventy-one of the Precious and Base Metals Act, 1908, of the Transvaal is hereby amended by the insertion after the word "may" where it occurs for the first time, of the words "subject to the provisions of section one hundred and thirty-one", and after the word "may" where it occurs for the second time, of the words "subject to the said provisions".
25. The following section is hereby substituted for section one hundred and thirty of the Precious and Base Metals Act, 1908, of the Transvaal.

"Prohibition against acquisition of rights under this Act by coloured persons.

130. (1) Save as is provided in section twenty-four no right under this Act, Law No. 15 of 1898 or a similar prior law may be acquired by a coloured person; Provided that this section shall not apply in relation to the acquisition by a coloured person of immovable property as defined in the Group Areas Act, 1950 (Act No. 41 of 1950), which such coloured person may lawfully acquire under the said Act.
- (2) Any person contravening the provisions of this section shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds".

Substitution of section 131 of Act 35 of 1908 (Transvaal), as Amended by Section 4 of Act 30 of 1936.

26. The following section is hereby substituted for section one hundred and thirty-one of the Precious and Base Metals Act, 1908, of the Transvaal:

"Restriction on residence of coloured persons on certain proclaimed land

131. (1) No coloured person shall, in any mining district comprised in Class A referred to in sub-section (2) of section seven, reside on or occupy any land which has been or is deemed to have been proclaimed a public digging under any provision of this Act or Law 15 of 1898 or a prior law and which has not been lawfully deproclaimed, whatever may be or may have been on the date of such proclamation, its situation, the nature of its tenure, the nature and extent of any rights in regard thereto under this Act or any other law, or the condition of its surface, except in a location, mining compound or such other place as the mining commission may permit for the residence of coloured persons employed in mining or any activity incidental to mining.
- (2) Sub-section (1) shall not apply in relation to the residence on or occupation of land by a coloured person who may lawfully occupy such land under the Group Areas Act, 1950 (Act No. 41 of 1950).
- (3) Any coloured person contravening this section shall be liable on conviction to imprisonment for a period not exceeding one month, and upon such conviction the mining commissioner may cause any structures occupied by or erected for the use of such coloured person to be removed".

Repeal of Laws

27. (1) The laws specified in the Schedule are hereby repealed to the extent set out in the second column of the schedule: Provided that any person who by virtue of any law repealed by this section lawfully held or occupied or resided on any land or premises immediately prior to the date of commencement of this Act shall, subject to the provisions of such law or any other law, be entitled to continue to hold or occupy or to reside on such land or premises as if such law had not been repealed.
- (2) Section ten of the Municipal Amending Ordinance, 1905 (Ordinance No. 17 of 1905 of the Transvaal), is hereby repealed: Provided that the provisions of the said section shall continue to apply in and in relation to any area which has, prior to the date of commencement of this Act, been set apart under the said section, and shall continue so to apply until such area is proclaimed under either section three, three bis, or three ter of the principal Act.

Short Title and Date of Commencement.

28. This Act shall be called the Group Areas Further Amendment Act, 1955, and shall, excluding section twelve therefore (i.e. section sixteen of the principal Act), except in so

far as is otherwise expressly provided, come into operation on the seventeenth day of October, 1955.

SCHEDULE

| Law Repealed | Extent of Repeal |
|---|---|
| The Precious and Base Metals Act, 1908 (Act No. 35 of 1908 of the Transvaal) | Section one hundred and thirty-one A. |
| The Gold Law (Coloured Persons) Act, 1919 (Act No. 37 of 1919) | So much as is unrepealed |
| The Asiatic (Cape Malay) Amendment Act, 1924 (Act No. 12 of 1924) | The whole. |
| The Transvaal Asiatic Land Tenure Act, 1932 (Act No. 35 of 1932). | So much as is unrepealed. |
| The Transvaal Asiatic Land Tenure Amendment Act 1935 (Act No. 35 of 1935) | The whole. |
| The Transvaal Asiatic Land Tenure Amendment Act, 1936 (Act No. 30 of 1936). | Sections three, four, five, seven and eleven. |
| The Transvaal Asiatic Land Tenure Further Amendment Act, 1937 (Act No. 32 of 1937). | Sections one and four. |

GOVERNMENT GAZETTE EXTRAORDINARYNo. 231, 1955

APPLICATION IN THE CONTROLLED AREAS OF THE PROVISIONS OF PARAGRAPHS (h), (h) bis AND (n) OF SUBSECTION (2) OF SECTION TEN OF THE GROUP AREAS ACT, 1950.

Under and by virtue of the powers vested in me by the provisions to paragraphs (h), (h) bis and (n) of sub-section (2) of section ten of the Group Areas Act, 1950 (Act No. 41 of 1950), I do hereby declare that -

1. The provisions of paragraph (h) of sub-section (2) of section ten of the Group Areas Act, 1950, shall apply -
 - (1) in any urban area or rural township situated in the controlled area only in so far as they relate to -
 - (a) the husband, wife, minor child or dependent of any person (other than a domestic servant or employee) lawfully occupying land or premises in such area or township;
 - (b) a bona fide employee (other than a domestic servant) or any person (other than a company) lawfully occupying land or premises in such area or township for any purpose other than for the purpose of trading or conducting a business thereon;
 - (c) a bona fide employee (other than a domestic servant) or any person (other than a company) lawfully occupying land or premises in such area or township for the purpose of trading or conducting a business thereon, provided such an employee is not an alteration tailor, assistant despatch clerk, butcher, butcher's assistant, charge-hand, clerical employee, despatch clerk, executive, professional, technical or administrative employee, first-class cutter, manager, shop assistant, storeman, supervisor, warehouseman, and is employed in such trading or business and the person in actual control of such trading or business is a person of the same group as the person by whom or on whose behalf or in whose interest such trading or business is conducted;
 - (d) a bona fide employee (other than a domestic servant) of any company lawfully occupying any land or premises in such area or township thereon, provided such employee is not an alteration tailor, assistant despatch clerk, butcher, butcher's assistant, charge-hand, clerical employee, despatch clerk, executive, professional, technical or administrative employee, first-class cutter, manager, shop assistant, storeman, supervisor, warehouseman, and is employed in such trading or business, and the person in actual control of such trading or business is a person of the same group as any person by whom or on whose behalf or in whose interest a controlling interest in such company is held or deemed to be held and all persons by whom

or on whose behalf or in whose interests a controlling interest in such company is held or deemed to be held, are members of the same group;

- (2) in any agricultural holding situated in the controlled area only in so far as they relate to -
- (a) the husband, wife, minor child or dependent of any person (including a domestic servant or employee) lawfully occupying land or premises on such agricultural holding;
 - (b) a bona fide employee (other than a domestic servant) of any person (other than a company) lawfully occupying land or premises in such area for any purpose other than for the purpose of trading or conducting a business thereon, provided such first-mentioned person does not employ more than three disqualified persons on such land or premises for such purposes;
 - (c) a bona fide employee (other than a domestic servant) or any person (other than a company) lawfully occupying land or premises in such area for the purpose of trading or conducting a business thereon, provided such an employee is not an alteration tailor, assistant despatch clerk, butcher, butcher's assistant, charge-hand, clerical employee, despatch clerk, executive, professional, technical or administrative employee, first-class cutter, manager, shop assistant, storeman, supervisor, warehouseman and is employed in such trading or business, and the person in actual control of such trading or business is a person of the same group as any person by whom or on whose behalf or in whose interest such trading or business is conducted, and such first-mentioned person does not employ more than three disqualified persons on such land or premises for such purposes;
 - (d) a bona fide employee (other than a domestic servant) of any company lawfully occupying land or premises in such area for the purpose of trading or conducting a business thereon, provided such employee is not an alteration tailor, assistant despatch clerk, butcher, butcher's assistant, charge-hand, clerical employee, despatch clerk, executive, professional, technical or administrative employee, first-class cutter, manager, shop assistant, storeman, supervisor, warehouseman, and is employed in such trading or business, and the person in actual control of such trading or business is a person of the same group as any person by whom or on whose behalf or in whose interest a controlling interest in such company is held or deemed to be held and all persons by whom or on whose behalf or in whose interest a controlling interest in such company is held or deemed to be held, are members of the same group;

- (3) in the controlled area (other than an urban area, rural township or an agricultural holding) only in so far as they relate to -
- (a) the husband, wife, minor child or dependent of any person (including a domestic servant or employee) lawfully occupying land or premises in such area;
 - (b) a bona fide employee (other than a domestic servant) of any person lawfully occupying land or premises in such area for any purpose other than for the purpose of trading or conducting a business thereon;
 - (c) a bona fide employee (other than a domestic servant) or any person (other than a company) lawfully occupying land or premises in such area for the purpose of trading or conducting business thereon, provided such employee is not an alteration tailor, assistant despatch clerk, butcher, butcher's assistant, charge hand, clerical employee, despatch clerk, executive, professional, technical or administrative employee, first-class cutter, manager, shop assistant, storeman, supervisor, warehouseman, and is employed in such trading or business and the person in actual control of such trading or business is a person of the same group as the person by whom or on whose behalf or in whose interest such trading or business is conducted, and such first-mentioned person does not employ more than three disqualified persons on such land or premises for such purposes;
 - (d) a bona fide employee (other than a domestic servant) of any company lawfully occupying land or premises in such area for the purpose of trading or conducting a business thereon, provided such employee is not an alteration tailor, assistant despatch clerk, butcher, butcher's assistant, charge-hand, clerical employee, despatch clerk, executive, professional, technical or administrative employee, first-class cutter, manager, shop assistant, storeman, supervisor, warehouseman, and is employed in such trading or business and the person in actual control of such trading or business is a person of the same group as any person by whom or on whose behalf or in whose interests a controlling interest in such company is held or deemed to be held and all persons by whom or on whose behalf or in whose interest a controlling interest in such company is held or deemed to be held, are members of the same group, and such company does not employ more than three disqualified persons on such land or premises for such purposes.
2. The provisions of paragraph (h) bis of sub-section (2) of section ten of the Group Areas Act, 1950, shall apply in the controlled area other than an urban area, rural township or an agricultural holding.

3. The provisions of paragraph (n) of sub-section (2) of section ten of the Group Areas Act, 1950, shall apply in the whole of the controlled area.
4. In this proclamation any expression to which a meaning has been assigned in the Group Areas Act, 1950, shall, when used in this proclamation, have the same meaning and the expression -

"agricultural holding" means any agricultural or smallholding or settlement declared, approved, registered, established or otherwise recognised as such under Ordinance No. 4 of 1934 of the Province of the Orange Free State or under Act No. 22 of 1919, not situated within or being an urban area or a rural township;

"alteration tailor" means an employee who is employed on altering or repairing bespoke tailored garments, or the altering and repairing of any other garment to the requirement of an individual, even though such garment was not originally made to the measurement of an individual;

"assistant despatch clerk" means an employee who, in the despatch department or section of an establishment and under the supervision of and subject to checking by a despatch clerk, assembles, packs or despatches goods received or held in stock for despatch or who checks or weighs packages and who may in addition mark or address packages;

"butcher" means an employee other than a butcher (learner), butchers' assistant or labourer who cuts up meat, serves customers, makes up orders and does any other necessary work in a retail butcher shop;

"butcher's assistant" means an employee other than one who under the supervision of an employer who is actually engaged in the work of a butcher, or in the case of an employer who does not himself perform the work of a butcher, under the supervision of a butcher, who is engaged in breaking up quarters of beef, carcasses of mutton, lamb, pork and veal into component cuts only;

"chargehand" means an employee who is specifically charged with supervisory responsibility for the conduct of sales, the safe custody of stock and the conduct of business with the public within any demarcated section or sections of the premises or in respect of any specific class or classes of merchandise in the establishment;

"clerical employee" means an employee who is engaged in writing, typing, filing or any other form of clerical work and includes a cashier and telephone operator;

"despatch clerk" means an employee who is responsible for receiving goods into or from a store or warehouse or from departments for despatch, and who may perform or supervise and check the duties of an assistant despatch clerk or a shop assistant employed in despatch work;

"establishment" means any premises in or in connection with which one or more employees are employed in any trade or business;

"executive, professional, technical or administrative employee" means an employee who is specifically charged by his employer with the performance of work entailing responsibility for regularly taking decisions of an executive, professional, technical or administrative character, respectively, in or in connection with the activities of an establishment;

"first-class cutter" means an employee who is employed on drafting of patterns to the measurement of individual persons;

"manager" means an employee employed in and specifically charged by his employer with the overall supervision over, responsibility for and direction of the activities carried on in or in connection with an establishment;

"rural township" means any township, sub-divided estate, private township or hamlet, established, approved, proclaimed or otherwise recognised as such under Ordinance No. 33 of 1934 of the Province of the Cape of Good Hope, Ordinance No. 27 of 1949 of the Province of Natal, Ordinance No. 20 of 1947 of the Province of the Transvaal, not situated within and not being an urban area;

"shop assistant" means an employee who is engaged in one or more in the following duties, namely -

- (a) attending to customers in an establishment;
- (b) displaying goods;
- (c) keeping and controlling stock;
- (d) performing the duties of a manager in an establishment; or
- (e) assembling orders;

"storeman or warehouseman" means an employee who is in charge of stores and who is responsible for receiving, storing, assembling, packing or unpacking goods in a store or warehouse and for delivering goods from a store or warehouse to departments or for despatch;

"supervisor" means an employee wholly or mainly engaged in supervising the services of customers in an establishment;

"trade or business" does not include farming;

"urban areas" means an area under the jurisdiction of an urban local authority;

"urban local authority" means any municipal council, borough council, town council or village council, or any town board, village management board, local board, health board or health committee, and includes in the Province of the Cape of Good Hope, a divisional council in respect of any local area under the jurisdiction of such council and in the Province of Natal, any public health area under the jurisdiction of the Local Health Commission.

5. Proclamation No. 118 of 1954 is hereby withdrawn.

GOD SAVE THE QUEEN

Given under my Hand and Great Seal at Pretoria on this Thirteenth day of October, One thousand Nine hundred and fifty-five

By Command of His excellency the
Governor-General-in-Council

E.G. JANSEN
Governor-General

T.E. DONGES

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RESOLUTIONS PASSED AT 22nd CONFERENCE OF
THE SOUTH AFRICAN INDIAN CONGRESS HELD
IN JOHANNESBURG - 19th, 20th and 21st
OCTOBER, 1956.

APARTHEID:

This 22nd Conference of the South African Indian Congress held as it is, 8 years after the coming into power of the Nationalist Government, having carefully considered the purposes and effects of Apartheid Laws:-

- a) declares that the policy of Apartheid is purely and solely aimed at bringing about an oppressive fascist dictatorship of the minority over the masses of the people of South Africa.

The peoples' experience of the following laws bears out this contention:

The Group Areas Act, the Urban Areas Act, The Bantu Education Act, The Immigrants Regulation Act, The Suppression of Communism Act, the Native Resettlement Act, Riotous Assemblies Act, The Bantu Authorities Act, The Population Registration Act, Criminal Laws Amendments Act, The Public Safety Act, The Industrial Conciliation Act, The Native Labour Settlement of Disputes Act and etc.

- b) notes that the policy of Apartheid runs counter to all laws of economic development. Its implementation is disrupting the economy of the Country and arresting normal economic development.
- c) states that although the Apartheid Laws have been ostensibly aimed at depriving the non-White peoples of their democratic rights, in reality the legislative programme of the Nationalist Government is also infringing the civil liberties and fundamental human rights of the white section of our population.
- d) notes that the implementation of Apartheid is causing bitter racial tension and conflict in our Country, as in the case of Fascism and Nazism, being based on the ideology of race superiority, must inevitably lead to racial oppression and strife and it therefore constitutes a serious threat to World Peace.

e) This Conference appreciates the fact that the non-White peoples together with white democrats have not been deceived by the assertion of the Government that Apartheid is in the best interests of the non-white peoples and the country as a whole. There is an ever-increasing tide of indignation and opposition to Apartheid.

This has been aptly demonstrated by the historic DAY OF PROTEST in 1950, the DEFIANCE OF UNJUST LAWS CAMPAIGN in 1952, the spirited march of over 20,000 women to the Union Buildings in protest against passes for women, the Historic Congress of the People and the determined opposition of the people, both white and non-white, to proclamations under the Group Areas Act.

We wholeheartedly and unequivocally acclaim the bold and courageous decisions taken by the leaders and organisations of the African people at the Bloemfontein Conference which was recently convened by the Interdenominational Ministers Federation. The total and unambiguous rejection of Apartheid expresses the genuine feeling of all democratic South Africans irrespective of race, colour and creed.

We here assembled at this Conference representing South Africans of Indian origin solemnly pledge that we shall do everything in our power to assist in the convening of a national multi-racial Conference to form a broad united front against apartheid.

No. 2 - ADOPTION OF FREEDOM CHARTER:

The adoption of the Freedom Charter by the historic Congress of the People which was held at Kliptown in June last year was widely recognised both at home and abroad as an event of major political significance in the life of South Africa.

The Assembly which adopted the Charter was significant and unique in that it was the first multi-racial conference held in our country to lay down the basic minimum demands of the people, both black and white, for freedom and democracy.

Conference having met for the first time since the formation of the Freedom Charter and having carefully considered the demands enunciated in the Freedom Charter formally adopts the Charter as the basic programme of the South African Indian Congress.

No. 3 - WOMEN IN THE STRUGGLE:

This 22nd Conference of the South African Indian Congress fully realising all the hardships that are the lot of the African people as a result of the ruthless operation of the Pass Laws, condemns in no uncertain terms the action of the Government and Municipalities to extend this vicious and detested system towards the African women.

Furthermore, Conference demands that the Government repeals this uncivilised slave system already operating against African men.

Conference salutes the women of all races of South Africa for their historic and great demonstration held on August 9th at Pretoria in opposition to the Pass Laws, and pledges its wholehearted support and co-operation to the women of South Africa in their noble struggles.

Conference notes with satisfaction the part played by the Indian women of Transvaal in the recent All-In-Conference and calls upon Indian women to participate more increasingly in the struggles of the people against the Group Areas Act and all other discriminatory Acts.

No. 4 - YOUTH:

In the hands of our youth lies the future of our land. This Conference of the South African Indian Congress decides to continue give all possible assistance to the Youth Congress to enable it to grow and expand its activities. The coming year must see us carry out past resolutions in this respect. The S.A.I.C. will do everything possible to assist the Youth in organising political, cultural, sporting and social activities so that the enthusiasm, energy and courage of youth may be fully won to the just cause of making life happier for all.

No. 5 - GROUP AREAS ACT:

This 22nd Conference of the South African Indian Congress held at the Gandhi Hall, Johannesburg on 19th, 20th and 21st October, 1956 reiterates its total rejection of the Group Areas Act and demands its immediate repeal.

The recent proclamation of Group Areas under this Act clearly indicates the callous and inhuman intentions of the Government. The effect of these proclamations will be the uprooting of thousands of non-whites from their homes and places of business and to deprive them of their means of livelihood.

This Conference expresses its determination to defend to the utmost their homes, places of business and means of livelihood and all the social, educational, cultural and religious institutions which were built and fostered with sweat and toil.

Conference approves of the successful calling of the All-In-Conferences on the Group Areas Act in Durban, Johannesburg and other places at which were present organisations and persons of various shades of political opinion and also welcomes the establishment of the Council of Action by the Transvaal Indian Congress for the prosecution of the struggle against the Group Areas Proclamations. This is an indication that the people are realising the danger and threat to their future. There is also an awakening amongst important sections of the Europeans in industry, commerce and other economic interests which fear disruption through the application of the Group Areas Act.

This Conference calls upon every Indian in South Africa:

- (1) Not to aid or acquiesce in the implementation of Group Areas in any manner whatsoever.
- (2) Not to move into proposed Group Areas such as Lenasia proclaimed for Indians. In order to carry out the said objectives and in order to mobilise the people effectively ~~the~~ against ~~the~~ Group Areas directs the Incoming Executive and all the constituent bodies of the SAIC to:
 - (1) establish Regional and Local Committees of all sections of the people to bring into united action all those who are opposed to the Group Areas Act.

- (ii) establish the greatest measure of contact with the Indian people against accepting any Group Areas.
- (iii) organise a Day of Hartal and prayer to arouse the conscience of our country and the world.
- (iv) co-operate with all sections of the people and the Congress Movement to fight back every attempt of the Government to make the Group Areas Act effective.

No. 6 - INTERNATIONAL SITUATION:

We place on record our belief that the best guarantee of peaceful and fraternal relations between peoples throughout the world can be best secured by the universal recognition of the Bandung Principles of

- of peaceful co-existence of different social systems.
- of the abolition of race discrimination and colonialism.
- of the settlement of disputes by negotiations based on the recognition of the equal rights of nations.

Conference therefore:-

- (a) expresses its solidarity with colonial peoples everywhere who are struggling for national rights and independence, in particular with the peoples of Malaya, Cyprus and Algeria whose just demands for independence are being forcibly suppressed by resort to arms.
- (b) declares its strong support for the right of the Egyptian Government to nationalise the Suez Canal which in no way endangers the freedom of shipping through the Canal, and protests most strongly against the attempts to dictate a so-called "solution" on the Egyptian people by military manoeuvres and economic sanctions.
- (c) welcomes the calling of the South African Peace Convention at which South Africans of all races will be enabled to unite together around broad principles for the preservation of international peace and friendship, and pledges it its support.
- (d) urges all members of the United Nations to end the intolerable situation created by the exclusion of the Peoples' Republic of China from membership and to make United Nations truly representative of the world's peoples by admitting this great nation to membership without delay.

- (e) calls upon the S.A.I.C. executive to establish close friendly relations and constant exchange of information with the peoples and organisations of the other parts of Africa, and to offer the assistance and co-operation of the Indian Congress to these people in their just campaigns for national rights and independence.
- (f) expresses its support and solidarity with the peoples of Kenya in their struggles against British Imperialism and with the legitimate demands of the workers in the Rhodesian Copperbelt.
- (g) calls for the banning of atom and nuclear weapons of destruction and also banning of nuclear tests motivated by reasons of aggression.

No. 7 - SUPPRESSION OF COMMUNISM ACT:

Conference expresses its strongest indignation at the threats of Government Spokesmen to ban the African National Congress in terms of the Suppression of Communism Act. We regard such threats as the expression of a police-state mentality, which is unable either to answer or to tolerate democratic criticism and opposition, and which will if not restrained, bring the country under a one-part dictatorial regime of a fascist character.

We declare that the Suppression of Communism Act itself is nothing but the expression of such a fascist mentality. The Act has been used to penalise and restrict, without trial or hearing, scores of experienced and capable leaders of the Liberation and Trade Union Movements.

We therefore direct the incoming Executive to seek to enlist all the forces of democracy and freedom in South Africa in a powerful campaign for the repeal of the Suppression of Communism Act and also ~~the removal of these~~ other laws restricting freedom ~~and~~ of thought and speech, also removal of ~~bans on~~ ^{the suppression of thought and speech} and for the right of the Congress Movement and all other anti-racial parties and groups freely to advocate and organise for their beliefs.

No. 8 - POLICE INTIMIDATION:

This 22nd Conference of the South African Indian Congress views with concern the undemocratic and police state methods used by the Special Branch to intimidate supporters of the National Liberation and Trade Union Movements.

Actions such as the threats used against the owners of halls, refusal of passports to persons even remotely connected with the peoples movements, refusal of permits to South Africans of Indian origin who wish to travel from one province to another in pursuance of their political and trade union and business activities and raids on the homes and offices of people's leaders all point to the contention that South Africa is fast moving towards the establishment of a police state on the same pattern as that which destroyed the progressive movement in Germany prior to the last war and gave rise to the establishment of fascism.

Conference therefore:-

- (1) re-iterates its demand embodied in the Freedom Charter under the Heading: "All shall enjoy equal human rights." which reads: as follows: "The Law shall guarantee to all their right to speak, to organise, to meet together, to publish, to preach, to worship and to educate their children;

The privacy of the house from police raids shall be protected by law;

All shall be free to travel without restriction from countryside to town, from province to province, and from South Africa abroad;

Pass laws, permits and all other laws restricting these freedoms shall be abolished.

- (2) Calls on all units of the South African Indian Congress to work unceasingly to counteract the intimidation referred to in this resolution by rallying the people behind the cause for which the Congress Movement stands.

RESOLUTION ON THE INTERNATIONAL SITUATION

We place on record our belief that the best guarantee of peaceful and fraternal relations between peoples throughout the world can be best secured by the universal recognition of the Bandung Principles of

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- of peaceful co-existence of different social systems.
- of the abolition of race discrimination and colonialism.
- of the settlement of disputes by negotiations based on the recognition of the equal rights of nations.

Conference therefore:-

- (a) expresses its solidarity with colonial peoples everywhere who are struggling for national rights and independence, in particular with the peoples of Malaya, Cyprus and Algeria whose just demands for independence are being forcibly suppressed by resort to arms.
- (b) declares its strong support for the right of the Egyptian Government to nationalise the Suez Canal which in no way endangers the freedom of shipping through the Canal, and protests most strongly against the attempts to dictate a so-called "solution" on the Egyptian people by military manoeuvres and economic sanctions.
- (c) welcomes the calling of the South African Peace Convention at which South Africans of all races will be enabled to unite together around broad principles for the preservation of international peace and friendship, and pledges it its support.

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urges all members of the United Nations Organisation to end the intolerable situation created by the exclusion of the Peoples' Republic of China from membership and to make U.N.O. truly representative of the world's peoples by admitting this great nation to membership without delay.

calls upon the S.A.I.C. executive to establish close friendly relations and constant exchange of information with the peoples and organisations of the other parts of Africa, and to offer the assistance and co-operation of the Indian Congress to these people in their just campaigns for national rights and independence.

D. K. Jayashe

RESOLUTION ON YOUTH.

In the hands of our youth lies the future of our land. This Conference of the South African Indian Congress decides to continue to give all possible assistance to the Youth Congress to enable it to grow and expand its activities. The coming year must see us carry out past resolutions in this respect. The S.A.I.C. will do everything possible to assist the Youth in organising political, cultural, sporting and social activities so that the enthusiasm, energy and courage of youth may be fully won to the just cause of making life happier for all.

4420 I

RESOLUTION ON WOMEN IN THE STRUGGLE.

This 22nd Conference of the South African Indian Congress fully realising all the hardships that are the lot of the African people as a result of the ruthless operation of the Pass Laws, condemns in no uncertain terms the action of the Government and Municipalities to extend this vicious and detested system towards the African women.

Furthermore, Conference demands that the Government repeals this uncivilised slave system already operating against African women.

Conference salutes the women of all races of South Africa for their historic and great demonstration held on August 9th at Johannesburg in opposition to the Pass Laws, and pledges its whole-hearted support and co-operation to the women of South Africa in their noble struggles

Conference notes with satisfaction the part played by the Indian women of Johannesburg in the recent All-In Conference and calls upon Indian women to participate more increasingly in the struggles of the Indian people against the Group Areas Act. *oae*

Moved: Dr. Z. Asvat

Seconded: Mrs. R. Moosa.

RESOLUTION ON GROUP AREAS ACT.

This 22nd Conference of the S.A.I.C. held at the Gandhi Hall, Johannesburg on 19th, 20th and 21st October, 1956 reiterates its total rejection of the Group Areas Act and demands its immediate repeal.

The recent proclamation of Group Areas under this Act clearly indicates the callous and inhuman intentions of the Government. The effect of these proclamations will be the uprooting of thousands of non-whites from their homes and places of business and to deprive them of their means of livelihood.

This Conference expresses its determination to defend to the utmost their homes, places of business and means of livelihood and all the social, educational, cultural and religious institutions which were built and fostered with sweat and toil.

Conference approves of the successful calling of the All-In Conferences on the Group Areas Act in Durban, Johannesburg and other places at which were present organisations and persons of various shades of political opinion and also welcomes the establishment of the Council of Action by the T.I.C. for the prosecution of the struggle against the Group Areas Proclamations.

This Conference therefore solemnly resolves that it will mobilise the people of the country against the Group Areas Act, the African Executive and all the constituent bodies of the S.A.I.C. *take paragraph 4 from discarded one*

- 1) establish Regional and Local Committees of all sections of the people to bring into united action all those who are opposed to the Group Areas Act.
- 2) establish the greatest measure of contact with the Indian people against accepting any Group Areas Act.
- 3) organise the Day of Hartal and prayer to arouse the conscience of our country and the world.
- 4) co-operate with all sections of the people and the Congress Movement to fight back every attempt of the Government to make the Group Areas Act effective.

Dr. Asvat

Mr. Salim Saleh

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RESOLUTION ON POLICE INTIMIDATION.

This 22nd Conference of the South African Indian Congress views with concern the undemocratic and police state methods used by the Special Branch to intimidate supporters of the National Liberation and Trade Union Movements.

Actions such as the threats used against the owners of halls, refusal of passports to persons even remotely connected with the peoples movements, refusal of permits to South Africans of Indian origin who wish to travel from one province to another in pursuance of their political and trade union activities and raids on the homes and offices of people's leaders all point to the contention that South Africa is fast moving towards the establishment of a police state on the same pattern as that which destroyed the progressive movement in Germany prior to the last war and gave rise to the establishment of fascism.

Conference therefore:-

- (1) re-iterates its demand embodied in the Freedom Charter under the Heading: "All shall enjoy equal human rights." which reads: as follows: "The Law shall guarantee to all their right to speak, to organise, to meet together, to publish, to preach, to worship and to educate their children;

The privacy of the house from police raids shall be protected by law;

All shall be free to travel without restriction from countryside to town, from province to province, and from South Africa abroad;

Pass laws, permits and all other laws restricting these freedoms shall be abolished.

- (2) Calls on all units of the South African Indian Congress to work unceasingly to counteract the intimidation referred to in this resolution by rallying the people behind the cause for which the Congress Movement stands.

Polley

B. Ndlovu

RESOLUTION ON ADOPTION OF FREEDOM CHARTER

The adoption of the Freedom Charter by the historic Congress of the People which was held at Kliptown in June last year was widely recognised both at home and abroad as an event of major political significance in the life of South Africa.

The Assembly which adopted the Charter was significant and unique in that it was the first multi-racial conference held in our country to lay down the basic minimum demands of the people, both black and white, for freedom and democracy.

Conference having considered carefully the demands enunciated in the Freedom Charter formally adopts the Charter as the basic programme of the South African Indian Congress.

Conf. ...
R.G. ...

...

Conference further declares that these acts
are being used to proscribe and restrict
without trial or hearing scores of experienced
and capable leaders of the Congress and
Trade Union Movement.

Conference further condemns the mass
police raids on the office ~~and~~ ^{and} ~~the~~
of our political organisations and
the homes of political leaders

- (2) the vicious pass laws
- (3) intimidation ^{by the special branch} of peaceful citizens
attending political meetings and
conferences

We therefore demand the immediate
withdrawal of all bans imposed on
~~the~~ on our leaders of the Congress,
and Trade Unions and other
repressive organisations.

It further calls on the Congress
Executive

We therefore direct - - -

We therefore direct the incoming Executive to seek to enlist
all the forces of democracy and freedom in South Africa in a power-
ful campaign for the repeal of the Suppression of Communism Act
and other laws restricting freedom of thought and speech, for
the right of the Congress Movement and all other anti-racial
parties and groups freely to advocate and organise for their beliefs.

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TREASON TRIAL, 1956 1961

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