



South Africa Act 1962

1962 CHAPTER 23 10 and 11 Eliz 2

An Act to make final provision as to the operation of the law in consequence of the Union of South Africa having become a republic outside the Commonwealth. [24th May 1962]

Commencement Information

II Act wholly in force at 31. 5. 1962 see [s. 4\(2\)](#).

1 Nationality, etc.

- [F1](#)(1)
- [F2](#)(2)
- [F3](#)(3)
- [F3](#)(4)

Textual Amendments

- F1** [S. 1\(1\)](#) repealed by [Statute Law \(Repeals\) Act 1974](#) (c. 22), [Sch. Pt. XI](#)
- F2** [S. 1\(2\)](#) repealed by [British Nationality Act 1981](#) (c. 61, SIF 87), [Sch. 9](#)
- F3** [S. 1\(3\)\(4\)](#) repealed (23.3.1995) by [1995 c. 3, s. 1, Sch. para. 7\(1\)](#)

2 Other provisions as to existing law.

- (1) The enactments mentioned in the Second Schedule to this Act shall continue to apply in relation to the Republic as provided by that Schedule.
- (2) The provisions of the Third Schedule to this Act (being transitional provisions and savings) shall have effect with respect to the enactments referred to in that Schedule.

- [F4](#)(3)

Status: Point in time view as at 23/03/1995.

Changes to legislation: There are currently no known outstanding effects for the South Africa Act 1962. (See end of Document for details)

- (4) Without prejudice to subsection (2) of this section, the provisions of the ^{M1}Interpretation Act 1889 and any rule of law with respect to the effect of repeals shall apply in relation to any enactment which ceases to apply in relation to the Republic, or persons or things belonging thereto or connected therewith, otherwise than by virtue of the repeals effected by this section, as if it were repealed by this section to the extent that it ceases so to apply.

Textual Amendments
F4 S. 2(3) repealed (23.3.1995) by 1995 c. 3, s. 1, **Sch. para. 7(1)**

Marginal Citations
M1 1889 c. 63.

3 Interpretation etc.

- (1) In this Act “the Republic” means the Republic of South Africa; and references to the Republic, in relation to any time before the thirty-first day of May, nineteen hundred and sixty-one, include references to the Union of South Africa.
- (2) Any reference in this Act to an enactment is a reference thereto as amended, and includes a reference thereto as extended or applied, by or under any other enactment; and any such reference to any enactment which extends to the Isle of Man, any of the Channel Islands or any colony or other territory, includes a reference thereto as it so extends.
- (3) ^{F5}

Textual Amendments
F5 S. 3(3) repealed by Northern Ireland Constitution Act 1973 (c. 36), **Sch. 6 Pt. I**

4 Short title and commencement.

- (1) This Act may be cited as the South Africa Act 1962.
- (2) This Act shall come into operation on the thirty-first day of May, nineteen hundred and sixty-two.

Status: Point in time view as at 23/03/1995.

Changes to legislation: There are currently no known outstanding effects for the South Africa Act 1962. (See end of Document for details)

SCHEDULES

FIRST

SCHEDULE.....

F6

Textual Amendments

F6 Sch. 1 repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), [Sch. 9](#)

SECOND SCHEDULE

PROVISIONS FOR CONTINUING OPERATION OF CERTAIN ENACTMENTS IN RELATION TO REPUBLIC

Colonial probates

1 The ^{M2}Colonial Probates Act 1892, shall apply in relation to the Republic as it applies in relation to a British possession; and any Order in Council in force under that Act in relation to the Republic immediately before the commencement of this Act shall continue in force accordingly.

Marginal Citations

M2 1892 c. 6.

Maintenance orders

F72

Textual Amendments

F7 Sch. 2 para. 2 repealed (23.3.1995) by [1995 c. 3, s. 1](#), [Sch. para. 7\(1\)](#)

F83

Textual Amendments

F8 Sch. 2 para. 3 repealed (23.3.1995) by [1995 c. 3, s. 1](#), [Sch. para. 7\(1\)](#)

Status: Point in time view as at 23/03/1995.
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Companies' registers

[^{F9}4 In their application to the Republic, Article 370 of, and Schedule 14 to, the Companies (Northern Ireland) Order 1986 should be construed as including any corresponding provisions in force at the commencement of this Act which are contained in any enactment, royal charter or other instrument constituting or regulating any body corporate incorporated in, and having its principal office or principal place of business in, Great Britain or Northern Ireland.]

Textual Amendments
F9 Sch. 2 para. 4 substituted by S.I. 1986/1035 (N.I. 9), art. 23, **Sch. 1 Pt. II**

5 **F10**

Textual Amendments
F10 Sch. 2 para. 5 repealed by European Communities Act 1972 (c. 68), **Sch. 3 Pt. II**

Commonwealth preference

6 **F11**

Textual Amendments
F11 Sch. 2 para. 6 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. VI**

THIRD SCHEDULE

TRANSITIONAL PROVISIONS AND SAVINGS

1 **F12**

Textual Amendments
F12 Sch. 3 para. 1 repealed by Statute Law (Repeals) Act 1976 (c. 19), **Sch. 1 Pt. XIV**

2 **F13**

Textual Amendments
F13 Sch. 3 para. 2 repealed by Veterinary Surgeons Act 1966 (c. 36), **Sch. 4**

Solicitors

^{F14}5

Status: Point in time view as at 23/03/1995.

Changes to legislation: There are currently no known outstanding effects for the South Africa Act 1962. (See end of Document for details)

Textual Amendments

F14 Sch. 3 para. 5 repealed (23.3.1995) by 1995 c. 3, s. 1, Sch. para. 7(1)

Merchant shipping—certificates of competency

- 6 (1) A certificate of competency as—
- (a) master, first mate or second mate of a foreign-going ship within the meaning of the ^{M3}Merchant Shipping Act 1894; or
 - (b) first-class or second-class engineer; or
 - (c) first-class or second-class motor engineer,
- granted under the Merchant Shipping (Certificates of Competency) Act 1925 (an enactment of the legislature of the Republic) and any equivalent certificate of competency granted under the Merchant Shipping Act 1951 (an enactment of the said legislature), being a certificate granted by the appropriate authority on or after the first day of July, nineteen hundred and twenty-eight, but before the commencement of this Act, shall be of the same force as if it had been granted in the United Kingdom under the said Act of 1894.
- (2) The provisions of the said Act of 1894 which relate to certificates of competency granted under that Act (except those relating to certificates for a home-trade passenger ship, and section one hundred and one) shall apply to any such certificate as is described in the foregoing paragraph, and to any certificate certified by the Registrar-General of Shipping and Seamen to have been issued by the proper authority after the commencement of this Act in place of such a certificate.
- (3) In this paragraph “the proper authority” means the authority for the time being empowered by the legislature of the Republic to grant certificates of competency under the enactments of that legislature relating to merchant shipping.

Marginal Citations

M3 1894 c. 60.

FOURTH SCHEDULE

F15
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Textual Amendments

F15 Sch. 4 repealed (23.3.1995) by 1995 c. 3, s. 1, Sch. para. 7(1)

Status: Point in time view as at 23/03/1995.

Changes to legislation: There are currently no known outstanding effects for the South Africa Act 1962. (See end of Document for details)

F16F16 FIFTH SCHEDULE

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Textual Amendments

F16 Sch. 5 repealed by Statute Law (Repeals) Act 1974 (c. 22), **Sch. Pt. XI**

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F16

Status:

Point in time view as at 23/03/1995.

Changes to legislation:

There are currently no known outstanding effects for the South Africa Act 1962.