



South Africa Act 1962

1962 CHAPTER 23

1 Nationality, etc.

- (1) In subsection (3) of section one of the British Nationality Act, 1948 (which specifies the countries whose citizens are by virtue of that citizenship British subjects or Commonwealth citizens) the reference to South Africa shall be omitted; and accordingly any person who, immediately before the commencement of this Act, was a British subject by virtue only of his citizenship of the Republic shall cease to be a British subject at the commencement of this Act.
- (2) The provisions of the First Schedule to this Act shall have effect for continuing, for the benefit of citizens of the Republic who make application, or give notice of intention to make application, before the end of the year nineteen hundred and sixty-five, certain provisions of the said Act of 1948 with respect to the acquisition by registration of citizenship of the United Kingdom and Colonies ; and in relation to an application for registration as a citizen of the United Kingdom and Colonies made before the end of that year by a woman who is a citizen of the Republic, subsection (2) of section six of that Act shall apply as if she were a British subject.
- (3) Until the end of the year nineteen hundred and sixty-five, a citizen of the Republic shall not be subject, in respect of any office, place or employment held by him at the commencement of this Act, or any qualification to act in any capacity in which he was acting at the commencement of this Act, to any disability imposed in the case of aliens by or by virtue of any of the following enactments, that is to say—
 - (a) section three of the Act of Settlement;
 - (b) sections four to six of the Aliens Restriction (Amendment) Act, 1919;
 - (c) section eighty-eight of the Patents Act, 1949, or any rules made for the purposes of that section ; or
 - (d) any Act of the Parliament of Northern Ireland, or any regulations in force under any such Act.
- (4) For the purposes of subsection (3) of this section a person who at the commencement of this Act was on leave from or otherwise temporarily absent from employment in any capacity mentioned in subsection (1) of section five of the Aliens Restriction (Amendment) Act, 1919 (master, etc., of British merchant ship) shall be treated as if he

were employed in such employment at the commencement of this Act; and where the said subsection (3) applies to any person in respect of any office, place or employment held by him at the commencement of this Act, it shall apply to him also in respect of any office, place or employment to or in which he may be appointed or employed thereafter by way of re-engagement or transfer.

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.
- (3) The enactments described in the Fourth Schedule to this Act shall have effect subject to the amendments specified in the second column of that Schedule ; and the enactments and instruments described in the Fifth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.
- (4) Without prejudice to subsection (2) of this section, the provisions of the 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.

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) For the purposes of section six of the Government of Ireland Act, 1920, this Act, so far as it relates to any enactment of the Parliament of Northern Ireland or any enactment which that Parliament has power to amend, shall be deemed to be an Act passed before the appointed day within the meaning of that section.

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 sixty4wo.