
UNION OF SOUTH AFRICA.

ACT

TO

Promote scientific and industrial research, for that purpose to establish a South African Council for Scientific and Industrial Research, to define the objects for which it is established, to prescribe the manner in which it shall be managed and controlled, and to provide for other incidental matters.

UNIE VAN SUID-AFRIKA.

WET

TOT

Bevordering van wetenskaplike en nywerheidsnavorsing, om vir daardie doel 'n Suid-Afrikaanse Wetenskaplike en Nywerheidsnavorsingsraad in te stel, die oogmerke waarvoor dit ingestel word te omskryf, en die wyse waarop dit bestuur en beheer moet word, voor te skryf, en vir ander daarmee in verband staande aangeleenthede voorsiening te maak.

No. 33, 1945.

ACT

To promote scientific and industrial research, for that purpose to establish a South African Council for Scientific and Industrial Research, to define the objects for which it is established, to prescribe the manner in which it shall be managed and controlled, and to provide for other incidental matters.

(English Text signed by the Officer Administering the Government.)

(Assented to on 8th June, 1945.)

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

Definitions.

1. In this Act, unless the context otherwise indicates—
 - “council” means the Council for Scientific and Industrial Research established under section *two*;
 - “Minister” means the Minister of State to whom the administration of this Act has been assigned by proclamation under section *sixteen*;
 - “president” means the president of the council appointed under sections *five* and *six*;
 - “Union” includes the mandated territory of South-West Africa.

Establishment of Council for Scientific and Industrial Research.

2. As from a date to be fixed by the Governor-General by proclamation in the *Gazette*, there shall be established a council to be known as the Council for Scientific and Industrial Research which shall be a body corporate, capable of suing and being sued in its corporate name, and of performing all such acts as are necessary for or incidental to the carrying out and the performance of its objects, functions and duties.

Functions and duties of council.

3. The council shall have charge of all such matters affecting scientific and industrial research in the Union as may be assigned to it by the Minister, or which the council may of its own accord and with the approval of the Minister promote, and shall advise the Minister on all questions of scientific and technological methods affecting the utilization of the natural resources of the Union, the development of its industries, and the proper co-ordination and employment of scientific research to those ends.

Objects of the council.

4. (1) Without prejudice to the generality of the functions conferred and the duties imposed upon the council by section *three*, the objects for which the council is established are—
 - (a) to promote the utilization of the natural resources of the Union;
 - (b) to undertake testing, investigation and researches, in such manner as it may deem advisable, with the object of improving the technical processes and methods used in industry, of discovering processes and methods which may promote the expansion of existing or the development of new industries or the better utilization of waste products;
 - (c) to undertake or aid scientific research in relation to such matters as the Minister may refer to it for investigation;
 - (d) to provide and control facilities for the testing and calibration of precision instruments, gauges and apparatus, the determination of their degree of accuracy and their certification;
 - (e) to provide and control facilities required for research in relation to standardization in industry and commerce;
 - (f) to maintain standards of physical quantities, including length, volume, weight, mass, capacity, time, heat, light, electricity, magnetism, sound and other forms of energy, and to arrange for their comparison with international standards from time to time;
 - (g) to foster the training of research workers and to establish and award research bursaries;
 - (h) to make grants in aid of research;

WET

Tot bevordering van wetenskaplike en nywerheidsnavorsing, om vir daardie doel 'n Suid-Afrikaanse Wetenskaplike en Nywerheidsnavorsingsraad in te stel, die oogmerke waarvoor dit ingestel word te omskryf, en die wyse waarop dit bestuur en beheer moet word, voor te skryf, en vir ander daarmee in verband staande aangeleenthede voorsiening te maak.

(Engelse Teks deur die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag geteken.)
(Goedgekeur op 8 Junie 1945.)

DIT WORD BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

1. In hierdie Wet, tensy uit die samehang anders blyk, Woordbepaling.
beteken—

„raad” die by artikel twee ingestelde Wetenskaplike en Nywerheidsnavorsingsraad;

„Minister” die Staatsminister aan wie die uitvoering van hierdie Wet by proklamasie ingevolge artikel *sestien* opgedra is;

„president” die ingevolge artikels *vyf* en *ses* aangestelde president van die raad;

„Unie” ook die mandaatgebied van Suidwes-Afrika.

2. Vanaf 'n deur die Goewerneur-generaal by proklamasie in die *Staatskoerant* bepaalde datum, word daar 'n raad, met die naam van die Wetenskaplike en Nywerheidsnavorsingsraad, ingestel, wat met regs persoonlikheid bekleed is en bevoeg is om in sy naam as regs persoon as eiser en verweerder in regte op te tree, en om alle sodanige handelings te verrig as wat nodig mag wees vir, of in verband mag staan met, die uitvoering en die verrigting van sy oogmerke, werksaamhede en ampspligte.

Instelling van Wetenskaplike en Nywerheidsnavorsingsraad.

3. Die raad het beheer oor alle sodanige aangeleenthede betreffende wetenskaplike en nywerheidsnavorsing in die Unie as wat die Minister aan hom mag toewys, of wat die raad uit eie beweging met goedkeuring van die Minister mag bevorder, en moet die Minister van advies dien aangaande alle vraagstukke insake wetenskaplike en tegnologiese metodes betreffende die gebruikmaking van die natuurlike produktiewe kragte van die Unie, die ontwikkeling van sy nywerhede, en die behoorlike koördinasie en aanwending van wetenskaplike navorsing vir daardie doel.

Werksaamhede en ampspligte van raad.

4. (1) Onverminderd die algemeenheid van die werksaamhede en ampspligte wat by artikel *drie* aan die raad verleen en opgelê word, is die oogmerke waarvoor die raad ingestel word—

Oogmerke van raad.

(a) om die gebruikmaking van die natuurlike produktiewe kragte van die Unie te bevorder;

(b) om toetse, ondersoeke en navorsings, op sodanige wyse as wat hy raadsaam ag, te onderneem met die doel om tegniese prosesse en metodes in die nywerheid te verbeter, om prosesse en metodes uit te vind wat die uitbreiding van bestaande of die ontwikkeling van nuwe nywerhede of die beter gebruikmaking van afvalprodukte sal bevorder;

(c) om wetenskaplike navorsing in verband met sodanige aangeleenthede as wat die Minister na die raad vir ondersoek verwys, te onderneem of te steun;

(d) om fasiliteite daar te stel en te beheer vir die toets- en kalibreer van eksakte werktuie, meet- en ander apparate, die bepaling van hul juistheidsgraad en die sertifisering daarvan;

(e) om fasiliteite daar te stel en te beheer vir navorsing in verband met standaardisasie in die nywerheid en die handel;

(f) om standarde van fisiese hoeveelhede, met inbegrip van lengte, volume, gewig, massa, kapasiteit, tyd, hitte, lig, elektrisiteit, magnetisme, klank en ander vorms van energie in stand te hou, en om voorsiening te maak vir hul vergelyking van tyd tot tyd met internasionale standarde;

(g) om die opleiding van navorsingswerkers te bevorder en om navorsingsbeurse in te stel en toe te staan;

(h) om by te dra ten bate van navorsing;

- (i) to foster, recognize and aid the establishment of associations of persons engaged in industry for the purpose of carrying out scientific industrial research, and to co-operate with and, subject to conditions approved by the Minister, make grants to such recognized or established associations;
 - (j) to establish and control facilities for the collection and dissemination of information relating to scientific and technical matters;
 - (k) to act as liaison between the Union and other countries in matters relating to scientific and industrial research.
- (2) For the achievement of its objects the Minister may authorize the council—
- (a) to co-operate with government departments, universities, technical colleges and other persons for the promotion of scientific and industrial research;
 - (b) to co-operate with educational authorities and scientific or technical societies in the Union for the promotion of—
 - (i) the teaching of science in schools, technical colleges and universities;
 - (ii) the training of investigators in pure and applied science, and of technical experts; and
 - (iii) the training of craftsmen and skilled artisans;
 - (c) to co-operate with persons and organizations who undertake scientific or industrial research in other countries.

Constitution of council.

5. (1) The council shall consist of a president and nine other members who shall be appointed by the Governor-General from persons who have distinguished themselves in science or industry, or who are otherwise specially qualified in relation to some aspect of the work of the council.

(2) The members of the council, with the exception of the president, shall hold office for a period of three years: Provided that of the members first appointed, three shall be appointed for a period of three years, three for two years and three for one year.

(3) A member whose period of office has terminated shall be eligible for re-appointment.

(4) No member of the council, other than the president and the members of the executive committee referred to in section *eight*, or such members as are members of a subsidiary committee referred to in section *nine*, shall receive any remuneration for his services, but a member may, out of the funds of the council, receive such allowances in respect of travelling and other out-of-pocket expenses in connection with the work of the council as may be approved by the Minister in consultation with the Minister of Finance.

President of the council.

6. (1) The president shall preside at all meetings of the council, shall be the chief executive officer of the council and shall exercise supervision over the officers of the council and shall manage and control the work authorized by the council.

(2) The president shall, out of the funds of the council, receive such remuneration and allowances and shall be appointed for such period as the Governor-General may determine.

(3) Whenever for any reason the president is absent or unable to fulfil his duties, or whenever there is a vacancy in the office of president, the Minister may, subject to such conditions and the payment of such remuneration and allowances as he may in consultation with the Minister of Finance determine, appoint some other person to act as president during such absence or inability, or until a president has been duly appointed.

Meetings of council.

7. (1) The first meeting of the council shall be held at such time and place as the Minister may determine, and all subsequent meetings shall be held at such times and places as the council may fix.

(2) The president may at any time call a special meeting of the council to be held at such time and place as he may direct.

(3) The quorum for a meeting of the council shall be five of the members thereof.

(4) All decisions at any meeting of the council shall be by resolution by majority vote of the members present thereat, and in the event of an equality of votes on any matter, the president or acting president presiding at the meeting shall have a casting vote in addition to his deliberative vote.

Executive committee.

8. (1) There shall be an executive committee of the council consisting of the president and two members of the council selected annually by the council.

- (i) om die instelling van verenigings van persone in die nywerheid met die doel om wetenskaplike nywerheidsnavorsing te doen, te bevorder, te erken en te steun, en om met sulke erkende of ingestelde verenigings saam te werk, en, op die voorwaardes wat die Minister goedkeur, bydraes aan hulle toe te ken;
- (j) om geriewe daar te stel en te beheer vir die insameling en verspreiding van inligting in verband met wetenskaplike en tegniese aangeleenthede;
- (k) om as verbinding op te tree tussen die Unie en ander lande in wetenskaplike en nywerheidsnavorsingsaangeleenthede.
- (2) Ter bereiking van sy oogmerke kan die Minister die raad magtig—
- (a) om met staatsdepartemente, universiteite, tegniese kolleges en ander persone vir die bevordering van wetenskaplike en nywerheidsnavorsing saam te werk;
- (b) om met onderwys-bestuursliggame en wetenskaplike of tegniese verenigings in die Unie saam te werk vir die bevordering van—
- (i) die onderwys van die wetenskap in skole, tegniese kolleges en universiteite;
- (ii) die opleiding van ondersoekers in reine en toegepaste wetenskap, en van tegniese deskundiges; en
- (iii) die opleiding van vakmanne en geskoolde ambagsmanne;
- (c) om met persone en verenigings wat wetenskaplike en nywerheidsnavorsing in ander lande onderneem, saam te werk.
5. (1) Die raad bestaan uit 'n president en nege ander lede wat deur die Goewerneur-generaal aangestel word uit persone wat hulself in die wetenskap of die nywerheid onderskei het of wat andersins spesiaal bevoeg is met betrekking tot een of ander aspek van die werk van die raad. Samestelling van raad.
- (2) Die lede van die raad, met uitsondering van die president, beklee hulle amp vir 'n tydperk van drie jaar: Met dien verstande dat van die eerste lede wat aangestel word, drie vir drie jaar, drie vir twee jaar en drie vir een jaar, aangestel word.
- (3) 'n Lid wie se ampstermyn verstryk het, kan weer aangestel word.
- (4) Geen lid van die raad, behalwe die president en lede van die in artikel *agt* bedoelde uitvoerende komitee, of sodanige lede as wat lede van 'n in artikel *nege* bedoelde hulpkomitee is, ontvang enige besoldiging ten opsigte van sy dienste nie, maar 'n lid kan, uit die fondse van die raad, sodanige reistoelaes en ander lopende uitgawes in verband met die werk van die raad ontvang as wat deur die Minister, in oorleg met die Minister van Finansies, goedgekeur mag word.
6. (1) Die president tree as voorsitter op by vergaderings van die raad, is die hoof uitvoerende amptenaar van die raad, hou toesig oor die amptenare van die raad, en bestuur en beheer die deur die raad gemagtigde werk. President van die raad.
- (2) Die president ontvang uit die fondse van die raad sodanige besoldiging en toelaes, en word aangestel vir sodanige tydperk as wat die Goewerneur-generaal mag bepaal.
- (3) Wanneer die president om een of ander rede afwesig is of nie in staat is om sy ampspligte uit te voer nie, of wanneer die presidentsamp vakant is, kan die Minister iemand anders, op sulke voorwaardes en onderworpe aan die betaling van sodanige besoldiging en toelaes as wat hy in oorleg met die Minister van Finansies mag bepaal, aanstel om tydens sodanige afwesigheid of onvermoë, of totdat 'n president behoorlik aangestel is, as president op te tree.
7. (1) Die eerste vergadering van die raad word gehou op die tyd en plek wat die Minister mag bepaal, en alle daaropvolgende vergaderings word gehou op die tye en plekke wat die raad mag vasstel. Vergaderings van die raad.
- (2) Die president kan te eniger tyd 'n spesiale vergadering van die raad byeenroep, wat gehou moet word op die tyd en plek wat die president mag gelas.
- (3) Die kworum vir 'n vergadering van die raad is vyf lede daarvan.
- (4) Alle besluite op 'n vergadering van die raad geskied by meerderheidsbesluit van die aanwesige lede, en by 'n staking van stemme oor enige saak, het die president of waarnemende president wat op die vergadering as voorsitter optree, 'n beslissende stem benewens sy beraadslagende stem.
8. (1) Daar is 'n uitvoerende komitee van die raad, bestaande uit die president en twee lede van die raad wat jaarliks deur die raad gekies word. Uitvoerende komitee.

(2) The executive committee shall, under the supervision of the council, exercise all the functions and perform all the duties of the council.

(3) The members of the executive committee, with the exception of the president, shall, out of the funds of the council, receive such remuneration and allowances in respect of their services as the Minister, in consultation with the Minister of Finance, may determine.

Subsidiary committees.

9. (1) The council may establish subsidiary committees to assist it in the exercise of its functions and the performance of its duties, and may appoint such persons, including officers of the council, as it may deem fit to be members of any such committee.

(2) The council may assign to a committee so established such of its powers as it may deem fit, but shall not be divested of any power which it may have assigned to a committee, and may amend or withdraw any decision made by a committee.

(3) The members of a subsidiary committee, with the exception of the president and officers of the council, shall, out of the funds of the council, receive such remuneration and allowances in respect of their services as the Minister in consultation with the Minister of Finance, may determine.

Officers of the council.

10. (1) The council may, for such periods and subject to such conditions as may be prescribed appoint such officers as it may deem necessary to assist it in carrying out the objects for which it is established.

(2) The president and other full-time officers of the council occupying posts approved by the Minister shall become members of and shall contribute to the Provident Fund established under section *twelve* of the Higher Education Additional Provision Act, 1917 (Act No. 20 of 1917) in the same manner and subject to the same conditions as if they were members of the teaching or administrative staff of a college or university as defined by section *one* of the said Act, and the council shall for all purposes of the said Provident Fund be regarded as a college or university as so defined.

(3) The council shall be deemed to be a "council" as defined by the regulations governing the said Provident Fund and shall, anything to the contrary notwithstanding, pay to the said Provident Fund the contributions that would otherwise have been payable by the Government in respect of the president and officers of the council who become members of the said Provident Fund.

(4) For the purposes of sections *twenty-six* and *twenty-seven* of the Government Service Pensions Act, 1936 (Act No. 32 of 1936), as amended, the council shall be deemed to be an institution of higher education.

(5) The Minister may on the recommendation of the Public Service Commission second any officer in the public service to the service of the council. Such officer shall while so seconded remain in all respects subject to the laws governing the public service.

Discoveries, inventions and improvements by officers of the council and others, and the payment of bonuses to such persons.

11. (1) Subject to the provisions of section *twelve* the rights in all discoveries, inventions and in all improvements in respect of processes, apparatus and machines made by officers of the council or persons holding research bursaries awarded by the council, shall be vested in the council and such discoveries, inventions and improvements shall be made available for use in the public interest subject to such conditions and the payment of such fees or royalties as the council may, in accordance with regulations made by the Governor-General, determine.

(2) The council may, out of its funds, pay to a discoverer or inventor working as an officer of the council or as a person holding a research bursary awarded by the council, such bonus, or make provision for such financial participation in the profits derived from the relevant discovery or invention, as the Minister, in consultation with the Minister of Finance, may determine.

(3) The council may apply for letters patent in respect of any discovery, invention or improvement referred to in subsection (1), and shall for the purpose of the Patents, Designs, Trade Marks and Copyright Act, 1916 (Act No. 9 of 1916) be regarded as the assignee of the discoverer or inventor.

Special investigations at the request of any person with the specific object of making discoveries, inventions or improvements.

12. (1) The council may, at the request of any person, and at such place and subject to such conditions and the payment of such charges as may be agreed upon, carry out or cause to be carried out through its officers or through persons holding research bursaries awarded by the council or through persons to whom special grants were made by the council, special investigations with the specific object of the discovery or invention of or the improvement in respect of any process, apparatus or machine.

(2) Onder die toesig van die raad verrig en vervul die uitvoerende komitee al die werksaamhede en ampspligte van die raad.

(3) Die lede van die uitvoerende komitee, met uitsondering van die president, ontvang, uit die fondse van die raad, sodanige besoldiging en toelaes ten opsigte van hulle dienste as wat die Minister, in oorleg met die Minister van Finansies, mag bepaal.

9. (1) Die raad kan hulpkomitees instel om hom by die Hulpkomitees. verrigting van sy werksaamhede en die vervulling van sy ampspligte by te staan, en kan na goeë dunke persone, met inbegrip van amptenare van die raad, as lede van so 'n komitee aanstel.

(2) Die raad kan na goeë dunke van sy bevoegdhede aan 'n aldus ingestelde komitee toewys, maar word nie onthef van 'n bevoegdheid wat hy aan 'n komitee toegewys het nie, en kan 'n besluit van 'n komitee wysig of intrek.

(3) Die lede van 'n hulpkomitee, met uitsondering van die president en amptenare van die raad, ontvang, uit die fondse van die raad sodanige besoldiging en toelaes ten opsigte van hulle dienste as wat die Minister, in oorleg met die Minister van Finansies, mag bepaal.

10. (1) Die raad kan, vir sodanige tydperke en op sodanige Amptenare voorwaardes as wat voorgeskryf mag word, sodanige amptenare van die raad. aanstel as wat hy nodig ag om hom by te staan ter bereiking van die oogmerke waarvoor hy ingestel word.

(2) Die president en ander voltydse amptenare van die raad wat deur die Minister goedgekeurde poste beklee, word lede van en dra tot die kragtens artikel *twalf* van die „Wet tot Addisionele Regeling van het Hoger Onderwijs, 1917” (Wet No. 20 van 1917) ingestelde voorsorgsfonds by op dieselfde wyse en op dieselfde voorwaardes asof hulle lede was van die onderwys- of administratiewe personeel van 'n kollege of universiteit soos by artikel *een* van genoemde Wet omskrywe, en die raad word vir alle doeleindes van genoemde voorsorgsfonds beskou as 'n kollege of universiteit soos aldus omskrywe.

(3) Die raad word geag 'n „raad” te wees soos omskrywe in die regulasies wat genoemde voorsorgsfonds reël, en moet, ondanks andersluidende bepalings, die bydraes wat andersins deur die Regering betaalbaar sou gewees het ten opsigte van die president en amptenare van die raad wat lede van genoemde voorsorgsfonds word, op die voorsorgsfonds inbetaal.

(4) By die toepassing van artikels *ses-en-twintig* en *sewen-en-twintig* van die Regeringsdiens Pensioenwet, 1936 (Wet No. 32 van 1936) soos gewysig, word die raad geag 'n inrigting vir hoër onderwys te wees.

(5) Die Minister kan op aanbeveling van die Staatsdienskommissie enige amptenaar in die staatsdiens tydelik oorplaas na die diens van die raad. Sodanige amptenaar bly, tydens sodanige tydelike oorplasing, in alle opsigte onderhewig aan die wette wat die Staatsdiens reël.

11. (1) Behoudens die bepalings van artikel *twalf* berus die regte op al die ontdekkings, uitvindings en op alle verbeterings ten opsigte van prosesse, apparaat en masjiene wat deur amptenare van die raad of deur persone wat deur die raad toegekende beurse hou, gemaak word, by die raad, en sodanige ontdekkings, uitvindings en verbeterings word beskikbaar gestel vir gebruik in die openbare belang op sodanige voorwaardes en onderworpe aan die betaling van sodanige gelde of tantième as wat die raad, ooreenkomstig deur die Goewerneur-generaal uitgevaardigde regulasies, bepaal.

Ontdekkings, uitvindings en verbeterings deur amptenare van die raad en andere, en die toekenning van bonusse aan sodanige persone.

(2) Die raad kan uit sy fondse aan 'n ontdekker of uitvinder wat as amptenaar van die raad of as persoon wat 'n deur die raad toegekende beurse hou, werk doen, sodanige bonus toeken, of voorsiening maak vir sodanige geldelike deelname in die winste verkry uit die betrokke ontdekking of uitvinding, as wat die Minister, in oorleg met die Minister van Finansies, mag bepaal.

(3) Die raad kan aansoek doen om 'n patentbrief ten opsigte van enige in sub-artikel (1) bedoelde ontdekking, uitvinding, of verbetering, en vir die doeleindes van die Wet op „Patenten, Modellen, Handelsmerken en Auteursrecht, 1916” (Wet No. 9 van 1916) word die raad beskou as die sessionaris van die ontdekker of uitvinder.

12. (1) Die raad kan, op versoek van enige persoon, en op sodanige plek en op sodanige voorwaardes en onderworpe aan die betaling van sodanige koste as wat op ooreengekom mag word, spesiale ondersoeke instel of laat instel deur middel van sy amptenare of deur middel van persone wat deur die raad toegekende beurse hou of deur middel van persone aan wie die raad spesiale toekennings gemaak het, met die bepaalde doel om 'n ontdekking of uitvinding van of 'n verbetering ten opsigte van 'n proses, apparaat of masjiene te maak.

Spesiale ondersoeke op versoek van enige persoon met die bepaalde doel om ontdekkings, uitvindings of verbeterings te maak.

(2) The rights in any discovery, invention or improvement so made shall be vested in either the council, or the person who requested the investigation, or the person who made the discovery, invention or improvement if he is a person to whom a special grant was made by the council, as may be provided by a written agreement entered into by the parties concerned prior to the investigation.

(3) Any discoveries, inventions or improvements the rights to which are vested in the council in pursuance of an agreement referred to in sub-section (2), shall be made available for use in the public interest and the council may apply for letters patent in respect thereof, as if they were discoveries, inventions or improvements referred to in sub-section (1) of section *eleven*.

(4) If the rights to any discovery, invention or improvement are in pursuance of an agreement referred to in sub-section (2) vested in any person other than the council, the said discovery, invention or improvement shall be used or be made available for use in the public interest subject to such conditions as may be provided by the agreement.

Auditing and
annual report.

13. (1) (a) The accounts and balance sheet of the council shall be audited each year by or under the direction of the Controller and Auditor-General.

(b) The provisions of sections *thirteen* and *fourteen* of the Exchequer and Audit Act, 1911 (Act No. 21 of 1911), shall *mutatis mutandis* apply in respect of any such audit: Provided that any reference in the said sections as so applied to officers in the public service shall be deemed to be a reference to the officers of the council.

(c) As soon as may be after any such audit the Controller and Auditor-General shall transmit to the Minister and the council a report in respect of the audit.

(2) An amount which shall be determined by the Treasury after consultation with the Controller and Auditor-General shall be paid out of the funds of the council to the Treasury for any such audit.

(3) The council shall submit to the Minister such information as he may call for from time to time in respect of its activities and its financial position, and shall in addition submit to the Minister an annual report, including a balance sheet and a statement of income and expenditure certified by the Controller and Auditor-General, and such other particulars, including an estimate of expenditure in respect of the following financial year, as the Minister may require, and such report shall be laid by the Minister on the Tables of both Houses of Parliament within fourteen days of receipt thereof if Parliament is then in ordinary session, or, if Parliament is not then in ordinary session, within fourteen days after the commencement of its next ensuing ordinary session.

Financing of
the council.

14. (1) The council shall establish a capital fund to the credit of which shall be placed any moneys voted by Parliament for the purpose and any contributions thereto received from any other source.

(2) The capital fund shall be utilized only for expenditure of a capital nature, but any proceeds derived from the unexpended portion thereof may either be added to the fund or, with the approval of the Minister, utilized for the objects for which the council is established, in a manner to be determined by the council.

(3) The Minister may, out of funds appropriated by Parliament for the purpose, and subject to such conditions as the Minister of Finance may impose, contribute annually, for the purposes referred to in sub-section (4), such an amount as the Minister, in consultation with the Minister of Finance, may determine.

(4) The moneys contributed under sub-section (3) shall be utilized by the council to defray its annual running expenses, including the remuneration and allowances of the president and other members of the council, members of the executive committee established under section *eight* and of any subsidiary committee established under section *nine*, and of the officers of the council appointed under section *ten*, and any balance of those moneys remaining at the end of a financial year of the council may, subject to the directions of the council, be used for defraying the running expenses of the next financial year of the council or utilized for the objects for which the council is established.

(5) Subject to the provisions of any regulations made under section *fifteen*, the council may, in respect of any services rendered by it under this Act, charge such fees or make such financial arrangements as it may deem fit, and may deal

(2) Die regte op 'n ontdekking, uitvinding of verbetering aldus gemaak berus óf by die raad óf by die persoon wat die ondersoek versoek het óf by die persoon wat die ontdekking, uitvinding of verbetering gemaak het mits hy iemand is aan wie 'n spesiale toekenning deur die raad gedoen is, soas by 'n skriftelike ooreenkoms wat voor die ondersoek deur die betrokke partye aangegaan is, bepaal word.

(3) Enige ontdekkings, uitvindings of verbeterings die regte waarop ten gevolge van 'n in sub-artikel (2) bedoelde ooreenkoms by die raad berus, word beskikbaar gestel vir gebruik in die openbare belang, en die raad kan aansoek doen om patentbriewe ten opsigte daarvan, asof hulle in sub-artikel (1) van artikel *elf* bedoelde ontdekkings, uitvindings of verbeterings was.

(4) Indien die regte op 'n ontdekking, uitvinding of verbetering ten gevolge van 'n in sub-artikel (2) bedoelde ooreenkoms by enige ander persoon dan die raad berus, word die genoemde ontdekking, uitvinding of verbetering gebruik of beskikbaar gestel vir gebruik in die openbare belang op sodanige voorwaardes as wat by die ooreenkoms bepaal word.

13. (1) (a) Die rekenings en balansstaat van die raad word Ouditering en elke jaar deur of onder toesig van die Kontroleur en jaarverslag. Ouditeur-generaal geouditeer.

(b) Die bepalinge van artikels *dertien* en *veertien* van die „Financiewet 1911” (Wet No. 21 van 1911) is *mutatis mutandis* ten opsigte van so 'n ouditering van toepassing: Met dien verstande dat die verwysing in genoemde artikels soas aldus van toepassing verklaar na amptenare in die staatsdiens geag word 'n verwysing te wees na die amptenare van die raad.

(c) Die Kontroleur en Ouditeur-generaal stuur so spoedig doenlik na so 'n ouditering 'n verslag ten opsigte daarvan aan die Minister en die raad.

(2) 'n Bedrag wat deur die Tesourie na raadpleging met die Kontroleur en Ouditeur-generaal bepaal word, word uit die fondse van die raad aan die Tesourie vir so 'n ouditering betaal.

(3) Die raad moet aan die Minister die inligting verstrek wat hy van tyd tot tyd mag vra in verband met die werksaamhede en geldelike toestand van die raad, en moet daarbenewens 'n jaarverslag met inbegrip van 'n balansstaat en 'n staat van inkomste en uitgawes deur die Kontroleur en Ouditeur-generaal gesertifiseer, en die ander besonderhede, met inbegrip van 'n beraming van uitgawes ten opsigte van die volgende boekjaar, wat die Minister verlang, aan die Minister voorlê, en bedoelde verslag word deur die Minister in albei Huisse van die Parlement ter Tafel gelê binne veertien dae na ontvangs daarvan, as die Parlement dan in gewone sitting is of, indien die Parlement nie dan in gewone sitting is nie, binne veertien dae van die aanvang van sy eersvolgende gewone sitting.

14. (1) Die raad stel 'n kapitaalfonds in waaraan gelde wat deur die Parlement vir die doel beskikbaar gestel word, en bydraes daartoe wat uit enige ander bron ontvang word, gekrediteer word. Finansiering van raad.

(2) Die kapitaalfonds word slegs vir uitgawes van 'n kapitale aard aangewend, maar enige inkomste wat uit die onbestede gedeelte daarvan verkry word, kan óf by die fonds gevoeg word óf, met goedkeuring van die Minister, op 'n wyse wat die raad moet bepaal, aangewend word vir die oogmerke waarvoor die raad ingestel word.

(3) Die Minister kan, uit gelde wat vir die doel deur die Parlement beskikbaar gestel is, en op die voorwaardes wat die Minister van Finansies mag voorskryf, jaarliks vir die in sub-artikel (4) bedoelde doeleindes, die bedrag bydra wat die Minister in oorleg met die Minister van Finansies mag bepaal.

(4) Die gelde wat kragtens sub-artikel (3) bygedra word, word deur die raad aangewend tot dekking van sy jaarlikse lopende uitgawes, met inbegrip van die besoldiging en toelaes van die president en ander lede van die raad, lede van die kragtens artikel *agt* ingestelde uitvoerende komitee en van enige kragtens artikel *nege* ingestelde hulpkomitee, en van die kragtens artikel *tien* aangestelde amptenare van die raad, en enige saldo wat aan die end van 'n boekjaar van die raad uit daardie gelde oorbly, kan, onderworpe aan die voorskrifte van die raad, aangewend word tot dekking van die lopende uitgawes van die volgende boekjaar van die raad, of vir die oogmerke waarvoor die raad ingestel word.

(5) Die raad kan, behoudens die bepalinge van enige regulasies kragtens artikel *vyftien* uitgevaardig, ten opsigte van dienste wat hy kragtens hierdie Wet gelewer het, die gelde vorder of die ander geldelike reëlings tref wat hy goedvind, en

with any moneys derived from such fees or in respect of such arrangements, and with any moneys derived from the fees or royalties referred to in sub-section (2) of section *eleven*, in the same manner as is prescribed in sub-section (4) in respect of moneys contributed by the Minister.

(6) The council may receive donations or contributions from any person and shall use any moneys so acquired for the purpose designated and in accordance with the conditions imposed by the donor or contributor, or, if no purpose has been so designated or no conditions have been so imposed, utilize such moneys in the manner prescribed in sub-section (4).

Regulations.

15. The Governor-General may make regulations as to—

- (a) the circumstances under which a member of the council shall vacate his office ;
- (b) the filling of casual vacancies on the council and the appointment of persons to act for absent members ;
- (c) the conditions of service of the president and the officers of the council ;
- (d) the matters in respect of which fees shall be payable to the council, the amount of such fees, and the persons who shall be liable for the payment thereof ;
- (e) the circumstances under which any fees so paid shall be refunded ;
- (f) the conditions under which the discoveries, inventions and improvements in respect of processes, apparatus and machines, referred to in section *eleven*, shall be made available for use ;
- (g) the payment of bursaries and grants ;
- (h) the procedure at meetings of the council, of the executive committee and of the subsidiary committees thereof ; and
- (i) generally, all matters which he considers it necessary or expedient to prescribe in order that the objects of this Act may be achieved.

Administration of Act to be assigned and prescribed by proclamation.

16. The Governor-General may by proclamation in the *Gazette* assign the administration of this Act to any Minister of State and may prescribe that any power, function or duty conferred or imposed by this Act upon the Minister shall be exercised or performed by that Minister after consultation with one or more other Ministers of State.

Short title.

17. This Act shall be called the Scientific Research Council Act. 1945.

kan met bydrae uit aldus gevorderde gelde of ten opsigte van sulke reëlings verkry, of met die bydraes uit die in sub-artikel (2) van artikel *elf* bedoelde gelde of tantieme verkry, op dieselfde wyse handel as wat in sub-artikel (4) voorgeskryf is ten opsigte van gelde wat die Minister bygedra het.

(6) Die raad kan van enige persoon skenkings of bydraes ontvang, en moet gelde wat aldus verkry word, aanwend vir die doel wat die donateur of bydraer aanwys en volgens die voorwaardes wat hy voorskryf of, as hy nie so 'n doel aanwys of sulke voorwaardes voorskryf nie, daardie gelde aanwend op die in sub-artikel (4) voorgeskrewe wyse.

15. Die Goewerneur-generaal kan regulasies uitvaardig Regulasies.
aangaande—

- (a) die omstandighede waaronder 'n lid van die raad sy amp ontruim;
- (b) die aanvulling van toevallige vakatures in die raad en die aanstelling van persone om namens afwesige lede op te tree;
- (c) die diensvoorwaardes van die president en die amp-tenare van die raad;
- (d) die aangeleenthede ten opsigte waarvan gelde aan die raad betaalbaar is, die bedrag van sulke gelde en die persone wat vir die betaling daarvan aanspreeklik is;
- (e) die omstandighede waaronder aldus betaalde gelde terugbetaal moet word;
- (f) die voorwaardes waarop die in artikel *elf* bedoelde ontdekkings, uitvindings en verbeterings ten opsigte van prosesse, apparaat en masjiene vir gebruik beskikbaar gestel moet word;
- (g) die uitkering van beurse en toekennings;
- (h) die prosedure by vergaderings van die raad, van die uitvoerende komitee en die hulpkomitees daarvan; en
- (i) n die algemeen, alle aangeleenthede wat hy nodig of raadsaam ag om voor te skryf ten einde die oogmerke van hierdie Wet te bereik.

16. Die Goewerneur-generaal kan by proklamasie in die *Staatskoerant* die uitvoering van hierdie Wet aan enige Staatsminister opdra en kan voorskryf dat 'n bevoegdheid, werksaamheid of ampsplig deur hierdie Wet aan die Minister verleen of opgelê, uitgeoefen of verrig moet word deur daardie Minister na oorlegpleging met een of meer ander Staatsministers.

Uitvoering van
Wet opgedra en
voorgeskrywe by
proklamasie.

17. Hierdie Wet heet die Wet op die Wetenskaplike Kort titel.
Navorsingsraad, 1945.

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