

RECEIVED 27 AUG 1982

THE NEW INFLUX CONTROL.

THE ORDERLY MOVEMENT AND SETTLEMENT OF BLACK PERSONS BILL.

This is not the law yet. It still has to be passed by Parliament but it will probably be law by the middle of 1983. If it is passed by Parliament it will make influx control much more efficient. It will be almost impossible for people who do not have a permit to stay in town.

Black people will be able to visit a town during the day time without needing a permit to be there. As long as they have their Reference Book or homeland Travel Document they will not be arrested.

But they are not allowed to work in town unless they are permitted. If they are found at work without being registered both they and their employers can be fined or sent to prison.

Black people who are found anywhere in town - either in the streets, or in a house in a black township, or in a house in a white suburb - between ten o'clock at night and 5 o'clock the following morning will be arrested if they do not have a permit to be there.

Who will be allowed to stay in town at night between 10 p.m and 5 a.m ?

1. Permanent Urban Residents. Permanent Urban Resident is the new "qualification". These people will be like the people who have Section 10 qualifications now. They will be able to work where they want to work. (except that the Coloured Labour Preference policy will still make it more difficult for black people in the Western Cape.)
They will be able to rent or buy a house. They will be able to have their wives and children and aged parents to stay with them.

- 1.(a) Section 10 disappears altogether but people who have 10(1)(a) or (b) now will be Permanent Urban Residents under the new law.

- 1.(b) A person who has a house in a black township will be a Permanent Urban Resident provided he is a South African citizen or a citizen of an independent homeland.

- 1.(c) People who are South African citizens who have been legally living in a town for ten full years can apply to be Permanent Urban Residents. Because this says South African citizens only it means that people from Transkei, Ciskei, Bophuthatswana and Venda cannot apply after they have been in a town for ten years.

(We think that contract workers will also not be allowed to apply. We are not sure about this yet and we hope we are wrong but the Government's policy is to prevent migrant workers from getting urban qualifications).

- 1.(d) People who were born in town who are South African citizens or citizens of independent homelands will also be Permanent Urban Residents if both their parents are Permanent Urban Residents.

2. Dependents of Permanent Urban Residents/---

2. Dependents of Permanent Urban Residents will also be allowed to stay in town between 10 p.m and 5 a.m. A dependent is a wife or unmarried child, or parent or grandparent who is too old or sick to work, or a disabled adult child who cannot work.

If the Permanent Urban Resident dies his dependents will be allowed to stay in the town until they become Permanent Urban Residents themselves. They will become Permanent Urban Residents if they were born in town and both mother and father were Permanent Urban Residents, or if they inherit the father's house or, if they are South African citizens and have lived in the town for ten full years.

3. Visitors can stay in town between 10 p.m and 5 a.m, if they get a permit to stay immediately they arrive. This permit will only be given to them if they have approved accommodation. No one can have a visitor's permit for more than a total of 14 days in any one year.

4. Black people who are in a hospital or medical institution or who are staying in a hotel will be allowed to be in town between 10 p.m and 5 a.m until they are discharged from the hospital or leave the hotel.

5. People who live in a rural area and work on night shift can be in town between 10 p.m and 5 a.m if they have a permit to be in the job.

6. People who are registered to look for work or who are registered in work will be safe from arrest between 10 p.m and 5 a.m if they also have a permit to stay in town at night. A person might be given a permit to work but he refused to stay in town at night if the Designated Officer thinks he can travel to his home outside the urban area each evening. (Designated Officer is the new word for a Labour Officer, or Influx Control Officer etc.,).

What are the Penalties?

If a black person who is not a Permanent Urban Resident and who is not permitted to stay in town is arrested between 10 p.m and 5 a.m he can be fined R500 or sent to prison for 6 months.

Any person who allows a black person who is not permitted to stay in his house between 10 p.m and 5 a.m can be fined R500 or sent to prison for 6 months. This is the same for black and white householders.

A black person who looks for work in town or takes a job in town without a permit can be fined R500 or sent to prison for 6 months.

An employer who gives a job to a black person who is not a Permanent Urban Resident or who is not permitted to work can be fined R5000 or sent to prison for 12 months.

Inspectors can come into any house/---

Inspectors can come into any house or place of employment at any time to look for "illegal" people.

People who settle on any land such as the people of Crossroads or the Nyanga Site can be removed by the police without trial if the Minister of Co-operation and Development thinks that they are trying to campaign to have the laws changed. If the Minister orders such a removal by notice in the Government Gazette the people can be moved to any place decided on by the Director General. If such an order is made the people cannot go to Court to try to prevent the removal.

There are other things in this Bill dealing with people on the white owned farms but there is not much change in their condition.

The Minister can still impose a curfew at night to prevent black people from being outside in public places anywhere in town except in a black township.

Aid Centres will stay the same.

People will still have to produce a pass or certificate showing that they can stay in town when it is demanded by a policeman.

The pass laws will still be in force and will be much worse than they are now for everybody except those people who are Permanent Urban Residents.

SHEENA DUNCAN
BLACK SASH

JULY 1982.