

HUMAN SCIENCES RESEARCH ACT 23 OF 1968

[ASSENTED TO 15 MARCH 1968]

[DATE OF COMMENCEMENT: 1 APRIL 1969]

(English text signed by the Acting State President)

as amended by

Human Sciences Research Amendment Act 31 of 1975
Human Sciences Research Amendment Act 25 of 1980
Human Sciences Research Amendment Act 65 of 1985
Human Sciences Research Amendment Act 99 of 1990

ACT

To provide for the promotion of research and the extension of knowledge in the field of the human sciences; for that purpose to make provision for the establishment of a Human Sciences Research Council; and to make provision for matters incidental thereto.

1 Definitions

In this Act, unless the context otherwise indicates-

'council' means the council established by section 2;

'employee' means a person who is in the part-time or full-time service of the council on a temporary basis for a specified period;

[Definition of 'employee' substituted by s. 1 (a) of Act 65 of 1985.]

'fixed date' means the date of commencement of this Act;

'grant' includes a research grant, a research bursary, a research contract or a merit prize;

[Definition of 'grant' inserted by s. 1 (a) of Act 99 of 1990.]

'human sciences' means those sciences concerned with the study of the creations and the manner of mental activity of man, human development, or mutual relationships, institutions or conditions in society;

[Definition of 'human sciences' substituted by s. 1 (b) of Act 99 of 1990.]

'Minister' means the Minister of National Education;

'officer' means the president or any other person in the full-time or part-time service of the council on a permanent basis for an indefinite period;

[Definition of 'officer' substituted by s. 1 (b) of Act 65 of 1985.]

'president' means the president of the council referred to in section 4 (1);

'research' means research in the field of the human sciences;

[Definition of 'research' substituted by s. 1 (c) of Act 65 of 1985.]

'State'

[Definition of 'State' deleted by s. 1 (c) of Act 99 of 1990.]

'this Act' includes a regulation made thereunder.

2 Establishment and general powers of Human Sciences Research Council

(1) There is hereby established a council to be known as the Human Sciences Research Council.

(2) The council shall have charge of all such matters in regard to research and development in the field of the human sciences as the council may, at the request of the Minister, or, subject to the provisions of section 3 (2), of its own accord or at the request of any other person or any authority, promote.

[Sub-s. (2) substituted by s. 1 of Act 31 of 1975.]

(3) The council shall be a corporate body, shall in law be capable of suing and being sued in its own name, and may, subject to the provisions of this Act, purchase or otherwise acquire, hold, hire, let, sell, exchange or otherwise alienate movable or immovable

property, and invest money and, with the approval of the Minister, borrow money from any source.

[Sub-s. (3) amended by s. 1 of Act 25 of 1980.]

2A Objects of council

The objects of the council shall be-

(a) to promote, support and co-ordinate research;

(b) to advise the Minister of research priorities;

(c) to distribute the results of research;

(d) to facilitate and evaluate the implementation of results of research;

(e) to stimulate the training of research manpower;

(f) to place the full spectrum of disciplines in the human sciences at the disposal of all the inhabitants of the Republic;

[S. 2A inserted by s. 2 of Act 65 of 1985.]

3 Functions of the council

(1) The functions of the council shall be-

(a) to undertake, cause to be undertaken or aid financially research on behalf of the State or any person or authority;

[Para. (a) substituted by s. 2 (a) of Act 31 of 1975.]

(b) to advise the Minister with respect to-

(i) the research which should be undertaken in the interests of the country;

(ii) the manner in which research may be promoted;

(iii) the promotion of other matters incidental to the human sciences;

(iv) the manner in which the potentialities of the inhabitants of the country may best be developed and utilized;

(v) the utilization of the results of research for the benefit of the country;

(c) subject to the provisions of subsection (2), to-

(i) effect co-ordination of research, and in such a manner as to ensure thereby the economical use of money and manpower in research;

(ii) co-operate with departments of State, universities, technikons, colleges of education, training colleges, schools and other persons and authorities for the promotion and conduct of research;

[Sub-para. (ii) substituted by s. 3 of Act 65 of 1985.]

(iii) obtain the voluntary co-operation of persons who conduct research at their own expense or support it financially, and to eliminate overlapping in the field of research;

(iv) co-operate with persons and authorities in other countries conducting or promoting research, and to act as liaison between the Republic and other countries in connection with research;

(v) make grants for research to universities and other persons and authorities;

(vi) establish or cause to be established facilities for the collection and dissemination of information concerning the human sciences;

(vii) publish or cause to be published in whatever form or support financially the publication of the results of research;

[Sub-para. (vii) substituted by s. 2 (a) of Act 99 of 1990.]

(viii) foster the training of persons for the doing of research, and to establish and award bursaries for such training;

(ix) devise, standardize, determine the validity of and make available psychological and scholastic tests and other aids;

(x) undertake psychological testing and examination of and guidance to persons, and the evaluation of educational qualifications;

(xi) collect, process, interpret and in whatever form publish educational statistics;

[Sub-para. (xi) substituted by s. 2 (b) of Act 99 of 1990.]

(xii) take such other measures as the council may deem necessary for the effective achievement of the objects of this Act.

[Para. (c) amended by s. 2 (b) of Act 31 of 1975.]

(2) The performance by the council of such functions referred to in subsection (1) (c), as the Minister may from time to time designate, shall be subject to his prior approval.

[Sub-s. (2) substituted by s. 2 (c) of Act 31 of 1975.]

(3) The council may-

(a) at the request of any person or authority and subject to such conditions and the payment of such costs as may be agreed upon, conduct or cause to be conducted any investigation relating to any matter in the field of the human sciences; and

(b) in respect of any other service rendered by it under this Act, charge such fees or make such other financial arrangements as it may deem fit.

[Sub-s. (3) added by s. 2 (d) of Act 31 of 1975.]

(4) The council may, in order to achieve any of its objects, with the approval of the Minister and with the concurrence of the Minister of Finance-

(a) for the purpose of developing, utilizing, marketing or selling any invention, technological expertise, service or product, establish a company as defined in the Companies Act, 1973 (Act 61 of 1973), or in association with any person establish such a company, or acquire an interest in or control over such a company;

(b) act as trustee of any trust the purpose of which is the promotion and development of the human sciences.

[Sub-s. (4) added by s. 2 *(c)* of Act 99 of 1990.]

4 Constitution of the council and committees of the council

(1) The council shall consist of-

(a) a chairman;

(b) not more than nine other members, of whom at least two must be persons whose names appear on a list submitted by an institution which is involved with human sciences research and which has been designated by the Minister; and

(c) the president.

[Sub-s. (1) substituted by s. 3 of Act 31 of 1975 and by s. 3 *(a)* of Act 99 of 1990.]

(2) *(a)* The Minister shall appoint the members of the council referred to in subsection (1) *(a)* and *(b)*.

(b) The council, which for the purposes of this paragraph shall consist of the members referred to in subsection (1) *(a)* and *(b)*, shall appoint the president.

[Sub-s. (2) substituted by s. 3 *(b)* of Act 99 of 1990.]

(3) The members of the council shall be persons who have distinguished themselves in the field of the human sciences or possess special qualifications in relation to some aspect of the functions of the council.

[Sub-s. (3) substituted by s. 3 *(c)* of Act 99 of 1990.]

(4) *(a)* The president and at least two other members of the council designated by the council, shall constitute an executive committee which, under the supervision of the council, shall perform such functions of the council, referred to in section 3, as the council may determine.

[Para. *(a)* substituted by s. 4 of Act 65 of 1985.]

(b) The council may designate any member of the council as an alternate to a member of the executive committee.

(5) The period of office and the termination of office of members of the council and the executive committee thereof shall be as prescribed by regulation under this Act.

(6) The council may establish a subsidiary committee to assist it to perform its functions and to advise it in connection with any matter relating to the achievement of the objects of this Act, and may appoint such persons, including officers and employees, as it may deem fit, to be members of such committee.

[Sub-s. (6) substituted by s. 3 (d) of Act 99 of 1990.]

(7) A member of the council or of a committee referred to in subsection (6) who is not the president or an officer or employee in the public service or is not employed by the council, shall out of the funds of the council receive such remuneration and allowances as the Minister may in consultation with the Minister of Finance determine.

(8) The council shall refund to the State any amount paid by the State as travelling and subsistence allowance to a member of the council, who is in the service of the State, in connection with the performance of the functions of the council.

5 Functions, powers and remuneration of president

(1) The president-

(a)

[Para. (a) deleted by s. 4 (a) of Act 99 of 1990.]

(b) shall be the chief executive officer of the council;

(c) shall be the accounting officer of the council charged with the responsibility of accounting for all moneys received and all payments made by the council, and shall exercise the powers and perform the duties which are conferred or imposed upon an accounting officer referred to in section 1 of the Exchequer and Audit Act, 1975 (Act 66 of 1975), by any law, Treasury Instructions and the Treasury, *mutatis mutandis*;

(d) shall exercise supervision over the other persons in the service of the council; and

(e) shall control and manage the work of the council.

[Sub-s. (1) substituted by s. 5 (a) of Act 65 of 1985.]

(1A) The president may delegate any of the powers conferred upon him by this Act to any officer or employee.

[Sub-s. (1A) inserted by s. 5 (b) of Act 65 of 1985.]

(2) The council shall designate an officer who, in the absence of the president, shall perform the functions contemplated in subsection (1).

(3) The president shall be paid, out of the funds of the council, such remuneration, allowances and subsidies, and shall receive other such benefits, as the council may determine

in accordance with a system approved by the Minister with the concurrence of the Minister of Finance.

[Sub-s. (3) substituted by s. 4 (b) of Act 99 of 1990.]

6 Officers and employees of the council

(1) The council may, subject to such conditions as it may determine, appoint such officers and employees as it may deem necessary to assist it to perform its functions: Provided that-

(a) the determination of their remuneration, allowances, subsidies and other benefits shall be done in accordance with a system approved by the Minister with the concurrence of the Minister of Finance;

[Para. (a) substituted by s. 5 (a) of Act 99 of 1990.]

(b) the appointment or promotion of any person to or in a post determined by the Minister shall be subject to the approval of the Minister;

(c) the dismissal of an officer from his post shall be subject to a right of appeal to the Minister, provided notice of such an appeal is given to the council and the Minister within fourteen days after receipt of the notice of dismissal.

(2) (a) An officer may, with his own consent and subject to such conditions as the council may determine, be seconded, either for a particular service or for a period of time, to the service of the State, of another State or of some other person.

(b) Such an officer shall, while he is so seconded, remain subject to the provisions of the laws and the conditions of service which apply to him while he is in the service of the council.

(3) The council may, subject to such conditions as it may determine, give guarantees to a financial institution in respect of a loan granted to an officer or employee by that financial institution to enable the officer or employee to acquire, improve or enlarge immovable property for residential purposes.

[Sub-s. (3) added by s. 5 (b) of Act 99 of 1990.]

7 Pension scheme and fund

The council shall be deemed to have been declared in terms of section 4 of the Associated Institutions Pension Fund Act, 1963 (Act 41 of 1963), to be an associated institution as from the fixed date.

8 Transfer of certain persons to service of the council

(1) (a) Any person who is on a permanent basis in the service of the State or an institution receiving financial aid from the State, may, with his consent in writing and with the concurrence of the head of the department of State or institution concerned, as the case may be, transferred to the service of the council and be deemed to have been appointed as an officer by the council, as from the date fixed by the council in consultation with the said head, and the salary of any such person shall as from that date be adjusted to the salary scale applicable to his post, at such notch on that scale as the council may determine: Provided

that, subject to the provisions of this Act, the salary or salary scale at which or in accordance with which such person was remunerated immediately prior to that date, and the extra earnings to which he was entitled immediately prior to such date and in respect of which he was required to contribute to a pension or provident fund of which he was in terms of any law a member immediately prior to such date, and the monetary value of any such extra earnings for the purposes of such contribution, may not be reduced without his consent.

[Para. (a) amended by s. (6) (a) of Act 65 of 1985.]

(b) Notwithstanding anything to the contrary contained in any other law, any extra earnings referred to in the proviso to paragraph (a) shall be part of the emoluments of the officer concerned for the purposes of his contributions to a pension or provident fund of which he is a member.

(c)

[Para. (c) deleted by s. 6 (b) of Act 65 of 1985.]

(2) Notwithstanding anything to the contrary in any other law contained-

(a) any continuous full-time employment in the service of the State or the institution concerned immediately prior to the date mentioned in paragraph (a) of subsection (1), of a person referred to in that paragraph, shall for purposes of leave, be deemed to be employment in the service of the council, and any sick and accumulative vacation leave standing to the credit of such a person on that date, shall, subject to such conditions as the council may with the approval of the Minister determine, be deemed to be leave earned in terms of his conditions of service in the service of the council;

(b) a person referred to in subsection (1) shall retain all the rights and privileges and remain subject to all the obligations acquired or incurred by him for pension purposes in terms of any law administered by the State which applied to him immediately prior to the relevant date referred to in the said subsection (1); and

(c) any contribution which, in terms of any law referred to in paragraph (b), would have been payable by the State or institution concerned in respect of such person to the pension fund concerned, if he had not become an officer of the council, shall be paid by the council to that pension fund.

(3) Any person to whom subsection (1) applies may, on such conditions as the Secretary for Social Welfare and Pensions may determine, elect to be released from and to renounce all obligations, right and privileges in respect of the said pension fund, and to become a member of the pensions fund established in terms of the Associated Institutions Pension Fund Act, 1963 (Act 41 of 1963), and as from a date fixed by the said Secretary the provisions of that Act shall then apply to him.

(4) If any guarantee given in terms of section 3 (1) of the Finance Act, 1955 (Act 67 of 1955), relates to a person who in terms of subsection (1) of this section becomes an officer of the council and such person-

(a) continues to be a contributor to a pension fund referred to in section 2 (1) of the Government Service Pensions Act, 1965 (Act 62 of 1965); or

(b) becomes a contributor to the pension fund referred to in section 2 (1) of the Associated Institutions Pension Fund Act, 1963,

such guarantee, together with any terms and conditions to which it is subject, shall be deemed to have been given by the council and shall, notwithstanding anything to the contrary contained in any provision thereof, but subject to the other terms and conditions thereof, *mutatis mutandis* remain of full force and effect.

(5) Any power, duty or function conferred or imposed upon the Minister of Finance under section 3 of the Finance Act, 1955, shall, in so far as it relates to a guarantee deemed to have been given by the council, be exercised or performed by the council, and any loss suffered by the council as a result of the exercise or performance of such power, duty or function, shall be defrayed out of the funds of the council.

(6) Notwithstanding anything to the contrary in any law contained, any amount which is payable to the council by any person referred to in subsection (4) on the date of his retirement or discharge, or which the council is then liable to pay in respect of him, may be deducted from any benefit which is payable to such person out of the pension fund concerned, in a lump sum or in such instalments, as the Secretary for Social Welfare and Pensions may determine, for payment to the council.

8A Transfer of staff of National Institute for Personnel Research to service of council

(1) Any person who, immediately before the commencement of the Human Sciences Research Amendment Act, 1985 -

(a) was an officer or an employee of the Council for Scientific and Industrial Research mentioned in section 2 of the Scientific Research Council Act, 1984 (Act 82 of 1984) (hereinafter referred to as the research council);

(b) was employed by the National Institute for Personnel Research of the research council; and

(c) was seconded with effect from 1 July 1984 to the service of the council,

shall be transferred at the said commencement to the service of the council as a member of its staff, with the retention of conditions of service (including remuneration) which shall not be less favourable than those which applied to him at that time, and shall be deemed to have been appointed as such a member in terms of section 6.

(2) The remuneration and allowances, bonuses, subsidies and other similar benefits payable to a member referred to in subsection (1) shall be deemed to have been determined in terms of section 6.

(3) Any service performed by a member referred to in subsection (1) as an officer or employee of the research council shall be deemed to be service performed by him as a member of the staff of the council, and any leave, pension and other benefits that have

accrued to such a member on the grounds of his service with the research council, shall be deemed to have accrued to him by virtue of service with the council.

[S. 8A inserted by s. 7 of Act 65 of 1985.]

9 Inventions by officers and employees of council and others and the award of bonuses to such persons

(1) Subject to the provisions of subsection (4) of this section and of section 10, the rights in any invention made by an officer or employee or by a person in receipt of a grant from the council as a result of research undertaken by him, shall vest in the council, which shall make such invention available for use in the public interest subject to such conditions and the payment of such fees or royalties as the council may determine.

[Sub-s. (1) substituted by s. 6 (a) of Act 99 of 1990.]

(2) If the rights in any invention are in terms of subsection (1) vested in the council, the council may award to the person responsible for the invention such bonus as it may deem fit, or make provision for financial participation by him in the profits derived from such invention to such extent as the Minister may, with the concurrence of the Minister of Finance, determine.

[Sub-s. (2) substituted by s. 6 (b) of Act 99 of 1990.]

(3) The council may apply for a patent in respect of any invention contemplated in subsection (1) and shall, for the purposes of the Patents Act, 1952 (Act 37 of 1952), be regarded as the assignee of the inventor in question.

(4) The provisions of this section shall not apply in respect of an invention contemplated in subsection (1) which, in the opinion of the council, was made by the person in question otherwise than in the course of his employment as an officer or employee or otherwise than in the course of the research in respect of which he received a grant from the council, and was not connected with such employment or research.

[Sub-s. (4) substituted by s. 6 (c) of Act 99 of 1990.]

10 Rights in inventions as result of research undertaken on request

The rights in any invention made as a result of an investigation conducted in terms of section 3 (2) shall vest either in the council or in the person who requested the investigation, as agreed upon previously, and shall, if they vest in the council, be further dealt with as provided in section 9 (1).

11 Secrecy

(1) Subject to the provisions of sections 9 and 10 and of the Protection of Information Act, 1982 (Act 84 of 1982), if any person referred to in section 9 (1), as a result of any research undertaken by him, ascertains any fact which was previously unknown, he shall report the appropriate particulars thereanent to the council and shall not without the consent of the council disclose it to any person other than the council.

[Sub-s. (1) substituted by s. 8 of Act 65 of 1985.]

(2) The provisions of section 9 (4) shall *mutatis mutandis* apply in respect of the ascertaining of any fact contemplated in subsection (1) of this section.

(3) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding five hundred rand.

12 Financing of council

(1) The funds of the council shall consist of-

(a) moneys appropriated by Parliament to enable the council to perform its functions;

(aA) money borrowed by the council in terms of section 2 (3);

[Para. (aA) inserted by s. 2 of Act 25 of 1980.]

(b) revenue obtained by virtue of the provisions of subsection (4);

(c) fees or royalties referred to in section 9 (1) which are paid to the council;

(d) donations or contributions which the council may receive from any person;

[Para. (d) substituted by s. 7 of Act 99 of 1990.]

(e) revenue obtained under this Act from any other source.

[Para. (e) added by s. 4 of Act 31 of 1974.]

(2) (a) Subject to the provisions of subsection (5), the council shall utilize its funds for defraying expenses in connection with the performance of its functions.

(b) The council shall utilize the moneys contemplated in subsection (1) (a) in accordance with the statement in question of its estimated income and expenditure referred to in subsection (3), as approved by the Minister: Provided that, subject to the provisions of paragraph (a), the council may utilize an amount or portion of an amount required to be utilized for a particular purpose in connection with a specific matter, for any other purpose in connection with that matter: Provided further that the council may utilize the balance of such moneys remaining at the end of the council's financial year in question, for any expenses in connection with the performance of its functions.

(c) The council shall utilize any donation or contribution contemplated in subsection (1) (d) in accordance with the conditions (if any) imposed by the donor or contributor in question.

(3) The council shall in each financial year, at a time determined by the Minister, submit a statement of its estimated income and expenditure during the following financial year to the Minister for his approval in consultation with the Minister of Finance.

(4) The council may invest any unexpended portion of its moneys with the Public Debt Commissioners or in such other manner as may be determined by the Minister in consultation with the Minister of Finance.

(5) The council may establish such reserve funds as it may deem expedient and pay into any such fund such amounts as the Minister may approve.

12A Alienation and encumbrance of council's property

The council shall not, without the prior approval of the Minister, granted in consultation with the Minister of Finance-

(a) let, sell, exchange or otherwise alienate its immovable property;

(b) so long as a guarantee furnished in terms of section 35 of the Exchequer and Audit Act, 1975 (Act 66 of 1975), is of force and effect in respect of any loan granted to the council-

(i) mortgage or otherwise encumber its immovable property acquired with money obtained by means of that loan;

(ii) let, sell, exchange or otherwise alienate, or hypothecate or otherwise encumber its movable property acquired with money obtained by means of that loan.

[S. 12A inserted by s. 3 of Act 25 of 1980.]

12B Recovery of losses and damage

(1) If a person who is or was in the service of the council caused the council any loss or damage because he-

(a) failed to collect moneys due to the council for the collection of which he is or was responsible;

(b) is or was responsible for an irregular payment of moneys of the council or for a payment of such moneys not supported by a proper voucher;

(c) is or was responsible for fruitless expenditure of moneys of the council due to an omission to carry out his duties;

(d) is or was responsible for a deficiency in, or for the destruction of, or damage to, moneys of the council, stamps, face value documents and forms having a potential value, securities, equipment, stores or any other property of the council;

(e) due to an omission to carry out his duties, is or was responsible for a claim against the council,

the accounting officer referred to in section 5 (1) *(c)* shall determine the amount of such loss or damage, and may order, by notice in writing, that person to pay to him, within 30 days from the date of such notice, the whole or any part of the amount so determined.

(2) If a person who is in the service of the council and who has in terms of subsection (1) been ordered to pay an amount, fails to pay the amount within the period stipulated in the notice in question, the amount shall, subject to the provisions of subsections (4), (5) and (6),

be deducted from his monthly salary: Provided that such deduction shall not in any month exceed one-fourth of his monthly salary.

(3) If a person who was in the service of the council and who has, in terms of subsection (1), been ordered to pay an amount, fails to pay the amount within the period stipulated in the notice in question, the accounting officer shall, subject to the provisions of subsections (4), (5) and (6), recover the amount from the person concerned by legal process.

(4) If a person who has been ordered to pay an amount in terms of subsection (1) makes, within the period stipulated in the notice in question, an offer to pay the amount in instalments, the accounting officer may allow payment in such instalments as he may consider reasonable.

(5) A person who has in terms of subsection (1) been ordered to pay an amount may-

(a) within a period of 30 days from the date of such order, appeal in writing against such order to the council, stating the grounds for his appeal, and the council may, after such investigation as it may deem necessary, dismiss the appeal, or order that the appellant be exempted either wholly or partly, according as the council may consider fair and reasonable, from the payment of such amount; or

(b) within a period of 30 days from the date of such order, or within such further period as the court may allow, apply to a competent court for an order setting aside such first-mentioned order or reducing such amount, and the court may upon such an application, if it is not convinced by the accounting officer on the merits of the case that the order was rightly made or that that amount is correct, make an order setting aside such first-mentioned order or reducing the amount, as the case may be.

(6) Any person who feels himself aggrieved by a decision under subsection (5) (a) of the council, may within a period of 30 days from the date of such decision or within such further period as the court may allow, apply to a competent court for an order referred to in subsection (5) (b) and the provisions of that subsection shall then apply *mutatis mutandis*.

[S. 12B inserted by s. 9 of Act 65 of 1985.]

13 Auditing and annual report

(1) The financial year of the council shall terminate on the 31st day of March in each year.

(2) The council shall keep a proper record of its property and of its financial transactions.

(3) The accounts of the council shall be audited by the Controller and Auditor-General.

(4) (a) The council shall furnish to the Minister such information in connection with the activities and financial position of the council as he may from time to time require, and shall in addition, as soon as possible after the end of every calendar year, submit to the Minister an annual report, including a balance sheet and a statement of income and expenditure in respect of the financial year ending in the calendar year in question, certified by the Controller and Auditor-General, and such other particulars as the Minister may require.

[Para. (a) substituted by s. 5 of Act 31 of 1975.]

(b) The Minister shall lay the said report upon the Table of Parliament within fourteen days after receipt thereof, if Parliament is in ordinary session, or, if Parliament is not in ordinary session, within fourteen days after the commencement of its next ensuing ordinary session.

[Para. (b) substituted by s. 8 of Act 99 of 1990.]

13A Delegation of powers by council

(1) The council may delegate any or all of the powers conferred upon it under this Act to-

(a) the executive committee established by section 4 (4);

(b) any subsidiary committee established under section 4 (6); or

(c) the president.

(2) Any power delegated under subsection (1) shall be exercised subject to the directions of the council.

(3) The council may at any time revoke any such delegation, and the delegation of any power shall not prevent the exercise of that power by the council itself.

[S. 13A inserted by s. 10 of Act 65 of 1985.]

14 Regulations

(1) The Minister may make regulations as to-

(a) the period of office, resignation and dismissal of members of the council; and

(aA) the exercise of control over psychological and scholastic tests and other aids contemplated in section 3 (1) (c) (ix) and psychological testing and examination contemplated in section 3 (1) (c) (x); and

[Para. (aA) inserted by s. 11 (a) of Act 65 of 1985.]

(b) any other matter in respect of which he deems it necessary or expedient to make regulations to achieve the objects of this Act.

(2) Any regulation made under paragraph (aA) of subsection (1) may, in respect of any contravention thereof or any failure to comply therewith, prescribe a penalty not exceeding a fine of R1 000 or imprisonment for a period not exceeding 6 months.

[Sub-s. (2) added by s. 11 (b) of Act 65 of 1985.]

15 and 16

[S. 15 and 16 repealed by s. 9 of Act 99 of 1990.]

17 Short title and commencement

This Act shall be called the Human Sciences Research Act, 1968, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.