

Transvaal Indians. a complete  
account of their grievances, demands  
and sufferings.

# THE TRANSVAAL INDIANS.

A complete account

OF

Their Grievances, Demands  
and Sufferings.

TOGETHER WITH FULL TEXTS

OF THE

Anti-Asiatic Legislation  
of the Colony.

ट्रान्सवालांतिल हिंदी लोक.

ब्यांची दुःखें, मागण्या व परिस्थिति; या संवंधाची  
इंग्रजी व मराठी सविस्तर हकीकत.

( Printed at the Indu Prakash Steam Press-BOMBAY. )

Price 2 Annas.

# CONTENTS.

## The Transvaal Indians—Their grievances, Demands and Sufferings.

	PAGE
No I—The main points at issue ... ..	1
No II—Brief History of the Anti-Asiatic Campaign ... ..	4
No III—Brief history of the Passive Resistance movement ... ..	9
No IV—The Imperial Government False to its Trust and Conclusion ... ..	14
APPENDIX A—Law No III of 1885 and the Asiatic Law Amendment Act, No. II of 1907. ... ..	19
APPENDIX B—Summary of other Minor Acts and of the Regulations ... ..	28

---

दरसंभारालातील हिंदी लोक, त्यांची दुःखे, व मागण्या ... .. १ ते २१

---

## Appendix A.

THE VARIOUS ANTI 'ASIATIC' LAWS  
AND REGULATIONS IN FORCE IN  
THE TRANSVAAL

*(Reprinted from the Daily Indu Prakash, Bombay of  
the 18th of August 1909 and subsequent issues.)*

LAW No. III OF 1885.  
AS AMENDED BY VOLKSRAAD  
RESOLUTIONS DATED 24TH  
JANUARY 1887, AND  
DATED 16TH MAY 1890.

*(Coolies, Arabs, & other Asiatics.)*

Art 1—This law shall apply to the persons belonging to any of the Native Races of Asia, including the so-called coolies, Arabs, Malays, and Mahomedan subjects of the Turkish dominion.

Art 2. With regard to the persons mentioned in Art 1 the following provisions shall apply:-

(a) They shall not be capable of obtaining burgher rights, political or municipal, of the South African Republic.

(b) They may not be owners of fixed property in the Republic except in such streets, wards and locations as the Government shall appoint for sanitary purposes as their residence.

(c) Such as establish themselves in the Republic to carry on business or otherwise, shall be registered in a separate register to be kept therefore by the Landrusts of the respective districts or

other officials who may be thereto appointed by the Government, according to a model to be prescribed by the Government. On such registration, which shall take place within eight days after arrival, the sum of £ 3 Sterling shall be paid.

Contravention of the provisions contained in Subsection "c", above, shall be punished with a fine of from £ 10 to £ 100 sterling, or in default of payment, with imprisonment for a period of from 14 days to 6 months. The above mentioned registration shall be effected free of charge in the case of those persons who settled in the Republic before the coming into operation of this law, provided they report themselves to the Landrust, in the case of those living in the district of Pretoria, within eight days, and in the case of those living in the other districts, within thirty days, after the coming into operation of this law.

(d) The Government shall have the right to appoint special streets, wards, and Locations for their residences. This provision shall not apply to servants living with their masters.

X X X X X

THE ASIATIC LAW  
 'AMENDMENT ACT  
 No. II. OF 1907.

TO AMEND LAW No. 3 OF 1885  
 (Assented to on 22nd March 1907.)

Be it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of the Transvaal as follows:—

REPEAL.

I. Sub-section (c) Article 2 of Law No. 3 of 1885 as amended by Volkeraad Resolutions Article 1419 of the twelfth day of August 1886 and Article 128 of the sixteenth day of May 1890 shall be and is hereby repealed.

DEFINITIONS.

In this Act unless inconsistent with the context, "Asiatic" shall mean any such male person as is described in Article one of Law No 3 of 1885, not being a Malay born and resident in any British Colony or possession in South Africa, nor a person introduced into the Colony under the Labour Importation Ordinance 1904 and not being an officer in the Chinese Consular Service.

"Register of Asiatics" shall mean the register to be kept under this Act as prescribed by regulation;

"Registrar" shall mean the officer appointed by the Governor to keep the register of Asiatics and any person lawfully acting in such capacity;

"Resident Magistrate" shall include an Assistant Resident Magistrate;

"Regulation" shall mean any Regulation made under section eighteen of this Act;

"Guardian" shall mean the parent of an Asiatic under the age of sixteen or any other person under whose care or control such Asiatic is living for the time being, or failing any such person the employer of such Asiatic;

"Application for registration" shall mean an application to be placed on the register of Asiatic made in such manner and forms as may be prescribed by Regulation and accompanied by the supplying of such particulars and the furnishing of such means of identification as may be required by this Act or by Regulation.

"Applicant" shall mean any person who makes application for registration on his own behalf or any person on whose behalf application for registration is made by his guardian;

"Certificate of registration" shall mean a certificate of registration under this Act in the form prescribed by Regulation;

"Lawful holder" as used in relation to any certificate of registration shall mean the person whose registration is thereby certified.

ALL ASIATICS LAWFULLY  
 RESIDENT IN COLONY TO  
 BE REGISTERED.

2. (1) Every Asiatic lawfully resident in this Colony shall subject to the exceptions here in after-mentioned be registered in the register of Asiatic and shall thereupon be entitled to receive a certificate of registration and no

charge shall be made for such registration or certificate save as in section *twelve* of this Act provided.

3 The following shall be deemed for the purpose of this Act to be Asiatics lawfully resident in this Colony:—

(i) Any Asiatic duly authorized to enter and reside in this Colony by a permit issued under the Indemnity and Peace Preservation Ordinance, 1902, or any amendment thereof or issued between the first day of September 1900 and the date of the passing of the said Ordinance, unless such permit shall have been fraudulently obtained; provided that any permit expressed to authorize any Asiatic to remain in this Colony for a limited time only shall not be deemed to be a permit within the meaning of this subsection.

(ii) Any Asiatic resident and actually in this Colony on the thirty-first day of May 1902.

(iii) Any Asiatic born in this Colony since the thirty-first day of May 1902 not being the child of any labourer introduced into this Colony under the Labour Importation Ordinance 1904.

#### ASIATICS TO APPLY FOR REGISTRATION WITHIN FIXED TIME.

4. (1) Every Asiatic resident in this Colony at the date of the taking effect of this Act shall, before such date or dates and at such place or places and to such person or persons as the Colonial Secretary may prescribe by notice in the "Gazette," make application for registration.

(2) Every Asiatic who enters this Colony after the date of the

taking effect of this Act and who has not previously been Registered thereunder shall within eight days after entering this Colony, unless he shall have entered under a permit granted under section 'seventeen,' make application for registration to such person and at such place as may be so prescribed; provided that.

(a) no application shall be required to be made under this section on behalf of any Asiatic child who at the expiration of the time within which such application is required to be made is under the age of eight years;

(b) in the case of any Asiatic child who at the expiration of such time is eight years of age but under sixteen years of age such application shall be made on such child's behalf by his guardian and if not so made shall be made by such child within one month after attaining the age of sixteen years.

#### DUTIES OF THE RE- GISTRAR.

5. (1) The Registrar shall consider every application for registration made under the last preceding section and register every applicant who is lawfully resident in this Colony or whose application is approved by him and shall cause to be issued to such applicant or the guardian who made the application on his behalf a certificate of registration.

(2) If it shall appear to the Registrar that any applicant is not lawfully resident in this Colony, he may refuse to register such applicant, and in case of refusal where the applicant is of the age of sixteen years or over

shall cause a notice of refusal to be sent by post to the applicant at the address given by him on application, and a copy of such notice shall be affixed to the principal door of the Magistrate's Office of the District where such application was made and the Registrar shall by such notice direct such applicant to appear before the Resident Magistrate of the District at a time therein specified being not less than fourteen days from the date of such notice and show cause why he should not be ordered to leave this Colony, and if such applicant shall fail to appear at the time specified in such notice, or having appeared shall fail to satisfy the Resident Magistrate that he is lawfully resident in the Colony, the Resident Magistrate if the applicant is of the age of sixteen years or over shall make an order in writing directing him to leave this Colony within a time to be specified in such order; provided always that if such order is made in the absence of the applicant such time shall run from the date of the service of the order upon him and such order shall be deemed to be an order made under section *six* of the Peace Preservation Ordinance 1903 and sections *seven* and *eight* of the said Ordinance shall apply accordingly; provided further that if the Resident Magistrate shall be satisfied that the applicant is lawfully resident within this Colony such Magistrate shall make an order upon the Registrar requiring him to register such applicant and to issue to him a certificate of registration.

#### PARTICULARS TO BE SUPPLIED BY APPLICANTS.

6(1) Any Asiatic who is the guardian of an Asiatic child under the age of eight years shall upon making application for registration on his own behalf supply such particulars and furnish such means of identification in respect of such child as may be prescribed by Regulation and if such guardian is himself registered the particulars aforesaid which he has supplied shall be provisionally noted on the register and such guardian shall within one year after the child aforesaid attains the age of eight years make application for registration on such child's behalf at the office of the Resident Magistrate of the District in which he himself resides.

(2) The guardian of every Asiatic child born in this Colony after the date of the taking effect of this Act shall within one year after such child attains the age of eight years make application for registration on such child's behalf at the office of the Resident Magistrate of the District in which he himself resides; provided that

(a) where any guardian fails to make application for registration on behalf of any Asiatic child whose guardian he is, within the time hereby prescribed for making the same, such guardian shall on being thereto required by the Registrar or any Resident Magistrate make such application at any later date;

(b) where any application which is required to be made under this section by the guardian of an

Asiatic child is not made by such guardian, or where such application is refused, application for registration shall be made by such Asiatic child at the office of the Resident Magistrate of the District within which he resides within one month after he attains the age of sixteen years.

The Resident Magistrate at whose office any application is made under this section shall cause the record of such application and all documents relating thereto to be forwarded to the Registrar who shall if satisfied that the same is in order register the applicant and cause to be issued to him or his guardian a certificate of registration.

#### APPLICATION BY MINOR.

7. Where particulars as to any Asiatic child under the age of eight years have not been provisionally noted on the register, as is in the last preceding section provided, by reason of the failure of this guardian to supply such particulars, application for registration shall nevertheless be made on behalf of such Asiatic child by his guardian within one year after he attains the age of eight years, and if not so made shall be made by such Asiatic child within one month after he attains the age of sixteen years at the office of the Resident Magistrate of the District in which he resides and the record of such application and all documents relating thereto shall be forwarded to the Registrar who may in his discretion register the applicant and issue to him or his guardian a certificate of registration.

#### PENALTIES FOR FAILING TO MAKE APPLICATION.

8 (1) Any person who shall fail to make application for registration as required by this Act either on his own behalf or as guardian on behalf of an Asiatic child shall be liable on conviction to a fine not exceeding one hundred pounds and in default of payment to imprisonment with or without hard labour for a period not exceeding three months.

(2) Any person who brings into this Colony an Asiatic under the age of sixteen years not lawfully resident therein and any person who shall employ such child in any trade or business shall be guilty of an offence and shall be liable on conviction to the following penalties.

(a) to the penalties mentioned in subsection (1) of this section; and  
(b) if such person is the holder of a certificate of registration to cancellation of such certificate by the Registrar;

And thereupon the Colonial Secretary may issue an order directing such person to leave this Colony and such order shall be deemed to be an order issued under section *six* of the Peace Preservation Ordinance 1903 and sections *seven* and *eight* of the said Ordinance shall apply accordingly.

(3) Any Asiatic over the age of sixteen years who after such date as may be notified by the Colonial Secretary in the *Gazette* is found within the Colony and fails upon such demand as is hereinafter mentioned to produce a certificate of registration of which he is the



lawful holder, may be arrested without warrant and brought before a Resident Magistrate, and if he fails to satisfy such Magistrate that he is the lawful holder of a certificate of registration or that the time within which he is required to make application for such certificate has not expired, the Magistrate shall, save as in the next succeeding sub-section provided, make an order in writing directing such Asiatic to leave this Colony within such time as may be specified in such order, and such order shall be deemed to be an order made under section *six* of the Peace Preservation Ordinance 1903, and sections *seven* and *eight* of the said Ordinance shall apply accordingly.

(4) If an Asiatic who has failed to make application for registration within the time prescribed by this Act shall satisfy the Magistrate before whom he is brought that such failure was due to some good and sufficient causes the Magistrate may instead of making such order as aforesaid direct such Asiatic forthwith to make application for registration and if such Asiatic shall comply with such direction his application shall be dealt with in all respects as if it had been made within the time within which it was required to be made by this Act, and all the provisions of this Act which would have applied if the application had been so made shall apply accordingly, but if he shall fail to comply with such direction the Magistrate shall make such order for removal as aforesaid in respect of such Asiatic.

#### REGISTRATION CERTIFICATE TO BE PRODUCED ON DEMAND.

9. Every Asiatic of the age of sixteen years or over entering or residing in this Colony shall upon demand made upon him by any member of a police force lawfully established in this Colony or any other person authorized thereto by the Colonial Secretary produce the certificate of registration of which he is the lawful holder and shall also on like demand supply such particulars and furnish such means of identification as may be prescribed by Regulation.

Every guardian of an Asiatic child under the age of sixteen years shall produce on such demand as aforesaid any certificate of registration of which such child is the lawful holder and supply any particulars and furnish any means of identification in respect of such child.

#### EVIDENCE OF REGISTRATION CERTIFICATES.

10. Every certificate of registration shall be accepted as conclusive evidence in all places that the lawful holder thereof notwithstanding anything in the Peace Preservation Ordinance 1903 contained, is entitled to enter and reside in this Colony; provided always that this section shall not apply to persons who have under section *ten* of the Peace Preservation Ordinance 1903, been ordered to leave the Colony.

#### DUTY OF PERSONS FINDING LOST CERTIFICATES.

11. Any person into whose hands shall come any certificate of registration or any permit

issued under section *seventeen* of which he is not the lawful holder shall forthwith deliver or transmit the same by post as soon as may be to the Registrar of Asiatics, Pretoria.

Any person who fails to comply with the requirements of this section shall be liable on conviction to a fine not exceeding fifty pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding one month.

**PROVISION WHERE REGISTRATION CERTIFICATE IS LOST OR DESTROYED.**

12. If at any time any certificate of Registration is lost or destroyed the person who was the lawful holder thereof shall apply forthwith to the Registrar to have the same renewed and the Registrar shall upon compliance by such person with the Regulations relating to applications for the renewal of certificates and upon payment of a fee of five shillings renew such certificate. The said fee shall be denoted by means of revenue stamps to be affixed to such application by the applicant for such renewal and shall be defaced by the officer who receives such application.

**TRADING LICENSES NOT TO BE GRANTED TO ASIATICS EXCEPT UPON PRODUCTION OF CERTIFICATES.**

13. After such date as may be notified by the Colonial Secretary in the *Gazette* no Asiatic shall obtain any trading licence issued under the Revenue Licenses Ordinance 1905 or any amendment

thereof or under any bye-law in force in a municipality unless he shall produce to the person appointed to issue such licence a certificate of registration of which he is the lawful holder and supply such particulars and furnish such means of identification as may be prescribed by regulation.

**EVIDENCE AS TO AGE OF ASIATICUS.**

14. Whenever in any prosecution or other proceeding under this Act the age of any Asiatic is in question such Asiatic shall unless and until the contrary be proved be taken to be of the age which the Registrar shall in any certificate issued under his hand certify to be in his opinion the apparent age of such Asiatic.

**EXEMPTION FROM STAMP DUTY OF AFFIDAVIT OR SWORN DECLARATION REQUIRED BY REGULATION.**

15. Any affidavit or sworn declaration which is required by Regulation to be made by any person who makes an application for registration either on his own behalf or on behalf of some other person shall be exempt from stamp duty.

**OFFENCES RELATING TO APPLICATIONS FOR REGISTRATION AND TO REGISTRATION CERTIFICATES**

16. Any person who;

(i) for the purpose of or in connection with an application for registration or for the purpose of obtaining a certificate of registration commits any fraudulent act or makes any false statement

or false pretence or incites any person to or aids or abets any person in such act statement or pretence;

(ii) forges any certificate of registration;

(iii) uses or attempts to use as his certificate any certificate of registration of which he is not the lawful holder or any forged certificate of registration.

(iv) incites any person to use or aids and abets any person in using as such person's certificate any certificate of registration of which such person is not the lawful holder or any forged certificate of registration;

Shall be liable to a fine not exceeding five hundred pounds or in default of payment to imprisonment with or without hard labour for a term not exceeding two years or to both such fine and such imprisonment.

17. (1) Notwithstanding anything in the Peace Preservation Ordinance 1903 contained, a permit to enter this Colony may in the absolute discretion of the Colonial Secretary be issued in the form prescribed by Regulations authorizing an Asiatic to enter and remain in this Colony for any period named in such permit, and after the expiry of such period the person authorized by such permit to enter this Colony shall be deemed to be a person not duly authorized to be in this Colony, and if found, may be arrested without warrant and the provisions of sections *seven* and *eight* of the said Ordinance shall apply to such person as if he were a person who at the date of such expiry had been ordered to leave this Colony under section *six* of

the said Ordinance and had failed to comply with such order.

(2) The provisions of section *nine* of the said Ordinance shall in all cases apply to permits issued under this section.

(3) any permit issued before the date of the taking effect of this Act to an Asiatic under the Indemnity and Peace Preservation Ordinance 1903 or any amendment thereof and expressed to authorize such Asiatic to remain in this Colony for a limited time only shall be deemed to be a permit issued under this section.

(4) The Colonial Secretary may in his discretion order that the person authorized by any permit issued under this section to enter and remain in this Colony shall not during the currency of such permit be deemed to be a coloured person for the purpose of the provisions of the Liquor Licensing Ordinance 1902 or any amendment thereof and such order shall be of full force and effect for such purposes.

(5) The Colonial Secretary may issue any such order as in the last preceding sub-section mentioned in respect of any person who is a member of an Asiatic race and is not subject to the provision of this Act.

#### POWER TO MAKE REGULATIONS.

18. The Governor in Council may from time to time make, alter and repeal Regulations for any of the following purposes;

(1) prescribing the form of the register to be kept under the Act;

(2) prescribing the manner and form in which application shall be made for registration, the particulars to be supplied and the means of the identification to be

furnished by any applicant for the purpose of or in connection with such application ;

(3) prescribing the form of certificates of registration ;

(4) prescribing the particulars to be supplied and the means of identification to be furnished ;

(a) by the guardian of any Asiatic child under the age of eight years under section ' six ' of this Act ;

(b) by any Asiatic upon such demand as is in section *nine* of this Act mentioned ;

(c) by any Asiatic applying for the renewal of any certificate of registration which has been lost or destroyed ;

(d) by any Asiatic applying for a trading license ;

(5) prescribing the form of permit to be issued under section *seventeen* of this Act.

#### GENERAL PENALTIES.

19, Any Asiatic or the guardian of any Asiatic failing to comply with any requirement of this Act shall except where otherwise specified be liable on conviction to a fine not exceeding one hundred pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding three months.

#### PROVISIONS AS TO CERTAIN ASIATICS UNDER CONTRACTS OF SERVICE.

20. Notwithstanding anything contained in the Labour Importation Ordinance 1904 no Asiatic who is the lawful holder of a certificate of registration and

no Asiatic who was lawfully resident in this Colony or allowed to enter it under a proper permit before the date of the said Ordinance shall be prohibited from entering or residing in or being introduced into this Colony by reason of the fact that he is under a contract of service and has not entered into the contract referred to in section eight of the said Ordinance.

#### PROVISIONS AS TO HOLDING FIXED PROPERTY.

21. Notwithstanding anything contained in sub-section (b) of article two of Law No. 3 of 1885 as amended by Volksraad Resolution Article 1419 of the twelfth day of August 1886 any fixed property in this Colony acquired by an Asiatic before the taking effect of such law and registered in the name of such Asiatic whether before or after the taking effect of such Law may be transmitted by such Asiatic to another Asiatic by testamentary or other inheritance.

#### TITLE AND DATE OF TAKING EFFECT.

22. This Act may be cited for all purposes as the Asiatic Law Amendment Act 1907 and shall not take effect unless and until the Governor shall proclaim in the 'Gazette' that it is His Majesty's pleasure not to disallow the same, and thereafter it shall take effect upon such date as the Governor shall notify by Proclamation.

**Appendix B.**  
**SUMMARY OF OTHER MINOR ACTS**  
**AND THE REGULATIONS.**

*(Reprinted from the daily Indu Prakash,  
 24th August, 1909.)*

**REGULATIONS UNDER THE**  
**ASIATIC LAW AMEND-**  
**MEND ACT.**

Section IV of these Regulations requires every applicant for registration to appear before the Registrar of the District and furnish him with particulars required by Form B.—These particulars are, on the face side of the form, Name, Race, Caste or Sect, Age, Height, Residence, Occupation, Physical description, Place of birth, Date of first arrival in the Transvaal, Place where resident on 31st May 1902, Father's name, Mother's name, wife's name, and place residing at. On the back side of the Form are to be given the Name; the righthand impressions of all the five fingers in different columns, next the left-hand impressions of all the five fingers and next simultaneous impressions of the four fingers of both the left and the right hand. In the case of minors, both the guardian applicant and the minor have to give these particulars.

Regulation VI prescribes the Form of the Certificate. On that Certificate too, the right thumb impression of the person to

whom the certificate is issued has to be given.

Regulation VII provides that every adult required by Police officer or by any other authorized person to produce his Registration certificate shall, in addition to such production, supply on demand the following particulars:—his name, his present residence, his residence at the date he made application, his age and in the presence of such police officer or authorized person, a specimen of his signature if he is able to write and impressions of his thumbs or of his thumbs and his fingers if he is not.

Regulation VIII provides that in the case of minors the impressions of the thumbs of such minor or of the thumbs and the fingers shall be given.

Regulation X requires thumb and finger impression on application for renewals of lost or destroyed certificates.

Regulation XI requires an Asiatic applying for a trading license from a Municipality to give impressions of all or such of the thumbs as required.

Regulation XII requires thumb impression from any Asiatic applying on behalf of another Asiatic temporarily absent for trading license.

Regulation XIII provides that even permits for temporary residence in Colonies shall have the right thumb impressions of the grantee.

X X X

**THE IMMIGRANT RESTRICTIONS ACT No. 15 OF 1907.**

Section I repeals the Peace Preservation Ordinance of 1903, but provides that "no such repeal shall affect or abridge any powers or jurisdiction by the Asiatic Law Amendment Act of 1907 conferred for the purpose of carrying out such Act."

Section 2 gives definitions and lays down that "prohibited immigrant" shall include:—(a) a person unable to write in the characters of an European language an application for permission to enter the Colony, subject to any special agreement with a foreign country; (b) a pauper; (c) prostitutes &c; (d) "any person who at the date of his entering or attempting to enter the Colony is subject or would, if he entered the Colony, be subject to the Provisions of any law in force on such date or thereafter, if found therein, to be removed from or to be ordered to leave the Colony, whether on conviction of an offence against such law or for failure to comply with its provisions or otherwise in accordance with its provisions; (e) a lunatic; (f) lepers &c; (g) an undesirable person; (h) one likely to be dangerous to peace and order.

That "prohibited immigrant" includes Asiatics unless they get themselves registered under the Asiatic Law Amendment Act of 1907 is clear from the fact that this section—Sec. 2 specifically provides that the words "prohibited immigrants" shall not include amongst others "(e) the wife or minor child of any person who is not a prohibited immigrant;" and "(g) any Asiatic who is eligible for or has obtained a certificate of Registration under the Asiatic Law Amendment Act" and who is not a pauper, a lunatic, leper, undesirable or one liable to be removed."

Section 5 imposes on prohibited immigrants entering or found in the Colony fine up to £100, or imprisonment of either kind for six months. Such persons may be removed by force.

Section 7 provides the same penalty as Section 5 for the offences of aiding or being accessory to entrance by prohibited immigrants.

Section 8 forbids a prohibited immigrant from obtaining a license to trade or acquiring any interest in land.

Section 9 makes persons suspected of being prohibited immigrants liable to arrest without warrant and under Section 11, liable to pay expenses of removal and custody.

Section 12 makes it incumbent on hotels, boarding houses and lodging houses to keep a list of all persons they accommodate and the list is open to the inspection of any police officer etc.

X X X X

## THE ASIATIC REGISTRATION ACT OF 1908.

This Act was passed in order "to validate the voluntary registration of certain Asiatics who failed to comply with the provisions of Act No. 2 of 1907 and to make further provision for the registration of Asiatics."

Section 1—' Interpretation of terms' defines "Asiatic" to mean "any male person belonging to one of the native races of Asia and shall include a coolie, an Arab and a Malay." Section 2 validates the voluntary registration of Asiatics, but only of such of them in respect of whom an application for Registration was made between the 10th February 1908 and 10th May 1908. It also recognises as valid fresh Registration Certificates in lieu of Certificates taken under Act 2 of 1907.

Section 3 provides that under the present Act of 1908 an Asiatic shall be entitled to registration if he satisfies the requirements of Section 2; or if he holds a Certificate under the Act of 1907 and desires to exchange it for a fresh one under this Act; or having been a minor resident of the Colony, he first entered the Colony with an adult Asiatic guardian duly registered or entitled to be registered; or if he was born in the Transvaal.

Section 4 requires all adult un-registered Asiatics to get themselves registered, if so entitled. Subsection 2 provides that every un-registered adult Asiatic resident outside the Colony at the commencement of the Act shall be entitled to obtain a Registration

Certificate only if he was resident in the Transvaal for three years prior to 11th October 1899, and upon application for registration from a place in South Africa within one year after the commencement of the Act. Subsection 3 entitles to a Registration Certificate under the Act, such un-registered adult Asiatic residents outside the Colony at the commencement of the Act as were duly authorised to do so by a permit under the Peace Preservation Ordinance or as were resident and actually in the Colony on 31st May 1902.

Section 5 requires minors to take Registration Certificates on their own account within a month after attaining the age of 16.

Section 6 empowers the registrar, subject to an appeal before a Magistrate specially appointed for the purpose, to refuse Registration to any Asiatic not falling within the foregoing provisions and therefore not entitled to Registration.

Sections 7 and 8 provide for the arrest and deportations of persons not taking Certificates of Registration though entitled and of persons not entitled to certificates.

Section 9 compels the production of Certificates on demand by any European policeman or authorized person together with particulars and means of identification.

Section 14 restricts the issue of trade-licenses only to persons registered.