

1. The object of the Act, as stated in its preamble, is "the prevention and control of illegal squatting on public and private land". It is intended to deal with the "shanty town" movement under which thousands of Africans working in towns, finding no housing accommodation in the established locations in the towns, have congregated on land outside the locations under conditions amounting to what may be described as "uncontrolled locations".
2. The Act makes it unlawful for any person to enter upon or remain on land or building without the permission of the owner or lawful occupier of such land or building whether such land is enclosed or not, or in the case of a location, without the permission of the urban local authority concerned. The person who commits such an offence is liable to a fine not exceeding £25 or to imprisonment for a period not exceeding three months or both such fine and imprisonment. If the offence is continued after conviction, the punishment becomes a fine not exceeding £1 per day or imprisonment not exceeding 7 days for every day that the offence continues. In addition such person may be summarily ejected and removed to such other place as the Court may indicate, and any buildings or structures which he has put up may be demolished and removed ~~to~~ such ~~uncontrolled~~ land. The Magistrate or Native Commissioner is empowered to transfer such persons to such other suitable place within or without his district as he may indicate.
3. The Act also makes it unlawful for anyone to receive or solicit payment of any moneys as a fee or other charge connected with such occupation of land or building by such unauthorised persons. It is unlawful also for any person or persons to seek to exercise any degree of authority in connection with or over such unlawful occupiers of land or buildings. Anyone guilty of this offence shall be liable to a fine not exceeding £100 or imprisonment not exceeding 12 months. Any moneys collected by such persons or person may be confiscated if found; otherwise the person or persons concerned may be ~~called~~ called upon to pay the amounts of money involved, if necessary by means of a writ of execution on his private property. This section was intended to enable the Government to take action against the leaders of such Squatter movements. When the "shanty towns" were first established by individual leaders such as Mpanza, certain self-appointed leaders took it upon themselves to organise some ~~form~~ form of local government for the shanty town, and the local inhabitants were required by such leaders to pay to them a fee or other charge for services rendered. It is suggested that in course of time abuses crept into the system and the whole thing degenerated into a form of exploitation of the inhabitants of the shanty towns concerned. In future any persons collecting moneys in this manner will be liable to punishment.
4. The Act empowers the Native Commissioner, where he finds that people are congregated on land or in a building under conditions which in his opinion may endanger the health or safety of the public generally or of any class or classes of persons
  - (a) to effect the immediate removal of such persons from that land
  - (b) to effect the transfer of such persons to such other place as he may indicate
  - (c) to ensure the demolition or removal from such land of all buildings and structures erected thereon.The persons concerned are to be given notice by the Native Commissioner of his intention to take such steps at least three days before he does so

5. The Act also empowers a local authority to establish within its area of jurisdiction an emergency camp for the purpose of the accommodation of homeless persons and to provide for the administration, maintenance, sanitation and health of such emergency camp, and the control thereof, including particularly the control of trading. The regulations framed for the control of such emergency camp may provide for fees or charges to be levied in respect of such accommodation or service supplied and for penalties for the contravention of such regulations. Such emergency camps may be converted into locations or may be abolished by the Governor-General by means of a notice published in the Gazette.
6. This Act is only to be in force in such areas as may from time to time be defined by the Governor-General in the Gazette.
7. This Act underlines the extent to which African workers are faced with a shortage of accommodation in the urban areas. The rapid industrialisation of the country has created an unprecedented demand for African labour in the urban and industrial centres and has resulted in the migration of thousands of Africans to the areas concerned, but the local authorities have neglected to provide accommodation for the growing African population in their midst. The result has been overcrowding and the creation of indescribable slums in the established locations. Impatient over the long delays to provide them with housing and chafing under exploitation by landlords in the urban locations, African workers have taken matters into their own hands and have set up shanty towns in vacant plots of ground either within or without the boundaries of the area of jurisdiction of the urban local authority where they are employed. The Illegal Squatting is intended to put a stop to the shanty town movement. At the same time the Act empowers urban local authorities to establish 'emergency camps' which is just another name for a shanty town where homeless Africans may presumably be accommodated temporarily while the local authority is proceeding with its plans for the proper and permanent accommodation of the Africans in its midst. In fact it may be argued that it is this Act which has given rise to the "site and service" schemes for the accommodation of Africans which are now advocated by the Department of Native Affairs. Instead of the sub-economic housing schemes which were embarked upon previously the Department now favours the idea of merely providing a piece of land where Africans may erect their own houses, with the local authority providing services such as water and sanitation. In this way it is hoped to make the funds available go much further. In other words the temporary shanty towns seem to have become the standard form of accommodation to be provided for Africans in the urban areas. This is of course in line with the Government's policy that Africans are in towns for purely temporary purposes.