



DIE PROVINSIE TRANSSVAAL

Buitengewone Offisiële Koerant

(As 'n Nuusblad by die Poskantoor Geregistreer)



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No. 238 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Wysigingsordonnansie op die Registrasie van Landbouhoeves, 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Oktober, Eenduisend Negehoenderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1978/5)

ORDONNANSIE NO. 6 VAN 1978.

(Toestemming verleen op 22 September 1978.)

(Engelse eksemplaar deur die Waarnemende Staatspresident onderteken).

'N ORDONNANSIE

Tot wysiging van die Landbouhoeven (Transvaal) Registrasie Wet, 1919, ten opsigte van die sluiting van 'n pad soos in artikel 5A beoog; en ten opsigte van die toepassing van voorwaardes soos in artikel 6quat. beoog.

DIE Provinsiale Raad van Transvaal VERORDEN
SOOS VOLG: —

Vervanging van artikel 5A van Wet 22 van 1919, soos ingevoeg by artikel 1 van Ordonnansie 6 van 1971.

1. Artikel 5A van die Landbouhoeven (Transvaal) Registrasie Wet, 1919 (hierna die Hoofwet genoem), word hierby deur die volgende artikel vervang:

"Stuiting van een pad die binnen landbouhoeven en de grenzen van het rechtsgebied van een plaatselijke bestuur gelegen is.

5A.(1)(a) Wanneer enige pad die aangeduid wordt op een algemeene plan van landbouhoeven gelegen binnen de grenzen van het rechtsgebied van een plaatselijke bestuur gesloten wordt, wordt de eigenaar van de grond waaruit zodanige pad bestaat, zonder enige betaling van vergoeding maar behoudens de bepalingen van sub-artikel (3), ontdaan van alle eigendomsrechten in en op zodanige grond en de eigendom van zodanige grond berust, niettegenstaande enige andersluidende bepalingen die in deze Wet of enige ander

No. 238 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Agricultural Holdings Registration Amendment Ordinance, 1978 which is printed hereunder.

Given under my Hand at Pretoria on this 23rd day of October, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11(1978/5)

ORDINANCE NO. 6 OF 1978.

(Assented to on 22 September 1978.)

(English copy signed by the Acting State President.)

AN ORDINANCE

To amend the Agricultural Holdings (Transvaal) Registration Act, 1919, in respect of the closing of a road as contemplated in section 5A; and in respect of the enforcement of conditions as contemplated in section 6quat.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Substitution of section 5A of Act 22 of 1919, as inserted by section 1 of Ordinance 6 of 1971.

1. The following section is hereby substituted for section 5A of the Agricultural Holdings (Transvaal) Registration Act, 1919 (hereinafter referred to as the principal Act):

5A.(1)(a) Whenever any road shown on a general plan of agricultural holdings situated within the limits of the area of jurisdiction of a local authority is closed, the owner of the land comprising such road shall, without any payment of compensation but subject to the provisions of subsection (3), be divested of all rights of ownership in and to such land and ownership of such land shall, notwithstanding anything to the contrary contained in this Act or

"Closing of a road which falls within agricultural holdings and the limits of the area of jurisdiction of a local authority.

wet vervat zijn, bij het betrokken plaatselike bestuur.

(b) Zodanige berusting word't door de Registrateur van Akten aangetekend, onderworpe aan enige wet die de prak'tijk van zijn kantoor beheerst, op zodanige wyse als hij geschik acht.

(2) Voor de toepassing van sub-artikel (1), moet de grondeigenaar, op aanvraag, de betrokken transportakten aan het plaatselike bestuur overhandigen.

(3) De bepalingen van sub-artikel (1) —

(a) raken niet enige rechte op mineralen of ander zakelike recht dat door de grondeigenaar in de betrokken grond gehouden word't of zijn recht om registrasie ervan te verkrygen; en

(b) zijn niet van toepassing waar de grond in deze sub-artikel beoogd in enige grond of gedeelte ervan ingesloten zijn ten opzichte waarvan een in artikel 1 bedoelde sertifikaat door de Minister ingevolge de bepalingen van artikel zes gekanselleerd word't."

Ver-
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van
arti-
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6quat.
van
Wet
22
van
1919,
soos
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gevoeg
by
artikel
2
van
Or-
donnansie
4
van
1955.

2. Artikel 6quat. van die Hoofwet word hierby deur die volgende artikel vervang:

6quat. De Administrateur of de plaatselike bestuur in wiens rechtsgebied die in artikel een bedoelde landbouwhoeven gelegen zijn, mag de eerbiediging van enige ingevolge sub-artikel (1) van artikel twee opgelegde voorwaarde toepassen en daarbenevens moet zodanige plaatselike bestuur enige plan voor de oprigting van een gebouwt in strijd met zodanige voorwaarde, verwerpen."

Kort titel. 3. Hierdie Ordonnansie heet die Wysigings-
ordonnansie op die Registrasie van Landbou-
hoewes, 1978.

No. 239 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Bekragtigungsordonnansie op die Gemeenskaplike Munisipale Pensioenfonds (Transvaal), 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Oktober, Eenduisend Negehoenderd Agt-ensewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1978/6)

ORDONNANSIE NO. 7 VAN 1978.

(Toestemming verleen op 22 September 1978.)

(Engelse eksimplaar deur die Waarnemende Staatspresident onderteken.)

any other law, vest in the local authority concerned.

(b) Such vesting shall be recorded by the Registrar of Deeds, subject to any law governing the practice of his office, in such manner as he may deem appropriate.

(2) For the purposes of subsection (1), the owner shall, upon demand, hand over the title deeds concerned to the local authority.

(3) The provisions of subsection (1) shall not —

(a) affect any right to minerals or other real right held by the owner in the land concerned or his right to obtain registration thereof; and

(b) apply where the land contemplated in that subsection is included in any land or portion thereof in respect of which a certificate contemplated in section 1 is cancelled by the Minister in terms of the provisions of section six."

Substitu-
tion of
section
6quat. of
Act 22,
of 1919,
as inser-
ted by
section 2
of Ordinance 4 of
1955.

2. The following section is hereby substituted for section 6quat. of the principal Act:

6quat. The Administrator or the local authority in whose area of jurisdiction agricultural holdings as contemplated in section one are situated, may enforce the observance of any condition imposed in terms of subsection (1) of section two and, in addition, such local authority shall reject any plan for the erection of a building in contravention of such condition."

Short
title.

3. This Ordinance shall be called the Agricultural Holdings Registration Amendment Ordinance, 1978.

No. 239 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Joint Municipal Pension Fund (Transvaal) Validation Ordinance, 1978 which is printed hereunder.

Given under my Hand at Pretoria on this 23rd day of October, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11(1978/6)

ORDINANCE NO. 7 OF 1978.

(Assented to on 22 September 1978.)

(English copy signed by the Acting State President.)

'N ORDONNANSIE

Om voorsiening te maak vir die bekragtiging van Administrateurskennisgewing 918 van 13 Julie 1977, ingevolge die bepalings van artikel 79ter van die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie 17 van 1939), afgekondig.

DIE Provinsiale Raad van Transvaal VERORDEN SOOS VOLG: —

Bekragtiging van Administrateurskennisgewing 918 van 13 Julie 1977. 1. Administrateurskennisgewing 918 van 13 Julie 1977 wat om enige rede ongeldig is of kan wees, hetsy in sy geheel of gedeeltelik, word hierby bekragtig.

Kort titel. 2. Hierdie Ordonnansie heet die Bekragtigingsordonnansie op die Gemeenskaplike Munisipale Pensioenfonds (Transvaal), 1978.

No. 240 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Ordonnansie op Buite-Territoriale Hulp, 1976, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Oktober, Eenduisend Negehonderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1978/7)

ORDONNANSIE NO. 8 VAN 1978.
(Toestemming verleen op 22 September 1978.)
(Afrikaanse eksemplaar deur die Waarnemende Staatspresident onderteken.)

'N ORDONNANSIE

Om voorsiening te maak vir die verlening van hulp deur die Provinsie of 'n plaaslike bestuur aan 'n ander staat, provinsie of gebied; en om vir bykomstige aangeleenthede voorsiening te maak.

DIE Provinsiale Raad van Transvaal VERORDEN SOOS VOLG: —

Woord-omskrywing. 1. In hierdie Ordonnansie, tensy uit die samehang anders blyk, beteken —

“Administrateur” die amptenaar aangestel ingevolge die bepalings van artikel 66 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), handelende op die advies en met die toestemming van die Uitvoerende Komitee van die Provinsie;

“plaaslike bestuur” 'n instelling of liggaam in artikel 84(1)(f) van die Grondwet van die Republiek van Suid-Afrika, 1961, beoog.

AN ORDINANCE

To provide for the validation of Administrator's Notice 918 of 13 July 1977, promulgated in terms of the provisions of section 79ter of the Local Government Ordinance, 1939 (Ordinance 17 of 1939).

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Validation of Administrator's Notice 918 of 13 July 1977. 1. Administrator's Notice 918 of 13 July 1977 which for any reason is or may be invalid, either in whole or in part, is hereby validated.

Short title. 2. This Ordinance shall be called the Joint Municipal Pension Fund (Transvaal) Validation Ordinance, 1978.

No. 240 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Extra-Territorial Assistance Ordinance, 1978 which is printed hereunder.

Given under my Hand at Pretoria on this 23rd day of October, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11(1978/7)

ORDINANCE NO. 8 OF 1978.
(Assented to on 22 September 1978.)
(Afrikaans copy signed by the Acting State President.)

AN ORDINANCE

To provide for the rendering of assistance by the Province or a local authority to any other state, province or territory; and to provide for matters incidental thereto.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Definitions. 1. In this Ordinance, unless the context otherwise indicates —

“Administrator” means the officer appointed in terms of the provisions of section 66 of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), acting on the advice and with the consent of the Executive Committee of the Province;

“local authority” means an institution or body contemplated in section 84(1)(f) of the Republic of South Africa Constitution Act, 1961.

Buite-territoriale hulpverlening.

2.(1) Behoudens die bepalings van subartikel (2), kan die Provinsie of 'n plaaslike bestuur, met die goedkeuring van die Staatspresident, hulp aan 'n ander staat, gebied, provinsie of die gebied Suidwes-Afrika verleen.

(2) Die hulp in subartikel (1) beoog, word ooreenkomstig 'n onderlinge ooreenkoms of reëling verleen en daardie ooreenkoms of reëling is, in die geval van 'n plaaslike bestuur, aan die goedkeuring van die Administrateur onderworpe.

Herroeping van Ordonnansie 17 van 1973.

3. Die Ordonnansie op Buite-Territoriale Hulp, 1973, word hierby herroep.

Kort titel en datum van inwerking-treding.

4. Hierdie Ordonnansie heet die Ordonnansie op Buite-territoriale Hulp, 1978, en word geag op 30 Maart 1977 in werking te getree het.

No. 241 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Wysigingsordonnansie op Eiendomsbelasting van Plaaslike Besture, 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Oktober, Eenduisend Negehoonderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1978/12)

ORDONNANSIE NO. 10 VAN 1978.
(Toestemming verleen op 22 September 1978.)
(Engelse eksemplaar deur die Waarnemende Staatspresident onderteken.)

'N ORDONNANSIE

Tot wysiging van die Ordonnansie op Eiendomsbelasting van Plaaslike Besture, 1977, om sekere tekstuele wysigings aan te bring.

DIE Provinsiale Raad van Transvaal VERORDEN SOOS VOLG: —

Wysiging van artikel 23 van Ordonnansie 11 van 1977.

1. Artikel 23 van die Ordonnansie op Eiendomsbelasting van Plaaslike Besture, 1977 (hierna die Hoofordonnansie genoem), word hierby gewysig deur die woord "hoogstens" voor die uitdrukking "1,67c" in te voeg.

Wysiging van artikel 33 van Ordonnansie 11 van 1977.

2. Artikel 33(2) van die Hoofordonnansie word hierby gewysig deur in die Engelse teks die woord "supplementary", waar dit die tweede keer voorkom, deur die woord "provisional" te vervang.

Wysiging van artikel 34 van Ordonnansie 11 van 1977.

3. Artikel 34 van die Hoofordonnansie word hierby gewysig deur die uitdrukking "41(1)" deur die uitdrukking "41(2)" te vervang.

Extra-territoriale rendering of assistance.

2.(1) Subject to the provisions of subsection (2), the Province or a local authority may, with the approval of the State President, render assistance to any other state, territory, province or the territory of South West Africa.

(2) The assistance contemplated in subsection (1) shall be rendered in accordance with a mutual agreement or arrangement and that agreement or arrangement shall, in the case of a local authority, be subject to the approval of the Administrator.

Repeal of Ordinance 17 of 1973.

3. The Extra-Territorial Assistance Ordinance, 1973, is hereby repealed.

Short title and date of commencement.

4. This Ordinance shall be called the Extra-territorial Assistance Ordinance, 1978, and shall be deemed to have come into operation on 30 March 1977.

No. 241 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Local Authorities Rating Amendment Ordinance, 1978, which is printed hereunder.

Given under my Hand at Pretoria on this 23rd day of October, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province of Transvaal.
P.R. 4-11(1978/12)

ORDINANCE NO. 10 OF 1978.
(Assented to on 22 September 1978.)
(English copy signed by the Acting State President.)

AN ORDINANCE

To amend the Local Authorities Rating Ordinance, 1977, in order to effect certain textual amendments.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Amendment of section 23 of Ordinance 11 of 1977.

1. Section 23 of the Local Authorities Rating Ordinance, 1977 (hereinafter referred to as the principal Ordinance), is hereby amended in the Afrikaans text by the insertion of the word "hoogstens" before the expression "1,67c".

Amendment of section 33 of Ordinance 11 of 1977.

2. Section 33(2) of the principal Ordinance is hereby amended by the substitution for the word "supplementary", where it appears for the second time, of the word "provisional".

Amendment of section 34 of Ordinance 11 of 1977.

3. Section 34 of the principal Ordinance is hereby amended in the Afrikaans text by the substitution for the expression "41(1)" of the expression "41(2)".

Kort titel
en datum
van in-
werking-
treding.

4. Hierdie Ordonnansie heet die Wysigings-
ordonnansie op Eiendomsbelasting van Plaas-
like Besture, 1978, en word geag op 1 Oktober
1977 in werking te getree het.

Short
title and
date of
com-
mence-
ment.

4. This Ordinance shall be called the Local
Authorities Rating Amendment Ordinance,
1978, and shall be deemed to have come into
operation on 1 October 1977.

No. 242 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die
Republiek van Suid-Afrika, 1961, aan my die bevoegd-
heid verleen word om 'n ordonnansie, waarin die Staats-
president-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Wysigingsordonnansie op
Hospitale, 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste
dag van Oktober, Eenduisend Negehonderd Agt-en-
sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1978/13)

ORDONNANSIE NO. 11 VAN 1978.
(Toestemming verleen op 22 September 1978.)
(Afrikaanse eksemplaar deur die Waarnemende Staats-
president onderteken.)

'N ORDONNANSIE

Tot wysiging van die Ordonnansie op Hospitale, 1958, ten
opsigte van die aanstelling van lede van hospitaalkade
soos in artikel 16 beoog.

DIE Provinsiale Raad van Transvaal VERORDEN
SOOS VOLG: —

Wysiging
van arti-
kel 16
van Or-
donnan-
sie 14
van 1958.

1. Artikel 16 van die Ordonnansie op Hos-
pitale, 1958, word hierby gewysig deur subartikel
(2) deur die volgende subartikel te vervang:

“(2) Die Administrateur stel in elke raad
minstens een lid wat 'n geneesheer is, aan: Met
dien verstande dat 'n geneesheer wat in die
volydse diens is van 'n provinsiale hospitaal
waarvoor sodanige raad ingestel is, nie aldus
aangestel word nie.”.

Kort titel. 2. Hierdie Ordonnansie heet die Wysigings-
ordonnansie op Hospitale, 1978.

No. 243 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die
Republiek van Suid-Afrika, 1961, aan my die bevoegd-
heid verleen word om 'n ordonnansie, waarin die Staats-
president-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Bekragtigingsordonnansie op
die Transvaalse Gemeenskaplike Munisipale Jaargeld-
en Gratifikasiefonds (Nie-Blank), 1978, wat hieronder
gedruk is, afkondig.

No. 242 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the
Republic of South Africa Constitution Act, 1961, to
promulgate an Ordinance, assented to by the State Presi-
dent-in-Council;

Now, therefore, I do hereby promulgate the Hospitals
Amendment Ordinance, 1978, which is printed here-
under.

Given under my Hand at Pretoria on this 23rd day of
October, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11(1978/13)

ORDINANCE NO. 11 OF 1978.
(Assented to on 22 September 1978.)
(Afrikaans copy signed by the Acting State President.)

AN ORDINANCE

To amend the Hospitals Ordinance, 1958, in respect of the
appointment of members of hospital boards as con-
templated in section 16.

BE IT ENACTED by the Provincial Council of Trans-
vaal as follows: —

Amend-
ment of
section
16 of
Ordin-
ance 14
of 1958.

1. Section 16 of the Hospitals Ordinance,
1958, is hereby amended by the substitution
for subsection (2) of the following subsection:

“(2) The Administrator shall appoint to
every board at least one member who is a
medical practitioner: Provided that a medical
practitioner who is in the full-time service of a
provincial hospital for which such board has
been constituted, shall not be so appointed.”.

Short
title.

2. This Ordinance shall be called the Hos-
pitals Amendment Ordinance, 1978.

No. 243 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the
Republic of South Africa Constitution Act, 1961, to pro-
mulgate an Ordinance, assented to by the State Presi-
dent-in-Council;

Now, therefore, I do hereby promulgate the Transvaal
Joint Municipal Annuity and Gratuity Fund (Non-
White) Validation Ordinance, 1978, which is printed
hereunder.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Oktober, Eenduisend Negehoenderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1978/14)

ORDONNANSIE NO. 12 VAN 1978.

(Toestemming verleen op 22 September 1978.)

(Engelse eksemplaar deur die Waarnemende Staatspresident onderteken.)

'N ORDONNANSIE

Om voorsiening te maak vir die bekragtiging van Administrateurskenningsgewing 1792 van 23 November 1977, ingevolge die bepalings van artikel 79quat. van die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie 17 van 1939), afgekondig.

DIE Provinsiale Raad van Transvaal VERORDEN SOOS VOLG: —

Bekragtiging van Administrateurskenningsgewing 1792 van 1977.

1. Administrateurskenningsgewing 1792 van 23 November 1977 wat om enige rede ongeldig is of kan wees, hetsy in sy geheel of gedeeltelik, word hierby bekragtig.

Kort titel en datum van inwerking-treding.

2. Hierdie Ordonnansie heet die Bekragtigingsordonnansie op die Transvaalse Gemeenskaplike Munisipale Jaargeld- en Gratifikasiefonds (Nie-Blank), 1978, en word geag op 23 November 1977 in werking te getree het.

No. 244 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Onderwyswysigingsordonnansie, 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Oktober, Eenduisend Negehoenderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1978/15)

ORDONNANSIE NO. 13 VAN 1978.

(Toestemming verleen op 22 September 1978.)

(Afrikaanse eksemplaar deur die Waarnemende Staatspresident onderteken.)

'N ORDONNANSIE

Tot wysiging van die Onderwysordonnansie, 1953, ten opsigte van die vergaderings van 'n raad in artikel 36 b-e-o-g.

DIE Provinsiale Raad van Transvaal VERORDEN SOOS VOLG: —

Wysiging van artikel 36 van Ordonnansie 29 van 1953, soos gewysig by

1. Artikel 36 van die Onderwysordonnansie, 1953, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

“(1) Gewone vergaderings van 'n raad word minstens drie keer per jaar gehou.”

Given under my Hand at Pretoria on this 23rd day of October One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11(1978/14)

ORDINANCE NO. 12 OF 1978.

(Assented to on 22 September 1978.)

(English copy signed by the Acting State President.)

AN ORDINANCE

To provide for the validation of Administrator's Notice 1792 of 23 November 1977, promulgated in terms of the provisions of section 79quat. of the Local Government Ordinance, 1939 (Ordinance 17 of 1939).

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Validation of Administrator's Notice 1792 of 1977.

1. Administrator's Notice 1792 of 23 November 1977 which for any reason is or may be invalid, either in whole or in part, is hereby validated.

Short title and date of commencement.

2. This Ordinance shall be called the Transvaal Joint Municipal Annuity and Gratuity Fund (Non-White) Validation Ordinance, 1978, and shall be deemed to have come into operation on 23 November 1977.

No. 244 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Education Amendment Ordinance, 1978, which is printed hereunder.

Given under my Hand at Pretoria on this 23rd day of October, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11(1978/15)

ORDINANCE NO. 13 OF 1978.

(Assented to on 22 September 1978.)

(Afrikaans copy signed by the Acting State President.)

AN ORDINANCE

To amend the Education Ordinance, 1953, in respect of the meetings of a board contemplated in section 36.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Amendment of section 36 of Ordinance 29 of 1953, as amended

1. Section 36 of the Education Ordinance, 1953, is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) Ordinary meetings of a board shall be held at least three times per year.”

artikel 9 van Ordonnansie 18 van 1958, en artikel 8 van Ordonnansie 12 van 1977.

Kort titel, en datum van inwerking-treding.

2. Hierdie Ordonnansie heet die Onderwys-wysigingsordonnansie, 1978, en tree op 1 Oktober 1978 in werking.

No. 245 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Wysigingsordonnansie op Winkelure, 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Oktober, Eenduisend Negehoenderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1978/17)

ORDONNANSIE NO. 14 VAN 1978.

(Toestemming verleen op 22 September 1978.)

(Afrikaanse eksemplaar deur die Waarnemende Staatspresident onderteken.)

'N ORDONNANSIE

Tot wysiging van die Ordonnansie op Winkelure, 1959, ten opsigte van die woordomskrivings in artikel 1 vervat; ten opsigte van handel na die sluitingsuur in artikel 8 beoog; ten opsigte van middernagvoorregte van sekere winkels in artikel 9 beoog; ten opsigte van die misdrywe en strafbepalings in artikel 14 beoog; ten opsigte van die regulasies in artikel 17 beoog; ten opsigte van die lang titel; en om vir bykomstige aangeleenthede voorsiening te maak.

DIE Provinsiale Raad van Transvaal VERORDEN SOOS VOLG: —

Ver-vanging van arti-kel 1 van Ordonnansie 24 van 1959, soos ge-wysig by artikel 1 van Ordonnansie 18 van 1963 en artikel 1 van Ordonnansie 15 van 1972.

1. Artikel 1 van die Ordonnansie op Winkelure, 1959 (hierna die Hoofordonnansie genoem), word hierby deur die volgende artikel vervang:

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

(i) 'Administrateur' die amptenaar aangestel ingevolge die bepalinge van artikel 66 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), handelende op die advies en met die toestemming van die Uitvoerende Komitee van die Provinsie; (i)

(ii) 'afslaer' iemand, hetsy ingevolge die bepalinge van die Ordonnansie op Lisensies, 1974 (Ordonnansie 19 van 1974), gelisensieer al dan nie, wat goe-

by section 9 of Ordinance 18 of 1958, and section 8 of Ordinance 12 of 1977.

Short title, and date of commencement.

2. This Ordinance shall be called the Education Amendment Ordinance, 1978, and shall come into operation on 1 October 1978.

No. 245 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Shop Hours Amendment Ordinance, 1978, which is printed hereunder.

Given under my Hand at Pretoria on this 23rd day of October, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11(1978/17)

ORDINANCE NO. 14 OF 1978.

(Assented to on 22 September, 1978.)

(Afrikaans copy signed by the Acting State President.)

AN ORDINANCE

To amend the Shop Hours Ordinance, 1959, in respect of the definitions contained in section 1; in respect of trading after the closing hour contemplated in section 8; in respect of midnight privileges of certain shops contemplated in section 9; in respect of the offences and penalties contemplated in section 14; in respect of the regulations contemplated in section 17; in respect of the long title; and to provide for matters incidental thereto.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Substitution of section 1 of Ordinance 24 of 1959, as amended by section 1 of Ordinance 18 of 1963 and section 1 of Ordinance 15 of 1972.

1. The following section is hereby substituted for section 1 of the Shop Hours Ordinance, 1959 (hereinafter referred to as the principal Ordinance):

1. In this Ordinance, unless the context otherwise indicates —

(i) 'Administrator' means the officer appointed in terms of the provisions of section 66 of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), acting on the advice and with the consent of the Executive Committee of the Province; (i)

(ii) 'auctioneer' means a person, whether or not licensed in terms of the provisions of the Licences Ordinance, 1974 (Ordinance 19 of 1974), who sells

- dere per openbare veiling verkoop, maar omvat nie iemand genoem in paragrawe (A), (B) of (C) van item 2 van Bylae I by daardie Ordonnansie nie; (ii)
- (iii) 'Bantoedorp' 'n Bantoedorp soos omskryf in artikel 1 van die Bantoes (Stadsgebiede) Konsolidasiewet, 1945 (Wet 25 van 1945); (iv)
- (iv) 'Bantoegebied' —
- (a) enige Bantoeestreek in Deel III van die Bylae by die Bantoe Grond Wet, 1913 (Wet 27 van 1913), omskryf; of
- (b) enige oopgestelde gebied in Deel III van die Eerste Bylae by die Bantoe-trust en -grond Wet, 1936 (Wet 18 van 1936), omskryf; (iii)
- (v) 'blanke' 'n blanke soos omskryf in artikel 1 van die Bevolkingsregistrasiewet, 1950 (Wet 30 van 1950); (xxv)
- (vi) 'drinkware' drinkware vir menslike gebruik; (vi)
- (vii) 'eethuis' 'n besigheidsperseel soos bedoel in item 8 van Bylae I by die Ordonnansie op Lisensies, 1974; (viii)
- (viii) 'eetware' eetware vir menslike gebruik; (vii)
- (ix) 'groothandel-handelsreisiger' iemand wat as verteenwoordiger, reisiger, agent of werknemer van 'n fabrieks- of handelonderneming of as 'n werknemer van so 'n verteenwoordiger, reisiger, agent of werknemer bestellings van behoorlik gelisensieerde handelaars vra, werf, versoek of aanneem vir die verkoop of verskaffing van goedere aan hulle deur sodanige onderneming; (xxvi)
- (x) 'handel drywe', met betrekking tot 'n winkel, die oopmaak of oophou of aan iemand goedere verkoop of lewer of hom bedien en het 'handel' 'n ooreenstemmende betekenis; (xxiii)
- (xi) 'jaar' die tydperk wat strek van 1 Januarie tot en met 31 Desember van enige jaar; (xxvii)
- (xii) 'lewering' ook —
- (a) die aflewering of versending van enige goedere, hetsy in ruil vir enige ander goedere al dan nie; en
- goods by public auction, but does not include a person referred to in paragraph (A), (B) or (C) of item 2 of Schedule I to that Ordinance; (ii)
- (iii) 'Bantu area' means —
- (a) any Bantu area defined in Part III of the Schedule to the Bantu Land Act, 1913 (Act 27 of 1913); or
- (b) any released area defined in Part III of the First Schedule to the Bantu Trust and Land Act, 1936 (Act 18 of 1936); (iv)
- (iv) 'Bantu village' means a Bantu village as defined in section 1 of the Bantu (Urban Areas) Consolidation Act, 1945 (Act 25 of 1945); (iii)
- (v) 'closing hour', in relation to a shop, means the hour on any particular day after which it is not permitted in terms of the provisions of this Ordinance to trade in, on or from such shop; (xx)
- (vi) 'drinkables' means drinkables for human consumption; (vi)
- (vii) 'eatables' means eatables for human consumption; (viii)
- (viii) 'eating house' means business premises as contemplated in item 8 of Schedule I to the Licences Ordinance, 1974; (vii)
- (ix) 'hawker' means a person who is the holder of a hawker's licence in terms of the provisions of item 41 of Schedule I of the Licences Ordinance, 1974, or who, if he is not the holder of such licence, is required in terms of that item to acquire such licence and includes a person who, were it not for the exemptions contemplated in paragraphs (A), (B), (C) and (D) of that item, would be required to acquire such licence; (xxi)
- (x) 'local authority' means a city council, town council, village council or health committee constituted in terms of the provisions of the Local Government Ordinance, 1939 (Ordinance 17 of 1939), and includes the Transvaal Board for the Development of Peri-Urban Areas established in terms of the provisions of the Transvaal Board for the Development of Peri-Urban

- (b) die maak van 'n geskenk, en het 'lewer' 'n ooreenstemmende betekenis; (xxii)
- (xiii) 'lokasie' 'n lokasie soos omskryf in artikel 1 van die Bantoes (Stadsgebiede) Konsolidasiewet, 1945; (xi)
- (xiv) 'munisipaliteit' die gebied of distrik onder die beheer en regsbevoegdheid van 'n grootstadsraad, stadsraad, dorpsraad of gesondheidskomitee of die gebied van 'n plaaslike gebiedskomitee in die omskrywing van 'plaaslike bestuur' genoem; (xii)
- (xv) 'nie-blanke-winkel' 'n nie-blanke-winkel genoem in artikel 10(1); (xiii)
- (xvi) 'normale handelstye' die dae waarop en die ure waartussen, ingevolge artikel 3, 'n winkelier handel kan dryf en 'n smous sy besigheid kan uitoefen; (xiv)
- (xvii) 'oop' oop vir toelating van iemand met die doel om goedere aan hom te verkoop of te lewer of met die doel om hom te bedien en het 'oopmaak' 'n ooreenstemmende betekenis; (xv)
- (xviii) 'openbare feesdag' enige dag genoem in die Eerste Bylae by die Wet op Openbare Feesdae, 1952 (Wet 5 van 1952), of as sodanig ingevolge artikel 2 van daardie Wet verklaar; (xvi)
- (xix) 'plaaslike bestuur' 'n grootstadsraad, stadsraad, dorpsraad of gesondheidskomitee ingestel ingevolge die bepalings van die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie 17 van 1939), en omvat die Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede ingestel ingevolge die bepalings van die Ordonnansie op die Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede, 1943 (Ordonnansie 20 van 1943), ten opsigte van enige gedeelte van sy regsgebied wat onder die toesig en beheer van 'n plaaslike gebiedskomitee, ingestel ingevolge artikel 21(1) van laasgenoemde Ordonnansie, geplaas is; (x)
- (xx) 'sluitingsuur', met betrekking tot 'n winkel, die uur op enige besondere dag waarna daar ingevolge die bepalings van hierdie Ordonnansie nie toegelaat word om in, op of van soda-

Areas Ordinance, 1943 (Ordinance 20 of 1943), in respect of any portion of its area of jurisdiction which has been placed under the supervision and control of a local area committee established in terms of section 21(1) of the last-mentioned Ordinance; (xix)

- (xi) 'location' means a location as defined in section 1 of the Bantu (Urban Areas) Consolidation Act, 1945; (xiii)
- (xii) 'municipality' means the area or district under the control and jurisdiction of a city council, town council, village council or health committee or the area of a local area committee referred to in the definition of 'local authority'; (xiv)
- (xiii) 'non-white shop' means a non-white shop referred to in section 10(1); (xv)
- (xiv) 'normal trading times' means the days on which and the hours during which a shopkeeper may trade and a hawkker may carry on his business in terms of section 3; (xvi)
- (xv) 'open' means open for admission of a person for the purpose of selling or supplying goods to him or for the purpose of serving or attending to him; (xvii)
- (xvi) 'public holiday' means any day referred to in the First Schedule to the Public Holidays Act, 1952 (Act 5 of 1952), or declared as such in terms of section 2 of that Act; (xviii)
- (xvii) 'second-hand or used goods' means goods which have already been in use or which have, at any time, been possessed for his own account by a person other than the manufacturer or producer thereof or a person dealing therewith in the course of business; (xxii)
- (xviii) 'sell' includes to offer or expose for sale; (xxiii)
- (xix) 'shop' means any building or portion of a building or any structure, room, stall, tent, booth or any other premises or place or any vehicle which is used for the sale or supply of any goods or for the packing or storage of any goods in connection therewith and shall

- nige winkel handel te drywe nie; (v)
- (xxi) 'smous' iemand wat ingevolge die bepalinge van item 41 van Bylae I van die Ordonnansie op Lisensies, 1974, die houer van 'n smouslisensie is of wat, indien hy nie die houer van sodanige lisensie is nie, ingevolge daardie item verplig is om sodanige lisensie te verkry, en omvat iemand wat, was dit nie vir die vrystellings beoog in paragrawe (A), (B), (C) en (D) van daardie item nie, verplig sou wees om sodanige lisensie te verkry; (ix)
- (xxii) 'tweedehandse of gebruikte goedere' goedere wat alreeds in gebruik was of wat te eniger tyd vir eie rekening besit was deur iemand anders as die vervaardiger of produsent daarvan of iemand wat in die loop van besigheid daarmee handel; (xvii)
- (xxiii) 'verkoop' ook te koop aanbied of vir verkoop uitstal; (xviii)
- (xxiv) 'weeksdag' enige dag, uitgesonderd 'n openbare feesdag, wat 'n Maandag, Dinsdag, Woensdag, Donderdag of Vrydag is; (xxiv)
- (xxv) 'winkel' enige gebou of gedeelte van 'n gebou of enige struktuur, kamer, kraam, tent, hut of enige ander perseel of plek of enige voertuig wat gebruik word vir die verkoop of lewering van enige goedere of vir die verpakking of opberging van enige goedere in verband daarmee en omvat enige plek of perseel —
- (a) waarin, waarop of waarvan 'n afslaer sy besigheid uitoefen; en
- (b) van 'n barbier of haarkapper, indien sodanige barbier of haarkapper in, op of van sodanige plek of perseel goedere verkoop of lewer; (xix)
- (xxvi) 'winkelier' die persoon wat besigheid in 'n winkel uitoefen en omvat enige ander persoon wat, op gesag van sodanige eersgenoemde persoon, die bestuur van en toesig en beheer oor sodanige winkel het; (xxi)
- (xxvii) 'winkelinspekteur' 'n winkelinspekteur in artikel 13(1) of (2) genoem. (xx)
- include any place or premises —
- (a) in, on or from which an auctioneer carries on his business; and
- (b) of a barber or hairdresser, if such barber or hairdresser sells or supplies goods in, on or from such place or premises; (xxv)
- (xx) 'shop inspector' means a shop inspector referred to in section 13(1) or (2); (xxvii)
- (xxi) 'shopkeeper' means the person carrying on business in a shop and includes any other person who, on the authority of such first-mentioned person, has the management, supervision and control of such shop; (xxvi)
- (xxii) 'supply' includes —
- (a) the delivery or dispatch of any goods, whether in exchange for any other goods or not; and
- (b) the making of a gift,
- and when used as a verb, has a corresponding meaning; (xii)
- (xxiii) 'trade', in relation to a shop, means open or keep open or sell or supply goods to or serve or attend to a person and 'trading' has a corresponding meaning; (x)
- (xxiv) 'weekday' means any day, not being a public holiday, which is a Monday, Tuesday, Wednesday, Thursday or Friday; (xxiv)
- (xxv) 'white person' means a white person as defined in section 1 of the Population Registration Act, 1950 (Act 30 of 1950); (v)
- (xxvi) 'wholesale commercial traveller' means a person who, as a representative, traveller, agent or employee of any manufacturing or trading establishment or as an employee of such a representative, traveller, agent or employee invites, canvasses, solicits or accepts orders from duly licensed traders for the sale or supply to them of goods by such establishment; (ix)
- (xxvii) 'year' means the period extending from 1 January up to and including 31 December of any year. (xi)

Wysig-
ing van arti-
kel 2
van Or-
donnansie
24 van
1959, soos
gewysig
by artikel
2 van Or-
donnansie
18 van
1963, ar-
tikel 1
van Or-
donnansie
11 van
1965 en
artikel 1
van Or-
donnansie
14 van
1974.

2. Artikel 2(1) van die Hoofordonnansie word hierby gewysig deur paragraaf (b) deur die volgende paragraaf te vervang:

“(b) enige winkel wat, na sy mening, gebruik kan word vir die verkoop of lewering van goedere aan persone wat enige byeenkoms bywoon wat hy ag van ’n nasionale, patriotiese, openbare of opvoedkundige aard te wees; of”.

Wysig-
ing van arti-
kel 3 van
Ordon-
nansie 24
van 1959.

3. Artikel 3 van die Hoofordonnansie word hierby gewysig deur die woorde “marskramer of venter” deur die woord “smous” te vervang.

Wysig-
ing van arti-
kel 5 van
Ordon-
nansie 24
van 1959,
soos ge-
wysig by
artikel 1
van Or-
donnansie
20 van
1960, ar-
tikel 1
van Or-
donnansie
19 van
1961,
artikel 3
van Or-
donnansie
18 van
1963,
artikel 1
van Or-
donnansie
11 van
1968,
artikel 2
van Or-
donnansie
15 van
1972 en
artikel 2
van Or-
donnansie
14 van
1974.

4. Artikel 5(1) van die Hoofordonnansie word hierby gewysig deur die woorde en paragrafe (a) en (b) wat paragraaf (c) voorafgaan, deur die volgende woorde en paragrafe te vervang:

“Buite normale handelstye kan enige winkelier, uitgenome ’n smous, in, op of van sy winkel handel drywe —

(a) tussen die ure —

(i) 6 vm. en 7 vm. en 6 nm. en 9 nm. op enige weeksdag; en

(ii) 6 vm. en 7 vm. en 1 nm. en 9 nm. op enige Saterdag, wat nie ’n openbare feesdag is nie,

indien sodanige winkel ’n nie-blanke-winkel is wat in ’n lokasie, Bantoeedorp of Bantoegebied geleë is;

(b) tussen die ure 1 nm. en 6 nm. op enige Saterdag, wat nie ’n openbare feesdag is nie, indien sodanige winkel geleë is meer as 8 kilometer buite die grense van die naaste dorp soos in artikel 1 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1965 (Ordonnansie 25 van 1965), omskryf, wat binne ’n munisipaliteit is: Met dien verstande dat in die geval van ’n munisipaliteit wat die gebied is van ’n plaaslike gebiedskomitee in die omskrywing van ’n plaaslike bestuur in artikel 1 genoem, sodanige munisipaliteit deur die Administrateur by kennisgewing in die *Provinsiale Koerant* vir die toepassing van hierdie paragraaf aangewys is;”.

Ver-
vanging
van arti-
kel 6
van Or-
donnansie
24 van
1959, soos
gewysig
by arti-
kel 2
van Or-
donnansie
20 van
1960,
artikel 4
van Or-
donnansie
18 van
1963 en
artikel 3
van Or-
donnansie
15 van
1972.

5. Artikel 6 van die Hoofordonnansie word hierby deur die volgende artikel vervang:

6. Buite normale handelstye kan enige smous goedere verkoop of lewer of andersins sy besigheid uitoefen —

(a) tussen die ure —

(i) 6 vm. en 7 vm. en 6 nm. en 11.30 nm. op enige weeksdag;

(ii) 6 vm. en 7 vm. en 1 nm. en 11.30 nm. op enige Saterdag, wat nie ’n openbare feesdag is nie; en

Amend-
ment of
section 2
of Ordina-
nce 24
of 1959,
as amend-
ed by
section 2
of Ordina-
nce 18
of 1963,
section 1
of Ordina-
nce 11
of 1965
and sec-
tion 1 of
Ordina-
nce 14
of 1974.

2. Section 2(1) of the principal Ordinance is hereby amended by the substitution for paragraph (b) of the Afrikaans text of the following paragraph:

“(b) enige winkel wat, na sy mening, gebruik kan word vir die verkoop of lewering van goedere aan persone wat enige byeenkoms bywoon wat hy ag van ’n nasionale, patriotiese, openbare of opvoedkundige aard te wees; of”.

Amend-
ment of
section 3
of Ordina-
nce 24
of 1959.

3. Section 3 of the principal Ordinance is hereby amended by the deletion of the words “or pedlar”.

Amend-
ment of
section 5
of Ordina-
nce 24
of 1959,
as amend-
ed by
section 1
of Ordina-
nce 20
of 1960,
section 1
of Ordina-
nce 19
of 1961,
section 3
of Ordina-
nce 18
of 1963,
section 1
of Ordina-
nce 11
of 1968,
section 2
of Ordina-
nce 15
of 1972
and sec-
tion 2 of
Ordina-
nce 14
of 1974.

4. Section 5(1) of the principal Ordinance is hereby amended by the substitution for the words and paragraphs (a) and (b) preceding paragraph (c) of the following words and paragraphs:

“Outside normal trading times any shopkeeper, excluding a hawker, may trade in, on or from his shop —

(a) between the hours of —

(i) 6 a.m. and 7 a.m. and 6 p.m. and 9 p.m. on any weekday; and

(ii) 6 a.m. and 7 a.m. and 1 p.m. and 9 p.m. on any Saturday, which is not a public holiday,

if such shop is a non-white shop situated in a location, Bantu village or Bantu area;

(b) between the hours of 1 p.m. and 6 p.m. on any Saturday, which is not a public holiday, if such shop is situated more than 8 kilometres outside the boundaries of the nearest township as defined in section 1 of the Town-planning and Townships Ordinance, 1965 (Ordinance 25 of 1965), which is within a municipality: Provided that in the case of a municipality which is the area of a local area committee referred to in the definition of ‘local authority’ in section 1, such municipality has been designated for the purposes of this paragraph by the Administrator by notice in the *Provincial Gazette*;”.

Substitu-
tion of
section 6
of Ordina-
nce 24 of
1959, as
amended
by sec-
tion 2 of
Ordina-
nce 20
of 1960,
section 4
of Ordina-
nce 18
of 1963
and sec-
tion 5 of
Ordina-
nce 15
of 1972.

5. The following section is hereby substituted for section 6 of the principal Ordinance:

6. Outside normal trading times any hawker may sell or supply goods or otherwise carry on his business —

(a) between the hours of —

(i) 6 a.m. and 7 a.m. and 6 p.m. and 11.30 p.m. on any weekday;

(ii) 6 a.m. and 7 a.m. and 1 p.m. and 11.30 p.m. on any Saturday, which is not a public holiday; and

- (iii) 6 vm. en 11.30 nm. op enige openbare feesdag, wat nie 'n Sondag is nie,

indien hy uitsluitlik al of enige van die volgende klasse of soorte goedere smous:

- (aa) tabak in watter vorm ook al;
(bb) vuurhoutjies;
(cc) eet- en drinkware, hetsy berei of onberei, maar nie die eet- en drinkware wat in die Eerste Bylae by hierdie Ordonnansie gespesifiseer word nie;

(dd) blomme;

- (b) tussen die ure 6 vm. en 11.30 nm. op enige Sondag, indien hy uitsluitlik al of enige van die volgende klasse of soorte goedere smous:

- (i) melk;
(ii) roomys; of
(iii) blomme in of in die onmiddellike omgewing van hospitale of begraafplase."

Wysiging van artikel 8 van Ordonnansie 24 van 1959.

6. Artikel 8 van die Hoofordonnansie word hierby gewysig deur die woord "vyftien" deur die syfer "30" te vervang.

Wysiging van artikel 9 van Ordonnansie 24 van 1959, soos gewysig by artikel 2 van Ordonnansie 19 van 1961.

7. Artikel 9(1) van die Hoofordonnansie word hierby gewysig deur die woorde "teekamer, kafee, koffiekamer" deur die woord "kafee" te vervang.

Wysiging van artikel 12 van Ordonnansie 24 van 1959, soos gewysig by artikel 4 van Ordonnansie 19 van 1961, artikel 5 van Ordonnansie 18 van 1963, artikel 2 van Ordonnansie 11 van 1968, artikel 35 van Ordonnansie 18 van 1969, artikel 5 van Ordonnansie 15 van 1972 en artikel 3 van Ordonnansie 14 van 1974.

8. Artikel 12(1) van die Hoofordonnansie word hierby gewysig deur —

- (a) in paragraaf (d) die woorde "of vent" te skrap;
(b) in paragraaf (e) die woorde "of vent" te skrap;
(c) in paragraaf (h)(ii) die uitdrukking "item 7 van Deel I van die Tweede Bylae by die Wet op Lisensies, 1962," deur die uitdrukking "item 4 van Bylae I by die Ordonnansie op Lisensies, 1974," te vervang;
(d) paragraaf (j) deur die volgende paragraaf te vervang:
"(j) enige winkel geleë binne die gebied van die Nasionale Kruger-Wildtuin soos in Bylae I van die Wet op Nasionale Parke, 1976 (Wet 57 van 1976), omskryf;"
(e) in paragraaf (k) die woord "vendu-afslaer" deur die woord "afslaer" te vervang;

- (iii) 6 a.m. and 11.30 p.m. on any public holiday which is not a Sunday,

if he exclusively hawks all or any of the following classes or types of goods:

- (aa) tobacco in any form whatsoever;
(bb) matches;
(cc) eatables and drinkables, whether prepared or unprepared, other than the eatables and drinkables specified in the First Schedule to this Ordinance;

(dd) flowers;

- (b) between the hours of 6 a.m. and 11.30 p.m. on any Sunday, if he exclusively hawks all or any of the following classes or types of goods:

- (i) milk;
(ii) ice-cream; or
(iii) flowers in or in the immediate vicinity of hospitals or cemeteries."

Amendment of section 8 of Ordinance 24 of 1959.

6. Section 8 of the principal Ordinance is hereby amended by the substitution for the word "fifteen" of the figure "30".

Amendment of section 9 of Ordinance 24 of 1959, as amended by section 2 of Ordinance 19 of 1961.

7. Section 9(1) of the principal Ordinance is hereby amended by the substitution for the words "tea-room, café, coffee-room" of the word "café".

Amendment of section 12 of Ordinance 24 of 1959, as amended by section 4 of Ordinance 19 of 1961, section 5 of Ordinance 18 of 1963, section 2 of Ordinance 11 of 1968, section 35 of Ordinance 18 of 1969, section 5 of Ordinance 15 of 1972 and section 3 of Ordinance 14 of 1974.

8. Section 12(1) of the principal Ordinance is hereby amended by —

- (a) the deletion in paragraph (d) of the words "and peddling";
(b) the deletion in paragraph (e) of the words "or peddling";
(c) the substitution in paragraph (h)(ii) for the expression "an apothecary's licence issued in terms of item 7 of Part I of the Second Schedule to the Licences Act, 1962," of the expression "a chemist and druggist licence issued in terms of item 4 of Schedule I to the Licences Ordinance, 1974,";
(d) the substitution for paragraph (j) of the following paragraph:
"(j) any shop situate within the area of the Kruger National Park as defined in Schedule I of the National Parks Act, 1976 (Act 57 of 1976);"
(e) the substitution in paragraph (k) of the Afrikaans text for the word "vendu-afslaer" of the word "afslaer";

(f) paragraaf (p) deur die volgende paragraaf te vervang:

“(p) die verkoop of lewering van gas, brandhout, steenkool, antrasiet en houtskool;” en

(g) paragraaf (q) deur die volgende paragraaf te vervang:

“(q) enige motorgarage —

(i) ten opsigte waarvan ’n motorgaragelisensie, ingevolge item 28 van Bylae I by die Ordonnansie op Lisensies, 1974, verkry is; en

(ii) waarin of waarvan die besigheid van herstel, inmeekaarsit, opknapping en stalling van motorvoertuie uitgeoefen word,

ten opsigte van handel in, op of van sodanige motorgarage in bande en slegs die motoronderdele wat nodig is om ’n motorvoertuig in staat te stel om voort te gaan;”

9. Artikel 13 van die Hoofordonnansie word hierby gewysig deur —

Wysiging van artikel 13 van Ordonnansie 24 van 1959.

(a) in subartikel (3)(b) die woorde “marskramer of venter dit smous of vent of gesmous of gevent” deur die woorde “smous dit smous of gesmous” te vervang;

(b) paragraaf (c) van subartikel (3) deur die volgende paragraaf te vervang:

“(c) die oorlegging binne sewe dae eis van iemand in wie se besit of bewaring dit is of wat die beheer daaroor het, van enige dokument uitgereik ingevolge die bepalings van hierdie Ordonnansie of die regulasies ingevolge daarvan gemaak, of van enige lisensie of lisensies waarkragtens ’n winkelier handel drywe, of ’n smous sy besigheid uitoefen, of van enige boek, rekord of dokument wat in verband staan met of waarvan hy redelike gronde het om te vermoed dat dit in verband staan met handel in, op of van ’n winkel, of die uitoefening van sy besigheid deur ’n smous;” en

(c) paragraaf (f) van subartikel (3) deur die volgende paragraaf te vervang:

“(f) indien hy redelike gronde het om te vermoed dat ’n oortreding ingevolge die bepalings van hierdie Ordonnansie gepleeg is, iemand wat hy in op ’n ingevolge hierdie subartikel betrede winkel of ander perseel of plek vind, of iemand wat deur hom gesien word terwyl so iemand enige sodanige winkel of perseel of plek betree of verlaat, of iemand wat hy op redelike gronde vermoed goedere van ’n winkelier of smous gekoop het of wat deur ’n winkelier of smous vir hierdie doel bedien is, of alleen of in teenwoordigheid van enige ander per-

(f) the substitution for paragraph (p) of the following paragraph:

“(p) the sale or supply of gas, firewood, coal, anthracite and charcoal;” and

(g) the substitution for paragraph (q) of the following paragraph:

“(q) any motor garage —

(i) in respect of which a motor garage licence has been acquired in terms of item 28 of Schedule I to the Licences Ordinance, 1974; and

(ii) in or from which is carried on the business of repairing, assembling, overhauling and garaging of motor vehicles,

in respect of trading in, on or from such motor garage in tyres and such motor spare parts only as are required to enable a motor vehicle to proceed;”

Amendment of section 13 of Ordinance 24 of 1959.

9. Section 13 of the principal Ordinance is hereby amended by —

(a) the substitution in subsection (3)(b) for the words “or pedlar is hawking or peddling, or has hawked or peddled” of the words “is hawking or has hawked”;

(b) the substitution for paragraph (c) of subsection (3) of the following paragraph:

“(c) require the production within seven days from a person who has the possession, custody or control thereof, of any document issued in terms of the provisions of this Ordinance or the regulations made thereunder or of any licence or licences in terms of which a shopkeeper trades or a hawker carries on his business or of any book, record or document which may relate or which he has reasonable grounds for believing relates to trading in, on or from a shop or to the carrying on of his business by a hawker;” and

(c) the substitution for paragraph (f) of subsection (3) of the following paragraph:

“(f) if he has reasonable grounds for suspecting that an offence has been committed in terms of the provisions of this Ordinance, question, either alone or in the presence of any other person as he thinks fit, a person whom he finds in or on any shop or other premises or place entered in terms of this subsection, or a person seen by him to enter or leave any such shop or premises or place, or a person whom he has reasonable grounds for believing has purchased goods from a shopkeeper or hawker, or has been served or attend-

soon, soos hy goedvind, ondervra; en”.

Wysiging van artikel 14 van Ordonnansie 24 van 1959, soos gewysig by artikel 5 van Ordonnansie 19 van 1961, artikel 6 van Ordonnansie 18 van 1963 en artikel 3 van Ordonnansie 11 van 1968.

10. Artikel 14 van die Hoofordonnansie word hierby gewysig deur —

- (a) in subartikel (1) die woorde wat volg op die uitdrukking “belemmer,” in paragraaf (h) deur die woorde “is skuldig aan ’n misdryf en by skuldigbevinding strafbaar met ’n boete van hoogstens vierhonderd rand of, by wanbetaling, met gevangenisstraf vir ’n tydperk van hoogstens ses maande of met beide sodanige boete en sodanige gevangenisstraf,” te vervang; en
- (b) in subartikel (3) die woorde “Hoof-Provinsiale Inspekteur in diens van die” deur die uitdrukking “Hoof: Provinsiale Inspeksiediens,” te vervang.

Wysiging van artikel 16 van Ordonnansie 24 van 1959, soos gewysig by artikel 6 van Ordonnansie 19 van 1961 en artikel 7 van Ordonnansie 18 van 1963.

11. Artikel 16 van die Hoofordonnansie word hierby gewysig deur —

- (a) paragraaf (d) van subartikel (1) deur die volgende paragraaf te vervang:

“(d) dat enige winkel geleë is binne ’n munisipaliteit, ’n lokasie of ’n Bantodorp of ’n Bantoegebied of nie aldus geleë is nie, of dat enige winkel nie geleë is meer as 8 kilometer nie buite die grense van die naaste dorp soos in artikel 1 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1965, omskryf; wat binne ’n munisipaliteit is; of”;

- (b) paragraaf (g) van subartikel (1) deur die volgende paragraaf te vervang:

“(g) dat enige smous nie ingevolge die bepalings van die Ordonnansie op Lisensties, 1974, as sodanig gelisensieer is nie of dat enige smous nie ingevolge die bepalings daarvan van die vereiste om ’n lisensie as ’n smous uit te neem, vrygestel word nie,”; en

- (c) in subartikel (2) die woorde “gedrywe, gesmous of gevent” deur die woorde “gedrywe of gesmous” te vervang.

Wysiging van artikel 17 van Ordonnansie 24 van 1959.

12. Artikel 17 van die Hoofordonnansie word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Enige regulasie ingevolge die bepalings van subartikel (1) gemaak, kan strawwe bepaal vir ’n oortreding daarvan, maar geen straf mag ’n boete van vierhonderd rand of, by wanbetaling, gevangenisstraf vir ’n tydperk van ses maande of beide sodanige boete en sodanige gevangenisstraf oorskry nie.”.

Wysiging van die Eerste Bylae by Ordonnansie 24 van 1959, soos gewysig by artikel 7 van Ordonnansie 19 van 1961 en artikel 6

13. Die Eerste Bylae by die Hoofordonnansie word hierby gewysig deur —

- (a) die opskrif daarby deur die volgende opskrif te vervang:

“EET- EN DRINKWARE WAARIN ’N WINKELIER INGEVOLGE ITEM (hh) VAN PARAGRAWE (d) EN (g) VAN SUBARTIKEL (1) VAN ARTIKEL 5 NIE

ed to by a shopkeeper or hawker for this purpose; and”.

Amendment of section 14 of Ordinance 24 of 1959, as amended by section 5 of Ordinance 19 of 1961, section 6 of Ordinance 18 of 1963, and section 3 of Ordinance 11 of 1968.

10. Section 14 of the principal Ordinance is hereby amended by —

- (a) the substitution in subsection (1) for the words following the expression “thereunder,” in paragraph (h) of the words “shall be guilty of an offence and liable on conviction to a fine not exceeding four hundred rand or, in default of payment, to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.”; and
- (b) the substitution in subsection (3) for the words “Chief Provincial Inspector in the service of the” of the expression “Chief: Provincial Inspection Services,”.

Amendment of section 16 of Ordinance 24 of 1959, as amended by section 6 of Ordinance 19 of 1961 and section 7 of Ordinance 18 of 1963.

11. Section 16 of the principal Ordinance is hereby amended by —

- (a) the substitution for paragraph (d) of subsection (1) of the following paragraph:

“(d) that any shop is or is not situated within a municipality, a location, a Bantu village or a Bantu area or that any shop is not situated more than 8 kilometres outside the boundaries of the nearest township as defined in section 1 of the Town-planning and Townships Ordinance, 1965, which is within a municipality; or”;

- (b) the substitution for paragraph (g) of subsection (1) of the following paragraph:

“(g) that any hawker is not licensed as such in terms of the provisions of the Licences Ordinance, 1974, or that any hawker is not exempted from the requirement of taking out a licence as a hawker in terms of the provisions thereof,”; and

- (c) the deletion in subsection (2) of the words “or peddled”.

Amendment of section 17 of Ordinance 24 of 1959.

12. Section 17 of the principal Ordinance is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) Any regulation made in terms of the provisions of subsection (1) may provide for penalties for a contravention thereof, but no penalty shall exceed a fine of four hundred rand or, in default of payment, imprisonment for a period of six months or both such fine and such imprisonment.”.

Amendment of the First Schedule to Ordinance 24 of 1959, as amended by section 7 of Ordinance 19 of 1961 and sec-

13. The First Schedule to the principal Ordinance is hereby amended by —

- (a) the substitution for the heading thereto of the following heading:

“EATABLES AND DRINKABLES IN WHICH A SHOPKEEPER MAY NOT TRADE OUTSIDE NORMAL TRADING

van Ordonnansie 15 van 1972.

BUIITE NORMALE HANDELSTYDE HANDEL MAG DRYWE NIE OF WAARMEE 'N SMOUS INGEVOLGE ITEM (cc) VAN PARAGRAAF (a) VAN ARTIKEL 6 NIE BUIITE NORMALE HANDELSTYDE MAG SMOUS NIE."; en

(b) item 5 deur die volgende item te vervang:

"5. Enige geneesmiddel of geneeskragtige produk of preparaat, hetsy 'n lisensie vir die verkoop daarvan ingevolge item 12 van Bylae I, by die Ordonnansie op Lisensies, 1974, nodig is al dan nie, met uitsluiting van hoofpynpoeiers of -tablette."

Vervanging van die lang titel van Ordonnansie 24 van 1959.

14. Die lang titel van die Hoofordonnansie word hierby deur die volgende lang titel vervang:

"Tot samevatting en wysiging van die wetsbepalings betreffende die reëling van die openings- en sluitingsure van winkels en van die handelstye van smouse; tot wysiging van die Ordonnansie op Plaaslike Bestuur, 1939; en om voorsiening te maak vir aangeleenthede in verband daarmee."

Kort titel.

15. Hierdie Ordonnansie heet die Wysigingsordonnansie op Winkelure, 1978.

No. 246 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig.

So is dit dat ek hierby die Restaurantwysigingsordonnansie (Provinsiale Administrasie van Transvaal) 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Oktober, Eenduisend Negehonderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1978/18)

ORDONNANSIE NO. 15 VAN 1978.
(Toestemming verleen op 22 September 1978.)
(Afrikaanse eksemplaar deur die Waarnemende Staatspresident onderteken.)

'N ORDONNANSIE

Tot wysiging van die Restaurantordonnansie (Provinsiale Administrasie van Transvaal), 1964, ten opsigte van die aanstelling van beamptes en werknemers.

Die Provinsiale Raad van Transvaal VERORDEN SOOS VOLG: —

Vervanging van artikel 6 van Ordonnansie 5 van 1964.

1. Artikel 6 van die Restaurantordonnansie (Provinsiale Administrasie van Transvaal), 1964, word hierby deur die volgende artikel vervang:

6. Ten einde die doel van hierdie Ordonnansie te verwesenlik, kan die Administrateur van tyd tot tyd —

tion 6 of Ordinance 15 of 1972.

TIMES IN TERMS OF ITEM (hh) OF PARAGRAPHS (d) AND (g) OF SUBSECTION (1) OF SECTION 5 OR WITH WHICH A HAWKER MAY NOT HAWK OUTSIDE NORMAL TRADING TIMES IN TERMS OF ITEM (cc) OF PARAGRAPH (a) OF SECTION 6."; and

(b) the substitution for item 5 of the following item:

"5. Any medicine or medicinal product or preparation, whether a licence is required for the sale thereof in terms of item 12 of Schedule I of the Licences Ordinance, 1974, or not, excluding headache powders or headache tablets."

Substitution of long title of Ordinance 24 of 1959.

14. The following long title is hereby substituted for the long title of the principal Ordinance:

"To consolidate and amend the laws relating to the regulation of the hours of opening and closing of shops and of the trading times of hawkers; to amend the Local Government Ordinance, 1939; and to provide for matters incidental thereto."

Short title.

15. This Ordinance shall be called the Shop Hours Amendment Ordinance, 1978.

No. 246 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Restaurant (Provincial Administration of Transvaal) Amendment Ordinance, 1978, which is printed hereunder.

Given under my Hand at Pretoria on this 23rd day of October, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11(1978/18)

ORDINANCE NO. 15 OF 1978.
(Assented to on 22 September, 1978.)
(Afrikaans copy signed by the Acting State President.)

AN ORDINANCE

To amend the Restaurant (Provincial Administration of Transvaal) Ordinance, 1964, in respect of the appointment of officers and employees.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Substitution of section 6 of Ordinance 5 of 1964.

1. The following section is hereby substituted for section 6 of the Restaurant (Provincial Administration of Transvaal) Ordinance, 1964:

6. In order to achieve the purpose of this Ordinance, the Administrator may from time to time —

(a) ingevolge die bepalings van die Ordonnansie op die Algemene Provinsiale Diens (Transvaal), 1965 (Ordonnansie 6 van 1965), die poste goedkeur wat hy nodig ag en kan hy persone in sodanige poste aanstel; of

(b) onderworpe aan die voorwaardes wat hy bepaal, 'n ooreenkoms met enige persoon aangaan,

om, onder die beheer van die Komitee, die werk verbonde aan die bestuur en dryf van die besigheid van die Restaurant te verrig."

Kort titel en datum van inwerking-treding.

2. Hierdie Ordonnansie heet die Restaurant-wysigingsordonnansie (Provinsiale Administrasie van Transvaal), 1978, en word geag op 1 Februarie 1978 in werking te getree het.

No. 247 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Wysigingsordonnansie op Plaaslike Bestuur, 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Oktober, Eenduisend Negehoenderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1978/19)

ORDONNANSIE NO. 16 VAN 1978.

(Toestemming verleen op 22 September 1978.)

(Afrikaanse eksemplaar deur die Waarnemende Staatspresident onderteken.)

'N ORDONNANSIE

Tot wysiging van die Ordonnansie op Plaaslike Bestuur, 1939, ten opsigte van die voorkeure in artikel 35 beoog; ten opsigte van omkoperij soos in artikel 45 beoog; ten opsigte van die invordering van saniteitsbelasting soos in artikel 49 beoog; ten opsigte van die skriftelike verklaring in artikel 50 genoem; ten einde 'n raad die bevoegdheid te verleen om rente op agterstallige gelde, belastinge en heffings te hef deur 'n nuwe artikel 50A in te voeg; ten opsigte van die ouditering van rekenings en rekords van die raad soos in artikel 59 beoog; ten opsigte van die algemene bevoegdhede soos in artikel 79 beoog; ten opsigte van die bevoegdheid om lewering van dienste af te sluit soos in artikel 87 beoog; ten opsigte van die bevoegdhede van gesondheidskomitees in artikel 123 vervat; ten opsigte van die bevoegdheid om dreineringswerke op private grond of eiendom te verrig of om voorskotte daarvoor te verleen soos in artikel 142 beoog; ten opsigte van die vorm van die verklaring in die Derde Bylae vervat; tot wysiging van die Ordonnansie op Eiensdombelasting van Plaaslike Bestuur, 1977, ten opsigte van die heffing van rente op agterstallige eiendomsbelasting soos in artikel 27 beoog; tot wysiging van die Ordonnansie op die Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede, 1943, ten opsigte van die algemene bevoegdhede en pligte van die raad soos in artikel 16 beoog; en om vir bykomstige aangeleenthede voorsiening te maak.

DIE Provinsiale Raad van Transvaal VERORDEN SOOS VOLG: —

(a) in terms of the provisions of the General Provincial Service (Transvaal) Ordinance, 1965 (Ordinance 6 of 1965), approve of such posts as he may deem necessary and may appoint persons to such posts; or

(b) subject to such conditions as he may determine, enter into an agreement with any person,

to perform, under the control of the Committee, the work attached to the management and the conducting of the business of the Restaurant."

Short title and date of commencement.

2. This Ordinance shall be called the Restaurant (Provincial Administration of Transvaal) Amendment Ordinance, 1978, and shall be deemed to have come into operation on 1 February 1978.

No. 247 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Local Government Amendment Ordinance, 1978, which is printed hereunder.

Given under my Hand at Pretoria on this 23rd day of October, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11(1978/19)

ORDINANCE NO. 16 OF 1978.

(Assented to on 22 September, 1978.)

(Afrikaans copy signed by the Acting State President.)

AN ORDINANCE

To amend the Local Government Ordinance, 1939, in respect of the preferences contemplated in section 35; in respect of bribery as contemplated in section 45; in respect of the recovery of sanitary rates as contemplated in section 49; in respect of the written statement referred to in section 50; in order to grant a council the power to charge interest on arrear moneys, rates and charges by the insertion of a new section 50A; in respect of the auditing of accounts and records of the council as contemplated in section 59; in respect of the general powers as contemplated in section 79; in respect of the power to disconnect supply of services as contemplated in section 87; in respect of the powers of health committees contained in section 123; in respect of the power to execute drainage works on private land or premises or to grant advances therefor as contemplated in section 142; in respect of the form of the statement contained in the Third Schedule; to amend the Local Authorities Rating Ordinance, 1977, in respect of the levying of interest on arrear rates as contemplated in section 27; to amend the Transvaal Board for the Development of Peri-Urban Areas Ordinance, 1943, in respect of the general powers and duties of the board as contemplated in section 16; and to provide for matters incidental thereto.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Wysigings van artikel 35 van die Ordonnansie 17 van 1939, soos gewysig by artikel 2 van Ordonnansie 24 van 1965, artikel 2 van Ordonnansie 24 van 1966, artikel 2 van Ordonnansie 16 van 1967, artikel 2 van Ordonnansie 15 van 1969 en artikel 1 van Ordonnansie 21 van 1976.

1. Artikel 35 van die Ordonnansie op Plaaslike Bestuur, 1939 (hierna die Hoofordonnansie genoem), word hierby gewysig deur—

(a) subartikel (3)(a) deur die volgende subartikel te vervang:

“(3)(a) Behoudens die bepalings van subartikels (3)*bis* en (3)*quat.*, moet die raad die tender aanneem wat vir hom die voordeligste voorkom en kan ’n waarborg vorder vir die behoorlike en getroue nakoming van ’n kontrak wat ingevolge sodanige aanname gesluit word: Met dien verstande dat die raad nie verplig is om enige tender aan te neem nie.”;

(b) in subartikel (3)*bis*—

(i) paragrafe (a) en (b) deur die volgende paragrafe te vervang:

“(a) Alle tenders vir die verskaffing van goedere word tot ’n vergelykbare grondslag herlei deur die voorkeure waarvoor voorsiening gemaak word in paragrafe (b),

(c), (d) en (e) af te trek van die bedrae van daardie tenders waarop sodanige voorkeure van toepassing is.

(b) Aan elke mededingende tender wat vir die leowering van goedere wat in die Republiek geproduseer, vervaardig of gemon-teer is, ontvang word, word ’n voorkeur vir die plaaslike inhoud van sodanige goedere toegelaat ooreenkomstig die skaal wat van tyd tot tyd deur die Administrateur by kennisgewing in die *Provinsiale Koerant* bepaal word.”;

(ii) in paragraaf (c) die uitdrukking “onder subartikel (3)*ter* toelaatbaar is” deur die uitdrukking “ingevolge paragraaf (b) toegelaat word” te vervang; en

(iii) na paragraaf (d) die volgende paragraaf in te voeg:

“(e) Benewens die voorkeure wat ingevolge die voorafgaande bepalings toegelaat moet word, kan die raad, op aanbeveling van die Sekretaris van Nywerheidswese, ’n verdere voorkeur ten opsigte van die plaaslike inhoud van goedere wat in die Republiek geproduseer, vervaardig of gemon-teer is, toelaat.”;

(c) in subartikel (3)*ter*—

(i) paragraaf (a) te skrap; en

(ii) in paragraaf (b) die uitdrukking “paragraaf (a)” deur die uitdrukking “subartikel (3)*bis*(b) en (c)” te vervang;

Amendment of section 35 of Ordinance 17 of 1939, as amended by section 2 of Ordinance 24 of 1965, section 2 of Ordinance 24 of 1966, section 2 of Ordinance 16 of 1967, section 2 of Ordinance 15 of 1969 and section 1 of Ordinance 21 of 1976.

1. Section 35 of the Local Government Ordinance, 1939 (hereinafter referred to as the principal Ordinance), is hereby amended—

(a) by the substitution for subsection (3)(a) of the following subsection:

“(3)(a) Subject to the provisions of subsections (3)*bis* and (3)*quat.*, the council shall accept the tender which appears to it to be the most advantageous, and may demand security for the due and faithful performance of a contract entered into in terms of such acceptance: Provided that the council shall not be compelled to accept any tender.”;

(b) in subsection (3)*bis*—

(i) by the substitution for paragraphs (a) and (b) of the following paragraphs:

“(a) All tenders for the supply of goods shall be reduced to a comparative basis by deducting the preferences provided for in paragraphs (b), (c), (d) and (e) from the amounts of those tenders to which such preferences apply.

(b) To every competing tender received for the supply of goods produced, manufactured or assembled in the Republic, a preference for the local content of such goods shall be allowed in accordance with the scale determined from time to time by the Administrator by notice in the *Provincial Gazette*.”;

(ii) by the substitution in paragraph (c) for the expression “under subsection (3)*ter*” of the expression “in terms of paragraph (b)”;

(iii) by the insertion after paragraph (d) of the following paragraph:

“(e) In addition to the preferences which are required to be allowed in terms of the preceding provisions, the council may, on the recommendation of the Secretary for Industries, allow a further preference in respect of the local content of goods produced, manufactured or assembled in the Republic.”;

(c) in subsection (3)*ter*—

(i) by the deletion of paragraph (a); and

(ii) by the substitution in paragraph (b) for the expression “paragraph (a)” of the expression “subsection (3)*bis* (b) and (c)”;

- (d) paragraaf (a) van subartikel (3) *quat.* deur die volgende paragraaf te vervang:

“(a) Nadat tenders tot ’n vergelykbare grondslag ingevolge subartikel (3) *bis* herlei is, word spoorvrag en ander vervoerkoste, as daar is, tot op die plek van aflewering deur die raad vereis, by die herleide tenderpryse gevoeg indien sodanige koste nie reeds by die tenderprys ingesluit is nie, en daarna aanvaar die raad die laagste tender: Met dien verstande dat, waar die raad van mening is dat aanvaarding van die laagste tender nie in die openbare belang is nie, die raad, behoudens die bepalinge van paragraaf (b), die aangeleentheid, tesame met sy aanbeveling, aan die Administrateur voorlê wie se beslissing afdoende is: Met dien verstande voorts dat, in die geval van gelykheid van tenderpryse, dieselfde volgorde van voorkeur vir die aanname van ’n tender as dié vasgestel in die Tenderregulasies van die Provinsie Transvaal toegelaat word.”; en

- (e) in subartikel (3) *quin.* die uitdrukking “subartikels (3) *bis* en (3) *ter*” deur die uitdrukking “subartikel (3) *bis*” te vervang.

2. Artikel 45 van die Hoofdonnansie word hierby deur die volgende artikel vervang:

45.(1) ’n Raadslid, ’n beamppte of dienaar van die raad of ’n persoon wat namens die raad enige wetteregtelike bevoegdheid of plig uitoefen, wat op korrupte wyse, hetsy vir homself of vir ’n ander persoon, van iemand ’n geskenk, voordeel of beloning, hetsy geldelik of andersins, ontvang, verkry, tot die ontvangs daarvan instem of dit probeer verkry as aansporing, vergoeding of andersins vir die verrig of nalaat van ’n handeling ten opsigte van enige aangeleentheid of transaksie, hetsy werklik of voorgestel, waarby die raad betrokke is, of omdat hy daardie handeling verrig of nagelaat het, is aan ’n misdryf skuldig en by skuldigbevinding strafbaar met ’n boete van hoogstens tweeduusend rand of met gevangenisstraf vir ’n tydperk van hoogstens vyf jaar of met beide sodanige boete en sodanige gevangenisstraf.

(2) Iemand wat direk of indirek aan ’n raadslid, ’n beamppte of dienaar van die raad of ’n persoon wat namens die raad enige wetteregtelike bevoegdheid of plig uitoefen ’n geskenk, voordeel of beloning, hetsy geldelik of andersins, hetsy vir die voordeel van daardie raadslid, beamppte, dienaar of persoon al dan nie, as aansporing, vergoeding of andersins gee, aanbied of beloof om ’n handeling ten opsigte van enige aangeleentheid of transaksie, hetsy werklik of voorgestel, waarby die raad betrokke

- (d) by the substitution for paragraph (a) of subsection (3) *quat.* of the following paragraph:

“(a) Upon tenders having been reduced to a comparative basis in terms of subsection (3) *bis*, railage and other transport charges, if any, to the point of delivery required by the council shall be added to the tender prices so reduced if such charges are not already included in the tender price, and the council shall thereafter accept the lowest tender: Provided that, where the council is of the opinion that the acceptance of the lowest tender would not be in the public interest, the council shall, subject to the provisions of paragraph (b), submit the matter, together with its recommendation, to the Administrator whose decision shall be final: Provided further that, in the case of equality of tender prices, the same sequence of preference for the acceptance of a tender than that determined in the Tender Regulations of the Province of Transvaal shall be allowed.”; and

- (e) by the substitution in subsection (3) *quin.* for the expression “sub-sections (3) *bis* and (3) *ter*” of the expression “subsection (3) *bis*”.

Substitution of section 45 of Ordinance 17 of 1939.

2. The following section is hereby substituted for section 45 of the principal Ordinance:

45.(1) A councillor, an officer or servant of the council or a person carrying out on behalf of the council any statutory power or duty, who, whether for himself or for another person, corruptly accepts, obtains, agrees to accept or attempts to obtain from a person a gift, advantage or reward, whether pecuniary or otherwise, as an inducement or as a consideration or otherwise for his doing or omitting to do, or his having done or omitted to do an act in respect of any matter or transaction, whether actual or proposed, in which the council is concerned, shall be guilty of an offence and liable on conviction to a fine not exceeding two thousand rand or imprisonment for a period not exceeding five years or to both such fine and such imprisonment.

(2) A person who directly or indirectly gives, offers or promises to a councillor, an officer or servant of the council or a person carrying out on behalf of the council any statutory power or duty a gift, advantage or reward, whether pecuniary or otherwise and whether for the benefit of that councillor, officer, servant or person or not, as an inducement or as a consideration or otherwise to do or omit to do, or for having done or omitted to do an act in respect of any matter or

is, te verrig of na te laat, of omdat daardie handeling verrig of nagelaat is, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweeduisend rand of met gevangenisstraf vir 'n tydperk van hoogstens vyf jaar of met beide sodanige boete en sodanige gevangenisstraf.

(3) In die geval van 'n skuldigbevinding in subartikel (1) beoog—

- (a) word 'n beampte of dienaar van die raad onverwyld uit sy betrekking ontslaan; en
- (b) is 'n raadslid onbevoeg om die amp van raadslid te beklee en bly hy aldus onbevoeg vir 'n tydperk van sewe jaar van die datum van sodanige skuldigbevinding af."

3. Artikel 49 van die Hoofordonnansie word hierby gewysig deur subartikel (3) te skrap.

Wysiging van artikel 49 van Ordonnansie 17 van 1939, soos gewysig by artikel 4 van Ordonnansie 12 van 1941, artikel 4 van Ordonnansie 24 van 1966, artikel 3 van Ordonnansie 15 van 1968 en artikel 1 van Ordonnansie 10 van 1973.

4. Artikel 50 van die Hoofordonnansie word hierby gewysig deur na subartikel (3) die volgende subartikel in te voeg:

Wysiging van artikel 50 van Ordonnansie 17 van 1939, soos vervang by artikel 47 van Ordonnansie 11 van 1977.

"(4) By die toepassing van subartikel (1) word die eerste registrasie van 'n persoonlike serwituut nie as 'n oordrag van 'n reg in grond beskou nie."

5. Die volgende artikel word hierby na artikel 50 van die Hoofordonnansie ingevoeg:

Invoeging van artikel 50A in Ordonnansie 17 van 1939.

50A. Behoudens die bepalings van hierdie Ordonnansie of enige ander wet, kan die raad op enige agterstallige gelde, belastings en heffings wat aan hom verskuldig is, rente hef en invorder teen 'n koers van hoogstens agt persent per jaar of die hoër koers wat die Administrateur by kennisgewing in die *Provinsiale Koerant* bepaal."

6. Artikel 59 van die Hoofordonnansie word hierby gewysig deur die eerste voorbehoudsbepaling by subartikel (10) deur die volgende voorbehoudsbepaling te vervang:

Wysiging van artikel 59 van Ordonnansie 17 van 1939, soos vervang deur artikel 2 van Ordonnansie 33 van 1959 en

"Met dien verstande dat die bedrag aldus bepaal nie minder as veertig rand en nie meer as een persent van die totale kapitale- en inkomste-uitgawe van die betrokke raad wat in

transaction, whether actual or proposed, in which the council is concerned, shall be guilty of an offence and liable on conviction to a fine not exceeding two thousand rand or imprisonment for a period not exceeding five years or to both such fine and such imprisonment.

(3) In the case of a conviction contemplated in subsection (1)—

- (a) an officer or servant of the council shall be dismissed forthwith from office; and
- (b) a councillor shall be disqualified from holding the office of councillor and he shall remain so disqualified for a period of seven years from the date of such conviction."

3. Section 49 of the principal Ordinance is hereby amended by the deletion of subsection (3).

Amendment of section 49 of Ordinance 17 of 1939, as amended by section 4 of Ordinance 12 of 1941, section 4 of Ordinance 24 of 1966, section 3 of Ordinance 15 of 1968 and section 1 of Ordinance 10 of 1973.

4. Section 50 of the principal Ordinance is hereby amended by the insertion after subsection (3) of the following subsection:

Amendment of section 50 of Ordinance 17 of 1939, as substituted by section 47 of Ordinance 11 of 1977.

"(4) For the purposes of subsection (1) the first registration of a personal servitude shall not be regarded as a transfer of a right in land."

5. The following section is hereby inserted after section 50 of the principal Ordinance:

Insertion of section 50A in Ordinance 17 of 1939.

50A. Subject to the provisions of this Ordinance or any other law, the council may, on any arrear moneys, rates and charges due to it, charge and recover interest at a rate not exceeding eight per cent per annum or such higher rate as the Administrator may, by notice in the *Provincial Gazette*, determine."

6. Section 59 of the principal Ordinance is hereby amended by the substitution for the first proviso to subsection (10) of the following proviso:

Amendment of section 59 of Ordinance 17 of 1939, as substituted by section 2 of Ordinance 33 of 1959, and as amended by section 5 of Ordinance 15 of 1968.

"Provided that the amount so determined shall not be less than forty rand and shall not exceed one per cent of the total capital and revenue expenditure of the council concerned

soos gewysig by artikel 5 van Ordonnansie 15 van 1968.

Wysiging van artikel 79 van Ordonnansie 17 van 1939, soos gewysig by artikel 8 van Ordonnansie 12 van 1941, artikel 5 van Ordonnansie 11 van 1942, artikel 3 van Ordonnansie 19 van 1943, artikel 6 van Ordonnansie 19 van 1944, artikel 11 van Ordonnansie 27 van 1951, artikel 8 van Ordonnansie 25 van 1953, artikel 5 van Ordonnansie 16 van 1955, artikel 7 van Ordonnansie 21 van 1957, artikel 3 van Ordonnansie 33 van 1959, artikel 2 van Ordonnansie 24 van 1960, artikel 6 van Ordonnansie 18 van 1961, artikel 2 van Ordonnansie 5 van 1962, artikel 3 van Ordonnansie 12 van 1962, artikel 1 van Ordonnansie 7 van 1964, artikel 1 van Ordonnansie 14 van 1964, artikel 15 van Ordonnansie 18 van 1965, artikel 5 van Ordonnansie 24 van 1965, artikel 96 van Ordonnansie 25 van 1965, artikel 8 van Ordonnansie 24 van 1966, artikel 3 van Ordonnansie 16 van 1967, artikel 8

berekening gebring en deur die Ouditeur van Plaaslike Bestuur vir sodanige boekjaar gesertifiseer is, is nie”.

7. Artikel 79(18) van die Hoofordonnansie word hierby gewysig deur —

(a) paragraaf (d) deur die volgende paragraaf te vervang:

“(d) Die bruto opbrengs deur die raad ontvang —

- (i) uit die verkoping van dorpsgronde, uitgenome 'n erf of standplaas in 'n dorp op dorpsgronde gestig;
- (ii) uit die toekenning van die prospekterregte, opsie-kontrakte of die vervreemding van die regte op minerale, edele en onedele, metale of edelgesteentes op dorpsgronde wat in paragraaf (a) genoem word;
- (iii) uit die vervreemding of verhuur van dorpsgronde vir die vervaardiging van bakstene, teëls of vir enige steengroefwerk;
- (iv) wat voortvloei uit die regte genoem in artikel vier van die ‘Townlands Ordinance, 1904’ (Ordonnansie 14 van 1904), of wat voortvloei uit soortgelyke regte in enige ander wet genoem,

moet op 'n spesiale rekening gestort word en word slegs daaruit betaal as terugbetaalbare voorskotte ooreenkomstig die bepalings en voorwaardes wat die Administrateur goedkeur vir die doel van enige funksie of plig wat die raad ingevolge enige wet verplig of gemagtig is om uit te oefen of te vervul. Met dien verstande dat die Administrateur, na goeë dunske, die aanwending van enige batige saldo in sodanige spesiale rekening vir die aankoop van grond kan magtig en enige sodanige grond word, by die toepassing van hierdie subartikel, geag dorpsgronde te wees.”;

(b) paragraaf (e) te skrap;

(c) paragraaf (f) deur die volgende paragraaf te vervang:

“(f) Die netto opbrengs deur die raad ontvang uit —

- (i) die verkoping van onroerende eiendom, met inbegrip van 'n erf of standplaas in 'n dorp op dorpsgronde gestig, maar uitgenome dorpsgronde;
- (ii) die toekenning van die prospekterregte, opsie-kontrakte of die vervreemding van die regte op minerale, edele en onedele metale of edelgesteentes op ander grond

as brought to account and certified by the Local Government Auditor for such financial year”.

Amendment of section 79 of Ordinance 17 of 1939, as amended by section 8 of Ordinance 12 of 1941, section 5 of Ordinance 11 of 1942, section 3 of Ordinance 19 of 1943, section 6 of Ordinance 19 of 1944, section 11 of Ordinance 27 of 1951, section 8 of Ordinance 25 of 1953, section 5 of Ordinance 16 of 1955, section 7 of Ordinance 21 of 1957, section 3 of Ordinance 33 of 1959, section 2 of Ordinance 24 of 1960, section 6 of Ordinance 18 of 1961, section 2 of Ordinance 5 of 1962, section 3 of Ordinance 12 of 1962, section 1 of Ordinance 7 of 1964, section 1 of Ordinance 14 of 1964, section 15 of Ordinance 18 of 1965, section 5 of Ordinance 24 of 1965, section 96 of Ordinance 25 of 1965, section 8 of Ordinance 24 of 1966, section 3 of Ordinance 16 of 1967, section 8 of Ordinance 15 of 1968, section 3 of Ordinance 10 of 1970, section 6 of Ordinance 10 of 1971, section 2 of Ordinance 16 of 1972, section 2 of Ordinance 6 of 1974, section 1 of Ordinance 15 of 1975;

7. Section 79(18) of the principal Ordinance is hereby amended by —

(a) the substitution for paragraph (d) of the following paragraph:

“(d) The gross proceeds received by the council —

- (i) from the sale of town lands, except an erf or stand in a township established on town lands;
- (ii) from the granting of such prospecting rights, option contracts or the alienation of rights to minerals, precious and base metals or precious stones on town lands referred to in paragraph (a);
- (iii) from the alienation or letting of town lands for the manufacture of bricks, tiles or for any quarrying;
- (iv) arising from the rights referred to in section four of the Town Lands Ordinance, 1904 (Ordinance 14 of 1904), or arising from similar rights referred to in any other law,

shall be paid into a special account and shall only be paid therefrom as repayable advances in accordance with such terms and conditions as may be approved by the Administrator for the purpose of any function or duty which the council is, in terms of any law, required or authorized to perform or to discharge: Provided that the Administrator may, in his discretion, authorize the use of any credit balance in such special account for the purchase of land and any such land shall, for the purpose of this subsection, be deemed to be town lands.”;

(b) the deletion of paragraph (e);

(c) the substitution for paragraph (f) of the following paragraph:

“(f) The net proceeds received by the council from —

- (i) the sale of immovable property, including an erf or stand in a township established on town lands, but excluding town lands;
- (ii) the granting of such prospecting rights, option contracts or the alienation of rights to minerals, precious and base metals or precious stones on land, other than

van Ordonnansie 15 van 1968, artikel 3 van Ordonnansie 10 van 1970, artikel 6 van Ordonnansie 10 van 1971, artikel 2 van Ordonnansie 16 van 1972, artikel 2 van Ordonnansie 6 van 1974, artikel 1 van Ordonnansie 15 van 1975, artikel 3 van Ordonnansie 14 van 1976, artikel 3 van Ordonnansie 21 van 1976, artikel 18 van Ordonnansie 18 van 1977 en artikel 2 van Ordonnansie 22 van 1977.

as dorpsgronde wat in paragraaf (a) genoem word;

(iii) die vervreemding of verhuur van ander grond as dorpsgronde, vir die vervaardiging van bakstene, teëls of vir enige steengroefwerk,

moet op 'n spesiale rekening gestort word en enige batige saldo word slegs daaruit betaal as terugbetaalbare voorskotte of aangewend ooreenkomstig die bepalings en voorwaardes wat die Administrateur goedkeur vir die doel van enige funksie of plig wat die raad ingevolge enige wet verplig of gemagtig is om uit te oefen of te vervul; en

(d) paragraaf (g) deur die volgende paragraaf te vervang:

“(g) By die toepassing van paragraaf (f) beteken ‘netto opbrengs’ 'n bedrag verkry deur van die bruto bedrag deur die raad ontvang, af te trek —

(i) regs-, advertensie- en opmetingskoste;

(ii) in enige geval waar sodanige bruto bedrag verkry is uit die verkoping van grond, die koste (insluitende die aankoopprys), as daar is, in verband met die aanskaffing van sodanige grond aangegaan en die koste wat noodsaaklikerwys met die verkoping van sodanige grond aangegaan is;

(iii) die koste aangegaan in verband met die stigting van 'n dorp, met inbegrip van 'n dorp gestig op dorpsgronde, die aanleg van strate, met inbegrip van die nodige brêe en duikers, randstene en geute en in verband met werke wat bedoel is om storm- of vloedwater in of vir sodanige dorp te beheer; en

(iv) die ander koste wat die Administrateur goedkeur.”

8. Artikel 87 van die Hoofordonnansie word hierby deur die volgende artikel vervang:

“Bevoegdheid om lewering van dienste af te sluit.

87.(1) Wanneer iemand versuim om enige bedrag wat aan die raad verskuldig is ten opsigte van —

(a) water, elektrisiteit of gas wat aan hom gelewer is; of

(b) 'n voorskot wat aan hom ingevolge artikel 81(4) of 83(4) gemaak is,

te betaal, kan die raad, op die wyse wat die raad dienstig ag, die lewering van water, elektrisiteit of gas aan hom afsluit totdat daardie bedrag, tesame met die koste in verband met sodanige afsluiting, ten volle betaal is.

section 3 of Ordinance 14 of 1976, section 3 of Ordinance 21 of 1976, section 18 of Ordinance 18 of 1977 and section 2 of Ordinance 22 of 1977.

town lands, as referred to in paragraph (a);

(iii) the alienation or letting of land, other than town lands, for the manufacture of bricks, tiles or for any quarrying,

shall be paid into a special account and any credit balance shall only be paid therefrom as repayable advances or used in accordance with such terms and conditions as may be approved by the Administrator for the purpose of any function or duty which the council is, in terms of any law, required or authorized to perform or to discharge.”; and

(d) the substitution for paragraph (g) of the following paragraph:

“(g) For the purpose of paragraph (f) ‘net proceeds’ shall mean a sum arrived at by deducting from the gross amount received by the council —

(i) legal, advertising and survey costs;

(ii) in any case where such gross amount is derived from the sale of land, the costs (including the purchase price), if any, incurred in connection with the acquisition of such land and the costs necessarily incurred in the sale of such land;

(iii) the costs incurred in connection with the establishment of a township, including a township established on town lands, the construction of streets, including the necessary bridges and culverts, kerbs and gutters and in connection with works designed to control storm or flood waters in or for such township; and

(iv) such other costs as the Administrator may approve.”

Substitution of section 87 of Ordinance 17 of 1939.

8. The following section is hereby substituted for section 87 of the principal Ordinance:

“Power to disconnect supply of services.

87.(1) Whenever a person fails to pay any amount due to the council in respect of —

(a) water, electricity or gas supplied to him; or

(b) an advance made to him in terms of section 81(4) or 83(4),

the council may, in the manner which the council may deem expedient, disconnect the supply of water, electricity or gas to him until that amount, together with the costs in connection with such disconnection, have been paid in full.

(2) Wanneer 'n verbruiker van elektrisiteit of gas —

- (a) versuim om aan 'n leweringsvoorwaarde van die raad te voldoen; of
- (b) 'n toestand wat, na die mening van die raad, gevaarlik is of die doeltreffende lewering van elektrisiteit of gas aan 'n ander verbruiker bemlemmer, veroorsaak of toelaat dat daardie toestand voortbestaan,

kan die raad, op die wyse wat die raad dienstig ag, die lewering van elektrisiteit of gas aan hom afsluit totdat —

(i) aan die betrokke leweringsvoorwaarde voldoen is; of

(ii) die betrokke toestand reggestel is,

en die koste in verband met sodanige afsluiting ten volle betaal is.”

9. Artikel 123 van die Hoofordonnansie word hierby gewysig deur in subartikel (4) na die uitdrukking “vyftig,” die uitdrukking “vyftig A,” in te voeg.

Wysiging van artikel 123 van Ordonnansie 17 van 1939, soos gewysig by artikel 13 van Ordonnansie 27 van 1951, artikel 10 van Ordonnansie 25 van 1953, artikel 4 van Ordonnansie 14 van 1964, artikel 21 van Ordonnansie 24 van 1966, artikel 11 van Ordonnansie 15 van 1968 en artikel 6 van Ordonnansie 10 van 1970.

10. Artikel 142 van die Hoofordonnansie word hierby gewysig deur in subartikel (2) die woorde “minstens vier en 'n half persent en hoogstens agt persent per jaar” deur die uitdrukking “die koers van minstens vier en 'n half persent per jaar of 'n koers wat nie hoër is as dié in artikel 50A beoog nie” te vervang.

Wysiging van artikel 142 van Ordonnansie 17 van 1939, soos gewysig by artikel 15 van Ordonnansie 12 van 1941, artikel 4 van Ordonnansie 24 van 1960, artikel 12 van Ordonnansie 15 van 1968, artikel 7 van Ordonnansie 10 van 1970 en artikel 8 van Ordonnansie 15 van 1975.

11. Die Derde Bylae by die Hoofordonnansie word hierby deur die volgende Bylae vervang:

Ver-vanging van die

(2) Whenever a consumer of electricity or gas —

- (a) fails to comply with a condition of supply of the council; or
- (b) causes a situation which, in the opinion of the council, is dangerous or obstructs the efficient supply of electricity or gas to another consumer or permits that situation to continue,

the council may, in the manner which the council may deem expedient, disconnect the supply of electricity or gas to him until —

(i) the condition of supply concerned has been complied with; or

(ii) the situation concerned has been rectified,

and the costs in connection with such disconnection have been paid in full.”

9. Section 123 of the principal Ordinance is hereby amended by the insertion in subsection (4), after the expression “fifty,” of the expression “fifty A,”

Amendment of section 123 of Ordinance 17 of 1939, as amended by section 13 of Ordinance 27 of 1951, section 10 of Ordinance 25 of 1953, section 4 of Ordinance 14 of 1964, section 21 of Ordinance 24 of 1966, section 11 of Ordinance 15 of 1968, and section 6 of Ordinance 10 of 1970.

10. Section 142 of the principal Ordinance is hereby amended by the substitution in subsection (2) for the words “per centum or more than eight per centum per annum” of the expression “per cent per annum or a rate which is not higher than that contemplated in section 50A”.

Amendment of section 142 of Ordinance 17 of 1939, as amended by section 15 of Ordinance 12 of 1941, section 4 of Ordinance 24 of 1960, section 12 of Ordinance 15 of 1968, section 7 of Ordinance 10 of 1970 and section 8 of Ordinance 15 of 1975.

11. The following Schedule is hereby substituted for the Third Schedule to the principal

Substitution of the Third

Derde
Bylae by
Ordon-
nansie 17
van 1939.

"DERDE BYLAE.

ARTIKEL VYFTIG.

VORM VAN SKRIFTELIKE VERKLARING
IN ARTIKEL VYFTIG GENOEM.

Hiermee word gesertifiseer dat alle bedrae
wat ingevolge artikel 50 van die Ordonnansie
op Plaaslike Bestuur, 1939, aan die
(naam van plaaslike
bestuur) verskuldig is ten opsigte van die grond
of die reg in grond hieronder beskryf, aan die
raad betaal is.

Beskrywing van grond of reg in grond:

Hierdie sertifikaat is geldig tot
19.....

Gegee onder my hand te op hede die
..... dag van 19.....

Handtekening van stadsklerk of ander
beëmpte deur die raad gemagtig.
Plaaslike bestuur van

Wysiging
van arti-
kel 27
van Or-
donnansie
11 van
1977.

12. Artikel 27 van die Ordonnansie op Eien-
domsbelasting van Plaaslike Bestuur, 1977, word
hierby gewysig deur in subartikel (2) die uit-
drukking "artikel 49(3)" deur die uitdrukking
"artikel 50A" te vervang.

Wysiging
van arti-
kel 16
van Or-
donnansie
20 van
1943, soos
gewysig
by artikel
2 van Or-
donnansie
15 van
1955,
artikel 6
van Or-
donnansie
15 van
1969,
artikel 8
van Or-
donnansie
16 van
1972 en
artikel 7
van Or-
donnansie
6 van
1974.

13. Artikel 16 van die Ordonnansie op die
Transvaalse Raad vir die Ontwikkeling van
Buitestedelike Gebiede, 1943, word hierby gewy-
sig deur in subartikel (2) na die woord "arti-
kels", waar dit die tweede keer voorkom, die
uitdrukking "vyftig A," in te voeg.

Kort titel. 14. Hierdie Ordonnansie heet die Wysigings-
ordonnansie op Plaaslike Bestuur, 1978.

No. 248 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die
Republiek van Suid-Afrika, 1961, aan my die bevoegd-
heid verleen word om 'n ordonnansie, waarin die Staats-
president-in-rade toegestem het, af te kondig;

Schedule
to Ordin-
ance 17
of 1939.

Ordinance;

"THIRD SCHEDULE.

SECTION FIFTY.

FORM OF WRITTEN STATEMENT RE-
FERRED TO IN SECTION FIFTY.

This is to certify that all sums due in terms
of section 50 of the Local Government Or-
dinance, 1939, to the
(name of local authority) in
respect of the land or the right in land de-
scribed hereunder, have been paid to the coun-
cil.

Description of land or right in land:

This certificate is valid until
19.....

Given under my hand at this
..... day of 19.....

Signature of town clerk or other of-
ficer authorized by the council.

Local authority of

Amend-
ment of
section 27
of Ordin-
ance 11
of 1977.

12. Section 27 of the Local Authorities
Rating Ordinance, 1977, is hereby amended by
the substitution in subsection (2) for the ex-
pression "section 49(3)" of the expression
"section 50A".

Amend-
ment of
section 16
of Ordin-
ance 20
of 1943, as
amended
by section
2 of Or-
dinance 15
of 1955,
section 6
of Ordin-
ance 15
of 1969,
section 8
of Ordin-
ance 16
of 1972
and sec-
tion 7 of
Ordin-
ance 6 of
1974.

13. Section 16 of the Transvaal Board for the
Development of Peri-Urban Areas Ordinance,
1943, is hereby amended by the insertion in
subsection (2), after the word "sections", where
it appears for the second time, of the expression
"fifty A."

Short
title.

14. This Ordinance shall be called the Local
Government Amendment Ordinance, 1978.

No. 248 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the
Republic of South Africa Constitution Act, 1961, to
promulgate an Ordinance, assented to by the State Pre-
sident-in-Council;

So is dit dat ek hierby die Wysigingsordonnansie op Plaaslike Bestuur (Administrasie en Verkiegings), 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Oktober, Eenduisend Negehoenderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1978/21)

ORDONNANSIE NO. 17 VAN 1978.

(Toestemming verleen op 22 September 1978.)

(Afrikaanse eksemplaar deur die Waarnemende Staatspresident onderteken.)

'N ORDONNANSIE

Tot wysiging van die Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiegings), 1960, ten opsigte van die woordomsrywings in artikel 1 vervat; ten opsigte van die funksies van 'n bestuurskomitee soos in artikel 57 beoog; ten opsigte van die delegasie van bevoegdhede soos in artikel 58 beoog; ten opsigte van die aanstelling van 'n stadsklerk en 'n stadsekretaris soos in artikel 62 beoog; ten opsigte van die onbevoegdheid van sekere stadsklerke om die hoof van 'n departement, afdeling of vertakking van 'n plaaslike bestuur te wees soos in artikel 64 beoog; ten opsigte van die pligte van die stadsekretaris soos in artikel 67 beoog; tot wysiging van die Ordonnansie op Plaaslike Bestuur, 1939, ten opsigte van die afwesigheid van raadslede van vergaderings soos in artikel 31 beoog; ten opsigte van die delegasie van bevoegdhede soos in artikel 172 beoog; tot wysiging van die Ordonnansie op die Transvaalse Raad vir die Ontwikkeling van Bultestedelike Gebiede, 1943, ten opsigte van die delegasie van bevoegdhede soos in artikel 21bis beoog; en om vir bykomstige aangeleenthede voorsiening te maak.

DIE Provinsiale Raad van Transvaal VERORDEN SOOS VOLG: —

Ver-
vanging
van arti-
kel 1 van
Ordon-
nansie 40
van 1960,
soos
vervang
deur
artikel 11
van Or-
donnansie
21 van
1976.

1. Artikel 1 van die Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiegings), 1960 (hierna die Hoofordonnansie genoem), word hierby deur die volgende artikel vervang:

1. In hierdie Ordonnansie, tensy uit die samhang anders blyk, beteken —

- (i) 'algemene verkiesing' 'n algemene verkiesing soos in artikel 1 van die Ordonnansie op Munisipale Verkiegings, 1970 (Ordonnansie 16 van 1970), omskryf; (ii)
- (ii) 'bestuurskomitee' 'n bestuurskomitee in artikel 51(1) genoem; (iii)
- (iii) 'Direkteur' die Direkteur van Plaaslike Bestuur in artikel 9(2) van die Ordonnansie op die Beheer oor Plaaslike Bestuur, 1958 (Ordonnansie 21 van 1958), genoem; (i)
- (iv) 'keurkomitee' die Adviserende Keurkomitee by artikel 62A ingestel; (iv)
- (v) 'stadsekretaris' 'n stadsekretaris in artikel 62(1)(b) genoem, (v)

"Woord-
omskry-
wing.

Now, therefore, I do hereby promulgate the Local Government (Administration and Elections) Amendment Ordinance, 1978, which is printed hereunder.

Given under my Hand at Pretoria on this 23rd day of October, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,

ORDINANCE NO. 17 OF 1978.

(Assented to on 22 September, 1978.)

(Afrikaans copy signed by the Acting State President.)

AN ORDINANCE

To amend the Local Government (Administration and Elections) Ordinance, 1960, in respect of the definitions contained in section 1; in respect of the functions of a management committee as contemplated in section 57; in respect of the delegation of powers as contemplated in section 58; in respect of the appointment of a town clerk and a town secretary as contemplated in section 62; in respect of the disability of certain town clerks to be the head of a department, branch or section of a local authority as contemplated in section 64; in respect of the duties of the town secretary as contemplated in section 67; to amend the Local Government Ordinance, 1939, in respect of the absence of councillors from meetings as contemplated in section 31; in respect of the delegation of powers as contemplated in section 172; to amend the Transvaal Board for the Development of Peri-Urban Areas Ordinance, 1943, in respect of the delegation of powers as contemplated in section 21bis; and to provide for matters incidental thereto.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Substitu-
tion of
section
1 of Or-
dinance
40 of
1960, as
substitu-
ted by
section
11 of
Ordinan-
ce 21 of
1976.

1. The following section is hereby substituted for section 1 of the Local Government (Administration and Elections) Ordinance, 1960 (hereinafter referred to as the principal Ordinance):

1. In this Ordinance, unless the context otherwise indicates —

- (i) 'Director' means the Director of Local Government referred to in section 9(2) of the Local Government Control Ordinance, 1958 (Ordinance 21 of 1958); (iii)
- (ii) 'general election' means a general election as defined in section 1 of the Municipal Elections Ordinance, 1970 (Ordinance 16 of 1970); (i)
- (iii) 'management committee' means a management committee referred to in section 51(1); (ii)
- (iv) 'selection committee' means the Advisory Selection Committee established by section 62A; (iv)
- (v) 'town secretary' means a town secretary referred to in section 62(1)(b), (v)

en enige ander woord of uitdrukking waaraan 'n betekenis in die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie 17 van 1939), toegeken is, het daardie betekenis."

Wysiging van artikel 55 van Ordonnansie 40 van 1960, soos gewysig by artikel 2 van Ordonnansie 16 van 1964, artikel 14 van Ordonnansie 15 van 1968, artikel 1 van Ordonnansie 11 van 1971 en artikel 2 van Ordonnansie 13 van 1973.

2. Artikel 55 van die Hoofordonnansie word hierby gewysig deur subartikel (11) deur die volgende subartikel te vervang:

"(11) Sodanige notule word deur die stadsekretaris in sy sorg en bewaring gehou."

Wysiging van artikel 57 van Ordonnansie 40 van 1960, soos gewysig by artikel 15 van Ordonnansie 15 van 1968.

3. Artikel 57 van die Hoofordonnansie word hierby gewysig deur die volgende subartikels na subartikel (4) in te voeg:

"(5) 'n Bestuurskomitee kan uit eie beweging of in opdrag van die raad stappe doen wat binne die bevoegdheid van die raad is vir die beskerming van die personeel of die eiendom van die raad of eiendom onder die beheer van die raad teen aanvalle of sabotasie en stappe aldus gedoen, word geag deur die raad gedoen te gewees het.

(6) Ondanks die bepalings van artikel 58 van die Ordonnansie op Plaaslike Bestuur, 1939 —

(a) word voorsiening vir die uitgawe verbonde aan stappe in subartikel (5) beoog by wyse van 'n item in die begroting van die raad gemaak wat slegs die algemene doel van die uitgawe aandui, sonder dat enige verdere besonderhede daarvan, hetsy in die begroting of by 'n vergadering van die raad, verstrekkend word; of

(b) indien voorsiening vir sodanige uitgawe nie in die begroting van die raad gemaak is nie, kan dit slegs met die voorafverkreë goedkeuring van die Administrateur aangegaan word.

(7) Ondanks enige andersluidende bepaling in hierdie of enige ander Ordonnansie vervat —

(a) word die notule van die verrigtinge van die bestuurskomitee betreffende enige stappe in subartikel (5) beoog afsonderlik van die notule van sy ander verrigtinge aangeteken en in 'n afsonderlike notuleboek deur en in die bewaring van die stadsekretaris gehou;

(b) doen die bestuurskomitee nie aan die raad verslag nie betreffende enige stappe ingevolge subartikel (5) gedoen en word die notule van sy verrigtinge in verband daarmee nie by 'n vergadering van die raad ter tafel gelê nie;

Amendement of section 55 of Ordinance 40 of 1960, as amended by section 2 of Ordinance 16 of 1964, section 14 of Ordinance 15 of 1968, section 1 of Ordinance 11 of 1971 and section 2 of Ordinance 13 of 1973.

2. Section 55 of the principal Ordinance is hereby amended by the substitution for subsection (11) of the following subsection:

"(11) Such minutes shall be kept in the custody and control of the town secretary."

Amendement of section 57 of Ordinance 40 of 1960, as amended by section 15 of Ordinance 15 of 1968.

3. Section 57 of the principal Ordinance is hereby amended by the insertion after subsection (4) of the following subsections:

"(5) A management committee may, of its own accord or by direction of the council, take steps which are within the power of the council for the protection of the personnel or the property of the council or property under the control of the council against attacks or sabotage and steps so taken shall be deemed to have been taken by the council.

(6) Notwithstanding the provisions of section 58 of the Local Government Ordinance, 1939 —

(a) provision for the expenditure connected with steps contemplated in subsection (5) shall be made by way of an item in the estimates of the council indicating only the general purpose of the expenditure without furnishing, either in the estimates or at a meeting of the council, any further details thereof; or

(b) if provision for such expenditure has not been made in the estimates of the council, it may be incurred only with the prior approval of the Administrator.

(7) Notwithstanding any provision to the contrary contained in this or any other Ordinance —

(a) the minutes of the proceedings of the management committee regarding any steps contemplated in subsection (5) shall be recorded separately from the minutes of its other proceedings and kept in a separate minute book by and in the custody of the town secretary;

(b) the management committee shall not report to the council regarding any steps taken in terms of subsection (5) and the minutes of its proceedings in connection therewith shall not be tabled at a meeting of the council;

- (c) word enige vraag betreffende die stappe in subartikel (5) beoog, nie na die raad vir beslissing verwys nie; en
- (d) word die stappe in subartikel (5) beoog en die verrigtinge van die bestuurskomitee in verband daarmee, nie by 'n vergadering van die raad bespreek of daarna verwys nie:

Met dien verstande dat 'n raadslid, onderworpe aan die voorwaardes wat die raad opleë, gedurende gewone kantoorure insae in die notuleboek in paragraaf (a) genoem, kan hê.

(8) Niemand publiseer of openbaar, hetsy direk of indirek, enige inligting betreffende die stappe in subartikel (5) beoog of betreffende die verrigtinge van die bestuurskomitee in verband daarmee nie: Met dien verstande dat sodanige inligting gepubliseer of geopenbaar kan word —

- (a) aan 'n raadslid; of
- (b) aan iemand in diens van die raad of die Staat, insluitende die Provinsie, of aan iemand in artikel 59(1)(a) van die Ordonnansie op Plaaslike Bestuur, 1939, beoog, in soverre daardie inligting nodig is vir die vervulling deur so iemand van sy pligte.

(9) Iemand wat die bepalings van subartikel (7)(d) of (8) oortree, is aan 'n misdryf skuldig en is by skuldigbevinding strafbaar met 'n boete van hoogstens eenduisend rand of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar of met beide sodanige boete en sodanige gevangenisstraf."

4.(1) Artikel 58 van die Hoofordonnansie word hierby deur die volgende artikel vervang:

58.(1) 'n Raad kan, behoudens die bepalings van subartikel (2), aan sy bestuurskomitee, hetsy in die algemeen of in die besonder, enige funksie, plig of bevoegdheid, van welke aard ook al, wat by hierdie of enige ander Ordonnansie aan 'n raad verleen is onderworpe aan die voorwaardes en beperkings wat hy dienstig ag, deleger.

(2) Die bevoegdheid van 'n raad om —

- (a) verordeninge te maak;
- (b) eiendomsbelasting te hef of kwyd te skeld;
- (c) heffings te maak of gelde te hef en om sodanige heffings of gelde te verminder; of
- (d) leningsbevoegdhede te verkry en om lenings aan te gaan,

word nie ingevolge die bepalings van subartikel (1) gedelegeer nie: Met dien verstande dat geen bevoegdheid in hierdie subartikel genoem deur 'n raad uitgeoefen word nie tensy die onderwerp van sodanige uitoefening aan sy bestuurskomitee vir oorweging en verslag

- (c) any question regarding the steps contemplated in subsection (5) shall not be referred to the council for decision; and
- (d) the steps contemplated in subsection (5) and the proceedings of the management committee in connection therewith shall not be discussed or referred to at a meeting of the council:

Provided that a councillor may, subject to such conditions as the council may impose, inspect, during ordinary office hours the minute book referred to in paragraph (a).

(8) No person shall, either directly or indirectly, publish or disclose any information regarding the steps contemplated in subsection (5) or regarding the proceedings of the management committee in connection therewith: Provided that such information may be published or disclosed —

- (a) to a councillor; or
- (b) to a person in the employ of the council or the State, including the Province, or to a person contemplated in section 59(1)(a) of the Local Government Ordinance, 1939, in so far as that information is necessary for the performance by such person of his duties.

(9) A person who contravenes the provisions of subsection (7)(d) or (8) shall be guilty of an offence and shall on conviction be liable to a fine not exceeding one thousand rand or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment."

4.(1) The following section is hereby substituted for section 58 of the principal Ordinance:

58.(1) A council may, subject to the provisions of subsection (2), delegate to its management committee, either generally or specifically, any function, duty or power, of whatever nature, conferred on a council by this or any other Ordinance, subject to such conditions and restrictions as it may deem expedient.

(2) The power of a council to —

- (a) make by-laws;
- (b) levy or remit rates;
- (c) make charges or to charge fees and to reduce such charges or fees; or
- (d) obtain borrowing powers and to raise loans,

shall not be delegated in terms of the provisions of subsection (1): Provided that no power referred to in this subsection shall be exercised by a council unless the subject matter of such exercise has been submitted to its management committee for consideration

Ver-
vanging
van arti-
kel 58
van Or-
donnansie
40 van
1960.

"Delega-
sie van
bevoegd-
hede
deur
raad en
bestuurs-
komitee.

Substi-
tution
of sec-
tion 58
of Ordi-
nance
40 of
1960.

"Delega-
tion of
powers by
council
and
manage-
ment
commit-
tee.

voorgelê is en daardie bestuurskomitee daaroor verslag gedoen het.

(3) 'n Bestuurskomitee kan, met die goedkeuring van sy raad en onderworpe aan die voorwaardes en beperkings wat daardie raad dienstig ag, aan 'n komitee ingevolge artikel 60 aangestel, aan die stadsklerk of aan enige ander beamppte enige funksie, plig of bevoegdheid wat aan daardie bestuurskomitee ingevolge die bepalings van subartikel (1) gedelegeer is, delegeer, met inbegrip van, maar behoudens die bepalings van hierdie Ordonnansie of enige ander wet, die bevoegdheid om enige beamppte, uitgenome die bekleër van die pos van stadsklerk, geneeskundige gesondheidsbeamppte, hoof van 'n departement of die bekleër van enige ander pos wat die raad bepaal, aan te stel, te ontslaan of te skors.

(4) Waar enige funksie, plig of bevoegdheid ingevolge die bepalings van subartikel (3) aan die stadsklerk of aan enige ander beamppte gedelegeer is, kan daardie stadsklerk of beamppte sodanige funksie of plig verrig en sodanige bevoegdheid uitoefen deur bemiddeling van enige beamppte onder sy beheer.

(5) 'n Raad stel die Administrateur onverwyld by skriftelike kennisgewing in kennis van enige delegasie ingevolge die bepalings van subartikel (1) en van enige delegasie deur sy bestuurskomitee ingevolge die bepalings van subartikel (3) en daardie delegasie is van krag vanaf die datum van die afsending van die kennisgewing: Met dien verstande dat die Administrateur, na goeë dunde, daardie delegasie by skriftelike kennisgewing aan die betrokke stadsklerk kan intrek en vanaf die datum van ontvangs van die kennisgewing deur daardie stadsklerk is daardie delegasie nie van krag nie.

(6) Waar 'n raad of sy bestuurskomitee nagelaat het om die bevoegdheid wat by subartikel (1) of (3) verleë word, uit te oefen of, na die mening van die Administrateur, daardie bevoegdheid nie toereikend uitgeoefen het nie, kan die Administrateur daardie raad of bestuurskomitee, na gelang van die geval, skriftelik gelas om daardie bevoegdheid, hetsy in die algemeen of in die besonder, op die wyse en binne die tydperk wat hy dienstig ag, uit te oefen en, indien daardie raad of bestuurskomitee nalaat of weier om aan die lasgewing te voldoen, kan die Administrateur daardie bevoegdheid namens daardie raad of bestuurskomitee uitoefen vanaf 'n datum deur hom bepaal.

(7) 'n Raad kan te eniger tyd enige delegasie in subartikel (1) of (3) beoog, intrek."

and report and that management committee has reported thereon.

(3) A management committee may, with the approval of its council and subject to such conditions and restrictions as that council may deem expedient, delegate to a committee appointed in terms of section 60, to the town clerk or to any other officer any function, duty or power delegated to that management committee in terms of the provisions of subsection (1), including, but subject to the provisions of this Ordinance or any other law, the power to appoint, discharge or suspend any officer, other than the incumbent of the post of town clerk, medical officer of health, head of a department or the incumbent of any other post determined by the council.

(4) Where any function, duty or power has, in terms of the provisions of subsection (3), been delegated to the town clerk or to any other officer, that town clerk or officer may perform such function or duty and exercise such power through any officer under his control.

(5) A council shall, by written notice, notify the Administrator forthwith of any delegation in terms of the provisions of subsection (1) and of any delegation by its management committee in terms of the provisions of subsection (3), and that delegation shall be of force and effect from the date of the dispatch of the notice: Provided that the Administrator may, in his discretion, withdraw that delegation by written notice to the town clerk concerned and from the date of the receipt of the notice by that town clerk that delegation shall be of no force and effect.

(6) Where a council or its management committee has failed to exercise the power conferred by subsection (1) or (3) or, in the opinion of the Administrator, has not exercised that power adequately, the Administrator may, in writing, direct that council or management committee, as the case may be, to exercise that power, either generally or specifically, in such manner and within such period as he may deem expedient and, if that council or management committee fails or refuses to comply with the direction, the Administrator may exercise that power on behalf of that council or management committee from a date determined by him.

(7) A council may, at any time, withdraw any delegation contemplated in subsection (1) or (3)."

(2) Enige delegasie genoem in artikel 58(3) van die Hoofordonnansie, voor die vervanging van daardie artikel deur subartikel (1), wat ongeldig is of kan wees omdat die voorafverkreë goedkeuring van die Administrateur, soos in daardie artikel beoog, nie verkry is nie, word hierby bekragtig vanaf die datum waarop sodanige delegasie heet van krag te geword het.

Ver-
vanging
van arti-
kel 62
van Or-
donnansie
40 van
1960, soos
gewysig
by artikel
1 van Or-
donnansie
13 van
1969.

5.(1) Artikel 62 van die Hoofordonnansie word hierby deur die volgende artikel vervang:

“Aanstel-
ling van
stads-
klerk en
stad-
sekreta-
ris.

62.(1) Voor of op 'n datum deur die Administrateur bepaal te word, moet elke stadsraad die nodige stappe ooreenkomstig die bepalings van artikel 62 van die Ordonnansie op Plaaslike Bestuur, 1939, maar met inagneming van die bepalings van hierdie Ordonnansie, doen om—

(a) 'n stadsklerk aan te stel wat die hoofuitvoerende en -administratiewe beampte van die raad is; en

(b) 'n stadsekretaris aan te stel.

(2) Die bepalings van subartikel (1)(a) is *mutatis mutandis* op elke dorpsraad van toepassing.

(3) Die salaris van 'n stadsklerk is, tensy die Administrateur anders gelas, te alle tye hoër, maar hoogstens tien persent hoër as dié van die volgende hoogsbesoldigde beampte van die raad en, by die toepassing van hierdie subartikel, omvat die woord 'salaris' 'n geldelike toelae, uitgenome 'n geldelike toelae of enige gedeelte daarvan wat, na die mening van die Administrateur, bloot van 'n vergoedende aard is.”

(2) Iemand wat op die datum van die inwerkingtreding van hierdie Ordonnansie die pos van klerk van die raad van 'n stadsraad beklee, word geag as 'n stadsekretaris ingevolge die bepalings van artikel 62 van die Hoofordonnansie, soos deur subartikel (1) vervang, aangestel te gewees het.

Ver-
vanging
van arti-
kel 64
van Or-
donnansie
40 van
1960.

6. Artikel 64 van die Hoofordonnansie word hierby deur die volgende artikel vervang:

“Stads-
klerk nie
hoof van
enige de-
partement,
afdeling
of vertakking
te wees nie.

64. Sonder die goedkeuring van die Administrateur mag 'n stadsklerk soos in artikel 62 beoog, uitgesonderd 'n stadsklerk van 'n dorpsraad, nie die hoof van enige departement, afdeling of vertakking van die betrokke plaaslike bestuur wees nie.”

Ver-
vanging
van arti-
kel 67
van Or-
donnansie
40 van
1960.

7. Artikel 67 van die Hoofordonnansie word hierby deur die volgende artikel vervang:

“Pligte
van stad-
sekreta-
ris.

67. Die stadsekretaris, behoudens die bepalings van hierdie Ordonnansie en enige ander wet—

(a) is verantwoordelik vir die opstel van agenda, die voorlegging van stukke en aanbevelings en die notulering van die verrigtinge van die raad, bestuurskomitee en enige

Substitu-
tion of
section
62 of
Ordinan-
ce 40 of
1960, as
amended
by section
1 of Or-
donnance
13 of
1969.

(2) Any delegation referred to in section 58(3) of the principal Ordinance, before the substitution of that section by subsection (1), which is or may be invalid because the prior approval of the Administrator, as contemplated in that section, was not obtained, is hereby validated from the date such delegation purports to have become effective.

5.(1) The following section is hereby substituted for section 62 of the principal Ordinance:

“Appoint-
ment of
town
clerk
and
town se-
cretary.

62.(1) Before or on a date to be determined by the Administrator, every town council shall take the necessary steps in terms of the provisions of section 62 of the Local Government Ordinance, 1939, but with due regard to the provisions of this Ordinance—

(a) to appoint a town clerk who shall be the chief executive and administrative officer of the council; and

(b) to appoint a town secretary.

(2) The provisions of subsection (1) (a) shall apply *mutatis mutandis* to every village council.

(3) The salary of a town clerk shall, unless the Administrator otherwise directs, at all times be higher, but not more than ten per cent higher, than that of the next highest paid officer of the council and, for the purposes of this subsection, the word 'salary' includes a monetary allowance, excluding a monetary allowance or any part thereof which, in the opinion of the Administrator, is purely of a compensatory nature.”

(2) A person who, on the date of the commencement of this Ordinance, occupies the post of clerk of the council of a town council, shall be deemed to have been appointed as a town secretary in terms of the provisions of section 62 of the principal Ordinance as substituted by subsection (1).

Substitu-
tion of
section
64 of
Ordinan-
ce 40 of
1960.

6. The following section is hereby substituted for section 64 of the principal Ordinance:

“Town
clerk
not to
be head
of any
depart-
ment,
section
or
branch.

64. Without the consent of the Administrator, a town clerk as contemplated in section 62, other than a town clerk of a village council, shall not be the head of any department, section or branch of the local authority concerned.”

Substitu-
tion of
section
67 of
Ordinan-
ce 40 of
1960.

7. The following section is hereby substituted for section 67 of the principal Ordinance:

“Duties
of town
secretary.

67. The town secretary shall, subject to the provisions of this Ordinance and any other law—

(a) be responsible for the preparation of agenda, the submission of documents, and recommendations and the minuting of the proceedings of the council, management commit-

ander komitee van die raad of bestuurskomitee;

(b) moet sorg dra dat alle regsangeleenthede van die raad, bestuurskomitee en enige ander komitee van die raad of bestuurskomitee die nodige aandag geniet;

(c) is verantwoordelik vir die veilige bewaring van die stukke, oorkondes en registers van die raad, die bestuurskomitee en enige ander komitee van die raad of bestuurskomitee; en

(d) is verantwoordelik vir die uitvoering van enige ander plig of opdrag aan hom opgelê of gegee deur die raad, die bestuurskomitee of die stadsklerk."

Wysiging van lang titel van Ordonnansie 40 van 1960. 8. Die lang titel van die Hoofordonnansie word hierby gewysig deur die woorde "klerk van die raad" deur die woord "stadsekretaris" te vervang.

Wysiging van artikel 31 van Ordonnansie 17 van 1939, soos gewysig by artikel 1 van Ordonnansie 18 van 1961. 9. Artikel 31 van die Ordonnansie op Plaaslike Bestuur, 1939, word hierby gewysig deur die voorbehoudsbepaling by subartikel (2) deur die volgende voorbehoudsbepaling te vervang:

"Met dien verstande dat geen sodanige vergadering verlof tot afwesigheid verleen aan enige sodanige raadslid of lid nie, tensy 'n skriftelike kennisgewing van sy onvermoë om sodanige vergadering by te woon deur die stadsekretaris ontvang word minstens vier-en-twintig uur voor sodanige vergadering, uitgenome waar, na die mening van sodanige vergadering, uitsonderlike omstandighede sodanige raadslid of lid verhoed het om kennis te gee soos hierby bepaal."

Ver-vanging van artikel 172 van Ordonnansie 17 van 1939, soos ingevoeg by artikel 7 van Ordonnansie 21 van 1976. 10. Artikel 172 van die Ordonnansie op Plaaslike Bestuur, 1939, word hierby deur die volgende artikel vervang:

"Delegasie van bevoegd-hede deur 'n plaaslike bestuur aan die stadsklerk of enige ander beampte. 172.(1) Behoudens die bepalings van subartikel (2), kan 'n plaaslike bestuur, indien 'n bestuurskomitee nie vir daardie plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiesings), 1960 (Ordonnansie 40 van 1960), ingestel is nie, enige funksie, plig of bevoegdheid in artikel 58(3) van daardie Ordonnansie beoog, aan die stadsklerk of aan enige ander beampte deleger onderworpe aan die voorwaardes en beperkings wat daardie plaaslike bestuur dienstig ag.

(2) Die bepalings van artikel 58(4), (5), (6) en (7) van die Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiesings), 1960, is *mutatis mutandis* van toepassing op 'n delegasie in subartikel (1) beoog."

Ver-vanging van artikel 21bis van Ordonnansie 20 van 1943. 11. Artikel 21bis van die Ordonnansie op die Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede, 1943, word hierby deur die volgende artikel vervang:

tee and any other committee of the council or management committee;

(b) ensure that all legal matters of the council, management committee and any other committee of the council or management committee receive the necessary attention;

(c) be responsible for the safe custody of the documents, records and registers of the council, the management committee and any other committee of the council or management committee; and

(d) be responsible for the carrying out of any other duty or direction imposed or given by the council, the management committee or the town clerk."

Amend-ment of long-title of Ordinance 40 of 1960. 8. The long title of the principal Ordinance is hereby amended by the substitution for the words "clerk of the council" of the words "town secretary".

Amend-ment of section 31 of Ordinance 17 of 1939, as amended by section 1 of Ordinance 18 of 1961. 9. Section 31 of the Local Government Ordinance, 1939, is hereby amended by the substitution for the proviso to subsection (2) of the following proviso:

"Provided that no such meeting shall grant leave of absence to any such councillor or member unless a written notice of his inability to attend such meeting is received by the town secretary at least twenty-four hours prior to such meeting except where, in the opinion of such meeting, special circumstances prevented such councillor or member from giving notice as herein provided."

Substitu-tion of section 172 of Ordinance 17 of 1939, as inserted by section 7 of Ordinance 21 of 1976. 10. The following section is hereby substituted for section 172 of the Local Government Ordinance, 1939:

"Delegation of powers by a local authority to the town clerk or any other officer. 172.(1) Subject to the provisions of subsection (2), a local authority may, if a management committee has not been established for that local authority in terms of the provisions of the Local Government (Administration and Elections) Ordinance, 1960 (Ordinance 40 of 1960), delegate any function, duty or power contemplated in section 58(3) of that Ordinance, to the town clerk or to any other officer, subject to such conditions and restrictions as that local authority may deem expedient.

(2) The provisions of section 58(4), (5), (6) and (7) of the Local Government (Administration and Elections) Ordinance, 1960, shall apply *mutatis mutandis* to a delegation contemplated in subsection (1)."

Substitu-tion of section 21bis of Ordinance 20 of 1943, as 11. The following section is hereby substituted for section 21bis of the Transvaal Board for the Development of Peri-Urban Areas Ordinance, 1943:

1943, soos vervang by artikel 3 van Ordonnansie 20 van 1965.

"Delegasie van funksies, pligte en bevoegdhede aan komitees en beamptes.

21A.(1) Behoudens die bepalings van subartikel (2), kan die raad enige funksie, plig of bevoegdheid, uitgenome die bevoegdheid om verordeninge te maak, eiendomsbelasting te hef of kwyt te skeld, heffings te maak of gelde te hef en om sodanige heffings of gelde te verminder of om leningsbevoegdhede te verkry en om lenings aan te gaan, aan 'n komitee ingevolge artikel 20 benoem, aan 'n plaaslike gebiedskomitee, aan die sekretaris of aan enige ander beampte van die raad deleger onderworpe aan die voorwaardes en beperkings wat daardie raad dienstig ag.

(2) Die bepalings van artikel 58(4), (5), (6) en (7) van die Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiesings), 1960 (Ordonnansie 40 van 1960), is *mutatis mutandis* van toepassing op 'n delegasie in subartikel (1) beoog. Met dien verstande dat, by die toepassing van hierdie subartikel, enige verwysing in daardie artikel na 'stads-klerk' en 'raad' onderskeidelik geag word 'n verwysing na 'sekretaris' en 'raad' soos in subartikel (1) beoog, te wees."

Kort
titel.

12. Hierdie Ordonnansie heet die Wysigings-
ordonnansie op Plaaslike Bestuur (Administra-
sie en Verkiesings), 1978.

No. 249 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staats-president-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Bekragtigungsordonnansie op Eiendomsbelasting (Carletonville), 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Oktober, Eenduisend Negehoenderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1978/25)

ORDONNANSIE NO. 18 VAN 1978.

(Toestemming verleen op 22 September 1978).

(Afrikaanse eksemplaar deur die Waarnemende Staats-president onderteken.)

'N ORDONNANSIE

Om die heffing van 'n eiendomsbelasting op die waarde van sekere verbeterings deur die Plaaslike Bestuur van Carletonville te bekragtig.

DIE Provinsiale Raad van Transvaal VERORDEN
SOOS VOLG:—

Bekrag-
tiging
van
voorge-
gewe

1.(1) Die voorgegewe heffing van 'n eiendomsbelasting ingevolge artikel 23 van die Ordonnansie op Eiendomsbelasting van Plaaslike

substitu-
teer by
artikel
3 of Or-
donnansie
20 of
1965.

"Delega-
tion of
functions,
duties
and
powers to
commit-
tees and
officers.

21A.(1) Subject to the provisions of subsection (2), the board may delegate any function, duty or power, other than the power to make by-laws, to levy or remit rates, to make charges or to charge fees and to reduce such charges or fees or to obtain borrowing powers and to raise loans, to a committee appointed in terms of section 20, to a local area committee, to the secretary or to any other officer of the board, subject to such conditions and restrictions as that board may deem expedient.

(2) The provisions of section 58(4), (5), (6) and (7) of the Local Government (Administration and Elections) Ordinance, 1960 (Ordinance 40 of 1960), shall apply *mutatis mutandis* to a delegation contemplated in subsection (1): Provided that, for the purposes of this subsection, any reference in that section to 'town clerk' and 'council' shall be deemed to be a reference to 'secretary' and 'board' respectively as contemplated in subsection (1)."

Short
title.

12. This Ordinance shall be called the Local
Government (Administration and Elections)
Amendment Ordinance, 1978.

No. 249 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Rating Validation (Carletonville) Ordinance, 1978, which is printed hereunder.

Given under my Hand at Pretoria on this 23rd day of October, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11(1978/25)

ORDINANCE NO. 18 OF 1978.

(Assented to on 22 September, 1978.)

(Afrikaans copy signed by the Acting State President.)

AN ORDINANCE

To validate the levying of a rate on the value of certain improvements by the Local Authority of Carletonville.

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

Valida-
tion of
purported
levying of

1.(1) The purported levying of a rate in terms of section 23 of the Local Authorities Rating Ordinance, 1977 (Ordinance 11 of 1977), on the

heffing van eiendomsbelasting deur Plaaslike Bestuur van Carletonville.

Besture, 1977 (Ordonnansie 11 van 1977), op die waarde van verbeterings vir die tydperk 1 Oktober 1977 tot en met 30 Junie 1978 deur die Plaaslike Bestuur van Carletonville word hierby bekragtig en, behoudens die bepalings van subartikel (2), word sodanige eiendomsbelasting geag ingevolge die bepalings van die Plaaslike-Bestuur-Belastingordonnansie, 1933 (Ordonnansie 20 van 1933), gehef te gewees het.

(2) Ondanks die bepalings van artikel 24 van die Plaaslike-Bestuur-Belastingordonnansie, 1933, is die dag waarop die eiendomsbelasting in subartikel (1) genoem, verskuldig en betaalbaar word, by die toepassing van artikel 25 van daardie Ordonnansie, die dag dertig dae na die inwerkingtreding van hierdie Ordonnansie.

Kort titel.

2. Hierdie Ordonnansie heet die Bekragtigingsordonnansie op Eiendomsbelasting (Carletonville), 1978.

No. 250 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Wysigingsordonnansie op die Leningsbevoegdheid van die Johannesburgse Munisipaliteit, 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Oktober, Eenduisend Negehonderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1978/10)

ORDONNANSIE NO. 19 VAN 1978.

(Toestemming verleen op 22 September 1978.)

(Engelse eksemplaar deur die Waarnemende Staatspresident onderteken.)

'N ORDONNANSIE

Tot wysiging van die "Johannesburg Municipality Borrowing Powers Ordinance, 1903" ten opsigte van die rentekoers in artikel 36(2) voorgeskryf vir doeleindes van die jaarlikse waardering van die Delgingsfonds.

DIE Provinsiale Raad van Transvaal VERORDEN SOOS VOLG: —

Wysiging van artikel 36 van Ordonnansie 3 van 1903, soos gewysig by artikel 1 van Ordonnansie 7 van 1924, artikel 2 van Ordonnansie 13 van 1943, en artikel 1 van Ordonnansie 18 van 1966.

1. Artikel 36(2) van die "Johannesburg Municipality Borrowing Powers Ordinance, 1903" word hierby gewysig deur die woorde "compound interest at the rate of three and a half per centum per annum" deur die woorde "interest at such rate as the Administrator may, by notice in the *Provincial Gazette*, determine" te vervang.

rate by Local Authority of Carletonville.

value of improvements for the period 1 October 1977 up to and including 30 June 1978 by the Local Authority of Carletonville is hereby validated and, subject to the provisions of subsection (2), such rate shall be deemed to have been levied in terms of the provisions of the Local Authorities Rating Ordinance, 1933 (Ordinance 20 of 1933).

(2) Notwithstanding the provisions of section 24 of the Local Authorities Rating Ordinance, 1933, the day upon which the rate referred to in subsection (1) will become due and payable shall, for the purposes of section 25 of that Ordinance, be the day thirty days after the commencement of this Ordinance.

Short title.

2. This Ordinance shall be called the Rating Validation (Carletonville) Ordinance, 1978.

No. 250 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Johannesburg Municipality Borrowing Powers Amendment Ordinance, 1978, which is printed hereunder.

Given under my Hand at Pretoria on this 23rd day of October, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11(1978/10)

ORDINANCE NO. 19 OF 1978.

(Assented to on 22 September, 1978.)

(English copy signed by the Acting State President.)

AN ORDINANCE

To amend the Johannesburg Municipality Borrowing Powers Ordinance, 1903, in respect of the rate of interest prescribed in section 36(2) for purposes of the annual valuation of the Redemption Fund.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Amendment of section 36 of Ordinance 3 of 1903, as amended by section 1 of Ordinance 7 of 1924, section 2 of Ordinance 13 of 1943 and section 1 of Ordinance 18 of 1966.

1. Section 36(2) of the Johannesburg Municipality Borrowing Powers Ordinance, 1903, is hereby amended by the substitution for the words "compound interest at the rate of three and a half per centum per annum" of the words "interest at such rate as the Administrator may, by notice in the *Provincial Gazette*, determine".

Kort titel. 2. Hierdie Ordonnansie heet die Wysigings-ordonnansie op die Leningsbevoegdheid van die Johannesburgse Munisipaliteit, 1978.

No. 251 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Wysigingsordonnansie op die Verdeling van Grond, 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Oktober, Eenduisend Negehoenderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1978/8)

ORDONNANSIE NO. 20 VAN 1978.

(Toestemming verleen op 22 September 1978.)

(Engelse eksemplaar deur die Waarnemende Staatspresident onderteken.)

'N ORDONNANSIE

Tot wysiging van die Ordonnansie op die Verdeling van Grond, 1973, ten opsigte van die toepassing van die Ordonnansie in sekere omstandighede soos in artikel 2 beoog; ten opsigte van die prosedure deur die Direkteur gevolg te word na ontvangs van 'n aansoek soos in artikel 7 beoog; ten opsigte van die voorlegging van 'n aansoek aan die Raad soos in artikel 9 beoog; ten opsigte van die prosedure deur die Raad gevolg te word soos in artikel 11 beoog; deur in artikel 14 voorsiening te maak dat 'n afskrif van die verbandakte en die toestemming van die verbandhouer saam met 'n aansoek ingedien word; ten opsigte van die kennisgewing in artikel 31 beoog; en om vir hykomsige aangeleenthede voorsiening te maak.

DIE Provinsiale Raad van Transvaal VERORDEN SOOS VOLG: —

Wysiging van artikel 2 van Ordonnansie 19 van 1973, soos gewysig by artikel 1 van Ordonnansie 12 van 1977.

1. Artikel 2 van die Ordonnansie op die Verdeling van Grond, 1973 (hierna die Hoofordonnansie genoem), word hierby gewysig —

(a) deur paragraaf (i) deur die volgende paragraaf te vervang:

“(i) wat deur die Administrateur ingevolge subartikel (2) uitgesluit is.”; en

(b) deur die volgende subartikel in te voeg, terwyl die bestaande artikel subartikel (1) word:

“(2) Die Administrateur kan onderworpe aan die voorwaardes wat hy goedvind en, hetsy in die algemeen of ten opsigte van 'n besondere verdeling, by kennisgewing in die *Provinsiale Koerant* enige grond van die toepassing van die bepalings van hierdie Ordonnansie uitsluit en kan te eniger tyd en op dieselfde wyse daardie kennisgewing intrek: Met dien verstande dat 'n verdeling ten opsigte waarvan 'n landmeter alreeds die opmeting voor die datum van sodanige intrekking voltooi het, nie deur daardie intrekking geraak word nie.”.

Short title.

2. This Ordinance shall be called the Johannesburg Municipality Borrowing Powers Amendment Ordinance, 1978.

No. 251 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Division of Land Amendment Ordinance, 1978, which is printed hereunder.

Given under my Hand at Pretoria on this 23rd day of October, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11(1978/8)

ORDINANCE NO. 20 OF 1978.

(Assented to on 22 September, 1978.)

(English copy signed by the Acting State President.)

AN ORDINANCE

To amend the Division of Land Ordinance, 1973, in respect of the application of the Ordinance in certain circumstances as contemplated in section 2; in respect of the procedure to be followed by the Director after receipt of an application as contemplated in section 7; in respect of the submission of an application to the Board as contemplated in section 9; in respect of the procedure to be followed by the Board as contemplated in section 11; by providing in section 14 that a copy of the mortgage bond and the consent of the bondholder shall be lodged with an application; in respect of the notice contemplated in section 31; and to provide for matters incidental thereto.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Amendment of section 2 of Ordinance 19 of 1973, as amended by section 1 of Ordinance 12 of 1977.

1. Section 2 of the Division of Land Ordinance, 1973 (hereinafter referred to as the principal Ordinance), is hereby amended —

(a) by the substitution for paragraph (i) of the following paragraph:

“(i) which has been excluded by the Administrator in terms of subsection (2).”; and

(b) by the insertion of the following subsection, the existing section becoming subsection (1):

“(2) The Administrator may, subject to such conditions as he may deem fit and either generally or in respect of a particular division, exclude, by notice in the *Provincial Gazette*, any land from the application of the provisions of this Ordinance, and may, at any time and in the same manner, revoke that notice: Provided that a division in respect of which a surveyor has, prior to the date of such revocation, already completed the survey, shall not be affected by that revocation.”.

Ver-
vanging
van arti-
kel 7 van
Ordon-
nansie 19
van 1973.

2. Artikel 7 van die Hoofordonnansie word hierby deur die volgende artikel vervang:

"Prose-
dure deur
Direkteur
gevoel te
word na
ontvangs
van aan-
soek.

7.(1) Na ontvangs van 'n aansoek in-gevolge die bepalings van artikel 5 kan die Direkteur, wanneer hy dit ook al dienstig ag, 'n kennisgewing eenmaal per week vir twee agtereenvolgende weke in die *Provinsiale Koerant* en in 'n nuusblad soos in artikel 110 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), beoog, publiseer —

- (a) waarin vermeld word dat 'n aansoek ingevolge artikel 5 ten opsigte van die grond wat duidelik in die kennisgewing beskryf word, ontvang is;
- (b) waarin vermeld word dat die aansoek, tesame met die betrokke planne en inligting, vir 'n tydperk van dertig dae vanaf die datum van die eerste publikasie in die *Provinsiale Koerant* by die kantoor van die Direkteur vir insae beskikbaar is;
- (c) wat die ander inligting bevat wat voorgeskryf word; en
- (d) waarin vermeld word dat iemand wat teen die toestaan van die aansoek beswaar wil maak of enige vertoë in verband daarmee wil rig, die Direkteur skriftelik in kennis moet stel vir sy redes daarvoor binne sestig dae vanaf die datum van die eerste publikasie in die *Provinsiale Koerant*.

(2) Die Direkteur kan, wanneer hy dit ook al dienstig ag, 'n afskrif van die aansoek aan enige Staatsdepartement of aan enige departement of afdeling van die Transvaalse Provinsiale Administrasie of aan enige persoon of liggaam van persone vir kommentaar en aanbeveling stuur.

(3) Die Direkteur voorsien die aansoeker van 'n afskrif van enige beswaar of vertoë wat in antwoord op 'n kennisgewing wat ingevolge subartikel (1) gepubliseer is, ontvang is."

Substitu-
tion of
section 7
of Or-
dinance
19 of
1973.

2: The following section is hereby substituted for section 7 of the principal Ordinance:

"Proce-
dure to
be fol-
lowed by
Director
after
receipt
of appli-
cation.

7.(1) After the receipt of an application in terms of the provisions of section 5, the Director may, whenever he deems it expedient, publish once a week for two consecutive weeks in the *Provincial Gazette* and in a newspaper as contemplated in section 110 of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), a notice —

- (a) stating that an application in terms of section 5 has been received in respect of the land which is clearly described in such notice;
- (b) stating that the application, together with the relevant plans and information, is open for inspection at the office of the Director for a period of thirty days from the date of the first publication in the *Provincial Gazette*;
- (c) containing such other information as may be prescribed; and
- (d) stating that any person who desires to object to the granting of the application or to make any representations in regard thereto, shall notify the Director in writing of his reasons therefor within sixty days from the date of the first publication in the *Provincial Gazette*.

(2) The Director may, whenever he deems it expedient, transmit a copy of the application to any State department or to any department or division of the Transvaal Provincial Administration or to any person or body of persons for comment and recommendation.

(3) The Director shall furnish the applicant with a copy of any objection or representation received in response to a notice published in terms of subsection (1)."

Substitu-
tion of
section 9
of Or-
dinance
19 of
1973.

3: The following section is hereby substituted for section 9 of the principal Ordinance:

"Director
to submit
application
to Board.

9. Subject to the provisions of section 8, the Director shall, on receipt of an application, submit it forthwith to the Board: Provided that where —

- (a) the permission of the Minister of Agriculture is required as contemplated in section 6;
- (b) a notice has been published as contemplated in section 7(1); or
- (c) a copy of the application has been transmitted as contemplated in section 7(2),

Ver-
vanging
van arti-
kel 9 van
Ordon-
nansie 19
van 1973.

3. Artikel 9 van die Hoofordonnansie word hierby deur die volgende artikel vervang:

"Direk-
teur lê
aansoek
aan Raad
voor.

9. Behoudens die bepalings van artikel 8, lê die Direkteur, na ontvangs van 'n aansoek, dit onverwyld aan die Raad voor. Met dien verstande dat waar —

- (a) die toestemming van die Minister van Landbou vereis word soos in artikel 6 beoog;
- (b) 'n kennisgewing gepubliseer is soos in artikel 7(1) beoog; of
- (c) 'n afskrif van die aansoek gestuur is soos in artikel 7(2) beoog,

die Direkteur nie 'n aansoek aan die Raad voorlê nie alvorens —

- (i) die toestemming van die betrokke Minister verkry is;
- (ii) die tydperk vir besware en ver-
toë ingevolge artikel 7(1)(d)
verstryk het; of
- (iii) 'n redelike tydperk verstryk
het vanaf die datum waarop
'n afskrif van die aansoek vir
kommentaar en aanbeveling
gestuur is,

in welke geval sodanige aansoek onver-
wyld, tesame met die toestemming van
die Minister, enige besware en vertoë
of enige kommentaar en aanbevelings,
aan die Raad voorgelê word.”

Wysiging
van arti-
kel 11
van Or-
donnan-
sie 19
van 1973.

4. Artikel 11(6) van die Hoofordonnansie word hierby gewysig deur na paragraaf (b) die volgende paragraaf in te voeg:

“(c) Die Raad kan, wanneer hy dit ook al dienstig ag, deur die Direkteur 'n afskrif van die aansoek aan enige Staatsdepartement of aan enige departement of afdeling van die Transvaalse Provinsiale Administrasie of aan enige persoon of liggaam van persone vir kommentaar en aanbeveling stuur.”

Wysiging
van arti-
kel 14
van Or-
donnan-
sie 19
van 1973.

5. Artikel 14 van die Hoofordonnansie word hierby gewysig deur die volgende subartikel in te voeg, terwyl die bestaande artikel subartikel (1) word:

“(2) Indien die grond ten opsigte waarvan aansoek gedoen word of die regte op minerale in sodanige grond onder verband is, moet die aansoeker, tesame met sy aansoek, 'n afskrif van die verbandakte en die skriftelike toestemming van die verbandhouer tot die verdeling van die grond indien.”

Ver-
vanging
van arti-
kel 31
van Or-
donnan-
sie 19
van 1973.

6. Artikel 31 van die Hoofordonnansie word hierby deur die volgende artikel vervang:

“Aansoe-
ker
moet
Direkteur
van en-
dossement
in kennis
stel.
31. Na endossement van die stukke soos in artikel 30(1) beoog, stel die aansoeker onverwyld die Direkteur skriftelik van die datum van sodanige endossement in kennis.”

Wysiging
van arti-
kel 32
van Or-
donnan-
sie 19
van 1973.

7. Artikel 32(1) van die Hoofordonnansie word hierby gewysig deur die uitdrukking “Na publikasie van die kennisgewing in artikel 31 genoem,” deur die uitdrukking “Na endossement van die stukke soos in artikel 30(1) beoog,” te vervang.

Ver-
vanging
van arti-
kel 33
van Or-
donnan-
sie 19
van 1973.

8. Artikel 33 van die Hoofordonnansie word hierby deur die volgende artikel vervang:

“Eien-
domsreg
van pu-
blieke
plekke.
33. Met ingang van die datum van endossement van die stukke soos in artikel 30(1) beoog, berus die eiendomsreg van elke publieke plek op die verdeelde grond, behoudens die bepalinge van artikel 35, *ipso facto* by die betrokke plaaslike bestuur of by die Staats-

the Director shall not submit an appli-
cation to the Board before —

- (i) the permission of the Minister concerned has been obtained;
- (ii) the period for objections and representations in terms of section 7(1)(d) has expired; or
- (iii) a reasonable period has expired from the date on which a copy of the application was transmitted for comment and recommendation,

in which event such application shall be submitted to the Board forthwith, together with the permission of the Minister, any objections and representations or any comments and recommendations.”

Amend-
ment of
section
11 of Or-
donnance
19 of
1973.

4. Section 11(6) of the principal Ordinance is hereby amended by the insertion after paragraph (b) of the following paragraph:

“(c) The Board may, whenever it deems it expedient, transmit, through the Director, a copy of the application to any State department or to any department or division of the Transvaal Provincial Administration or to any person or body of persons for comment and recommendation.”

Amend-
ment of
section
14 of Or-
donnance
19 of
1973.

5. Section 14 of the principal Ordinance is hereby amended by the insertion of the following subsection; the existing section becoming subsection (1):

“(2) If the land in respect of which application is made is, or the rights to minerals in such land are subject to a mortgage bond, the applicant shall, together with his application, lodge a copy of the mortgage bond and the written consent of the bondholder to the division of the land.”

Substitu-
tion of
section
31 of Or-
donnance
19 of
1973.

6. The following section is hereby substituted for section 31 of the principal Ordinance:

“Appli-
cant to
advise
Director
of en-
dossement.
31. After the endorsement of the documents as contemplated in section 30 (1), the applicant shall advise the Director forthwith in writing of the date of such endorsement.”

Amend-
ment of
section
32 of Or-
donnance
19 of
1973.

7. Section 32(1) of the principal Ordinance is hereby amended by the substitution for the expression “After the publication of the notice referred to in section 31,” of the expression “After the endorsement of the documents as contemplated in section 30(1),”

Substitu-
tion of
section
33 of Or-
donnance
19 of
1973.

8. The following section is hereby substituted for section 33 of the principal Ordinance:

“Own-
ership of
public
places.
33. With effect from the date of the endorsement of the documents as contemplated in section 30(1), the ownership of every public place on the divided land shall, subject to the provisions of section 35, vest *ipso facto* in the

president in trust vir 'n toekomstige plaaslike bestuur, na gelang van die geval."

Wysiging van artikel 34 van Ordonnansie 19 van 1973.

9. Artikel 34 van die Hoofordonnansie word hierby gewysig deur die uitdrukking "die publikasie van 'n kennisgewing in artikel 31 genoem," deur die uitdrukking "die endossement van die stukke soos in artikel 30(1) beoog," te vervang.

Kort titel. 10. Hierdie Ordonnansie heet die Wysigingsordonnansie op die Verdeling van Grond, 1978.

No. 252 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Wysigingsordonnansie op Dorpsbeplanning en Dorpe, 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Oktober, Eenduisend Negehoonderd Agt-ensewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1978/11)

ORDONNANSIE NO. 21 VAN 1978.

(Toestemming verleen op 22 September 1978.)

(Engelse eksemplaar deur die Waarnemende Staatspresident onderteken.)

'N ORDONNANSIE

Tot wysiging van die Ordonnansie op Dorpsbeplanning en Dorpe, 1965, ten opsigte van die ampstermyn van aangestelde lede soos in artikel 5 beoog; ten opsigte van die omstandighede waarin aangestelde lede hul amp moet neerle soos in artikel 8 beoog; ten opsigte van die wysiging van 'n dorpsbeplanningskema wat in werking is soos in artikel 46 beoog; ten opsigte van die vrystelling van die bepalinge van Hoofstuk III soos in artikel 57 beoog; ten opsigte van die prosedure in verband met die stigting van 'n dorp soos in artikel 58 beoog; om voorsiening te maak vir die verdeling van 'n dorp deur 'n nuwe artikel 64B in te voeg; ten opsigte van die begiftiging betaalbaar as persentasie van grondwaarde soos in artikel 74 beoog; ten opsigte van die voorskryf van gelde soos in artikel 92 beoog; en om vir bykomende aangeleenthede voorsiening te maak.

DIE Provinsiale Raad van Transvaal **VERORDEN** SOOS VOLG: —

Wysiging van artikel 5 van Ordonnansie 25 van 1965.

1.(1) Artikel 5(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1965 (hierna die Hoofordonnansie genoem), word hierby gewysig deur die uitdrukking "n tydperk van drie jaar" deur die uitdrukking "die tydperk, maar hoogstens vyf jaar, wat deur die Administrateur ten tye van die aanstelling bepaal word: Met dien verstande dat, indien die Administrateur dit wenslik ag, hy te eniger tyd so 'n lid van sy amp kan onthef." te vervang.

(2) Die bepalinge van subartikel (1) word geag op 22 Maart 1974 in werking te getree het.

local authority concerned or in the State President in trust for a future local authority, as the case may be."

Amendment of section 34 of Ordinance 19 of 1973.

9. Section 34 of the principal Ordinance is hereby amended by the substitution for the expression "the publication of a notice referred to in section 31," of the expression "the endorsement of the documents as contemplated in section 30(1)."

Short title.

10. This Ordinance shall be called the Division of Land Amendment Ordinance, 1978.

No. 252 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Town-planning and Townships Amendment Ordinance, 1978 which is printed hereunder.

Given under my Hand at Pretoria on this 23rd day of October, One thousand Nine hundred and Seventy-eight;

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11(1978/11)

ORDINANCE NO. 21 OF 1978.

(Assented to on 22 September, 1978.)

(English copy signed by the Acting State President.)

AN ORDINANCE

To amend the Town-planning and Townships Ordinance, 1965; in respect of the period of office of appointed members as contemplated in section 5; in respect of the circumstances in which appointed members shall cease to hold office as contemplated in section 8; in respect of the amendment of a town-planning scheme which is in operation as contemplated in section 46; in respect of the exemption from the provisions of Chapter III as contemplated in section 57; in respect of the procedure in regard to the establishment of a township as contemplated in section 58; to provide for the division of a township by the insertion of a new section 64B; in respect of the endowment payable as percentage of land value as contemplated in section 74; in respect of the prescribing of fees as contemplated in section 92; and to provide for matters incidental thereto.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Amendment of section 5 of Ordinance 25 of 1965

1.(1) Section 5(1) of the Town-planning and Townships Ordinance, 1965 (hereinafter referred to as the principal Ordinance), is hereby amended by the substitution for the expression "a period of three years" of the expression "such period, but not exceeding five years, as determined by the Administrator at the time of appointment: Provided that, if the Administrator deems it expedient, he may, at any time, remove such member from office."

(2) The provisions of subsection (1) shall be deemed to have come into operation on 22 March, 1974.

Wysigings van artikel 8 van Ordonnansie 25 van 1965.

2. Artikel 8 van die Hoofordonnansie word hierby gewysig deur paragraaf (e) deur die volgende paragraaf te vervang:

"(e) indien hy deur die Administrateur van sy amp onthef word."

Wysigings van artikel 46 van Ordonnansie 25 van 1965, soos vervang deur artikel 2 van Ordonnansie 16 van 1969 en soos gewysig by artikel 4 van Ordonnansie 6 van 1973 en artikel 10 van Ordonnansie 22 van 1976.

3.(1) Artikel 46(3) van die Hoofordonnansie word hierby gewysig deur die uitdrukking "Na verstryking van die tydperk in subartikel (2)(a) genoem en behoudens" deur die woord "Behoudens" te vervang.

(2) Die bepalings van subartikel (1) word geag op 1 Augustus 1977 in werking te getree het.

Wysigings van artikel 57 van Ordonnansie 25 van 1965, soos gewysig by artikel 5 van Ordonnansie 15 van 1970.

4. Artikel 57 van die Hoofordonnansie word hierby gewysig deur paragraaf (d) deur die volgende paragraaf te vervang:

"(d) die Administrateur, onderworpe aan die voorwaardes wat hy dienstig ag —

- (i) enige statutêre liggaam;
- (ii) enige persoon betrokke in *bona fide* mynbedrywighede;
- (iii) enige stuk grond waarvan die ontwikkeling of uitleg, na sy mening, 'n vakansie-oord, 'n openbare of soortgelyke oord uitmaak of sal uitmaak; of
- (iv) enige vereniging of maatskappy in gevolg van enige bepaling van die Wet op Koöperatiewe Verenigings, 1939 (Wet 29 van 1939), geregistreer,

van enige of alle bepalings van hierdie Hoofstuk kan vrystel."

Wysigings van artikel 58 van Ordonnansie 25 van 1965, soos vervang deur artikel 2 van Ordonnansie 18 van 1974 en soos gewysig by artikel 13 van Ordonnansie 16 van 1975, artikel 12 van Ordonnansie 22 van 1976 en artikel 4 van Ordonnansie 17 van 1977.

5. Artikel 58(8) van die Hoofordonnansie word hierby gewysig deur in paragraaf (a) die woorde "moet die Direkteur" deur die uitdrukking "kan die Direkteur, wanneer hy dit ook al dienstig ag," te vervang.

Wysigings van artikel 59 van Ordonnansie 25

6. Artikel 59(3) van die Hoofordonnansie word hierby gewysig deur die uitdrukking "af van die eerste publikasie in die *Provinsiale*

Amendement van artikel 8 van Ordonnansie 25 van 1965.

2. Section 8 of the principal Ordinance is hereby amended by the substitution for paragraph (e) of the following paragraph:

"(e) if he is removed from office by the Administrator."

Amendement van artikel 46 van Ordonnansie 25 van 1965, soos vervang deur artikel 2 van Ordonnansie 16 van 1969 en soos gewysig by artikel 4 van Ordonnansie 6 van 1973 en artikel 10 van Ordonnansie 22 van 1976.

3.(1) Section 46(3) of the principal Ordinance is hereby amended by the substitution for the expression "After the expiry of the period referred to in subsection (2)(a) and subject" of the word "Subject".

(2) The provisions of subsection (1) shall be deemed to have come into operation on 1 August 1977.

Amendement van artikel 57 van Ordonnansie 25 van 1965, soos gewysig by artikel 5 van Ordonnansie 15 van 1970.

4. Section 57 of the principal Ordinance is hereby amended by the substitution for paragraph (d) of the following paragraph:

"(d) the Administrator may, subject to such conditions as he may deem expedient, exempt —

- (i) any statutory body;
- (ii) any person engaged in *bona fide* mining operations;
- (iii) any area of land the development or layout of which, in his opinion, constitutes or will constitute a holiday, public or similar resort; or
- (iv) any society or company registered in terms of any provision of the Co-operative Societies Act, 1939 (Act 29 of 1939),

from any or all of the provisions of this Chapter."

Amendement van artikel 58 van Ordonnansie 25 van 1965, soos vervang deur artikel 2 van Ordonnansie 18 van 1974 en soos gewysig by artikel 13 van Ordonnansie 16 van 1975, artikel 12 van Ordonnansie 22 van 1976 en artikel 4 van Ordonnansie 17 van 1977.

5. Section 58(8) of the principal Ordinance is hereby amended by the substitution in paragraph (a) for the word "shall", where it appears for the first time, of the expression "may, whenever he may deem it expedient,"

Amendement van artikel 59 van Ordonnansie 25

6. Section 59(3) of the principal Ordinance is hereby amended by the substitution for the expression "first publication in the *Provincial*

van 1965, soos gewysig by artikel 1 van Ordonnansie 23 van 1966, artikel 7 van Ordonnansie 15 van 1970, artikel 8 van Ordonnansie 6 van 1973, artikel 3 van Ordonnansie 18 van 1974 en artikel 14 van Ordonnansie 16 van 1975.

Wysiging van artikel 64A van Ordonnansie 25 van 1965, soos ingevoeg by artikel 5 van Ordonnansie 18 van 1974 en soos gewysig by artikel 16 van Ordonnansie 22 van 1976.

Invoeging van artikel 64B in Ordonnansie 25 van 1965.

Koerant ingevolge subartikel (8) van artikel agt-en-veertig, deur die woorde "van die aansoek" te vervang.

7. Artikel 64A van die Hoofordonnansie word hierby gewysig deur —

- (a) in subartikel (1) na die woord "bestuur", waar dit die tweede keer voorkom, die uitdrukking "behoudens die bepalings van artikel 64B," in te voeg; en
- (b) in subartikel (2) die uitdrukking "moet hy —" deur die uitdrukking "moet hy, behoudens die bepalings van artikel 64B —" te vervang.

8. Die volgende artikel word hierby na artikel 64A van die Hoofordonnansie ingevoeg:

64B.(1) 'n Aansoekdoener wat ingevolge die bepalings van artikel 64 in kennis gestel is dat sy aansoek toegestaan is, kan, ondanks die bepalings van artikel 64A(2), binne 4 maande vanaf sodanige kennisgewing of binne die verdere tydperk wat die Direkteur op versoek toestaan, by die Administrateur op die wyse en onderworpe aan die voorwaardes wat voorgeskryf word, aansoek doen om die verdeling van die betrokke dorp in twee of meer dorpe en dien terselfdertyd 'n afskrif van sodanige aansoek by die plaaslike bestuur, as daar is, in wie se regsgebied die dorp geleë is, in en daarna is die bepalings van artikel 64A(1) nie op sodanige plaaslike bestuur ten opsigte van sodanige dorp van toepassing nie.

(2) Die Administrateur kan voordat die planne en kaarte in artikel 66 genoem by die Landmeter-generaal ingedien is of, waar die planne en kaarte aldus ingedien is, kan die Administrateur, na oorlegpleging met die Landmeter-generaal, tot die aansoek in subartikel (1) beoog, onderworpe aan enige voorwaarde wat hy dienstig ag, toestem.

(3) Nadat die Administrateur sy toestemming ingevolge subartikel (2) verleen het, stel die Direkteur die aansoekdoener onverwylde skriftelik van sodanige toestemming in kennis en die aansoekdoener dien binne 3 maande vanaf

of 1965, as amended by section 1 of Ordinance 23 of 1966, section 7 of Ordinance 15 of 1970, section 8 of Ordinance 6 of 1973, section 3 of Ordinance 18 of 1974 and section 14 of Ordinance 16 of 1975.

Amendment of section 64A of Ordinance 25 of 1965, as inserted by section 5 of Ordinance 18 of 1974 and as amended by section 16 of Ordinance 22 of 1976.

Insertion of section 64B in Ordinance 25 of 1965.

Gazette in terms of subsection (8) of section fifty-eight, of the word "application".

7. Section 64A of the principal Ordinance is hereby amended by —

- (a) the insertion in subsection (1) after the word "shall" of the expression "subject to the provisions of section 64B,"; and
- (b) the substitution in subsection (2) for the expression "shall—" of the expression "shall, subject to the provisions of section 64B—".

8. The following section is hereby inserted after section 64A of the principal Ordinance:

"Administrator may consent to division of township."

64B.(1) An applicant who has been notified in terms of the provisions of section 64 that his application has been granted, may, notwithstanding the provisions of section 64A(2), within 4 months of such notification or within such further period as the Director may, on request, allow, apply to the Administrator in the manner and subject to the conditions as may be prescribed, for the division of the township concerned into two or more townships and shall at the same time lodge a copy of such application with the local authority, if any, in whose area of jurisdiction the township is situated, and thereafter the provisions of section 64A(1) shall not be applicable to such local authority in respect of such township.

(2) The Administrator may, before the plans and diagrams referred to in section 66 have been lodged with the Surveyor-General or, where the plans and diagrams have been so lodged, the Administrator may, after consultation with the Surveyor-General, consent, subject to any condition he may deem expedient, to the application contemplated in subsection (1).

(3) After the Administrator has granted his consent in terms of subsection (2), the Director shall notify the applicant forthwith in writing of such consent and the applicant shall, within

sodanige kennisgewing of binne die verdere tydperk wat die Direkteur toelaat die planne, dokumente en inligting in wat deur die Direkteur vereis word betreffende elke afsonderlike dorp in subartikel (1) beoog.

(4) Die Direkteur stel na ontvangs van die planne, dokumente en inligting in subartikel (3) beoog die betrokke plaaslike bestuur, die Landmeter-generaal en die Registrateur van Aktes onverwyld in kennis van die toestemming verleen en die voorwaardes opgelê deur die Administrateur ingevolge subartikel (2) en voorsien sodanige plaaslike bestuur, die Landmeter-generaal en die Registrateur van Aktes van 'n afskrif van die plan van elke afsonderlike dorp in subartikel (1) beoog.

(5) 'n Toestemming in subartikel (2) beoog of 'n kennisgewing in subartikel (3) beoog, word, ten opsigte van elke afsonderlike dorp in subartikel (1) beoog, onderskeidelik geag die toestaan van 'n aansoek ingevolge artikel 61 of kennisgewing daarvan ingevolge artikel 64 te wees."

Wysiging van artikel 74 van Ordonnansie 25 van 1965, soos gewysig by artikel 9 van Ordonnansie 15 van 1970, artikel 13 van Ordonnansie 17 van 1972, artikel 9 van Ordonnansie 18 van 1974 en artikel 20 van Ordonnansie 22 van 1976.

9. Artikel 74 van die Hoofordonnansie word hierby gewysig deur —

(a) paragraaf (b) van subartikel (3) deur die volgende paragraaf te vervang:

"(b) as die plaaslike bestuur of die Administrateur, na gelang van die geval, op enige tydstop binne twaalf maande vanaf die datum waarop die datum van aanspreeklikheid aan die plaaslike bestuur of aan hom bekend geword het, van mening is dat genoemde koopprys nie die ware grondwaarde van die erf weerspieël nie, moet die plaaslike bestuur of die Administrateur, na gelang van die geval, by gebreke aan enige ooreenkoms met die dorpseienaar met betrekking tot die grondwaarde van daardie erf, 'n persoon wat gemagtig is om onroerende eiendom te waardeer ingevolge artikel 6 van die Boedelwet, 1965 (Wet 66 van 1965), of wat 'n lid van die Suid-Afrikaanse Instituut van Waardeerders is of wat, as 'n waardeerder ingevolge die bepalings van artikel 7 van die Ordonnansie op Eiendomsbeplanning van Plaaslike Besture, 1977 (Ordonnansie 11 van 1977), aangestel is, aanstel met die doel om 'n waardering van die grondwaarde van daardie erf te maak;"

(b) subartikel (5) deur die volgende subartikel te vervang:

"(5) Wanneer ook al 'n dorpseienaar verplig is om 'n begiftiging te betaal as 'n persentasie van die grondwaarde van 'n erf in 'n dorp soos beoog in artikel 63 en hy eiendomsreg van sodanige erf behou het, is sodanige begiftiging verskuldig en betaalbaar —

3 months of such notification or within such further period as the Director may allow, submit such plans, documents and information as may be required by the Director relating to each separate township contemplated in subsection (1).

(4) The Director shall, after receipt of the plans, documents and information contemplated in subsection (3), notify the local authority concerned, the Surveyor-General and the Registrar of Deeds forthwith of the consent granted and the conditions imposed by the Administrator in terms of subsection (2) and furnish such local authority, the Surveyor-General and the Registrar of Deeds with a copy of the plan of each separate township contemplated in subsection (1).

(5) A consent contemplated in subsection (2) or a notification contemplated in subsection (3) shall, in respect of each separate township contemplated in subsection (1), be deemed to be the grant of an application in terms of section 61 or notification thereof in terms of section 64 respectively."

Amendment of section 74 of Ordinance 25 of 1965, as amended by section 9 of Ordinance 15 of 1970, section 13 of Ordinance 17 of 1972, section 9 of Ordinance 18 of 1974 and section 20 of Ordinance 22 of 1976.

9. Section 74 of the principal Ordinance is hereby amended by —

(a) the substitution for paragraph (b) of subsection (3) of the following paragraph:

"(b) if the local authority or the Administrator, as the case may be, is, at any time within 12 months from the date on which the date of liability became known to the local authority or to him, of the opinion that the said purchase price does not reflect the true land value of the erf, the local authority or the Administrator, as the case may be, shall, failing any agreement with the township owner in regard to the land value of that erf, appoint a person authorized to appraise immovable property in terms of section 6 of the Administration of Estates Act, 1965 (Act 66 of 1965), or who is a member of the South African Institute of Valuers or who has been appointed as a valuer in terms of the provisions of section 7 of the Local Authorities Rating Ordinance, 1977 (Ordinance 11 of 1977), for the purpose of making an appraisal of the land value of that erf;"

(b) the substitution for subsection (5) of the following subsection:

"(5) Whenever a township owner is required to pay an endowment as a percentage of the land value of an erf in a township as contemplated in section 63 and he has retained ownership of such erf, such endowment shall be due and payable —

(a) ten opsigte van 'n dorp wat, op die datum van die inwerkingtreding van die Wysigingsordonnansie op Dorpsbeplanning en Dorpe, 1978, alreeds tot 'n goedgekeurde dorp ingevolge die bepalings van artikel 69 verklaar is —

(i) op die datum waarop die oprigting van enige gebou op sodanige erf 'n aanvang neem; of

(ii) indien enige gebou op sodanige erf opgerig is voor die datum waarop die dorp tot 'n goedgekeurde dorp ingevolge die bepalings van artikel 69 verklaar is en sodanige gebou deur die dorpseienaar gebruik of verhuur word, op 1 Januarie 1981; of

(b) ten opsigte van 'n dorp wat, op die datum van die inwerkingtreding van die Wysigingsordonnansie op Dorpsbeplanning en Dorpe, 1978, nog nie tot 'n goedgekeurde dorp ingevolge die bepalings van artikel 69 verklaar is nie —

(i) op die datum waarop die oprigting van enige gebou op sodanige erf 'n aanvang neem; of

(ii) indien enige gebou op sodanige erf opgerig is voor die datum waarop die dorp tot 'n goedgekeurde dorp ingevolge die bepalings van artikel 69 verklaar word en sodanige gebou deur die dorpseienaar gebruik of verhuur word, op die dag waarop 'n tydperk van 3 jaar vanaf die datum waarop sodanige dorp tot 'n goedgekeurde dorp verklaar is, verloop het:

Met dien verstande dat die Direkteur, na goeë dunde, enige tydperk in hierdie subartikel genoem, kan verleng en dat die bepalings van paragrafe (a)(ii) en (b)(ii) nie van toepassing is nie ten opsigte van enige dorp wat ingevolge die bepalings van enige vorige wet gestig is; en

(c) deur subartikel (6) deur die volgende subartikel te vervang:

“(6) Wanneer ook al 'n dorpseienaar verplig is om 'n begiftiging te betaal as 'n persentasie van die grondwaarde van 'n erf in 'n dorp soos beoog in artikel 63 en sodanige dorpseienaar kom te sterwe nadat hy testamentêr oor so 'n erf beskik het of waar sodanige erf intestaat aan iemand vererf, word die boedel van sodanige dorpseienaar met ingang van die datum van afsterwe aanspreeklik vir die begiftiging op sodanige erf, en vir die doel van berekening van die begiftiging, word die markwaarde van die betrokke erf op die datum van afsterwe van die dorpseienaar geag die grondwaarde van die erf te wees.”

(a) in respect of a township which, at the date of the coming into operation of the Town-planning and Townships Amendment Ordinance, 1978, has already been declared an approved township in terms of the provisions of section 69 —

(i) on the date upon which the erection of any building on such erf is commenced; or

(ii) if any building has been erected on such erf before the date upon which the township has been declared to be an approved township in terms of the provisions of section 69 and such building is used or let by the township owner, on 1 January 1981; or

(b) in respect of a township which, at the date of the coming into operation of the Town-planning and Townships Amendment Ordinance, 1978, has not yet been declared to be an approved township in terms of the provisions of section 69 —

(i) on the date upon which the erection of any building on such erf is commenced; or

(ii) if any building has been erected on such erf before the date upon which the township is declared to be an approved township in terms of the provisions of section 69 and such building is used or let by the township owner, on the day upon which a period of 3 years has elapsed from the date upon which such township was declared to be an approved township:

Provided that the Director may, in his discretion, extend any period referred to in this subsection and that the provisions of paragraphs (a)(ii) and (b)(ii) shall not apply in respect of any township established in terms of the provisions of any prior law; and

(c) the substitution for subsection (6) of the following subsection:

“(6) Whenever a township owner is required to pay an endowment as a percentage of the land value of an erf in a township as contemplated in section 63 and such township owner dies after he has disposed of such erf by will or where such erf is inherited by any person by way of intestate succession, the estate of such township owner shall, with effect from the date of death, be liable for the endowment on such erf and, for the purpose of determining the endowment, the market value of the erf concerned shall, on the date of death of the township owner, be deemed to be the land value of the erf.”

Ver-
vanging
van arti-
kel 92 van
Ordon-
nansie 25
van 1965,
soos ver-
vang deur
artikel 10
van Or-
donnan-
sie 16 van
1969.

10. Artikel 92 van die Hoofordonnansie word hierby deur die volgende artikel vervang:

"Admini-
strateur
kan gelde
voorskryf.

92.(1) Die Administrateur kan gelde voorskryf ten opsigte van —

- (a) enige handeling, aangeleentheid of aansoek ingevolge hierdie Ordonnansie; en
- (b) enigiets wat vereis of gemagtig word om kragtens hierdie Ordonnansie of enige regulasie daarkragtens uitgevaardig, gedoen te word.

(2) Die gelde ingevolge die bepalings van subartikel (1) voorgeskryf, is vooruitbetaalbaar.

(3) Die Administrateur kan, na goeddunke, enigiemand van die betaling van die gelde wat ingevolge die bepalings van subartikel (1) voorgeskryf is, vrystel."

Kort titel. 11. Hierdie Ordonnansie heet die Wysigingsordonnansie op Dorpsbeplanning en Dorpe, 1978.

No. 253 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Wysigingsordonnansie op Openbare Liggame (Taal), 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Oktober, Eenduisend Negehoonderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1978/22)

ORDONNANSIE NO. 22 VAN 1978.

(Toestemming verleen op 22 September 1978.)

(Afrikaanse eksemplaar deur die Waarnemende Staatspresident onderteken.)

'N ORDONNANSIE

Tot wysiging van die Ordonnansie op Openbare Liggame (Taal), 1958, ten opsigte van die aanstelling of bevordering van amptenare soos in artikel 4 beoog; ten opsigte van die reg van appel teen aanstelling of bevordering soos in artikel 5 beoog.

DIE Provinsiale Raad van Transvaal VERORDEN SOOS VOLG: —

Vervan-
ging van
artikel
4 van
Ordon-
nansie
13 van
1958,
soos
gewysig
by arti-
kel
1 van
Ordon-
nansie
17 van
1960.

1. Artikel 4 van die Ordonnansie op Openbare Liggame (Taal), 1958 (hierina die Hoofordonnansie genoem), word hierby deur die volgende artikel vervang:

"Aanstel-
ling of
bevor-
dering
van
ampte-
nare.

4.(1) Ondanks andersluidende bepalings in artikel 62(4) van die Ordonnansie op Plaaslike Bestuur, 1939, of in enige ander wet vervat, stel 'n raad nie iemand, hetsy op proef al dan nie, in 'n professionele, administratiewe of

Substi-
tution of
section
92 of
Ordon-
nansie 25
of 1965,
as substi-
tuted by
section
10 of
Ordon-
nansie 16
of 1969.

10. The following section is hereby substituted for section 92 of the principal Ordinance:

"Admi-
nistrator
may pre-
scribe
fees.

92.(1) The Administrator may pre-
scribe fees in respect of—

- (a) any act, matter or application in terms of this Ordinance; and
- (b) anything required or authorized to be done under this Ordinance or any regulation made thereunder.

(2) The fees prescribed in terms of the provisions of subsection (1) shall be payable in advance.

(3) The Administrator may, in his discretion, exempt any person from the payment of the fees prescribed in terms of the provisions of subsection (1)."

Short
title.

11. This Ordinance shall be called the Town-
planning and Townships Amendment Ordin-
ance, 1978.

No. 253 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Public Bodies (Language) Amendment Ordinance, 1978, which is printed hereunder.

Given under my Hand at Pretoria on this 23rd day of October, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11(1978/22)

ORDINANCE NO. 22 OF 1978.

(Assented to on 22 September, 1978.)

(Afrikaans copy signed by the Acting State President.)

AN ORDINANCE

To amend the Public Bodies (Language) Ordinance, 1958, in respect of the appointment or promotion of officers as contemplated in section 4; in respect of the right of appeal against appointment or promotion as contemplated in section 5.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Substi-
tution of
section
4 of
Ordon-
nansie
13 of
1958,
as
amended
by sec-
tion
1 of Or-
donnan-
sies
17 of
1960.

1. The following section is hereby substituted for section 4 of the Public Bodies (Language) Ordinance, 1958 (hereinafter referred to as the principal Ordinance):

"Appoint-
ment or
promotion
of of-
ficers.

4.(1) Notwithstanding anything to the contrary contained in section 62(4) of the Local Government Ordinance, 1939, or in any other law, a council shall not appoint a person permanently, whether on probation or not, to a profession-

klerklike pos of in enige ander pos waarop die Administrateur by kennisgewing in die *Provinsiale Koerant* die bepalings van hierdie subartikel van toepassing gemaak het, vas aan nie en bevorder 'n raad nie iemand na sodanige pos nie tensy die raad —

- (a) oortuig is dat 'n persoon wat aldus aangestel of bevorder word oor voldoende kennis van en bedrewenheid in albei die tale beskik vir sodanige pos; of
- (b) die goedkeuring van die Administrateur vir sodanige aanstelling of bevordering verkry het.

(2) Die bepalings van subartikel (1) is nie van toepassing nie op 'n persoon wat nie 'n blanke is nie. Met dien verstande dat die Administrateur van tyd tot tyd by kennisgewing in die *Provinsiale Koerant* sodanige bepalings op enige groep of klas persone wat nie blankes is nie, kan toepas."

Wysiging van artikel 5 van Ordonnansie 13 van 1958.

2. Artikel 5 van die Hoofordonnansie word hierby gewysig deur subartikel (7) te skrap.

Kort titel.

3. Hierdie Ordonnansie heet die Wysigingsordonnansie op Openbare Liggame (Taal), 1978.

No. 254 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig:

So is dit dat ek hierby die Wysigingsordonnansie op Munisipale Verkiesings, 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria, op hede die 23ste dag van Oktober, Eenduisend Negehonderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11 (1978/20)

ORDONNANSIE NO. 23 VAN 1978.

(Toestemming verleen op 22 September 1978.)
(Afrikaanse eksemplaar deur die Waarnemende Staatspresident onderteken.)

'N ORDONNANSIE

Tot wysiging van die Ordonnansie op Munisipale Verkiesings, 1970, ten opsigte van die woordeskriftings in artikel 1 vervat; ten opsigte van die opstel van die kieserslys deur die raad soos in artikel 17 beoog; ten opsigte van die regstel van foute in die kieserslys soos in artikel 21 beoog; ten opsigte van die kwalifikasies van raadslede soos in artikel 26 beoog; ten opsigte van die diskwalifikasies van raadslede soos in artikel 27 beoog; ten opsigte van 'n toevallige vakature in die amp van raadslid soos in artikel 30 beoog; ten opsigte van die kennisgewing van 'n verkiesing en nominasiedag soos in

al, administrative or clerical post or to any other post to which the Administrator has, by notice in the *Provincial Gazette*, applied the provisions of this subsection and a council shall not promote a person to such post unless the council —

- (a) is satisfied that a person who is to be so appointed or promoted has sufficient knowledge of and proficiency in both languages for such post; or
- (b) has obtained the approval of the Administrator for such appointment or promotion.

(2) The provisions of subsection (1) shall not apply to a person who is not a white person: Provided that the Administrator may, from time to time, apply, by notice in the *Provincial Gazette*, such provisions to any group or class of persons who are not white persons."

Amendment of section 5 of Ordinance 13 of 1958.

2. Section 5 of the principal Ordinance is hereby amended by the deletion of subsection (7).

Short title.

3. This Ordinance shall be called the Public Bodies (Language) Amendment Ordinance, 1978.

No. 254 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Municipal Elections Amendment Ordinance, 1978, which is printed hereunder.

Given under my Hand at Pretoria, on this 23rd day of October, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11 (1978/20)

ORDINANCE NO. 23 OF 1978.

(Assented to on 22 September, 1978.)
(Afrikaans copy signed by the Acting State President.)

AN ORDINANCE

To amend the Municipal Elections Ordinance, 1970, in respect of the definitions contained in section 1; in respect of the preparation of the voters' list by the council as contemplated in section 17; in respect of the correction of errors in the voters' list as contemplated in section 21; in respect of the qualifications of councillors as contemplated in section 26; in respect of the disqualifications of councillors as contemplated in section 27; in respect of a casual vacancy in the office of councillor as contemplated in section 30; in respect of the notice of an election and nomination day as contemplated in section

artikel 36 beoog; ten opsigte van die bekendmaking van die name van kandidate en van die stemming soos in artikel 42 beoog; ten opsigte van 'n vakature soos in artikel 45 beoog; ten opsigte van die uitreiking van 'n stembrief aan 'n kieser soos in artikel 53 beoog; ten opsigte van die beswaar teen 'n kieser soos in artikel 56 beoog; ten opsigte van die verklaring van geheimhouding soos in artikel 64 beoog; ten opsigte van die aanstelling van stemagente soos in artikel 72 beoog; en om vir bykomstige aangeleenthede voorsiening te maak.

DIE Provinsiale Raad van Transvaal VERORDEN SOOS VOLG: —

Wysiging van artikel 1 van Ordonnansie 16 van 1970.

1. Artikel 1 van die Ordonnansie op Municipale Verkiesings, 1970 (hierna die Hoofordonnansie genoem), word hierby gewysig deur —

(a) na die woordskrywing van "hierdie Ordonnansie" die volgende woordskrywing in te voeg:

"(viiA) 'identiteitsdokument' 'n identiteitsdokument soos omskryf in artikel 1 van die Bevolkingsregistrasiewet, 1950 (Wet 30 van 1950); (xi)

(viiB) 'identiteitsnommer' 'n identiteitsnommer soos omskryf in artikel 1 van die Bevolkingsregistrasiewet, 1950; (xii)"; en

(b) die woordskrywings van "persoonskaart" en "persoonsnommer" te skrap.

Wysiging van artikel 14 van Ordonnansie 16 van 1970.

2. Artikel 14(1) van die Hoofordonnansie word hierby gewysig deur die uitdrukking "30 (6)" deur die uitdrukking "30(7)" te vervang.

Wysiging van artikel 17 van Ordonnansie 16 van 1970.

3. Artikel 17 van die Hoofordonnansie word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

"(3) Ten opsigte van elke persoon wat op 'n kieserslys ingeskryf word, word die volgende besonderhede aangegee:

(a) sy volgnommer;

(b) sy identiteitsnommer, as dit op die parlementêre kieserslys verskyn;

(c) sy van en onmiddellik daarna sy voornaam en in die geval van 'n vroulike kieser, indien sy getroud is of was, haar nooiensvan;

(d) sy woonadres;

(e) sy professie, bedryf of beroep; en

(f) in die geval van 'n persoon in artikel 14 (1)(b) genoem, 'n beskrywing van die betrokke eiendom en die ligging daarvan,

en alle vanne moet in alfabetiese volgorde wees."

Wysiging van artikel 21 van Ordonnansie 16 van 1970.

4. Artikel 21 van die Hoofordonnansie word hierby gewysig deur subartikels (1) en (2) deur die volgende subartikels te vervang:

"(1) Indien die stadsklerk daarvan oortuig is dat die besonderhede van 'n persoon per abuis of deur onoplettendheid uit 'n kieserslys wegge-

36; in respect of the notification of the names of candidates and of the poll as contemplated in section 42; in respect of a vacancy as contemplated in section 45; in respect of the issue of a ballot paper to a voter as contemplated in section 53; in respect of the objection to a voter as contemplated in section 56; in respect of the declaration of secrecy as contemplated in section 64; in respect of the appointment of polling agents as contemplated in section 72; and to provide for matters incidental thereto.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Amendment of section 1 of Ordinance 16 of 1970.

1. Section 1 of the Municipal Elections Ordinance, 1970 (hereinafter referred to as the principal Ordinance), is hereby amended by —

(a) the substitution for the definitions of "identity card" and "identity number" of the following definitions respectively:

"(xi) 'identity document' means an identity document as defined in section 1 of the Population Registration Act, 1950 (Act 30 of 1950); (viiA)

(xii) 'identity number' means an identity number as defined in section 1 of the Population Registration Act, 1950; (viiB)"; and

(b) the deletion in the Afrikaans text of the definitions of "persoonskaart" and "persoonsnommer".

Amendment of section 14 of Ordinance 16 of 1970.

2. Section 14(1) of the principal Ordinance is hereby amended by the substitution for the expression "30(6)" of the expression "30(7)".

Amendment of section 17 of Ordinance 16 of 1970.

3. Section 17 of the principal Ordinance is hereby amended by the substitution for subsection (3) of the following subsection:

"(3) In respect of every person who is enrolled on a voters' list, the following particulars shall be given:

(a) his serial number;

(b) his identity number, if it appears on the parliamentary voters' list;

(c) his surname and immediately thereafter his christian names and in the case of a female voter, if she is or has been married, her maiden name;

(d) his residential address;

(e) his profession, trade or occupation; and

(f) in the case of a person referred to in section 14(1)(b), a description of the property concerned and the situation thereof,

and all surnames shall be in alphabetical order."

Amendment of section 21 of Ordinance 16 of 1970.

4. Section 21 of the principal Ordinance is hereby amended by the substitution for subsections (1) and (2) of the following subsections:

"(1) If the town clerk is satisfied that the particulars of any person have been omitted

laat of geskrap is of per abuis of deur onoplettendheid in 'n kieserslys ingeskryf is, moet hy 'n toepaslike regstelling met betrekking tot so 'n weglating of skrapping of verkeerde inskrywing in die kieserslys aanbring en, indien so 'n regstelling na nominasiedag plaasvind, stel hy elke betrokke kandidaat of sy verkiesingsagent daarvan in kennis.

(2) Die stadsklerk kan te eniger tyd 'n klerklike fout in die kieserslys regstel ten einde dit in ooreenstemming met die parlementêre kieserslys te bring."

Vervanging van artikel 26 van Ordonnansie 16 van 1970.

5. Artikel 26 van die Hoofordonnansie word hierby deur die volgende artikel vervang:

"Kwalifikasies."

26. Iemand wat —

- (a) in 'n munisipaliteit woonagtig is; of
- (b) buite 'n munisipaliteit woonagtig is en wat die eienaar van belasbare eiendom binne 'n munisipaliteit is wat uitsluitlik in sy naam geregistreer is,

en wat as 'n kieser op die kieserslys vir sodanige munisipaliteit ingeskryf is, kan, behoudens die bepalings van artikel 27, tot raadslid vir so 'n munisipaliteit of enige wyk daarvan genomineer en verkies word: Met dien verstande dat geen persoon tegelykertyd vir meer as een wyk genomineer mag word nie."

Wysiging van artikel 27 van Ordonnansie 16 van 1970, soos gewysig by artikel 3 van Ordonnansie 9 van 1972.

6. Artikel 27(1) van die Hoofordonnansie word hierby gewysig deur —

- (a) in paragraaf (d) die uitdrukking "45(1)" deur die uitdrukking "45(3)" te vervang; en
- (b) na paragraaf (d) die volgende paragraaf in te voeg:

"(dA) hy binne 'n tydperk van drie jaar wat nominasiedag onmiddellik voorafgaan aan 'n misdryf waarvan oneerlikheid 'n element is, skuldig bevind is of hy binne genoemde tydperk aan enige ander misdryf skuldig bevind is en ten opsigte daarvan tot gevangenisstraf sonder die keuse van 'n boete gevonnis is;"

Wysiging van artikel 30 van Ordonnansie 16 van 1970, soos gewysig by artikel 2 van Ordonnansie 16 van 1973.

7. Artikel 30 van die Hoofordonnansie word hierby gewysig deur —

- (a) in subartikel (1) na paragraaf (f) die volgende paragraaf in te voeg:

"(fA) hy aan 'n misdryf waarvan oneerlikheid 'n element is, skuldig bevind word of aan enige ander misdryf skuldig bevind word en ten opsigte daarvan tot gevangenisstraf sonder die keuse van 'n boete gevonnis word;"

- (b) in subartikel (5) —

- (i) die woord "verkiesing", waar dit die eerste keer voorkom, deur die woord "tussenverkiesing" te vervang; en
- (ii) die voorbehoudsbepaling daarby deur die volgende voorbehoudsbepaling te vervang:

or deleted through error or inadvertence from a voters' list or were entered in a voters' list through error or inadvertence, he shall make an appropriate correction in relation to such omission or deletion or incorrect enrolment in the voters' list and, if such correction occurs after nomination day, he shall advise every candidate concerned or his election agent thereof.

(2) The town clerk may, at any time, correct a clerical error in the voters' list in order to make it correspond with the parliamentary voters' list."

Substitution of section 26 of Ordinance 16 of 1970.

5. The following section is hereby substituted for section 26 of the principal Ordinance:

"Qualifications."

26. Any person who —

- (a) is resident in a municipality; or
- (b) is resident outside a municipality and who is the owner of rateable property within a municipality which is registered solely in his name,

and who is enrolled as a voter on the voters' list for such municipality may, subject to the provisions of section 27, be nominated and elected as a councillor for such municipality or any ward thereof: Provided that no person may be nominated for more than one ward at one and the same time."

Amendment of section 27 of Ordinance 16 of 1970, as amended by section 3 of Ordinance 9 of 1972.

6. Section 27(1) of the principal Ordinance is hereby amended by —

- (a) the substitution in paragraph (d) for the expression "45(1)" of the expression "45(3)"; and
- (b) the insertion after paragraph (d) of the following paragraph:

"(dA) within a period of three years immediately preceding nomination day, he was convicted of an offence of which dishonesty is an element or, within the said period, he was convicted of any other offence and sentenced in respect thereof to imprisonment without the option of a fine;"

Amendment of section 30 of Ordinance 16 of 1970, as amended by section 2 of Ordinance 16 of 1973.

7. Section 30 of the principal Ordinance is hereby amended by —

- (a) the insertion in subsection (1) after paragraph (f) of the following paragraph:

"(fA) he is convicted of an offence of which dishonesty is an element or is convicted of any other offence and sentenced in respect thereof to imprisonment without the option of a fine;"

- (b) the substitution in subsection (5) —

- (i) for the word "election", where it appears for the first time, of the word "by-election"; and
- (ii) for the proviso thereto of the following proviso:

"Met dien verstande dat indien daar ingevolge die bepalings van subartikel (4) gedurende die maand Desember, Januarie of Februarie wat 'n algemene verkiesing onmiddellik voorafgaan, verklaar word dat 'n toevallige vakature ontstaan het, so 'n vakature nie aangevul word nie tensy daar meer as drie toevallige vakatures bestaan."; en

- (c) na subartikel (5) die volgende subartikel in te voeg terwyl die bestaande subartikel (6) subartikel (7) word:

"(6) Indien geen kandidaat behoorlik vir 'n vakature in subartikel (1) beoog, genomineer word nie, gee die kiesbeampte binne sewe dae na nominasiedag opnuut van sodanige vakature kennis ooreenkomstig die bepalings van artikel 36 en, indien geen kandidaat dan behoorlik genomineer word nie, is die bepalings van artikel 45(2) *mutatis mutandis* van toepassing."

Wysiging van artikel 36 van Hoofdonnansie 16 van 1970.

8. Artikel 36 van die Hoofdonnansie word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

"(2) In 'n kennisgewing in subartikel (1) genoem, word die aantal vakatures wat aangevul moet word en die wyke waarin die vakatures bestaan, vermeld."

Vervanging van artikel 42 van Hoofdonnansie 16 van 1970.

9. Artikel 42 van die Hoofdonnansie word hierby deur die volgende artikel vervang:

"Bekendmaking van name van kandidate en ander besonderhede. 42. Indien die aantal kandidate wie se nominasies aangeneem is meer is as die aantal vakatures in die betrokke wyk of munisipaliteit, na gelang van die geval, maak die kiesbeampte onverwyld, by kennisgewing wat in 'n nuusblad gepubliseer en in 'n opvallende plek by die munisipale kantoor aangebring word —

- (a) die name van die kandidate ten opsigte van wie 'n stemming gehou moet word;
- (b) die naam en adres van elke verkiesingsagent, as daar is, wat ingevolge die bepalings van artikel 71 aangesetel is;
- (c) die plekke waar die stemburo's sal wees; en
- (d) die ure wanneer die stemming gehou sal word,

bekend."

Wysiging van artikel 45 van Hoofdonnansie 16 van 1970.

10. Artikel 45 van die Hoofdonnansie word hierby gewysig deur subartikel (1) deur die volgende subartikels te vervang terwyl die bestaande subartikel (2) subartikel (3) word:

"(1) Indien geen kandidaat behoorlik vir 'n vakature ten opsigte van 'n verkiesing in artikel 33 beoog, genomineer word nie, word so 'n vakature geag 'n toevallige vakature te wees en word deur middel van 'n tussenverkiesing aangevul.

"Provided that if, in terms of the provisions of subsection (4), there has been declared during the month December, January or February which immediately precedes a general election that a casual vacancy occurred, such a vacancy shall not be filled unless there exists more than three casual vacancies."; and

- (c) the insertion after subsection (5) of the following subsection, the existing subsection (6) becoming subsection (7):

"(6) If no candidate has been duly nominated for a casual vacancy contemplated in subsection (1), the returning officer shall, within seven days from nomination day, give notice anew of such vacancy in accordance with the provisions of section 36 and, if no candidate is then duly nominated, the provisions of section 45(2) shall apply *mutatis mutandis*."

Amendment of section 36 of Ordinance 16 of 1970.

8. Section 36 of the principal Ordinance is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) In a notice referred to in subsection (1) the number of vacancies to be filled and the wards in which the vacancies occur, shall be stated."

Substitution of section 42 of Ordinance 16 of 1970.

9. The following section is hereby substituted for section 42 of the principal Ordinance:

"Notification of names of candidates and other particulars. 42. If the number of candidates whose nominations have been accepted is more than the number of vacancies in the ward or municipality concerned, as the case may be, the returning officer shall forthwith by notice published in a newspaper and affixed in a conspicuous place at the municipal office, notify —

- (a) the names of the candidates in respect of whom a poll is required to be held;
- (b) the name and address of every election agent, if any, appointed in terms of the provisions of section 71;
- (c) the places where the polling stations will be; and
- (d) the hours when the poll will be held.

Amendment of section 45 of Ordinance 16 of 1970.

10. Section 45 of the principal Ordinance is hereby amended by the substitution for subsection (1) of the following subsections, the existing subsection (2) becoming subsection (3):

"(1) If no candidate has been duly nominated for a vacancy in respect of an election contemplated in section 33, such vacancy shall be deemed to be a casual vacancy and shall be filled by means of a by-election.

(2) Vir doeleindes van subartikel (1) is die bepalings van artikel 30(3), (4), (5) en (7) *mutatis mutandis* van toepassing.”

Wysiging van artikel 49 van Ordonnansie 16 van 1970.

11. Artikel 49 van die Hoofordonnansie word hierby gewysig deur die uitdrukking “artikels 36(2) en 42” deur die uitdrukking “artikel 42” te vervang.

Amendment of section 49 of Ordinance 16 of 1970.

(2) For the purposes of subsection (1) the provisions of section 30(3), (4), (5) and (7) shall apply *mutatis mutandis*.”

11. Section 49 of the principal Ordinance is hereby amended by the substitution for the expression “sections 36(2) and 42” of the expression “section 42”.

Wysiging van artikel 53 van Ordonnansie 16 van 1970.

12. Artikel 53 van die Hoofordonnansie word hierby gewysig deur —

Amendment of section 53 of Ordinance 16 of 1970.

12. Section 53 of the principal Ordinance is hereby amended by —

- (a) in subartikel (2) die woord “persoonkaart” deur die woord “identiteitsdokument” te vervang;
- (b) in subartikel (3) die uitdrukking “persoonkaart of ander bewys van identiteit ingevolge subartikel (2) getoon het, en voordat hy toegelaat word om te stem” deur die uitdrukking “identiteitsdokument of ander bewys van identiteit ingevolge subartikel (2) getoon het, en voordat ’n stembrief aan hom uitgereik word” te vervang; en
- (c) in subartikel (4) die woord “persoonkaart” deur die woord “identiteitsdokument” te vervang.

- (a) the substitution in subsection (2) for the words “identity card” of the words “identity document”;
- (b) the substitution in subsection (3) for the expression “identity card or other proof of identity in terms of subsection (2) and before he is allowed to vote” of the expression “identity document or other proof of identity in terms of subsection (2) and before a ballot paper is issued to him”; and
- (c) the substitution in subsection (4) for the words “identity card” of the words “identity document”.

Wysiging van artikel 56 van Ordonnansie 16 van 1970.

13. Artikel 56(1) van die Hoofordonnansie word hierby gewysig deur die uitdrukking “, afwesigheid of om ’n ander rede” te skrap.

Amendment of section 56 of Ordinance 16 of 1970.

13. Section 56(1) of the principal Ordinance is hereby amended by the deletion of the expression “, absence or otherwise”.

Wysiging van artikel 64 van Ordonnansie 16 van 1970.

14. Artikel 64 van die Hoofordonnansie word hierby gewysig deur na die woord “stemagent” die uitdrukking “, agent in artikel 58(2) genoem” in te voeg.

Amendment of section 64 of Ordinance 16 of 1970.

14. Section 64 of the principal Ordinance is hereby amended by the insertion after the word “polling agent” of the expression “, agent referred to in section 58(2)”.

Wysiging van artikel 72 van Ordonnansie 16 van 1970.

15. Artikel 72 van die Hoofordonnansie word hierby gewysig deur aan die einde van subartikel (2) die volgende voorbehoudsbepaling by te voeg:

Amendment of section 72 of Ordinance 16 of 1970.

15. Section 72 of the principal Ordinance is hereby amended by the addition at the end of subsection (2) of the following proviso:

“: Met dien verstande dat, waar ’n wyk in stembedistrikte ingedeel is, elke stembedistrikt by die toepassing van hierdie subartikel geag word ’n wyk te wees.”

“: Provided that, where a ward is divided in polling districts, each polling district shall, for the purposes of this subsection, be deemed to be a ward.”

Wysiging van Bylae 1 en 2 by Ordonnansie 16 van 1970.

16. Bylae 1 en 2 by die Hoofordonnansie word hierby gewysig deur die woord “persoonsonommer”, waar dit ook al voorkom, deur die woord “identiteitsnommer” te vervang.

Amendment of Schedules 1 and 2 to Ordinance 16 of 1970.

16. Schedules 1 and 2 to the principal Ordinance are hereby amended in the Afrikaans text by the substitution for the word “persoonsonommer”, wherever it appears, of the word “identiteitsnommer”.

Wysiging van Bylae 3 by Ordonnansie 16 van 1970.

17. Bylae 3 by die Hoofordonnansie word hierby gewysig deur —

Amendment of Schedule 3 to Ordinance 16 of 1970.

17. Schedule 3 to the principal Ordinance is hereby amended by —

- (a) die woord “Woonadres” deur die woorde “Adres waar tans woonagtig” te vervang; en
- (b) die woord “Persoonsonommer” deur die woord “Identiteitsnommer” te vervang.

- (a) the substitution for the words “Residential address” of the words “Address where presently residing”; and
- (b) the substitution in the Afrikaans text for the word “Persoonsonommer” of the word “Identiteitsnommer”.

Kort titel.

18. Hierdie Ordonnansie heet die Wysigingsordonnansie op Munisipale Verkiegings, 1978.

Short title.

18. This Ordinance shall be called the Municipal Elections Amendment Ordinance, 1978.

No. 255 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Ordonnansie op Perdedwedrenne en Weddenskappe, 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria, op hede die 23ste dag van Oktober, Eenduiscnd Negehonderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11 (1978/24)

ORDONNANSIE NO. 24 VAN 1978.

(Toestemming verleen op 22 September 1978.)

(Engelse eksemplaar deur die Waarnemende Staatspresident onderteken.)

'N ORDONNANSIE

Om voorsiening te maak vir die beperking, reëling van en beheer oor perdedwedrenne en weddenskappe en vir lisensies, belastinge en gelde in verband daarmee; en om vir bykomstige aangeleenthede voorsiening te maak.

DIE Provinsiale Raad van Transvaal VERORDEN SOOS VOLG: —

INLEIDEND

Woordomskrywing.

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

- (i) "Administrateur" die amptenaar aangestel ingevolge artikel 66 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), handelende op die advies en met die toestemming van die Uitvoerende Komitee van die Provinsie; (i)
- (ii) "aansoek", met betrekking tot 'n beroepswedderslisensie, 'n aansoek om 'n beroepswedderslisensie in artikel 17 beoog; (ii)
- (iii) "beroepswedderslisensie" 'n lisensie in artikel 17 genoem; (v)
- (iv) "buitebaanse totalisator" 'n buitebaanse totalisator in artikel 11(1) genoem; (x)
- (v) "gelisensieerde renbaan" 'n gelisensieerde renbaan in artikel 3(5) genoem; (viii)
- (vi) "gelisensieerde beroepswedder" 'n beroepswedder wat die houer is van 'n geldige lisensie in artikel 25 genoem; (vii)
- (vii) "gemagtigde beampte" 'n provinsiale inspekteur in diens van die Transvaalse Provinsiale Administrasie of enige ander beampte in diens van sodanige Administrasie wat skriftelik as 'n ge-

No. 255 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Horse-racing and Betting Ordinance, 1978, which is printed hereunder.

Given under my Hand at Pretoria, on this 23rd day of October, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11 (1978/24)

ORDINANCE NO. 24 OF 1978.

(Assented to on 22 September, 1978.)

(English copy signed by the Acting State President.)

AN ORDINANCE

To provide for the restriction, regulation and control of horse-racing and betting and for licences, taxes and fees in connection therewith; and to provide for matters incidental thereto.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

PRELIMINARY

Definitions.

1. In this Ordinance, unless the context otherwise indicates —

- (i) "Administrator" means the officer appointed in terms of section 66 of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), acting on the advice and with the consent of the Executive Committee of the Province; (i)
- (ii) "application", in relation to a bookmaker's licence, means an application for a bookmaker's licence contemplated in section 17; (ii)
- (iii) "authorized officer" means a provincial inspector in the employ of the Transvaal Provincial Administration or any other officer in the employ of such Administration designated in writing as an authorized officer by the Provincial Secretary; (vii)
- (iv) "Board" means the Totalizator Agency Board (Transvaal) referred to in section 11(1); (xi)
- (v) "bookmaker's licence" means a licence referred to in section 17; (iii)
- (vi) "horse-race" means a race in which an animal belonging to the equine species participates; (x)
- (vii) "licensed bookmaker" means a bookmaker who is the holder of a valid licence referred to in section 25; (vi)

magtigde beampte deur die Provinsiale Sekretaris aangewys is; (iii)

- (viii) "hierdie Ordonnansie" ook 'n regulasie; (xx)
- (ix) "Lisensiekomitee" die Beroepswedders-lisensiekomitee in artikel 18(1) genoem; (ix)
- (x) "perdewedren" 'n wedren waarin 'n dier wat aan die perdefamilie behoort, deelneem; (vi)
- (xi) "Raad" die Totalisatoragentskapsraad (Transvaal) in artikel 11(1) genoem; (iv)
- (xii) "regulasie" 'n regulasie ingevolge die bepalings van hierdie Ordonnansie uitgevaardig; (xv)
- (xiii) "Sekretaris van Binnelandse Inkomste" ook 'n ontvanger van inkomste of enige ander beampte aan wie die Sekretaris van Binnelandse Inkomste enige bevoegdheid wat aan sodanige Sekretaris ingevolge die bepalings van hierdie Ordonnansie verleen is, gedelegeer het; (xvi)
- (xiv) "Sekretaris van die Lisensiekomitee" die Sekretaris van die Lisensiekomitee in artikel 19 genoem; (xvii)
- (xv) "Tattersalls" 'n wedbeurs in artikel 14(1) beoog; (xviii)
- (xvi) "Tattersallskomitee" 'n Tattersallskomitee in artikel 15(1) genoem; (xix)
- (xvii) "totalisatorpermit" 'n permit vir 'n totalisator in artikel 12(1) beoog; (xxi)
- (xviii) "voorskryf" of enige dergelike woord, by regulasie voorskryf; (xi)
- (xix) "wedrenbyeenkoms" 'n wedrenbyeenkoms in artikel 2(1) beoog; (xii)
- (xx) "wedrenbyeenkomslisensie" 'n lisensie in artikel 3(1) genoem; (xiii)
- (xxi) "wedrenklub" 'n wedrenklub in artikel 3(1) genoem. (xiv)

HOOFSTUK I

PERDEWEDRENNE

2.(1) By die toepassing van hierdie Hoofstuk beteken 'n wedrenbyeenkoms 'n byeenkoms van persone wat 'n perdewedren bywoon, hetsy sodanige wedren plaasvind, al dan nie, indien die datum en plek van sodanige wedren by openbare advertensie of private uitnodiging bekend gemaak is.

(2) Niemand hou 'n wedrenbyeenkoms nie tensy dit ingevolge die bepalings van hierdie Hoofstuk gemagtig is.

(3) Iemand wat die bepalings van subartikel (2) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

(4) By 'n vervolging weens 'n misdryf in subartikel (3) genoem —

(viii) "licensed race-course" means a licensed race-course referred to in section 3(5); (v)

(ix) "Licensing Committee" means the Bookmaker's Licensing Committee referred to in section 18(1); (ix)

(x) "off-course totalizator" means an off-course totalizator referred to in section 11(1); (iv)

(xi) "prescribe" or any like word means prescribe by regulation; (xviii)

(xii) "race-meeting" means a race-meeting contemplated in section 2(1); (xix)

(xiii) "race-meeting licence" means a licence referred to in section 3(1); (xx)

(xiv) "racing-club" means a racing-club referred to in section 3(1); (xxi)

(xv) "regulation" means a regulation made in terms of the provisions of this Ordinance; (xii)

(xvi) "Secretary for Inland Revenue" includes a receiver of revenue or any other officer to whom the Secretary for Inland Revenue has delegated any power conferred on such Secretary in terms of the provisions of this Ordinance; (xiii)

(xvii) "Secretary of the Licensing Committee" means the Secretary of the Licensing Committee referred to in section 19; (xiv)

(xviii) "Tattersalls" means a betting exchange contemplated in section 14(1); (xv)

(xix) "Tattersalls committee" means a Tattersalls committee referred to in section 15(1); (xvi)

(xx) "this Ordinance" includes a regulation; (viii)

(xxi) "totalizator permit" means a permit for a totalizator contemplated in section 12(1). (xvii)

CHAPTER 1

HORSE-RACING

2.(1) For the purposes of this Chapter, a race-meeting means any gathering of persons attending a horse-race, whether or not such race is run, if the date and place of such race have been made known by public advertisement or private invitation.

(2) No person shall hold a race-meeting unless it has been authorized in terms of the provisions of this Chapter.

(3) Any person who contravenes or fails to comply with the provisions of subsection (2) shall be guilty of an offence.

(4) In any prosecution for an offence referred to in subsection (3) —

Ongemagtigde wedrenbyeenkoms verbied.

Unauthorized race-meeting prohibited.

- (a) word iemand wat op enige wyse 'n wedrenbyeenkoms georganiseer of gereël het, of wat by die organisering of reëling daarvan hulp verleen het, geag sodanige byeenkoms te gehou het; en
- (b) word 'n byeenkoms van persone wat 'n wedrenbyeenkoms bywoon, geag as gevolg van 'n openbare advertensie of private uitnodiging plaas te gevind het.

Uittrekking van lisensie aan wedrenklub wat die hou van wedrenbyeenkomste op 'n renbaan magtig.

3.(1) Behoudens die bepalings van hierdie Hoofstuk kan die Administrateur, op skriftelike aansoek gerig aan die Provinsiale Sekretaris en op verstrekking van die inligting wat die Administrateur dienstig ag, aan 'n wedrenklub wat 'n nie-eiendomsvereniging van persone is, hetsy met regs persoonlikheid beklee, al dan nie, die uitreiking van 'n lisensie magtig om soveel wedrenbyeenkomste en op die grond in die wettige besit of okkupasie van sodanige wedrenklub wat in die lisensie vermeld word, te hou.

(2) By die toepassing van subartikel (1) beteken "nie-eiendomsvereniging van persone" 'n vereniging van persone —

- (a) wat uitsluitlik vir die hou van perdewedrenne gestig is;
- (b) wat sy winste en ander inkomste uitsluitlik vir die bevordering van perdewedrenne en die voorsiening van bykomstige geriewe aanwend;
- (c) waaruit niemand 'n dividend of ander geldlike voordeel of wins ontvang nie: Met dien verstande dat niks in hierdie paragraaf vervat die betaling belet nie van —
 - (i) bedryfskoste;
 - (ii) toekennings vir liefdadigheidsdoeleindes; of
 - (iii) rente en delging op lenings aangegaan en obligasies uitgereik ten einde die bates te verkry wat nodig is vir die hou van perdewedrenne waar sodanige lenings en obligasies en die voorwaardes wat daarop van toepassing is, met inbegrip van die rentekoers, deur die Administrateur goedgekeur is; en
- (d) in die akte van oprigting, die statute of die konstitusie waarvan voorsiening gemaak word dat, by die van die hand sit van die bates van daardie vereniging of, by die likwidasie daarvan, die balans van die opbrengs van die van die hand sit van sodanige bates of die balans van die bedrag wat verkry is by sodanige likwidasie, na delging van alle laste, nie onder die lede van daardie vereniging verdeel word nie, maar gestort word op 'n afwagrekening onder die beheer van die Administrateur en enige bedrag aldus gestort, word aangewend vir die bevordering van perdewedrenne op die wyse wat die Administrateur goedkeur.

(3) Geen wedrenbyeenkomslisensie word aan 'n wedrenklub uitgereik nie alvorens die reëls en regulasies waarvolgens 'n wedrenbyeenkoms

- (a) any person who in any way organized or arranged or who assisted in organizing or arranging a race-meeting shall be deemed to have held such meeting; and
- (b) any gathering of persons attending a race-meeting shall be deemed to have taken place as the result of a public advertisement or private invitation.

Issue of licence to racing-club authorizing the holding of race-meetings on a race-course.

3.(1) Subject to the provisions of this Chapter, the Administrator may, on written application addressed to the Provincial Secretary and upon furnishing such information as the Administrator may deem expedient, authorize the issue to a racing-club which is a non-proprietary association of persons, whether corporate or unincorporate, of a licence to hold so many race-meetings and on such land in the lawful possession or occupation of such racing-club as is specified in the licence.

(2) For the purposes of subsection (1), "non-proprietary association of persons" means an association of persons —

- (a) which has been constituted solely for holding horse-races;
- (b) which applies its profits and other income solely to the promotion of horse-racing and the provision of amenities incidental thereto;
- (c) from which no person receives any dividend or other pecuniary benefit or gain: Provided that nothing in this paragraph contained shall prohibit the payment of —
 - (i) running expenses;
 - (ii) grants for charitable purposes; or
 - (iii) interest and redemption on loans raised and debentures issued for the purpose of acquiring the assets necessary for the holding of horse-races where such loans and debentures and the conditions applicable thereto, including the rate of interest, have been approved by the Administrator; and
- (d) in whose memorandum or articles of association or constitution provision is made that on disposal of the assets of that association or, upon liquidation thereof, the balance of the proceeds from the disposal of such assets or the balance of the amount realized upon such liquidation, after payment of all liabilities, shall not be distributed amongst the members of that association but shall be paid into a suspense account under the control of the Administrator and any amount so paid shall be utilized for the promotion of horse-racing in such manner as the Administrator may approve.

(3) No race-meeting licence shall be issued to a racing-club until the rules and regulations in terms of which a race-meeting will be held

deur daardie klub gehou sal word deur die Administrateur goedgekeur is.

(4) 'n Wedrenbyeenkomslisensie is, behoudens die bepalings van hierdie Ordonnansie, vir 'n onbepaalde tydperk geldig.

(5) By die toepassing van hierdie Hoofstuk is die grond vermeld in 'n wedrenbyeenkomslisensie, gedurende die geldigheidsduur van so 'n lisensie, 'n gelisensieerde renbaan.

by that club have been approved by the Administrator.

(4) A race-meeting licence shall, subject to the provisions of this Ordinance, be valid for an indefinite period.

(5) For the purposes of this Chapter, the land specified in a race-meeting licence shall, during the period of validity of such licence, be a licensed race-course.

Voorwaarde van wedrenbyeenkomslisensie.

4.(1) 'n Wedrenbyeenkomslisensie is onderworpe aan die voorwaarde dat die houër daarvan aan die bepalings van die Grondwet, reëls en regulasies van die Jockieklub van Suid-Afrika voldoen. Met dien verstande dat indien die Administrateur enige sodanige bepaling nie goedgekeur nie, kan hy —

- (a) alle wedrenklubs vrystel om aan enige sodanige bepaling te voldoen; en
- (b) deur skriftelike kennisgewing aan alle wedrenklubs, enige sodanige bepaling deur 'n nuwe bepaling vervang wat op alle wedrenklubs bindend is.

(2) Dit is 'n voorwaarde van 'n wedrenbyeenkomslisensie dat —

- (a) 'n wedrenbyeenkoms nie op 'n Sondag, Goeie Vrydag, Hemelvaartsdag, Geloftedag of Kersdag of voor 09h00 of na 18h30 op enige ander dag gehou word nie;
- (b) wanneer gure weer of enige onvoorsiene omstandigheid die houër of voortsetting van 'n wedrenbyeenkoms onwenslik maak, dit op enige ander dag, uitgenome 'n dag in paragraaf (a) genoem, wat deur die betrokke wedrenklub na raadpleging met die Jockieklub van Suid-Afrika bepaal word, gehou of voortgesit kan word; en
- (c) 'n wedrenklub aan die Provinsiale Sekretaris die getal kaartjies voorsien wat hy nodig het om iemand in staat te stel om vry toegang tot 'n gelisensieerde renbaan te verkry met die doel om 'n ondersoek uit te voer of vir enige ander doel.

(3) Die Administrateur kan, benewens die voorwaardes in subartikels (1) en (2) genoem, te eniger tyd 'n verdere voorwaarde wat hy dienstig ag, opleë en hy kan sodanige voorwaarde wysig of intrek.

(4) Wanneer 'n ander dag ingevolge subartikel (2)(b) bepaal word, is dit 'n voorwaarde van die wedrenbyeenkomslisensie dat die betrokke wedrenklub die Provinsiale Sekretaris onverwyld daarvan in kennis stel.

Opskorting of intrekking van wedrenbyeenkomslisensie.

5. Die Administrateur kan te eniger tyd 'n wedrenbyeenkomslisensie vir die tydperk wat hy bepaal, opskort of dit intrek indien die houër daarvan —

- (a) aan 'n misdryf skuldig bevind is wat, na die mening van die Administrateur, opskorting of intrekking regverdig;

Conditions of race-meeting licence.

4.(1) A race-meeting licence shall be subject to the condition that the holder thereof shall comply with the provisions of the Constitution, rules and regulations of the Jockey Club of South Africa: Provided that if the Administrator does not approve of any such provision, he may —

- (a) exempt all racing-clubs from compliance with any such provision; and
- (b) by written notice to all racing-clubs, substitute for any such provision a new provision which shall be binding on all racing-clubs.

(2) It shall be a condition of a race-meeting licence that —

- (a) a race-meeting shall not be held on a Sunday, Good Friday, Ascension Day, Day of the Covenant or Christmas Day or before 09h00 or after 18h30 on any other day;
- (b) whenever inclement weather or any unforeseen circumstance renders undesirable the holding or continuation of a race-meeting, it may be held or continued on any other day, other than a day referred to in paragraph (a), determined by the racing-club concerned after consultation with the Jockey Club of South Africa; and
- (c) a racing-club shall furnish the Provincial Secretary with the number of tickets required by him to enable any person to gain free admission to a licensed race-course for the purpose of carrying out an inspection or for any other purpose.

(3) The Administrator may, in addition to the conditions referred to in subsections (1) and (2), at any time impose any further condition he may deem expedient and he may amend or withdraw any such condition.

(4) Whenever any other day is determined in terms of subsection (2)(b), it shall be a condition of the race-meeting licence that the racing-club concerned shall advise the Provincial Secretary forthwith thereof.

Suspension or cancellation of race-meeting licence.

5. The Administrator may at any time suspend a race-meeting licence for such period as he may determine or may cancel it if the holder thereof —

- (a) has been convicted of an offence which, in the opinion of the Administrator, justifies suspension or cancellation;

- (b) enige reël of regulasie in artikel 3(3) beoog, oortree het of versuim het om daaraan te voldoen; of
- (c) enige voorwaarde van sodanige lisensie oortree het of versuim het om daaraan te voldoen.

Omstandighede waarin wedrenbyeenkoms-lisensie verval.

6.(1) 'n Wedrenbyeenkoms-lisensie verval indien die betrokke wedrenklub ophou om 'n nie-eiendomsvereniging van persone te wees.

(2) Die Administrateur kan, wanneer hy dit dienstig ag en ondanks die bepalings van artikel 3(4), verklaar dat 'n wedrenbyeenkoms-lisensie op 'n datum wat deur hom bepaal word, verval en, in so 'n geval, kan die betrokke wedrenklub opnuut om 'n wedrenbyeenkoms-lisensie aansoek doen.

Plië om wedrenbyeenkoms-lisensie te toon.

7. Iemand wat 'n wedrenbyeenkoms hou en op versoek van 'n lid van die Suid-Afrikaanse Polisie of 'n gemagtigde beampte versuim om onverwyld 'n wedrenbyeenkoms-lisensie wat die hou van sodanige byeenkoms magtig, te toon, is aan 'n misdryf skuldig.

Toegang tot gelisensieerde renbaan.

8.(1) Behoudens die bepalings van hierdie Ordonnansie word niemand op 'n gelisensieerde renbaan op 'n dag waarop 'n wedrenbyeenkoms daarop gehou word, toegelaat nie en niemand mag op daardie dag op daardie baan wees nie, tensy —

- (a) hy agtien jaar of ouer is; en
- (b) hy aan die betrokke wedrenklub minstens vyftig sent as toegangsgeld betaal het:

Met dien verstande dat die bepalings van hierdie subartikel nie van toepassing is nie op —

- (i) die eienaar of afrigter van 'n perd wat by daardie wedrenbyeenkoms betrokke is;
- (ii) 'n jokie of 'n leerlingjokie;
- (iii) 'n werknemer van sodanige wedrenklub of iemand wat in verband met daardie wedrenbyeenkoms *bona fide* in diens is;
- (iv) 'n lid van sodanige wedrenklub wat die jaarlikse ledegeld wat deur sodanige klub bepaal is, betaal het;
- (v) iemand wie se vry toegang tot 'n gelisensieerde renbaan deur die Administrateur, hetsy in die algemeen of in die besonder, goedgekeur is of deur die betrokke wedrenklub in die besonder gemagtig is; of
- (vi) 'n gemagtigde beampte.

(2) 'n Wedrenklub of 'n persoon deur sodanige klub daartoe gemagtig, kan, ingevolge die bepalings van 'n reël of regulasie in artikel 3(3) genoem of ingevolge 'n voorwaarde van die wedrenbyeenkoms-lisensie van sodanige klub, iemand van die gelisensieerde renbaan van sodanige klub uitsluit of weier om iemand daarop toe te laat of kan iemand wie se teenwoordigheid daarop, na die mening van sodanige klub

- (b) has contravened or failed to comply with any rule or regulation contemplated in section 3(3); or
- (c) has contravened or failed to comply with any condition of such licence.

Circumstances in which race-meeting licence shall lapse.

6.(1) A race-meeting licence shall lapse if the racing-club concerned ceases to be a non-proprietary association of persons.

(2) The Administrator may, whenever he deems it expedient and notwithstanding the provisions of section 3(4), declare that a race-meeting licence shall lapse on a date to be determined by him and, in such event, the racing-club concerned may apply anew for a race-meeting licence.

Duty to produce race-meeting licence.

7. A person who holds a race-meeting and fails on demand by a member of the South African Police or an authorized officer to produce forthwith a race-meeting licence authorizing the holding of such meeting shall be guilty of an offence.

Admission to licensed race-course.

8.(1) Subject to the provisions of this Ordinance, no person shall be admitted to a licensed race-course on a day on which a race-meeting is held thereon and no person shall on that day be on that race-course unless —

- (a) he is eighteen years of age or over; and
- (b) he has paid to the racing-club concerned at least fifty cents as an admission fee:

Provided that the provisions of this subsection shall not apply to —

- (i) the owner or trainer of a horse engaged in that race-meeting;
- (ii) a jockey or an apprentice jockey;
- (iii) an employee of such racing-club or a person bona fide employed in connection with that race-meeting;
- (iv) a member of such racing-club who has paid the annual membership fee determined by such club;
- (v) a person whose free admission to a licensed race-course has been approved by the Administrator, either generally or specifically, or has been specifically authorized by the racing-club concerned; or
- (vi) an authorized officer.

(2) A racing-club or a person authorized thereto by such club may, in terms of the provisions of a rule or regulation referred to in section 3(3) or in terms of a condition of the race-meeting licence of such club, exclude any person from or refuse to admit any person to the licensed race-course of such club or may exclude from or refuse to admit to the race-

of persoon, nadelig sal wees vir die handhawing van goeie orde, van die renbaan uitsluit of weier om hom daarop toe te laat.

(3) 'n Wedrenklub, 'n persoon wat deur sodanige klub daartoe gemagtig is of 'n gemagtigde beampte kan iemand wat onwettig op die gelisensieerde renbaan van sodanige klub is of iemand wie se gedrag, na die mening van sodanige klub, persoon aldus gemagtig of gemagtigde beampte, nadelig vir die handhawing van goeie orde is, verwyder of laat verwyder.

(4) Iemand wat die bepalings van subartikel (1) oortree of versuim om daaraan te voldoen of iemand wat 'n wedrenklub, persoon of gemagtigde beampte in die uitvoering van die bevoegdhede by subartikel (3) verleen, hinder of belemmer, is aan 'n misdryf skuldig.

Spesiale lisensie om wedrenbyeenkoms te hou.

9.(1) Ondanks andersluidende bepalings in hierdie Hoofstuk vervat, maar behoudens die bepalings van subartikels (2) en (3), kan die Administrateur aan iemand, op skriftelike aansoek gerig aan die Provinsiale Sekretaris en op die voorwaardes wat die Administrateur dienstig ag, die uitreiking van 'n spesiale lisensie magtig wat hom die reg verleen om 'n wedrenbyeenkoms op die dag en op die grond daarin vermeld, te hou: Met dien verstande dat 'n lisensie nie vir 'n Sondag, Goeie Vrydag, Hemelvaartsdag, Geloftedag of Kersdag uitge-reik word nie.

(2) Die bepalings van hierdie Hoofstuk, uitge-nome die bepalings van artikels 3, 4, 6 en 8, is *mutatis mutandis* van toepassing op 'n wedrenbyeenkoms wat ingevolge die bepalings van subartikel (1) gehou word.

(3) Iemand wat 'n voorwaarde van 'n lisensie in subartikel (1) genoem, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

HOOFSTUK 2

WEDDENSAPPE

DEEL 1

ALGEMENE BEPERKING OP WEDDENSAPPE

Ongemagtigde weddenskappe 'n misdryf.

10.(1) Niemand mag op enige gebeurtenis of gebeurlikheid wed nie tensy hy ingevolge die bepalings van hierdie Ordonnansie aldus gemagtig word.

(2) Niemand mag op 'n Sondag, Goeie Vrydag, Hemelvaartsdag, Geloftedag of Kersdag wed of iemand toelaat om te wed nie.

(3) Iemand wat die bepalings van subartikel (1) of (2) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

DEEL 2

TOTALISATORWEDDENSAPPE

Instelling van Totalisatoragentskapsraad

11.(1) Die Administrateur kan, op skriftelike aansoek van twee of meer wedrenklubs, 'n raad, bekend te staan as die Totalisatoragentskapsraad

course any person whose presence thereon will, in the opinion of such club or person, be detrimental to the maintenance of good order.

(3) A racing-club, a person authorized there-to by such club or an authorized officer may remove or cause to be removed any person who is unlawfully on the licensed race-course of such club or any person whose conduct is, in the opinion of such club, person so authorized or authorized officer, detrimental to the main-tenance of good order.

(4) Any person who contravenes or fails to comply with the provisions of subsection (1) or any person who hinders or obstructs a racing-club, person or authorized officer in the carrying out of the powers conferred by sub-section (3) shall be guilty of an offence.

Special licence to hold race-meeting.

9.(1) Notwithstanding anything to the contra-ry contained in this Chapter but subject to the provisions of subsections (2) and (3), the Admin-istrator may, on written application addressed to the Provincial Secretary and on such condi-tions as the Administrator may deem expedient, authorize the issue of a special licence to any person which shall entitle him to hold a race-meeting on the day and on the land specified therein: Provided that a licence shall not be issued for a Sunday, Good Friday, Ascension Day, Day of the Covenant or Christmas Day.

(2) The provisions of this Chapter, other than the provisions of sections 3, 4, 6 and 8, shall apply *mutatis mutandis* to any race-meeting held in terms of the provisions of subsection (1).

(3) Any person who contravenes or fails to comply with a condition of a licence referred to in subsection (1) shall be guilty of an of-fence.

CHAPTER 2

BETTING

PART 1

GENERAL RESTRICTION ON BETTING

Unauthor-ized betting an offence.

10.(1) No person shall bet on any event or contingency unless so authorized in terms of the provisions of this Ordinance.

(2) No person shall bet or allow any person to make a bet on a Sunday, Good Friday, Ascension Day, Day of the Covenant or Christ-mas Day.

(3) Any person who contravenes or fails to comply with the provisions of subsection (1) or (2) shall be guilty of an offence.

PART 2

TOTALIZATOR BETTING

Establish-ment of Totali-zator Agency

11.(1) The Administrator may, on the written application of two or more racing-clubs, estab-lish a board, to be known as the Totali-

(Transvaal).

(Transvaal), instel met die doel om, onderworpe aan die beheer en voorskrifte van die Administrateur, by enige plek, uitgenome 'n gelisensieerde renbaan op 'n dag waarop 'n wedrenbyeenkoms op daardie renbaan gehou word, 'n totalisator, bekend te staan as 'n buitebaanse totalisator, te bestuur namens—

- (a) daardie wedrenklubs;
- (b) 'n ander wedrenklub wat die Administrateur goedkeur; en
- (c) iemand anders wat die Administrateur goedkeur en wat 'n wedrenbyeenkoms in 'n ander provinsie ingevolge enige wet betreffende perdewedrenne en weddenskappe hou.

(2) Die Raad is 'n regspersoon wat in regte as eiser en verweerder kan optree en wat, behoudens die bepalings van hierdie Ordonnansie, alle handeling kan verrig wat nodig is vir of wat in verband staan met die verrigting van sy werksaamhede ingevolge hierdie Hoofstuk.

(3) Die Raad bestaan uit die volgende lede:

- (a) een of meer persone deur die Administrateur aangestel; en
- (b) twee ander persone, ten opsigte van elke gelisensieerde renbaan, wat deur die wedrenklubs wat sodanige renbaan gebruik, benoem is en wie se aanstelling in die Raad deur die Administrateur goedkeur is.

(4) Ten opsigte van enige lid in subartikel (3) genoem, kan die Administrateur 'n plaasvervanger aanstel wat die plek van daardie lid inneem en sy bevoegdhede uitoefen en sy pligte verrig wanneer daardie lid nie in staat is om aan die verrigtinge van die Raad deel te neem nie.

(5) 'n Lid van die Raad beklee sy amp solank dit die Administrateur behaag.

(6) Wanneer 'n vakature in die ledetal van die Raad ontstaan, word dit met inagneming van die bepalings van subartikel (3), onverwylde gevul.

(7) 'n Vergadering van die Raad word op die tyd, datum en plek wat die Raad van tyd tot tyd bepaal, gehou.

(8) 'n Kworum vir 'n vergadering van die Raad is 'n meerderheid van die lede van die Raad.

(9) Die Raad verkies een van sy lede as voorsitter. Met dien verstande dat wanneer die voorsitter van 'n vergadering van die Raad afwesig is, die aanwesige lede uit hul geledere 'n waarnemende voorsitter kies wat by daardie vergadering voorsit.

(10) 'n Beslissing van die meerderheid van die aanwesige lede, op 'n vergadering van die Raad is die beslissing van die Raad en, in die geval van 'n staking van stemme, het die lid wat by daardie vergadering voorsit, benewens sy beraadslagende stem, ook 'n beslissende stem.

(11) Behoudens die bepalings van hierdie Hoofstuk reël die Raad sy eie prosedure.

Board (Transvaal).

zator Agency Board (Transvaal), for the purpose of conducting, subject to the control and directions of the Administrator, at any place, other than on a licensed race-course on a day on which a race-meeting is held on that race-course, a totalizator, to be known as an off-course totalizator, on behalf of—

- (a) those racing-clubs;
- (b) any other racing-club approved by the Administrator; and
- (c) any other person approved by the Administrator and who holds a race-meeting in another province in terms of any law relating to horse-racing and betting.

(2) The Board shall be a body, corporate capable of suing and being sued and, subject to the provisions of this Ordinance, of performing all acts which may be necessary for or ancillary to the exercise of its functions in terms of this Chapter.

(3) The Board shall consist of the following members:

- (a) one or more persons appointed by the Administrator; and
- (b) two other persons, in respect of each licensed race-course, who have been nominated by the racing-clubs using such race-course and whose appointment to the Board has been approved by the Administrator.

(4) In respect of any member referred to in subsection (3) the Administrator may appoint an alternate who shall take the place of that member and exercise his powers and perform his duties whenever that member is unable to take part in the proceedings of the Board.

(5) A member of the Board shall hold office during the pleasure of the Administrator.

(6) Whenever a vacancy occurs in the membership of the Board, it shall be filled forthwith with due regard to the provisions of subsection (3).

(7) A meeting of the Board shall be held at such time, date and place as the Board may from time to time determine.

(8) A quorum for a meeting of the Board shall be a majority of the members of the Board.

(9) The Board shall elect one of its members as chairman: Provided that, whenever the chairman is absent from a meeting of the Board, the members present shall elect one of their number as acting chairman who shall preside at that meeting.

(10) A decision of the majority of the members present at a meeting of the Board shall be the decision of the Board and, in the event of an equality of votes, the member presiding at that meeting shall, in addition to his deliberative vote, have a casting vote.

(11) Subject to the provisions of this Chapter, the Board shall regulate its own procedure.

(12) 'n Lid van die Raad wat nie in die heeltydse diens van die Staat is nie, kan uit die fondse van die Raad die vergoeding en die reisuittgawes betaal word wat die Administrateur van tyd tot tyd bepaal.

(13) Die Raad kan, met die goedkeuring van die Administrateur, reëls, wat nie met die bepalings van hierdie Ordonnansie onbestaanbaar is nie, ten opsigte van buitebaanse totalisators maak.

(14) Die fondse van die Raad bestaan uit —

- (a) bydraes of lenings van 'n wedrenklub in subartikel (1) genoem;
- (b) ander lenings deur die Raad aangegaan met die toestemming van die Administrateur en onderworpe aan die voorwaardes deur hom opgelê;
- (c) rente uit beleggings verkry; en
- (d) gelde uit enige heffing deur die Raad ingevolge die bepalings van hierdie Hoofstuk opgelê, verkry of gelde uit enige ander bron verkry.

(15) Die Administrateur kan die terugbetaling van 'n lening in subartikel (14)(b) genoem, waarborg.

(16) Die Raad kan, ten einde sy werksaamhede te verrig —

- (a) die beamptes en werknemers aanstel op die voorwaardes en teen die vergoeding, met inbegrip van toelaes, wat die Raad bepaal: Met dien verstande dat die vergoeding en toelaes van die hoofbeampte van die Raad aan die goedkeuring van die Administrateur onderworpe is; en
- (b) roerende of onroerende eiendom verkry of huur en enige eiendom of gedeelte daarvan verhuur, verkooop, verbind of andersins verveem of van die hand sit.

(17) Die Raad stort alle geld wat hy aan die einde van sy finansiële jaar tot sy krediet het in 'n spesiale fonds wat deur die Administrateur goedgekeur is en die geld in sodanige fonds word, onderworpe aan die voorwaardes wat die Administrateur bepaal, slegs vir die doeleindes wat die Administrateur goedkeur, aangewend.

(18) Die Administrateur kan die Raad te eniger tyd ontbind.

(19) By ontbinding van die Raad word sy bates te gelde gemaak deur iemand wat deur die Administrateur aangestel is en nadat alle skulde verëffen is, word die balans, as daar is, op die grondslag en tussen die wedrenklubs wat die Administrateur bepaal, verdeel.

(20) Die Totalisatoragentskapsraad (Transvaal) wat op die datum van inwerkingtreding van hierdie Ordonnansie bestaan, word geag ingevolge die bepalings van hierdie Hoofstuk ingestel te gewees het.

(12) A member of the Board who is not in the full-time employ of the State may be paid from the funds of the Board such remuneration and such travelling expenses as the Administrator may from time to time determine.

(13) The Board may, with the approval of the Administrator, make rules, not inconsistent with the provisions of this Ordinance, in respect of off-course totalizators.

(14) The funds of the Board shall consist of —

- (a) contributions or loans from a racing-club referred to in subsection (1);
- (b) other loans raised by the Board with the consent of and subject to the conditions imposed by the Administrator;
- (c) interest derived from investments; and
- (d) moneys derived from any levy imposed by the Board in terms of the provisions of this Chapter or moneys derived from any other source.

(15) The Administrator may guarantee the repayment of a loan referred to in subsection (14)(b).

(16) The Board may for the purpose of performing its functions —

- (a) appoint such officers and employees on such conditions and at the remuneration, including allowances, as the Board may determine: Provided that the remuneration and allowances of the chief officer of the Board shall be subject to the approval of the Administrator; and
- (b) acquire or hire movable or immovable property and let, sell, mortgage or otherwise alienate or dispose of any property or portion thereof.

(17) The Board shall pay all moneys standing to its credit at the end of its financial year into a special fund approved by the Administrator and the moneys in such fund shall, subject to such conditions as the Administrator may determine, only be applied for such purposes as may be approved by the Administrator.

(18) The Administrator may at any time dissolve the Board.

(19) Upon the dissolution of the Board its assets shall be realized by a person appointed by the Administrator and, after all debts have been settled, the balance, if any, shall be distributed on such basis and among such racing-clubs as the Administrator may determine.

(20) The Totalizator Agency Board (Transvaal) in existence on the date of the commencement of this Ordinance shall be deemed to have been established in terms of the provisions of this Chapter.

van
totalisa-
tor op
of buite
renbaan

voorwaardes wat hy bepaal of voorskryf, die uitreiking van 'n permit magtig aan —

- (a) 'n wedrenklub of aan die houer van 'n spesiale lisensie in artikel 9 genoem om 'n totalisator op die betrokke gelisensieerde renbaan op 'n dag waarop daardie klub of houer 'n wedrenbyeenkoms hou, in te stel en te bestuur; en
- (b) die Raad om 'n buitebaanse totalisator op 'n plek in die permit vermeld, in te stel en te bestuur,

met die doel om weddenskappe ooreenkomstig die bepalings van hierdie Ordonnansie aan te gaan.

(2) Die Administrateur kan te eniger tyd 'n voorwaarde in 'n totalisatorpermit vervat, wysig of 'n verdere voorwaarde byvoeg.

(3) Behoudens die bepalings van hierdie Hoofstuk is 'n totalisatorpermit geldig vir die tydperk wat die Administrateur bepaal en sodanige tydperk word in die permit genoem.

(4) Indien die Administrateur van mening is dat die houer van 'n totalisatorpermit versuim het om aan 'n voorwaarde daarvan te voldoen of 'n bepaling van hierdie Ordonnansie of 'n opdrag ingevolge daarvan gegee, oortree het of versuim het om daaraan te voldoen, kan hy daardie permit intrek.

(5) 'n Totalisatorpermit is nie oordraagbaar nie.

(6) Die houer van 'n totalisatorpermit hou die boeke, rekeninge en rekords wat voorgeskryf word.

(7) Die nasien en ondersoek van en beheer oor die boeke, rekeninge en rekords in subartikel (6) genoem en die ondersoek van 'n totalisator waarvoor 'n permit in daardie subartikel genoem, gehou word, kan deur 'n gemagtigde beaampte uitgevoer of uitgeoefen word.

(8) 'n Permit wat 'n wedrenklub, die houer van 'n spesiale lisensie in artikel 9 genoem of die Raad magtig om 'n totalisator te bestuur en wat op die datum van inwerkingtreding van hierdie Ordonnansie geldig is, word, by die toepassing van hierdie Hoofstuk, geag 'n totalisatorpermit te wees.

Houer
van to-
talisator-
permit
kan kom-
missie
op bruto
ontvangste
hef.

13. Die houer van 'n totalisatorpermit kan op die bruto ontvangste van die betrokke totalisator 'n kommissie hef wat bereken word teen die persentasie wat die Administrateur voorskryf of van die gedeelte van die bruto ontvangste wat insgelyks voorgeskryf word, en daardie kommissie kan deur sodanige houer behou word.

DEEL 3

WEDDENSAPPE DEUR BEROEPSWEDDER BY TATTERSALLS OF OP RENBAAN AANGEGAAN

Instelling
van Tatter-
salls.

14.(1) Behoudens die bepalings van hierdie Ordonnansie kan die Administrateur die instelling van 'n wedbeurs op die plekke wat hy

ment of
totaliza-
tor on
or off
race-
course.

conditions as he may determine or prescribe, authorize the issue of a permit to —

- (a) a racing-club or to the holder of a special licence referred to in section 9 to establish and conduct a totalizator at the licensed race-course concerned upon a day on which that club or holder holds a race-meeting; and
- (b) the Board to establish and conduct an off-course totalizator at a place specified in such permit,

for the purpose of betting in accordance with the provisions of this Ordinance.

(2) The Administrator may at any time amend any condition contained in a totalizator permit or add any further condition.

(3) Subject to the provisions of this Chapter, a totalizator permit shall be valid for the period determined by the Administrator and such period shall be stated in the permit.

(4) If the Administrator is of the opinion that the holder of a totalizator permit has failed to comply with a condition thereof or has contravened or failed to comply with a provision of this Ordinance or a direction given in terms thereof, he may cancel that permit.

(5) A totalizator permit shall not be transferable.

(6) The holder of a totalizator permit shall keep such books, accounts and records as may be prescribed.

(7) The examination, inspection and control of the books, accounts and records referred to in subsection (6) and the inspection of a totalizator for which a permit referred to in that subsection is held, may be carried out or exercised by an authorized officer.

(8) A permit authorizing a racing-club, the holder of a special licence referred to in section 9 or the Board to conduct a totalizator and which is valid on the date of the commencement of this Ordinance shall, for the purposes of this Chapter, be deemed to be a totalizator permit.

Holder
of tota-
liza-
tor per-
mit may
levy com-
mission
on gross
takings.

13. The holder of a totalizator permit may, on the gross takings of the totalizator concerned, levy a commission calculated at such percentage as the Administrator may prescribe or on such portion of the gross takings as may likewise be prescribed, and that commission may be retained by such holder.

PART 3

BOOKMAKER BETTING AT TATTERSALLS OR ON RACE-COURSE

Establish-
ment of
Tatter-
salls.

14.(1) Subject to the provisions of this Ordinance, the Administrator may authorize the establishment of a betting exchange at such places as he may deem expedient where bets

dienstig ag, magtig waar weddenskappe op die uitslag van 'n perdewedren aangegaan en ver-
effen kan word en sodanige beurs staan vir die
betrokke plek as Tattersalls bekend.

(2) Die Administrateur kan te eniger tyd 'n
magtiging in subartikel (1) genoem, intrek.

(3) Die ure waartussen 'n Tattersalls oop-
gehou kan word en enige ander aangeleentheid
wat die Administrateur vir die behoorlike be-
stuur van 'n Tattersalls dienstig ag, is soos
voorgeskryf.

Instelling
van 'n
Tatter-
sallskomi-
tee en
aange-
leentheid
wat daar-
by hoort.

15.(1) Die Administrateur stel vir elke Tatter-
salls 'n komitee, bekend te staan as 'n
Tattersallskomitee, in en elke sodanige komitee
is 'n regspersoon wat in regte as eiser en ver-
weerder kan optree en is, behoudens die be-
palings van hierdie Ordonnansie, verantwoorde-
lik vir die behoorlike beheer oor en bestuur van
die betrokke Tattersalls en oefen die bevoegd-
hede uit en verrig die pligte wat voorgeskryf
word.

(2) 'n Tattersallskomitee bestaan uit minstens
vyf en hoogstens sewe lede deur die Admini-
strateur aangestel.

(3) 'n Lid van 'n Tattersallskomitee beklee
sy amp vir die tydperk wat die Administrateur
bepaal, maar hoogstens drie jaar, vanaf die da-
tum van sy aanstelling tensy die Administrateur
dit dienstig ag om die aanstelling van 'n lid
vroëer te beëindig.

(4) Die Administrateur stel een van die lede
van 'n Tattersallskomitee as die voorsitter daar-
van aan: Met dien verstande dat wanneer die
voorsitter van 'n vergadering van sodanige ko-
mitee afwesig is, die aanwesige lede uit hul
geledere 'n waarnemende voorsitter kies wat by
daardie vergadering voorsit.

(5) 'n Vergadering van 'n Tattersallskomitee
word op die tyd, datum en plek en in die om-
standighede voorgeskryf, gehou.

(6) 'n Kworum vir 'n vergadering van 'n Tatter-
sallskomitee is die meerderheid van die lede
van sodanige komitee.

(7) 'n Beslissing van die meerderheid van die
aanwesige lede op 'n vergadering van 'n Tatter-
sallskomitee is die beslissing van sodanige ko-
mitee en, in die geval van 'n staking van
stemme, het die lid wat by daardie vergadering
voorsit, benewens sy beraadslagende stem, ook
'n beslissende stem.

(8) Behoudens die bepalings van hierdie Or-
donnansie reël 'n Tattersallskomitee sy eie pro-
cedure.

(9) 'n Lid van 'n Tattersallskomitee kan uit
die fondse van sodanige komitee die vergoeding
en die reisuittgawes betaal word wat die Admini-
strateur van tyd tot tyd bepaal.

(10) 'n Tattersallskomitee kan reëls, wat nie
met die bepalings van hierdie Ordonnansie on-
bestaanbaar is nie, ten opsigte van die betrokke
Tattersalls maak: Met dien verstande dat die
Administrateur enige sodanige reël kan herroep
of wysig of dit deur 'n nuwe reël kan vervang.

on the result of any horse-race may be made
and settled and such exchange shall be known
as Tattersalls for the place concerned.

(2) The Administrator may at any time can-
cel any authority referred to in subsection (1).

(3) The hours during which a Tattersalls may
be kept open and any other matter which the
Administrator may deem expedient for the
proper management of a Tattersalls shall be as
prescribed.

Establish-
ment of
a Tatter-
salls
commit-
tee and
matters
ancillary
thereto.

15.(1) The Administrator shall establish for
every Tattersalls a committee, to be known as
a Tattersalls committee, and every such com-
mittee shall be a body corporate capable of
suing and being sued and shall, subject to the
provisions of this Ordinance, be responsible for
the proper control and management of the Tatter-
salls concerned and shall exercise such
powers and perform such duties as may be pre-
scribed.

(2) A Tattersalls committee shall consist of
not less than five and not more than seven
members appointed by the Administrator.

(3) A member of a Tattersalls committee
shall hold office for the period determined by
the Administrator, but not exceeding three
years, from the date of his appointment unless
the Administrator deems it expedient to termi-
nate the appointment of a member sooner.

(4) The Administrator shall appoint one of
the members of a Tattersalls committee as the
chairman thereof: Provided that, whenever the
chairman is absent from a meeting of such
committee, the members present shall elect one
of their number as acting chairman who shall
preside at that meeting.

(5) A meeting of a Tattersalls committee
shall be held at the time, date and place and
in the circumstances as may be prescribed.

(6) A quorum for a meeting of a Tattersalls
committee shall be a majority of the members
of such committee.

(7) A decision of the majority of the mem-
bers present at a meeting of a Tattersalls com-
mittee shall be the decision of such committee
and, in the event of an equality of votes, the
member presiding at that meeting shall, in ad-
dition to his deliberative vote, have a casting
vote.

(8) Subject to the provisions of this Ordin-
ance, a Tattersalls committee shall regulate its
own procedure.

(9) A member of a Tattersalls committee
may be paid from the funds of such commit-
tee such remuneration and such travelling ex-
penses as the Administrator may from time to
time determine.

(10) A Tattersalls committee may make rules,
not inconsistent with the provisions of this Or-
dinance, in respect of the Tattersalls concern-
ed: Provided that the Administrator may repeal
or amend any such rule or substitute a new
rule therefor.

(11) Die fondse van 'n Tattersallskomitee bestaan uit die geld wat aan hom ingevolge die bepalings van hierdie Ordonnansie verskuldig is.

(12) 'n Tattersallskomitee kan, ten einde sy werksaamhede te verrig —

(a) 'n sekretaris, ander beamptes en werknemers aanstel op die voorwaardes en teen die vergoeding, met inbegrip van toelaes, wat sodanige komitee, onderworpe aan die bedinge en voorwaardes wat voorgeskryf word, bepaal: Met dien verstande dat die aanstelling, vergoeding en toelaes van die sekretaris aan die goedkeuring van die Administrateur onderworpe is;

(b) roerende of onroerende eiendom verkry of huur en enige eiendom of gedeelte daarvan verhuur, verkoop, verbind of andersins vreem of van die hand sit: Met dien verstande dat in die geval van onroerende eiendom die goedkeuring van die Administrateur vooraf verkry moet word.

(13) Die Administrateur kan te eniger tyd 'n Tattersallskomitee ontbind.

(14) By ontbinding van 'n Tattersallskomitee word sy bates te gelde gemaak deur iemand deur die Administrateur aangestel en, nadat alle skulde vereffen is, word die balans, as daar is, in die Provinsiale Inkomstefonds gestort.

(15) Elke Tattersalls en die komitee daarvan wat op die datum van inwerkingtreding van hierdie Ordonnansie bestaan, word geag ingevolge die bepalings van hierdie Hoofstuk ingestel te gewees het.

Administrateur bepaal aantal beroepswedders.

16.(1) Die Administrateur bepaal ten opsigte van elke Tattersalls, na raadpleging met die betrokke Tattersallskomitee, die getal hokkies wat sodanige komitee daarin moet oprig of voorsien vir die dryf van die besigheid van 'n beroepswedder en hy kan te eniger tyd die getal aldus bepaal, vermeerder of verminder.

(2) Die getal hokkies wat deur gelisensieerde beroepswedders op die datum van inwerkingtreding van hierdie Ordonnansie geokkupeer word, word geag die getal hokkies te wees wat deur die Administrateur ingevolge subartikel (1) bepaal is.

(3) Die Administrateur bepaal ten opsigte van elke gelisensieerde renbaan, na raadpleging met die betrokke wedrenklub of -klubs, die getal beroepswedders wat besigheid daarop kan dryf en hy kan te eniger tyd die getal aldus bepaal, vermeerder of verminder.

Aansoek om beroepswedderslisensie.

17. Iemand wat die besigheid van 'n beroepswedder in 'n Tattersalls of op 'n gelisensieerde renbaan wil dryf, doen, ooreenkomstig die bepalings van hierdie Hoofstuk, aansoek om 'n beroepswedderslisensie: Met dien verstande dat, behoudens sodanige bepalings, die dryf van sodanige besigheid in vennootskap tot Tattersalls beperk word.

(11) The funds of a Tattersalls committee shall consist of such moneys as are due to it in terms of the provisions of this Ordinance.

(12) A Tattersalls committee may for the purpose of performing its functions —

(a) appoint a secretary, other officers and employees on such conditions and at such remuneration, including allowances, as such committee may, subject to such terms and conditions as may be prescribed, determine: Provided that the appointment, remuneration and allowances of the secretary shall be subject to the approval of the Administrator;

(b) acquire or hire movable or immovable property or let, sell, mortgage or otherwise alienate or dispose of any property or portion thereof: Provided that in the case of immovable property the approval of the Administrator shall first be obtained.

(13) The Administrator may at any time dissolve a Tattersalls committee.

(14) Upon the dissolution of a Tattersalls committee its assets shall be realized by a person appointed by the Administrator and, after all debts have been settled, the balance, if any, shall be paid into the Provincial Revenue Fund.

(15) Every Tattersalls and the committee thereof in existence on the date of the commencement of this Ordinance shall be deemed to have been established in terms of the provisions of this Chapter.

Administrator determines number of bookmakers.

16.(1) The Administrator shall in respect of every Tattersalls, after consultation with the Tattersalls committee concerned, determine the number of cubicles which such committee shall erect or provide therein for the carrying on of the business of a bookmaker and he may at any time increase or decrease the number so determined.

(2) The number of cubicles occupied by licensed bookmakers on the date of the commencement of this Ordinance shall be deemed to be the number of cubicles determined by the Administrator in terms of subsection (1).

(3) The Administrator shall in respect of every licensed race-course, after consultation with the racing-club or racing-clubs concerned, determine the number of bookmakers who may carry on business thereon and he may at any time increase or decrease the number so determined.

Application for bookmaker's licence.

17. Any person who desires to carry on the business of a bookmaker in a Tattersalls or on a licensed race-course shall apply in accordance with the provisions of this Chapter for a bookmaker's licence: Provided that, subject to such provisions, the carrying on of such business in partnership shall be restricted to Tattersalls.

Instelling
van Be-
roepswed-
derslisensie-
komitee.

18.(1) Die Administrateur stel 'n komitee, bekend te staan as die Beroepswedderslisensiekomitee, in wat alle aansoeke om beroepswedderslisensies oorweeg.

(2) Die Lisensiekomitee bestaan uit vyf lede deur die Administrateur aangestel en hy wys een van die lede as voorsitter aan.

(3) 'n Kworum vir 'n vergadering van die Lisensiekomitee is 'n meerderheid van die lede daarvan.

(4) 'n Beslissing van die meerderheid van die aanwesige lede op 'n vergadering van die Lisensiekomitee is die beslissing van sodanige Komitee en, in die geval van 'n staking van stemme, het die lid wat by daardie vergadering voorsit, benewens sy beraadslagende stem, ook 'n beslissende stem.

(5) Wanneer die voorsitter van 'n vergadering van die Lisensiekomitee afwesig is, kies die aanwesige lede uit hul geledere 'n waarnemende voorsitter wat by daardie vergadering voorsit.

(6) 'n Lid van die Lisensiekomitee beklee sy amp vir die tydperk wat die Administrateur bepaal, maar hoogstens drie jaar, vanaf die datum van sy aanstelling tensy die Administrateur dit dienstig ag om die aanstelling van 'n lid vroeër te beëindig.

(7) 'n Lid van die Lisensiekomitee wat nie in die heeltydse diens van die Staat is nie, kan uit die Provinsiale Inkomstefonds die vergoeding en die reisuittgawes betaal word wat die Administrateur van tyd tot tyd bepaal.

(8) Die Administrateur kan —

(a) die wyse waarop kennis van 'n vergadering van die Lisensiekomitee aan sy lede of aan iemand anders gegee moet word; en

(b) die prosedure wat gevolg moet word by 'n vergadering van die Lisensiekomitee, voorskryf.

(9) Waar geen prosedure ingevolge subartikel (8)(b) voorgeskryf word nie, bepaal die voorsitter van die Lisensiekomitee die prosedure.

(10) Die Komitee deur die Administrateur ingevolge artikel 3bis van die Lisensiering van Bookmakers en Belasting, Ordonnansie, 1925 (Ordonnansie 26 van 1925), benoem en die lede daarvan wat op die datum van inwerkingtreding van hierdie Ordonnansie hul amp beklee, word onderskeidelik geag ingevolge hierdie artikel ingestel en aangestel te gewees het.

Aanstel-
ling van
Sekretaris
vir Li-
sensie-
komitee.

19. Die Administrateur stel, behoudens die wette betreffende die Staatsdiens van die Republiek, iemand as Sekretaris van die Lisensiekomitee aan.

Vakature
vir be-
roepswed-
ders gead-
verteer
te word.

20.(1) Wanneer 'n vakature vir 'n beroepswedder in 'n Tattersalls ontstaan, adverteer die betrokke Tattersallskomitee of, wanneer 'n vakature op 'n gelisensieerde renbaan ontstaan, adverteer 'n komitee deur die Administrateur goedgekeur en wat bestaan uit lede wat gesamentlik die wedrenklubs en gelisensieerde be-

Establish-
ment of
Book-
maker's
Licensing
Commit-
tee.

18.(1) The Administrator shall establish a committee, to be known as the Bookmaker's Licensing Committee, which shall consider all applications for bookmaker's licences.

(2) The Licensing Committee shall consist of five members appointed by the Administrator and he shall designate one of the members as chairman.

(3) A quorum for a meeting of the Licensing Committee shall be a majority of the members thereof.

(4) A decision of the majority of the members present at a meeting of the Licensing Committee shall be the decision of such Committee and, in the event of an equality of votes, the member presiding at that meeting shall, in addition to his deliberative vote, have a casting vote.

(5) Whenever the chairman is absent from a meeting of the Licensing Committee the members present shall elect one of their number as acting chairman who shall preside at that meeting.

(6) A member of the Licensing Committee shall hold office for the period determined by the Administrator, but not exceeding three years, from the date of his appointment unless the Administrator deems it expedient to terminate the appointment of a member sooner.

(7) A member of the Licensing Committee who is not in the full-time employ of the State may be paid from the Provincial Revenue Fund such remuneration and such travelling expenses as the Administrator may from time to time determine.

(8) The Administrator may prescribe —

(a) the manner in which notice of a meeting of the Licensing Committee shall be given to its members or to any other person; and

(b) the procedure to be followed at a meeting of the Licensing Committee.

(9) Where no procedure has been prescribed in terms of subsection (8)(b), the chairman of the Licensing Committee shall determine the procedure.

(10) The Committee appointed by the Administrator in terms of section 3bis of the Licensing of Bookmakers and Taxation Ordinance, 1925 (Ordinance 26 of 1925), and the members thereof in office on the date of the commencement of this Ordinance shall be deemed to have been established and appointed respectively in terms of this section.

Appoint-
ment of
Secretary
for Li-
censing
Commit-
tee.

19. The Administrator shall, subject to the laws relating to the Public Service of the Republic, appoint a person as Secretary of the Licensing Committee.

Vacancy
for
book-
maker
to be
adver-
tised.

20.(1) Whenever a vacancy for a bookmaker occurs in a Tattersalls, the Tattersalls committee concerned or, whenever a vacancy occurs on a licensed race-course, a committee approved by the Administrator and consisting of members representing jointly the racing-

roepswedders wat besigheid op gelisensieerde renbane dryf, verteenwoordig (hierna die Gesamentlike Komitee genoem), na gelang van die geval, sodanige vakature en stel 'n sluitingsdatum, wat nie minder as een-en-twintig dae vanaf die datum van die advertensie is nie, vas vir die ontvangs deur sodanige Tattersallskomitee of Gesamentlike Komitee van aansoeke om die vulling van sodanige vakature.

(2) 'n Advertensie in subartikel (1) genoem, is in die voorgeskrewe vorm en word eenmaal in 'n nuusblad wat in die Provinsie sirkuleer, gepubliseer en die bepalinge van artikel 110 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), is *mutatis mutandis* van toepassing op die publikasie van so 'n advertensie.

(3) Die Tattersallskomitee of Gesamentlike Komitee, na gelang van die geval, stuur binne sewe dae vanaf die datum van publikasie van die advertensie in subartikel (1) genoem, 'n afskrif daarvan per aangetekende pos aan die Sekretaris van die Lisensiekomitee.

Aansoek om vakature vir beroepswedder.

21.(1) Iemand wat aansoek wil doen om 'n vakature in artikel 20(1) beoog (hierna die aansoeker genoem), dien 'n aansoek in in die vorm en voldoen aan die vereistes wat voorgeskryf word.

(2) 'n Tattersallskomitee of die Gesamentlike Komitee, na gelang van die geval, oorweeg elke aansoek in subartikel (1) genoem en kan van 'n aansoeker vereis dat hy vir 'n onderhoud moet aanmeld, kan die aansoeker of enige ander persoon oor enige aangeleentheid betreffende die aansoek ondervra en kan die voorlegging van enige dokument vereis wat sodanige Tattersallskomitee of Gesamentlike Komitee by die aansoek ter sake ag.

(3) Iemand wat opsetlik of nalatiglik valse of misleidende inligting verstrek in of in verband met 'n aansoek in subartikel (1) genoem of in antwoord op 'n vraag in subartikel (2) beoog, is aan 'n misdryf skuldig.

(4) Die Tattersallskomitee of Gesamentlike Komitee, na gelang van die geval, stuur, na oorweging van elke aansoek soos in subartikel (2) beoog en na nakoming van die vereistes wat voorgeskryf word, elke sodanige aansoek, tesame met sy aanbeveling, aan die Sekretaris van die Lisensiekomitee.

Kennisgewing van aansoek gepubliseer te word.

22.(1) 'n Aansoeker wat 'n aansoek soos beoog in artikel 21(1) ingedien het, publiseer binne veertien dae vanaf die datum van indiening van die aansoek 'n kennisgewing in die voorgeskrewe vorm eenmaal in 'n nuusblad in artikel 20(2) beoog waarin vermeld word dat hy so 'n aansoek ingedien het.

(2) 'n Aansoeker lewer onverwyld, na die publikasie van die kennisgewing in subartikel (1) genoem, aan die Sekretaris van die Lisensiekomitee bewys van sodanige publikasie in die vorm wat sodanige Sekretaris vereis.

clubs and licensed bookmakers carrying on business on licensed race-courses (hereinafter referred to as the Joint Committee), as the case may be, shall advertise such vacancy and shall fix a closing date, which shall not be less than twenty-one days from the date of the advertisement, for the receipt by such Tattersalls committee or Joint Committee of applications for the filling of such vacancy.

(2) An advertisement referred to in subsection (1) shall be in the prescribed form and shall be published once in a newspaper circulating in the Province and the provisions of section 110 of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), shall apply *mutatis mutandis* to the publication of such advertisement.

(3) The Tattersalls committee or the Joint Committee, as the case may be, shall, within seven days from the date of publication of the advertisement referred to in subsection (1), forward a copy thereof by registered post to the Secretary of the Licensing Committee.

Application for vacancy for bookmaker.

21.(1) Any person who desires to apply for a vacancy contemplated in section 20(1) (hereinafter referred to as the applicant) shall submit an application in such form and shall comply with such requirements as may be prescribed.

(2) A Tattersalls committee or the Joint Committee, as the case may be, shall consider every application referred to in subsection (1), and may require an applicant to present himself for an interview, may question that applicant or any other person on any matter relating to the application and may require the production of any document which such Tattersalls committee or Joint Committee considers relevant to such application.

(3) A person who wilfully or negligently furnishes false or misleading information in or in connection with an application referred to in subsection (1) or in reply to a question contemplated in subsection (2) shall be guilty of an offence.

(4) The Tattersalls committee or Joint Committee, as the case may be, shall, after considering every application as contemplated in subsection (2) and after complying with such requirements as may be prescribed, forward every such application, together with its recommendation, to the Secretary of the Licensing Committee.

Notice of application to be published.

22.(1) An applicant who has submitted an application as contemplated in section 21(1) shall, within fourteen days from the date of submission of the application, publish a notice in the prescribed form once in a newspaper contemplated in section 20(2) in which it is stated that he has submitted such an application.

(2) An applicant shall forthwith, after the publication of the notice referred to in subsection (1), furnish proof of such publication to the Secretary of the Licensing Committee in such form as such Secretary may require.

Beswaar teen die toestaan van 'n beroepswedderslisensie.

23.(1) Enigiemand kan, binne veertien dae vanaf die datum van publikasie van die kennisgewing in artikel 22(1) genoem, skriftelik by of aan die Sekretaris van die Lisensiekomitee —

- (a) beswaar teen die toestaan van die aansoek aanteken; of
- (b) enige inligting aangaande die aansoeker wat hy onder die aandag van die Lisensiekomitee wil bring, verstrek.

(2) Iemand wat beswaar aanteken of inligting verstrek soos in subartikel (1) beoog, verstrek sy volle naam en posadres en meld, in die geval van 'n beswaar, volledig die redes vir sodanige beswaar.

(3) Die Sekretaris van die Lisensiekomitee voorsien die aansoeker van 'n afskrif van die beswaar aangeteken of inligting verstrek ingevolge subartikel (1).

Aanhoor van aansoek deur Lisensiekomitee.

24.(1) Die Lisensiekomitee oorweeg elke aansoek wat op die voorgeskrewe wyse aan hom voorgelê is en kan, behoudens die bepalings van hierdie Hoofstuk —

- (a) die aansoek toestaan op die voorwaardes wat hy bepaal, met inbegrip van 'n voorwaarde om 'n waarborg vir die betaling van weddenskapskulde te verskaf; of
- (b) die aansoek weier.

(2) Die bedrag van 'n waarborg in subartikel (1) beoog, is soos deur die Lisensiekomitee, hetsy in die algemeen of in die besonder, bepaal.

(3) Die Lisensiekomitee staan nie die aansoek van 'n aansoeker wat nie deur die Tattersallskomitee of die Gesamentlike Komitee, na gelang van die geval, aanbeveel is nie, toe nie alvorens hy sodanige Tattersallskomitee of Gesamentlike Komitee die geleentheid gegee het om verdere verhoë aan die Lisensiekomitee aangaande daardie aansoeker te rig.

(4) Die Lisensiekomitee kan die aanhoor van 'n aansoek tot 'n latere datum uitstel en kan van die aansoeker vereis om die verdere inligting te verstrek of 'n ander persoon versoek om die inligting te verstrek wat hy dienstig ag.

(5) Iemand wat opsetlik of nalatiglik valse of misleidende inligting verstrek in of in verband met 'n aansoek in subartikel (1) genoem, is aan 'n misdryf skuldig.

Uitreiking van beroepswedderslisensie.

25.(1) Waar 'n aansoek om 'n beroepswedderslisensie ingevolge artikel 24(1) toegestaan word, reik die Sekretaris van die Lisensiekomitee aan die aansoeker 'n beroepswedderslisensie uit wat —

- (a) in die voorgeskrewe vorm is;
- (b) onderworpe is aan die voorwaardes daarop geëndosseer, met inbegrip van, waar van toepassing, 'n voorwaarde dat die aansoeker beperk word tot die dryf van besigheid in vennootskap met sodanige gelisensieerde beroepswedder of beroepswedders daarin vermeld;

Objection to the granting of a bookmaker's licence.

23.(1) Any person may, within fourteen days from the date of publication of the notice referred to in section 22(1), in writing lodge with or furnish to the Secretary of the Licensing Committee —

- (a) an objection to the granting of the application; or
- (b) any information regarding the applicant which he wishes to bring to the notice of the Licensing Committee.

(2) Any person lodging an objection or furnishing information as contemplated in subsection (1) shall furnish his full name and postal address and, in the case of an objection, state fully the reasons for such objection.

(3) The Secretary of the Licensing Committee shall provide the applicant with a copy of the objection lodged or information furnished in terms of subsection (1).

Hearing of applications by Licensing Committee.

24.(1) The Licensing Committee shall consider every application which has been submitted to it in the manner prescribed and may, subject to the provisions of this Chapter —

- (a) grant the application on such conditions as it may determine, including a condition to furnish a guarantee for the payment of betting debts; or
- (b) refuse the application.

(2) The amount of a guarantee contemplated in subsection (1) shall be as determined by the Licensing Committee, either generally or specifically.

(3) The Licensing Committee shall not grant the application of an applicant who has not been recommended by the Tattersalls committee or the Joint Committee, as the case may be, until it has afforded such Tattersalls committee or Joint Committee the opportunity of making further representations to the Licensing Committee regarding that applicant.

(4) The Licensing Committee may postpone the hearing of an application to a later date and may require the applicant to furnish such further information or call upon any other person to furnish such information which it may deem expedient.

(5) Any person who wilfully or negligently furnishes false or misleading information in or in connection with an application referred to in subsection (1) shall be guilty of an offence.

Issue of bookmaker's licence.

25.(1) Where an application has been granted in terms of section 24(1), the Secretary of the Licensing Committee shall issue to the applicant a bookmaker's licence which shall —

- (a) be in the prescribed form;
- (b) be subject to the conditions endorsed thereon, including, where applicable, a condition that the applicant is restricted to carrying on business in partnership with such licensed bookmaker or bookmakers stated therein;

- (c) geldig word vanaf die datum waarop die voorgeskrewe lisensiegelde by die kantoor van die Ontvanger van Inkomste wat op die lisensie aangedui word, betaal is; en
- (d) geldig bly, behoudens die bepalings van hierdie Hoofstuk, vir die tydperk wat daarop geëndosseer is, welke tydperk nie na 31 Augustus van enige jaar strek nie.

(2) 'n Bookmakerslisensie wat op die datum van inwerkingtreding van hierdie Ordonnansie geldig is, word, by die toepassing van hierdie Hoofstuk, geag 'n beroepswedderslisensie te wees.

Gewone lidmaatskap van Tattersalls.

26.(1) Iemand wat agtien jaar of ouer is, kan, behoudens die bepalings van subartikel (2), as 'n gewone lid van 'n Tattersalls toegelaat word ooreenkomstig die bepalings wat die Administrateur, ondanks enige ander bepaling van hierdie Hoofstuk, voorskryf.

(2) Die Administrateur bepaal ten opsigte van elke Tattersalls die groep waaraan iemand moet behoort om as 'n gewone lid daarvan toegelaat te word.

(3) Lidmaatskap van elke Tattersalls op die datum van inwerkingtreding van hierdie Ordonnansie ingestel, word, behoudens die bepalings van subartikel (4), geag ingevolge subartikel (2) vir persone wat aan die blanke groep behoort, bepaal te gewees het.

(4) Die Administrateur kan, in die omstandighede wat hy dienstig ag, iemand wat nie 'n lid van die blanke groep is nie, magtig om toegelaat te word as 'n gewone lid van 'n Tattersalls die lidmaatskap waarvan deur die Administrateur bepaal is vir —

- (a) die blanke groep, indien sodanige persoon in besit is van 'n permit wat hom magtig om in sodanige Tattersalls teenwoordig te wees; of
- (b) 'n groep, uitgenome die blanke groep, waarvan so iemand nie 'n lid is nie.

(5) By die toepassing van hierdie artikel het "groep" en "permit" die betekenis wat in artikel 1 van die Wet op Groepsgebiede, 1966 (Wet 36 van 1966), daaraan toegeken word.

(6) Iemand wat op die datum van inwerkingtreding van hierdie Ordonnansie 'n gewone lid van 'n Tattersalls is, word geag 'n gewone lid van daardie Tattersalls ingevolge die bepalings van hierdie Hoofstuk te wees.

Gelisensieerde beroepswedder in Tattersalls moet 'n beroepswedderslid daarvan wees.

27.(1) Elke gelisensieerde beroepswedder word, voordat hy sy besigheid in 'n Tattersalls begin, 'n beroepswedderslid daarvan ooreenkomstig die bepalings wat die Administrateur, ondanks andersluidende bepalings van hierdie Hoofstuk, voorskryf en as hy ophou om so 'n lid te wees, vervel sy beroepswedderslisensie. Met dien verstande dat niemand 'n beroepswedderslid van 'n Tattersalls mag wees nie wat nie ingevolge artikel 26 as 'n gewone lid daarvan toegelaat mag word nie.

Ordinary membership of Tattersalls.

- (c) commence to be valid from the date on which the prescribed licence fee has been paid at the office of the Receiver of Revenue indicated on such licence; and

- (d) continue to be valid, subject to the provisions of this Chapter, for the period endorsed thereon which shall not extend beyond 31 August of any year.

(2) Any bookmaker's licence which is valid on the date of the commencement of this Ordinance shall be deemed to be a bookmaker's licence for the purposes of this Chapter.

26.(1) Any person of the age of eighteen years or over may, subject to the provisions of subsection (2), be admitted as an ordinary member of a Tattersalls in accordance with such provisions as the Administrator may, notwithstanding any other provisions of this Chapter, prescribe.

(2) The Administrator shall in respect of every Tattersalls determine the group to which a person shall belong in order to be admitted as an ordinary member thereof.

(3) Membership of every Tattersalls established on the date of the commencement of this Ordinance shall, subject to the provisions of subsection (4), be deemed to have been determined in terms of subsection (2) for persons belonging to the white group.

(4) The Administrator may, in such circumstances as he may deem expedient, authorize a person who is not a member of the white group to be admitted as an ordinary member of a Tattersalls the membership whereof has been determined by the Administrator to be for —

- (a) the white group, if such person is in possession of a permit authorizing him to be present in such Tattersalls; or
- (b) a group, other than the white group, of which such person is not a member.

(5) For the purposes of this section, "group" and "permit" have the meaning assigned thereto in section 1 of the Group Areas Act, 1966 (Act 36 of 1966).

(6) Any person who on the date of the commencement of this Ordinance is an ordinary member of a Tattersalls shall be deemed to be an ordinary member of that Tattersalls in terms of the provisions of this Chapter.

Licensed bookmaker in Tattersalls required to be a bookmaker member thereof.

27.(1) Every licensed bookmaker shall, before commencing his business in a Tattersalls, become a bookmaker member thereof in accordance with such provisions as the Administrator may, notwithstanding any other provisions of this Chapter, prescribe and if he ceases to be such a member his bookmaker's licence shall lapse: Provided that no person shall be a bookmaker member of a Tattersalls who may not be admitted in terms of section 26 as an ordinary member thereof.

(2) Iemand wat op die datum van inwerking-treding van hierdie Ordonnansie 'n bookmakers-lid van 'n Tattersalls is, word geag 'n beroeps-wedderslid van daardie Tattersalls ingevolge die bepalings van hierdie Hoofstuk te wees.

Hernu-
wing van
beroeps-
wedders-
lisensie.

28.(1) Wanneer 'n gelisensieerde beroepswed-der, sy beroepswedderslisensie wil hernu, doen hy, voor die verstryking daarvan, aansoek by die Sekretaris van die Lisensiekomitee in die vorm en voldoen hy aan die vereistes wat voor-geskryf word.

(2) Die bepalings van artikels 22, 23, 24(1), (2), (4) en (5), 25(1) en 27(1) is *mutatis mu-tandis* van toepassing op 'n aansoek in sub-artikel (1) genoem.

Spesiale
bepalings
betreffende
die ven-
nootskap
van be-
roepswed-
ders.

29.(1) Ondanks andersluidende bepalings in hierdie Hoofstuk vervat, doen 'n gelisensieerde beroepswedder in 'n Tattersalls wanneer hy iem- and anders, met inbegrip van 'n gelisensieerde beroepswedder, as vennoot in sy besigheid wil toelaat, aansoek, deur die betrokke Tattersalls-komitee, vir die toestemming van die Lisensie-komitee om aldus op te tree en sodanige aan-soek is in die vorm en voldoen die aansoeker aan die vereistes wat voorgeskryf word.

(2) Waar die persoon wat as vennoot inge- volge subartikel (1) toegelaat staan te word, nie 'n gelisensieerde beroepswedder is nie, doen hy, gelyktydig met die aansoek in daardie subarti- kel genoem, deur die betrokke Tattersallskomi- tee, by die Lisensiekomitee aansoek om 'n beroepswedderslisensie in die vorm en voldoen hy aan die vereistes wat voorgeskryf word.

(3) Die bepalings van artikels 21(2), (3) en (4), 22, 23, 24, 25(1) en 27(1) is *mutatis mutan- dis* van toepassing op 'n aansoek in subartikel (2) genoem.

(4) Waar toestemming soos beoog in sub- artikel (1) verleen word, is dit 'n voorwaarde van die beroepswedderslisensie van elke lid van die betrokke vennootskap dat sodanige lid slegs die besigheid van 'n gelisensieerde beroepswed- der ooreenkomstig sodanige toestemming dryf en die beroepswedderslisensie van elke sodanige lid word dienoreenkomstig geëindosseer.

(5) Wanneer 'n vennootskap van gelisen- sieerde beroepswedders as gevolg van die bedanking of terugtrekking uit sodanige ven- nootskap van 'n vennoot of die afsterwe van 'n vennoot of enige ander rede ontbind word, kan- die oorblywende gelisensieerde beroepswedder of beroepswedders, ondanks andersluidende be- palings in hierdie Hoofstuk vervat, maar onder- worpe aan kennisgewing aan die Lisensiekomitee soos voorgeskryf, die besigheid vir die onverstreke geldigheidsduur van sodanige lisen- sie dryf en enige sodanige gelisensieerde beroepswedder kan om die hernuwing van sy beroepswedderslisensie soos in artikel 28 beoog, aansoek doen en, waar van toepassing, ook vir toestemming ingevolge subartikel (1).

Gelisen-
siede
beroeps-
wedder
moet

30.(1) Behoudens die bepalings van subartikel (2) is 'n gelisensieerde beroepswedder wat sy besigheid anders as ooreenkomstig die voor-

Renewal
of book-
maker's
licence.

(2) Any person who on the date of the commencement of this Ordinance is a book- maker member of a Tattersalls shall be deemed to be a bookmaker member of that Tattersalls in terms of the provisions of this Chapter.

28.(1) Whenever a licensed bookmaker de- sires to renew his bookmaker's licence he shall, before the expiry thereof, apply to the Secre- tary of the Licensing Committee in such form and he shall comply with such requirements as may be prescribed.

(2) The provisions of sections 22, 23, 24(1), (2), (4) and (5), 25(1) and 27(1) shall apply *mutatis mutandis* to an application referred to in subsection (1).

Special
provisions
relating
to part-
nership of
book-
makers.

29.(1) Notwithstanding anything to the con- trary contained in this Chapter, a licensed bookmaker in a Tattersalls shall, whenever he desires to admit any other person, including a licensed bookmaker, as a partner in his busi- ness, apply, through the Tattersalls committee concerned, for the permission of the Licensing Committee to do so and such application shall be in such form and the applicant shall com- ply with such requirements as may be pre- scribed.

(2) Where the person to be admitted as a partner in terms of subsection (1) is not a licensed bookmaker, he shall, simultaneously with the application referred to in that subsec- tion, apply, through the Tattersalls Committee concerned, to the Licensing Committee for a bookmaker's licence in such form and he shall comply with such requirements as may be pre- scribed.

(3) The provisions of sections 21(2), (3) and (4), 22, 23, 24, 25(1) and 27(1) shall apply *mutatis mutandis* to an application referred to in subsection (2).

(4) Where permission as contemplated in subsection (1) is given, it shall be a condition of the bookmaker's licence of each member of the partnership concerned that such member may only carry on the business of a licensed bookmaker in accordance with such permission and the bookmaker's licence of each such mem- ber shall be endorsed accordingly.

(5) Whenever a partnership of licensed book- makers is dissolved by reason of the resignation, or withdrawal from such partnership of a part- ner or of the death of a partner or for any other reason, the remaining licensed bookmaker or bookmakers may, notwithstanding anything to the contrary contained in this Chapter but subject to giving such notice to the Licensing Committee as may be prescribed, carry on the business for the unexpired period of validity of such licence and any such licensed bookmaker may apply for the renewal of his bookmaker's licence as contemplated in section 28 and, where applicable, also for permission in terms of subsection (1).

Licensed
book-
maker
required
to ob-

30.(1) Subject to the provisions of subsection (2), any licensed bookmaker who carries on his business otherwise than in accordance with the

voorwaarde van beroepswedders-lisensie nakom.

waardes van sy beroepswedderslisensie dryf, aan 'n misdryf skuldig.

(2) Die Administrateur kan die omstandighede waarin 'n gelisensieerde beroepswedder tydelik die besigheid van 'n ander beroepswedder kan dryf, voorskryf.

Opkorting of intrekking van beroepswedders-lisensie.

31.(1) Wanneer 'n gelisensieerde beroepswedder aan 'n misdryf ingevolge die bepalings van hierdie Ordonnansie skuldig bevind word, kan die hof die intrekking van die beroepswedderslisensie van daardie beroepswedder beveel.

(2) Waar 'n beroepswedderslisensie ingevolge subartikel (1) ingetrek word, stel die klerk of die griffier van die betrokke hof die Administrateur dienoreenkomstig in kennis.

(3) Die Administrateur kan te eniger tyd —

(a) 'n beroepswedderslisensie vir die tydperk wat hy goed ag, opskort; of

(b) 'n beroepswedderslisensie intrek,

indien die betrokke beroepswedder —

(i) na die mening van die Administrateur, nie 'n geskikte persoon is om die besigheid van 'n beroepswedder te dryf nie; of

(ii) aan 'n misdryf ingevolge die bepalings van hierdie Ordonnansie skuldig bevind is.

(4) Wanneer 'n beroepswedderslisensie ingevolge subartikel (1) of (3) opgeskort of ingetrek word, word geen lisensiegelde terugbetaal nie.

(5) Wanneer 'n beroepswedderslisensie ingevolge subartikel (1) of (3) ingetrek is, oorweeg die Lisensiekomitee vir 'n tydperk van drie jaar vanaf die datum van sodanige intrekking nie 'n aansoek om 'n nuwe beroepswedderslisensie deur die persoon wat die houer van daardie lisensie was nie.

Plig om beroepswedders-lisensie te toon.

32. Iemand wat die besigheid van 'n beroepswedder dryf en op versoek van 'n lid van die Suid-Afrikaanse Polisie of 'n gemagtigde beamp- te versuim om ontervryd 'n beroepswedderslisensie wat die dryf van sodanige besigheid magtig, te toon, is aan 'n misdryf skuldig.

Verhindering of belemmering van gelisensieerde beroepswedder om sy besigheid te dryf.

33. Behoudens die bepalings van hierdie Ordonnansie is 'n Tattersallskomitee of wedrenklub wat 'n gelisensieerde beroepswedder ver- hinder om sy besigheid te dryf soos in sy beroepswedderslisensie bepaal of is iemand wat 'n gelisensieerde beroepswedder in die dryf van sy besigheid hinder of belemmer aan 'n misdryf skuldig.

Plig van Tattersallskomitee en wedrenklub ten opsigte van die dryf van besigheid deur be- roepswedder.

34.(1) Geen Tattersallskomitee laat 'n be- roepswedder toe om sy besigheid in 'n Tatter- salls te dryf nie en geen wedrenklub laat 'n beroepswedder toe om sy besigheid op 'n geli- sensieerde renbaan te dryf nie tensy daardie beroepswedder in besit is van 'n geldige beroeps- wedderslisensie en tensy hy sy besigheid oor- eenkomstig die voorwaardes van sodanige lisen- sie dryf.

serve conditions of book- maker's licence.

conditions of his bookmaker's licence shall be guilty of an offence.

(2) The Administrator may prescribe the cir- cumstances in which a licensed bookmaker may temporarily carry on the business of any other licensed bookmaker.

Suspension or cancella- tion of book- maker's licence.

31.(1) Whenever a licensed bookmaker is convicted of any offence in terms of the pro- visions of this Ordinance, the court may order the cancellation of the bookmaker's licence of that bookmaker.

(2) Where a bookmaker's licence is can- celled in terms of subsection (1), the clerk or the registrar of the court concerned shall ad- vise the Administrator accordingly.

(3) The Administrator may at any time —

(a) suspend any bookmaker's licence for such period as he may deem fit; or

(b) cancel any bookmaker's licence,

if the bookmaker concerned —

(i) is, in the opinion of the Administra- tor, not a fit and proper person to carry on the business of a bookmaker; or

(ii) has been convicted of any offence in terms of the provisions of this Ordin- ance.

(4) Whenever a bookmaker's licence is sus- pended or cancelled in terms of subsection (1) or (3), no licence fee shall be refunded.

(5) Whenever a bookmaker's licence has been cancelled in terms of subsection (1) or (3), the Licensing Committee shall not, for a period of three years from the date of such cancellation, consider an application for a new bookmaker's licence by the person who was the holder of that licence.

Duty to produce book- maker's licence.

32. Any person who carries on the business of a bookmaker and fails on demand by a member of the South African Police or an authorized officer to produce forthwith a book- maker's licence authorizing the carrying on of such business shall be guilty of an offence.

Prevent- ing or obstruct- ing li- censed book- maker from carrying on his business.

33. Subject to the provisions of this Ordin- ance, a Tattersalls committee or racing-club which prevents a licensed bookmaker from carrying on his business as provided for in his bookmaker's licence or any person who hinders or obstructs a licensed bookmaker in the carry- ing on of his business shall be guilty of an offence.

Duty of Tatter- salls committee and racing- club in respect of the carrying on of business by book- maker.

34.(1) No Tattersalls committee shall permit any bookmaker to carry on his business in a Tattersalls and no racing-club shall permit any bookmaker to carry on his business on a li- censed race-course unless that bookmaker is in possession of a valid bookmaker's licence and unless he carries on his business in accord- ance with the conditions of such licence.

(2) 'n Tattersallskomitee of 'n wedrenklub wat die bepalings van subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Tattersallskomitee of gemagtigde beampte van weddenskapskulde van gelisensieerde beroepswedder te beheer.

35.(1) Ondanks die bepalings van artikel 24 betreffende die verskaffing van 'n waarborg vir die betaling van weddenskapskulde, kan 'n Tattersallskomitee of 'n gemagtigde beampte wanneer hy van die feit bewus word dat 'n gelisensieerde beroepswedder weddenskapskulde aangaan of moontlik sal aangaan wat die waarborg deur sodanige beroepswedder verskaf, oorskry —

- (a) sodanige beroepswedder beveel om sy skulde te beperk of te verminder; of
- (b) van sodanige beroepswedder vereis om 'n addisionele waarborg vir die bedrag wat die betrokke Tattersallskomitee of gemagtigde beampte bepaal, te verskaf.

(2) 'n Gelisensieerde beroepswedder van wie vereis is om 'n addisionele waarborg ingevolge subartikel (1)(b) te verskaf, dryf nie sy besigheid nie alvorens daardie addisionele waarborg verskaf is.

(3) 'n Tattersallskomitee of 'n gemagtigde beampte, na gelang van die geval, doen onverwyld aan die Provinsiale Sekretaris en die Sekretaris van die Lisensieekomitee verslag oor enige optrede ingevolge subartikel (1).

(4) 'n Gelisensieerde beroepswedder wat die bepalings van subartikel (2) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Optreëgeld vir gelisensieerde beroepswedder.

36.(1) Geen wedrenklub, vereniging of iemand anders mag van 'n gelisensieerde beroepswedder vir die reg om sy besigheid op 'n gelisensieerde renbaan te dryf 'n bedrag as 'n optreëgeld wat hoër is as die bedrag wat deur die Administrateur van tyd tot tyd goedgekeur word, hef of eis nie.

(2) 'n Optreëgeld in artikel 3(4) van die Lisensiering van Bookmakers en Belasting Ordonnansie, 1925, beoog wat op die datum van inwerkingtreding van hierdie Ordonnansie ten opsigte van 'n wedrenklub geldig is, word geag ingevolge die bepalings van hierdie artikel goedgekeur te gewees het.

(3) 'n Wedrenklub, vereniging of iemand anders wat die bepalings van subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Reg van Jockieklub van Suid-Afrika.

37. Niks in hierdie Ordonnansie vervat, word so uitgelê dat dit afbreuk doen aan die reg van die Jockieklub van Suid-Afrika om 'n beroepswedder toegang tot 'n renbaan ingevolge die bepalings van die Grondwet, 'n reël of regulasie van daardie klub te verbied nie. Met dien verstande dat die Administrateur enige sodanige verbod tersyde kan stel.

Tattersalls committee or authorized officer to control betting debts of licensed bookmaker.

(2) A Tattersalls committee or a racing-club which contravenes or fails to comply with the provisions of subsection (1) shall be guilty of an offence.

35.(1) Notwithstanding the provisions of section 24 relating to the furnishing of a guarantee for the payment of betting debts, a Tattersalls committee or an authorized officer may, whenever it or he becomes aware of the fact that a licensed bookmaker is incurring or likely to incur betting debts in excess of the guarantee furnished by such bookmaker —

- (a) order such bookmaker to limit or reduce his debts; or
- (b) require such bookmaker to furnish an additional guarantee in such amount as the Tattersalls committee or authorized officer concerned may determine.

(2) A licensed bookmaker who has been required to furnish an additional guarantee in terms of subsection (1)(b) shall not carry on his business until such additional guarantee has been furnished.

(3) A Tattersalls committee or an authorized officer, as the case may be, shall report forthwith, to the Provincial Secretary and to the Secretary of the Licensing Committee any action taken in terms of subsection (1).

(4) Any licensed bookmaker who contravenes or fails to comply with the provisions of subsection (2) shall be guilty of an offence.

Stand-up fee for licensed bookmaker.

36.(1) No racing-club, association or other person shall charge, or demand from any licensed bookmaker for the right to carry on his business on a licensed race-course an amount as a stand-up fee in excess of such amount as may from time to time be approved by the Administrator.

(2) Any stand-up fee contemplated in section 3(4) of the Licensing of Bookmakers and Taxation Ordinance, 1925, which on the date of the commencement of this Ordinance was valid in respect of a racing-club shall be deemed to have been approved in terms of the provisions of this section.

(3) Any racing-club or association which or other person who contravenes or fails to comply with the provisions of subsection (1) shall be guilty of an offence.

Right of Jockey Club of South Africa.

37. Nothing in this Ordinance contained shall be construed as derogating from the right of the Jockey Club of South Africa to prohibit a bookmaker from entering a race-course in terms of the provisions of the Constitution, a rule or regulation of that Club: Provided that the Administrator may set aside any such prohibition.

DEEL 4

MISDRYWE TEN OPSIGTE VAN WEDDENSAPPE EN VERWANTE AANGELEENTHEDE

Beperking op weddensappe in sekere omstandighede.

38.(1) Niemand mag 'n weddenskap op die uitslag van 'n perdewedren aangaan nie —

(a) indien hy onder die ouderdom van agtien jaar is; of

(b) met iemand onder daardie ouderdom.

(2) Niemand, uitgenome 'n gelisensieerde beroepswedder, mag 'n weddenskap op die uitslag van 'n perdewedren aangaan nie tensy sodanige weddenskap aangegaan word —

(a) by 'n totalisator ten opsigte waarvan 'n totalisatorpermit uitgereik is;

(b) gedurende 'n wedrenbyeenkoms met 'n gelisensieerde beroepswedder wat besigheid op 'n gelisensieerde renbaan dryf; of

(c) met 'n gelisensieerde beroepswedder in 'n Tattersalls.

(3) Geen gelisensieerde beroepswedder mag 'n weddenskap op die uitslag van 'n perdewedren aangaan nie tensy die weddenskap aangegaan word —

(a) op 'n gelisensieerde renbaan gedurende 'n wedrenbyeenkoms by die plek aan daardie beroepswedder toegewys met iemand wat daardie byeenkoms bywoon of met 'n ander gelisensieerde beroepswedder wat, hetsy binne of buite die Provinsie, besigheid dryf;

(b) in 'n Tattersalls in die hokkie aan daardie beroepswedder toegewys; of

(c) by 'n totalisator ten opsigte waarvan 'n totalisatorpermit uitgereik is.

(4) Iemand wat die bepalinge van subartikel (1), (2) of (3) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

(5) Waar by 'n vervolging weens 'n misdryf in subartikel (4) genoem, beweer word dat 'n misdryf gepleeg is ten opsigte van iemand onder die ouderdom van agtien jaar, word vermoed dat sodanige persoon onder daardie ouderdom was tensy bewys word dat die beskuldigde goeie rede, uitgenome die verklaring van sodanige persoon, gehad het om te glo dat sodanige persoon nie onder daardie ouderdom was nie.

Weddensappe in sekere plekke aangegaan of die gebruik van 'n voertuig vir weddensappe verbied.

39.(1) Niemand mag, hetsy as prinsipaal, agent, bestuurder, eienaar of okkupant of as werknemer van sodanige prinsipaal, agent, bestuurder, eienaar of okkupant en hetsy op een of meer geleentheid —

(a) enige huis, woonstel, kantoor, kamer, winkel of enige ander plek hoegenaamd gebruik, hou of oophou nie of toelaat dat dit gebruik, gehou of oopgehou word nie of enige voertuig gebruik of hou nie met die doel om 'n weddenskap aan te gaan of vir enige doel in verband met weddensappe of as 'n depot om weddensappe te ontvang vir oorpasing na 'n beroepswedder of 'n totalisator;

PART 4

BETTING OFFENCES AND RELATED MATTERS

Restriction on betting in certain circumstances.

38.(1) No person shall bet upon the result of any horse-race —

(a) if he is under the age of eighteen years; or

(b) with any person under that age.

(2) No person, other than a licensed bookmaker, shall bet upon the result of any horse-race unless such bet is made —

(a) on a totalizator in respect of which a totalizator permit has been issued;

(b) during a race-meeting with a licensed bookmaker carrying on business on a licensed race-course; or

(c) with a licensed bookmaker in a Tattersalls.

(3) No licensed bookmaker shall bet upon the result of a horse-race unless the bet is made —

(a) on a licensed race-course during a race-meeting at the place allocated to that bookmaker with any person attending that meeting or with any other licensed bookmaker carrying on business either in or outside the Province;

(b) in a Tattersalls in the cubicle allocated to that bookmaker; or

(c) on a totalizator in respect of which a totalizator permit has been issued.

(4) Any person who contravenes or fails to comply with the provisions of subsection (1), (2) or (3) shall be guilty of an offence.

(5) Where in any prosecution for an offence referred to in subsection (4) it is alleged that an offence was committed in respect of a person under the age of eighteen years, it shall be presumed that such person was under that age unless it is proved that the accused had good reason, other than the statement of such person, to believe that such person was not under that age.

Betting in certain places or using any vehicle for betting prohibited.

39.(1) No person shall, whether as principal, agent, manager, owner or occupier or as employee of such principal, agent, manager, owner or occupier and whether on one or more occasions —

(a) use, keep or keep open or permit to be used, kept or kept open any house, flat, office, room, shop or any other place whatsoever or use or keep any vehicle for the purpose of betting or for any purpose connected with betting or as a depot for receiving bets for transmission to a bookmaker or a totalizator;

(b) in verband met weddenskappe in paragraaf (a) beoog, op enige wyse hulp verleen nie.

(2) Niemand mag sonder wettige rede in, op of by enige plek of in of op enige voertuig wees nie wat vir enige van die doeleindes in subartikel (1) beoog, gebruik, gehou of oopgehou word.

(3) Iemand wat die bepalings van subartikel (1) of (2) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweeduisend rand of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar of met beide daardie boete en daardie gevangenisstraf.

(4) By skuldigbevinding van iemand aan 'n misdryf ingevolge subartikel (3) kan die hof —

(a) alle geld, muntstukke, tjeks, wissels of promesse wat gevind word in, op of by enige plek of voertuig in subartikel (1) beoog of by enige persoon wat in, op of by sodanige plek of voertuig was;

(b) alle boeke, lys, kaarte, dokumente of ander stukke of enige instrument, masjien of ding wat betrekking het op of gebruik word of kan word in verband met weddenskappe wat gevind word in, op of by enige plek of voertuig in subartikel (1) beoog of op iemand wat in, op of by sodanige plek of voertuig was; of

(c) 'n voertuig wat vir enige van die doeleindes in subartikel (1) beoog, gebruik is, aan die Administrateur verbeurd verklaar.

(5) By 'n vervolging ingevolge die bepalings van hierdie artikel word vermoed, tensy die teendeel bewys word, dat —

(a) geld of ander teenprestasie ten opsigte van 'n weddenskap wat die onderwerp van die aanklag in daardie vervolging is, gegee is;

(b) 'n plek of voertuig waarin 'n wedrenkaart, dokument, boek, lys, ander artikel of ding van watter aard ook al betreffende weddenskappe of enige doel in verband met weddenskappe, gevind is, gebruik, gehou of oopgehou is vir weddenskapsdoeleindes ondanks dat sodanige plek of voertuig gebruik, gehou of oopgehou is of kon word vir enige ander doel; en

(c) iemand wat in, op of by 'n plek of voertuig in subartikel (1) beoog, gevind is in, op of by sodanige plek of voertuig sonder wettige rede was.

(6) Die bepalings van hierdie artikel is nie van toepassing nie op —

(a) 'n gelisensieerde beroepswedder ten opsigte van die besigheidsplek wat aan hom toegeken is op 'n renbaan of in 'n Tattersalls of op iemand in sy diens by daardie plek;

(b) die houer van 'n totalisatorpermit of op iemand in sy diens of op die persele waarin of waarop die totalisator gedryf word of op 'n voertuig wat deur daardie houer gebruik word;

(b) in any way render assistance in connection with betting contemplated in paragraph (a).

(2) No person shall without lawful reason be in, on or at any place or in or on any vehicle which is used, kept or kept open for any of the purposes contemplated in subsection (1).

(3) Any person who contravenes or fails to comply with the provisions of subsection (1) or (2) shall be guilty of an offence and liable on conviction to a fine not exceeding two thousand rand or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.

(4) On conviction of a person for any offence in terms of subsection (3), the court may declare that —

(a) all moneys, coins, cheques, bills or promissory notes found in, on or at any place or vehicle contemplated in subsection (1) or on any person who was in, on or at such place or vehicle;

(b) all books, lists, cards, documents or other papers or any instrument, machine or thing relating to or used or capable of being used in connection with betting found in, on or at any place or vehicle contemplated in subsection (1) or on any person who was in, on or at such place or vehicle; or

(c) a vehicle used for any of the purposes contemplated in subsection (1),

shall be forfeited to the Administrator.

(5) In a prosecution in terms of the provisions of this section it shall be presumed, unless the contrary is proved, that —

(a) money or other consideration was given in respect of a bet which is the subject of the charge in that prosecution;

(b) a place or vehicle in which any race-card, document, book, list, other article or thing of whatever nature relating to betting or any purpose in connection with betting is found, was used, kept or kept open for betting purposes notwithstanding that such place or vehicle is or may be used, kept or kept open for any other purpose; and

(c) any person found in, on or at a place or vehicle contemplated in subsection (1) was in, on or at such place or vehicle without lawful reason.

(6) The provisions of this section shall not apply to —

(a) a licensed bookmaker in respect of the place of business allocated to him on a race-course or in a Tattersalls or to any person in his employ at that place;

(b) the holder of a totalisator permit or to any person in his employ or to the premises wherein or whereon the totalisator is conducted or to a vehicle used by that holder;

- (c) 'n Tattersallskomitee ten opsigte van sy persele of op 'n wedrenklub ten opsigte van sy gelisensieerde renbaan; of
- (d) die houer van 'n spesiale lisensie in artikel 9 genoem ten opsigte van die grond in daardie lisensie vermeld op 'n dag waarop 'n wedrenbyeenkoms gehou word en op 'n totalisator wat op daardie grond bestuur word.

40.(1) Niemand mag —

- (a) hetsy vir wins, al dan nie, as 'n agent vir 'n beroepswedder met die doel om 'n weddenskap aan te gaan, optree nie;
- (b) vir wins as 'n tussenganger tussen iemand anders en 'n gelisensieerde beroepswedder met die doel om 'n weddenskap aan te gaan, optree nie; of
- (c) vir wins as 'n tussenganger tussen iemand anders en 'n totalisator met die doel om 'n weddenskap aan te gaan, optree nie.

(2) Geen gelisensieerde beroepswedder mag, hetsy regstreeks of onregstreeks, aan iemand geld of iets van waarde, betaal, skenk, belowe of onderneem om te betaal of skenk nie, uitgenome die bedrag van 'n weddenskap wat deur daardie persoon wettiglik aangegaan en gewen is, om daardie persoon oor te haal om met daardie beroepswedder of met 'n ander gelisensieerde beroepswedder 'n weddenskap aan te gaan of om daardie persoon oor te haal om iemand anders te verkry om 'n weddenskap met daardie beroepswedder of met 'n ander gelisensieerde beroepswedder aan te gaan.

(3) Iemand wat die bepalinge van subartikel (1) of (2) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

(4) By die toepassing van subartikel (1)(b) of (c) word iemand geag 'n tussenganger te wees as hy met 'n gelisensieerde beroepswedder of by 'n totalisator 'n weddenskap ten behoeve van iemand anders aangaan of van iemand anders geld, 'n kaartjie of dokument ontvang met die doel om met 'n gelisensieerde beroepswedder of by 'n totalisator 'n weddenskap ten behoeve van daardie ander persoon aan te gaan: Met dien verstande dat die bepalinge van hierdie subartikel nie van toepassing is nie op 'n wedrenklub, Tattersalls, totalisator of 'n werknemer van daardie wedrenklub, Tattersalls of totalisator in die omstandighede wat die Administrateur voorskryf.

(5) 'n Kaartjie of dokument betreffende weddenskappe en geld wat gevind word op 'n persoon of in 'n voertuig wat deur daardie persoon vir die vervoer van daardie kaartjie, dokument of geld gebruik is asook daardie voertuig kan, by skuldigbevinding van daardie persoon aan 'n oortreding van die bepalinge van hierdie artikel, deur die hof aan die Administrateur verbeurd verklaar word.

41.(1) Ondanks andersluidende bepalinge in enige ander wet vervat, kan 'n gemagtigde beampte wanneer hy redelike gronde het om te vermoed dat 'n oortreding van die bepalinge van hierdie Ordonnansie plaasvind of plaasgevind het —

- (c) a Tattersalls committee in respect of its premises or to a racing-club in respect of its licensed race-course; or
- (d) the holder of a special licence referred to in section 9 in respect of the land specified in that licence on a day on which a race-meeting is held and to a totalizator conducted on that land.

40.(1) No person shall —

- (a) whether or not for gain, act as an agent for a bookmaker for the purpose of betting;
- (b) for gain act as an intermediary between any other person and a licensed bookmaker for the purpose of betting; or
- (c) for gain act as an intermediary between any other person and a totalizator for the purpose of betting.

(2) No licensed bookmaker shall, either directly or indirectly, pay, give, promise, or undertake to pay or give to any person money or valuable thing, other than the amount of a bet legally made and won by such person, to induce that person to bet with that bookmaker or with any other licensed bookmaker or to induce that person to procure any other person to bet with that bookmaker or with any other licensed bookmaker.

(3) Any person who contravenes or fails to comply with the provisions of subsection (1) or (2) shall be guilty of an offence.

(4) For the purposes of subsection (1)(b) or (c), a person shall be deemed to be an intermediary if he bets with a licensed bookmaker or on a totalizator on behalf of any other person or accepts from any other person money, a ticket or document for the purpose of betting with a licensed bookmaker or on a totalizator on behalf of that other person: Provided that the provisions of this subsection shall not apply to a racing-club, Tattersalls, totalizator or an employee of that racing-club, Tattersalls or totalizator in such circumstances as the Administrator may prescribe.

(5) A ticket or document relating to betting and money found on a person or in a vehicle used by that person for the conveyance of that ticket, document or money as well as that vehicle may, on conviction of that person for a contravention of the provisions of this section, be declared by the court to be forfeited to the Administrator.

41.(1) Notwithstanding anything to the contrary contained in any other law, an authorized officer may, whenever he has reasonable grounds for suspecting that a contravention of the provisions of this Ordinance is taking place or has taken place —

Beperking op weddenskappe deur agent aangegaan en onwettige oorhaling om te wed.

Restriction on betting through agent and unlawful inducement to bet.

Bevoegdheid van betreding en visitering deur gemagtigde beampte.

Power of entry and search by authorized officer.

- (a) grond, met inbegrip van 'n gebou of ander struktuur daarop, betree en visenteer en kan hy iemand wat daarop of daarin gevind word, visenteer;
- (b) 'n voertuig stop en daardie voertuig en iemand wat hy daarin vind, visenteer;
- (c) iets in beslag neem wat, na sy mening, tot bewys kan strek van die pleging van 'n misdryf of wat gebruik is of gebruik kon gewees het met die doel om 'n misdryf ingevolge hierdie Ordonnansie te pleeg;

(d) van iemand wat —

- (i) 'n misdryf ingevolge die bepalings van hierdie Ordonnansie gepleeg het of wat op redelike gronde vermoed word 'n misdryf ingevolge daarvan te gepleeg het; of
- (ii) na die mening van sodanige beampte, in staat sal wees om getuie te lewer in verband met 'n misdryf wat ingevolge die bepalings van hierdie Ordonnansie gepleeg is of wat op redelike gronde vermoed word 'n misdryf ingevolge daarvan te gepleeg het,

vereis om sy naam en adres te verstrek; en

- (e) iemand wat, na die mening van sodanige beampte, oor inligting beskik in verband met 'n misdryf in paragraaf (d) beoog, beveel om aan hom daardie inligting te verstrek.

(2) Die bepalings van artikel 29 van die Strafproseswet, 1977 (Wet 51 van 1977), is *mutatis mutandis* van toepassing op 'n visentering deur 'n gemagtigde beampte ingevolge die bepalings van subartikel (1).

(3) Iemand wat —

- (a) 'n gemagtigde beampte in die uitoefening van 'n bevoegdheid aan hom verleen of in die uitvoering van 'n funksie of plig hom ingevolge subartikel (1) opgelê, opsetlik belemmer, hinder of dwarsboom;
- (b) weier of versuim om aan 'n bevel, voorskrif of vereiste van 'n gemagtigde beampte in die uitoefening van 'n bevoegdheid of die uitvoering van 'n funksie of plig deur hom ingevolge subartikel (1) te voldoen;
- (c) aan 'n gemagtigde beampte opsetlik vals of misleidende inligting verskaf; of
- (d) valslik voorgee om 'n gemagtigde beampte te wees,

is aan 'n misdryf skuldig.

- (a) enter and search land, including a building or other structure thereon, and he may search any person found thereon or therein;

- (b) stop a vehicle and search that vehicle and any person found therein;

- (c) seize anything which, in his opinion, may afford evidence of the commission of an offence or which was or could have been used for the purpose of the commission of an offence in terms of this Ordinance;

(d) demand from any person who —

- (i) has committed any offence in terms of the provisions of this Ordinance or who is suspected on reasonable grounds of having committed an offence in terms thereof; or
- (ii) in the opinion of such officer, would be able to give evidence in connection with an offence committed in terms of the provisions of this Ordinance or is suspected on reasonable grounds to have committed an offence in terms thereof,

to furnish his name and address; and

- (e) order any person who, in the opinion of such officer, has information in connection with an offence contemplated in paragraph (d) to furnish him with that information.

(2) The provisions of section 29 of the Criminal Procedure Act, 1977 (Act 51 of 1977), shall apply *mutatis mutandis* to a search by an authorized officer in terms of the provisions of subsection (1).

(3) Any person who —

- (a) wilfully obstructs, hinders or interferes with an authorized officer in the exercise of any power conferred on him or in the performance of any function or duty imposed on him in terms of subsection (1);
- (b) refuses or fails to comply with an order, direction or requirement of an authorized officer in the exercise of any power or the performance of any function or duty by him in terms of subsection (1);
- (c) wilfully furnishes to an authorized officer false or misleading information; or
- (d) falsely pretends to be an authorized officer, shall be guilty of an offence.

Vicarious responsibility of bookmaker.

42. Whenever any person in the employ of a licensed bookmaker commits or omits to do any act which is an offence in terms of the provisions of this Chapter, the bookmaker concerned shall also be deemed to have committed or to have omitted to do that act.

Middel-
like aan-
spreeklik-
heid van
beroeps-
wedder.

42. Wanneer iemand in diens van 'n gelisensieerde beroepswedder 'n daad verrig of nalaat om 'n daad te verrig wat 'n misdryf ingevolge die bepalings van hierdie Hoofstuk is, word die betrokke beroepswedder geag ook daardie daad te verrig het of nagelaat het om dit te verrig.

DEEL 5

VEREFFENING VAN WEDDENSAPPE

Plekke
vir ver-
effening
van wed-
denskap-
pe.

43.(1) Ondanks andersluidende bepalings in hierdie Ordonnansie vervat —

- (a) kan die houer van 'n totalisatorpermit weddenskappe wat by 'n totalisator aangegaan is by die plek of plekke in sodanige permit vermeld, vereffen;
- (b) kan die Administrateur, onderworpe aan die voorwaardes wat hy goed ag, 'n skriftelike magtiging aan iemand uitreik om die plek in die magtiging vermeld, oop te hou waar weddenskappe by 'n wedrenbyeenkoms op 'n gelisensieerde renbaan aangegaan, vereffen kan word, hetsy daardie wedrenbyeenkoms binne of buite die Provinsie gehou is, al dan nie; en
- (c) word weddenskappe by 'n Tattersalls aangegaan by daardie Tattersalls vereffen onderworpe aan die voorwaardes wat voorgeskryf word.

(2) Iemand aan wie 'n magtiging ingevolge subartikel (1)(b) uitgereik is, kan 'n plek daarin vermeld vir enige ander doel in verband met perdewedrenne gebruik indien daardie gebruik nie 'n oortreding van die bepalings van hierdie Ordonnansie of 'n ander wet is nie.

(3) Die Administrateur kan te eniger tyd —

- (a) 'n voorwaarde ingevolge subartikel (1)(b) opgelê, wysig of intrek; of
- (b) 'n magtiging ingevolge subartikel (1)(b) uitgereik, intrek indien die houer van die magtiging 'n bepaling van 'n wet betreffende perdewedrenne en weddenskappe oortree.

(4) 'n Magtiging ingevolge die bepalings van subartikel (1)(b) uitgereik, is, behoudens die bepalings van subartikel (3), geldig vir die tydperk daarin vermeld.

(5) Iemand wat versuim om te voldoen aan 'n voorwaarde van 'n magtiging ingevolge hierdie artikel uitgereik, is aan 'n misdryf skuldig.

HOOFSTUK 3

BELASTING EN HEFFINGS

Belasting
op gelde
vir toe-
gang tot
gelisensi-
eerde
renbaan.

44.(1) 'n Wedrenklub betaal aan die Sekretaris van Binnelandse Inkomste ten bate van die Provinsiale Inkomstefonds 'n belasting bereken teen die koers van drie-en-dertig en een derde persent van die bruto bedrag deur daardie wedrenklub ten opsigte van toegangsgelde tot sy gelisensieerde renbaan ontvang.

(2) 'n Wedrenklub moet —

- (a) aan die Sekretaris van Binnelandse Inkomste sekuriteit verskaf vir die betaling van die belasting in subartikel (1) beoog in die vorm en vir die bedrag wat hy van tyd tot tyd vereis;

PART 5

SETTLEMENT OF BETS

Places
for sett-
ling of
bets.

43.(1) Notwithstanding anything to the contrary contained in this Ordinance —

- (a) the holder of a totalizator permit may settle bets made on a totalizator at the place or places specified in such permit;
- (b) the Administrator may, subject to such conditions as he may deem fit, issue a written authorization to any person to keep open the place specified in the authorization where bets made at a race-meeting on a licensed race-course may be settled, whether or not such race-meeting was held in or outside the Province; and
- (c) any bets made at a Tattersalls shall be settled at that Tattersalls subject to such conditions as may be prescribed.

(2) Any person to whom an authorization has been issued in terms of subsection (1)(b) may use a place specified therein for any other purpose in connection with horse-racing if that use is not a contravention of the provisions of this Ordinance or any other law.

(3) The Administrator may at any time —

- (a) amend or cancel a condition imposed in terms of subsection (1)(b); or
- (b) cancel an authorization issued in terms of subsection (1)(b) if the holder of the authorization contravenes any provision of a law relating to horse-racing and betting.

(4) An authorization issued in terms of subsection (1)(b) shall, subject to the provisions of subsection (3), be valid for the period stated therein.

(5) Any person who fails to comply with a condition of an authorization issued in terms of this section shall be guilty of an offence.

CHAPTER 3

TAXATION AND LEVIES

Tax on
fees for
admission
to licen-
sed race-
course.

44.(1) A racing-club shall pay to the Secretary for Inland Revenue for the benefit of the Provincial Revenue Fund a tax calculated at the rate of thirty-three and one third per cent of the gross amount received by that racing-club in respect of admission fees to its licensed race-course.

(2) A racing-club shall —

- (a) lodge with the Secretary for Inland Revenue security for the payment of the tax contemplated in subsection (1) in such form and in such amount as he may from time to time require;

(b) die rekords hou en die reëlings, met inbegrip van die oprigting van afsluitings en draaihekke, tref wat die Sekretaris van Binnelandse Inkomste vereis ten einde die aantal persone wat tot sy gelisensieerde renbaan toegelaat word en die bedrag deur daardie persone ten opsigte van toegangsgelde betaal, vas te stel; en

(c) binne vier dae vanaf die hou van 'n wedrenbyeenkoms aan die Sekretaris van Binnelandse Inkomste 'n beëdigde verklaring voorlê wat —

(i) die naam van die wedrenklub en die gelisensieerde renbaan;

(ii) die datum waarop die wedrenbyeenkoms gehou is;

(iii) die bruto bedrag ten opsigte van toegangsgelde tot daardie renbaan op daardie datum ontvang; en

(iv) die bedrag van belasting betaalbaar, aantoon en moet gelyktydig daardie belasting betaal.

(3) Die Sekretaris van Binnelandse Inkomste kan die sekuriteit of enige gedeelte daarvan ingevolge subartikel (2)(a) verskaf, ter vereffening of gedeeltelike vereffening van enige belasting wat ingevolge hierdie artikel betaalbaar is, aanwend.

(4) 'n Gemagtigde beampte en 'n beampte skriftelik deur die Sekretaris van Binnelandse Inkomste daartoe gemagtig, kan te enige redelike tyd —

(a) 'n gelisensieerde renbaan betree ten einde vas te stel of aan die bepalinge van hierdie artikel voldoen is of word; of

(b) enige boek, dokument, stuk, masjien of draaihek wat in verband met die toegang van persone tot 'n gelisensieerde renbaan gebruik word, ondersoek.

(5) 'n Wedrenklub wat die bepalinge van hierdie artikel oortree of versuim om daaraan te voldoen en iemand wat 'n beampte in subartikel (4) beoog, verhinder, hinder of belemmer om 'n gelisensieerde renbaan te betree of 'n ondersoek in daardie subartikel beoog, uit te voer, is aan 'n misdryf skuldig.

Totalisatorbelasting.

45.(1) 'n Wedrenklub, ten opsigte van 'n totalisator wat deur of namens hom deur die Raad bestuur word, en 'n houër van 'n spesiale lisensie in artikel 9 genoem, ten opsigte van 'n totalisator wat deur hom bestuur word, en die Raad, ten opsigte van 'n totalisator wat deur hom bestuur word namens 'n persoon in artikel 11(1)(c) genoem, betaal, behoudens die bepalinge van subartikel (5), aan die Sekretaris van Binnelandse Inkomste ten bate van die Provinsiale Inkomstefonds 'n belasting bereken teen —

(a) die persentasie van die bruto ontvangste van daardie totalisator wat die Administrateur voorskryf of van die gedeelte van daardie ontvangste wat insgelyks voorgeskryf word;

(b) keep such records and make such arrangements, including the erection of barriers and turnstiles, as may be required by the Secretary for Inland Revenue in order to ascertain the number of persons admitted to its licensed race-course and the amount paid by those persons in respect of admission fees; and

(c) within four days from the holding of a race-meeting submit to the Secretary for Inland Revenue a sworn statement showing —

(i) the name of the racing-club and the licensed race-course;

(ii) the date on which the race-meeting was held;

(iii) the gross amount received in respect of admission fees to that race-course on that date; and

(iv) the amount of tax payable,

and shall simultaneously pay that tax.

(3) The Secretary for Inland Revenue may utilise the security or any portion thereof lodged in terms of subsection (2)(a) in settlement or part settlement of any tax payable in terms of this section.

(4) An authorized officer and any officer authorized thereto in writing by the Secretary for Inland Revenue may at any reasonable time —

(a) enter a licensed race-course in order to ascertain whether the provisions of this section are being or have been complied with; or

(b) inspect any book, document, paper, machine or turnstile used in connection with the admission of persons to a licensed race-course.

(5) A racing-club which contravenes or fails to comply with the provisions of this section and any person who prevents, hinders or obstructs an officer contemplated in subsection (4) from entering a licensed race-course or carrying out an inspection contemplated in that subsection shall be guilty of an offence.

Totalisator tax.

45.(1) A racing-club, in respect of a totalisator conducted by it or by the Board on its behalf, and a holder of a special licence referred to in section 9, in respect of a totalisator conducted by him, and the Board, in respect of a totalisator conducted by it on behalf of a person referred to in section 11(1)(c), shall, subject to the provisions of subsection (5), pay to the Secretary for Inland Revenue for the benefit of the Provincial Revenue Fund a tax calculated at —

(a) such percentage of the gross takings of that totalisator as the Administrator may prescribe or of such portion of those takings as may likewise be prescribed;

- (b) die koers van tien persent van die netto ontvangste by so 'n totalisator wat, nadat 'n dividend op daardie ontvangste verklaar is, onuitgekeer is omdat geen breukdeel van tien sent as dividend verklaar is nie of omdat geen kaartjie wat die houer daarvan op 'n dividend geregtig sou gemaak het, van die hand gesit is nie; en
- (c) die koers van tien persent van alle dividende wat drie maande nadat dit verklaar is nog onuitbetaal is:

Met dien verstande dat die bepalings van paragrafe (b) en (c) nie op die Raad van toepassing is nie ten opsigte van 'n totalisator wat deur hom namens 'n persoon in artikel 11(1)(c) genoem, bestuur word.

(2) 'n Wedrenklub, ten opsigte van 'n totalisator wat deur of namens hom deur die Raad bestuur word, en 'n houer van 'n spesiale lisensie in artikel 9 genoem, ten opsigte van 'n totalisator wat deur hom bestuur word, en die Raad, ten opsigte van 'n totalisator wat deur hom namens 'n persoon genoem in artikel 11(1)(c) bestuur word, moet, ten einde die belasting in subartikel (1) genoem, te betaal, aan die Sekretaris van Binnelandse Inkomste, binne die tydperk in subartikel (3) vermeld, 'n beëdigde verklaring in die vorm en op die wyse deur sodanige Sekretaris vereis, voorlê wat —

- (a) die bruto ontvangste van elke totalisator in subartikel (1)(a) genoem;
- (b) die totale bedrag van onuitgekeerde netto ontvangste van elke totalisator in subartikel (1)(b) genoem; en
- (c) die totale bedrag van onbetaalde dividende in subartikel (1)(c) genoem; of
- (d) waar daar geen ontvangste of geen onbetaalde dividende was nie, daardie feit,

aantoon.

(3) Die beëdigde verklaring in subartikel (2) genoem, word binne een-en-twintig dae na die datum van 'n wedrenbyeenkoms ten opsigte waarvan 'n totalisator bestuur is, voorgelê en, in die geval waar dividende verklaar is wat na 'n tydperk van drie maande na die verklaring daarvan nog nie uitbetaal is nie, binne een-en-twintig dae na die verstryking van sodanige tydperk van drie maande.

(4) Die belasting betaalbaar ingevolge subartikel (1) word gelyktydig met die voorlegging van die verklaring in subartikel (2) genoem, betaal.

(5) Die bedrag van die belasting ingevolge subartikel (1)(a) betaalbaar, tesame met die bedrag van die kommissie in artikel 13 genoem, oorskry nie die persentasie, deur die Administrateur voorgeskryf, van die bruto ontvangste by daardie totalisator nie.

(6) By die toepassing van subartikel (1)(b) word die netto ontvangste bepaal deur van die bruto ontvangste by 'n totalisator die totale bedrag van die kommissie in artikel 13 genoem asook die belasting in subartikel (1)(a) genoem, af te trek.

- (b) the rate of ten per cent of the net takings at such totalizator which, after a dividend has been declared on those takings, are undistributed because no fractional part of ten cents is declared as a dividend or because no ticket which would entitle the holder thereof to a dividend, was disposed of; and
- (c) the rate of ten per cent of all dividends which, three months after declaration thereof, have not been paid out:

Provided that the provisions of paragraphs (b) and (c) shall not apply to the Board in respect of a totalizator conducted by it on behalf of a person referred to in section 11(1)(c).

(2) A racing-club, in respect of a totalizator conducted by it or by the Board on its behalf, and a holder of a special licence referred to in section 9, in respect of a totalizator conducted by him, and the Board, in respect of a totalizator conducted by it on behalf of a person referred to in section 11(1)(c), shall, for the purpose of the payment of the tax referred to in subsection (1), submit to the Secretary for Inland Revenue, within the period stated in subsection (3), a sworn statement in the form and in the manner required by such Secretary, showing —

- (a) the gross takings of each totalizator referred to in subsection (1)(a);
- (b) the total amount of undistributed net takings of every totalizator referred to in subsection (1)(b); and
- (c) the total amount of unpaid dividends referred to in subsection (1)(c); or
- (d) where there have been no takings or no unpaid dividends, that fact.

(3) The sworn statement referred to in subsection (2) shall be submitted within twenty-one days after the date of a race-meeting in respect of which a totalizator was conducted and, in the case where dividends were declared which have remained unpaid for a period of three months after the declaration thereof, within twenty-one days after the expiration of such period of three months.

(4) The tax payable in terms of subsection (1) shall be paid simultaneously with the submission of the statement referred to in subsection (2).

(5) The amount of the tax payable in terms of subsection (1)(a), together with the commission referred to in section 13, shall not exceed such percentage of the gross takings at that totalizator as the Administrator may prescribe.

(6) For the purposes of subsection (1)(b), net takings shall be determined by deducting from the gross takings at a totalizator the total amount of the commission referred to in section 13 as well as the tax referred to in subsection (1)(a).

(7) Indien die belasting wat ingevolge subartikel (1) betaalbaar is, nie binne die tydperk genoem in subartikel (3) betaal word nie, betaal die wedrenklub of die houer van 'n spesiale lisensie in artikel 9 genoem of die Raad, na gelang van die geval, 'n boete op die bedrag van enige uitstaande belasting soos in artikel 7 van die Wet op Finansiële Verhoudings, 1976 (Wet 65 van 1976), bepaal.

(8) 'n Wedrenklub of 'n houer van 'n spesiale lisensie in artikel 9 genoem, moet —

- (a) binne sewe dae nadat 'n wedrenbyeenkoms deur daardie klub of houer gehou is al die besonderhede in subartikel (2)(a), (b) en (c) beoog in 'n boek wat vir daardie doel gehou word, aanteken; en
- (b) te alle redelike tye 'n gemagtigde beampte of iemand wat behoorlik deur die Provinsiale Sekretaris of die Sekretaris van Binnelandse Inkomste skriftelik daartoe gemagtig is, toelaat om insae in sodanige boek te hê.

(9) 'n Wedrenklub of houer van 'n spesiale lisensie in artikel 9 genoem wat die bepalings van subartikel (8) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

(10) Waar die Administrateur van mening is dat 'n wedrenklub of die houer van 'n spesiale lisensie in artikel 9 genoem die bepalings van subartikel (2), (3) of (4) oortree het of versuim het om daaraan te voldoen of in die verklaring in subartikel (2) beoog, opsetlik inligting verstrek het wat vals is of bedoel is om te bedrieg, kan hy 'n lisensie, permit of magtiging wat aan sodanige klub of houer ingevolge die bepalings van hierdie Ordonnansie uitgereik is, intrek.

Belasting op weddenskap-transaksies.

46.(1) Die belasting wat hierna genoem word, word ten bate van die Provinsiale Inkomstefonds gehef en ingevorder en is betaalbaar —

- (a) deur elke persoon, met inbegrip van 'n gelisenseerde beroepswedder, wat 'n weddenskap by 'n beroepswedder aangegaan het —

- (i) op 'n gelisenseerde renbaan; of
- (ii) by 'n Tattersalls,

op die bedrag, uitgenome die bedrag verwed, wat aan so 'n persoon deur sodanige beroepswedder betaalbaar is ten opsigte van sodanige weddenskap bereken teen die persentasie wat ten opsigte van die betrokke renbaan of Tattersalls voorgeskryf word;

- (b) deur elke gelisenseerde beroepswedder op die bedrag van sy netto winste uit weddenskappe wat aangegaan is —

- (i) op 'n gelisenseerde renbaan; of
- (ii) by 'n Tattersalls,

bereken teen die persentasie wat ten opsigte van die betrokke renbaan of Tattersalls voorgeskryf word.

- (2) 'n Gelisenseerde beroepswedder wat aan iemand 'n bedrag moet betaal waarop die be-

(7) If the tax payable in terms of subsection (1) is not paid within the period referred to in subsection (3), the racing-club or the holder of a special licence referred to in section 9 or the Board, as the case may be, shall pay a penalty on the amount of any outstanding tax as provided for in section 7 of the Financial Relations Act, 1976 (Act 65 of 1976).

(8) A racing-club or a holder of a special licence referred to in section 9 shall —

- (a) within seven days after a race-meeting has been held by that club or holder enter in a book kept for that purpose all the particulars contemplated in subsection (2)(a), (b) and (c); and
- (b) at all reasonable times permit an authorized officer or any person duly authorized thereto in writing by the Provincial Secretary or by the Secretary for Inland Revenue to inspect such book.

(9) A racing-club which or the holder of a special licence referred to in section 9 who contravenes or fails to comply with the provisions of subsection (8) shall be guilty of an offence.

(10) Where the Administrator is of the opinion that a racing-club or the holder of a special licence referred to in section 9 has contravened or failed to comply with the provisions of subsection (2), (3) or (4), or has in the statement contemplated in subsection (2) wilfully furnished information which is false or is intended to deceive, he may cancel a licence, permit or an authorization issued to such club or holder in terms of the provisions of this Ordinance.

Tax on betting transactions.

46.(1) The taxes hereinafter referred to shall be levied and collected for the benefit of the Provincial Revenue Fund and shall be payable —

- (a) by every person, including a licensed bookmaker, who has made a bet with a bookmaker —

- (i) on a licensed race-course; or
- (ii) at a Tattersalls,

on the amount payable, excluding the amount staked, to such person by such bookmaker in respect of such bet calculated at such percentage as may be prescribed in respect of the race-course or Tattersalls concerned;

- (b) by every licensed bookmaker on the amount of his net winnings arising from bets made —

- (i) on a licensed race-course; or
- (ii) at a Tattersalls,

calculated at such percentage as may be prescribed in respect of the race-course or Tattersalls concerned.

- (2) A licensed bookmaker who is liable to pay to any person an amount on which the tax

lasting in subartikel (1)(a) genoem, betaalbaar is, trek die belasting wat betaalbaar is van sodanige bedrag af en betaal, behoudens die bepalinge van subartikel (4), sodanige belasting aan die Sekretaris van Binnelandse Inkomste tesame met die bedrae deur hom ingevolge subartikel (1)(b) betaalbaar. Met dien verstande dat 'n gelisensieerde beroepswedder ten opsigte van 'n besondere wedren nie 'n groter bedrag ten opsigte van belastinge in subartikel (1)(a) en (b) beoog aan die Sekretaris van Binnelandse Inkomste hoef te betaal nie as die bedrag wat betaalbaar sou gewees het indien die totaal van die belastinge wat betaalbaar is, bereken sou word op 'n som wat verkry word deur van die totale bedrag wat by hom verwed is ten opsigte van alle weddenskappe op daardie wedren, af te trek —

- (a) die totale bedrag wat by hom verwed is ten opsigte van weddenskappe wat deur hom op daardie wedren verloor is; en
- (b) die totale bedrag deur hom verwed ten opsigte van weddenskappe wat deur hom op daardie wedren verloor is en wat geplaas is —
 - (i) by 'n totalisator in die Provinsie; en
 - (ii) by 'n gelisensieerde beroepswedder wat in die Provinsie besigheid dryf:

Met dien verstande voorts dat die bedrag in paragraaf (b) genoem, nie die totale bedrag wat by hom ten opsigte van alle weddenskappe op daardie wedren verwed is, oorskry nie.

(3) By die toepassing van hierdie artikel word die netto winste bepaal deur van die totale bedrag verwed by 'n gelisensieerde beroepswedder ten opsigte van alle weddenskappe die bedrag wat deur sodanige beroepswedder betaalbaar is ter vereffening van alle weddenskappe wat gewen is asook die bedrag wat ten opsigte van laasgenoemde weddenskappe verwed is, af te trek.

(4) 'n Gelisensieerde beroepswedder lê, nie later nie as Dinsdag van elke week of, indien enige Dinsdag 'n openbare feesdag is, nie later nie as die eersvolgende werksdag, aan die Sekretaris van Binnelandse Inkomste 'n beëdigde verklaring voor in die vorm en wat die inligting wat voorgeskryf word, bevat ten opsigte van sy weddenskaptransaksies gedurende die voorafgaande week en betaal gelyktydig die belasting op sodanige transaksies. Met dien verstande dat indien daar geen transaksies was nie, hy daardie feit onder eed verklaar.

(5) Indien die belasting wat ingevolge subartikel (1) betaalbaar is, nie binne die tydperk genoem in subartikel (4) betaal word nie, betaal die gelisensieerde beroepswedder 'n boete op die bedrag van enige uitstaande belasting soos in artikel 7 van die Wet op Finansiële Verhoudings, 1976, bepaal.

(6) 'n Gelisensieerde beroepswedder wat —

- (a) versuim om die verklaring in subartikel (4) beoog, voor te lê;

referred to in subsection (1)(a) is payable, shall deduct the tax payable from such amount and shall, subject to the provisions of subsection (4), pay such tax to the Secretary for Inland Revenue together with the amounts payable by him in terms of subsection (1)(b): Provided that a licensed bookmaker shall, in respect of any particular race, not be required to pay to the Secretary for Inland Revenue a greater amount in respect of taxes contemplated in subsection (1)(a) and (b) than the amount which would have been payable if the total of the taxes payable were calculated upon a sum arrived at by deducting from the total amount staked with him in respect of all bets on that race —

- (a) the total amount staked with him in respect of bets lost by him on that race; and
- (b) the total amount staked by him in respect of bets lost by him on that race and placed —
 - (i) on a totalizator in the Province; and
 - (ii) with a licensed bookmaker carrying on business in the Province:

Provided further that the amount referred to in paragraph (b) shall not exceed the total amount staked with him in respect of all bets on that race.

(3) For the purposes of this section, net winnings shall be determined by deducting from the total amount staked with a licensed bookmaker in respect of all bets the amount payable by such bookmaker in settlement of all winning bets as well as the amount staked in respect of such last-mentioned bets.

(4) A licensed bookmaker shall, not later than Tuesday in each week or, if any Tuesday is a public holiday, not later than the next working day, submit to the Secretary for Inland Revenue a sworn statement in the form and containing such information in respect of his betting transactions during the preceding week as may be prescribed, and shall simultaneously pay the tax on such transactions: Provided that if there were no transactions, he shall state that fact under oath.

(5) If the tax payable in terms of subsection (1) is not paid within the period referred to in subsection (4), the licensed bookmaker shall pay a penalty on the amount of any outstanding tax as provided for in section 7 of the Financial Relations Act, 1976.

(6) A licensed bookmaker who —

- (a) fails to submit the statement contemplated in subsection (4);

(b) versuim om die belasting in subartikel (4) genoem, te betaal; of

(c) opsetlik 'n valse of misleidende verklaring voorlê,

is aan 'n misdryf skuldig.

(7) Waar 'n beroepswedder versuim om binne sewe dae 'n verklaring voor te lê of die belasting te betaal soos in subartikel (4) bepaal, word die beroepswedderslisensie van sodanige beroepswedder geag opgeskort te wees en dryf hy nie die besigheid van 'n beroepswedder nie of word hy nie toegelaat om daardie besigheid te dryf nie alvorens die verklaring voorgelê en die belasting en boete betaalbaar, betaal is.

Pilg van wedren-klub en Tattersalls-komitee om lys van gelisensieerde beroepswedders voor te lê.

47.(1) 'n Wedrenklub lê aan die Sekretaris van Binnelandse Inkomste binne vier dae na die hou van 'n wedrenbyeenkoms 'n lys van alle gelisensieerde beroepswedders wat besigheid by sodanige wedrenbyeenkoms gedryf het, voor.

(2) 'n Tattersallskomitee lê aan die Sekretaris van Binnelandse Inkomste nie later nie as Dinsdag in elke week 'n lys van alle gelisensieerde beroepswedders wat besigheid gedurende die voorafgaande week gedryf het, voor.

(3) 'n Wedrenklub of Tattersallskomitee wat die bepalings van subartikel (1) of (2) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Gelisensieerde beroepswedder sekeriteit te verskaf.

48.(1) Ondanks andersluidende bepalings in hierdie Ordonnansie vervat, dryf 'n gelisensieerde beroepswedder nie besigheid nie alvorens hy aan die Sekretaris van Binnelandse Inkomste sekeriteit vir die betaling van enige belasting wat ingevolge die bepalings van hierdie Hoofstuk betaalbaar mag word, verskaf het in die vorm en vir die bedrag wat sodanige Sekretaris vereis.

(2) Die Sekretaris van Binnelandse Inkomste kan te eniger tyd van 'n gelisensieerde beroepswedder vereis dat hy bykomstige sekeriteit, hetsy vir 'n besondere tydperk; al dan nie, verskaf en sodanige sekeriteit is in die vorm en vir die bedrag wat sodanige Sekretaris vereis.

(3) Die Sekretaris van Binnelandse Inkomste kan, na goeëdunke, enige sekeriteit in subartikels (1) en (2) beoog, vir die vereffening of gedeeltelike vereffening van enige onbetaalde belasting wat ingevolge die bepalings van hierdie Hoofstuk betaalbaar is, aanwend.

(4) 'n Gelisensieerde beroepswedder wat die bepalings van subartikel (1) of (2) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Boeke voorgelê te word.

49.(1) 'n Gemagtigde beampte of 'n beampte deur die Sekretaris van Binnelandse Inkomste skriftelik daartoe gemagtig, kan te eniger tyd die voorlegging deur 'n gelisensieerde beroepswedder van enige boek, dokument, kaartjie of ander stuk of instrument, masjien of artikel wat deur sodanige beroepswedder in verband met sy besigheid gebruik word, versoek en hy kan enige sodanige boek, dokument, kaartjie, stuk,

(b) fails to pay the tax referred to in subsection (4); or

(c) wilfully submits a false or misleading statement,

shall be guilty of an offence.

(7) Where a licensed bookmaker fails within seven days to submit a statement or to pay the tax as required by subsection (4), the bookmaker's licence of such bookmaker shall be deemed to have been suspended and he shall not carry on the business of a bookmaker or be permitted to carry on that business until the statement has been submitted and the tax and penalty payable have been paid.

Duty of racing-club and Tattersalls committee to submit list of licensed bookmakers.

47.(1) A racing-club shall submit to the Secretary for Inland Revenue within four days after the holding of any race-meeting a list of all licensed bookmakers who carried on business at such race-meeting.

(2) A Tattersalls committee shall submit to the Secretary for Inland Revenue not later than Tuesday in each week a list of all licensed bookmakers who carried on business during the preceding week.

(3) Any racing-club or Tattersalls committee which contravenes or fails to comply with the provisions of subsection (1) or (2) shall be guilty of an offence.

Licensed bookmaker to lodge security.

48.(1) Notwithstanding anything to the contrary contained in this Ordinance, a licensed bookmaker shall not carry on business until he has lodged with the Secretary for Inland Revenue security for the payment of any tax which may become payable in terms of the provisions of this Chapter in such form and in such amount as such Secretary may require.

(2) The Secretary for Inland Revenue may at any time require any licensed bookmaker to lodge additional security, whether for a specified period or not, and such security shall be in such form and in such amount as such Secretary may require.

(3) The Secretary for Inland Revenue may, in his discretion, utilise any security contemplated in subsections (1) and (2) for the settlement or part settlement of any unpaid tax payable in terms of the provisions of this Chapter.

(4) Any licensed bookmaker who contravenes or fails to comply with the provisions of subsection (1) or (2) shall be guilty of an offence.

Books to be produced.

49.(1) An authorized officer or any officer authorized thereto in writing by the Secretary for Inland Revenue, may at any time demand the production by a licensed bookmaker of any book, document, ticket or other paper or instrument, machine or article used by such bookmaker in connection with his business and he may inspect or remove for inspection any such

instrument, masjien of artikel ondersoek of vir ondersoek verwyder.

(2) 'n Gelisensieerde beroepswedder wat versuim of weier om aan 'n versoek in subartikel (1) beoog, te voldoen, of wat 'n beamppte in daardie subartikel genoem in die uitvoering van sy pligte hinder of belemmer, is aan 'n misdryf skuldig.

Verhaal van belasting.

50. 'n Belasting ingevolge die bepalings van hierdie Ordonnansie betaalbaar, maak 'n skuld uit wat aan die Transvaalse Provinsiale Administrasie verskuldig is en kan deur sodanige Administrasie of deur die Sekretaris van Binnelandse Inkomste namens sodanige Administrasie in 'n bevoegde hof verhaal word.

Heffing deur wedrenklub of Witwatersrandse Vereniging van Wedrenklubs op gelisensieerde beroepswedders.

51.(1) Benewens enige belasting wat ingevolge artikel 46 betaalbaar is, kan 'n wedrenklub of, indien sodanige klub 'n lid van die Witwatersrandse Vereniging van Wedrenklubs is, sodanige Vereniging vereis dat elke persoon, met inbegrip van 'n gelisensieerde beroepswedder, wat 'n weddenskap by 'n gelisensieerde beroepswedder op enige renbaan van sodanige klub aangaan het, op die wyse in subartikel (3) bepaal, 'n heffing betaal op die bedrag wat aan sodanige persoon deur die gelisensieerde beroepswedder betaalbaar is ten opsigte van sodanige weddenskap, uitgenome die bedrag verwed, en sodanige heffing, tesame met enige belasting ingevolge artikel 46 betaalbaar, oorskry nie tien persent van die bruto bedrag wat aan sodanige persoon betaalbaar is nie.

(2) Benewens enige belasting wat ingevolge artikel 46 betaalbaar is en enige optreegeld in artikel 36 beoog, kan 'n wedrenklub of, indien sodanige klub 'n lid is van die Witwatersrandse Vereniging van Wedrenklubs, sodanige Vereniging vereis dat elke gelisensieerde beroepswedder op die bedrag van sy netto winste uit weddenskappe aangaan op enige gelisensieerde renbaan van sodanige klub op die wyse in subartikel (3) bepaal, 'n heffing betaal wat, tesame met enige belasting ingevolge artikel 46 betaalbaar, nie tien persent van sodanige netto winste oorskry nie.

(3) Die bepalings van artikel 46(2) en (3) is *mutatis mutandis* van toepassing op enige heffing wat ingevolge subartikel (1) of (2) opgelê word: Met dien verstande dat 'n gelisensieerde beroepswedder die bedrag van sodanige heffing regstreeks aan die wedrenklub of Vereniging, na gelang van die geval, wat sodanige heffing opgelê het, betaal.

(4) 'n Heffing wat aan die Witwatersrandse Vereniging van Wedrenklubs betaal word soos in subartikel (3) beoog, word tussen die wedrenklubs wat lede van sodanige Vereniging is, verdeel op die grondslag wat die Administrateur bepaal.

(5) 'n Heffing of latere verandering daarvan wat ingevolge subartikel (1) of (2) opgelê word en 'n terugtrekking van sodanige heffing of gedeelte daarvan tree in werking op 'n datum deur die Administrateur vasgestel te word.

(6) Ten einde die bedrag van enige heffing opgelê ingevolge subartikel (1) of (2) te

book, document, ticket, paper, instrument, machine or article.

(2) Any licensed bookmaker who fails or refuses to comply with a demand contemplated in subsection (1) or who hinders or obstructs an officer referred to in that subsection in the execution of his duties shall be guilty of an offence.

Recovery of tax.

50. Any tax payable in terms of the provisions of this Ordinance shall be a debt due to the Transvaal Provincial Administration and may be recovered in a competent court by such Administration or by the Secretary for Inland Revenue on behalf of such Administration.

Levy by racing-club or Witwatersrand Association of Racing Clubs on licensed bookmakers.

51.(1) In addition to any tax payable in terms of section 46, a racing-club or, if such club is a member of the Witwatersrand Association of Racing Clubs, such Association may require every person, including a licensed bookmaker, who has made a bet with a licensed bookmaker on any race-course of such club, to pay in the manner provided for in subsection (3) a levy on the amount payable to such person by the licensed bookmaker in respect of such bet, excluding the amount staked, and such levy shall, together with any tax payable in terms of section 46, not exceed ten per cent of the gross amount which is payable to such person.

(2) In addition to any tax payable in terms of section 46 and any stand-up fee contemplated in section 36, a racing-club or, if such club is a member of the Witwatersrand Association of Racing Clubs, such Association may require every licensed bookmaker to pay on the amount of his net winnings arising from bets made on any licensed race-course of such club, in the manner provided for in subsection (3), a levy which shall, together with any tax payable in terms of section 46, not exceed ten per cent of such net winnings.

(3) The provisions of section 46(2) and (3) shall apply *mutatis mutandis* to any levy which is imposed in terms of subsection (1) or (2): Provided that a licensed bookmaker shall pay the amount of such levy direct to the racing-club or Association, as the case may be, which has imposed such levy.

(4) A levy which is paid to the Witwatersrand Association of Racing Clubs as contemplated in subsection (3) shall be distributed among the racing-clubs which are members of such Association on such basis as may be determined by the Administrator.

(5) A levy or subsequent variation thereof which is imposed in terms of subsection (1) or (2) and a withdrawal of such levy or portion thereof shall take effect on a date to be fixed by the Administrator.

(6) In order to determine the amount of any levy imposed in terms of subsection (1) or (2),

bepaal, lê elke gelisensieerde beroepswedder wat besigheid by 'n wedrenbyeenkoms gedryf het aan die betrokke wedrenklub of die Witwatersrandse Vereniging van Wedrenklubs, na gelang van die geval, 'n duplikaat van die bedigde verklaring wat sodanige beroepswedder ingevolge artikel 46(4) aan die Sekretaris van Binnelandse Inkomste moet voorlê, voor en betaal gelyktydig sodanige heffing.

(7) Die bepalings van artikel 46(4), (5) en (6) is *mutatis mutandis* van toepassing ten opsigte van die duplikaatverklaring in subartikel (6) genoem.

HOOFSTUK 4

ALGEMEEN

Boetes, gelde en verbeurdverklaringe.

52.(1) Behoudens die bepalings van hierdie Ordonnansie word alle boetes en gelde betaal en alle geld verbeurd verklaar ingevolge die bepalings van hierdie Ordonnansie in die Provinsiale Inkomstefonds gestort.

(2) Wanneer 'n voertuig of ander artikel wat geldelike waarde het ingevolge die bepalings van hierdie Ordonnansie aan die Administrateur verbeurd verklaar word, kan die Administrateur, behoudens die bepalings van enige wet betreffende die inwin van tenders, sodanige voertuig of artikel ten bate van die Provinsiale Inkomstefonds verkoop.

(3) Wanneer 'n boek, dokument, kaartjie of ander stuk of ander artikel wat geen geldelike waarde het nie ingevolge die bepalings van hierdie Ordonnansie aan die Administrateur verbeurd verklaar word, kan hy die van die hand sit of vernietiging daarvan op die wyse wat hy goed ag, beveel.

Beloning aan aanbinger.

53. Die Provinsiale Sekretaris kan, ondanks andersluidende bepalings in enige ander wet vervat, die betaling van 'n geldelike beloning uit die Provinsiale Inkomstefonds aan iemand, uitgenome iemand in diens van die Staat, wat inligting verskaf wat lei tot die skuldigbevinding van iemand anders aan 'n oortreding van 'n bepaling van hierdie Ordonnansie magtig: Met dien verstande dat so 'n beloning nie een derde van beide —

- (a) die boete wat die persoon wat aldus skuldig bevind is, opgelê word; en
- (b) die waarde van die verbeurdverklaarde goedere, welke waarde, waar ander goedere as geld verbeurd verklaar word, deur die Provinsiale Sekretaris bepaal word,

oorskry nie.

Algemene strafbepaling.

54. Iemand wat skuldig bevind word aan 'n misdryf ingevolge die bepalings van hierdie Ordonnansie waarvoor geen straf uitdruklik bepaal word nie, is strafbaar met 'n boete van hoogstens eenduisend rand of met gevangenisstraf vir 'n tydperk van hoogstens een jaar of daardie boete sowel as daardie gevangenisstraf.

every licensed bookmaker who has carried on business at a race-meeting shall submit to the racing-club concerned or the Witwatersrand Association of Racing Clubs, as the case may be, a duplicate of the sworn statement which such bookmaker is required to submit to the Secretary for Inland Revenue in terms of section 46(4) and shall simultaneously pay such levy.

(7) The provisions of section 46(4), (5) and (6) shall apply *mutatis mutandis* in respect of the duplicate statement referred to in subsection (6).

CHAPTER 4

GENERAL

Fines, penalties, fees and forfeitures.

52.(1) Subject to the provisions of this Ordinance, all fines, penalties and fees paid and all moneys forfeited in terms of the provisions of this Ordinance shall be paid into the Provincial Revenue Fund.

(2) Whenever any vehicle or other article of monetary value has in terms of the provisions of this Ordinance been forfeited to the Administrator, the Administrator may, subject to the provisions of any law relating to the calling of tenders, sell such vehicle or article for the benefit of the Provincial Revenue Fund.

(3) Whenever any book, document, ticket or other paper or any other article of no monetary value is in terms of the provisions of this Ordinance forfeited to the Administrator, he may order the disposal or the destruction thereof in such manner as he may deem fit.

Reward to informer.

53. The Provincial Secretary may, notwithstanding anything to the contrary in any other law contained, authorize the payment of a monetary reward from the Provincial Revenue Fund to any person, other than a person in the employ of the State, who furnished information leading to the conviction of any other person for a contravention of any provision of this Ordinance: Provided that such a reward shall not exceed one third of both —

- (a) the fine imposed on the person so convicted; and
- (b) the value of the goods forfeited, which value shall, where goods other than money is forfeited, be determined by the Provincial Secretary.

General penalty.

54. Any person who is convicted of an offence in terms of the provisions of this Ordinance for which no penalty is expressly provided shall be liable to a fine not exceeding one thousand rand or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

Regulasies. 55.(1) Die Administrateur kan regulasies, wat nie met die bepalings van hierdie Ordonnansie onbestaanbaar is nie, uitvaardig betreffende —

- (a) die prosedure wat gevolg moet word om enige lisensie, permit of ander magtiging te verkry;
- (b) die gelde betaalbaar vir enige aansoek, dokument of ander aangeleentheid en die beskikking oor sodanige gelde;
- (c) weddenskappe, met inbegrip van die besigheid van 'n gelisensieerde beroepswedder en die dryf van sodanige besigheid in 'n Tattersalls of op 'n gelisensieerde renbaan;
- (d) die administrasie van enige Tattersalls;
- (e) die rekords en boeke wat gehou en die op-gawes wat ingedien moet word deur 'n wedrenklub, Tattersallskomitee, gelisensieerde beroepswedder, die Raad of enige ander persoon en die nasien en ondersoek van en beheer oor sodanige rekords, boeke en op-gawes;
- (f) enige inligtingsdiens deur 'n wedrenklub verskaf en die gelde daarvoor betaalbaar;
- (g) enige aangeleentheid wat ingevolge hierdie Ordonnansie voorgeskryf moet of kan word;

en, in die algemeen, betreffende enige aangeleentheid wat die Administrateur nodig of dienstig ag om voor te skryf ten einde die oogmerke van hierdie Ordonnansie te bereik of te bevorder en die algemeenheid van hierdie bepaling word nie deur die voorafgaande paragrafe van hierdie subartikel beperk nie.

(2) 'n Regulasie kan verskil ten opsigte van die omstandighede waarin of die plekke waarop dit van toepassing is.

(3) 'n Regulasie kan strawwe bepaal vir 'n oortreding daarvan wat nie 'n boete van vyfhonderd rand of gevangenisstraf vir 'n tydperk van ses maande of daardie boete sowel as daardie gevangenisstraf oorskry nie.

Herroeping van wette.

56. Die wette in die Bylae by hierdie Ordonnansie vermeld, word hierby herroep.

Kort titel en datum van inwerking-treding.

57. Hierdie Ordonnansie heet die Ordonnansie op Perdewedrenne en Weddenskappe, 1978, en tree op 1 Januarie 1979 in werking.

BYLAE

WETTE HERROEP (Artikel 56)

No. en jaar van Wet	Titel
18 van 1917	Toeang tot Wedrenterreinen (Belasting) Ordonantie, 1917.
26 van 1925	Lisensiering van Bookmakers en Belasting Ordonnansie, 1925.
9 van 1927	Perdewedrenne en Weddenskappe Ordonnansie, 1927.
21 van 1930	Perdewedrenne en Weddenskappe Wysigings Ordonnansie, 1930.

Regulations.

55.(1) The Administrator may make regulations, not inconsistent with the provisions of this Ordinance, relating to —

- (a) the procedure to be followed for obtaining any licence, permit or other authority;
- (b) the fees payable for any application, document or other matter and the disposal of such fees;
- (c) betting, including the business of a licensed bookmaker and the carrying on of such business in a Tattersalls or on a licensed race-course;
- (d) the administration of any Tattersalls;
- (e) the records and books to be kept and the returns to be rendered by a racing-club, Tattersalls committee, licensed bookmaker, the Board or any other person and the examination, inspection and control of such records, books and returns;
- (f) any information service rendered by a racing-club and the fees chargeable therefor;
- (g) any matter which in terms of this Ordinance is required or permitted to be prescribed,

and, in general, relating to any matter which the Administrator may consider necessary or expedient to prescribe in order to attain or further the objects of this Ordinance and the generality of this provision shall not be limited by the preceding paragraphs of this section.

(2) A regulation may differ in respect of the circumstances in which or places to which it applies.

(3) A regulation may provide for penalties for a contravention thereof which do not exceed a fine of five hundred rand or imprisonment for a period of six months or both such fine and such imprisonment.

Repeal of laws.

56. The laws specified in the Schedule to this Ordinance are hereby repealed.

Short title and date of commencement.

57. This Ordinance shall be called the Horse-racing and Betting Ordinance, 1978, and shall come into operation on 1 January 1979.

SCHEDULE

LAWS REPEALED (Section 56)

No. and year of Law	Title
18 of 1917	Admission to Racecourses (Taxation) Ordinance, 1917.
26 of 1925	Licensing of Bookmakers and Taxation Ordinance, 1925.
9 of 1927	Horse Racing and Betting Ordinance, 1927.
21 of 1930	Horse Racing and Betting Amendment Ordinance, 1930.

No. en jaar van Wet	Titel	No. and year of Law	Title
6 van 1932	Perdewedrenne en Weddenskappe Wysigings-ordonnansie, 1932.	6 of 1932	Horse Racing and Betting Amendment Ordinance, 1932.
5 van 1935	Perdewedrenne en Weddenskappe Wysigings-ordonnansie, 1935.	5 of 1935	Horse Racing and Betting Amendment Ordinance, 1935.
6 van 1938	Perdewedrenne en Weddenskappe Wysigings-ordonnansie, 1938.	6 of 1938	Horse Racing and Betting Amendment Ordinance, 1938.
11 van 1939	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1939.	11 of 1939	Horse Racing and Betting Amendment Ordinance, 1939.
14 van 1940	Perdewedrenne en Weddenskappe Wysigings-ordonnansie, 1940.	14 of 1940	Horse Racing and Betting Amendment Ordinance, 1940.
17 van 1940	Lisensiëring van Bookmakers en Belasting Wysigingsordonnansie, 1940.	17 of 1940	Licensing of Bookmakers and Taxation Amendment Ordinance, 1940.
5 van 1941	Lisensiëring van Bookmakers en Belasting Wysigingsordonnansie, 1941.	5 of 1941	Licensing of Bookmakers and Taxation Amendment Ordinance, 1941.
7 van 1941	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1941.	7 of 1941	Horse Racing and Betting Amendment Ordinance, 1941.
6 van 1942	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1942.	6 of 1942	Horse Racing and Betting Amendment Ordinance, 1942.
9 van 1944	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1944.	9 of 1944	Horse Racing and Betting Amendment Ordinance, 1944.
18 van 1944	Wysigingsordonnansie op die Lisensiëring van Bookmakers en Belasting, 1944.	18 of 1944	Licensing of Bookmakers and Taxation Amendment Ordinance, 1944.
8 van 1946	Wysigingsordonnansie op die Lisensiëring van Bookmakers en Belasting, 1946.	8 of 1946	Licensing of Bookmakers and Taxation Amendment Ordinance, 1946.
9 van 1946	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1946.	9 of 1946	Horse Racing and Betting Amendment Ordinance, 1946.
13 van 1946	Wysigingsordonnansie op die Toegang tot Wedreterfeine (Belasting), 1946.	13 of 1946	Admission to Racecourses (Taxation) Amendment Ordinance, 1946.
9 van 1947	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1947.	9 of 1947	Horse Racing and Betting Amendment Ordinance, 1947.
13 van 1951	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1951.	13 of 1951	Horse Racing and Betting Amendment Ordinance, 1951.
22 van 1951	Ordonnansie op die Raad van Advies insake Perdewedrenne, 1951.	22 of 1951	Horse Racing Advisory Board Ordinance, 1951.
15 van 1952	Wysigingsordonnansie op die Lisensiëring van Bookmakers en Belasting, 1952.	15 of 1952	Licensing of Bookmakers and Taxation Amendment Ordinance, 1952.
18 van 1952	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1952.	18 of 1952	Horse Racing and Betting Amendment Ordinance, 1952.
5 van 1953	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1953.	5 of 1953	Horse Racing and Betting Amendment Ordinance, 1953.
6 van 1953	Wysigingsordonnansie op die Lisensiëring van Bookmakers en Belasting, 1953.	6 of 1953	Licensing of Bookmakers and Taxation Amendment Ordinance, 1953.
4 van 1954	Wysigingsordonnansie op die Lisensiëring van Bookmakers en Belasting, 1954.	4 of 1954	Licensing of Bookmakers and Taxation Amendment Ordinance, 1954.
16 van 1954	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1954.	16 of 1954	Horse Racing and Betting Amendment Ordinance, 1954.
4 van 1958	Wysigingsordonnansie op die Lisensiëring van Bookmakers en Belasting, 1958.	4 of 1958	Licensing of Bookmakers and Taxation Amendment Ordinance, 1958.
9 van 1959	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1959.	9 of 1959	Horse Racing and Betting Amendment Ordinance, 1959.
11 van 1961	Wysigingsordonnansie op Weddery (Perdewedrenne), 1961.	11 of 1961	Betting (Horse Racing) Amendment Ordinance, 1961.
15 van 1962	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1962.	15 of 1962	Horse Racing and Betting Amendment Ordinance, 1962.
19 van 1962	Wysigingsordonnansie op die Lisensiëring van Bookmakers en Belasting, 1962.	19 of 1962	Licensing of Bookmakers and Taxation Amendment Ordinance, 1962.
13 van 1966	Perdewedrenne en Weddenskappe. Wysigings-ordonnansie, 1966.	13 of 1966	Horse Racing and Betting Amendment Ordinance, 1966.
11 van 1967	Wysigingsordonnansie op die Lisensiëring van Bookmakers en Belasting, 1967.	11 of 1967	Licensing of Bookmakers and Taxation Amendment Ordinance, 1967.
12 van 1968	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1968.	12 of 1968	Horse Racing and Betting Amendment Ordinance, 1968.

No. en jaar van Wet	Titel
16 van 1971	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1971.
8 van 1972	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1972.
5 van 1976	Wysigingsordonnansie op Lisenasiering van Bookmakers en Belasting, 1976.
6 van 1976	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1976.

ADMINISTRATEURSKENNISGEWINGS

Administrateurskennisgewing 1667 3 November 1978

ORDONNANSIE OP OPENBARE LIGGAME (TAAL) 1958 — TOEPASSING.

Die Administrateur publiseer hierby ingevolge sub-artikel (1) van artikel 4 van die Ordonnansie op Openbare Liggame (Taal), 1958, dat hy die bepalings van genoemde subartikel van toepassing gemaak het op die poste soos uiteengesit in die bygaande Bylae wat nie professionele, administratiewe of klerklike poste geag word nie.

Hierdie kennisgewing is nie op poste van die Stadsrade van Pretoria en Johannesburg van toepassing nie.

Administrateurskennisgewing 698 van 30 Oktober 1963, word hierby herroep.

PB. 3-6-8-1

BYLAE.

Posbenoeming.

Afdelingsgesondheidsinspekteur (Vervoer)
Afdelingsoffisier (Brandweer)
Ambulanssuperintendent
Arbeidsnasiener
Arbeidstoessighouer
Assistent-Ambulanssuperintendent
Assistent-Behuisingsbestuurder
Assistent-Behuisingstoessighouer
Assistent Bestuurder van Rioolwerke
Assistent-Hoofdistriksbeampste (Parke)
Assistent-Hoofvleisinspekteur
Assistent-Toessighouer (Kleuterskool)
Bedradingsuperintendent
Behuisingsassistent
Behuisingstoessighouer
Beroepsterapeut
Bestuurder (Kiosk)
Betaalmeester

No. and year of Law	Title
16 of 1971	Horse Racing and Betting Amendment Ordinance, 1971.
8 of 1972	Horse Racing and Betting Amendment Ordinance, 1972.
5 of 1976	Licensing of Bookmakers and Taxation Amendment Ordinance, 1976.
6 of 1976	Horse Racing and Betting Amendment Ordinance, 1976.

ADMINISTRATOR'S NOTICES

Administrator's Notice 1667 3 November, 1978

PUBLIC BODIES (LANGUAGE) ORDINANCE, 1958 — APPLICATION.

The Administrator hereby publishes in terms of subsection (1) of section 4 of the Public Bodies (Language) Ordinance, 1958, that he has applied the provisions of the said subsection to the posts as set out in the attached Schedule which are not regarded as professional, administrative or clerical posts.

This notice is not applicable to posts of the City Councils of Pretoria and Johannesburg.

Administrator's Notice 698 of 30 October, 1963, is hereby repealed.

PB. 3-6-8-1

SCHEDULE.

Designation.

Ambulance Supt.
Asst. Ambulance Supt.
Asst. Chief District Off. (Parks)
Asst. Chief Meat Inspector
Asst. Housing Manager
Asst. Housing Supervisor
Asst. Sewerage Works Manager
Asst. Supervisor (Nursery School)
Brigade Officer (Fire)
Building Inspector
Cashier
Chief Building Inspector
Chief Building Supt.
Chief Claims Investigator
Chief Draughtsman
Chief Health Inspector
Chief Health Visitor
Chief Horticulturist
Chief Inspector (Sewage)

Bouinspekteur	Chief Meat Inspector
Brandvoorkomingsbeampte	Chief Pharmacist
Brigade-offisier (Brandweer)	Chief Stores Officer
Distriksbeampte (Parke en Ontspanning)	Chief Surveyors Asst.
Distriksinspekteur (Vervoer)	Chief Teller
Dorpsbeplanningsassistent	Chief Vehicle Examiner
Drywer-ondersoeker	Claims Investigator
Eise-ondersoeker	Cleansing Officer
Gesondheidsbesoekster	Clerk of Works
Gesondheidsinspekteur	Clinic Attdt.
Hoofapteker	Cookery Demonstrator
Hoofbouinspekteur	Curator
Hoofbousuperintendent	District Officer (Parks and Recr.)
Hoofeiseondersoeker	District Inspector (Transport)
Hoofgesondheidsbesoekster	Divisional Health Inspector
Hoofgesondheidsinspekteur	Divisional Officer (Fire Brigade)
Hoofinspekteur (Riool)	Draughtsman
Hoofmagasynbeampte	Driver Examiner
Hoofopmetingsassistent	Farm Manager
Hooftekenaar	Fire Prevention Officer
Hoofteller	First Class Snr. Inspector (Fire)
Hoofstuinier	Health Inspector
Hoofvleisinspekteur	Health Visitor
Hoofvoertuigondersoeker	Housing Asst.
Inspeksiebeampte (Brandweer)	Housing Supervisor
Inspekteur (Verkeer)	Inspector (Traffic)
Inspekteur (Vervoer)	Inspector (Transport)
Inspektiese (Kleuterskole)	Inspections Officer (Fire)
Instrukteur (Veillings)	Instructor (Auction)
Junior Afslaer	Inspectress (Nursery Schools)
Junior Tekenaar	Investigator (Meter Reading)
Kassier	Jnr. Auctioneer
Klerk van Werke	Jnr. Draughtsman
Kliniekoppasser	Laboratory Asst.
Kookdemonstreerder	Labour Checker
Kurator	Labour Supervisor
Kleuterskoolassistent	Learner Auctioneer
Laboratorium-Assistent	Learner Health Inspector
Leerlingafslaer	Learner Horticulturist
Leerlinggesondheidsinspekteur	Learner Meat Inspector
Leerlingtuinier	Licence Inspector
Leerlingvleisinspekteur	Manager (Kiosk)
Lisensieinspekteur	Market Superv.
Marksuperintendent	Market Supt.

Marktoesighouer
 Matrone
 Museumkunstenaar
 Ondersoeker (Meterleser)
 Opmetingsassistent
 Ortopediese Nasorgsuster
 Persoonlike Assistent (Burgemeesters)
 Plaasbestuurder
 Reinigingsbeampte
 Senior Afslaer
 Senior Assistent-Behuisingstoessighouer
 Senior Bouinspekteur
 Senior Eise-ondersoeker
 Senior Gesondheidsinspekteur
 Senior Inspekteur (Eerste graad) (Brandweer)
 Senior Inspekteur (Tweede graad) (Verkeer)
 Senior Lisensieinspekteur
 Senior Offisier (Brandweer)
 Senior Opmetingsassistent
 Senior Tegniëse Assistent
 Senior Toesighouer (Kleuterskool)
 Senior Toesighouer (Werke)
 Senior Verkeersbeampte
 Senior Vleisinspekteur
 Skakelbordbeampte
 Stasie-offisier (Brandweer)
 Superintendent (Begraafplaas)
 Superintendent (Bouwerke)
 Superintendent (Verkeer)
 Superintendent (Waterwerke)
 Tegniëse Assistent (Dorpsbeplanning)
 Tegniëse Assistent (Gesondheid)
 Toesighoudende Gesondheidsbeampte
 Toesighoudende Tikster
 Toesighoudende Verkeersinspekteur
 Toesighoudende Vleisinspekteur
 Toesighouer (Kleuterskool)
 Toesighoudster
 Tweede Offisier (Brandweer)
 Verkeersbeampte
 Verpleegsuster
 Vleisinspekteur

Matron
 Meat Inspector
 Museum Artist
 Nursery Asst.
 Nursing Sister
 Occupational Therapist
 Orthopaedic After Care Sister
 Paymaster
 Personal Asst. Mayoral
 Second Class Senior Inspector (Traffic)
 Second Officer (Fire Brigade)
 Snr. Asst. Housing Supervisor
 Snr. Auctioneer
 Snr. Building Inspector
 Snr. Claims Investigator
 Snr. Health Inspector
 Snr. Licence Inspector
 Snr. Meat Inspector
 Snr. Officer (Fire Brigade)
 Snr. Supervisor (Nursery)
 Snr. Supervisor (Works)
 Snr. Survey Asst.
 Snr. Technical Asst.
 Snr. Traffic Officer
 Station Officer (Fire Brigade)
 Supervising Health Officer
 Supervising Meat Inspector
 Supervisor (Nursery)
 Supervising Typist
 Supt. (Building)
 Supt. (Cemetery)
 Supt. (Traffic)
 Supt. (Waterworks)
 Survey Asst.
 Switchboard Attdt.
 Technical Asst. (Health)
 Technical Asst. (Town-planning)
 Town-planning Asst.
 Traffic Officer
 Wiring Supt.
 Woman Supervisor
 Supervising Traffic Officer

Administrateurskennisgewing 1668 3 November 1978

MUNISIPALITEIT PRETORIA — ORDONNANSIE
OP OPENBARE LIGGAME (TAAL) 1958 — TOE-
PASSING.

Die Administrateur publiseer hierby ingevolge subartikel (1) van artikel 4 van die Ordonnansie op Openbare Liggame (Taal), 1958, dat hy die bepalinge van genoemde subartikel van toepassing gemaak het op die poste van die Stadsraad van Pretoria soos uiteengesit in die bygaande Bylae wat nie professionele, administratiewe of klerklike poste geag word nie.

Administrateurskennisgewing 284 van 5 April 1967,
word hierby herroep.

PB: 3-6-8-1

BYLAE.

Posbenaming.

Afdelingsgesondheidsinspekteur
Ambulansoffisier
Ambulanssuperintendent
Argiteksassistent/Senior/Eerste
Assessor
Assistent-ambulanssuperintendent
Assistent-Divisie-Offisier
Assistent-hoofgesondheidsinspekteur
Assistent-hoofopsigter
Assistent-Radiologiese Tegnikus/Radiologiese Tegnikus.
Assistent-superintendent (Inspeksies)
Assistent-superintendent (Reinigingsdienste)
Assistent-superintendent, Verkeersafdeling
Assistent-swembadsuperintendent
Assistent-verversingsbestuurder
Bedryfsuperintendent, Vervoerafdeling
Begraafplaassuperintendent
Beheerbeampte (Geraasbestryding)
Bouinspekteur
Bourekanaarassistent/Senior/Eerste
Divisie-offisier, Brandweer
Fotograaf
Gesondheidsbesoekster
Gesondheidsinspekteur
Handelskunstenaar
Hoofargiteksassistent
Hoofbouinspekteur
Hoofgesondheidsbesoekster

Administrator's Notice 1668 3 November, 1978

PRETORIA MUNICIPALITY — PUBLIC BODIES
(LANGUAGE) ORDINANCE, 1958 — APPLICATION.

The Administrator hereby publishes in terms of subsection (1) of section 4 of the Public Bodies (Language) Ordinance, 1958, that he has applied the provisions of the said subsection to the posts in the City Council of Pretoria as set out in the attached Schedule which are not regarded as professional, administrative or clerical posts.

Administrator's Notice 284 of 5 April, 1967, is hereby
repealed.

PB. 3-6-8-1

SCHEDULE.

Designation.

Ambulance Officer
Ambulance Superintendent
Architectural Assistant/Senior/Principal
Assessor
Assistant Ambulance Superintendent
Assistant Catering Manager
Assistant Chief Caretaker
Assistant Chief Health Inspector
Assistant Divisional Officer
Assistant Radiological Technician/Radiological Technician
Assistant Superintendent (Cleansing Services)
Assistant Superintendent (Inspections)
Assistant Superintendent (Swimming Baths)
Assistant Superintendent, Traffic Department
Building Inspector
Catering Manager
Chemistry Assistant/Senior/Principal
Chief Architectural Assistant
Chief Building Inspector
Chief Caretaker (Munitoria)
Chief Drainage Inspector
Chief Engineering Assistant
Chief Engineering Assistant (Training)
Chief Examiner (Testing Grounds)
Chief Health Inspector
Chief Health Visitor
Chief Horticulturist
Chief Inspector (Meter Reading)

Hoofgesondheidsinspekteur	Chief Land Survey Assistant
Hoofingenieursassistent	Chief Plan Examiner
Hoofingenieursassistent (Opleiding)	Chief Superintendent, Traffic Department
Hoofinspekteur (Meteraflesing)	Chief Technical Assistant
Hooflandmeetassistent	Chief Town-planning Assistant
Hoofondersoeker (Toetsterrein)	Chief Works Inspector
Hoofopsigter (Munitoria)	Clinic Sister
Hoofplanondersoeker	Commercial Artist
Hoof, Reprografiese Seksie	Control Officer (Noise Abatement)
Hoofrioleringsinspekteur	Deputy Messenger of the Court
Hoofstadsbeplanningsassistent	Divisional Health Inspector
Hoofsuperintendent, Verkeersafdeling	Divisional Officer, Fire Department
Hoof-Tegniese Assistent	Drainage Inspector
Hoof tuinboukundige	Engineering Assistant/Senior/Principal
Hoof (Vakleerlingskool)	Head (Apprentice School)
Hoofwerkeinspekteur	Head, Reprographical Section
Ingenieursassistent/Senior/Eerste	Health Inspector
Inspekteur (Geraasbestryding)	Health Visitor
Inspekteur (Lugbesoedeling)	Horticulturist
Inspekteur (Meteraflesing)	Horticulturist Assistant
Inspekteur, Vervoerafdeling	Inspector (Air Pollution)
Installasie-inspekteur	Inspector (Meter Reading)
Instrukteur (Vakleerlingskool)	Inspector (Noise Abatement)
Klinieksuster	Inspector, Transport Department
Landmeetassistent/Senior/Eerste	Installation Inspector
Leerling-gesondheidsbesoekster	Instructor (Apprentice School)
Leerling-gesondheidsinspekteur (Manlik)	Land-survey Assistant/Senior/Principal
Leerling-tegnikus	Learner Health Inspector (Male)
Leerling-tuinboukundige	Learner Health Visitor (Female)
Liggaamlike Opvoedingsbeampte/Offisier, Brandweer	Learner Horticulturist
Lisensie-inspekteur	Learner Technician
Natrekster	Licence Inspector
Natuurbewaarder	Nature Conservationist
Ondergeregsbode	Operating Superintendent, Transport Department
Planondersoeker	Photographer
Plantekenaar/Offisier, Brandweer	Physical Education Officer, Fire Department
Radiobediener	Plan Draughtsman/Officer, Fire Department
Rioleringsinspekteur	Plan Examiner
Rioolnetwerkonderoeker	Professional Assistant (Museum)
Senior Bouinspekteur	Quantity Survey Assistant/Senior/Principal
Senior Divisie-offisier, Brandweer	Radio Operator
Senior Fotograaf	Senior Building Inspector
Senior Gesondheidsbesoekster	Senior Caretaker

Senior Inspekteur (Lugbesoedeling)
 Senior Inspekteur (Meteraflesing)
 Senior Inspekteur, Vervoerafdeling
 Senior Lisensie-inspekteur
 Senior Ondergeregsbode
 Senior Opsigter
 Senior Planondersoeker
 Senior Radiologiese Tegnikus, Gesondheidsafdeling
 Senior Rioleringsinspekteur
 Senior Superintendent, Verkeersafdeling
 Senior Swembadsuperintendent
 Senior Telefoniste
 Senior Toetsbeampte (Rybewyse)
 Senior Tuinboukundige
 Senior Voertuigondersoeker
 Senior Werkeinspekteur
 Skeikundige Assistent/Senior/Eerste
 Stadsbeplanningsassistent/Senior/Eerste
 Stasie-offisier, Brandweer
 Superintendent (Boleidings- en Lynwerkersopleiding)
 Superintendent (Inspeksies)
 Superintendent (Reinigingsdienste)
 Superintendent (Rietvleiwaterwerke)
 Superintendent, Verkeersafdeling
 Swembadsuperintendent
 Tegnieuse Assistent/Senior
 Tegnieuse Beampte (Ontwikkelingsbeheer)
 Tegnieuse Beampte (Spesifikasies)
 Tegnieuse Beampte (Verkeersligbeheer)
 Telefonis (Blinde manspersoon)
 Telefoniste
 Toesighoudende Gesondheidsinspekteur
 Toetsbeampte (Rybewyse)
 Topograaf
 Tuinboukundige
 Tuinboukundige Assistent
 Tuinboukundige Superintendent
 Vakkundige Assistent (Museums)
 Verkeersbeampte/Senior
 Verversingsbestuurder
 Voertuigondersoeker
 Werkeinspekteur.

Senior Deputy Messenger of the Court
 Senior Divisional Officer Fire Department
 Senior Drainage Inspector
 Senior Health Visitor (Female)
 Senior Horticulturist
 Senior Inspector (Air Pollution)
 Senior Inspector (Meter Reading)
 Senior Inspector, Transport Department
 Senior Licence Inspector
 Senior Photographer
 Senior Plan Examiner
 Senior Radiological Technician, Health Department
 Senior Superintendent (Swimming Baths)
 Senior Superintendent, Traffic Department
 Senior Telephonist
 Senior Testing Officer (Drivers' Licences)
 Senior Vehicle Examiner
 Senior Works Inspector
 Sewer-Reticulation Examiner
 Station Officer, Fire Department
 Superintendent (Cemeteries)
 Superintendent (Cleansing Services)
 Superintendent Horticulturist
 Superintendent (Inspections)
 Superintendent (Overhead Mains and Linesmen Training)
 Superintendent (Rietvlei Waterworks)
 Superintendent (Swimming Baths)
 Superintendent, Traffic Department
 Supervising Health Inspector
 Technical Assistant/Senior
 Technical Officer (Development Control)
 Technical Officer (Specifications)
 Technical Officer (Traffic Light Control)
 Telephone Operator (Blind Male Person)
 Telephonist
 Testing Officer (Drivers' Licences)
 Topographer
 Town-planning Assistant/Senior/Principal
 Tracer (Female)
 Traffic Inspector/Senior
 Vehicle Examiner
 Works Inspector.

Administrateurskennigswing 1669 3 November 1978

MUNISIPALITEIT JOHANNESBURG — ORDONNANSIE OP OPENBARE LIGGAME (TAAL) 1958 — TOEPASSING.

Die Administrateur publiseer hierby ingevolge subartikel (1) van artikel 4 van die Ordonnansie op Openbare Liggame (Taal), 1958, dat hy die bepalinge van genoemde subartikel van toepassing gemaak het op die poste van die Stadsraad van Johannesburg soos uiteengesit in die bygaande Bylae, wat nie professionele, administratiewe of klerklike poste geag word nie.

Administrateurskennigswing 809 van 27 Oktober 1965, word hierby herroep.

PB. 3-6-8-1

BYLAE.

Ampsbenaming	Afdeling
Afdelingsgesondheidsinspekteur	Stadsgesondheid
Assistent-behuisingsbestuurder	Stadsgesondheid
Assistent-brandweerhoof	Brandweer en Nooddienste
Assistent-eiendombeampte	Kleurlinge en Asiërsake
Assistent-gebiedsreinigingsbeampte (Stadsgebiede)	Stadsingenieur
Assistent-gebiedsuperintendent	Vervoer
Assistent-hoofbehuisingstoeshouer	Stadsgesondheid
Assistent-hoofgesondheidsinspekteur	Stadsgesondheid
Assistent-hoofinspekteur	Lisensie
Assistent-hoofvertaler	Klerk van die Raad
Assistent-Landskapbeplanner	Parke en Ontspanning
Assistent-marktoesighouer (Beveiliging)	Mark
Assistent-prosesstukbeampte	Stadstesourier
Assistent-raadgeefster (Huishoudelike Gastoestelle)	Gas
Assistent-rekenoutomaatbeheerbeampte	Stadstesourier
Assistent-superintendent	Verkeer
Assistent-toesighoudster	Lisensie
Behuisingsassistente	Stadsgesondheid
Behuisingsbestuurder	Stadsgesondheid
Beplanningsassistent	Stadsingenieur
Eerste/Hoofbehuisingsassistent	Stadsgesondheid
Eerste Reinigingsbeampte	Stadsingenieur
Eerste Tekenaar	Elektrisiteit, Gas en Stadsingenieur

Administrator's Notice 1669 3 November, 1978

JOHANNESBURG MUNICIPALITY — PUBLIC BODIES (LANGUAGE) ORDINANCE, 1958 — APPLICATION.

The Administrator hereby publishes in terms of subsection (1) of section 4 of the Public Bodies (Language) Ordinance, 1958, that he has applied the provisions of the said subsection to the posts in the City Council of Johannesburg as set out in the attached Schedule, which are not regarded as professional, administrative or clerical posts.

Administrator's Notice 809 of 27 October, 1965, is hereby repealed.

PB. 3-6-8-1

SCHEDULE.

Designation	Department
Anti-Litter Officer	City Engineer's
Area Superintendent	Transport
Artist	Africana Museum
Artist (Civic Decorations)	Electricity
Assistant Area Superintendent	Transport
Assistant Chief Health Inspector	City Health
Assistant Chief Housing Supervisor	City Health
Assistant Chief Inspector	Licensing
Assistant Chief Officer (Operational)	Fire & Emergency Services
Assistant Chief Translator	Clerk of the Council's
Assistant Computer Operations Officer	City Treasurer's
Assistant District Cleansing Officer (City Areas)	City Engineer's
Assistant Domestic Service Adviser	Gas
Assistant Estates Officer	Coloured & Asian Affairs
Assistant Housing Manager	City Health
Assistant Landscape Planner	Parks & Recreation
Assistant Market Supervisor (Security)	Market
Assistant Process Officer	City Treasurer's
Assistant Superintendent	Traffic
Assistant Supervisor (Woman)	Licensing
Canvasser (Female)	City Health
Chief Co-ordinating Officer (Civil Defence)	Fire & Emergency Services

<i>Ampsbenaaming</i>	<i>Afdeling</i>	<i>Designation</i>	<i>Department</i>
Eerste Tuinboukundige	Kleurlinge en Asiër- sake en Parke en Ontspanning	Chief Draughtsman	Electricity & City Engineer's
Eiendomsbeampte	Kleurlinge en Asiër- sake	Chief Health Inspector	City Health
Eiendomsouderhandelaar	Klerk van die Raad	Chief Horticulturist	Parks & Recreation
Eise-assessor/Senior Eise-assessor	Klerk van die Raad	Chief Housing Supervisor	City Health
Eisebestuurder	Klerk van die Raad	Chief Inspector	Licensing
Gebiedsoffisier	Brandweer en Nood- dienste	Chief Inspectress of Children's Institutions	City Health
Gebiedsreinigingsbeampte (Stadsgebiede)	Stadsingenieur	Chief Installation Inspector	Electricity
Gebiedsuperintendent	Vervoer	Chief Meter Reader	City Treasurer's
Gemeenskapontwikkelsbeampte	Kleurlinge en Asiër- sake	Chief Public Health Nursing Officer	City Health
Geraaondersoeker	Stadsgesondheid	Chief Superintendent (Operating)	Transport
Gesondheidsinspekteur/Senior Gesondheidsinspekteur	Stadsgesondheid	Chief Superintendent (Pools & Water Features)	Parks & Recreation
Hoofbehuisingstoesighouer	Stadsgesondheid	Chief Translator	Clerk of the Council's
Hoofgesondheidsinspekteur	Stadsgesondheid	Civic Decorator	Parks & Recreation
Hoofinspekteur	Lisensie	Claims Assessor/Senior Claims/ Assessor	Clerk of the Council's
Hoofinspektrise van Kinder- inrigtings	Stadsgesondheid	Claims Manager	Clerk of the Council's
Hoofinstallasie-inspekteur	Elektrisiteit	Cleansing Supervisor (City Areas)	City Engineer's
Hoofkoördineringsbeampte (Burgerlike Beskerming)	Brandweer en Nood- dienste	Community Development Officer	Coloured & Asian Affairs
Hoofmeterafleser	Stadstesourier	Computer Operator	City Treasurer's
Hoofsuperintendent (Bedryf)	Vervoer	Computer Programmer	City Treasurer's
Hoofsuperintendent (Swembad- dens en Waterversierings)	Parke en Ontspan- ning	Computer Terminal Operator	City Engineer's
Hooftekenaër	Elektrisiteit en Stads- ingenieur	Contract/Installation Inspector	Electricity
Hoofuinboukundige	Parke en Ontspan- ning	Contracts Inspector	City Engineer's & Electricity
Hoofverpleegbeampte (Openbare Gesondheid)	Stadsgesondheid	Co-ordinating Supervisor	City Treasurer's
Hoofvertaler	Klerk van die Raad	District Cleansing Officer (City Areas)	City Engineer's
Hulptoelaagbeampte	Klerk van die Raad	Divisional Health Inspector	City Health
Indiensnemings- en Opleidings- beampte	Vervoer	Divisional Officer	Fire & Emergency Services
Ingenieursassistent	Elektrisiteit, Stads- ingenieur en Ver- voer	Drawing Office Assistant	Electricity
Inligtings- en Navorsingsbeampte Inspekteur	Kleurlinge- en Asiër- sake	Driver Examiner/Inspector	Licensing
Inspekteur (Advertensietekens)	Mark	Employment & Training Officer	Transport
Inspekteur (Bestryding van Wa- terbesoedeling)	Stadsingenieur	Engineering Assistant	City Engineer's, Electricity and Transport
	Stadsgesondheid	Environmental Inspector	City Health
		Estates Officer	Coloured & Asian Affairs

<i>Ampsbenaaming</i>	<i>Afdeling</i>	<i>Designation</i>	<i>Department</i>
Inspekteur — Ongeoorloofde Voertuigingange	Stadsingenieur	Examiner	Licensing
Inspekteur (Patrolie en Hekwerk)	Mark	Garage Assistant	Transport
Inspekteur (Plaagbestryding)	Stadsgesondheid	Grants-in-Aid Officer	Clerk of the Council's
Inspekteur/Senior Inspekteur	Vervoer	Health Inspector/Senior Health Inspector	City Health
Inspekteur (Stadsbeplanning)	Stadsingenieur	Horticulturist	Coloured & Asian Affairs and Parks and Recreation
Inspekteur (Sypaaie)	Stadsingenieur	Housing Allocation Officer	City Health
Inspektrise van Kinderinrigtings	Stadsgesondheid	Housing Assistant	City Health
Installasie-inspekteur	Elektrisiteit en Gas	Housing Manager	City Health
Instrukteur (Ambulanse)	Ambulanstak	Information Research Officer	Coloured & Asian Affairs
Koördinerings toesighouer	Stadstesourier	Inspector	Market
Kontrakte-inspekteur	Elektrisiteit en Stadsgesondheid	Inspector (Patrol & Gate Control)	Market
Kontrakte/Installasie-inspekteur	Elektrisiteit	Inspector (Pavements)	City Engineer's
Kunstenaar	Afrikana Museum	Inspector (Pest Control)	City Health
Kunstenaar (Stadsversiering)	Elektrisiteit	Inspector/Senior Inspector	Transport
Kwekelingtegnikus	Elektrisiteit	Inspector (Signs)	City Engineer's
Kwekelingtekenaar/Tekenaar/Senior Tekenaar	Verskeie	Inspector (Town-planning)	City Engineer's
Laboratoriumassistent	Stadsgesondheid	Inspector (Unauthorised Vehicle Entrances)	City Engineer's
Landskapbeplanner	Parke en Ontspanning	Inspector (Water Pollution Control)	City Health
Leerlinggesondheidsinspekteur	Stadsgesondheid	Inspectress of Children's Institutions	City Health
Leerlingtuinboukundige	Parke en Ontspanning	Installation Inspector	Electricity & Gas
Leerlingverpleegster (Openbare gesondheid)	Stadsgesondheid	Instructor (Ambulances)	Ambulance Branch
Marktoesighouer (Beveiliging)	Mark	Investigator (District)	City Engineer's
Motorhawe-assistent	Vervoer	Laboratory Assistant	City Health
Navorsingsassistent (Terminologie)	Klerk van die Raad	Landscape Planner	Parks & Recreation
Navorsings- en Beplannings-beampte	Vervoer	Learner Health Inspector	City Health
Navorsings- en Gemeenskaps-ontwikkelingsbeampte	Stadsgesondheid	Learner Horticulturist	Parks & Recreation
Omgewingsinspekteur	Stadsgesondheid	Learner Public Health Nurse	City Health
Ondersoeker	Lisensie	Market Supervisor (Security)	Market
Ondersoeker (Gebied)	Stadsingenieur	Noise Investigator	City Health
Ondervraagster	Stadsgesondheid	Nursing Sister	City Health
Ontspanningsbeampte	Parke en Ontspanning en Kleurlinge-en Asiërsake	Organiser (Community Services)	Coloured & Asian Affairs
Openbare Skakel Assistent	Klerk van die Raad	Orthopaedic After-Care Sister	City Health
Openbare Skakelbeampte	Klerk van die Raad	Planning Assistant	City Engineer's
Opmeetassistent	Elektrisiteits en Stadsingenieur	Principal/Chief Housing Assistant	City Health

<i>Ampsbenaaming</i>	<i>Afdeling</i>	<i>Designation</i>	<i>Department</i>
Organiseerder (Gemeenskaps-dienste)	Kleurlinge- en Asiër-sake	Principal Cleansing Officer	City Engineer's
Ortopediese Nasorgsuster	Stadsgesondheid	Principal Draughtsman	City Engineer's, Electricity and Gas
Prosesstukbeampte	Stadstesourier	Principal Horticulturist	Parks & Recreation and Coloured & Asian Affairs
Registrateur van Munisipale Kiesers	Klerk van die Raad	Process Officer	City Treasurer's
Reinigingstoesighouer	Stadsingenieur	Property Negotiator	Clerk of the Council's
Rekenaarterminusbediener	Stadsingenieur	Public Health Nurse	City Health
Rekenoutomaatbediener	Stadstesourier	Public Relations Assistant	Clerk of the Council's
Rekenoutomaatprogrammeerder	Stadstesourier	Public Relations Officer	Clerk of the Council's
Rommelstrooi-Bestrydings-beampte	Stadsingenieur	Radiographer	City Health
Röntgenfotograaf	Stadsgesondheid	Recreation Officer	Coloured & Asian Affairs and Parks and Recreation
Sektorkoördineerder	Brandweer en Nood-dienste	Regional Recreational Officer	Parks and Recreation
Senior Behuisingstoesighouer	Brandweer en Nood-dienste	Registrar of Municipal Voters	Clerk of the Council's
Senior Chauffeur	Klerk van die Raad	Research & Community Development Officer	City Health
Senior Inspekteur (Bestryding van Waterbesoedeling)	Stadsgesondheid	Research & Planning Officer	Transport
Senior Inspekteur (Advertensie-tekens)	Stadsingenieur	Research Assistant (Terminology)	Clerk of the Council's
Senior Inspekteur (Stadsbeplan-ning)	Stadsingenieur	Sales Organiser	Gas
Senior Inspekteur (Sypaai)	Stadsingenieur	Sector Co-ordinator	Fire & Emergency Services
Senior Inspekteur (Vervolgings)	Lisensie	Senior Artist	Africana Museum
Senior Installasie-inspekteur	Elektrisiteit	Senior Canvasser (Tuberculosis)	City Health
Senior Kunstenaar	Afrikana Museum	Senior Chauffeur	Clerk of the Council's
Senior Omgewingsinspekteur	Stadsgesondheid	Senior Computer Programmer	City Treasurer's
Senior Ondervraagster	Stadsgesondheid	Senior Driver Examiner	Licensing
Senior Ontspanningsbeampte (Tuberkulosebestryding)	Parke en Ontspan-ning	Senior Environmental Inspector	City Health
Senior Rekenoutomaatprogram-meerder	Stadstesourier	Senior Horticulturist	Parks and Recreation
Senior Röntgenfotograaf	Stadsgesondheid	Senior Housing Supervisor	City Health
Senior Superintendent	Verkeer	Senior Inspector (Pavements)	City Engineer's
Senior Superintendent (Swembaddens en Waterversierings)	Parke en Ontspan-ning	Senior Inspector (Prosecutions)	Licensing
Senior Telefoniste	Klerk van die Raad	Senior Inspector (Signs)	City Engineer's
Senior Toesighouer (Dataverwerking)	Stadstesourier	Senior Inspector (Town-planning)	City Engineer's
Senior Toetsbeampte van Motorbestuurders	Lisensie	Senior Inspector (Water Pollution Control)	City Health
Senior Tuinboukundige	Parke en Ontspan-ning	Senior Installation Inspector	Electricity
Senior Verpleegbeampte (Openbare Gesondheid)	Stadsgesondheid	Senior Public Health Nursing Officer	City Health
Senior Vertaler	Klerk van die Raad	Senior Radiographer	City Health

<i>Ampshenaming</i>	<i>Afdeling</i>	<i>Designation</i>	<i>Department</i>
Stadsversierder	Parke en Ontspanning	Senior Recreation Officer	Parks & Recreation
Stasie-offisier/Assistent-gebieds-offisier	Brandweer en Nooddienste	Senior Superintendent (Pools & Water Features)	Parks & Recreation
Streekontspanningsbeampste	Parke en Ontspanning	Senior Superintendent	Traffic
Struktuurinspekteur	Stadsingenieur	Senior Supervisor (Data Processing)	City Treasurer's
Superintendent	Verkeer	Senior Telephonist	Clerk of the Council's
Superintendent (Swembad)	Parke en Ontspanning	Senior Translator	Clerk of the Council's
Tekenkantoorassistent	Elektrisiteit	Station Officer/Assistant Divisional Officer	Fire and Emergency Services
Telefoniste	Verskeie	Structural Inspector	City Engineer's
Toesighoudende Toetsbeampste van Motorbestuurders	Lisensie	Superintendent	Traffic
Toesighoudende Verkeeropsigter	Verkeer	Superintendent (Pools)	Parks & Recreation
Toesighoudster	Lisensie	Supervising Driver Examiner	Licensing
Toesighouer (Dataverwerking)	Stadstesourier	Supervisor (Data Processing)	City Treasurer's
Toetsbeampste van Motorbestuurders/Inspekteur	Lisensie	Supervisor Traffic Warden (Female)	Traffic
Toewysingsbeampste (Behuising)	Stadsgesondheid	Supervisor (Woman)	Licensing
Tuinboukundige	Kleurlinge- en Asiër-sake	Survey Assistant	City Engineer's and Electricity
	Parke en Ontspanning	Telephonist	Various
Verkeersbeampste/Senior Verkeersbeampste	Verkeer	Traffic Officer/Senior Traffic Officer	Traffic
Verkooporganiseerder	Gas	Trainee Draughtsman/Draughtsman/Senior Draughtsman	Various
Verpleegster (Openbare Gesondheid)	Stadsgesondheid	Trainee Technician	Electricity
Verpleegsuster	Stadsgesondheid	Translation Assistant	Clerk of the Council's
Vertaler	Klerk van die Raad	Translator	Clerk of the Council's
Vertalersassistent	Klerk van die Raad		

Administrateurskennisgewing 1670 3 November 1978

MUNISIPALE VERKIESINGSREGULASIES: WYSIGING.

Ingevolge die bepalings van artikel 90 van die Ordonnansie op Munisipale Verkiesings, 1970, (Ordonnansie 16 van 1970), wysig die Administrateur hierby die Munisipale Verkiesingsregulasies, afgekondig by Administrateurskennisgewing 1600 van 17 November 1971, soos in die Bylae hierby uiteengesit.

BYLAE.

1. Regulasie 8(1) word hierby gewysig deur na die woord "stemagent" die uitdrukking "n agent soos beoog in artikel 58(2) van die Ordonnansie" in te voeg.

2. Regulasie 18 word hierby gewysig deur subregulasie (2) te skrap.

3. Regulasie 27 word hierby gewysig —

Administrator's Notice 1670 3 November, 1978

MUNICIPAL ELECTION REGULATIONS: AMENDMENT.

In terms of the provisions of section 90 of the Municipal Elections Ordinance, 1970 (Ordinance 16 of 1970), the Administrator hereby amends the Municipal Election Regulations, promulgated under Administrator's Notice 1600 of 17 November, 1971, as set out in the Schedule hereto.

SCHEDULE.

1. Regulation 8(1) is hereby amended by the insertion after the words "polling agent" of the expression "n agent as contemplated in section 58(2) of the Ordinance".

2. Regulation 18 is hereby amended by the deletion of subregulation (2).

3. Regulation 27 is hereby amended —

(a) in subregulasie (2) —

(i) deur aan die einde van paragraaf (h) die woord "en" te skrap; en

(ii) deur paragraaf (i) deur die volgende paragrafe te vervang:

"(i) alle ongebruikte vorms, skryfbehoeftes en ander stembusmateriaal, uitgesonderd ongebruikte stembriewe en kovert MV.21 wat vir doeleindes van subregulasies (4) en (5) nodig is, in kovert MV.20; en

(j) die verklarings in regulasie 18 beoog, in kovert MV.32;" en

(b) deur subregulasie (4) deur die volgende subregulasie te vervang:

"(4) Die voorsittende beampte onderteken die koerte in subregulasie (2) genoem, verpak dit in een pakket en verseël die pakket met seëllak, waarop sy amptelike seël, asook die seëls van die kandidate of hul agente, wat hul seëls daarop wil aanbring, afgedruk word. Met dien verstande dat sodanige koerte nie aldus verpak hoef te word nie, by 'n stemburo waar stemme getel word."

4. Regulasie 29 word hierby deur die volgende regulasie vervang:

"Aflerwing van stembusmateriaal aan kiesbeampte.

29. Die voorsittende beampte of 'n ander persoon deur die kiesbeampte, gemagtig, lewer onverwylde elke stembus, die pakket in regulasie 27(4) genoem, of, waar die voorbehoudsbepaling by regulasie 27(4) van toepassing is, die koerte in regulasie 27(2) genoem, en kovert MV.21 aan die kiesbeampte af."

5. Regulasie 36 word hierby gewysig deur subregulasie (1) deur die volgende subregulasie te vervang:

"(1) Die kiesbeampte maak, behoudens die bepalings van subregulasie (2), elke stembus wat ontvang is self oop en laat al die stembriewe daarin uitneem, tel, die totaal daarvan aanteken en, uitgesonderd in die geval waar daar net een stemburo in 'n munisipaliteit of wyk is en die stemme by sodanige stemburo getel word, laat al sodanige stembriewe in die stembus terugplaas."

6. Regulasie 43 word hierby gewysig —

(a) in subregulasie (1) —

(i) deur in paragraaf (a) na die woord "stemagent", waar dit ook al voorkom, die uitdrukking " 'n agent soos beoog in artikel 58(2) van die Ordonnansie" in te voeg; en

(ii) deur paragrafe (h), (i) en (j) deur die volgende paragrafe te vervang:

"(h) die getelde stembriewe, in 'n pakket met etiket MV.30 aangeheg; en

(i) die verwerpe stembriewe, tesame in kovert MV.31 geplaas;" en

(b) deur subregulasie (3) deur die volgende subregulasie te vervang:

"(3) Die kiesbeampte verpak die pakkies en koerte in subregulasie (1) genoem en kovert MV.32, bevattende die verklarings in regulasie 18 beoog, in 'n afsonderlike pakket, verseël dit met seëllak waarop sy amptelike seël afgedruk word en heg etiket MV.33 daaraan."

(a) in subregulation (2) —

(i) by the deletion at the end of paragraph (h) of the word "and"; and

(ii) by the substitution for paragraph (i) of the following paragraphs:

"(i) all unused forms, stationery and other ballot material, other than unused ballot papers and envelope MV.21 which is required for the purposes of subregulations (4) and (5), in envelope MV.20; and

(j) the affidavits or affirmations contemplated in regulation 18, in envelope MV.32;" and

(b) by the substitution for subregulation (4) of the following subregulation:

"(4) The presiding officer shall sign the envelopes referred to in subregulation (2), make them up in one parcel and shall seal the parcel with sealing wax impressed with his official seal, as well as the seals of the candidates or their agents who wish to affix their seals thereon. Provided that such envelopes need not be so made up at a polling station where votes are counted."

4. The following regulation is hereby substituted for regulation 29:

"Delivery of ballot material to returning officer.

29. The presiding officer or any other person authorized by the returning officer shall forthwith deliver every ballot box, the parcel referred to in regulation 27(4) or, where the proviso to regulation 27(4) is applicable, the envelopes referred to in regulation 27(2), and envelope MV.21 to the returning officer."

5. Regulation 36 is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) The presiding officer shall, subject to the provisions of subregulation (2), himself open each ballot box received and shall cause all the ballot papers therein to be taken out, counted, the total thereof to be recorded and, except in the case where there is only one polling station in a municipality or ward and the votes are counted at such polling station, shall cause all such votes to be replaced in the ballot box."

6. Regulation 43 is hereby amended —

(a) in subregulation (1) —

(i) by the insertion in paragraph (a) after the words "polling agent", wherever they appear, of the expression "an agent as contemplated in section 58(2) of the Ordinance"; and

(ii) by the substitution for paragraphs (h), (i) and (j) of the following paragraphs:

"(h) the counted ballot papers, in a packet with label MV.30 affixed; and

(i) the rejected ballot papers, placed together in envelope MV.31;" and

(b) by the substitution for subregulation (3) of the following subregulation:

"(3) The returning officer shall make the parcels and envelopes referred to in subregulation (1) and envelope MV.32, containing the affidavits or affirmations contemplated in regulation 18, up in a separate parcel, seal it with sealing wax impressed with his official seal and shall affix label MV.33 thereto."

7. Die Bylae by die Regulasies word hierby gewysig deur —

- (a) in item 17 van vorm MV.3 na die uitdrukking "potlode," die uitdrukking "liniale," in te voeg;
- (b) in die verduidelikende nota gemerk "+" van vorm MV.5 na die uitdrukking "Stemagent," die uitdrukking "Agent beoog in artikel 58(2) van die Ordonnansie," in te voeg;
- (c) in vorm MV.22 die uitdrukking "dat die persentasie stemming . . . was en dat daar . . . bedorwe stembriewe was" deur die uitdrukking "dat . . . persent van die geregistreerde kiesers gestem het en dat daar . . . bedorwe stembriewe was" te vervang;
- (d) op koevert MV.23 na die woord "STEMAGENT", waar dit ook al voorkom, die uitdrukking "AGENTE SOOS BEOOG IN ARTIKEL 58(2) VAN DIE ORDONNANSIE" in te voeg;
- (e) op koevert MV.32 die uitdrukking "Reg. 43(1)(j)" deur die uitdrukking "Reg. 27(2)(j)" te vervang; en
- (f) op etiket MV.33 na die uitdrukking "REGULASIE 43(1)" die uitdrukking "EN (3)" in te voeg.

PB. 3-6-2-1-1

Administrateurskennisgewing 1671 3 November 1978

ORDONNANSIE OP PLAASLIKE BESTUUR, 1939 (ORDONNANSIE 17 VAN 1939): BEPALING VAN MAKSIMUM RENTEKOERS OP AGTERSTALLIGE GELDE, BELASTING EN HEFFINGS SOOS IN ARTIKEL 50A BEOOG.

Die Administrateur —

- (a) bepaal hierby ingevolge artikel 50A van die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie 17 van 1939), dat rente teen 'n koers van hoogstens 11,25 % per jaar deur 'n raad gehef en ingevorder mag word op enige agterstallige gelde, belasting en heffings soos in daardie artikel beoog; en
- (b) herroep hierby Administrateurskennisgewing 234 gedateer 23 Februarie 1977.

PB. 3-5-1

Administrateurskennisgewing 1672 3 November 1978

ORDONNANSIE OP PLAASLIKE BESTUUR, 1939 (ORDONNANSIE 17 VAN 1939): BEPALING VAN SKAAL VAN TENDERVOORKEURE VIR DIE PLAASLIKE INHOUD VAN SEKERE GOEDERE.

Die Administrateur bepaal hierby, ingevolge artikel 35(3)*bis*(b) van die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie 17 van 1939), dat 'n raad 'n voorkeur vir die plaaslike inhoud van goedere ten opsigte van elke mededingende tender soos in daardie artikel beoog, toelaat ooreenkomstig die skaal soos in die Bylae hierby vervat.

BYLAE.

- (A) 1 persent — indien die plaaslike inhoud in verhouding tot die tenderprys nie 5 persent oorskry nie;

7. The Schedule to the Regulations is hereby amended by —

- (a) the insertion in item 17 of form MV.3 after the expression "pencils," of the expression "rulers,";
- (b) the insertion in the explanatory note marked "+" of form MV.5 after the expression "Polling Agent," of the expression "Agent contemplated in section 58(2) of the Ordinance,";
- (c) the substitution in form MV.22 for the expression "that the percentage voting was . . . and that there were . . . spoilt ballot papers" of the expression "that . . . per cent of the registered voters voted and that there were . . . spoilt ballot papers";
- (d) the insertion on envelope MV.23 after the words "POLLING AGENTS", wherever they appear, of the expression "AGENTS AS CONTEMPLATED IN SECTION 58(2) OF THE ORDINANCE";
- (e) the substitution on envelope MV.32 for the expression "Reg. 43(1)(j)" of the expression "Reg. 27(2)(j)"; and
- (f) the insertion on label MV.33 after the expression "REGULATION 43(1)" of the expression "AND (3)".

PB. 3-6-2-1-1

Administrator's Notice 1671 3 November, 1978

LOCAL GOVERNMENT ORDINANCE, 1939 (ORDINANCE 17 OF 1939): DETERMINATION OF MAXIMUM RATE OF INTEREST ON ARREAR MONEYS, RATES AND CHARGES AS CONTEMPLATED IN SECTION 50A.

The Administrator hereby —

- (a) in terms of section 50A of the Local Government Ordinance, 1939 (Ordinance 17 of 1939), determines that interest at a rate not exceeding 11,25 % per annum may be charged and recovered by a council on any arrear moneys, rates and charges as contemplated in the said section; and
- (b) repeals Administrator's Notice 234 dated 23 February, 1977.

PB. 3-7-1

Administrator's Notice 1672 3 November, 1978

LOCAL GOVERNMENT ORDINANCE, 1939 (ORDINANCE 17 OF 1939): DETERMINATION OF SCALE OF TENDER PREFERENCES FOR THE LOCAL CONTENT OF CERTAIN GOODS.

The Administrator hereby, in terms of section 35(3)*bis*(b) of the Local Government Ordinance, 1939, (Ordinance 17 of 1939), determines that a council shall allow a preference for the local content of goods in respect of each competing tender as contemplated in the said section, in accordance with the scale contained in the Schedule hereto.

SCHEDULE.

- (A) 1 per cent — if the local content in relation to the tender price is not in excess of 5 per cent;

- (B) 2 persent — indien die plaaslike inhoud in verhouding tot die tenderprys meer as 5 persent is, maar nie 10 persent oorskry nie;
- (C) 3 persent — indien die plaaslike inhoud in verhouding tot die tenderprys meer as 10 persent is, maar nie 20 persent oorskry nie;
- (D) 4 persent — indien die plaaslike inhoud in verhouding tot die tenderprys meer as 20 persent is, maar nie 30 persent oorskry nie;
- (E) 5 persent — indien die plaaslike inhoud in verhouding tot die tenderprys meer as 30 persent is, maar nie 40 persent oorskry nie;
- (F) 6 persent — indien die plaaslike inhoud in verhouding tot die tenderprys meer as 40 persent is, maar nie 50 persent oorskry nie;
- (G) 7 persent — indien die plaaslike inhoud in verhouding tot die tenderprys meer as 50 persent is, maar nie 60 persent oorskry nie;
- (H) 8 persent — indien die plaaslike inhoud in verhouding tot die tenderprys meer as 60 persent is, maar nie 70 persent oorskry nie;
- (I) 9 persent — indien die plaaslike inhoud in verhouding tot die tenderprys meer as 70 persent is, maar nie 80 persent oorskry nie;
- (J) 10 persent — indien die plaaslike inhoud meer as 80 persent van die tenderprys uitmaak.

PB. 3-7-13-1 Vol 3

Administrateurskennisgewing 1673 3 November 1978

DORPSBEPLANNING- EN DORPREGULASIES 1965: WYSIGING.

Ingevolge die bepalings van artikel 95 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1965 (Ordonnansie 25 van 1965), wysig die Administrateur die Dorpsbeplanning- en Dorpsregulasies afgekondig by Administrateurskennisgewing 977 gedateer 31 Desember 1965 hierby deur die Eerste Bylae daarby deur die volgende bylae te vervang:

"EERSTE BYLAE.

GELDE BETAALBAAR.

A. *Aansoekgelde Betaalbaar aan die Direkteur deur die Publiek en deur Plaaslike Besture.*

1. Aansoek ingevolge artikel 34(A)(1)(b) of 46 om die wysiging van 'n dorpsbeplanning-skema R260

2. Aansoek ingevolge artikel 58 om die stigting van 'n dorp R170 plus R1 per erf vir die eerste 200 erwe en 50c per erf daarna.

(Ten opsigte van items 1 en 2 hierbo is 'n bedrag van R70 terugbetaalbaar as geen inspeksie gedoen is nie).

- (B) 2 per cent — if the local content in relation to the tender price is more than 5 per cent but not in excess of 10 per cent;
- (C) 3 per cent — if the local content in relation to the tender price is more than 10 per cent but not in excess of 20 per cent;
- (D) 4 per cent — if the local content in relation to the tender price is more than 20 per cent but not in excess of 30 per cent;
- (E) 5 per cent — if the local content in relation to the tender price is more than 30 per cent but not in excess of 40 per cent;
- (F) 6 per cent — if the local content in relation to the tender price is more than 40 per cent but not in excess of 50 per cent;
- (G) 7 per cent — if the local content in relation to the tender price is more than 50 per cent but not in excess of 60 per cent;
- (H) 8 per cent — if the local content in relation to the tender price is more than 60 per cent but not in excess of 70 per cent;
- (I) 9 per cent — if the local content in relation to the tender price is more than 70 per cent but not in excess of 80 per cent;
- (J) 10 per cent — if the local content constitutes more than 80 per cent of the tender price.

PB. 3-7-13-1 Vol 3

Administrator's Notice 1673 3 November, 1978

TOWN-PLANNING AND TOWNSHIPS REGULATIONS, 1965: AMENDMENT.

In terms of section 95 of the Town-planning and Townships Ordinance, 1965 (Ordinance 25 of 1965) the Administrator hereby amends the Town-planning and Townships Regulations published under Administrator's Notice 977 dated 31 December, 1965 by the substitution for the First Schedule thereto of the following schedule:

"FIRST SCHEDULE.

FEES PAYABLE.

A. *Application Fees Payable to the Director by the Public and by Local Authorities.*

1. Application in terms of sections 34A (1)(b) or 46 for the amendment of a town-planning scheme R260

2. Application in terms of section 58 for the establishment of a township R170 plus R1 per erf for the first 200 erven and 50c per erf thereafter.

3. Aansoek ingevolge artikel 82 om die uitbreiding van die grense van 'n goedgekeurde dorp —

(i) as die aansoek geadverteer word R200

(ii) as die aansoek nie geadverteer word nie R10

4. Aansoek ingevolge artikel 83 om die algemene plan van 'n goedgekeurde dorp te verander, te wysig of in sy geheel of gedeeltelik te rofjeer R190

5. Aansoek ingevolge artikel 84 om toestemming om 'n erf te onderverdeel R10 plus
R1 vir
elke gedeelte
waarin die erf onderverdeel
gaan word.

6. Aansoek ingevolge artikel 85 om toestemming om 'n gebou in 'n onwettige dorp op te rig, te verander, te vergroot, in stand te hou, te okkupeer of te gebruik R10 per gebou

7. Aansoek om die toestemming van die Administrateur of die Dorperaad ingevolge die bepalinge van 'n dorpsbeplanningskema of 'n titelvoorwaarde R10

B. Deposito's Betaalbaar aan die Direkteur deur die Publiek en deur Plaaslike Besture.

1. Appèl ingevolge artikel 90 —

(i) deur enige appellant R350

(ii) deur enige persoon, behalwe die betrokke plaaslike bestuur, wat 'n appèl teenstaan R175

2. Appèl ingevolge artikel 90A R350 plus
'n bedrag
gelykstaande
aan
0,15 %
van die
waarde-
ring waar-
teen ge-
appelleer
word.

C. Gelde Betaalbaar aan die Direkteur deur die Publiek en Plaaslike Besture vir Afdrukke van Dokumente.

1. Papierafdrucke —

(i) Planafdrucke (masjienafdrucke) 60c per
m² of ge-
deelte
daarvan.

(ii) Fotostatiese afdrukke (tot A4-grootte) 10c per
bladsy

2. Poliësterfilmafdrukke R4 per m²
of gedeelte
daarvan

(In respect of items 1 and 2 above an amount of R70 is refundable if no inspection was held).

3. Application in terms of section 82 for the extension of the boundaries of an approved township.

(i) if the application is advertised R200

(ii) if the application is not advertised R10

4. Application in terms of section 83 for the alteration, amendment or partial or total cancellation of the general plan of an approved township R190

5. Application in terms of section 84 for consent to subdivide an erf R10 plus
R1 for
each por-
tion into
which the
erf is to
be sub-
divided.

6. Application in terms of section 85 for consent to erect, alter, extend, maintain, occupy or use a building in an illegal township R10 per building.

7. Application for the consent of the Administrator or the Townships Board in terms of the provisions of a town-planning scheme or a condition of title R10

B. Deposits Payable for the Director by the Public and by Local Authorities.

1. Appeal in terms of section 90 —

(i) by any appellant R350

(ii) by any person other than the local authority concerned, who opposes an appeal R175

2. Appeal in terms of section 90A R350 plus
an
amount
equal to
0,15 %
of the
valua-
tion
against
which the
appeal is
noted.

C. Fees Payable to the Director by the Public and Local Authorities for Copies of Documents.

1. Paper copies —

(i) Plan copying (machine prints) 60c per
m² or
portion
thereof.

(ii) Photostat copies (up to A4 size) 10c per
page.

2. Polyester film copies R4 per
m² or
portion
thereof.

D. Gelde Betaalbaar aan die Direkteur deur Plaaslike Besture.

Voorbereiding van kaarte en bylaes vir die doeleindes van artikel 46 R10 per folio A4-grootte)

E. Diverse Gelde Betaalbaar aan die Direkteur deur die Publiek en Plaaslike Besture.

1. Waar 'n inspeksie of ondersoek deur die Dorperaad ten opsigte van 'n aansoek, uitgesonderd 'n aansoek ingevolge die bepalings van artikel 46 of 58 of 'n appél ingevolge die bepalings van artikel 90 of 90A, gedoen is, 'n bykomende bedrag van R70

2. Heradvertensie van —

(i) 'n aansoek om 'n dorp te stig R100

(ii) ander aansoeke R190 per aansoek

F. Gelde Betaalbaar aan Plaaslike Besture deur die Publiek.

1. Aansoek om wysiging van 'n dorpsbeplanningskema ingevolge artikel 46 R100

2. Aansoek om wysiging van 'n dorpsbeplanningskema ingevolge artikel 89(2) R70

3. Aansoek om onderverdeling van 'n erf waar die plaaslike bestuur die aansoek kan goedkeur R10 plus R1 per gedeelte waarin die erf verdeel word.

4. Aansoek om die plaaslike bestuur se toestemming ingevolge 'n dorpsbeplanningskema waar die plaaslike bestuur die aansoek kan goedkeur R50."

Administrateurskennisgewing 1674 3 November 1978

JOHANNESBURG MUNICIPALITY BORROWING POWERS ORDINANCE 1903 (ORDONNANSIE 3 VAN 1903): BEPALING VAN RENTEKOERS VIR DIE DOELEINDES VAN 'N WAARDASIE SOOS IN ARTIKEL 36(2) BEOOG.

Die Administrateur bepaal hierby, ingevolge artikel 36(2) van die Johannesburg Municipality Borrowing Powers Ordinance (Ordonnansie 3 van 1903), dat die rentekoers vir die doeleindes van 'n waardasie, ingevolge genoemde artikel, 7 % per jaar is.

PB. 3-5-3-1 Deel 2

D. Fees Payable to the Director by Local Authorities.

Preparation of maps and annexures for purposes of section 46 R10 per sheet A4 size).

E. Miscellaneous Fees Payable to the Director by the Public and Local Authorities.

1. Where an inspection or investigation is held by the Townships Board in respect of an application other than an application in terms of the provisions of section 46 or 58 or an appeal in terms of the provisions of section 90 or 90A, an additional amount of R70

2. Re-advertisement of —

(i) an application to establish a township R100

(ii) other applications R190 per application.

F. Fees Payable to Local Authorities by the Public.

1. Application for an amendment of a town-planning scheme in terms of section 46 R100

2. Application for an amendment of a town-planning scheme in terms of section 89(2) R70

3. Application for the subdivision of an erf where the local authority may approve the application R10 plus R1 per portion into which the erf is subdivided.

4. Application for the consent of the local authority in terms of a town-planning scheme where the local authority may approve the application R50."

Administrator's Notice 1674 3 November, 1978

JOHANNESBURG MUNICIPALITY BORROWING POWERS ORDINANCE, 1903 (ORDINANCE 3 OF 1903): DETERMINATION OF RATE OF INTEREST FOR THE PURPOSE OF A VALUATION AS CONTEMPLATED IN SECTION 36(2).

The Administrator hereby, in terms of section 36(2) of the Johannesburg Municipality Borrowing Powers Ordinance, 1903 (Ordinance 3 of 1903), determines that the rate of interest for the purposes of a valuation in terms of the said section, shall be 7 % per annum.

PB. 3-5-3-1 Vol. 2

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