



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

No. 1367.

29 Julie 1977.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 125 van 1977: Wet op Gemeenskapsrade, 1977.

No. 1367.

29 July 1977.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 125 of 1977: Community Councils Act, 1977.

ACT

To provide for the establishment of community councils; the conferring of civil and criminal judicial power in urban residential areas upon certain Bantu; and the establishment of community guards in certain areas; to repeal certain laws; and to provide for matters connected therewith.

*(Afrikaans text signed by the State President.)
(Assented to 11 July 1977.)*

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Definitions and interpretation.

1. (1) In this Act, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Bantu (Urban Areas) Consolidation Act, 1945 (Act No. 25 of 1945) (hereinafter referred to as the Urban Areas Act), bears the meaning so assigned thereto, and—

“administration board” means a board established by section 2 (1) of the Bantu Affairs Administration Act, 1971 (Act No. 45 of 1971);

“area”, in relation to a community council, means the area for which such council has been established;

“Bantu advisory board” means a board established under section 21 of the Urban Areas Act;

“community council” means a council established under section 2 (1);

“prescribe” means prescribe by regulation made under section 11;

“this Act” includes a regulation made under this Act;

“urban Bantu council” means a council established under section 2 of the Urban Bantu Councils Act, 1961 (Act No. 79 of 1961);

“urban residential area” means a Bantu residential area.

(2) This Act and the Urban Areas Act shall be construed as if they formed one Act.

Establishment of community councils.

2. (1) The Minister may, after consultation with the administration board concerned and with due regard to the provisions of subsection (3), by notice in the *Gazette*, establish a community council for any area in an urban residential area defined in such notice.

(2) A community council shall be a juristic person.

(3) Before the Minister establishes a community council for any area under subsection (1), he shall—

(a) consult every urban Bantu council and every Bantu advisory board established for the area or any portion of the area for which such community council is proposed to be established; or

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Om voorsiening te maak vir die instelling van gemeenskapsrade; die verlening van siviele en strafregtelike regsprekende bevoegdheid in stedelike woongebiede aan sekere Bantoes; en die instelling van gemeenskapswagte in sekere gebiede; om sekere wette te herroep; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 11 Julie 1977.)*

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. (1) In hierdie Wet, tensy uit die samehang anders blyk, het 'n uitdrukking waaraan 'n betekenis toegeskryf is in die Bantoes (Stadsgebiede) Konsolidasiewet, 1945 (Wet No. 25 van 1945) (hieronder die Stadsgebiedewet genoem), die betekenis aldus daaraan toegeskryf, en beteken—

Woordomskrywing
en vertolking.

- „administrasieraad” 'n raad ingestel by artikel 2 (1) van die Wet op die Administrasie van Bantoesake, 1971 (Wet No. 45 van 1971);
- „adviserende Bantoe Komitee” 'n komitee ingestel kragtens artikel 21 van die Stadsgebiedewet;
- „gebied”, met betrekking tot 'n gemeenskapsraad, die gebied waarvoor dié raad ingestel is;
- „gemeenskapsraad” 'n raad ingestel kragtens artikel 2 (1);
- „hierdie Wet” ook 'n regulasie kragtens hierdie Wet uitgevaardig;
- „stedelike Bantoe raad” 'n raad ingestel kragtens artikel 2 van die Wet op Stedelike Bantoe rade, 1961 (Wet No. 79 van 1961);
- „stedelike woongebied” 'n Bantoe woongebied;
- „voorskryf” by regulasie uitgevaardig kragtens artikel 11 voorskryf.

(2) Hierdie Wet en die Stadsgebiedewet word uitgelê asof hulle een Wet uitmaak.

2. (1) Die Minister kan, na oorleg met die betrokke administrasieraad en met inagneming van die bepalinge van subartikel (3), by kennisgewing in die *Staatskoerant* 'n gemeenskapsraad instel vir 'n gebied in 'n stedelike woongebied in dié kennisgewing omskryf.

Instelling van
gemeenskapsrade.

(2) 'n Gemeenskapsraad is met regspersoonlikheid bekleed.

(3) Voordat die Minister kragtens subartikel (1) 'n gemeenskapsraad vir 'n gebied instel, moet hy—

- (a) elke stedelike Bantoe raad en adviserende Bantoe Komitee wat ingestel is vir die gebied of 'n gedeelte van die gebied waarvoor daardie gemeenskapsraad beoog word, raadpleeg; of

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(b) if no such Bantu council or board has been established in respect of the area, or any portion of the area, for which such community council is proposed to be established, consult the Bantu residing in such area or portion thereof in such manner as he may think fit.

(4) The Minister may, if he deems it in the public interest or at the request of a community council and after consultation with the administration board concerned, by notice in the *Gazette* alter the area of such community council, by adding thereto or excising therefrom any urban residential area or portion of such an area.

(5) The Minister may, when he deems it in the public interest or when he is requested thereto by any community council, after consultation with the administration board concerned, by notice in the *Gazette* dissolve such council with effect from a date mentioned in such notice and regulate any matters relating to the assets, liabilities, rights and obligations of a community council so dissolved.

Constitution of
community councils.

3. (1) Subject to the provisions of subsections (2) and (3), a community council shall consist of the number of members determined by the Minister, and such members shall be elected in the prescribed manner to represent the different categories of voters on that council on a basis determined by the Minister from time to time after consultation with the administration board in question.

(2) If for any reason no members are elected for a community council at a properly conducted election, the Minister shall designate the members of such council.

(3) If for any reason fewer members than the required number are elected for a community council at a properly conducted election, the Minister shall designate so many members as may be necessary to attain such number.

(4) Only Bantu resident in the area of a community council and who have the prescribed qualifications, shall be qualified to be elected or designated as members of such council, to hold office as members thereof and to vote at any election of members of such council.

(5) Any person who is not a citizen of the Republic or of any territory which previously formed part of the Republic, shall not be qualified to be elected or designated as a member of a community council or to vote at any election of such members.

(6) An official of the State, a representative of an administration board and a representative contemplated in section 5 (1) (h) or a person acting on the instruction of such a representative may be present at a meeting of a community council and may take part in the discussion, but shall not have the power to vote.

Prohibition on
receiving of fees
or rewards and
disclosure of
certain
information.

4. (1) Any member of a community council who directly or indirectly receives any fee or reward from any person in connection with any matter dealt with by that council, 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 one year or to both such fine and such imprisonment.

(2) Any member or any person in the service of a community council who, except at a meeting of such council open to the public or the press or with the consent of such council or in the performance of his duties or as a witness in a court of law, discloses any information acquired by him in the course of his duties, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or, in default of payment, to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Powers and duties
of a community
council.

5. (1) A community council—

(a) shall in respect of its area and subject to the Minister's directions exercise such powers and perform such duties

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- (b) indien daar ten opsigte van die gebied, of enige gedeelte van die gebied, waarvoor dié gemeenskapsraad beoog word, geen sodanige Bantoraad of komitee ingestel is nie, die Bantoes wat in bedoelde gebied of gedeelte daarvan woonagtig is, raadpleeg op die wyse wat hy goedvind.

(4) Die Minister kan, indien hy dit in die openbare belang ag of op versoek van 'n gemeenskapsraad en na oorleg met die betrokke administrasieraad, by kennisgewing in die *Staatskoerant* daardie gemeenskapsraad se gebied verander deur enige stedelike woongebied of enige gedeelte van so 'n gebied daarby te voeg of daarvan uit te sluit.

(5) Die Minister kan, wanneer hy dit in die openbare belang ag of wanneer hy deur 'n gemeenskapsraad daartoe versoek word, na oorleg met die betrokke administrasieraad, by kennisgewing in die *Staatskoerant* so 'n raad met ingang van 'n datum in daardie kennisgewing vermeld, ontbind en aangeleenthede met betrekking tot die bates, laste, regte en verpligtinge van 'n gemeenskapsraad wat aldus ontbind is, reël.

3. (1) Behoudens die bepalings van subartikels (2) en (3) bestaan 'n gemeenskapsraad uit die getal lede deur die Minister bepaal, en sodanige lede word op die voorgeskrewe wyse verkies om die verskillende kategorieë van kiesers in bedoelde raad te verteenwoordig op 'n grondslag wat die Minister van tyd tot tyd na oorleg met die betrokke administrasieraad bepaal.

Samestelling van gemeenskapsrade.

(2) Indien daar om die een of ander rede by 'n verkiesing wat behoorlik gehou is geen lede vir 'n gemeenskapsraad verkies word nie, wys die Minister die lede van dié raad aan.

(3) Indien daar om die een of ander rede by 'n verkiesing wat behoorlik gehou is minder lede vir 'n gemeenskapsraad verkies word as die vereiste getal, wys die Minister soveel lede aan as wat nodig is om dié getal te verkry.

(4) Slegs Bantoes wat in 'n gemeenskapsraad se gebied woonagtig is en wat die voorgeskrewe kwalifikasies besit, is bevoeg om as lede van dié raad verkies of aangewys te word, om as lede daarvan te dien en om te stem by 'n verkiesing van lede van die raad.

(5) 'n Persoon wat nie 'n burger van die Republiek of van 'n gebied wat voorheen deel van die Republiek uitgemaak het, is nie, is nie bevoeg om as lid van 'n gemeenskapsraad verkies of aangewys te word of om by 'n verkiesing van sodanige lede te stem nie.

(6) 'n Beampte van die Staat, 'n verteenwoordiger van 'n administrasieraad en 'n verteenwoordiger bedoel in artikel 5 (1) (h) of iemand wat in opdrag van so 'n verteenwoordiger optree, kan teenwoordig wees by 'n vergadering van 'n gemeenskapsraad en aan die bespreking deelneem, maar het nie dié reg om te stem nie.

4. (1) 'n Lid van 'n gemeenskapsraad wat regstreeks of onregstreeks geld of 'n beloning van enigiemand ontvang in verband met enige saak wat deur dié raad behandel word, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens vierhonderd rand of by wanbetaling met gevangenisstraf vir 'n tydperk van hoogstens een jaar of met daardie boete sowel as daardie gevangenisstraf.

Verbod op ontvangs van gelde of belonings en bekendmaking van sekere inligting.

(2) 'n Lid of iemand in diens van 'n gemeenskapsraad wat, behalwe by 'n vergadering van dié raad wat vir die publiek of pers toeganklik is of met die toestemming van dié raad of by die uitvoering van sy pligte of as 'n getuie in 'n geregshof, inligting bekend maak wat in die loop van sy pligte deur hom ingewin is, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of by wanbetaling met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met daardie boete sowel as daardie gevangenisstraf.

5. (1) 'n Gemeenskapsraad—

- (a) oefen ten opsigte van sy gebied en onderworpe aan die voorskrifte van die Minister die bevoegdhede uit en voer

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in respect of those of the undermentioned matters as may be vested in it and with which it may be charged by the Minister, after consultation with the administration board concerned and such community council:

- (i) the allocation and administration of the letting of accommodation to single persons or to persons as if they were single;
 - (ii) the allocation and administration of the letting of dwellings, buildings and other structures;
 - (iii) the prevention and combating of the unlawful occupation of land and buildings;
 - (iv) the allocation and administration of sites for church, school or trading purposes;
 - (v) the approval of building plans of private dwellings and the removal or destruction of unauthorized or abandoned buildings or structures;
 - (vi) the prohibition, regulation or restriction of the keeping of animals, except dogs;
 - (vii) the control over the keeping of dogs and the imposition of a levy on the keeping thereof;
 - (viii) the promotion of the moral and social welfare of persons living in its area;
 - (ix) the promotion of sound community development in its area;
 - (x) the beautifying of and the neatness of the area;
 - (xi) the administration of sport and recreational facilities;
 - (xii) the administration of library services;
 - (xiii) the award of bursaries;
 - (xiv) the maintenance of services determined by the Minister;
- (b) may control and manage, subject to the provisions of this Act, a community guard established under section 8 in so far as such community guard exercises its powers and performs its duties in its area;
- (c) shall report to the Minister, the administration board concerned or any other person acting under the authority of the Minister on any matter referred to it by the Minister, such board or such other person or in respect of which it deems it advisable so to report on;
- (d) may make recommendations to the Minister or the administration board concerned regarding the making or application of regulations which it deems necessary or desirable in the interests of the persons in its area, the lay-out and renovation of such area and other matters which it considers to be in the interests of such persons;
- (e) may make recommendations to the authorities concerned in connection with transport services;
- (f) may make recommendations to the bodies concerned in respect of educational matters, including the priorities in the erection of schools, the use of school buildings, sport and other facilities at schools after school hours and the use of donations for educational purposes;
- (g) may develop, on the conditions determined by the Minister and with the concurrence of school boards concerned, sport facilities at schools;
- (h) shall assist and advise any representative recognized in respect of any national unit in terms of section 4 of the Promotion of Bantu Self-government Act, 1959 (Act No. 46 of 1959), regarding matters affecting the national unit concerned;
- (i) may, with the concurrence of the administration board concerned and subject to any conditions the Minister may determine, appoint such staff as it may deem necessary for the exercise of its powers and the performance of its duties;

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die pligte uit ten opsigte van dié van die ondergemelde aangeleenthede waarmee hy deur die Minister, na oorleg met die betrokke administrasieraad en dié gemeenskapsraad, bekleë en belas word:

- (i) die toewysing en administrasie van die verhuring van huisvesting aan eenlopende persone of persone asof hulle eenlopend was;
 - (ii) die toewysing en administrasie van die verhuring van wonings, geboue en ander bouwerke;
 - (iii) die voorkoming en bestryding van die onwettige okkupasie van grond en geboue;
 - (iv) die toewysing en administrasie van persele vir kerk-, skool- of handelsdoeleindes;
 - (v) die goedkeuring van bouplanne van privaatwoningen en die verwydering of sloping van ongemagtigde of verlate geboue of bouwerke;
 - (vi) die verbod op of die reëling of beperking van die aanhou van diere, behalwe honde;
 - (vii) die beheer oor die aanhou van honde en die oplê van 'n heffing op die aanhou daarvan;
 - (viii) die bevordering van die sedelike en maatskaplike welsyn van die persone wat in sy gebied woon;
 - (ix) die bevordering van gesonde gemeenskapsontwikkeling in sy gebied;
 - (x) die verfraaiing van en netheid van die gebied;
 - (xi) die administrasie van sport- en ontspanningsgeriewe;
 - (xii) die administrasie van biblioteekdienste;
 - (xiii) die toekenning van beurse;
 - (xiv) die instandhouding van dienste deur die Minister bepaal;
- (b) kan, onderworpe aan die bepalings van hierdie Wet, 'n gemeenskapswag ingestel kragtens artikel 8 beheer en bestuur vir sover daardie gemeenskapswag sy bevoegdhede en pligte in sy gebied uitoefen en uitvoer;
 - (c) moet verslag uitbring aan die Minister, die betrokke administrasieraad of enige ander persoon wat op die gesag van die Minister handel oor enige aangeleentheid wat die Minister, dié administrasieraad of dié ander persoon na hom verwys of ten opsigte waarvan hy dit wenslik ag om aldus verslag uit te bring;
 - (d) kan aanbevelings aan die Minister of die betrokke administrasieraad doen betreffende die uitvaardiging of toepassing van regulasies wat hy in belang van die persone in sy gebied nodig of wenslik ag, die uitleg en vernuwing van dié gebied en ander aangeleenthede wat hy in belang van dié persone ag;
 - (e) kan aanbevelings aan die betrokke owerhede doen in verband met vervoerdienste;
 - (f) kan aanbevelings aan die betrokke liggaam doen met betrekking tot onderwysaangeleenthede, met inbegrip van die prioriteite by die oprigting van skole, die gebruik van skoolgeboue, sport- en ander fasiliteite by skole na skoolure en die aanwending van skenkings vir onderwysdoeleindes;
 - (g) ontwikkel, op die voorwaardes wat die Minister bepaal, en met die instemming van die betrokke skoolrade, sportfasiliteite by skole;
 - (h) moet 'n verteenwoordiger wat ten opsigte van 'n volkseenheid ingevolge artikel 4 van die Wet op die Bevordering van Bantoe-selfbestuur, 1959 (Wet No. 46 van 1959), erken is, bystaan en van advies dien betreffende aangeleenthede wat die betrokke volkseenheid raak;
 - (i) kan, met die instemming van die betrokke administrasieraad en onderworpe aan die voorwaardes wat die Minister bepaal, die personeel aanstel wat sodanige gemeenskapsraad vir die uitoefening van sy bevoegdhede en die uitvoering van sy pligte nodig ag;

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- (j) may, with the approval of the Minister and after consultation with the administration board concerned, impose levies for specific services or purposes on the persons residing in its area;
- (k) may appoint from among its members one or more committees and may assign to a committee so appointed any of its powers and duties: Provided that the assigning of any powers and duties to any such committee shall not have the effect of divesting such community council of those powers and duties, and that any action taken or decision made by any such committee shall be subject to review at the first ensuing meeting of such community council but without prejudice to the validity of anything lawfully done by or under the authority of such committee prior to such review, or to any right, privilege, obligation or liability acquired, accrued or incurred as at the date of such review by virtue of anything so done;
- (l) shall, at the request of the Secretary for Bantu Education or any person acting on his behalf, designate one of its members to serve as a member of a specific school board;
- (m) shall have, with regard to any power or duty which, immediately before the date on which such power was vested in it or it was charged with such duty was exercised or performed by an administration board, all the rights, powers, functions, duties and obligations of an urban local authority in terms of the laws mentioned in section 11 (1) (e) of the Bantu Affairs Administration Act, 1971 (Act No. 45 of 1971);
- (n) shall, subject to the conditions determined by the Minister, exercise in its area the other powers and perform the other duties in connection with any matter, whether or not it is connected with the matters referred to in this subsection, determined by the Minister after consultation with the administration board and other authorities concerned;
- (o) may, subject to the conditions determined by the Minister and with due regard to the provisions of any applicable law, provide for any matter relating to the exercise of its powers or the performance of its duties.

(2) Rights, powers, functions, duties and obligations vested in a community council or with which it may be charged by virtue of the provisions of subsection (1) (m) shall, subject to the provisions of this Act, devolve upon such council to the exclusion of the administration board or any other urban local authority.

(3) For the purposes of the exercise of its powers and the performance of its duties in terms of paragraph (m) of subsection (1) and in the application of the provisions of any law referred to or contemplated in that paragraph, a community council shall in respect of its area be deemed to be such a body or authority as that whose powers and duties it is empowered by that paragraph to exercise or perform, and its area shall be deemed to be the area of jurisdiction of such body or authority.

(4) The Minister may, after consultation with the administration board and community council concerned, withdraw any power or duty vested in a community council or with which it is charged, and may confer or impose any power or duty referred to in subsection (1) (a) so withdrawn upon the administration board concerned.

(5) The Minister or any body or person authorized by him may take such steps as he may deem necessary to ensure the continuation of the functions of a community council.

Staff.

6. (1) (a) The Minister may, if he deems it necessary for the effective performance of the functions of a community council, on the recommendation of the Public Service

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- (j) kan met die goedkeuring van die Minister en na oorleg met die betrokke administrasieraad heffings vir bepaalde dienste of doeleindes oplê op die persone wat in sy gebied woonagtig is;
- (k) kan uit sy lede een of meer komitees aanstel en kan enige van sy bevoegdhede en pligte aan 'n aldus aangestelde komitee opdra: Met dien verstande dat die opdra van bevoegdhede en pligte aan so 'n komitee nie die uitwerking het om dié gemeenskapsraad van daardie bevoegdhede en pligte te ontdoen nie, en dat stappe gedoen of 'n besluit geneem deur so 'n komitee onderworpe is aan hersiening op die eersvolgende vergadering van dié gemeenskapsraad maar sonder om afbreuk te doen aan die geldigheid van enigiets voor sodanige hersiening deur of op gesag van sodanige komitee wettiglik gedoen, of aan 'n reg, voorreg, verpligting of aanspreeklikheid wat op die datum van sodanige hersiening reeds uit hoofde van enigiets aldus gedoen, verkry, opgeloop of aangegaan is;
- (l) moet op versoek van die Sekretaris van Bantoe-onderwys of 'n persoon wat namens hom optree een van sy lede aanwys om as lid van 'n bepaalde skoolraad te dien;
- (m) het, met betrekking tot 'n bevoegdheid of plig wat, onmiddellik voor die datum waarop hy met daardie bevoegdheid of plig bekleë of belas is, deur 'n administrasieraad uitgeoefen of uitgevoer is, al die regte, bevoegdhede, werksaamhede, pligte en verpligtinge van 'n stedelike plaaslike bestuur ingevolge die wette vermeld in artikel 11 (1) (e) van die Wet op die Administrasie van Bantoesake, 1971 (Wet No. 45 van 1971);
- (n) oefen, in sy gebied, onderworpe aan die voorwaardes wat die Minister bepaal, die ander bevoegdhede uit en voer die ander pligte uit in verband met enige aangeleentheid, hetsy dit met die aangeleenthede in hierdie subartikel vermeld in verband staan al dan nie, wat die Minister na oorleg met die betrokke administrasieraad en ander betrokke owerhede bepaal;
- (o) kan, onderworpe aan die voorwaardes wat die Minister bepaal en met inagneming van die bepalings van enige toepaslike wet, voorsiening maak vir enige aangeleentheid betreffende die uitoefening van sy bevoegdhede of die uitvoering van sy pligte.

(2) Regte, bevoegdhede, werksaamhede, pligte en verpligtinge waarmee 'n gemeenskapsraad uit hoofde van die bepalings van subartikel (1) (m) bekleë en belas word, gaan, behoudens die bepalings van hierdie Wet, op dié raad oor tot uitsluiting van die administrasieraad of enige ander stedelike plaaslike bestuur.

(3) Vir die doeleindes van die uitoefening van sy bevoegdhede en die uitvoering van sy pligte ingevolge paragraaf (m) van subartikel (1) en by die toepassing van die bepalings van 'n wet in daardie paragraaf bedoel of beoog, word 'n gemeenskapsraad ten opsigte van sy gebied geag 'n liggaam of gesag te wees soos dié wie se bevoegdhede en pligte hy by daardie paragraaf gemagtig word om uit te oefen of uit te voer, en word sy gebied geag die regsgebied van so 'n liggaam of gesag te wees.

(4) Die Minister kan, na oorleg met die betrokke administrasieraad en gemeenskapsraad, enige bevoegdheid of plig waarmee dié gemeenskapsraad bekleë of belas is, intrek en kan 'n bevoegdheid of plig in subartikel (1) (a) vermeld wat aldus ingetrek is, aan die betrokke administrasieraad verleen of hom dit oplê.

(5) Die Minister of 'n liggaam of persoon deur hom gemagtig, kan die stappe doen wat hy nodig ag om die voortsetting van die werksaamhede van 'n gemeenskapsraad te verseker.

6. (1) (a) Die Minister kan, indien hy dit nodig ag vir die ^{Personeel.}doeltreffende verrigting van die werksaamhede van 'n gemeenskapsraad, op aanbeveling van die Staatsdiens-

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Commission or with the approval of any relevant body established by law, as the case may be, approve of the performance, in accordance with the directions of the Minister, of duties for and on behalf of such community council by an officer or employee of the public service or such other body, with the consent of the officer or employee concerned.

- (b) Any administration board may, after consultation with a community council, place members of its staff, with their consent, at the disposal of such community council for the performance of its duties.

(2) If the post of any person who is in the service of any administration board at the commencement of this Act is, by formal resolution of such administration board, declared to be redundant by virtue of the operation of this Act and such person cannot suitably be retained in the service of such administration board and the Minister determines that such post did not become redundant as a result of the unreasonable action or refusal of such person—

- (a) such administration board shall give to such person notice of such redundancy; and

- (b) at the expiration of a period of six months, or such shorter period as may be agreed upon between such person and such administration board, as from the date upon which notice has so been given such person shall be retired and thereupon—

- (i) if he is a member of the pension fund established under the Associated Institutions Pension Fund Act, 1963 (Act No. 41 of 1963), he shall, for the purposes of the regulations governing such pension fund and subject to the provisions of subsection (3), be deemed to have been so retired on attaining the retirement age as defined in the said regulations: Provided that in determining any benefit payable to him in terms of the said regulations, there shall be added to his pensionable service the period by which his said retirement age exceeds his age at the date on which he is so retired, or a period of five years, whichever is the shorter period;

- (ii) if, by virtue of an election exercised by him in terms of section 10 (8) of the Bantu Affairs Administration Act, 1971 (Act No. 45 of 1971), he is a member of a municipal pension fund (as defined in section 10 (16) of the said Act) he shall, for the purposes of the law or rules governing the pension fund of which he is a member, be deemed to have been retired by the local authority concerned by reason of redundancy and the provisions of subsection (4) shall then apply in respect of him.

(3) For the purposes of subsection (2) (b) (i) there shall, with due regard to the provisions of that subsection, be payable from the pension fund referred to in that subsection, a benefit calculated in terms of the regulations governing such pension fund, and there shall be recovered from the administration board concerned and paid into such pension fund—

- (a) the full amount of any payment made in respect of any annuity payable up to the last day of the month in which the person concerned attains the retirement age as defined in the said regulations;

- (b) with effect from the first day of the month following upon the month referred to in paragraph (a), the amount by which every payment in respect of any annuity payable is increased by reason of the period added in terms of subsection (2) (b) (i) to the pensionable service of such person;

- (c) the amount by which any gratuity so calculated is increased by reason of the period so added to the pensionable service of such person;

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kommissie of met die goedkeuring van 'n betrokke liggaam by wet ingestel, na gelang van die geval, goedkeur dat 'n beampte of werknemer van die Staatsdiens of sodanige ander liggaam, met die instemming van die betrokke beampte of werknemer, pligte vir of namens dié gemeenskapsraad uitvoer volgens voorskrifte van die Minister.

- (b) 'n Administrasieraad kan, na oorleg met 'n gemeenskapsraad, lede van sy personeel, met hul instemming, aan dié gemeenskapsraad beskikbaar stel vir die uitvoering van sy pligte.

(2) Indien die pos van iemand wat by die inwerkingtreding van hierdie Wet in diens van 'n administrasieraad is by formele besluit van daardie administrasieraad oortollig verklaar word op grond van die werking van hierdie Wet en so iemand nie gepas in diens van dié administrasieraad gehou kan word nie en die Minister beslis dat daardie pos nie as gevolg van so iemand se onredelike optrede of weiering oortollig geword het nie—

- (a) moet daardie administrasieraad van dié oortolligheid aan so iemand kennis gee; en

- (b) by verstryking van 'n tydperk van ses maande, of die korter tydperk waaromtrent so iemand en daardie administrasieraad ooreenkom, vanaf die datum waarop aldus kennis gegee is, moet so iemand afgedank word en daarop—

- (i) indien hy 'n lid is van die pensioenfonds ingester kragtens die Wet op die Pensioenfonds vir Geassosieerde Inrigtings, 1963 (Wet No. 41 van 1963), word hy by die toepassing van die regulasies op sodanige pensioenfonds en behoudens die bepalings van subartikel (3), geag aldus afgedank te gewees het by bereiking van die uitdienstredingsleeftyd soos in genoemde regulasies omskryf: Met dien verstande dat by die vasstelling van 'n voordeel ingevolge genoemde regulasies aan hom betaalbaar, daar by sy pensioengewende diens die tydperk gevoeg word waarmee sy uitdienstredingsleeftyd hoër is as sy leeftyd op die dag waarop hy aldus afgedank word, of 'n tydperk van vyf jaar, watter tydperk ook al die kortste is;

- (ii) indien hy uit hoofde van 'n keuse deur hom ingevolge artikel 10 (8) van die Wet op die Administrasie van Bantoesake, 1971 (Wet No. 45 van 1971), uitgeoefen, 'n lid is van 'n munisipale pensioenfonds (soos in artikel 10 (16) van daardie Wet omskryf) word hy, vir die doeleindes van die wet of reëls wat die munisipale pensioenfonds waarvan hy 'n lid is, reël, geag deur die betrokke plaaslike owerheid weens oortolligheid afgedank te gewees het en is die bepalings van subartikel (4) dan ten opsigte van hom van toepassing.

(3) By die toepassing van subartikel (2) (b) (i) is daar uit die pensioenfonds in daardie subartikel genoem 'n voordeel betaalbaar wat, met inagneming van die bepalings van daardie subartikel, bereken word ooreenkomstig die regulasies op dié pensioenfonds, en word daar op die betrokke administrasieraad verhaal en in daardie pensioenfonds gestort—

- (a) die volle bedrag van 'n betaling ten opsigte van enige betaalbare jaargeld gedoen tot die laaste dag van die maand waarin die betrokke persoon die uitdienstredingsleeftyd soos in vermelde regulasies omskryf, bereik;
- (b) met ingang van die eerste dag van die maand wat volg op die maand in paragraaf (a) genoem, die bedrag waarmee iedere betaling ten opsigte van enige betaalbare jaargeld vermeerder word weens die tydperk wat ingevolge subartikel (2) (b) (i) by die pensioengewende diens van dié persoon gevoeg word;
- (c) die bedrag waarmee 'n aldus berekende gratifikasie verhoog word weens die tydperk wat aldus by die pensioengewende diens van dié persoon gevoeg word;

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- (d) in the event of the death of such person, the amount by which any benefit in favour of the widow, any eligible child or any dependant of such person is increased by reason of the period so added to his pensionable service.
 - (4) (a) There shall be paid to any person referred to in subsection (2) (b) (ii) from the municipal pension fund concerned the appropriate benefit prescribed by or under the law or rules governing such pension fund in respect of a member thereof who is dismissed on the grounds of redundancy.
 - (b) The said municipal pension fund shall recover from the administration board concerned—
 - (i) where the benefit concerned is or includes any annuity, the full amount of each payment in respect of such annuity, with effect from the date of such person's retirement up to the date on which he attains the age at which he is required in terms of such law or rules to retire from the service of the local authority concerned, or up to the date of his death, whichever date is the earlier;
 - (ii) where any annuity referred to in subparagraph (i) remains payable in terms of such law or rules after the date on which such person is so required to retire, the amount (if any) by which every payment in respect of such annuity exceeds the amount which would have been payable in terms of such law or rules had such person, on the date on which he actually retired, attained the age at which he is so required to retire;
 - (iii) where the benefit concerned is or includes any gratuity, the full amount of such gratuity or any portion thereof, as an actuary designated by such municipal pension fund may at the expense of such administration board determine, with due regard to the ratio which such person's period of service with the local authority concerned bears to his period of service with such administration board.
 - (c) No amount which in terms of such law or rules may be recovered by a municipal pension fund from a local authority shall, in any case to which this subsection applies, be recoverable in respect of the retirement of any person on the ground of redundancy.
- (5) For the purposes of this section "municipal pension fund" means any superannuation, pension or provident fund or scheme (other than an assurance scheme) established by a local authority for the benefit of its employees, or by or in terms of any law for the benefit of the employees of one or more local authorities.
- (6) (a) No person in the service of a community council shall belong to any trade or staff association not approved by the Minister.
 - (b) Any person who, in contravention of the provisions of paragraph (a), joins any trade or staff association not approved by the Minister, shall be deemed to have resigned from the service of the community council concerned with effect from the date on which he so joined.
 - (7) Any determination by the Minister in terms of subsection (2) shall be final.

Conferring of
civil and criminal
judicial power
on certain Bantu.

7. (1) The Minister may, after consultation with a community council, confer on a Bantu in respect of the area of such council or of such portion of such area as the Minister may determine, the same judicial power as in terms of sections 12 and 20 of the Bantu Administration Act, 1927 (Act No. 38 of 1927), may be conferred on a Bantu chief or headman.

(2) The appropriate provisions of the said sections 12 and 20 and any regulations made thereunder shall *mutatis mutandis* apply

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- (d) ingeval dié persoon sterf, die bedrag waarmee 'n voordeel ten gunste van die weduwee, 'n voordeelgeregtigde kind of 'n afhanklike van dié persoon verhoog word weens die tydperk aldus by sy pensioengewende diens gevoeg.
- (4) (a) Aan iemand in subartikel (2) (b) (ii) bedoel, word daar uit die betrokke munisipale pensioenfonds die toepaslike voordeel by of kragtens die wet of reëls op daardie pensioenfonds voorgeskryf ten opsigte van 'n lid daarvan wat weens oortolligheid afgedank word, betaal.
- (b) Gemelde munisipale pensioenfonds moet op die betrokke administrasieraad verhaal—
- (i) waar die betrokke voordeel 'n jaargeld is of insluit, met ingang van die datum van so iemand se uitdienstreding tot op die datum waarop hy die leeftyd bereik waarop hy ingevolge genoemde wet of reëls, verplig is om uit die diens van die betrokke plaaslike bestuur te tree of tot op die datum waarop hy sterf, watter datum die vroegste is, die volle bedrag van elke betaling ten opsigte van dié jaargeld;
- (ii) waar 'n jaargeld in subparagraaf (i) genoem ingevolge daardie wet of reëls betaalbaar bly na die datum waarop so iemand aldus verplig is om af te tree, die bedrag (as daar is) waarmee elke betaling ten opsigte van dié jaargeld meer is as die bedrag wat ingevolge daardie wet of reëls betaalbaar sou gewees het as dié persoon op die datum waarop hy werklik afgetree het, die leeftyd bereik het waarop hy aldus verplig is om af te tree;
- (iii) waar die betrokke voordeel 'n gratifikasie is of insluit, die volle bedrag van dié gratifikasie of 'n deel daarvan, na gelang 'n aktuaris deur dié munisipale pensioenfonds aangewys, op koste van dié administrasieraad bepaal, met inagneming van die verhouding waarin so iemand se dienstermyn by die betrokke plaaslike bestuur tot sy dienstermyn by dié administrasieraad staan.
- (c) Geen bedrag wat ingevolge bedoelde wet of reëls deur 'n munisipale pensioenfonds op 'n plaaslike bestuur verhaal kan word, is, in 'n geval waarop hierdie subartikel van toepassing is, ten opsigte van die uitdienstreding van iemand op grond van oortolligheid, verhaalbaar nie.
- (5) By die toepassing van hierdie artikel beteken „munisipale pensioenfonds” 'n superannuasie-, pensioen- of voorsieningsfonds of -skema (behalwe 'n assuranceskema) deur 'n plaaslike bestuur ten bate van sy werknemers, of deur of ingevolge 'n wet ten bate van die werknemers van een of meer plaaslike besture, ingestel.
- (6) (a) Niemand in diens van 'n gemeenskapsraad behoort aan enige vak- of personeelvereniging wat nie deur die Minister goedgekeur is nie.
- (b) Iemand wat strydig met die bepalings van paragraaf (a) by 'n vak- of personeelvereniging wat nie deur die Minister goedgekeur is nie, aansluit, word geag uit die diens van die betrokke gemeenskapsraad te bedank het met ingang van die datum waarop hy aldus aangesluit het.
- (7) 'n Beslissing van die Minister ingevolge subartikel (2) is afdoende.

7. (1) Die Minister kan, na oorleg met 'n gemeenskapsraad, aan 'n Bantoe ten opsigte van die gebied van dié raad of die gedeelte van daardie gebied wat die Minister bepaal, dieselfde regsprekende bevoegdheid verleen as wat ingevolge artikels 12 en 20 van die Bantoe-administrasie Wet, 1927 (Wet No. 38 van 1927), aan 'n Bantoe kaptein of -hoofman verleen kan word.

Verlening van siviele en strafregtelike regsprekende bevoegdheid aan sekere Bantoes.

(2) Die toepaslike bepalings van genoemde artikels 12 en 20 en regulasies daarkragtens uitgevaardig, is *mutatis mutandis* van

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in connection with the judicial power conferred on any person in terms of subsection (1).

Establishment and functions of community guards.

8. (1) The Minister may, after consultation with the Minister of Police and a community council, or two or more such councils jointly, establish for the area or areas of such council or councils a community guard for—

- (a) the preservation of the safety of the inhabitants of the area or areas concerned;
- (b) the maintenance of law and order therein;
- (c) the prevention of crime therein; and
- (d) the performance of the functions of a messenger according to Bantu law in respect of the exercising of the judicial power of any person on whom such power has been conferred under this Act.

(2) The constitution of any community guard so established, the control and management thereof and the appointment, powers, functions, duties and discipline of the members thereof, shall be as prescribed by the Minister in consultation with the Minister of Police.

(3) Nothing in this section contained shall be construed as derogating from the powers, functions and duties of the South African Police or a member thereof or any peace officer in the service of an administration board.

Funds of a community council.

9. (1) The funds of a community council shall consist of—

- (a) every amount received by such council or any member or employee thereof by virtue of the exercise of any power or the performance of any duty under the provisions of this Act;
- (b) every amount that an administration board pays with the approval of the Minister to such community council for the exercise of a power or the performance of a duty under this Act;
- (c) every amount received in respect of a fine imposed by a person in the exercise of criminal judicial power conferred on him in terms of this Act;
- (d) every amount received in respect of a levy imposed in terms of this Act;
- (e) any amounts obtained from any other source.

(2) The funds of a community council shall be charged with—

- (a) expenses incurred in the exercise of a power or the performance of a duty under this Act;
- (b) expenses incurred with the consent of the community council by a person in the exercise of criminal or civil judicial power conferred on him in terms of this Act.

(3) Notwithstanding the provisions of section 19 of the Urban Areas Act, a community council shall keep a full and correct account of all amounts received or spent by it and shall manage its financial affairs as determined by the Minister.

(4) The books, statements of accounts and balance sheet of a community council shall be audited by the Auditor-General.

Abolition of urban Bantu councils and Bantu advisory boards in certain circumstances.

10. (1) If a community council is established for a portion of any area for which an urban Bantu council or a Bantu advisory board has been established, such Bantu council or board shall cease to exercise any power or perform any duty in respect of such portion, and if a community council is established for the whole of the area for which an urban Bantu council or Bantu advisory board has been established, such Bantu council or board shall cease to exist.

(2) With regard to the area of a community council, a reference in any law to an urban Bantu council or a Bantu advisory board shall be construed as a reference to such community council.

Regulations.

11. (1) The Minister may, after consultation with the administration board concerned and with any community council which

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toepassing in verband met die regsprekende bevoegdheid wat aan iemand ingevolge subartikel (1) verleen word.

8. (1) Die Minister kan, na oorleg met die Minister van Polisie en 'n gemeenskapsraad, of twee of meer sodanige rade gesamentlik, vir die gebied of gebiede van dié raad of rade 'n gemeenskapswag instel vir—

Instelling en werksaamhede van gemeenskapswagte.

- (a) die bewaring van die veiligheid van die inwoners van die betrokke gebied of gebiede;
- (b) die handhawing van reg en orde daarin;
- (c) die voorkoming van misdaad daarin; en
- (d) die verrigting van die werksaamhede van 'n bode ooreenkomstig Bantoereg ten opsigte van die uitoefening van die regsprekende bevoegdheid van 'n persoon aan wie sodanige bevoegdheid kragtens hierdie Wet verleen is.

(2) Die samestelling van 'n gemeenskapswag aldus ingestel, die beheer en bestuur daarvan en die aanstelling, bevoegdhede, werksaamhede, pligte en dissipline van die lede daarvan is soos deur die Minister in oorleg met die Minister van Polisie voorgeskryf word.

(3) Die bepalinge van hierdie artikel word nie só uitgelê nie dat dit afbreuk doen aan die bevoegdhede, funksies en pligte van die Suid-Afrikaanse Polisie, 'n lid daarvan of 'n vredesbeampte in diens van 'n administrasieraad.

9. (1) Die fondse van 'n gemeenskapsraad bestaan uit—

Fondse van 'n gemeenskapsraad.

- (a) elke bedrag wat deur dié raad of 'n lid of werknemer daarvan ontvang word uit hoofde van die uitoefening van 'n bevoegdheid of die uitvoering van 'n plig kragtens die bepalinge van hierdie Wet;
- (b) elke bedrag wat 'n administrasieraad aan daardie gemeenskapsraad met die goedkeuring van die Minister betaal vir die uitoefening van 'n bevoegdheid of die uitvoering van 'n plig kragtens hierdie Wet;
- (c) elke bedrag wat ontvang word ten opsigte van 'n boete opgelê deur iemand by die uitoefening van strafregtelike regsprekende bevoegdheid aan hom verleen ingevolge hierdie Wet;
- (d) elke bedrag wat ontvang word ten opsigte van 'n heffing kragtens hierdie Wet opgelê;
- (e) bedrae uit enige ander bron verkry.

(2) Die fondse van 'n gemeenskapsraad word belas met—

- (a) uitgawes aangegaan by die uitoefening van 'n bevoegdheid of die uitvoering van 'n plig kragtens hierdie Wet;
- (b) uitgawes aangegaan met die goedkeuring van die gemeenskapsraad deur iemand by die uitoefening van strafregtelike of siviele regsprekende bevoegdheid aan hom verleen ingevolge hierdie Wet.

(3) Ondanks die bepalinge van artikel 19 van die Stadsgebiedewet, hou 'n gemeenskapsraad 'n volledige en juiste rekening van alle gelde deur hom ontvang en bestee, en bedryf sy geldsake soos deur die Minister bepaal.

(4) Die boeke, rekenings en balansstaat van 'n gemeenskapsraad word deur die Ouditeur-generaal geouditeer.

10. (1) Indien 'n gemeenskapsraad ingestel word vir 'n gedeelte van 'n gebied waarvoor 'n stedelike Bantoeraad of 'n adviserende Bantoe Komitee ingestel is, hou dié Bantoeraad of -komitee op om ten opsigte van dié gedeelte enige bevoegdheid uit te oefen of plig uit te voer, en indien 'n gemeenskapsraad ingestel word vir die hele gebied waarvoor 'n stedelike Bantoeraad of 'n adviserende Bantoe Komitee ingestel is, hou dié Bantoeraad of -komitee op om te bestaan.

Afskaffing van stedelike Bantoerade en adviserende Bantoe Komitees in sekere omstandighede.

(2) Met betrekking tot die gebied van 'n gemeenskapsraad word 'n verwysing in enige wet na 'n stedelike Bantoeraad of 'n adviserende Bantoe Komitee uitgelê as 'n verwysing na dié gemeenskapsraad.

11. (1) Die Minister kan, na oorleg met die betrokke administrasieraad en met enige gemeenskapsraad wat daardeur

Regulasies.

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will be affected thereby, make regulations or apply existing regulations in connection with—

- (a) the mode of election of and the vacating of offices by members of community councils, the filling of vacancies on such councils, the qualifications of voters for the purposes of electing such members and the qualifications of candidates for such elections;
- (b) the period of office, conditions of service, powers and duties of the members and office-bearers of community councils;
- (c) the convening of, the procedure at and conduct of meetings of a community council or of the members of two or more such councils;
- (d) the appointment, constitution, powers and duties of committees of a community council;
- (e) the employment, conditions of service and discharge of the staff of a community council;
- (f) the control over the financial affairs of a community council and the books and accounts to be kept;
- (g) any other matter the regulation of which is in the opinion of the Minister necessary or desirable for the effective carrying out of this Act.

(2) In the interpretation of any regulation made by the Minister under section 22 of the Bantu Affairs Administration Act, 1971 (Act No. 45 of 1971), in respect of a power or function which has been vested in a community council or with which it has been charged in terms of this Act, such community council shall be deemed to be an administration board.

(3) Different regulations may be made or applied in respect of different community councils.

(4) The Minister may, after consultation with the administration board and the community council concerned, repeal or amend any regulation made or applied in terms of this Act.

(5) Any regulations made under this section may provide for penalties for any contravention of or failure to comply with the provisions thereof or failure to comply with any requirements or conditions prescribed in any permit, order or other document issued thereunder, not exceeding a fine of two hundred rand or, in default of payment, imprisonment for a period of six months.

Competent
judicial
authority
concerning
the hearing of
certain cases.

12. Any contravention of a provision of this Act shall, if the accused is a Bantu, be heard by a Bantu Affairs Commissioner and any civil matter in which the parties are a community council and a Bantu, shall be heard in the court of a Bantu Affairs Commissioner.

Removal of
ambiguity,
conflict and
administrative
difficulty.

13. (1) If any provision of this Act or any other law is found to be ambiguous or to give rise to administrative difficulty in the application thereof to a community council, or any provision of this Act is found to be in conflict with any other law, the State President may by proclamation in the *Gazette* determine the extent to which and the manner in which such other law shall apply in respect of such council according as he may deem necessary to remove such ambiguity, administrative difficulty or conflict.

(2) Any proclamation referred to in subsection (1) shall not remain in operation for longer than the end of the session of Parliament following on the date upon which it was published in the *Gazette*.

Repeal of laws
and savings.

14. (1) Subject to the provisions of subsection (2), the laws referred to in the Schedule are hereby repealed to the extent set out in the third column of the said Schedule.

(2) Notwithstanding the repeal of the Urban Bantu Councils Act, 1961 (Act No. 79 of 1961), and section 21 of the Urban Areas Act, a duly established urban Bantu council or Bantu advisory board shall continue to exist, shall exercise the powers and perform the duties which such a council or board is authorized to exercise or perform under the said laws, and members of such a

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geraak sal word, regulasies uitvaardig of bestaande regulasies van toepassing maak in verband met—

- (a) die wyse van verkiesing van en ontruiming van ampte deur lede van gemeenskapsrade, die vul van vakatures in dié rade, die kwalifikasies van kiesers vir dié doeleindes van die verkiesing van dié lede en die kwalifikasies van kandidate vir dié verkiesings;
- (b) die ampstermyn, diensvoorwaardes, bevoegdhede en pligte van lede en ampsdraers van gemeenskapsrade;
- (c) die byeenroeping van, die prosedure op en die hou van vergaderings van 'n gemeenskapsraad of van die lede van twee of meer sodanige rade;
- (d) die aanstelling, samestelling, bevoegdhede en pligte van komitees van 'n gemeenskapsraad;
- (e) die indiensneming, diensvoorwaardes en ontslag van die personeel van 'n gemeenskapsraad;
- (f) die beheer oor 'n gemeenskapsraad se geldsake en die boeke en rekenings wat gehou moet word;
- (g) enige ander aangeleentheid waarvan die reëling na die oordeel van die Minister nodig of wenslik is vir die behoorlike uitvoering van hierdie wet.

(2) By die uitleg van 'n regulasie deur die Minister uitgevaardig kragtens artikel 22 van die Wet op die Administrasie van Bantoesake, 1971 (Wet No. 45 van 1971), met betrekking tot 'n bevoegdheid of funksie waarmee 'n gemeenskapsraad ingevolge hierdie Wet beklee en belas is, word geag dat dié gemeenskapsraad 'n administrasieraad is.

(3) Verskillende regulasies kan ten opsigte van verskillende gemeenskapsrade uitgevaardig of van toepassing gemaak word.

(4) Die Minister kan, na oorleg met die betrokke administrasieraad en gemeenskapsraad, enige regulasie kragtens hierdie Wet uitgevaardig of van toepassing gemaak, herroep of wysig.

(5) Regulasies kragtens hierdie artikel uitgevaardig, kan voorsiening maak vir strawwe wat 'n boete van tweehonderd rand of, by wanbetaling, gevangenisstraf vir 'n tydperk van ses maande, nie te bowe gaan nie, vir 'n oortreding van die bepalings daarvan of versuim om aan daardie bepalings te voldoen of versuim om aan die vereistes of voorwaardes voorgeskryf in 'n permit, bevel of ander dokument daarkragtens uitgereik, te voldoen.

12. 'n Oortreding van 'n bepaling van hierdie Wet word, indien die beskuldigde 'n Bantoe is, deur 'n Bantoesakekommissaris verhoor en 'n siviele geding waarin 'n gemeenskapsraad en 'n Bantoe die partye is, word in die hof van 'n Bantoesakekommissaris verhoor.

Bevoegde regspreekende gesag betreffende verhoor van sekere sake.

13. (1) Indien 'n bepaling van hierdie Wet of 'n ander wetsbepaling by die toepassing daarvan op 'n gemeenskapsraad dubbelsinnig blyk of tot administratiewe moeilikheid aanleiding gee, of 'n bepaling van hierdie Wet in stryd met enige ander wet bevind word, kan die Staatspresident by proklamasie in die *Staatskoerant* bepaal in hoeverre en op watter wyse daardie ander wetsbepaling met betrekking tot dié raad geld, na gelang hy nodig ag om dié dubbelsinnigheid, administratiewe moeilikheid of strydigheid uit die weg te ruim.

Verwydering van dubbelsinnigheid, teenstrydighede en administratiewe moeilikhede.

(2) 'n In subartikel (1) bedoelde proklamasie bly nie langer van krag nie as die einde van die Parlementsitting wat volg op die datum waarop dit in die *Staatskoerant* bekend gemaak is.

14. (1) Die wette vermeld in die Bylae word, behoudens die bepalings van subartikel (2), herroep in die mate uiteengesit in die derde kolom van bedoelde Bylae.

Herroeping van wette en voorbehoude.

(2) Ondanks die herroeping van die Wet op Stedelike Bantoe, 1961 (Wet No. 79 van 1961), en artikel 21 van die Stadsgebiedewet bly 'n behoorlik ingestelde stedelike Bantoe raad of 'n adviserende Bantoe komitee voortbestaan, oefen so 'n raad of komitee die bevoegdhede uit en voer die pligte uit wat hulle kragtens genoemde wette gemagtig is om uit te oefen of uit te voer, en kan lede van so 'n raad of komitee ooreenkomstig

Act No. 125, 1977**COMMUNITY COUNCILS ACT, 1977.**

council or board may be elected or selected in accordance with such laws or regulations made thereunder as if such laws were not repealed, until such council or board, as the case may be, ceases to exist in terms of the provisions of section 10 (1).

Application of
Act 94 of 1970
to community
councils.

15. For the purposes of the Limitation of Legal Proceedings (Provincial and Local Authorities) Act, 1970 (Act No. 94 of 1970), a community council shall be deemed to be a "local authority" as defined in section 1 of the said Act.

Short title.

16. This Act shall be called the Community Councils Act, 1977.

Schedule

LAWS REPEALED

No. and year of Law	Title	Extent of Repeal
Act No. 25 of 1945	Bantu (Urban Areas) Consolidation Act, 1945	Section 21
Act No. 46 of 1959	Promotion of Bantu Self-government Act, 1959	Section 5 (2)
Act No. 79 of 1961	Urban Bantu Councils Act, 1961	The whole

WET OP GEMEENSKAPSGRADE, 1977.

Wet No. 125, 1977

genoemde wette of regulasies daarkragtens uitgevaardig, verkies of gekies word asof daardie wette nie herroep is nie totdat bedoelde raad of komitee, na gelang van die geval, ingevolge die bepalings van artikel 10 (1) ophou om te bestaan.

15. By die toepassing van die Wet op die Beperking van Regsgedinge (Provinsiale en Plaaslike Besture), 1970 (Wet No. 94 van 1970), word 'n gemeenskapsraad geag 'n „plaaslike bestuur” te wees soos omskryf in artikel 1 van daardie Wet.

Toepassing van
Wet 94 van 1970
op gemeenskapsrade.

16. Hierdie Wet heet die Wet op Gemeenskapsrade, 1977.

Kort titel.

Bylae

WETTE HERROEP

No. en jaar van wet	Titel	In hoeverre herroep
Wet No. 25 van 1945	Bantoes (Stadsgebiede) Konsolidasiewet, 1945	Artikel 21
Wet No. 46 van 1959	Wet op die Bevordering van Bantoe-selfbestuur, 1959	Artikel 5 (2)
Wet No. 79 van 1961	Wet op Stedelike Bantoerade, 1961	Die geheel

