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GOVERNMENT GAZETTE

STAATSKOERANT

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DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 997.

23 May 1980.

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23 Mei 1980.

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

No. 65 of 1980: Railway Construction Act, 1980.

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

No. 65 van 1980: Spoorwegaanlegwet, 1980.

WET

Om voorsiening te maak vir die aanlê en uitrus van 'n spoorlyn tussen Chempet en Atlantis (Provinsie Kaap die Goeie Hoop), en vir sake wat daarmee in verband staan.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 6 Mei 1980.)*

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

Aanlê en uitrus van 'n spoorlyn tussen Chempet en Atlantis.

1. (1) Die Staatspresident kan, so spoedig na die inwerkingtreding van hierdie Wet as wat hy doenlik ag, 'n spoorlyn van 'n 5 spoorwydte van eenduisend en vyf-en-sestig millimeter en van 'n benaderde lengte van ses-en-dertig kilometer tussen Chempet en Atlantis (Provinsie Kaap die Goeie Hoop) laat aanlê en uitrus teen 'n bruto koste van ongeveer een-en-twintig miljoen rand.

(2) Die bevoegdhede deur hierdie artikel verleen, sluit die 10 bevoegdheid in om alle sylyne, stasies, geboue en ander toebehore wat vir die behoorlike eksploitasie van gemelde spoorlyn nodig is of daarmee in verband staan, aan te lê en uit te rus.

(3) Die uitdrukking „aanlê en uitrus” omvat „in stand hou” 15 onderwyl die spoorlyn aangelê en uitgerus word.

Koste van aanlê en uitrus.

2. Die koste van die aanlê en uitrus van die spoorlyn wat deur artikel 1 gemagtig word, word bestry uit 'n lening deur die Staatspresident kragtens wetlike magtiging aangegaan en vir daardie doel deur die Parlement bewillig, of uit ander gelde aldus 20 bewillig.

Bevoegdhede in verband met aanlê en uitrus.

3. Ten opsigte van die aanlê en uitrus van gemelde spoorlyn het die Staatspresident die bevoegdhede verleen kragtens die Konsolidasiewet op die Beheer en Bestuur van Spoorweë en Hawens, 1957 (Wet No. 70 van 1957), en die Onteieningswet, 25 1975 (Wet No. 63 van 1975), maar onderhewig aan die verpligtings deur bedoelde Wette opgelê: Met dien verstande dat die breedte van die grond wat vir die bou van die spoorlyn geneem word, nie vyf-en-dertig meter oorskry nie, met soveel bykomende grond as wat nodig mag wees vir die hellings, 30 deurgrawings, dreinerings, stasies, toegangspaaie en ander werke en sake wat vir die doeleindes van die spoorlyn nodig mag wees.

Spoorweg- en Hawefonds word vir verliese vergoed.

4. Onderworpe aan die bedinge en voorwaardes waaroor tussen die Spoorwegadministrasie en die Minister van Omgewingsbeplanning en Energie ooreengekom word, word die Spoorweg- en 35 Hawefonds uit die Staatsinkomstefonds vergoed, uit geld deur die Parlement vir die doel bewillig, vir alle verliese (bereken op 'n wyse waaroor insgelyks aldus ooreengekom word) wat gely mag word met die eksploitasie van die spoorlyn in artikel 1 vermeld.

Kort titel.

5. Hierdie Wet heet die Spoorwegaanlegwet, 1980.

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ACT

To provide for the construction and equipment of a line of railway between Chempet and Atlantis (Province of the Cape of Good Hope), and for matters incidental thereto.

*(Afrikaans text signed by the State President.)
(Assented to 6 May 1980.)*

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

1. (1) The State President may, as soon after the commencement of this Act as to him may seem expedient, cause to be constructed and equipped, upon a gauge of one thousand and sixty-five millimetres, a line of railway of a length of approximately thirty-six kilometres between Chempet and Atlantis (Province of the Cape of Good Hope) at a gross cost of approximately twenty-one million rand. Construction and equipment of a line of railway between Chempet and Atlantis.
- (2) The powers conferred by this section shall include the power to construct and equip all sidings, stations, buildings and other appurtenances necessary for or incidental to the proper working of the said line of railway.
- 15 (3) The expression "construct and equip" shall include "maintain" while the line is in the course of construction and equipment.
2. The cost of construction and equipment of the line of railway authorized by section 1 shall be defrayed out of a loan raised by the State President under the authority of law and appropriated for that purpose by Parliament, or out of any other moneys so appropriated. Cost of construction and equipment.
3. In respect of the construction and equipment of the said line of railway, the State President shall have the powers conferred by the Railways and Harbours Control and Management (Consolidation) Act, 1957 (Act No. 70 of 1957), and the Expropriation Act, 1975 (Act No. 63 of 1975), but subject to the obligations imposed by these Acts: Provided that the width of the land taken for the construction of the line, shall not exceed thirty-five metres, together with such additional land as may be required for the slopes, cuttings, drainage, stations, approach roads and other works and matters which may be necessary for the purpose of the line. Powers incidental to construction and equipment.
4. The Railway and Harbour Fund shall, subject to such terms and conditions as may be agreed upon between the Railway Administration and the Minister of Environmental Planning and Energy, be compensated from the State Revenue Fund, out of moneys appropriated by Parliament for the purpose, for all losses (as determined in a manner to be likewise so agreed upon) that may be sustained in the working of the line of railway mentioned in section 1. Railway and Harbour Fund to be compensated for losses.

5. This Act shall be called the Railway Construction Act, 1980. Short title.

