



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 963. 12 Mei 1982.

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

No. 68 van 1982: Tweede Wysigingswet op Gemeenskaps-ontwikkeling, 1982.

No. 963. 12 May 1982.

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

No. 68 of 1982: Second Community Development Amendment Act, 1982.

Wet No. 68, 1982

TWEEDE WYSIGINGSWET OP
GEMEENSKAPSONTWIKKELING, 1982**ALGEMENE VERDUIDELIKENDE NOTA:**

I **I** Woorde in vet druk tussen vierkantige hake dui skappings uit
bestaande verordenings aan.

_____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande
verordenings aan.

WET

Tot wysiging van die Wet op Gemeenskapsontwikkeling, 1966, ten einde 'n sekere omskrywing in te voeg; die ledetal van die Gemeenskapsontwikkelingsraad te vermeerder; die omstandighede waaronder 'n lid van genoemde Raad sy amp ontruim, verder te reël; die besoldiging en toelaes van lede van genoemde Raad verder te reël; die bevoegdhede van die uitvoerende komitee, en vaste en *ad hoc*-komitees van genoemde Raad verder te reël; sekere strawwe te verhoog; die algemene bevoegdhede van genoemde Raad uit te brei en in 'n sekere opsig verder te reël; die oordrag aan genoemde Raad van sekere bevoegdhede en werksaamhede wat deur die Staatspresident aan die Minister van Gemeenskapsontwikkeling opgedra is, te reël; en sekere verouderde woorde en uitdrukkings te vervang of te skrap; om die Wet op Grondbesit, 1966, te herroep; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 4 Mei 1982.)

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

Wysiging van
artikel 1 van
Wet 3 van 1966,
soos gewysig deur
artikel 1 van
Wet 42 van 1967,
artikel 1 van
Wet 58 van 1968,
artikel 1 van
Wet 74 van 1970,
artikel 50 van
Wet 63 van 1975,
artikel 1 van
Wet 19 van 1978
en artikel 1 van
Wet 26 van 1982.

Wysiging van
artikel 2 van
Wet 3 van 1966.

Wysiging van
artikel 3 van
Wet 3 van 1966.

1. Artikel 1 van die Wet op Gemeenskapsontwikkeling, 1966 (hieronder die Hoofwet genoem), word hierby gewysig deur in subartikel (1) na die omskrywing van „basiese waarde” die volgende omskrywing in te voeg: 5

„Departement’ die Departement van Gemeenskapsontwikkeling.”

2. Artikel 2 van die Hoofwet word hierby gewysig—

- (a) deur in subartikel (2) die uitdrukking „Gekonsolideerde Inkomstefonds” deur die woord „Staatsinkomstefonds” te vervang; en
- (b) deur in subartikel (3) die uitdrukking „Die Wet op Huurgelde, 1950 (Wet No. 43 van 1950)” deur die uitdrukking „Die Wet op Huurbeheer, 1976 (Wet No. 80 van 1976)” te vervang. 15

3. Artikel 3 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Die raad bestaan uit hoogstens **[sewe]** twalf lede wat deur die Staatspresident aangestel word.”. 20

SECOND COMMUNITY DEVELOPMENT AMENDMENT ACT, 1982

Act No. 68, 1982

GENERAL EXPLANATORY NOTE:

[Words in bold type in square brackets indicate omissions from existing enactments.

 Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Community Development Act, 1966, so as to insert a certain definition; to increase the membership of the Community Development Board; to further regulate the circumstances in which a member of the said Board shall vacate his office; to further regulate the emoluments and allowances of members of the said Board; to further regulate the powers of the executive committee and standing and *ad hoc* committees of the said Board; to increase certain penalties; to extend, and in a certain respect to further regulate, the general powers of the said Board; to regulate the assignment to the said Board of certain powers and functions which have been assigned by the State President to the Minister of Community Development; and to delete or to substitute certain obsolete words and expressions; to repeal the Land Tenure Act, 1966; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 4 May 1982.)

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

1. Section 1 of the Community Development Act, 1966 (hereinafter referred to as the principal Act), is hereby amended by the insertion in subsection (1) after the definition of "deeds registry" of the following definition:
 "'Department' means the Department of Community Development;"
Amendment of section 1 of Act 3 of 1966, as amended by section 1 of Act 42 of 1967, section 1 of Act 58 of 1968, section 1 of Act 74 of 1970, section 50 of Act 63 of 1975, section 1 of Act 19 of 1978 and section 1 of Act 26 of 1982.
2. Section 2 of the principal Act is hereby amended—
 10 (a) by the substitution in subsection (2) for the expression "Consolidated Revenue Fund" of the expression "State Revenue Fund"; and
 (b) by the substitution in subsection (3) for the expression "The Rents Act, 1950 (Act No. 43 of 1950)" of the expression "The Rent Control Act, 1976 (Act No. 80 of 1976)".
Amendment of section 2 of Act 3 of 1966.
3. Section 3 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:
 20 "(1) The board shall consist of not more than [seven] twelve members appointed by the State President."
Amendment of section 3 of Act 3 of 1966.

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Wysiging van
artikel 4 van
Wet 3 van 1966.

4. Artikel 4 van die Hoofwet word hierby gewysig—
- (a) deur paragraaf (b) van subartikel (2) deur die volgende paragraaf te vervang:
- „(b) indien sy boedel gesekwestreer word of **[’n kennisgewing ingevolge artikel 10 (1) van die Boere-Bystandswet, 1935 (Wet No. 48 van 1935), met betrekking tot hom gepubliseer word]** hy om in artikel 10 (1) (c) van die Wet op Landboukrediet, 1966 (Wet No. 28 van 1966), bedoelde bystand aansoek doen;” en 5 10
- (b) deur na paragraaf (b) van subartikel (2) die volgende paragraaf in te voeg:
- „(bA) indien hy hom verkiesbaar stel by ’n party- of amptelike benoeming van kandidate vir die Volksraad of ’n provinsiale raad of ’n poging aanwend om hom by so ’n benoeming te laat benoem;” 15

Wysiging van
artikel 5 van
Wet 3 van 1966.

5. Artikel 5 van die Hoofwet word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:
- „(3) **[Drie]** Vier lede van die raad maak ’n kworum uit vir ’n vergadering van die raad.” 20

Wysiging van
artikel 6 van
Wet 3 van 1966.

6. Artikel 6 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:
- „(1) ’n Lid van die raad (met uitsondering van ’n persoon wat voltyds in diens van die Staat is en uit Staatsgeld salaris ontvang) moet, en so ’n persoon kan, die besoldiging en toelaes ontvang wat die Minister in oorleg met die Minister van Finansies bepaal: Met dien verstande dat die besoldiging en toelaes van sodanige lede of persone kan verskil na gelang hulle in ’n heeltydse of deeltydse hoedanigheid dien.” 25 30

Wysiging van
artikel 7 van
Wet 3 van 1966.

7. Artikel 7 van die Hoofwet word hierby gewysig—
- (a) deur subartikel (2) deur die volgende subartikel te vervang:
- „(2) Enige **[drie]** vier lede van die uitvoerende komitee maak ’n kworum uit.” en 35
- (b) deur subartikel (4) deur die volgende subartikel te vervang:
- „(4) Die uitvoerende komitee kan, onderworpe aan die voorskrifte van die raad, tussen raadsvergaderings al die bevoegdhede van die raad uitoefen en al sy werksaamhede verrig, maar is, behalwe vir sover die raad anders gelas, nie bevoeg om ’n besluit van die raad tersyde te stel of te wysig nie, en die stappe deur die uitvoerende komitee gedoen of besluite deur hom geneem wat deur bedoelde voorskrifte aangedui word, is **[onder-** 45 **hewig]** onderworpe aan **[hersiening]** bekragtiging op die eersvolgende vergadering van die raad.”

Wysiging van
artikel 8 van
Wet 3 van 1966.

8. Artikel 8 van die Hoofwet word hierby gewysig—
- (a) deur subartikel (1) deur die volgende subartikel te vervang: 50
- „(1) Die Minister kan een of meer vaste komitees aanstel wat uit een of meer lede van die raad of uit een of meer beamptes in die Departement **[van Gemeenskapsbou]** of uit een of meer sodanige lede en een of meer sodanige beamptes bestaan, om, onderworpe aan die voorwaardes wat die Minister bepaal, sodanige werksaamhede van die raad as wat die Minister na oorlegpleging met die raad bepaal, te verrig, en so ’n vaste komitee kan vir die behoorlike uitoefening of verrigting van bedoelde werksaamhede al die bevoegdhede uitoefen en al die pligte uitvoer wat met betrekking tot die verrigting van daardie werksaamhede aan die raad verleen of hom opgelê is: Met dien verstande dat die raad 55 60

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4. Section 4 of the principal Act is hereby amended—

Amendment of
section 4 of
Act 3 of 1966.

(a) by the substitution for paragraph (b) of subsection (2) of the following paragraph:

5 “(b) if his estate is sequestrated or **[a notice with reference to him is published under section 10 (1) of the Farmers’ Assistance Act, 1935 (Act No. 48 of 1935)]** he applies for assistance contemplated in section 10 (1) (c) of the Agricultural Credit Act, 1966 (Act No. 28 of 1966);” and

10 (b) by the insertion after paragraph (b) of subsection (2) of the following paragraph:

15 “(bA) if he seeks election at any party or official nomination of candidates for the House of Assembly or a provincial council or attempts to have himself nominated at any such nomination;”.

5. Section 5 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection:

Amendment of
section 5 of
Act 3 of 1966.

“(3) **[Three]** Four members of the board shall form a quorum for a meeting of the board.”.

20 6. Section 6 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of
section 6 of
Act 3 of 1966.

25 “(1) A member of the board (other than a person who is in the full-time employment of the State and in receipt of a salary from public funds) shall, and any such person may, receive such remuneration and allowances as the Minister may, in consultation with the Minister of Finance, determine: Provided that the remuneration and allowances of any such members or persons may differ according as to whether they serve in a full-time or part-time capacity.”.

30 7. Section 7 of the principal Act is hereby amended—

Amendment of
section 7 of
Act 3 of 1966.

(a) by the substitution for subsection (2) of the following subsection:

“(2) Any [three] four members of the executive committee shall form a quorum.”; and

35 (b) by the substitution for subsection (4) of the following subsection:

40 “(4) The executive committee may, subject to the directions of the board, exercise all the powers and perform all the functions of the board between meetings of the board, but shall not have the power, save in so far as the board otherwise directs, to set aside or vary any decision of the board, and **[any action]** such steps taken or **[decision]** decisions made by the executive committee as are indicated in the said directions shall be subject to **[review]** confirmation at the first ensuing meeting of the board.”.

8. Section 8 of the principal Act is hereby amended—

Amendment of
section 8 of
Act 3 of 1966.

(a) by the substitution for subsection (1) of the following subsection:

50 “(1) The Minister may appoint one or more standing committees, consisting of one or more members of the board or of one or more officers in the Department **[of Community Development]** or of one or more such members and one or more such officers, to carry out, subject to such conditions as he may determine, such of the functions of the board as he may, after consultation with the board, specify, and any such standing committee may for the proper carrying out of such functions **[exercise all the powers conferred and]** perform all the duties imposed upon the board in respect of the carrying out of such functions: Provided that the board shall

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nie onthef word nie van 'n werksaamheid wat aldus be-
paal is om deur 'n komitee verrig te word.";

- (b) deur na subartikel (1) die volgende subartikel in te voeg:

„(1A) Die raad kan met die instemming van die 5
Direkteur-generaal 'n besluit van 'n vaste komitee wysig of herroep: Met dien verstande dat die raad nie so 'n besluit waarkragtens of ingevolge waarvan iemand anders 'n reg verkry of 'n verbintenis of verpligting opgeloopt het, kan wysig of herroep nie, tensy so iemand 10
daartoe ingestem het.”; en

- (c) deur in subartikel (4) die uitdrukking „Departement van Gemeenskapsbou” deur die woord „Departement” te vervang.

Wysiging van
artikel 9 van
Wet 3 van 1966.

9. Artikel 9 van die Hoofwet word hierby gewysig deur sub- 15
artikel (2) deur die volgende subartikel te vervang:

„(2) 'n Lid van die raad wat, behalwe met die toestemming van die raad of by die uitvoering van sy pligte of as 'n getuie in 'n geregshof, inligting in die loop van sy pligte deur hom ingewin, bekend maak, is aan 'n misdryf skuldig 20
en by skuldigbevinding strafbaar met 'n boete van hoogstens **[honderd]** vyfhonderd rand.”.

Wysiging van
artikel 10 van
Wet 3 van 1966.

10. Artikel 10 van die Hoofwet word hierby gewysig deur die 25
uitdrukking „Departement van Gemeenskapsbou” deur die woord „Departement” te vervang.

Wysiging van
artikel 12 van
Wet 3 van 1966.

11. Artikel 12 van die Hoofwet word hierby gewysig deur in subartikel (4) die uitdrukking „Gekonsolideerde Inkomstefonds” deur die woord „Staatsinkomstefonds” te vervang.

Wysiging van
artikel 14 van
Wet 3 van 1966.

12. Artikel 14 van die Hoofwet word hierby gewysig deur die 30
uitdrukking „Kontroleur en Ouditeur-generaal” deur die woord „Ouditeur-generaal” te vervang.

Wysiging van
artikel 15 van
Wet 3 van 1966,
soos gewysig deur
artikel 2 van
Wet 42 van 1967,
artikel 1 van
Wet 58 van 1969,
artikel 2 van
Wet 74 van 1970,
artikel 24 van
Wet 80 van 1971,
artikel 1 van
Wet 93 van 1972,
artikel 51 van
Wet 63 van 1975
en artikel 1 van
Wet 126 van 1977.

13. (1) Artikel 15 van die Hoofwet word hierby gewysig—

- (a) deur in die voorbehoudsbepaling by subparagraaf (ii) 35
van subartikel (2) (c) die woorde „in die Senaat en” te skrap;
(b) deur in paragraaf (g) van subartikel (2) die woorde „Suid-Afrikaanse Spoorwegadministrasie” deur die woorde „Suid-Afrikaanse Vervoerdienste” te vervang; en
(c) deur subartikel (4) deur die volgende subartikel te ver- 40
vang:

„(4) Geen betaling, terugbetaling, skenking of kwytskelding wat meer **[as vyfduisend rand bedra,]** is 45
as die bedrag genoem in die voorbehoudsbepaling by artikel 31 (1) van die Skatkis en Ouditwet, 1975 (Wet No. 66 van 1975), kan deur die raad kragtens subpara-
graaf (i) van paragraaf (c) van subartikel (2) gemaak of toegestaan word nie, behalwe met die goedkeuring, by besluit, van die **[Senaat en van die]** Volksraad, en elke 50
betaling, terugbetaling, skenking of kwytskelding inge-
volg daardie subparagraaf moet deur die **[Kontroleur en]** Ouditeur-generaal aan die Parlement gerapporteer word.”.

Invoeging van
artikels 15A en 15B
in Wet 3 van 1966.

14. Die volgende artikels word hierby in die Hoofwet na arti- 55
kel 15 ingevoeg:

„Koop of 15A. (1) Behoudens die bepalinge van subartikels
huur van (2), (3) en (4) en die voorskrifte van die Minister,
onroerende kan die raad uit fondse deur die Parlement vir dié
eiendom deur doel bevestig onroerende eiendom vir openbare
raad vir doeleindes koop of huur. 60
openbare
doeleindes.

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not be divested of any function which has so been specified to be carried out by a committee.”;

- (b) by the insertion after subsection (1) of the following subsection:

5 “(1A) The board may with the concurrence of the Director-General alter or rescind any decision of a standing committee: Provided that the board shall not alter or rescind any such decision under or pursuant to which any person has acquired any right or incurred any obligation or liability, unless such person has consented thereto.”; and

- (c) by the substitution in subsection (4) for the expression “Department of Community Development” of the word “Department”.

- 15 9. Section 9 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

Amendment of section 9 of Act 3 of 1966.

20 “(2) Any member of the board who discloses, except with the consent of the board or in the performance of his duties or as a witness in a court of law, 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 [one] five hundred rands.”.

- 25 10. Section 10 of the principal Act is hereby amended by the substitution for the expression “Department of Community Development” of the word “Department”.

Amendment of section 10 of Act 3 of 1966.

11. Section 12 of the principal Act is hereby amended by the substitution in subsection (4) for the expression “Consolidated Revenue Fund” of the expression “State Revenue Fund”.

Amendment of section 12 of Act 3 of 1966.

- 30 12. Section 14 of the principal Act is hereby amended by the substitution for the expression “Controller and Auditor-General” of the expression “Auditor-General”.

Amendment of section 14 of Act 3 of 1966.

13. (1) Section 15 of the principal Act is hereby amended—

Amendment of section 15 of Act 3 of 1966,

- (a) by the deletion in the proviso to subparagraph (ii) of subsection (2) (c) of the words “in the Senate and”;

- 35 (b) by the substitution in paragraph (g) of subsection (2) for the words “South African Railways Administration” of the words “South African Transport Services”; and

- 40 (c) by the substitution for subsection (4) of the following subsection:

45 “(4) No payment, refund, donation or remission exceeding [five thousand rand] the amount mentioned in the proviso to section 31 (1) of the Exchequer and Audit Act, 1975 (Act No. 66 of 1975), shall be made or granted by the board under subparagraph (i) of paragraph (c) of subsection (2) except with the approval, by resolution, of the [Senate and of the] House of Assembly, and every payment, refund, donation or remission under that subparagraph shall be reported to Parliament by the [Controller and] Auditor-General.”.

as amended by section 2 of Act 42 of 1967, section 1 of Act 58 of 1969, section 2 of Act 74 of 1970, section 24 of Act 80 of 1971, section 1 of Act 93 of 1972, section 51 of Act 63 of 1975 and section 1 of Act 126 of 1977.

14. The following sections are hereby inserted in the principal Act after section 15:

Insertion of sections 15A and 15B in Act 3 of 1966.

- 55 “Purchase or lease of immovable property for public purposes by board. 15A. (1) Subject to the provisions of subsections (2), (3) and (4) and the directions of the Minister, the board may, out of moneys appropriated by Parliament for the purpose, purchase or lease immovable property for public purposes.

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(2) Onroerende eiendom wat kragtens subartikel (1) gekoop word, word getransporeer aan en geregistreer op naam van die Republiek van Suid-Afrika.

(3) Wanneer onroerende eiendom kragtens subartikel (1) gehuur word, tree die raad op as huurder ten behoeve van die Republiek van Suid-Afrika.

(4) By die toepassing van hierdie artikel beteken—

(a) „onroerende eiendom” ook roerende goed wat na die oordeel van die raad deel vorm van onroerende eiendom wat die raad kragtens subartikel (1) wil koop of huur; en

(b) „openbare doeleindes” ook ’n doeleinde wat in verband staan met die uitvoering van die bepaling van die een of ander wet deur ’n Staatsdepartement of enige statutêre liggaam of regspersoon.

Adviserende
bevoegdheids
van raad
betreffende
sekere
waardes.

15B. Behoudens die voorskrifte van die Minister kan die raad enige ander Minister, die Departement en enige ander Staatsdepartement, en enige ander statutêre liggaam of regspersoon, van advies dien met betrekking tot—

(a) die waarde van grond en regte op of ten opsigte van grond; en

(b) vergoedingsbedrae, koopsomme, huurgelde of ander bedrae wat na die oordeel van die raad betaal behoort te word by die onteiening van onroerende eiendom, of die neem van ’n reg om sodanige eiendom tydelik te gebruik, of by die koop of enige ander verkryging of huur van sodanige eiendom, deur so ’n Minister, Departement, liggaam of persoon.”

Wysiging van
artikel 21 van
Wet 3 van 1966,
soos gewysig deur
artikel 4 van
Wet 42 van 1967
en artikel 5 van
Wet 126 van 1977.

15. Artikel 21 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Wanneer die raad of ’n plaaslike bestuur, statutêre liggaam of ander regspersoon waaraan bevoegdheids, werksaamhede of pligte kragtens artikel 22 (1) deur die raad gedelegeer of toegewys is, of die Nasionale Behuisingskommissie in artikel 5 van die Behuisingswet, 1966, bedoel, die herontwikkeling of herbeplanning van ’n gebied binne die beheerde gebied onderneem of gemagtig het, kan die Minister **[met instemming van die Minister van Beplanning,]** die raad of dié plaaslike bestuur of statutêre liggaam of ander regspersoon of bedoelde Kommissie magtig om grond of persele in die beheerde gebied beskikbaar te stel vir okkupering as huurder of eienaar deur ’n persoon (met inbegrip van iemand wat ingevolge die Wet op Groepsgebiede of ’n proklamasie of kennisgewing kragtens daardie Wet of ingevolge ’n ander wetsbepaling uitgereik ’n onbevoegde persoon is) vir wie dit nie ingevolge ’n wetsbepaling verbode is om bedoelde grond of perseel te okkupeer nie.”

Wysiging van
artikel 22 van
Wet 3 van 1966,
soos gewysig deur
artikel 3 van
Wet 58 van 1968.

16. Artikel 22 van die Hoofwet word hierby gewysig deur in paragraaf (b) van subartikel (4) die uitdrukking „Kontroleur en Ouditeur-generaal” deur die woord „Ouditeur-generaal” te vervang.

Wysiging van
artikel 23 van
Wet 3 van 1966.

17. Artikel 23 van die Hoofwet word hierby gewysig deur paragraaf (a) van subartikel (3) deur die volgende paragraaf te vervang:

„(a) Wanneer **[die Minister van Beplanning gesertifiseer het dat]** ’n groepsgebied bestem is vir okkupasie of grondbesit deur lede van die betrokke groep wat binne die regsgebied van ’n plaaslike bestuur woon, kan die raad, hetsy daardie groepsgebied of deel daarvan binne die bedoelde regsgebied val al dan nie, daardie plaaslike

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(2) Immovable property purchased under subsection (1) shall be transferred to and registered in the name of the Republic of South Africa.

(3) When immovable property is leased under subsection (1) the board shall act as lessee on behalf of the Republic of South Africa.

(4) For the purposes of this section—

(a) 'immovable property' includes movable property which in the opinion of the board forms part of immovable property which the board intends to purchase or lease under subsection (1); and

(b) 'public purposes' includes any purpose which is connected with the administration of the provisions of any law by a State department or any statutory body or body corporate.

Advisory
powers of
board
regarding
certain
values.

15B. Subject to the directions of the Minister, the board may advise any other Minister, the Department and any other department of State, and any other statutory body or body corporate, with regard to—

(a) the value of land and of rights on or in respect of land; and

(b) amounts of compensation, purchase prices, rents or other amounts which in the opinion of the board ought to be paid when immovable property is expropriated, or a right to use such property temporarily is taken, or such property is purchased or otherwise acquired or leased, by any such Minister, Department or body.”

15. Section 21 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) Whenever the board or any local authority, statutory body or other body corporate to which any powers, functions or duties have been delegated or assigned by the board under section 22 (1), or the National Housing Commission referred to in section 5 of the Housing Act, 1966, is undertaking or has authorized the redevelopment or replanning of any area within the controlled area, the Minister may **[with the concurrence of the Minister of Planning,]** authorize the board or such local authority or statutory body or other body corporate or the said Commission to make available land or premises in the controlled area for occupation as lessee or owner by any person (including any person who in terms of the Group Areas Act or any proclamation or notice issued under that Act or in terms of any other law is a disqualified person) who is not in terms of any law precluded from occupying such land or premises.”

Amendment of
section 21 of
Act 3 of 1966,
as amended by
section 4 of
Act 42 of 1967
and section 5 of
Act 126 of 1977.

16. Section 22 of the principal Act is hereby amended by the substitution in paragraph (b) of subsection (4) for the expression “Controller and Auditor-General” of the expression “Auditor-General”.

Amendment of
section 22 of
Act 3 of 1966,
as amended by
section 3 of
Act 58 of 1968.

17. Section 23 of the principal Act is hereby amended by the substitution for paragraph (a) of subsection (3) of the following paragraph:

“(a) Whenever **[the Minister of Planning has certified that]** any group area is intended for occupation or ownership by members of the group concerned who are resident within the area of jurisdiction of any local authority, the board may, whether or not that group area or any portion thereof is within such area of jurisdiction, di-

Amendment of
section 23 of
Act 3 of 1966.

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bestuur gelas om op koste van die raad in daardie groepsgebied enige van of al die werksaamhede te verrig wat die raad ingevolge artikel 15 (2) (d) bevoeg is om in daardie gebied te verrig, en bedoelde plaaslike bestuur is verplig om aan so 'n lasgewing te voldoen en het vir dié doel dieselfde bevoegdhede as wat die raad in verband met die uitvoering van sodanige werksaamhede besit, asook bevoegdhede wat daardie plaaslike bestuur in verband met die verrigting deur hom uit eie beweging van sodanige werksaamhede binne sy regsgebied besit, en die wetsbepalings wat in verband met die verrigting van sodanige werksaamhede deur bedoelde plaaslike bestuur uit eie beweging binne sy regsgebied van toepassing is, geld ook met betrekking tot die verrigting van bedoelde werksaamhede ingevolge 'n lasgewing deur die raad."

Wysiging van
artikel 25 van
Wet 3 van 1966.

18. Artikel 25 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Die Direkteur-generaal moet een maal elke jaar 'n verslag oor die bedrywighede van die raad aan die Minister voorlê, en die Minister moet 'n afskrif van sodanige verslag in die **[Senaat en in die]** Volksraad ter Tafel lê binne veertien dae na ontvangs daarvan as die **[Parlement]** Volksraad dan in gewone sessie is, of, as die **[Parlement]** Volksraad nie dan in gewone sessie is nie, binne veertien dae na die aanvang van sy eersvolgende gewone sessie."

Wysiging van
artikel 26 van
Wet 3 van 1966,
soos gewysig deur
artikel 52 van
Wet 63 van 1975.

19. Artikel 26 van die Hoofwet word hierby gewysig deur in paragraaf (b) van subartikel (2) die uitdrukking „Minister van Mynwese" deur die uitdrukking „Minister van Minerale- en Energiesake" te vervang.

Wysiging van
artikel 32 van
Wet 3 van 1966,
soos gewysig deur
artikel 5 van
Wet 42 van 1967
en artikel 5 van
Wet 58 van 1968.

20. Artikel 32 van die Hoofwet word hierby gewysig deur in subartikel (7) die uitdrukking „die Slumswet, 1934 (Wet No. 53 van 1934)" deur die uitdrukking „die Slumswet, 1979 (Wet No. 76 van 1979)" te vervang.

Wysiging van
artikel 48 van
Wet 3 van 1966,
soos gewysig deur
artikel 2 van
Wet 12 van 1980.

21. Artikel 48 van die Hoofwet word hierby gewysig deur in subartikel (1) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

„Die Direkteur-generaal kan 'n lid van die raad of beamppte in die Departement **[van Gemeenskapsbou]** skriftelik magtig om 'n lid van die raad of 'n beamppte in **[bedoelde]** die Departement skriftelik aan te stel as 'n inspekteur kragtens hierdie Wet, wat op alle redelike tye ter bevordering van die oogmerke waarmee die raad ingestel is—"

Wysiging van
artikel 49 van
Wet 3 van 1966,
soos gewysig deur
artikel 61 van
Wet 63 van 1975.

22. Artikel 49 van die Hoofwet word hierby gewysig deur subartikels (4) en (5) deur die volgende subartikels te vervang:

„(4) Kragtens subartikel (1) uitgevaardigde regulasies word binne veertien dae na afkondiging daarvan in **[beide Huise van]** die **[Parlement]** Volksraad ter Tafel gelê indien die **[Parlement]** Volksraad dan in gewone sessie is, of, indien die **[Parlement]** Volksraad nie in gewone sessie is nie, binne veertien dae na die aanvang van sy eersvolgende gewone sessie, en bly op genoemde **[Tafels]** Tafel vir minstens agt-en-twintig agtereenvolgende dae, en indien die **[Parlement]** Volksraad gepronogeer word voordat die nodige agt-en-twintig dae verloop het, word sodanige regulasies weer soos voormeld binne veertien dae na die aanvang van sy eersvolgende gewone sessie ter Tafel gelê.

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rect that local authority to perform in that group area at the expense of the board any or all of the functions which the board is in terms of section 15 (2) (d) empowered to perform in that area, and such local authority shall be obliged to comply with any such direction and shall for the purpose have the same powers as the board has in connection with the performance of such functions, as also any powers which such local authority has in connection with the performance by it of its own accord of such functions within its area of jurisdiction, and the provisions of any law applicable in connection with the performance by that local authority of such functions of its own accord within its area of jurisdiction shall also apply with reference to the performance of such functions in pursuance of a direction by the board.”.

18. Section 25 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection: Amendment of section 25 of Act 3 of 1966.

“(1) The Director-General shall submit to the Minister once every year a report on the activities of the board, and the Minister shall lay a copy of such report on the Table of the **[Senate and of the]** House of Assembly within fourteen days after receipt thereof if **[Parliament]** the House of Assembly is then in ordinary session, or, if **[Parliament]** the House of Assembly is not then in ordinary session, within fourteen days after the commencement of its next ensuing ordinary session.”.

19. Section 26 of the principal Act is hereby amended by the substitution in paragraph (b) of subsection (2) for the expression “Minister of Mines” of the expression “Minister of Mineral and Energy Affairs”. Amendment of section 26 of Act 3 of 1966, as amended by section 52 of Act 63 of 1975.

20. Section 32 of the principal Act is hereby amended by the substitution in subsection (7) for the words “the Slums Act, 1934 (Act No. 53 of 1934),” of the words “the Slums Act, 1979 (Act No. 76 of 1979),”. Amendment of section 32 of Act 3 of 1966, as amended by section 5 of Act 42 of 1967 and section 5 of Act 58 of 1968.

21. Section 48 of the principal Act is hereby amended by the substitution in subsection (1) for the words preceding paragraph (a) of the following words: Amendment of section 48 of Act 3 of 1966, as amended by section 2 of Act 12 of 1980.

“The Director-General may authorize in writing any member of the board or officer in the Department **[of Community Development]** to appoint in writing any member of the board or officer in the **[said]** Department as an inspector under this Act, who may at all reasonable times in furtherance of the objects for which the board is established—”.

22. Section 49 of the principal Act is hereby amended by the substitution for subsections (4) and (5) of the following subsections: Amendment of section 49 of Act 3 of 1966, as amended by section 61 of Act 63 of 1975.

“(4) Any regulations made under subsection (1) shall be laid on the **[Tables of both Houses of Parliament]** Table of the House of Assembly within fourteen days after promulgation thereof if **[Parliament]** the House of Assembly is then in ordinary session, or, if **[Parliament]** the House of Assembly is not then in ordinary session, within fourteen days after the commencement of its next ensuing ordinary session, and shall remain on the said **[Tables]** Table for at least twenty-eight consecutive days, and if **[Parliament]** the House of Assembly is prorogued before the necessary twenty-eight days have elapsed, such regulations shall again be laid on the said **[Tables]** Table as aforesaid within fourteen days after the commencement of its next ensuing ordinary session.

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(5) Indien **[beide Huise van]** die **[Parlement]** Volksraad by besluit wat gedurende dieselfde sessie geneem word (naamlik 'n sessie waarin sulke regulasies ooreenkomstig subartikel (4) in **[beide Huise van]** die **[Parlement]** Volksraad ter Tafel gelê is) sulke regulasies afkeur, verval die regskrag van sulke regulasies of so 'n bepaling daarvan vir sover hulle aldus afgekeur word, dog sonder om afbreuk te doen aan die geldigheid van enigiets wat ingevolge sulke regulasies of so 'n bepaling daarvan tot op die datum waarop die regskrag van sulke regulasies of so 'n bepaling daarvan aldus verval het, gedoen is, of aan enige reg, voorreg, verpligting of aanspreeklikheid wat op bedoelde datum ingevolge sulke regulasies of so 'n bepaling daarvan verkry, opgehoop of aangegaan is."

Wysiging van
artikel 51 van
Wet 3 van 1966.

23. Artikel 51 van die Hoofwet word hierby gewysig deur sub- 15
artikel (1) deur die volgende subartikel te vervang:

„(1) Die bepalings van artikels 16 tot en met 23 en 29 tot en met 37 **[en 47]** van hierdie Wet is van toepassing slegs in 'n gebied waarbinne die Staatspresident daardie bepalings by proklamasie in die *Staatskoerant* van toepassing 20
verklaar het, en vanaf 'n datum in die proklamasie vermeld."

Invoeging van
artikel 51A in
Wet 3 van 1966.

24. Die volgende artikel word hierby in die Hoofwet na artikel 51 ingevoeg:

„Oordrag
van sekere
bevoegdhede
en werksaam-
hede van
Minister aan
raad.

51A. (1) Die Minister kan enige bevoegdheid of 25

werksaamheid wat in verband met die verkryging van roerende of onroerende eiendom verleen of toevertrou word by enige van die in subartikel (4) genoemde wetsbepalings, waarvan die Staatspresident die uitvoering aan die Minister opgedra het soos by Goewermenskennisgewing No. 1100 van 30 Mei 1980 bekend gemaak, in die algemeen, of met betrekking tot bepaalde goed, of in 'n bepaalde geval, aan die raad of aan enige komitee van die raad oordra. 30 35

(2) Die raad of die betrokke komitee is na so 'n oordrag, onderworpe aan die voorskrifte van die Minister, met die betrokke bevoegdheid beklee of met die betrokke werksaamheid belas, en is daarna ook beklee met enige ander bevoegdheid en onderworpe aan enige plig (as daar is) wat deur die betrokke wetsbepaling, of enige ander bepaling van die betrokke wet, in verband met die betrokke oorgedraagde bevoegdheid of werksaamheid aan die Minister verleen of opgelê word. 40 45

(3) Die Minister is na 'n in subartikel (1) bedoelde oordrag nie van die betrokke bevoegdheid of werksaamheid onthef nie, en kan so 'n oordrag te eniger tyd in verband met gevalle ten opsigte waarvan dit nog nie deur die raad of komitee uitgeoefen of uitgevoer is nie, wysig of intrek. 50

(4) Die wetsbepalings bedoel in subartikel (1) is die volgende, naamlik—

- (a) artikel 13 van die Ontwikkelingstrust en Grond Wet, 1936 (Wet No. 18 van 1936); 55
- (b) artikel 2 van die Wet op Onvoordelige Okkupasie van Plase, 1937 (Wet No. 29 van 1937);
- (c) artikel 37 van elk van die volgende onderskeie Wette: die Wet op die Universiteit van Fort Hare, 1969 (Wet No. 40 van 1969), die Wet op die Universiteit van Zoeloeland, 1969 (Wet No. 43 van 1969), die Wet op die Universiteit van die Noorde, 1969 (Wet No. 47 van 1969), die Wet op die Universiteit van Durban-Westville, 1969 (Wet No. 49 van 1969), en die Wet op die 60 65
Universiteit van Wes-Kaapland, 1969 (Wet No. 50 van 1969);

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(5) If **[both Houses of Parliament]** the House of Assembly by resolution passed in the same session (being a session during which such regulations have been laid on the **[Tables]** Table of **[both Houses of Parliament]** the House of Assembly in terms of subsection (4)) disapproves such regulations or any provision thereof, such regulations or such provision thereof shall cease to be of force and effect to the extent to which they are so disapproved, but without prejudice to the validity of anything done in terms of such regulations or such provision thereof up to the date upon which such regulations or such provision thereof so ceased to be of force and effect, or to any right, privilege, obligation or liability acquired, accrued or incurred as at the said date under and by virtue of such regulations or such provision thereof."

23. Section 51 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection: Amendment of section 51 of Act 3 of 1966.

"(1) The provisions of sections 16 to 23, inclusive, and 29 to 37, inclusive, **[and 47]** of this Act shall apply only in an area in which the State President has by proclamation in the *Gazette* applied the said provisions, and with effect from a date specified in the proclamation."

24. The following section is hereby inserted in the principal Act after section 51:

Insertion of section 51A in Act 3 of 1966.

25 "Assignment of certain powers and functions of Minister to board. **51A.** (1) The Minister may assign any power or function which is granted or entrusted in connection with the acquisition of movable or immovable property by any of the legal provisions mentioned in subsection (4), the administration of which provisions the State President has assigned to the Minister as notified in Government Notice No. 1100 of 30 May 1980, either generally, or in regard to particular property, or in a particular case, to the board or any committee of the board.

30 (2) The board or any committee of the board shall after any such assignment, subject to the directions of the Minister, be vested with the relevant power or entrusted with the relevant function, and shall thereafter also be vested with any other power and be subject to any other duty (if any) which is granted to or imposed on the Minister in connection with the power or function so assigned by the legal provision in question, or any other provision of the relevant law.

35 (3) The Minister shall after an assignment contemplated in subsection (1) not be divested of the relevant power or function, and he may at any time alter or rescind any such assignment with regard to cases in respect of which it has not yet been exercised or carried out.

40 (4) The legal provisions referred to in subsection (1) shall be the following, namely—

45 (a) section 13 of the Development Trust and Land Act, 1936 (Act No. 18 of 1936);

50 (b) section 2 of the Unbeneficial Occupation of Farms Act, 1937 (Act No. 29 of 1937);

55 (c) section 37 of each of the following respective Acts: the University of Fort Hare Act, 1969 (Act No. 40 of 1969), the University of Zululand Act, 1969 (Act No. 43 of 1969), the University of the North Act, 1969 (Act No. 47 of 1969), the University of Durban-Westville Act, 1969 (Act No. 49 of 1969), and the University of the Western Cape Act, 1969 (Act No. 50 of 1969);

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- (d) artikel 18 van die Grondbewaringswet, 1969 (Wet No. 76 van 1969);
- (e) artikel 16 van die Meergebiede-ontwikkelingswet, 1975 (Wet No. 39 van 1975);
- (f) enige bepaling van die Onteieningswet, 1975 (Wet No. 63 van 1975);
- (g) artikels 59, 60 (2) en 61 van die Wet op die Abattoirbedryf, 1976 (Wet No. 54 van 1976);
- (h) artikel 3 van die Wet op Nasionale Parke, 1976 (Wet No. 57 van 1976).
- (5) Die bepalings van subartikels (1), (2) en (3) van hierdie artikel is *mutatis mutandis* van toepassing met betrekking tot die bevoegdheid om 'n gedeelte van die strand en die see te verhuur soos beoog in artikel 3 (1) van die Strandwet, 1935 (Wet No. 21 van 1935), die uitvoering van welke artikel aan die Minister opgedra is soos bekend gemaak by die in subartikel (1) genoemde Goewermentskennisgewing.
- (6) (a) Die Minister kan enige bevoegdheid wat verleen word by artikel 6 (1) van die Wet op Reëling van Grondtitels (Afdeling George), 1972 (Wet No. 34 van 1972), artikels 11 (1) (b) en 17 van die Meergebiede-ontwikkelingswet, 1975 (Wet No. 39 van 1975), en artikels 12 (1) en 13 (1) van die Wet op Reëling van Grondtitels, 1979 (Wet No. 68 van 1979), en waarvan die uitvoering soos bekend gemaak by die in subartikel (1) genoemde Goewermentskennisgewing aan die Minister opgedra is, aan die raad of 'n komitee van die raad oordra.
- (b) Die bepalings van subartikels (1), (2) en (3) van hierdie artikel is *mutatis mutandis* met betrekking tot die bepaalde bevoegdheid wat verleen word by enige bepaling genoem in paragraaf (a) van toepassing ten opsigte van 'n oordrag in daardie paragraaf beoog van so 'n bevoegdheid."

Herroeping van
Wet 32 van 1966,
Wet 67 van 1970
en Wet 16 van
1972.

25. (1) Die Wet op Grondbesit, 1966 (Wet No. 32 van 1966), die Wysigingswet op Grondbesit, 1970 (Wet No. 67 van 1970), en die Wysigingswet op Grondbesit, 1972 (Wet No. 16 van 1972), word hierby herroep.

(2) 'n Verwysing na die Raad op Grondbesit in enige wet of dokument word uitgelê as 'n verwysing na die Gemeenskapsontwikkelingsraad ingestel by artikel 2 van die Wet op Gemeenskapsontwikkeling, 1966 (Wet No. 3 van 1966).

Kort titel en
inwerkingtreding.

26. Hierdie Wet heet die Tweede Wysigingswet op Gemeenskapsontwikkeling, 1982, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

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- (d) section 18 of the Soil Conservation Act, 1969 (Act No. 76 of 1969);
- (e) section 16 of the Lake Areas Development Act, 1975 (Act No. 39 of 1975);
- 5 (f) any provision of the Expropriation Act, 1975 (Act No. 63 of 1975);
- (g) sections 59, 60 (2) and 61 of the Abattoir Industry Act, 1976 (Act No. 54 of 1976);
- 10 (h) section 3 of the National Parks Act, 1976 (Act No. 57 of 1976).
- (5) The provisions of subsections (1), (2) and (3) of this section shall apply *mutatis mutandis* to the power to let any portion of the sea-shore and the sea as contemplated in section 3 (1) of the Sea-shore Act, 1935 (Act No. 21 of 1935), the administration of which section has, as notified by the Government Notice mentioned in subsection (1), been assigned to the Minister.
- 15 (6) (a) The Minister may assign to the board or any committee thereof any power conferred by section 6 (1) of the Land Titles (Division of George) Adjustment Act, 1972 (Act No. 34 of 1972), sections 11 (1) (b) and 17 of the Lake Areas Development Act, 1975 (Act No. 39 of 1975), and sections 12 (1) and 13 (1) of the Land Titles Adjustment Act, 1979 (Act No. 68 of 1979), the administration of which sections has been assigned to the Minister as notified by the Government Notice mentioned in subsection (1).
- 20 (b) The provisions of subsections (1), (2) and (3) of this section shall, as regards the particular power conferred by any provision mentioned in paragraph (a), apply *mutatis mutandis* in respect of any assignment contemplated in that paragraph of any such power.”.
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25. (1) The Land Tenure Act, 1966 (Act No. 32 of 1966), the Land Tenure Amendment Act, 1970 (Act No. 67 of 1970), and the Land Tenure Amendment Act, 1972 (Act No. 16 of 1972), are hereby repealed. Repeal of Act 32 of 1966, Act 67 of 1970 and Act 16 of 1972.

- 40 (2) Any reference in any law or document to the Land Tenure Board shall be construed as a reference to the Community Development Board established under section 2 of the Community Development Act, 1966 (Act No. 3 of 1966).

26. This Act shall be called the Second Community Development Amendment Act, 1982, and shall come into operation on a date to be fixed by the State President by notice in the *Gazette*. Short title and commencement.

