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No. 13215

STATE PRESIDENT'S OFFICE

No. 976.

3 May 1991

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

No. 48 of 1991: Local Government Ordinance Amendment Act (Transvaal) (House of Assembly), 1991

KANTOOR VAN DIE STAATSPRESIDENT

No. 976.

3 Mei 1991

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

No. 48 van 1991: Wysigingswet op die Ordonnansie op Plaaslike Bestuur (Transvaal) (Volksraad), 1991

LOCAL GOVERNMENT ORDINANCE AMENDMENT ACT
(TRANSVAAL) (HOUSE OF ASSEMBLY), 1991

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

Words underlined with a solid line indicate insertions in existing enactments.

(Afrikaans text signed by the acting State President.)
(Assented to 3 May 1991.)

To amend the Local Government Ordinance, 1939 (Transvaal) (in so far as it is applied as a law on own affairs of the White population group), so as to provide for the establishment of city councils; to further regulate the payment of a certain allowance; to further regulate the appearance of certain legal representatives before certain boards; to further regulate the entering into of contracts with the council by an officer or servant of the council; to substitute a certain expression; to amend or delete certain provisions regulating the use of certain amenities on a racial basis; to provide for certain matters regarding child-minding services; to exempt certain councils from the obligation to have immovable property valued in certain cases; and to increase the fine that may be provided for in a by-law; and to provide for matters connected therewith.

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

1. In this Act, unless the context otherwise indicates, “the Ordinance” means the Local Government Ordinance, 1939 (Ordinance No. 17 of 1939) (Transvaal), in so far as and to the extent to which the provisions of Part IV of the Republic of South Africa Constitution Act, 1983 (Act No. 110 of 1983), have by paragraph (a) of Proclamation No. R. 36 of 1989 been declared to be applicable to the said Ordinance.

Amendment of section 2 of Ordinance 17 of 1939, as amended by section 1 of Ordinance 27 of 1951, section 1 of Ordinance 16 of 1955, section 1 of Ordinance 21 of 1957, section 1 of Ordinance 15 of 1968, section 1 of Ordinance 15 of 1969, section 1 of Ordinance 16 of 1979, section 1 of Ordinance 16 of 1984, section 1 of Ordinance 18 of 1985 and section 2 of Act 52 of 1990

2. Section 2 of the Ordinance is hereby amended— 15

- (a) by the deletion of the definitions of "Asiatic", "coloured person" and "native"; and
- (b) by the substitution for the definition of "town council" of the following definition:

“ ‘town council’ shall mean a council constituted under and by 20

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ALGEMENE VERDUIDELIKENDE NOTA:

- [] Woorde in vet druk tussen vierkantige hake dui skrap-
pings uit bestaande verordenings aan.
- _____ Woorde met 'n volstreep daaronder, dui invoegings in
bestaande verordenings aan.

(Afrikaanse teks deur die waarnemende Staatspresident geteken.)
(Goedgekeur op 3 Mei 1991.)

WET

Tot wysiging van die Ordonnansie op Plaaslike Bestuur, 1939 (Transvaal) (vir sover dit as 'n wet oor eie sake van die Blanke bevolkingsgroep toegepas word); ten einde vir die instelling van grootstadsrade voorsiening te maak; die betaling van 'n sekere toelae verder te reël; die verskyning van sekere regsverteenvoerders voor sekere rade verder te reël; die aangaan van kontrakte met die raad deur 'n beampte of dienaar van die raad verder te reël; 'n sekere uitdrukking te vervang; sekere bepalings wat die gebruik van sekere geriewe op 'n rassegrondslag reël, te wysig of te skrap; voorsiening te maak vir sekere aangeleenthede betreffende dagmoederdienste; sekere rade vry te stel van die verpligting om onroerende eiendom in sekere gevalle te laat waardeer; en die boete waarvoor in 'n verordening voorsiening gemaak kan word, te verhoog; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

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

Woordomskeywing

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken “die Ordonnansie” die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie No. 17 van 1939) (Transvaal), vir sover en in die mate waarin die bepalings van Deel IV van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet No. 110 van 1983), by paragraaf (a) van Proklamasie No. R. 36 van 1989 op genoemde Ordonnansie van toepassing verklaar is.
- 10 Wysiging van artikel 2 van Ordonnansie 17 van 1939, soos gewysig deur artikel 1 van Ordonnansie 27 van 1951, artikel 1 van Ordonnansie 16 van 1955, artikel 1 van Ordonnansie 21 van 1957, artikel 1 van Ordonnansie 15 van 1968, artikel 1 van Ordonnansie 15 van 1969, artikel 1 van Ordonnansie 16 van 1979, artikel 1 van Ordonnansie 16 van 1984, artikel 1 van Ordonnansie 18 van 1985 en artikel 15 2 van Wet 52 van 1990
2. Artikel 2 van die Ordonnansie word hierby gewysig—
 - (a) deur die omskrywings van “Asiaat”, “kleurling” en “naturel” te skrap; en
 - (b) deur die omskrywing van “stadsraad” deur die volgende omskrywing te vervang:

“ ‘stadsraad’ ’n raad ingestel ingevolge die bepalings van Hoofstuk

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virtue of the provisions of Chapter I of this Ordinance, and shall include a city **[Councils]** council that has been established by any other ordinance, or a city council referred to in section 9A;”.

Insertion of section 9A in Ordinance 17 of 1939

3. The following section is hereby inserted in the Ordinance after section 9: 5

“Establishment of city council

9A. (1) The Minister of Local Government may, subject to the provisions of section 10, by notice in the *Gazette* declare a town council of which the area of jurisdiction wholly corresponds with the area of jurisdiction of a declared White local government area referred to in the Local Government Areas Ordinance, 1986 (Ordinance No. 24 of 1986) (Transvaal), to be a city council and the municipality of such city council to be a city. 10

(2) The Minister shall issue a notice referred to in subsection (1) only after consideration of the grading under which the town council concerned is classified in terms of section 8(1) of the Remuneration of Town Clerks Act, 1984 (Act No. 115 of 1984). 15

(3) A reference in any law or document to a town council or municipality shall be construed as a reference to the city council or city concerned, as the case may be.”. 20

Amendment of section 19 of Ordinance 17 of 1939, as substituted by section 27 of Ordinance 40 of 1960 and amended by section 1 of Ordinance 15 of 1967, Proclamation No. 37 of 27 July 1988 and section 3 of Act 52 of 1990

4. Section 19 of the Ordinance is hereby amended by the substitution for the words preceding the proviso to subsection (8) of the following words: 25

“The council may, with the consent of the **[Administrator]** Minister of Local Government and subject to such conditions as he may in each case determine, pay out of the revenue of the council an allowance to the members of such council, as well as an additional allowance to the chairman in the circumstances contemplated in section 53(1) and (4) of the Local Government (Administration and Elections) Ordinance, 1960:” 30

Amendment of section 39 of Ordinance 17 of 1939, as substituted by section 3 of Ordinance 18 of 1985

5. Section 39 of the Ordinance is hereby amended—

- (a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words: 35

“Subject to the provisions of subsection (2), a councillor or his partner or the spouse of a councillor or his partner or the employer or employee of a councillor shall not—”;

- (b) by the substitution for paragraph (c) of subsection (1) of the following paragraph: 40

“(c) appear **[for]** on behalf of any other person as advocate, attorney or representative—

(i) before the council or any committee thereof;

[(ii) in any matter in which the council is involved— 45

-(aa) [(ii)] before the Townships Board established in terms of the Town-planning and Townships Ordinance, **[1965 (Ordinance 25 of 1965)]** 1986 (Ordinance 15 of 1986);

[(bb) [(iii)]] before a licensing board or licensing appeal board established in terms of the Licence Ordinance, 1974 50 (Ordinance 19 of 1974);

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I van hierdie Ordonnansie, en sluit 'n 'City Council' of grootstadsraad wat ingestel is deur die een of ander ordonnansie, of 'n grootstadsraad bedoel in artikel 9A, in;"

Invoeging van artikel 9A in Ordonnansie 17 van 1939

3. Die volgende artikel word hierby in die Ordonnansie na artikel 9 ingevoeg:

"Instelling van grootstadsraad

9A. (1) Die Minister van Plaaslike Bestuur kan, behoudens die bepalings van artikel 10, by kennisgewing in die *Staatskoerant* 'n stadsraad waarvan die regsgebied in die geheel ooreenstem met die regsgebied van 'n verklaarde Blanke plaaslike bestuursgebied bedoel in die Ordonnansie op Plaaslike Bestuursgebiede, 1986 (Ordonnansie No. 24 van 1986) (Transvaal), tot 'n grootstadsraad en die munisipaliteit van sodanige stadsraad tot 'n grootstad verklaar.

(2) Die Minister reik 'n kennisgewing bedoel in subartikel (1) uit slegs na oorweging van die gradering waarkragtens die betrokke stadsraad ingevolge artikel 8(1) van die Wet op die Besoldiging van Stadsklerke, 1984 (Wet No. 115 van 1984), ingedeel is.

(3) 'n Verwysing in enige wet of dokument na 'n stadsraad of munisipaliteit bedoel in subartikel (1) word uitgelê as 'n verwysing na die betrokke grootstadsraad of grootstad, na gelang van die geval."

Wysiging van artikel 19 van Ordonnansie 17 van 1939, soos vervang deur artikel 27 van Ordonnansie 40 van 1960 en gewysig deur artikel 1 van Ordonnansie 15 van 1967, Proklamasie No. 37 van 27 Julie 1988 en artikel 3 van Wet 52 van 1990

4. Artikel 19 van die Ordonnansie word hierby gewysig deur die woorde wat die voorbehoudsbepaling by subartikel (8) voorafgaan deur die volgende woorde te vervang:

"Die raad kan, met die toestemming van die **[Administrateur] Minister van Plaaslike Bestuur** en onderworpe aan sodanige voorwaardes as wat hy in elke geval bepaal, uit die inkomste van die raad 'n toelae aan die lede van sodanige raad betaal asook 'n addisionele toelae aan die voorsitter in die omstandighede beoog in artikel 53(1) en (4) van die Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiesings), 1960:"

Wysiging van artikel 39 van Ordonnansie 17 van 1939, soos vervang deur artikel 3 van Ordonnansie 18 van 1985

5. Artikel 39 van die Ordonnansie word hierby gewysig—

(a) deur in subartikel (1) van die Engelse teks die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

"Subject to the provisions of subsection (2), a councillor or his partner or the spouse of a councillor or his partner or the employer or employee of a councillor shall not—";

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

"(c) **[vir]** namens iemand anders as advokaat, prokureur of verteenwoordiger—

(i) voor die raad of enige komitee daarvan;

[(ii)] in enige aangeleentheid waarby die raad betrokke is—

(aa) [(ii)] voor die Dorperaad **[wat]** ingestel ingevolge die Ordonnansie op Dorpsbeplanning en Dorpe, **[1965 (Ordonnansie 25 van 1965), ingestel is] 1986 (Ordonnansie 15 van 1986);**

[(bb)] [(iii)] voor 'n lisensieraad of lisensie-appèlraad **[wat]** ingestel ingevolge die Ordonnansie op Lisensies, 1974 (Ordonnansie 19 van 1974) **[ingestel is];**

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[(cc)] (iv) before a valuation board or a valuation appeal board established in terms of the Local Authorities Rating Ordinance, 1977 (Ordinance 11 of 1977);

[(iii)] (v) in any court or arbitration proceedings in which the council is a party:

Provided that the provisions of this paragraph shall not prevent such councillor, his partner, or the spouse of such councillor or his partner, or an employer or employee of such councillor, to act on behalf of any other person in any other matter in which the council is involved and which is connected with a matter before a council, committee or board referred to in subparagraphs (i) to (iv) or with proceedings referred to in subparagraph (v)."; and

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

"(b) as representative of a private company, a close corporation or a partnership appear before any board referred to in subsection (1)(c)(ii), **[(aa), (bb) or (cc)] (iii) or (iv)**, in any matter in which the council is involved or **[act]** in any proceedings contemplated in subsection (1)(c)**[(iii)] (v)**, if the person who so appears **[or acts]** is a director of or shareholder in the private company concerned or has a member's interest in the close corporation concerned or is a partner in the partnership concerned."

Amendment of section 46 of Ordinance 17 of 1939, as amended by section 1 of Ordinance 6 of 1949, section 7 of Ordinance 25 of 1953, section 3 of Ordinance 18 of 1961 and section 1 of Ordinance 22 of 1977

6. Section 46 of the Ordinance is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) (a) No officer or servant of the council, or the husband or wife of such officer or servant, shall in any way be concerned or interested in any bargain, contract or arrangement whatsoever made by or with the council unless it be a bargain, contract or arrangement which the **[Administrator]** Minister of Local Government has, either generally or specifically and subject to such conditions as he may deem expedient, authorized the council to enter into with any of its officers or servants, or the husband or wife of such officer or servant.

(b) **[if]** Any such officer or servant, or the husband or wife of such officer or servant, who is so concerned or interested or, in the case of an officer or servant who under cover of his office or employment, exacts or accepts any promise, fee or reward whatsoever other than his proper salary, wages and allowances, **[he]** shall be guilty of an offence and shall upon conviction be liable to a fine not exceeding **[five hundred pounds]** R4 000 or to imprisonment for a period not exceeding **[two years]** one year or to both such fine and such imprisonment.

(c) Any profits, fee or reward which may have accrued to such officer or servant, or the husband or wife of such officer or servant, or which may accrue to him by reason of such bargain, contract or arrangement, may be recovered by the council before any court of competent jurisdiction."

Substitution of section 49 of Ordinance 17 of 1939, as amended by section 4 of Ordinance 12 of 1941, section 4 of Ordinance 24 of 1966, section 3 of Ordinance 15 of 1968, section 1 of Ordinance 10 of 1973 and section 3 of Ordinance 16 of 1978

7. The following section is hereby substituted for section 49 of the Ordinance:

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[(cc)] (iv) voor 'n waarderingsraad of 'n waarderingsappèlraad **[wat]** ingestel ingevolge die Ordonnansie op Eien-
domsbelasting van Plaaslike Besture, **[1979] 1977**
(Ordonnansie 11 van 1977) **[ingestel is]**;

[(iii)](v) in enige hof- of arbitrasie-verrigtinge waarby die raad 'n party is,

verskyn nie:

Met dien verstande dat die bepalings van hierdie paragraaf nie so 'n raadslid, sy vennoot, of die eggenote van so 'n raadslid of sy vennoot, of 'n werkgewer of werknemer van so 'n raadslid, verhinder om namens iemand anders op te tree in enige ander aangeleentheid waarby die raad betrokke is en wat in verband staan met 'n aangeleentheid voor 'n raad of komitee bedoel in subparagrafe (i) tot (iv) of met verrigtinge bedoel in subparagraaf (v) nie.”; en

(c) deur paragraaf (b) van subartikel (2) deur die volgende paragraaf te vervang:

“(b) as verteenwoordiger van 'n privaat maatskappy, 'n beslote korporasie of 'n vennootskap in enige aangeleentheid waarby die raad betrokke is voor enige raad in subartikel (1)(c)(ii), **[(aa), (bb) of (cc)] (iii) of (iv)** genoem, **[verskyn]** of in enige verrigtinge in subartikel (1)(c)**[(iii)](v)** beoog, **[optree]** verskyn, indien die persoon wat aldus verskyn **[of optree]** 'n direkteur van of aandeelhouer in die betrokke privaat maatskappy is, 'n ledebelang in die betrokke beslote korporasie het of 'n vennoot in die betrokke vennootskap is.”

Wysiging van artikel 46 van Ordonnansie 17 van 1939, soos gewysig deur artikel 1 van Ordonnansie 6 van 1949, artikel 7 van Ordonnansie 25 van 1953, artikel 3 van Ordonnansie 18 van 1961 en artikel 1 van Ordonnansie 22 van 1977

6. Artikel 46 van die Ordonnansie word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

“(1) **(a)** Geen beamppte of dienaar van die raad, of die eggenoot of eggenote van sodanige beamppte of dienaar, mag op **[enigerlei]** enige wyse betrokke wees by of 'n belang hê in enige onderneming, kontrak of ooreenkoms hoegenaamd aangegaan deur of met die raad, tensy dit 'n onderneming, kontrak of ooreenkoms is waartoe die **[Administrateur]** Minister van Plaaslike Bestuur, of in die algemeen of spesifiek en op sodanige voorwaardes as wat hy dienstig mag ag, die raad magtiging verleen het om met enige van sy beamptes of dienaars, of die eggenoot of eggenote van sodanige beamppte of dienaar, aan te gaan.

(b) [As] So 'n beamppte of dienaar, of die eggenoot of eggenote van sodanige beamppte of dienaar, wat aldus betrokke is of 'n belang het of, in die geval van 'n beamppte of dienaar, wat deur gebruik te maak van sy betrekking of werkkring, enige belofte, geld of beloning hoegenaamd behalwe sy wettige salaris, loon en toelae verg of aanneem, is **[hy skuldig]** aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens **[vyfhonderd pond]** R4 000 of gevangenisstraf vir 'n tydperk van hoogstens **[twee]** een jaar of met **[beide]** sowel sodanige boete **[en]** as sodanige gevangenisstraf.

(c) Enige profyte, gelde of beloning wat aan so 'n beamppte of dienaar, of die eggenoot of eggenote van sodanige beamppte of dienaar, toegekome het of mag toekom ten gevolge van so 'n onderneming, kontrak of ooreenkoms, kan deur die raad voor enige bevoegde hof ingevorder word.”

Vervanging van artikel 49 van Ordonnansie 17 van 1939, soos gewysig deur artikel 4 van Ordonnansie 12 van 1941, artikel 4 van Ordonnansie 24 van 1966, artikel 3 van Ordonnansie 15 van 1968, artikel 1 van Ordonnansie 10 van 1973 en artikel 3 van Ordonnansie 16 van 1978

7. Artikel 49 van die Ordonnansie word hierby deur die volgende artikel vervang:

“Recovery of sanitary rates

49. (1) All moneys due for sanitary services, all moneys due as basic charges for water made in terms of section 81(1), all other moneys due for water where **[waterborne sewerage]** any water-closet system on such premises has been installed, and all moneys due as basic charges for electricity made in terms of section 83(1), shall be recoverable from the owner and occupier jointly and severally of the premises in respect of which the services were rendered: Provided that the owner shall, in the absence of any agreement to the contrary, be entitled to recover from the occupier of the said premises for the time being any such charges paid by him in respect of the occupation of such occupier. 5 10

(2) If any charges due in respect of any premises for sanitary services, or if basic charges due for water made in terms of section 81(1), or if any other charges due in respect of any premises for water where **[waterborne sewerage]** any water-closet system on such premises has been installed, or if basic charges due for electricity made in terms of section 83(1), shall remain unpaid for a period of six weeks after the date on which written notice shall have been given by the council to the owner or occupier of his indebtedness, the council may proceed jointly and severally against the owner and occupier for the time being of such premises for the amount of such charges or any part thereof, and may recover the same from such owner or occupier: Provided that every such occupier shall be entitled to deduct from any rent or other amount payable by him to the owner of the premises any portion of such charges paid by or recovered from him under this subsection which the owner could not lawfully have required him to pay, and the production of the receipts for such portion of such charges so paid or recovered from such occupier shall be a good and sufficient discharge for the amount so paid or recovered as payment of rent or other amount.”. 15 20 25 30

Amendment of section 50 of Ordinance 17 of 1939, as substituted by section 47 of Ordinance 11 of 1977 and amended by section 4 of Ordinance 16 of 1978 and section 2 of Ordinance 13 of 1980

8. Section 50 of the Ordinance is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph: 35

“(a) that all amounts for a period of three years immediately preceding the date of such registration due in respect of such land or right in land for sanitary services or so due as basic charges for water or as other costs for water where **[waterborne sewerage]** any water-closet system on the land concerned has been installed or so due as basic charges for electricity in terms of the provisions of this Ordinance or any by-law or regulation;” 40

Amendment of section 65 of Ordinance 17 of 1939, as amended by section 4 of Ordinance 16 of 1955 and section 8 of Ordinance 16 of 1984

9. Section 65 of the Ordinance is hereby amended by the deletion of subsection (1) *bis*. 45

Amendment of section 79 of Ordinance 17 of 1939, as amended by section 8 of Ordinance 12 of 1941, section 5 of Ordinance 11 of 1942, section 3 of Ordinance 19 of 1943, section 6 of Ordinance 19 of 1944, section 11 of Ordinance 27 of 1951, section 8 of Ordinance 25 of 1953, section 5 of Ordinance 16 of 1955, section 7 of Ordinance 21 of 1957, section 3 of Ordinance 33 of 1959, section 2 of Ordinance 24 of 1960, section 6 of Ordinance 18 of 1961, section 2 of Ordinance 5 of 1962, section 3 of Ordinance 12 of 1962, section 1 of Ordinance 7 of 1964, section 1 of Ordinance 14 of 1964, section 15 of Ordinance 18 of 1965, section 5 of Ordinance 24 of 1965, section 96 of Ordinance 25 of 1965, section 8 of Ordinance 24 of 1966, section 3 of 50 60

“Invordering van saniteitsbelasting

49. (1) Alle gelde verskuldig vir **[sanitasiedienste]** saniteitsdienste, alle gelde verskuldig as basiese koste vir water gehef ingevolge artikel 81(1), alle ander gelde verskuldig vir water waar **[waterrioler-**
 5 **ring]** 'n spoelklosetsisteem op sodanige perseel geïnstalleer is, en alle gelde verskuldig as basiese koste vir elektrisiteit gehef ingevolge artikel 83(1), is invorderbaar van die eienaar en bewoner gesamentlik en afsonderlik van die perseel waarvoor die dienste bewys was: Met dien verstande dat by gebrek aan 'n andersluidende ooreen-

10 koms, die eienaar geregtig is om op die persoon wat, op daardie tydstip genoemde perseel bewoon, enige sodanige gelde deur hom betaal ten opsigte van die bewoning deur so 'n persoon te verhaal.
 (2) As enige koste verskuldig ten opsigte van enige perseel vir saniteitsdienste, of as basiese koste verskuldig vir water gehef
 15 ingevolge artikel 81(1), of as ander koste verskuldig ten opsigte van enige perseel vir water waar **[waterrioler-**
ing] 'n spoelklosetsisteem op sodanige perseel geïnstalleer is, of as basiese koste verskuldig vir elektrisiteit gehef ingevolge artikel 83(1), onbetaald bly vir 'n
 20 tydperk van ses weke na die datum waarop die raad skriftelik kennis gegee het aan die eienaar of bewoner van sy skuld, dan kan die raad gesamentlik en afsonderlik op die eienaar en bewoner op daardie
 25 tydstip van so 'n perseel 'n vordering instel vir die bedrag van sodanige koste of enige deel daarvan, en die koste op so 'n eienaar of bewoner verhaal: Met dien verstande dat elke sodanige bewoner die reg het om van enige huurgelde of ander bedrag deur hom aan die eienaar van die perseel betaalbaar, enige gedeelte van sodanige koste af te trek deur hom betaal of van hom ingevorder kragtens hierdie subartikel wat die eienaar nie wettiglik hom kon laat betaal
 30 het nie, en die vertoning van die kwitansies vir so 'n gedeelte van sodanige koste aldus betaal deur of ingevorder van so 'n bewoner, is geldige en voldoende kwitskelding vir die bedrag aldus betaal of ingevorder as betaling van huur of ander bedrag.”.

Wysiging van artikel 50 van Ordonnansie 17 van 1939, soos vervang deur artikel 47 van Ordonnansie 11 van 1977 en gewysig deur artikel 4 van Ordonnansie 16
 35 van 1978 en artikel 2 van Ordonnansie 13 van 1980

8. Artikel 50 van die Ordonnansie word hierby gewysig deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:

“(a) dat alle bedrae vir 'n tydperk van drie jaar onmiddellik voor die datum van sodanige registrasie wat verskuldig is ten opsigte van sodanige
 40 grond of reg in grond vir saniteitsdienste of aldus verskuldig as basiese koste vir water of as ander koste vir water waar **[waterrioler-**
ing] 'n spoelklosetsisteem op die betrokke grond geïnstalleer is of aldus verskuldig as basiese koste vir elektrisiteit ingevolge die bepalings van hierdie Ordonnansie of enige verordening of regulasie;”.

45 Wysiging van artikel 65 van Ordonnansie 17 van 1939, soos gewysig deur artikel 4 van Ordonnansie 16 van 1955 en artikel 8 van Ordonnansie 16 van 1984

9. Artikel 65 van die Ordonnansie word hierby gewysig deur subartikel (1) *bis* te skrap.

Wysiging van artikel 79 van Ordonnansie 17 van 1939, soos gewysig deur artikel
 50 8 van Ordonnansie 12 van 1941, artikel 5 van Ordonnansie 11 van 1942, artikel 3 van Ordonnansie 19 van 1943, artikel 6 van Ordonnansie 19 van 1944, artikel 11 van Ordonnansie 27 van 1951, artikel 8 van Ordonnansie 25 van 1953, artikel 5 van Ordonnansie 16 van 1955, artikel 7 van Ordonnansie 21 van 1957, artikel 3 van Ordonnansie 33 van 1959, artikel 2 van Ordonnansie 24 van 1960, artikel
 55 6 van Ordonnansie 18 van 1961, artikel 2 van Ordonnansie 5 van 1962, artikel 3 van Ordonnansie 12 van 1962, artikel 1 van Ordonnansie 7 van 1964, artikel 1 van Ordonnansie 14 van 1964, artikel 15 van Ordonnansie 18 van 1965, artikel 5 van

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Ordinance 16 of 1967, section 8 of Ordinance 15 of 1968, section 3 of Ordinance 10 of 1970, section 6 of Ordinance 10 of 1971, section 2 of Ordinance 16 of 1972, section 2 of Ordinance 6 of 1974, section 1 of Ordinance 15 of 1975, section 3 of Ordinance 14 of 1976, section 3 of Ordinance 21 of 1976, section 18 of Ordinance 18 of 1977, section 2 of Ordinance 22 of 1977, section 7 of Ordinance 16 of 1978, section 4 of Ordinance 16 of 1979, section 3 of Ordinance 13 of 1980, section 8 of Ordinance 13 of 1981, section 5 of Ordinance 16 of 1982, section 3 of Ordinance 9 of 1983, section 9 of Ordinance 16 of 1984, section 9 of Ordinance 18 of 1985, section 4 of Ordinance 16 of 1986, Proclamation 34 of 27 July 1988 and section 9 of Act 52 of 1990

10. Section 79 of the Ordinance is hereby amended— 10

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

“(b) set apart separate portions of any cemetery established by the council or establish separate cemeteries for the burial therein **[respectively of white persons]** of persons of different religious denominations **[Blacks, Asiatics or other coloured persons]**”; 15

(b) by the deletion of subparagraph (ii) of paragraph (a) of subsection (17);

(c) by the substitution for subparagraph (i) of paragraph (d) of subsection (18) of the following subparagraph:

“(i) determine the rental in respect of the immovable property it wishes to let: Provided that the provisions of this subparagraph shall not apply to a council referred to in Part I or II of the Sixth Schedule to this Ordinance;”; 20

(d) by the deletion of subsection (23);

(e) by the deletion of subsection (30); and 25

(f) by the substitution for subparagraphs (i), (ii) and (iii) of the proviso to paragraph (a) of subsection (40) of the following subparagraphs:

“(i) in different parts of the municipality; and
(ii) inside and outside the municipality; **[and**
(iii) to persons of different races]”. 30

Amendment of section 80 of Ordinance 17 of 1939, as amended by section 9 of Ordinance 12 of 1941, section 6 of Ordinance 11 of 1942, section 4 of Ordinance 19 of 1943, section 7 of Ordinance 19 of 1944, section 12 of Ordinance 27 of 1951, section 9 of Ordinance 25 of 1953, section 6 of Ordinance 16 of 1955, section 8 of Ordinance 21 of 1957, section 4 of Ordinance 33 of 1959, section 3 of Ordinance 24 of 1960, section 7 of Ordinance 18 of 1961, section 2 of Ordinance 14 of 1963, section 16 of Ordinance 18 of 1965, section 7 of Ordinance 24 of 1965, section 9 of Ordinance 24 of 1966, section 5 of Ordinance 10 of 1970, section 8 of Ordinance 10 of 1971, section 5 of Ordinance 16 of 1972, section 2 of Ordinance 10 of 1973, section 2 of Ordinance 15 of 1975, section 5 of Ordinance 21 of 1976, section 19 of Ordinance 18 of 1977, section 3 of Ordinance 22 of 1977, section 5 of Ordinance 16 of 1979, section 4 of Ordinance 13 of 1980, section 11 of Ordinance 16 of 1984, section 11 of Ordinance 18 of 1985, Proclamation 34 of 27 July 1988 and section 11 of Act 52 of 1990 35 40

11. Section 80 of the Ordinance is hereby amended— 45

(a) by the substitution for paragraph (b) of subsection (5) of the following paragraph:

“(b) for compelling on any premises the provision and suitable siting of closets for the exclusive use of **[Europeans and non-Europeans, respectively]** persons employed or resident on the premises;” 50

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Ordonnansie 24 van 1965, artikel 96 van Ordonnansie 25 van 1965, artikel 8 van Ordonnansie 24 van 1966, artikel 3 van Ordonnansie 16 van 1967, artikel 8 van Ordonnansie 15 van 1968, artikel 3 van Ordonnansie 10 van 1970, artikel 6 van Ordonnansie 10 van 1971, artikel 2 van Ordonnansie 16 van 1972, artikel 2 van
5 Ordonnansie 6 van 1974, artikel 1 van Ordonnansie 15 van 1975, artikel 3 van Ordonnansie 14 van 1976, artikel 3 van Ordonnansie 21 van 1976, artikel 18 van Ordonnansie 18 van 1977, artikel 2 van Ordonnansie 22 van 1977, artikel 7 van Ordonnansie 16 van 1978, artikel 4 van Ordonnansie 16 van 1979, artikel 3 van Ordonnansie 13 van 1980, artikel 8 van Ordonnansie 13 van 1981, artikel 5 van
10 Ordonnansie 16 van 1982, artikel 3 van Ordonnansie 9 van 1983, artikel 9 van Ordonnansie 16 van 1984, artikel 9 van Ordonnansie 18 van 1985, artikel 4 van Ordonnansie 16 van 1986, Proklamasie 34 van 27 Julie 1988 en artikel 9 van Wet 52 van 1990

10. Artikel 79 van die Ordonnansie word hierby gewysig—

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

“(b) afsonderlike gedeeltes van ’n begraafplaas, ingestel deur die raad, uithou, of afsonderlike begraafplase instel vir die begrawing daarin **[onderskeidelik van blanke persone]** van persone van verskillende godsdienstige genootskappe **[Swartes, Asiate of ander kleurlinge]**”;

(b) deur subparagraaf (ii) van paragraaf (a) van subartikel (17) te skrap;

(c) deur subparagraaf (i) van paragraaf (d) van subartikel (18) deur die volgende subparagraaf te vervang:

25 “(i) die huurgeld ten opsigte van die onroerende eiendom wat hy wil verhuur, bepaal: Met dien verstande dat die bepalings van hierdie subparagraaf nie op ’n raad in Deel I of II van die Sesde Bylae by hierdie Ordonnansie genoem, van toepassing is nie;”;

30 (d) deur subartikel (23) te skrap;

(e) deur subartikel (30) te skrap; en

(f) deur subparagrafe (i), (ii) en (iii) van die voorbehoudsbepaling by paragraaf (a) van subartikel (40) deur die volgende subparagrafe te vervang:

35 “(i) in verskillende dele van die munisipaliteit; en

(ii) binne en buite die munisipaliteit; **[en**

(iii) **aan persone van verskillende rasse]**”.

Wysiging van artikel 80 van Ordonnansie 17 van 1939, soos gewysig deur artikel 9 van Ordonnansie 12 van 1941, artikel 6 van Ordonnansie 11 van 1942, artikel
40 4 van Ordonnansie 19 van 1943, artikel 7 van Ordonnansie 19 van 1944, artikel 12 van Ordonnansie 27 van 1951, artikel 9 van Ordonnansie 25 van 1953, artikel 6 van Ordonnansie 16 van 1955, artikel 8 van Ordonnansie 21 van 1957, artikel 4 van Ordonnansie 33 van 1959, artikel 3 van Ordonnansie 24 van 1960, artikel 7 van Ordonnansie 18 van 1961, artikel 2 van Ordonnansie 14 van 1963, artikel
45 16 van Ordonnansie 18 van 1965, artikel 7 van Ordonnansie 24 van 1965, artikel 9 van Ordonnansie 24 van 1966, artikel 5 van Ordonnansie 10 van 1970, artikel 8 van Ordonnansie 10 van 1971, artikel 5 van Ordonnansie 16 van 1972, artikel 2 van Ordonnansie 10 van 1973, artikel 2 van Ordonnansie 15 van 1975, artikel 5 van Ordonnansie 21 van 1976, artikel 19 van Ordonnansie 18 van 1977, artikel
50 3 van Ordonnansie 22 van 1977, artikel 5 van Ordonnansie 16 van 1979, artikel 4 van Ordonnansie 13 van 1980, artikel 11 van Ordonnansie 16 van 1984, artikel 11 van Ordonnansie 18 van 1985, Proklamasie 34 van 27 Julie 1988 en artikel 11 van Wet 52 van 1990

11. Artikel 80 van die Ordonnansie word hierby gewysig—

55 (a) deur paragraaf (b) van subartikel (5) deur die volgende paragraaf te vervang:

60 “(b) om op enige perseel die verskaffing, en die bou op ’n geskikte plek, van gemakshuises vir die uitsluitlike gebruik van **[onderskeidelik blankes en nie-blankes]** persone wat op die perseel werk of woon, verpligtend te maak;”;

- (b) by the substitution for subsection (23A) of the following subsection:

“(23A) (a) without prejudice to the provisions of section **[42]** 30 of the **[Children’s Act, 1960 (Act No. 33 of 1960)]** Child Care Act, 1983 (Act No. 74 of 1983), for regulating, controlling, supervising and inspecting any nursery school, **[or] crèche or child-minding service** for the purpose of safeguarding the health and physical welfare of children attending such nursery school, **[or] crèche or child-minding service**;

(b) in the application of paragraph (a) the expression ‘child-minding service’ means any service for reward, other than a service which shall be registered in terms of any other law and also not a place of care referred to in section (1) of the Child Care Act, 1983, aimed at the custody and care of children outside the parental home and apart from their parents, whether such service is rendered during the whole or part of the day, or on one or more than one day of the week;”;

- (c) by the deletion of paragraphs (b) and (c) of subsection (26);

- (d) by the substitution for paragraph (a) of subsection (28) of the following paragraph:

“(a) for regulating, controlling and supervising washing, laundering, dyeing, dry-cleaning, bleaching or any other process of cleaning cloths, linen, carpets, rugs, curtains or other household fabrics, and for regulating, controlling and supervising the persons engaged therein, the premises at which any such occupation is carried on and the premises at which the articles as aforesaid are received for such cleaning **[and for providing that where such articles belong to different races or classes of persons, they shall be separately received, kept, handled and processed as contemplated in this paragraph]**”;

- (e) by the deletion of subsection (29);

- (f) by the substitution for subsection (34) of the following subsection:

“(34) for managing, regulating and supervising crematoria and for setting aside crematoria or portions of or places in crematoria for the cremation therein of **[white persons]** persons of different religious denominations **[natives, Asiatics or other coloured persons]**”;

- (g) by the substitution for subsection (48A) of the following subsection:

“(48A) subject to the provisions of the **[Factories, Machinery and Building Work Act, 1941 (Act 22 of 1941)]** Machinery and Occupational Safety Act, 1983 (Act No. 6 of 1983), for the requiring and regulating the provision in any building erected or to be erected of such eating or restroom facilities or both, as the council may deem necessary or as the council may prescribe for persons who occupy or will occupy or are or will be employed in such building **[and the setting apart or reserving of such eating and restroom facilities, or both, for the exclusive use of persons of any particular race or category]** and in such bylaws to differentiate between buildings, in different parts of the municipality or between different categories of persons who occupy or will occupy or are or will be employed in such buildings;”;

- (h) by the substitution for subparagraph (ii) of paragraph (b) of subsection (49) of the following subparagraph:

“(ii) the provision of **[separate]** lifts for **[Europeans and non-Europeans]** persons in flats and buildings referred to in subparagraph (i) of this paragraph;”;

- (i) by the substitution for subsection (76) of the following subsection:

“(76) for regulating, supervising and licensing **[separate]** the use of public vehicles **[for the use of white persons and of natives or Asiatics or other coloured persons respectively and restricting the use of such public vehicles to such persons]**”;

- (j) by the deletion of subsection (91);

- (k) by the substitution for subsection (98) of the following subsection:

“(98) for inspecting, supervising, controlling and regulating places of

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(b) deur subartikel (23A) deur die volgende subartikel te vervang:

“(23A) (a) sonder afbreuk aan die bepalings van artikel [42] 30 van die **[Kinderwet, 1960 (Wet No. 33 van 1960)]** Wet op Kindersorg, 1983 (Wet No. 74 van 1983), om enige kleuterskool **[of]**, kinderbewaarplaas of dagmoederdiens te reël, te beheer, toesig daaroor te hou en te inspekteer met die doel om die gesondheid en liggaamlike welvaart van kinders wat sodanige kleuterskool **[of]**, kinderbewaarplaas of dagmoederdiens bywoon, te beveilig;

(b) by die toepassing van paragraaf (a) beteken die uitdrukking ‘dagmoederdiens’ enige diens teen vergoeding, behalwe ’n diens wat ingevolge die een of ander wet moet registreer en ook nie ’n versorgingsoord soos bedoel in artikel 1 van die Wet op Kindersorg, 1983, nie wat die bewaring en versorging van kinders buite die ouerhuis en weg van hulle ouers af ten doel het, hetsy sodanige diens gedurende die geheel of ’n gedeelte van die dag, of op een of meer as een dag van die week, gelewer word;”;

(c) deur paragrawe (b) en (c) van subartikel (26) te skrap;

(d) deur paragraaf (a) van subartikel (28) deur die volgende paragraaf te vervang:

“(a) om die was en stryk, kleur, droogskoonmaak, bleik of ander proses om klere, linne, tapyte, vloermatte, gordyne of ander huishoudelike weefsel skoon te maak, te reël, te beheer en toesig daaroor te hou en om die persone wat daarmee werk, die persele waar sodanige beroep uitgeoefen word en die persele waar voornoemde artikels ontvang word om skoongemaak te word, te reël, te beheer en toesig daaroor te hou **[en om te bepaal dat, waar sodanige artikels aan verskillende rasse of klasse persone behoort, dit afsonderlik ontvang, gehou, gehanteer en bewerk moet word soos in hierdie paragraaf beoog]**;”;

(e) deur subartikel (29) te skrap;

(f) deur subartikel (34) deur die volgende subartikel te vervang:

“(34) om krematoriums te bestuur, te reël en toesig daaroor te hou en vir die aanwysing van krematoriums of gedeeltes van of plekke in krematoriums vir die verassing daarin van **[blanke persone]** persone van verskillende godsdienstige genootskappe **[naturelle, asiate of ander kleurlinge]**;”;

(g) deur subartikel (48A) deur die volgende subartikel te vervang:

“(48A) om, behoudens die bepalings van die Wet op **[Fabrieke, Masjinerie en Bouwerk, 1941 (Wet 22 van 1941)]** Masjinerie en Beroepsveiligheid, 1983 (Wet No. 6 van 1983), die voorsiening in enige gebou wat opgerig is of opgerig staan te word van sodanige eet- of ruskamergeriewe, of beide, as wat die raad nodig ag of wat die raad voorskryf vir persone wat sodanige gebou okkupeer of sal okkupeer of daarin werksaam is of sal wees **[en die afsondering of aanwysing van sodanige eet- of ruskamergeriewe, of beide, vir die uitsluitende gebruik van persone van enige besondere ras of kategorie te vereis en]** te reguleer en om in sodanige verordeninge te onderskei tussen geboue in verskillende dele van die munisipaliteit of tussen verskillende kategorieë van persone wat sodanige geboue okkupeer of sal okkupeer of daarin werksaam is of sal wees;”;

(h) deur subparagraaf (ii) van paragraaf (b) van subartikel (49) deur die volgende subparagraaf te vervang:

“(ii) die voorsiening van **[afsonderlike]** hysers vir **[blankes en nie-blankes]** persone in die flat- en ander geboue, genoem in subparagraaf (i) van hierdie paragraaf;”;

(i) deur subartikel (76) deur die volgende subartikel te vervang:

“(76) om **[afsonderlike]** die gebruik van publieke voertuie **[vir die gebruik van blanke persone en van naturelle of Asiate of ander kleurlinge onderskeidelik]** te reël, toesig daaroor te hou en te lisensieer **[en die gebruik van sulke publieke voertuie tot sulke persone te beperk]**;”;

(j) deur subartikel (91) te skrap;

(k) deur subartikel (98) deur die volgende subartikel te vervang:

“(98) om vermaaklikheids-, pret- of ontspanningsplekke met inbe-

entertainment, amusement, or recreation including theatres, bioscopes, music halls, dance halls, dance clubs, discotheques, night clubs, youth clubs, teenage clubs, halls, concert rooms, billiard rooms, snooker rooms, or any like place to which the public are admitted for the purpose of entertainment, amusement or recreation either on payment of a fee or otherwise, and whether as members of or guests of any member of any club, association or organisation; and to licence any such place which is not a trade or occupation as contemplated in section 2 of the Licences Ordinance, 1974; for imposing conditions in any such licence restricting the days and hours which such licensed places may be kept open; **[for prohibiting the employment or presence of white females in any such place of entertainment, amusement or recreation for any class or classes of non-white persons or in any house part of which is used for such purpose]** for exempting, in its discretion, on any occasion any place of entertainment, amusement or recreation from any such restriction or prohibition or on any occasion, in its discretion, varying such restriction or prohibition; for closing either temporarily or permanently any place of entertainment, amusement or recreation which is required to be licensed in terms of this subsection but is in fact not so licensed, or which is used in breach of any prohibition or condition imposed in terms of this subsection; for prescribing licensing fees in respect of the licensing of such places; for prescribing conditions relating to such licensing, inspecting, supervising, controlling and regulating and for making it an offence for such place of entertainment, amusement or recreation to be used without being licensed in terms of this subsection or to be used in breach of any prohibition, restriction or condition imposed in respect of such licence in terms of this subsection: Provided that the provisions of this subsection shall not apply to any premises, including any club, licensed under the provisions of the Liquor Act, **[1928]** 1989 (Act No. 27 of 1989);"; and

(l) by the deletion of subsection (121).

Amendment of section 105 of Ordinance 17 of 1939, as substituted by section 14 of Ordinance 24 of 1966 and amended by section 5 of Ordinance 6 of 1974 and section 17 of Act 52 of 1990

12. Section 105 of the Ordinance is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) By-laws under this Ordinance may provide for a fine not exceeding R2 000 or for imprisonment for a period not exceeding six months, or for both such fine and such imprisonment."

Amendment of section 118bis of Ordinance 17 of 1939, as substituted by section 18 of Ordinance 24 of 1966 and amended by section 6 of Ordinance 16 of 1967, section 23 of Ordinance 16 of 1984 and Proclamation No. 37 of 27 July 1988

13. Section 118bis of the Ordinance is hereby amended—

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

"(a) [Subject to the prior approval of the Administrator] The council may vote to the mayor out of its revenue such sum as it may consider sufficient as an allowance for general purposes having regard to the circumstances.";

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

"(a) [Subject to the prior approval of the Administrator] The council may also grant as a personal allowance payable monthly to

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grip van teaters, bioskope, musieksale, danssale, dansklubs, diskoteke, nagklubs, jeugklubs, tienerjarige klubs, sale, konsertsale, biljartkamers, snoekerkamers, of enige dergelike plek waartoe die publiek toegang verleen word vir die doel van vermaak, pret of ontspanning of teen betaling van 'n bedrag of andersins, en of as lede van, of gaste van enige lid van enige vereniging of organisasie, te inspekteer, te beheer, te reguleer en toesig daarop te hou en enige sodanige plek wat nie 'n handelsbesigheid of beroep is soos in artikel 2 van die Ordonnansie op Lisensies, 1974, beoog nie, te lisensieer; om voorwaardes in enige sodanige lisensie op te lê wat die dae en ure vir die oophou van sodanige gelisensieerde plekke beperk; **[om die indiensneming of aanwesigheid te verbied van blanke vroue in enige sodanige vermaaklikheids-, pret- of ontspanningsplek vir enige klas of klasse van nie-blanke persone of in enige huis waarvan 'n gedeelte vir so 'n doel gebruik word]** om by enige geleentheid, na goëddunke, enige vermaaklikheids-, pret- of ontspanningsplek van enige sodanige beperking of verbod vry te stel, of by enige geleentheid, na goëddunke, sodanige beperking of verbod te wysig; om enige vermaaklikheids-, pret- of ontspanningsplek wat ingevolge hierdie subartikel gelisensieer moet wees maar inderdaad aldus nie gelisensieer is nie, of wat gebruik word in stryd met enige verbod of voorwaarde ingevolge hierdie subartikel opgelê of tydelik of permanent te sluit; om lisensiegelde ten opsigte van lisensiering van sodanige plekke voor te skryf; om voorwaardes voor te skryf wat betrekking het op sodanige lisensiering, inspektering, toesighouding, beheer en regulering en om die gebruik van sodanige vermaaklikheids-, pret- of ontspanningsplek, sonder dat dit ingevolge hierdie subartikel gelisensieer is, of die gebruik daarvan in stryd met enige verbod, beperking of voorwaarde ten opsigte van sodanige lisensie ingevolge hierdie subartikel opgelê, strafbaar te stel: Met dien verstande dat die bepalings van hierdie subartikel nie van toepassing is nie op enige perseel, met inbegrip van enige klub, ingevolge die bepalings van die Drankwet, **[1928] 1989 (Wet No. 27 van 1989)**, gelisensieer;"; en

(l) deur subartikel (121) te skrap.

35 **Wysiging van artikel 105 van Ordonnansie 17 van 1939, soos vervang deur artikel 14 van Ordonnansie 24 van 1966 en gewysig deur artikel 5 van Ordonnansie 6 van 1974 en artikel 17 van Wet 52 van 1990**

12. Artikel 105 van die Ordonnansie word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

40 **“(1) Verordeninge kragtens hierdie Ordonnansie kan voorsiening maak vir 'n boete van hoogstens R2 000 of vir gevangenisstraf vir 'n tydperk van hoogstens ses maande, of vir sowel sodanige boete as sodanige gevangenisstraf.”.**

45 **Wysiging van artikel 118bis van Ordonnansie 17 van 1939, soos vervang deur artikel 18 van Ordonnansie 24 van 1966 en gewysig deur artikel 6 van Ordonnansie 16 van 1967, artikel 23 van Ordonnansie 16 van 1984 en Proklamasie No. 37 van 27 Julie 1988**

13. Artikel 118bis van die Ordonnansie word hierby gewysig—

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

55 **“(a) [Mits die goedkeuring van die Administrateur vooraf verkry word, kan] Die raad kan aan die burgemeester uit sy inkomste sodanige bedrag toestaan as wat voldoende geag word as 'n toelae vir algemene doeleindes met inagneming van die omstandighede.”;**

(b) deur paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:

“(a) [Mits die goedkeuring van die Administrateur vooraf verkry word, kan] Die raad kan ook 'n bedrag as 'n persoonlike toelae

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- the mayor, an amount in the aggregate not exceeding one-third of the allowance fixed under subsection (1) of this section.”; and
- (c) by the substitution for the words preceding the proviso to subsection (4) of the following words:

“The council may, with the approval of the **[Administrator]** 5
Minister of Local Government and subject to such conditions as he may determine in each case, pay out of its revenue an allowance to the councillors as well as an additional allowance to the chairman in the circumstances contemplated in section 53(1) and (4) of the Local Government (Administration and Elections) Ordinance, 1960:”. 10

Short title and commencement

14. (1) This Act shall be called the Local Government Ordinance Amendment Act (Transvaal) (House of Assembly), 1991, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

(2) Different dates may be so fixed in respect of the different provisions of this Act. 15

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maandeliks betaalbaar aan die burgemeester toestaan, waarvan die totaal hoogstens een derde van die toelae vasgestel ingevolge subartikel (1) van hierdie artikel mag wees.”; en

5 (c) deur die woorde wat die voorbehoudsbepaling by subartikel (4) voorafgaan deur die volgende woorde te vervang:

“Die raad kan met die goedkeuring van die **[Administrateur]**
10 Minister van Plaaslike Bestuur en onderworpe aan die voorwaardes wat hy in elke geval bepaal, uit sy inkomste ’n toelae aan die raadslede betaal asook ’n addisionele toelae aan die voorsitter in die omstandighede in artikel 53(1) en (4) van die Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiesings), 1960, beoog:”.

Kort titel en inwerkingtreding

14. (1) Hierdie Wet heet die Wysigingswet op die Ordonnansie op Plaaslike
15 Bestuur (Transvaal) (Volksraad), 1991, en tree in werking op ’n datum deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

(2) Verskillende datums kan aldus bepaal word ten opsigte van die verskillende bepalinge van hierdie Wet.

