



DIE PROVINSIE TRANSWAAL
Guitengewone
Offisiële Koerant

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No. 216 (Administrateurs-), 1971.

PROKLAMASIE

deur sy Edele die Administrateur van die Provinsie Transvaal.

Nademaal die Begrotingsordonnansie, 1971, deur die Provinsiale Raad van Transvaal aangeneem is;

En nademaal die Staatspresident-in-rade ingevolge artikel 89 van die Grondwet van die Republiek van Suid-Afrika, 1961, in genoemde Ordonnansie toegestem het;

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

So is dit dat ek hierby genoemde Ordonnansie, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 30ste dag van Augustus Eenduisend Negehonderd Een-en-Sewentig.

S. G. J. VAN NIEKERK,
 Administrateur van die Provinsie Transvaal.
 P.R. 4-11(1971/12).

Ordonnansie No. 9 van 1971.

(Toestemming verleen op 17 Augustus 1971.)
 (Afrikaanse eksemplaar deur die Staatspresident onderteken.)

'N ORDONNANSIE

Tot aanwending van 'n bedrag van hoogstens R424 267 707 tot die diens van die Provinsie Transvaal gedurende die jaar wat op die 31ste dag van Maart 1972 eindig.

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

1. Die Provinsiale Inkomstefonds word hierby vir alle geldbedrae gedebiteer wat nodig mag wees vir die diens van die Provinsie gedurende die jaar wat op die 31ste dag van Maart 1972 eindig, tot 'n bedrag van altesaam hoogstens vier honderd en negentien miljoen ses en sewentig duisend negehonderd en sewe rand:

Provinsiale Inkomstefonds belas met R419 076 907.

Ter bestryding van normale of terugkerende uitgawe: R374 276 907

Ter bestryding van kapitaal- of nie-terugkerende uitgawe: R 44 800 000

2. Die geld by artikel 1 toegestaan word aangewend vir die dienste soos uiteengesit in die Eerste Bylae by hierdie Ordonnansie en wát uitvoeriger omskryf word in die Begroting van Uitgawe (Nos. T.P. 2 en 3 van 1971) soos deur die Provinsiale Raad goedgekeur en onderworpe aan artikel 3 hiervan en vir geen ander doel nie.

Hoe geld aangewend moet word.

No. 216 (Administrator's), 1971.

PROCLAMATION

by the Honourable the Administrator of the Province Transvaal.

Whereas the Appropriation Ordinance, 1971, has been passed by the Provincial Council;

And whereas the State President-in-Council has, in terms of the provisions of section 89 of the Republic of South Africa Constitution Act, 1961, assented to the said Ordinance;

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

Now, therefore, I do hereby promulgate the said Ordinance, which is printed hereunder.

Given under my Hand at Pretoria on this the 30th day of August, One thousand Nine hundred and Seventy-one.

S. G. J. VAN NIEKERK,
 Administrator of the Province Transvaal.
 P.R. 4-11(1971/12).

Ordinance No. 9 of 1971

(Assented to on 17th August, 1971.)
 (Afrikaans copy signed by the State President.)

AN ORDINANCE

To apply a sum not exceeding R424 267 707 towards the service of the Province of Transvaal during the year ending on the 31st day of March, 1972.

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

1. The Provincial Revenue Fund is hereby charged with such sums of money as may be required for the service of the Province during the year ending on the 31st day of March, 1972, not exceeding in the aggregate the sum of four hundred and nineteen million seventy-six thousand nine hundred and seven rand:

Provincial Revenue Fund charged with R419 076 907.

To defray normal or recurrent expenditure: R374 276 907

To defray capital or non-recurrent expenditure: R 44 800 000

2. The money appropriated by section 1 shall be applied to the services as detailed in the First Schedule to this Ordinance and more particularly specified in the Estimates of Expenditure (Nos. T.P. 2 and 3 of 1971) as approved by the Provincial Council, and subject to section 3 hereof and to no other purpose.

How money is to be applied.

EERSTE BYLAE (vervolg)				FIRST SCHEDULE (continued)			
No. van Begrotingspos	Diens	Kolom 1	Kolom 2	No. of Vote	Service	Column 1	Column 2
		R	R			R	R
	Johannesburgse Kleuringvereniging: Buitepasiëntekliniek	—	2 800		Johannesburg Coloured Society: Out-patients Clinic	—	2 800
	Rossmore Kliniek vir Dwelmiddelverslaafdes	—	12 500		Rossmore Clinic for drug addicted persons ...	—	12 500
	Tandheelkundige Klinieke—				Dental Clinics —		
	Benoni	—	13 000		Benoni	—	13 000
	Brakpan	—	14 000		Brakpan	—	14 000
	Germiston, insluitend Alberton, Edenvale, Elsburg en Kempton Park	—	54 000		Germiston, including Alberton, Edenvale, Elsburg and Kempton Park	—	54 000
	Johannesburg	—	153 000		Johannesburg	—	153 000
	R. V. Bird, Pretoria ...	—	83 000		R. V. Bird, Pretoria ...	—	83 000
	Roodepoort	—	17 000		Roodepoort	—	17 000
	Springs	—	16 000		Springs	—	16 000
	Vereeniging	—	32 000		Vereeniging	—	32 000
	Suid-Afrikaanse Rootkruisvereniging —				South African Red Cross Society —		
	Vervoer van Skoolkinderders na Tandheelkundige Klinieke	—	2 000		Transport of school children to dental clinics	—	2 000
	Kinderstrand	—	2 000		Kinderstrand	—	2 000
	Kreupelsorgvereniging van Transvaal	—	18 000		Transvaal Cripple Care Association	—	18 000
	St. John Ambulance Association	—	200		St. John Ambulance Association	—	200
	Suid-Afrikaanse Noodhulpliga	—	300		Suid-Afrikaanse Noodhulpliga	—	300
	Universiteit Pretoria, Mediese Biblioteek ...	—	700		Pretoria University Medical Library	—	700
	Universiteit Witwatersrand, Mediese Biblioteek	—	700		Witwatersrand University Medical Library ...	—	700
	Stadsraad Johannesburg: Vervoerfasiliteite —				Johannesburg City Council —		
	Edenvale-hospitaal	—	1 200		Transport Facilities —		
	Nasionale Bounavorsingsinstituut van die W.N.N.R. —Voedselnavorsing	—	3 000		Edenvale Hospital	—	1 200
	Amptelike Onthaal deur die Direkteur van Hospitaal dienste	—	300		National Building Research Institute of the C.S.I.R. — Food Research	—	3 000
	Spesiale Verdienstelike-toelaes betaalbaar aan voltydse medici	—	260 000		Official Entertainment by the Director of Hospital Services	—	300
5	Provinsiale Hospitale en Inrigtings	82 156 100	—	5	Special Merit Allowances payable to full-time Doctors	—	260 000
	Met inbegrip van —			5	Provincial Hospitals and Institutions	82 156 100	—
	Spesiale uitgawe tydens amptelike funksies by hospitale en kolleges ...	—	4 690		Including —		
6	Paaie en Brûe	67 998 000	—	6	Special expenditure during official functions at hospitals and colleges ...	—	4 690
	Met Inbegrip van —			6	Roads and Bridges	67 998 000	—
	Hulptoelaes, Subsidies en Bydraes —				Including —		
	Aanleg van Subsidie-paaie in Johannesburgse munisipale gebied	—	93 000		Grants-in-Aid, Subsidies and Contributions —		
	Stedelike Deurpaaie ...	—	500 000		Construction of Subsidy Roads in Johannesburg Municipal Area	—	93 000
	Amptelike Onthaal deur die Direkteur van Paaie ...	—	300		Urban Throughways ...	—	500 000
	Bou van Provinsiale Deurpaaie	—	7 650 000		Official Entertainment by the Director of Roads ...	—	300
7	Nasionale en Spesiale Paaie en Brûe	22 573 000	—	7	Construction of Provincial Throughways	—	7 650 000
8	Biblioteek- en Museumdiens	1 106 000	—	7	National and Special Roads and Bridges	22 573 000	—
	Met inbegrip van toelaes vir —			8	Library and Museum Service	1 106 000	—
	S.A. Biblioteekvereniging se vakansieskool ...	—	100		Including Grants for —		
	S.A. Biblioteekvereniging vir Opleiding van Nie-blanke Bibliotekaris	—	200		S.A. Library Association Vacation School	—	100
	Pretoriase Openbare Biblioteek	—	30 000		S.A. Library Association for Training of Non-White Librarians	—	200
					Pretoria Public Library	—	30 000

EERSTE BYLAE (vervolg)			
No. van Begrotingspos	Diens.	Kolom 1	Kolom 2
	Nasionale Dramabiblioteek	R —	R 1 500
9	Natuurbewaring	1 512 000	—
	Met inbegrip van toelaes vir —		
	Nasionale Parkeraad	—	50 000
	Wildbeskermingsvereniging van Suid-Afrika	—	300
	Federasie Ongediertebestrydingsvereniging	—	6 000
	W.N.N.R. (Soogdiernavorsing)	—	9 000
	Potchefstroomse Universiteit vir C.H.O. (Hydrobiologiese en Visserynavorsing)	—	3 300
	S.A. Mediese Navorsingsraad	—	4 000
	W.N.N.R. (Nasionale Eenheid vir Voëlberinging)	—	4 000
10	Plaaslike Bestuur	1 830 900	—
	Met inbegrip van —		
	Toelaes vir —		
	Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede —		689 362
	Ontwikkeling	—	—
	Hulpbehoewende gemeenskappe — Verskaffing van essensiele dienste en ontwikkeling	—	250 000
	Lugbesoedlingsnavorsingsgroep	—	1 000
	Stadsraad van Pretoria	—	180 000
	S.A. Wetenskaplike en Nywerheidsnavorsingsraad — Navorsing na water- en uitvloeiselbeheer	—	1 200
	Amptelike Onthaal deur die Direkteur van Plaaslike Bestuur	—	300
11	Werke	17 262 000	—
	Met inbegrip van —		
	Toelaes vir —		
	S.A. Wetenskaplike en Nywerheidsnavorsingsraad — Navorsing in verband met Onderwysgeboue	—	6 000
	Navorsing in verband met Hospitaalgeboue	—	3 000
	Navorsing in verband met Rioolinvreting, -ontwerp en Loodgieterswerk	—	1 500
	Amptelike Onthaal deur die Direkteur van Werke	—	300
	Ex Gratia-betalings en -kwyskeldings van Inkomste —		
	Verlies aan inkomste as gevolg van verhurings teen nominale huurgelde	—	—
	Suid-Afrikaanse Kunstevereniging	—	5 904
12	Rente en Delging	17 100 000	—
	Kapitaaluitgawe	—	—
13	Werke	38 150 000	—
14	Brûe	6 650 000	—
	Met inbegrip van —		
	Bou van brûe op provinsiale deurpaaie	—	3 000 000
	TOTAAL	R419 076 907	

FIRST SCHEDULE (continued)			
No. of Vote	Service	Column 1	Column 2
	National Drama Library	R —	R 1 500
9	Nature Conservation	1 512 000	—
	Including Grants for —		
	National Parks Board of Trustees	—	50 000
	Wild Life Protection Society of South Africa	—	300
	Federal Vermin Destruction Association	—	6 000
	C.S.I.R. (mammal research)	—	9 000
	Potchefstroom University for C.H.E. (Hydrobiological and Fisheries research)	—	3 300
	S.A. Medical Research Board	—	4 000
	C.S.I.R. (National Unit for bird ringing)	—	4 000
10	Local Government	1 830 900	—
	Including —		
	Grants for —		
	Peri-Urban Areas Development Board —		689 362
	Communities in need of aid — Provision of essential services and development	—	250 000
	Air pollution research group	—	1 000
	City Council of Pretoria	—	180 000
	S.A. Council for Scientific and Industrial Research — Research into water and effluent control	—	1 200
	Official entertainment by the Director of Local Government	—	300
11	Works	17 262 000	—
	Including —		
	Grants for —		
	S.A. Council for Scientific and Industrial Research — Research on Educational Buildings	—	6 000
	Research on Hospital Buildings	—	3 000
	Research on Sewer Corrosion, Sewer Design and Plumbing	—	1 500
	Official Entertainment by the Director of Works	—	300
	Ex Gratia payments and remissions of revenue —		
	Loss of revenue resulting from lettings at nominal rentals —		
	South African Association of Arts	—	5 904
12	Interest and Redemption	17 100 000	—
	Capital Expenditure	—	—
13	Works	38 150 000	—
14	Bridges	6 650 000	—
	Including —		
	Construction of bridges on provincial throughways	—	3 000 000
	TOTAL	R419 076 907	

ministrateur kan, behoudens die bepalinge van hierdie Ordonnansie, sodanige magtiging verleen ten opsigte van sodanige bedrae en onderworpe aan sodanige voorwaardes as wat hy mag goedkeur;

(b) by die Administrateur aansoek doen om magtiging tot die verkryging van voorskotte by enige bank by wyse van oortrekkings en korttermynlenings, met inbegrip van onmiddellik opvraagbare lenings, vir sodanige bedrae en op sodanige voorwaardes as wat die Administrateur mag goedkeur, of by 'n bank of by enige ander persoon vir die tydelike finansiering van —

4 van Ordonnansie 19 van 1944 en artikel 5 van Ordonnansie 27 van 1951.

may approve;

(b) apply to the Administrator for authority for obtaining advances from any bank by way of bank overdraft and short term loans, including loans at call, in such amounts and on such conditions as the Administrator may approve, either from a bank or from any other person for the purpose of temporarily financing —

27 of 1951.

TWEEDE BYLAE (ten laste van die Fonds vir Groot Paduitrusting)			SECOND SC (Chargeable to Major)	
Diens	Kolom 1	Kolom 2	Service	
Aankoop van Groot Pad- uitrusting	R5 190 800		Purchase of Major F Plant	

- (i) leningsuitgawe ten opsigte waarvan leningsbevoegdheid behoorlik toegestaan is;
- (ii) uitgawe op inkomsterekening aangegaan om koste te bestry hangende die ontvangs van inkomste wat die raad kan ontvang ten opsigte van die rekeningtydperk waarin daardie koste vorderbaar en opgeneem is in die begroting van die raad vir daardie tydperk;
- (c) lenings sluit, uitgesonderd korttermynlenings of onmiddellik opvraagbare lenings, om bestaande lenings, uitgesonderd korttermynlenings of onmiddellik opvraagbare lenings, terug te betaal: Met dien verstande dat —
 - (i) die bedrag van 'n lening aldus gesluit, nie meer mag wees as die bedrag van die oorspronklike lening nie;
 - (ii) die termyn van 'n lening aldus gesluit, nie langer mag wees as die onverstreke gedeelte van die tydperk vasgestel vir die delging van die oorspronklike lening nie."

4. Artikel 63 van die Hoofordonnansie word hierby gewysig deur die volgende subartikels daaraan toe te voeg:

Wysiging van artikel 63 van Ordonnansie 17 van 1939, soos gewysig by artikel 6 van Ordonnansie 12 van 1941, artikel 10 van Ordonnansie 27 van 1951, artikel 3 van Ordonnansie 16 van 1955 en artikel 7 van Ordonnansie 15 van 1968.

„(3) Die raad kan, onderworpe aan sodanige voorwaardes as wat hy dienstig ag en, behoudens die bepalinge van subartikel (5), enige gedeelte van 'n straat wat by die raad ingevolge subartikel (1) berus en wat nie deur die ryvlak of sy-paadjie van sodanige straat in beslag geneem word nie, aan die eienaar van grond waaraan sodanige gedeelte van die straat grens, verhuur of toestem dat sodanige eienaar daarvan gebruik kan maak: Met dien verstande dat sodanige eienaar sodanige gedeelte met grasperkgras sonder toestemming van die raad, kan beplant.

(4) Enige verhuring of toestemming genoem in subartikel (3), bind die opvolgers in regte van bedoelde eienaar totdat enige sodanige opvolger die raad meedeel dat hy met bedoelde verhuring of gebruik nie wil voortgaan nie.

(5)(a) Ten opsigte van daardie gedeelte van 'n straat waarop 'n verhuring of toestemming ingevolge subartikel (3) betrekking het, mag geen gebou of struktuur, uitgenome 'n muur of omheining opgerig word nie.

(b) Die raad kan te eniger tyd, en indien daartoe deur die Administrateur gelas, moet die raad sodanige verhuring of toestemming met een maand skriftelike kennisgewing gerig aan die betrokke eienaar by sy laaste bekende adres, intrek.

(c) Waar die verhuring of toestemming ingevolge paragraaf (b) ingetrek word, moet die eienaar, indien hy by skriftelike kennisgewing daartoe deur die raad gelas word, enige muur of omheining op eie koste verwyder binne die tydperk in die kennisgewing vermeld en indien sodanige eienaar versuim om sodanige muur of omheining aldus te verwyder, kan die raad sodanige muur of omheining op onkoste van die eienaar verwyder.

- (i) loan expenditure in respect of which borrowing powers have been duly authorized;
- (ii) expenditure on revenue account incurred for the purpose of defraying expenses pending the receipt of revenues receivable by the council in respect of the period of account in which those expenses are chargeable and taken into account in the estimates made by the council for that period;
- (c) raise loans, other than short term loans or loans on call, for the purpose of repaying existing loans, other than short term loans or loans on call: Provided that —
 - (i) the amount of a loan so raised shall not exceed the amount of the original loan;
 - (ii) the period of a loan so raised shall not be longer than the unexpired portion of the period fixed for the redemption of the original loan."

4. Section 63 of the principal Ordinance is hereby amended by the addition of the following subsections:

Amendment of section 63 of Ordinance 17 of 1939, as amended by section 6 of Ordinance 12 of 1941, section 10 of Ordinance 27 of 1951, section 8 of Ordinance 16 of 1955 and section 7 of Ordinance 15 of 1968.

“(3) Subject to the provisions of subsection (5), the council may on such conditions as it may deem expedient, let any portion of a street, which is vested in the council in terms of subsection (1) and which is not taken up by the roadway or sidewalk of such street, to the owner of land abutting on such portion of the street, or may permit such owner to make use of such portion: Provided that such owner may plant lawn grass on such portion without the permission of the council.

(4) Any lease or permission referred to in subsection (3), shall be binding on the successors in title of such owner until any such successor shall have notified the council that he does not intend to continue with such lease or use.

(5)(a) In respect of that portion of a street in regard to which a lease or permission in terms of subsection (3) applies, no building or structure, other than a wall or fence, shall be erected.

(b) The council may at any time, and if required so to do by the Administrator, shall cancel such lease or permission by giving one month's written notice addressed to the owner concerned at his last known address.

(c) Whenever the lease or permission is cancelled in terms of paragraph (b), the owner shall, if so directed by written notice of the council, remove any wall or fence at his own expense within the period stated in the notice, and if such owner fails so to remove such wall or fence, the council may, at the expense of such owner, remove such wall or fence.

(d) Die raad is nie aanspreeklik nie vir enige skade wat direk of indirek voortvloei uit enige intrekking of verwydering ingevolge paragraaf (b) of (c).

(6) Vir die toepassing van hierdie artikel beteken —

„ryvlak” dié gedeelte van ’n straat wat vir voertuigverkeer verbeter, gebou of bedoel is en ook dié gedeeltes wat algemeen as die skouers bekend staan; en

„sypaadjie” dié gedeelte van ’n straat wat uitsluitlik vir gebruik deur voetgangers bedoel is.”.

5. Artikel 71 van die Hoofordonnansie word hierby gewysig deur die volgende paragraaf na paragraaf (5) in te voeg:

„(6) vir die verhuring van skutte aan enige persoon of liggaam, die voorwaardes van sodanige verhuring, die pligte en bevoegdhede met betrekking tot die beheer van skutte, die skutting van diere en die verkoping van geskutte diere.”.

Wysiging van artikel 71 van Ordonnansie 17 van 1939, soos gewysig by artikel 2 van Ordonnansie 10 van 1957.

6. Artikel 79 van die Hoofordonnansie word hierby gewysig —

(a) deur in subartikel (18)(b) die uitdrukking „minstens eenmaal per week, gedurende drie agtereenvolgende weke, laat publiseer in minstens een Afrikaanse en een Engelse nuusblad wat in die munisipaliteit gelees word, en in sodanige kennisgewing iedereen wat beswaar maak teen die uitoefening van enige sodanige bevoegdheid, versoek om sy beswaar binne ’n vasgestelde tydperk van minstens een maand na die datum van die eerste publikasie van sodanige kennisgewing, skriftelik by die raad in te dien:” deur die uitdrukking „op die openbare kennisgewingsbord van die raad aanbring en laat publiseer in ’n nuusblad soos in artikel 110 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), beoog, en in sodanige kennisgewing iedereen wat beswaar maak teen die uitoefening van enige sodanige bevoegdheid, versoek om sy beswaar binne ’n vasgestelde tydperk van minstens veertien dae na die datum van die publikasie in sodanige nuusblad van sodanige kennisgewing skriftelik by die raad in te dien:” te vervang;

(b) deur die volgende paragraaf aan die end van subartikel (32)bis toe te voeg:

„(c) Ondanks die bepalings van paragrawe (a) en (b), kan die Administrateur in die geval van ’n plaaslike bestuur wat nie ingevolge die bepalings van artikel 79ter(4) ont-hef is nie, toestemming verleen dat enige sodanige plaaslike bestuur ’n pensioen-, voorsienings- of liefdadigheidsfonds wat ingevolge hierdie subartikel ingestel is voordat die fonds in artikel 79ter genoem, ingestel is, aanhou, beheer en bestuur ten opsigte van enige nie-blanke werknemer wat op ’n datum deur die Administrateur bepaal, ’n lid van sodanige pensioen-, voorsienings- of liefdadigheidsfonds is.”; en

Wysiging van artikel 79 van Ordonnansie 17 van 1939, soos gewysig by artikel 8 van Ordonnansie 12 van 1941, artikel 5 van Ordonnansie 11 van 1942, artikel 3 van Ordonnansie 19 van 1943, artikel 6 van Ordonnansie 19 van 1944, artikel 11 van Ordonnansie 27 van 1951, artikel 8 van Ordonnansie 25 van 1953, artikel 5 van Ordonnansie 16 van 1955, artikel 7 van Ordonnansie 21 van 1957, artikel 3 van Ordonnansie 33 van 1959, artikel 2 van Ordonnansie 24 van 1960, artikel

(d) The council shall not be liable for any damage, resulting directly or indirectly from any cancellation or removal in terms of paragraph (b) or (c).

(6) For the purposes of this section —

“roadway” means that portion of a street improved, constructed or intended for vehicular traffic and includes those portions commonly known as the shoulders; and

“sidewalk” means that portion of a street intended for the exclusive use of pedestrians.”.

5. Section 71 of the principal Ordinance is hereby amended by the insertion of the following paragraph after paragraph (5):

“(6) for the leasing of pounds to any person or body, the conditions of such lease, the duties and powers in connection with the control of pounds, the impounding of animals and the sale of impounded animals.”.

Amendment of section 71 of Ordinance 17 of 1939, as amended by section 2 of Ordinance 10 of 1957.

6. Section 79 of the principal Ordinance is hereby amended —

(a) by the substitution in subsection (18)(b) for the expression “to be published at least once a week, during three successive weeks, in at least one Afrikaans and one English newspaper circulating in the municipality and shall in such notice call upon any person who objects to the exercise of any such power to lodge his objection in writing with the council within a stated period, not being less than one month from the date of the first publication of such notice:” of the expression “to be affixed to the public notice board of the council and to be published in a newspaper as contemplated in section 110 of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), and shall in such notice call upon any person who objects to the exercise of any such power to lodge his objection in writing with the council within a stated period, not being less than fourteen days from the date of publication in such newspaper of such notice:”.

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

(b) by the addition at the end of subsection (32)bis of the following paragraph:

“(c) Notwithstanding the provisions of paragraphs (a) and (b), the Administrator may, in the case of a local authority which has not been exempted under the provisions of section 79ter(4), grant permission to such local authority which has established a pension, provident or benevolent fund in terms of this subsection prior to the establishment of the fund referred to in section 79ter, to continue to maintain, control and manage such fund in respect of any non-European employee who is a member of such pension, provident or benevolent fund on a date determined by the Administrator;” and

- (c) deur in subartikel (33) die woorde „'n redelike bedrag aan reiskoste en persoonlike onkoste van raadslede en beamptes terwyl hulle vir die raad werksaam is” deur die uitdrukking „die betaling van reis- en persoonlike onkoste aan raadslede en beamptes, aangegaan terwyl hulle vir die raad werksaam is, wat nie die bedrag deur die Administrateur by regulasie voorgeskryf, oorskry nie;” te vervang.

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 5 van Ordonnansie 24 van 1965, artikel 8 van Ordonnansie 24 van 1966, artikel 3 van Ordonnansie 16 van 1967, artikel 8 van Ordonnansie 15 van 1968 en artikel 3 van Ordonnansie 10 van 1970.

7. Artikel 79ter van die Hoofordonnansie word hierby gewysig deur in subartikel (7)(b) na die woord „wie” die uitdrukking „,behoudens die bepaling van artikel 79(32)bis,” in te voeg.

Wysiging van artikel 79 ter van Ordonnansie 17 van 1939, soos vervang deur artikel 4 van Ordonnansie 10 van 1970.

8. Artikel 80 van die Hoofordonnansie word hierby gewysig —

- (a) deur subartikel (93) deur die volgende subartikel te vervang:
 „(93)(a) om 'n belasting te hef op die aanhou van honde en om onderskeid te maak in so 'n belasting volgens ras, getal of geslag;
 (b) om voorsiening te maak vir die vang, aanhou, verkoop of van kant making van honde oënskynlik sonder eienaar, honde wat nie opgeëis word nie en honde ten opsigte waarvan die belasting nie betaal is nie;
 (c) om voorsiening te maak vir die vrystelling van enige blinde persoon van die betaling van sodanige belasting ten opsigte van 'n hond wat deur sodanige persoon gebruik word hoofsaaklik as 'n gids- of leihond; en
 (d) om in 'n hondeskut, wat die raad kan instel, honde wat gevang is, aan te hou tot tyd en wyl sodanige honde verkoop of van kant gemaak word;

Wysiging van artikel 80 van Ordonnansie 17 van 1939, soos gewysig by artikel 9 van Ordonnansie 12 van 1941, artikel 6 van Ordonnansie 11 van 1942, artikel 4 van Ordonnansie 19 van 1943, artikel 7 van Ordonnansie 19 van 1944, artikel

- (c) by the substitution in subsection (33) for the words “a reasonable amount of travelling and personal expenses of councillors and officers while on the business of the council” of the expression “the payment of travelling and personal expenses of councillors and officers, incurred while on the business of the council, not exceeding the amount prescribed by the Administrator by regulation;”.

1962, section 3 of Ordinance 12 of 1962, section 1 of Ordinance 7 of 1964, section 1 of Ordinance 14 of 1964, section 5 of Ordinance 24 of 1965, section 8 of Ordinance 24 of 1966, section 3 of Ordinance 16 of 1967, section 8 of Ordinance 15 of 1968 and section 3 of Ordinance 10 of 1970.

7. Section 79ter of the principal Ordinance is hereby amended by the insertion in subsection (7)(b) after the word “may” of the expression “,subject to the provisions of section 79(32)bis,”.

Amendment of section 79ter of Ordinance 17 of 1939, as substituted by section 4 of Ordinance 10 of 1970.

8. Section 80 of the principal Ordinance is hereby amended —

- (a) by the substitution for subsection (93) of the following subsection:
 “(93)(a) for imposing a tax upon the keeping of dogs and for differentiation of such tax according to breed, number or sex;
 (b) for providing for the capture, detention, sale or destruction of dogs apparently ownerless, dogs which are unclaimed and dogs in respect of which the tax has not been paid;
 (c) for providing for the exemption of any blind person from the payment of such tax in respect of a dog used by such person mainly as a guide or lead dog;
 (d) for the detention in a dog pound which the council may establish, of dogs which have been captured until such dogs have been sold or destroyed;

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 8 of Ordinance 21 of 1947, section 12 of Ordinance

- (e) om te handel met kwaadaardige, gevaarlike, siek, bescerde of gebreklige honde; 8 van Ordonnansie 21 van 1947, 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 1953, artikel 3 van Ordonnansie 24 van 1950, artikel 7 van Ordonnansie 18 van 1961, artikel 2 van Ordonnansie 14 van 1963, artikel 16 van Ordonnansie 18 van 1963, artikel 7 van Ordonnansie 24 van 1965, artikel 9 van Ordonnansie 24 van 1966 en artikel 5 van Ordonnansie 10 van 1970.
- (f) om te handel met honde wat op enige manier die rus verstoor;
- (g) om te belet dat hitsige tewe in die straat rondloop;
- (h) om voorsiening te maak vir die verhuring, instandhouding, beheer en bestuur van sodanige skut deur enige persoon of liggaam;
- (i) om voorsiening te maak vir die vaststelling van voorwaardes, bevoegdhede en pligte met betrekking tot die instandhouding, beheer en bestuur van sodanige skut deur die huurder;
- (j) om voorsiening te maak vir die oordrag van die bevoegdhede in paragraaf (b) genoem, aan sodanige huurder; en
- (k) om hondehokke in die munisipaliteit te lisensieer en beheer en om sulke inrigtings in of naby woonbuurte te verbied: Met dien verstande dat —
- (i) enige belasting ten opsigte van 'n hond van 'n bepaalde ras of geslag gehef by 'n verordening uitgevaardig ingevolge hierdie paragraaf, met uitsondering van 'n belasting ten opsigte van 'n gesteriliseerde teef, nie minder mag wees nie as die lisensiegeld voorgeskryf in artikel 4 van die Lisensiering en Kontrole van Honde Ordonnansie, 1933 (Ordonnansie 18 van 1933), ten opsigte van 'n hond van dieselfde ras of geslag, maar geen belasting ten opsigte van 'n hond van enige ras wat nie in genoemde artikel vermeld word nie, mag minder wees nie as die laagste bedrag van lisensiegeld voorgeskryf in daardie artikel; en
- (ii) voorsiening vir vrystelling van belasting by sodanige verordeninge beperk moet word tot daardie gevalle waar vrystelling van lisensiegelde ingevolge die voormelde artikel 4 verleen kan word;”;
- (b) deur subartikel (106) deur die volgende subartikel te vervang:
- „(106) om Turkse baddens, saunabaddens, liggaamsoefeninggimnasiums, liggaamsoefening-, verslankings- en masseringsinrigtings, skoonheidsalonne, swembaddens en badinrigtings te reël, te inspekteer, toesig daaroor te hou en te lisensieer, en om bad en swem in enige water waartoe die publiek toegang het binne die munisipaliteit te verbied en te reël;”.
9. (1) Artikel 81 van die Hoofordonnansie word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:
- „(1) werke oprig, verkry, bou, uitrus en bestuur binne of buite die munisipaliteit, vir die lewering van water aan die inwoners van die munisipaliteit en (met toestemming van die Administrateur) aan persone woonagtig buite die munisipaliteit, en by wyse van verordening of

Wysiging van artikel 81 van Ordonnansie 17 van 1939, soos gewysig by artikel 8 van Ordonnansie 19 van

- (e) for dealing with vicious, dangerous, diseased, injured or disabled dogs; 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 and section 5 of Ordinance 10 of 1970.
- (f) for dealing with dogs which in any way create a disturbance;
- (g) for prohibiting bitches in heat from running loose in the street;
- (h) by providing for the leasing, maintenance, control and management of such pound by any person or body;
- (i) by providing for the imposition of conditions, powers and duties in connection with the maintenance, control and management of such pound by the lessee;
- (j) by providing for the delegation of the powers referred to in paragraph (b) to such lessee; and
- (k) for licensing and controlling dog kennels in the municipality and for prohibiting such establishments near residential areas: Provided that —
- (i) any tax in respect of a dog of a particular breed or sex imposed by a by-law made in terms of this paragraph, with the exception of a tax in respect of a sterilized bitch, shall not be less than the licence fee prescribed in section 4 of the Licensing and Control of Dogs Ordinance, 1933 (Ordinance 18 of 1933), in respect of a dog of the same breed or sex, but no tax in respect of a dog of any breed not mentioned in the said section, shall be less than the lowest amount of licence fees prescribed in that section; and
- (ii) provision for exemption from tax by such by-laws shall be restricted to those cases where exemption from licence fees may be granted in terms of the aforesaid section 4;”;
- (b) by the substitution for subsection (106) of the following subsection:
- “(106) for regulating, inspecting, supervising and licensing Turkish baths, sauna baths, physical culture gymnasiums, physical culture, slimming and massage establishments, beauty parlours, swimming baths and bathing establishments and for prohibiting and regulating bathing and swimming in any water to which the public has access within the municipality;”.
9. (1) Section 81 of the principal Ordinance is hereby amended by the substitution for subsection (1) of the following subsection:
- “(1) establish, acquire, construct, equip, and carry on, within or outside the municipality, works for supplying water to the inhabitants of the municipality and (with the consent of the Administrator) to persons resident outside the municipality, and make such charges and impose such

Amendment of section 81 of Ordinance 17 of 1939, as amended by section 8 of Ordinance 19 of 1944, section 7 of

regulasie koste hef, met inbegrip van die heffing van basiese koste vir water, waar 'n erf, standplaas, perseel of ander terrein met of sonder verbeterings aangesluit is of, na die mening van die raad, by enige hoofwaterleiding van die raad aangesluit kan word en diensvoorwaardes vasstel vir die lewering van water: Met dien verstande dat —

1944, artikel 7 van Ordonnansie 16 van 1955, artikel 3 van Ordonnansie 14 van 1963, artikel 11 van Ordonnansie 21 van 1966 en artikel 4 van Ordonnansie 16 van 1967.

- (a) geen sodanige basiese koste gehef word ten opsigte van 'n erf, standplaas, perseel of ander terrein wat, na die mening van die raad, nie by enige hoofwaterleiding van die raad aangesluit sal word nie, hetsy omrede die gebruik waarvoor dit aangewend word of waarskynlik aangewend sal word of om enige ander rede;
- (b) as die raad water lewer aan 'n provinsiale hospitaal, soos omskryf in die Ordonnansie op Hospitale, 1958, die gelde betaalbaar deur sodanige provinsiale hospitaal nie hoër mag wees as dié wat teen die laagste tarief deur die raad van enige verbruiker gevorder word nie uitgenome verbruikers aan wie water gelewer word teen 'n tarief wat laer is as die koste aan die raad van die lewering van sodanige water;
- (c) alvorens die raad met die oprigting, verkryging of bou van sulke werke 'n aanvang maak, hy die toestemming van die Administrateur moet verkry;
- (d) waar water aan persone woonagtig buite die munisipaliteit gelewer word, die gelde daarvoor en die voorwaardes van diens wat op sodanige lewering betrekking het, met toestemming van die Administrateur, in elke geval by besluit van die raad vasgestel kan word en geen verordening of regulasie word ten opsigte van sodanige gelde of voorwaardes vereis nie;”.

(2) Voorbehoudsbepaling (a) van artikel 81(1) van die Ordonnansie op Plaaslike Bestuur, 1939, soos gewysig by subartikel (1) van hierdie artikel, word geag op 26 Maart 1969 in werking te getree het.

10. Artikel 89 van die Hoofordonnansie word hierby gewysig deur die volgende subartikel aan die end daarvan by te voeg:

Wysiging van artikel 89 van Ordonnansie 17 van 1931, soos gewysig by artikel 1 van Ordonnansie 17 van 1955.

„(7) Enige raad, uitgenome 'n raad op wie die bepalings van subartikel (6) van toepassing is, kan, onderworpe aan die goedkeuring van die Administrateur en aan sodanige voorwaardes as wat hy mag stel, magtiging aan 'n amptenaar van so 'n raad verleen om enige aansoek om 'n lisensie, insluitende 'n aansoek om 'n sertifikaat in gevolge die bepalings van die Lisensie (Kontrol) Ordonnansie, 1931, of enige wysiging daarvan, te oorweeg, en om ten opsigte van so 'n aansoek sodanige lisensie of sertifikaat of 'n hernuwing daarvan toe te staan of uit te reik as wat die raad self geregtig sou gewees het om toe te staan of uit te reik, en op sodanige lisensie of sertifikaat deur hom toegestaan of uitgereik, sodanige voorwaardes, as daar is, te endosseer, as wat hy gerade ag en wat die raad self geregtig sou gewees het om te stel.”.

conditions of service for the supply of water, including the making of basic charges for water, where any erf, stand, lot or other area with or without improvements is or, in the opinion of the council, can be connected to any water main of the council as may be fixed by by-law or regulation: Provided that —

Ordinance 16 of 1955, section 3 of Ordinance 14 of 1963, section 11 of Ordinance 24 of 1966 and section 4 of Ordinance 16 of 1967.

- (a) no such basic charge shall be made in respect of any erf, stand, lot or other area which, in the opinion of the council, will not be connected to any water main of the council, whether by reason of the use to which it is put or likely to be put or for any other reason;
- (b) if the council supplies water to any provincial hospital as defined in the Hospitals Ordinance, 1958, the charges payable by such provincial hospital shall not exceed the lowest rate charged by the council to any consumer other than consumers to whom water is supplied at a rate below the cost to the council of supplying such water;
- (c) before commencing to establish, acquire or construct such works the council shall obtain the consent of the Administrator;
- (d) where water is supplied to persons resident outside the municipality the charges therefor and the conditions of service relating to such supply may, with the consent of the Administrator, in each case be determined by resolution of the council and no by-law or regulation shall be required in respect of such charges or conditions;”.

(2) Proviso (a) to section 81(1) of the Local Government Ordinance, 1939, as amended by subsection (1) of this section, shall be deemed to have come into operation on the 26th March, 1969.

10. Section 89 of the principal Ordinance is hereby amended by the addition of the following subsection at the end thereof:

Amendment of section 89 of Ordinance 17 of 1931, as amended by section 1 of Ordinance 17 of 1955.

“(7) Any council, other than a council to which the provisions of subsection (6) apply, may, subject to the approval of the Administrator and to such conditions as he may impose, authorize an officer of such council to consider any application for a licence, including an application for a certificate under the provisions of the Licences (Control) Ordinance, 1931, or any amendment thereof, and to grant or issue in respect of such application, such licence or certificate or a renewal thereof, as the council itself would have been entitled to grant or issue, and to endorse on such licence or certificate granted or issued by him, such conditions, if any, as may seem fit to such officer and which the council itself would have been entitled to impose.”.

11. Artikel 96 van die Hoofordonnansie word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1)(a) 'n Verordening word nie opgestel, gewysig of herroep nie tensy dit op 'n vergadering van die raad aangeneem is.

(b) Nadat 'n verordening aldus aangeneem is, publiseer die stadsklerk onverwyld 'n kennisgewing in die *Offisiële Koerant van die Provinsie Transvaal* en in 'n nuusblad, soos beoog in artikel 110 van die Grondwet van die Republiek van Suid-Afrika, 1961, waarin —

(i) die algemene strekking van so 'n verordening uiteengesit word;

(ii) verklaar word dat 'n afskrif van so 'n verordening by die kantoor van die raad vir 'n tydperk van veertien dae vanaf die datum van publikasie van die kennisgewing in die *Offisiële Koerant van die Provinsie Transvaal* gedurende kantoorure ter insae lê; en

(iii) verklaar word dat enige persoon wat beswaar teen so 'n verordening wil aanteken, dit skriftelik by die stadsklerk moet doen binne veertien dae na die datum van publikasie van die kennisgewing in die *Offisiële Koerant van die Provinsie Transvaal*.”

12. Die volgende artikel word hierby in die Hoofordonnansie na artikel 127 ingevoeg:

„Bevoegdheid van gesondheidskomitee om inkomste te belê.

127A. Enige batige saldo in die inkomste van 'n gesondheidskomitee soos in artikel 127 genoem, kan in enige aandele, fondse en sekuriteite soos in artikel 33 van die „Johannesburg Municipality Borrowing Powers Ordinance”, 1903 (Ordonnansie 3 van 1903), beoog, of op enige ander wyse wat die Administrateur goedkeur, belê word.”

13. Hierdie Ordonnansie heet die Wysigings-^{Kort titel.} ordonnansie op Plaaslike Bestuur, 1971.

No. 218 (Administrateurs-), 1971.

PROKLAMASIE

deur sy Edele die Administrateur van die Provinsie Transvaal.

Nademaal die Wysigingsordonnansie op Plaaslike Bestuur (Administrasie en Verkiesings), 1971, deur die Provinsiale Raad van Transvaal aangeneem is;

En nademaal die Staatspresident-in-rade ingevolge artikel 89 van die Grondwet van die Republiek van Suid-Afrika, 1961, in genoemde Ordonnansie toegestem het;

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

So is dit dat ek hierby genoemde Ordonnansie, wat hieronder gedruk is, afkondig.

11. Section 96 of the principal Ordinance is hereby amended by the substitution of the following subsection for subsection (1):

“(1)(a) No by-law shall be made, amended or revoked unless it has been adopted at a meeting of the council.

(b) After a by-law has been so adopted, the town clerk shall forthwith publish a notice in the *Provincial Gazette* and in a newspaper as contemplated in section 110 of the Republic of South Africa Constitution Act, 1961, in which —

(i) the general purport of such by-law is set out;

(ii) it is stated that a copy of such by-law is lying for inspection during office hours at the office of the council for a period of fourteen days from the date of publication of the notice in the *Provincial Gazette*; and

(iii) it is stated that any person who desires to record his objection to such by-law shall do so in writing to the town clerk within fourteen days after the date of publication of the notice in the *Provincial Gazette*.”

12. The following section is hereby inserted after section 127 of the principal Ordinance:

“Power of health committee to invest revenue.

127A. Any credit balance in the revenue of a health committee referred to in section 127, may be invested in stocks, funds and securities as contemplated in section 33 of the Johannesburg Municipality Borrowing Powers Ordinance, 1903 (Ordinance 3 of 1903), or in any other manner approved by the Administrator.”

13. This Ordinance shall be called the Local Government Amendment Ordinance, 1971.

No. 218 (Administrator's), 1971.

PROCLAMATION

by the Honourable the Administrator of the Province Transvaal.

Whereas the Local Government (Administration and Elections) Amendment Ordinance, 1971, has been passed by the Provincial Council of Transvaal;

And whereas the State President-in-Council has, in terms of the provisions of section 89 of the Republic of South Africa Constitution Act, 1961, assented to the said Ordinance;

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

Now, therefore, I do hereby promulgate the said Ordinance, which is printed hereunder.

Amendment of section 96 of Ordinance 17 of 1939, as amended by section 13 of Ordinance 12 of 1941.

Insertion of section 127A in Ordinance 17 of 1939.

Gegee onder my Hand te Pretoria op hede die 30ste dag van Augustus Eenduisend Negehonderd Een-en-Sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1971/18).

Ordonnansie No. 11 van 1971.

(Toestemming verleen op 17 Augustus 1971.)
(Engelse eksemplaar deur die Staatspresident onder-
teken.)

'N ORDONNANSIE

Tot wysiging van die Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiesings), 1960, met betrekking tot die bekragtiging van die notule van 'n bestuurskomitee soos vervat in artikel 55.

DIE Provinsiale Raad van Transvaal VERORDEN AS VOLG:—

1. Artikel 55 van die Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiesings), 1960, word hierby gewysig deur die volgende voorbehoudsbepaling aan die end van subartikel (9) by te voeg:

„: Met dien verstande dat die notule van 'n vergadering wat gehou word in die maand wat die maand waarin 'n vergadering van die raad nie gehou word nie voorafgaan, in die maand wat volg op die maand waarin 'n vergadering van die raad nie gehou word nie, bekragtig kan word.”.

Wysiging van artikel 55 van Ordonnansie 40 van 1960, soos gewysig by artikel 2 van Ordonnansie 16 van 1964 en artikel 14 van Ordonnansie 15 van 1968.

2. Hierdie Ordonnansie heet die Wysigingsordonnansie op Plaaslike Bestuur (Administrasie en Verkiesings), 1971.

Kort titel.

No. 219 (Administrateurs-), 1971.

PROKLAMASIE

deur sy Edele die Administrateur van die Provinsie Transvaal.

Nademaal die Wysigingsordonnansie op Natuurbewaring, 1971, deur die Provinsiale Raad van Transvaal aangeneem is;

En nademaal die Staatspresident-in-rade ingevolge artikel 89 van die Grondwet van die Republiek van Suid-Afrika, 1961, in genoemde Ordonnansie toegestem het;

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

So is dit dat ek hierby genoemde Ordonnansie, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 30ste dag van Augustus Eenduisend Negehonderd Een-en-Sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11(1971/14).

Ordonnansie No. 12 van 1971.

(Toestemming verleen op 6 Augustus 1971.)
(Afrikaanse eksemplaar deur die Staatspresident onder-
teken.)

Given under my Hand at Pretoria on this the 30th day of August, One thousand Nine hundred and Seventy-one.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11(1971/18).

Ordinance No. 11 of 1971.

(Assented to on 17th August, 1971.)
(English copy signed by the State President.)

AN ORDINANCE

To amend the Local Government (Administration and Elections) Ordinance, 1960, with reference to the confirmation of the minutes of a management committee as contained in section 55.

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

1. Section 55 of the Local Government (Administration and Elections) Ordinance, 1960, is hereby amended by the addition of the following proviso at the end of subsection (9):

“: Provided that the minutes of a meeting held in the month preceding the month wherein a meeting of the council is not held, may be confirmed in the month succeeding the month wherein a meeting of the council is not held.”.

Amendment of section 55 of Ordinance 40 of 1960, as amended by section 2 of Ordinance 16 of 1964 and section 14 of Ordinance 15 of 1968.

2. This Ordinance shall be called the Local Government (Administration and Elections) Amendment Ordinance, 1971.

Short title.

No. 219 (Administrator's), 1971.

PROCLAMATION

by the Honourable the Administrator of the Province Transvaal.

Whereas the Nature Conservation Amendment Ordinance, 1971, has been passed by the Provincial Council of Transvaal;

And whereas the State President-in-Council has, in terms of the provisions of section 89 of the Republic of South Africa Constitution Act, 1961, assented to the said Ordinance;

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

Now, therefore, I do hereby promulgate the said Ordinance, which is printed hereunder.

Given under my Hand at Pretoria on this the 30th day of August, One thousand Nine hundred and Seventy-one.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11(1971/14).

Ordinance No. 12 of 1971.

(Assented to on 6th August, 1971.)
(Afrikaans copy signed by the State President.)

'N ORDONNANSIE

Tot wysiging van die Ordonnansie op Natuurbewaring, 1967, om voorsiening te maak vir die verklaring van sekere soorte inheemse plante as spesiaal beskermde plante en vir sake wat daarmee in verband staan.

DIE Provinsiale Raad van Transvaal VERORDEN AS VOLG:—

1. Artikel 1 van die Ordonnansie op Natuurbewaring, 1967 (hierna die Hoofordonnansie genoem), word hierby gewysig deur die volgende omskrywing na die omskrywing van „Raad” in te voeg:

Wysiging van artikel 1 van Ordonnansie 17 van 1967.

„(xxxvA) „spesiaal beskermde plant” enige soort inheemse plant soos in artikel 76(1)(b) beoog; (xliiA).”

2. Artikel 76 van die Hoofordonnansie word hierby deur die volgende artikel vervang:

Vervanging van artikel 76 van Ordonnansie 17 van 1967.

„Beskermde en spesiaal beskermde plante

76. (1) Die soorte inheemse plante gespesifiseer —

(a) in Bylae 7 by hierdie Ordonnansie word hierby tot beskermde plante verklaar; en

(b) in Bylae 7A by hierdie Ordonnansie word hierby tot spesiaal beskermde plante verklaar.

(2) Die Administrateur kan by kennisgewing in die *Provinsiale Koerant* die naam van enige soort inheemse plant in Bylae 7 of 7A by hierdie Ordonnansie opneem of daaruit skrap.”

3. Die Hoofordonnansie word hierby gewysig deur die volgende artikel na artikel 85 in te voeg:

Invoeging van nuwe artikel 85A in Ordonnansie 17 van 1967.

„Verbode handelinge ten opsigte van spesiaal beskermde plante.

85A. (1) Niemand mag enige spesiaal beskermde plant besit, pluk, verkoop, koop, skenk, as gevolg van skenking ontvang, in die Provinsie invoer of daarin vervoer, uit die Provinsie uitvoer of wegneem nie tensy hy die houer is van ’n permit uitgereik deur die Administrateur waarby hy gemagtig word om dit te doen: Met dien verstande dat iemand wat op die datum waarop ’n inheemse plant ingevolge artikel 76(1)(b) of 76(2) ’n spesiaal beskermde plant word, in besit van sodanige plant is, nie teenstrydig met die bepalings van hierdie Ordonnansie nie, kan voortgaan om sodanige plant vir drie maande vanaf sodanige datum sonder ’n permit te besit: Voorts met dien verstande dat die voorafgaande bepalings nie van toepassing is nie op die besit van sodanige plant wat in sy natuurlike groeiplek groei en wat nie geplant is nie.

(2) Iemand wat die bepalings van subartikel (1) oortree of versuim om daaraan te voldoen, is aan ’n misdryf skuldig en by skuldigbevinding straf-

AN ORDINANCE

To amend the Nature Conservation Ordinance, 1967, by providing for the declaration of certain species of indigenous plants as specially protected plants and for matters incidental thereto.

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

1. Section 1 of the Nature Conservation Ordinance, 1967 (hereinafter referred to as the principal Ordinance), is hereby amended by the insertion after the definition of “set line” of the following definition:

Amendment of section 1 of Ordinance 17 of 1967.

“(xliiA) ‘specially protected plant’ means any species of indigenous plant as contemplated in section 76(1)(b); (xxxvA).”

2. The following section is hereby substituted for section 76 of the principal Ordinance:

Substitution of section 76 of Ordinance 17 of 1967.

“Protected and specially protected plants.

76. (1) The species of indigenous plants specified —

(a) in Schedule 7 to this Ordinance are hereby declared protected plants; and

(b) in Schedule 7A to this Ordinance are hereby declared specially protected plants.

(2) The Administrator may by notice in the *Provincial Gazette* include in or delete from Schedule 7 or 7A to this Ordinance the name of any indigenous plant.”

3. The principal Ordinance is hereby amended by the insertion after section 85 of the following section.

Insertion of new section 85A in Ordinance 17 of 1967.

“Prohibited acts in relation to specially protected plants.

85A. (1) No person shall possess, pick, sell, buy, donate, receive consequent upon a donation, import into or convey within the Province, export or remove from the Province any specially protected plant unless he is the holder of a permit issued by the Administrator whereby he is authorized to do so: Provided that a person who on the date any indigenous plant becomes a specially protected plant in terms of section 76(1)(b) or 76(2) is in possession of any such plant, not contrary to the provisions of this Ordinance, may continue to possess such plant for a period of three months from such date without such permit: Provided further that the foregoing provisions shall not apply to the possession of such a plant which is growing in its natural habitat and which has not been planted.

(2) Any person who contravenes or fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable on conviction to

baar met 'n boete van hoogstens twee honderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met sodanige boete sowel as sodanige gevangenisstraf.

(3) Wanneer daar by 'n vervolging vir 'n oortreding van die bepaling van hierdie artikel die vraag ontstaan of 'n plek die natuurlike groeiplek van 'n spesiaal beskermde plant is of nie is nie, is 'n sertifikaat wat oënskynlik deur of met die magtiging van die Administrateur uitgereik is en waarby verklaar word dat sodanige plek die natuurlike groeiplek van sodanige plant is of nie is nie as *prima facie*-getuigenis van die feit dat sodanige plek die natuurlike groeiplek van sodanige plant is of nie is nie."

4. Die Hoofordonnansie word hierby gewysig deur die volgende Bylae na Bylae 7 in te voeg:

In-voeging van nuwe Bylae 7A by Ordonnansie 17 van 1967.

**„BYLAE 7A
SPESIAAL BESKERMDE PLANTE
(ARTIKEL 76)**

Gewone naam *Wetenskaplike naam*
alle soorte kafferbrood- Genus *Encephalartos*."
bome

5. Hierdie Ordonnansie heet die Wysigingsordonnansie op Natuurbewaring, 1971.

Kort titel.

a fine not exceeding two hundred rand or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

(3) Whenever in any prosecution for a contravention of the provisions of this section, the question arises whether any place is or is not the natural habitat of a specially protected plant, a certificate purporting to have been issued by or on the authority of the Administrator declaring that such place is or is not the natural habitat of such plant, shall be *prima facie* evidence of the fact that such place is or is not the natural habitat of such plant."

4. The principal Ordinance is hereby amended by the insertion after Schedule 7 of the following Schedule:

Insertion of new Schedule 7A to Ordinance 17 of 1967.

**“SCHEDULE 7A
SPECIALLY PROTECTED PLANTS
(SECTION 76).**

Common name *Scientific name*
all species of cycads Genus *Encephalartos*."

5. This Ordinance shall be called the Nature Conservation Amendment Ordinance, 1971.

Short title.

INHOUD

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