



Buitengewone Offisiële Roerant

(As 'n Nuusblad by die Poskantoor Geregistreer)

PRYS: S.A. 40c Plus 5c A.V.B.

OORSEE: 50c

PRICE: S.A. 40c Plus 5c G.S.T.

OVERSEAS: 50c

Volume 233

PRETORIA

27 DESEMBER
27 DECEMBER 1990

4730

No 40 (Administrateurs-), 1990

PROKLAMASIE

WYSIGING VAN DIE ORDONNANSIE OP PLAASLIKE BESTUUR, 1939 (ORDONNANSIE NO. 17 VAN 1939)

Kragtens die bevoegdheid my verleen by artikel 14(2)(a) van die Wet op Provinciale Regering, 1986 (Wet No. 69 van 1986), en nadat aan die bepalings van artikel 16 van genoemde Wet voldoen is, wysig ek hierby die Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie No. 17 van 1939), soos in die Bylae uiteengesit, behalwe vir sover die bepalings van Deel IV van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet No. 110 van 1983), op daardie Ordonnansie van toepassing verklaar is by Proklamasie No. R. 36 van 31 Maart 1989.

Hierdie Proklamasie is deur 'n staande komitee van die Parlement goedgekeur soos deur die voorbehoudsbepaling by genoemde artikel 14(2)(a) vereis.

Gegee onder my Hand te Sanlameer, op hede die 18e dag van Desember Eenduisend Negehonderd en Negentig.

ADMINISTRATEUR VAN DIE PROVINSIE TRANSVAAL

ALGEMENE VERDUIDELEKENDE NOTA

[] Woorde tussen vierkantige hake dui skrappings uit bestaande verordeningen aan.

— Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordeningen aan.

BYLAE

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 16 van 1967 en artikel 1 van Administrateursproklamasie 37 van 1988

1. Artikel 19 van die Ordonnansie op Plaaslike Bestuur, 1939 (hieronder die Ordonnansie genoem), word hierby gewysig deur na subartikel (8) die volgende subartikel in te voeg:

"(8A) 'n Raad in Deel I van die Sesde Bylae by hierdie Ordonnansie genoem, kan, met die toestemming van die Administrator en onderworpe aan sodanige voorwaarde as wat hy in elke geval bepaal, uit die inkomste van die raad, 'n toelae aan die leier van die opposisie in die raad, bykomend tot sy toelae as raadslid, betaal."

Wysiging van artikel 50A van Ordonnansie 17 van 1939, soos ingevoeg deur artikel 5 van Ordonnansie 16 van 1978 en gewysig deur artikel 2 van Ordonnansie 13 van 1981



Official Gazette Extraordinary

(Registered at the Post Office as a Newspaper)

PRICE: S.A. 40c Plus 5c G.S.T.

OVERSEAS: 50c

No 40 (Administrator's), 1990

PROCLAMATION

AMENDMENT OF THE LOCAL GOVERNMENT ORDINANCE, 1939 (ORDINANCE NO. 17 OF 1939)

Under the powers vested in me by section 14(2)(a) of the Provincial Government Act, 1986 (Act No. 69 of 1986), and after compliance with the provisions of section 16 of the said Act, I hereby amend the Local Government Ordinance, 1939 (Ordinance No. 17 of 1939), as set out in the Schedule, except in so far as the provisions of Part IV of the Republic of South Africa Constitution Act, 1983 (Act No. 110 of 1983), have been declared applicable to that Ordinance by Proclamation No. R. 36 of 31 March 1989.

This Proclamation has been approved by a standing committee of Parliament as required by the proviso to the said section 14(2)(a).

Given under my Hand at Sanlameer, this 18th day of December One thousand Nine hundred and Ninety.

ADMINISTRATOR OF THE PROVINCE OF THE TRANSVAAL

GENERAL EXPLANATORY NOTE

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

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

SCHEDULE

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 16 of 1967 and section 1 of Administrator's Proclamation 37 of 1988

1. Section 19 of the Local Government Ordinance, 1939 (hereinafter referred to as the Ordinance), is hereby amended by the insertion after subsection (8) of the following subsection:

"(8A) A council referred to in Part I of the Sixth Schedule to this Ordinance may, with the consent of the Administrator and subject to such conditions as he may in each case determine, pay out of the revenue of the council an allowance to the leader of the opposition in the council in addition to his allowance as member of the council."

Amendment of section 50A of Ordinance 17 of 1939, as inserted by section 5 of Ordinance 16 of 1978 and amended by section 2 of Ordinance 13 of 1981

2. Artikel 50A van die Ordonnansie word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

"(1) Behoudens die bepalings van hierdie Ordonnansie of enige ander wet, kan die raad op enige agterstallige gelde, belastings en heffings wat aan hom verskuldig is, rente hef en invorder teen 'n koers [van hoogstens agt persent per jaar of die hoër koers wat die Administrateur by kennisgewing in die *Provinciale Koerant* bepaal] wat nie die koers oorskry nie wat die Raad van die Leningsfonds vir Plaaslike Besture kragtens artikel 11(2)(b) van die Wet op die Leningsfonds vir Plaaslike Besture, 1984 (Wet 67 van 1984), bepaal."

Wysiging van artikel 52 van Ordonnansie 17 van 1939, soos vervang deur artikel 3 van Ordonnansie 13 van 1981 en gewysig deur artikel 2 van Ordonnansie 16 van 1982

3. Artikel 52 van die Ordonnansie word hierby gewysig deur die voorbehoudbepaling by subartikel (2) deur die volgende voorbehoudbepaling te vervang:

"Met dien verstande dat die bepalings van hierdie subartikel nie van toepassing is nie —

- (a) op 'n raad in Deel I of II van die Sesde Bylae by hierdie Ordonnansie genoem [van toepassing is nie]; of
- (b) op 'n raad in Deel III van die Sesde Bylae by hierdie Ordonnansie genoem, waar die bedrag van sodanige lening of oortrekkingfasiliteite nie eenmiljoen rand oorskry nie."

Wysiging van artikel 66 van Ordonnansie 17 van 1939, soos vervang deur artikel 6 van Ordonnansie 13 van 1981

4. Artikel 66 van die Ordonnansie word hierby gewysig deur subartikel (2) te skrap.

Wysiging van artikel 67 van Ordonnansie 17 van 1939, soos vervang deur artikel 3 van Ordonnansie 11 van 1942 en gewysig deur artikel 5 van Ordonnansie 19 van 1944, artikel 1 van Ordonnansie 24 van 1960, artikel 3 van Ordonnansie 16 van 1979, artikel 7 van Ordonnansie 13 van 1981 en artikel 3 van Ordonnansie 16 van 1982

5. Artikel 67 van die Ordonnansie word hierby gewysig —

- (a) deur subparagrawe (a) en (b) van paragraaf (6) deur onderskeidelik die volgende subparagrawe te vervang:
 - "(a) moet die raad, indien dit 'n raad is in Deel I of II van die Sesde Bylae by hierdie Ordonnansie genoem, elke beswaar wat ingevolge paragraaf (3) ingedien is, oorweeg en daarna kan sodanige raad die voorgestelde sluiting of verlegging uitvoer;
 - (b) kan die raad, indien dit 'n raad is in Deel [II of] III van die Sesde Bylae by hierdie Ordonnansie genoem en geen beswaar ingevolge paragraaf (3) ingedien is nie, die voorgestelde sluiting of verlegging uitvoer; of"; en
- (b) deur item (i) van subparagraaf (c) van paragraaf (6) deur die volgende item te vervang:
 - "(i) indien dit 'n raad is in Deel [II or] III van die Sesde Bylae by hierdie Ordonnansie genoem en enige beswaar ingevolge paragraaf (3) ingedien is; of".

Wysiging van artikel 69 van Ordonnansie 17 van 1939, soos gewysig deur artikel 7 van Ordonnansie 12 van 1941

6. Artikel 69 van die Ordonnansie word hierby gewysig —

- (a) deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:
 - "(a) Die raad kan van tyd tot tyd die huise, geboue of

2. Section 50A of the Ordinance is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) Subject to the provisions of this Ordinance or any other law, the council may, on any arrear moneys, rates and charges due to it, charge and recover interest at a rate not exceeding [eight per cent per annum or such higher rate as the Administrator may, by notice in the *Provincial Gazette*, determine] the rate determined by the Local Authorities Loans Fund Board under section 11(2)(b) of the Local Authorities Loans Fund Act, 1984 (Act 67 of 1984)."

Amendment of section 52 of Ordinance 17 of 1939, as substituted by section 3 of Ordinance 13 of 1981 and amended by section 2 of Ordinance 16 of 1982

3. Section 52 of the Ordinance is hereby amended by the substitution for the proviso to subsection (2) of the following proviso:

"Provided that the provisions of this subsection shall not apply —

- (a) to a council referred to in Part I or II of the Sixth Schedule to this Ordinance; or
- (b) to a council referred to in Part III of the Sixth Schedule to this Ordinance, where the amount of such loan or overdraft facilities does not exceed one million rand."

Amendment of section 66 of Ordinance 17 of 1939, as substituted by section 6 of Ordinance 13 of 1981

4. Section 66 of the Ordinance is hereby amended by the deletion of subsection (2).

Amendment of section 67 of Ordinance 17 of 1939, as substituted by section 3 of Ordinance 11 of 1942 and amended by section 5 of Ordinance 19 of 1944, section 1 of Ordinance 24 of 1960, section 3 of Ordinance 16 of 1979, section 7 of Ordinance 13 of 1981 and section 3 of Ordinance 16 of 1982

5. Section 67 of the Ordinance is hereby amended —

- (a) by the substitution for subparagraphs (a) and (b) of paragraph (6) of the following subparagraphs respectively:
 - "(a) the council shall, if it is a council referred to in Part I or II of the Sixth Schedule to this Ordinance, consider every objection lodged in terms of paragraph (3) and thereafter such council may carry out the proposed closing or diversion;
 - (b) the council may, if it is a council referred to in Part [II or] III of the Sixth Schedule to this Ordinance and no objection has been lodged in terms of paragraph (3), carry out the proposed closing or diversion; or"; and
- (b) by the substitution for item (i) of subparagraph (c) of paragraph (6) of the following item:
 - "(i) if it is a council referred to in Part [II or] III of the Sixth Schedule to this Ordinance and any objection has been lodged in terms of paragraph (3); or".

Amendment of section 69 of Ordinance 17 of 1939, as amended by section 7 of Ordinance 12 of 1941

6. Section 69 of the Ordinance is hereby amended —

- (a) by the substitution for paragraph (a) of subsection (1) of the following paragraph:
 - "(a) The council may from time to time cause the

strukture wat geleë is aan alle of enige publieke plekke laat merk met enige nommer wat hy goed vind, en kan die naam waaronder enige publieke plek sal bekend staan, op 'n duidelik sigbare plek aan enige huis, gebou, heining, muur, of plek wat daaraan geleë is, laat aanbring of verf, en kan verder na goeddunke [enig] sodanige nommer of naam verander of wysig, [of so 'n] hetsy sodanige nommer of naam [al of nie] voor die inwerkingtreding van hierdie Ordonnansie bestaan het, al dan nie, en die raad moet onmiddellik enige verandering of wysiging in die naam van enige publieke plek aan sowel die Posmeester-generaal as die Landmeter-generaal bekendmaak, [wat] en die Landmeter-generaal moet die nodige verandering op die algemene kaart van die dorp [moet] aanbring: Met dien verstande dat geen verandering in die naam van 'n publieke plek aangebring mag word sonder toestemming van die Administrateur na verwysing na die Landmeter-generaal nie [Die raad moet tewens sulke veranderingen of wysigings onmiddellik aan die Posmeester-generaal meedeel].";

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

"(c) 'n Eienaar of bewoner wat versuim om aan 'n lassgewing bedoel in paragraaf (b) binne die tydperk vermeld in die kennisgewing te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R200 of met gevangenisstraf vir 'n tydperk van hoogstens 30 dae of met sodanige boete sowel as sodanige gevangenisstraf.'"; en

(c) deur in subartikel (2) die woorde wat op paragraaf (d) volg deur die volgende woorde te vervang:

"is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R200 of met gevangenisstraf vir 'n tydperk van hoogstens 30 dae of met sodanige boete sowel as sodanige gevangenisstraf.".

Wysiging van artikel 79 van Ordonnansie 17 van 1939, soos gewysig deur 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 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 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 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 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 en artikel 3 van Administrateursproklamasie 34 van 1988

7. Artikel 79 van die Ordonnansie word hierby gewysig —

houses, buildings or erections fronting upon all or any public places to be marked with such numbers as it thinks fit, and may cause the name, by which any public place is to be known, to be put up or painted on a conspicuous part of any house, building, fence, wall or place fronting thereon, and may further at its discretion change or vary [any] such number or name, whether or not such number or name existed before the commencement of this Ordinance, and any change or variation in the name of any public place shall forthwith be notified by the council to both the Postmaster-General and the Surveyor-General, [who] and the Surveyor-General shall make the necessary alterations on the general plan of the township: Provided that no change in the name of a public place shall be made except with the consent of the Administrator after reference to the Surveyor-General [Such changes or variations shall also forthwith be notified by the council to the Postmaster-General].";

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

"(c) An owner or occupier who fails to comply with a direction referred to in paragraph (b) within the period specified in the notice, shall be guilty of an offence and liable on conviction to a fine not exceeding R200 or to imprisonment for a period not exceeding 30 days or to both such fine and such imprisonment."; and

(c) by the substitution in subsection (2) for the words following on paragraph (d) of the following words:

"shall be guilty of an offence and liable on conviction to a fine not exceeding R200 or to imprisonment for a period not exceeding 30 days or to both such fine and such imprisonment."

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 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 and section 3 of Administrator's Proclamation 34 of 1988

7. Section 79 of the Ordinance is hereby amended —

- (a) deur paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:
- "(a) sanitêre dienste instel, in stand hou en verrig vir die verwydering van, vernietiging van of beskikking oor nagvuil, urine, vuilwater, vullis, karkasse van diere, enige afval of enigiets van watter aard ook al wat die raad op redelike gronde vermoed van afstand gedoen te wees, en vir sodanige dienste die gelde hef wat die raad van tyd tot tyd vasstel;"
- (b) deur subartikel (8) deur die volgende subartikel te vervang:
- "(8)[(a)] parke, ontspanningsgronde en kampeerterreine instel, in stand hou en bestuur en in verband daarmee die gelde hef wat die raad van tyd tot tyd vasstel;
- [(b)] Met dien verstaande dat waar 'n raad [ingevolge paragraaf (a)] geldie in verband met parke, ontspanningsgronde of kampeerterreine vasgestel het, [kan hy] daardie raad enigiemand of enige klas of kategorie van persone wat nie op ras of kleur gebaseer is nie kan vrystel van die betaling van sodanige gelde;"
- (c) deur in subartikel (16) die voorbehoudsbepalings by paragrawe (b) en (f) te skrap;
- (d) deur paragraaf (d) van subartikel (17) te skrap;
- (e) deur paragraaf (e) van subartikel (17) deur die volgende paragraaf te vervang:
- "(e) Indien enige beswaar na aanleiding van 'n kennissgewing beoog in paragraaf (b) ingedien word, skenk die raad nie die betrokke grond nie tensy —
- (i) in die geval van 'n raad in die Sesde Bylae by hierdie Ordonnansie genoem, daardie raad elke beswaaroorweeg het; of
 - (ii) in die geval van enige ander raad, daardie raad elke beswaaroorweeg het en die stadsklerk van die raad 'n afskrif van die besluit om die betrokke grond te skenk, tesame met 'n afskrif van elke beswaar en die kommentaar van die raad daarop, indien enige, aan die Administrateur voorgelê het, en die Administrateur, onderworpe aan die bedinge en voorwaardes wat hy bepaal, sy goedkeuring aan die skenking verleen het;"
- (f) deur subartikel (17A) deur die volgende subartikel te vervang:
- "(17A) [Met die goedkeuring van die Administrateur] Behoudens die bepalings van die Ordonnansie op Buite-territoriale Hulp, 1978 (Ordonnansie 8 van 1978), hulp, met inbegrip van finansiële hulp, binne of buite die munisipaliteit, verleen vir die leniging van die nood van persone wat geraak word of sal word deur 'n gebeurtenis wat ingevolge artikel 26 van die Wet op Fondsinname, 1978 (Wet 107 van 1978), tot 'n ramp verklaar is.";
- (g) deur subartikel (28) deur die volgende subartikel te vervang:
- "(28) [onderworpe aan die goedkeuring van die Administrateur]
- (a)[(i)] [woonhuise] 'n woning met daartoe behorende bygeboue bou en in stand hou —
- (i) op [persele] 'n perseel of [onderverdelings] onderverdeling van grond [vermeld] in subartikel (22) beoog;

- (a) by the substitution for paragraph (a) of subsection (2) of the following paragraph:
- "(a) establish, maintain and carry out sanitary services for the removal, destruction or disposal of night-soil, urine, slops, rubbish, carcasses of animals, any refuse or anything of whatever nature which the council on reasonable grounds suspects to have been abandoned, and levy such charges for such services as the council may from time to time determine;"
- (b) by the substitution for subsection (8) of the following subsection:
- "(8)[(a)] establish, maintain and carry on parks, recreation ground and camping sites and make such charges in connection therewith as the council may from time to time determine;
- [(b)] Provided that where a council has [in terms of paragraph (a)] determined charges in connection with parks, [it] recreation grounds or camping sites, that council may exempt any person or any class or category of persons not based on race or colour from the payment of such charges;"
- (c) by the deletion in subsection (16) of the provisos to paragraphs (b) and (f);
- (d) by the deletion of paragraph (d) of subsection (17);
- (e) by the substitution for paragraph (e) of subsection (17) of the following paragraph:
- "(e) If any objection is lodged in response to a notice contemplated in paragraph (b), the council shall not donate the land concerned, unless —
- (i) in the case of a council referred to in the Sixth Schedule to this Ordinance, that council has considered every objection; or
 - (ii) in the case of any other council, that council has considered every objection and the town clerk of the council has submitted a copy of the resolution to donate the land concerned, together with a copy of every objection and the comments of the council thereon, if any, to the Administrator, and the Administrator has, subject to such terms and conditions as he may determine, granted his approval to the donation;"
- (f) by the substitution for subsection (17A) of the following subsection:
- "(17A) [With the approval of the Administrator] Subject to the provisions of the Extra-territorial Assistance Ordinance, 1978 (Ordinance 8 of 1978), render assistance, including financial assistance, within or outside the municipality, for the relief of the distress of persons who are or will be affected by an event declared to be a disaster in terms of section 26 of the Fund-raising Act, 1978 (Act 107 of 1978).";
- (g) by the substitution for subsection (28) of the following subsection:
- "(28) [subject to the approval of the Administrator]
- (a)[(i)] erect and maintain [dwelling-houses] a dwelling with [their] appurtenant outbuildings —
- (i) on [plots] a plot or [sub-divisions] subdivision of land [referred to] contemplated in subsection (22);

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| <p>(ii) [en] in [gebiede genoem] 'n gebied in subartikel (23) [hiervan] beoog;</p> <p>[(ii)] (iii) [woonhuise en woonstelgeboue met daartoe behorende bygeboue bou en in stand hou] op ander grond wat aan die raad behoort vir die verskaffing van huisvesting vir [beamptes] 'n beampete van die raad; en</p> <p>[(iii)] (iv) ['n woonhuis, 'n woonstelgebou of enige ander gebou met daartoe behorende bygeboue] op 'n opgemete perseel ten opsigte waarvan 'n reg van huurpag ingevolge artikel [6A van die Swartes (Stadsgebiede) Konsolidasiewet, 1945 (Wet 25 van 1945)] 52 van die Wet op die Ontwikkeling van Swart Gemeenskappe, 1984 (Wet 4 van 1984), aan die raad [toegeken] verleen is [bou en in stand hou] vir die verskaffing van huisvesting vir 'n Swart [werknekmers] werknekmer van die raad;</p> <p>(b) [geboue] 'n gebou in [woonhuise] 'n woning verander [en hulle] of 'n gebou verbou, vergroot, [repareer en] herstel of verbeter;</p> <p>(c) 'n voorskot in geld teen sekuriteit van onroerende eiendom aan iemand verleen om binne en, in die geval van 'n beampete van die raad, ook buite die munisipaliteit —</p> <ul style="list-style-type: none"> (i) grond aan te skaf en of 'n [woonhuis] woning met daartoe behorende bygeboue daarop te bou of enige [woonhuis] woning of bygeboue daarop te herstel of te vervang; (ii) 'n [woonhuis] woning met daartoe behorende bygeboue te bou, te herstel of te vervang; of (iii) 'n [woonhuis] woning aan te skaf, <p>en sodanige voorskot met rente verhaal by wyse van paaiente of op die ander wyse soos ooreengekom deur die raad en die persoon aan wie die voorskot verleen is: <u>Met dien verstande dat 'n ander raad as 'n raad in Deel I of II van die Sesde Bylae by hierdie Ordonnansie genoem nie die bevoegdhede deur hierdie subartikel verleen met betrekking tot 'n beampete of werknekmer van die raad uitoefen nie, tensy die Administrateur vooraf sy goedkeuring, onderworpe aan die bedinge en voorwaardes wat hy bepaal, daartoe verleen het;</u>";</p> <p>(h) deur subartikel (28)<u>qua</u> deur die volgende subartikel te vervang:</p> <p>"(28)<u>qua</u> [op die voorwaardes wat die Administrateur bepaal] 'n lening aan ['n administrasieraad ingevolge artikel 2 van die Wet op die Administrasie van Swart Sake, 1971 (Wet 45 van 1971), ingestel of aan] die Ekonomiese Ontwikkelingskorporasie, Beperk in artikel 2 van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van [Swart] Nasionale State, 1968 (Wet 46 van 1968), genoem, toestaan vir die oprigting van geboue waarin huisvesting vir werknekmers van die raad verskaf word;";</p> <p>(i) deur die volgende voorbehoudbepaling by paragraaf (b) van subartikel (32) te voeg:</p> | <p>(ii) [and] in [areas mentioned] an area contemplated in subsection (23) [hereof];</p> <p>[(ii)] (iii) [erect and maintain dwelling-houses and flat buildings, with their appurtenant outbuildings] on other land belonging to the council for providing accommodation for [officers] an officer of the council; and</p> <p>[(iii)] (iv) [erect and maintain a dwelling-house, flat building or any other building with appurtenant outbuildings] on a surveyed site in respect of which a right of leasehold has been granted to the council in terms of section [6A of the Blacks (Urban Areas) Consolidation Act, 1945 (Act 25 of 1945)] 52 of the Black Communities Development Act, 1984 (Act 4 of 1984), for providing accommodation for a Black [employees] employee of the council;</p> <p>(b) convert [buildings] a building into [dwelling-houses and] a dwelling or alter, enlarge, repair [and] or improve [the same] a building;</p> <p>(c) make an advance of money on the security of immovable property to any person —</p> <ul style="list-style-type: none"> (i) to acquire land and either erect a [dwelling-house] dwelling with appurtenant outbuildings thereon or repair or replace any [dwelling-house] dwelling or outbuildings thereon; (ii) to erect, repair or replace a [dwelling-house] dwelling with appurtenant outbuildings; or (iii) to acquire a [dwelling-house] dwelling, within and, in the case of an [official] officer of the council, also outside the municipality and recover such advance with interest by instalments or in such other manner as agreed upon by the council and the person to whom the advance is made: <u>Provided that a council other than a council referred to in Part I or II of the Sixth Schedule to this Ordinance shall not exercise the powers conferred by this subsection with regard to an officer or employee of the council, unless the Administrator has, subject to such terms and conditions as he may determine, granted his approval thereto beforehand;</u>"; <p>(h) by the substitution for subsection (28)<u>qua</u> of the following subsection:</p> <p>"(28)<u>qua</u> [on such conditions as the Administrator may determine] grant a loan to [an administration board established in terms of section 2 of the Black Affairs Administration Act, 1971 (Act 45 of 1971), or] the Corporation for Economic Development, Limited referred to in section 2 of the Promotion of the Economic Development of [Black] National States Act, 1968 (Act 46 of 1968), for the erection of buildings in which housing is provided for employees of the council;";</p> <p>(i) by the addition to paragraph (b) of subsection (32) of the following proviso:</p> |
|--|---|

"Met dien verstande dat 'n raad in Deel I of II van die Sesde Bylae by hierdie Ordonnansie genoem, sonder die toestemming van die Administrateur, sodanige aanvullende pensioen of gratifikasie op die bedinge en voorwaardes wat die raad sonder die goedkeuring van die Administrateur bepaal, kan toeken;";

(j) deur paragraaf (a) van subartikel (35A) deur die volgende paragraaf te vervang:

"(a) [met die goedkeuring van die Administrateur en onderworpe aan die voorwaardes wat hy bepaal] die ledelegelde van 'n bestuurskomitee of raadplegende komitee in subartikel (15)(b)(ii) genoem aan 'n vereniging in daardie subartikel beoog, betaal; en";

(k) deur paragraaf (b) van subartikel (51) deur die volgende paragraaf te vervang:

"(b) enige beampete van die raad wat 'n opleidingskursus volg wat aangebied word deur die Instituut van Stadsklerke van Suider-Afrika of deur 'n soortgelyke instituut of liggaam [wat] —

(i) deur die [Administrateur] raad goedgekeur [is, aangebied word], in die geval van 'n beampete van 'n raad in Deel I of II van die Sesde Bylae by hierdie Ordonnansie genoem; of

(ii) deur die Administrateur goedgekeur, in die geval van 'n beampete van enige ander raad;"; en

(l) deur paragraaf (ii) van die voorbehoudsbepaling by paragraaf (a) van subartikel (53) deur die volgende paragraaf te vervang:

"(ii) waar 'n raad, uitgesonderd 'n raad in Deel I of II van die Sesde Bylae by hierdie Ordonnansie genoem, 'n inkomstereservewefonds gestig het of 'n kapitaalreservewefonds vir 'n spesifieke doel gestig het, wend sodanige raad nie sonder die voorafverkreekskriftelike goedkeuring van die Administrateur so 'n fonds of enige gedeelte daarvan vir 'n ander doel as die spesifieke doel waarvoor dit gestig is, aan nie;".

Wysiging van artikel 79bis van Ordonnansie 17 van 1939, soos ingevoeg deur artikel 2 van Ordonnansie 14 van 1964 en gewysig deur artikel 4 van Ordonnansie 9 van 1983 en artikel 10 van Ordonnansie 16 van 1984

8. Artikel 79bis van die Ordonnansie word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

"(1) Die Administrateur kan 'n gemeenskaplike mediese hulpfonds (hierna in hierdie artikel die fonds genoem) instel, vir die voordeel van werknemers en agetrede werknemers van rade en van enige ander liggaam wat in belang van plaaslike bestuur ingestel en deur die Administrateur goedgekeur is en [die] vir die voordeel van afhanglikers van sodanige werknemers en agetrede werknemers.". "

Vervanging van artikel 79sext van Ordonnansie 17 van 1939, soos ingevoeg deur artikel 4 van Ordonnansie 21 van 1976

9. Artikel 79sext van die Ordonnansie word hierby deur die volgende artikel vervang:

"Verpligte bydraes deur raad aan mediese bystandskeema.

"Provided that a council referred to in Part I or II of the Sixth Schedule to this Ordinance may, without the consent of the Administrator, grant such supplementary pension or gratuity on such terms and conditions as the council may determine without the approval of the Administrator;";

(j) by the substitution for paragraph (a) of subsection (35A) of the following paragraph:

"(a) [with the approval of the Administrator and subject to such conditions as he may determine] pay the subscription of a management committee or consultative committee referred to in subsection (15)(b)(ii) to an association contemplated in that subsection; and";

(k) by the substitution for paragraph (b) of subsection (51) of the following paragraph:

"(b) any officer of the council who follows a training course presented by the Institute of Town Clerks [for] of Southern Africa or by a similar institute or body —

(i) approved by the [Administrator] council, in the case of an officer of a council referred to in Part I or II of the Sixth Schedule to this Ordinance; or

(ii) approved by the Administrator, in the case of an officer of any other council;"; and

(l) by the substitution for paragraph (ii) of the proviso to paragraph (a) of subsection (53) of the following paragraph:

"(ii) where a council, other than a council referred to in Part I or II of the Sixth Schedule to this Ordinance, has established a revenue reserve fund or has established a capital reserve fund for a specific purpose, such council shall not, without the prior written approval of the Administrator, use such fund or any portion thereof for any purpose other than the specific purpose for which it was established;".

Amendment of section 79bis of Ordinance 17 of 1939, as inserted by section 2 of Ordinance 14 of 1964 and amended by section 4 of Ordinance 9 of 1983 and section 10 of Ordinance 16 of 1984

8. Section 79bis of the Ordinance is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) The Administrator may establish a joint medical aid fund (hereinafter in this section referred to as the fund), for the benefit of employees and retired employees of councils and of any other body established in the interest of local government and approved by the Administrator and for the benefit of the dependants of such employees and retired employees.". "

Substitution of section 79sext of Ordinance 17 of 1939, as inserted by section 4 of Ordinance 21 of 1976

9. The following section is hereby substituted for section 79sext of the Ordinance:

"Compulsory contributions by council to medical benefit scheme.

79^{sex}t. Ondanks die bepalings van artikel 79bis moet 'n raad tot 'n mediese skema soos in die Wet op Mediese Skemas, 1967 (Wet 72 van 1967), omskryf, en waartoe enige werknemer of [enige klas] a getrede werknemer van die raad of 'n afhanglike van 'n werknemer of a getrede werknemer van die raad as 'n lid toegelaat is, bydra ooreenkomsdig die skaal in sodanige skema gespesifieer."

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 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 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 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 en artikel 4 van Administrateursproklamasie 34 van 1988

10. Artikel 80 van die Ordonnansie word hierby gewysig —

(a) deur na subartikel (10) die volgende subartikel in te voeg:

"(10A) om rook in plekke waar voedsel aan die publiek bedien word, te reël, te beperk of te verbied;"; en

(b) deur paragraaf (c) van subartikel (75) deur die volgende paragraaf te vervang:

"(c)om die gebruik van [staan-] standpleasse en stilhou-plekke wat ingevolge artikel 65bis [voorgeskryf] bepaal is, te reël, te beheer; te beperk of te verbied, en om geldte vir die gebruik van sodanige standpleasse en stilhouplekke te het;"

Wysiging van artikel 96 van Ordonnansie 17 van 1939, soos gewysig deur artikel 13 van Ordonnansie 12 van 1941, artikel 13 van Ordonnansie 24 van 1966 en artikel 11 van Ordonnansie 10 van 1971

11. Artikel 96 van die Ordonnansie word hierby gewysig deur die volgende paragraaf by subartikel (1) te voeg:

"(c) Die stadsklerk lê, in die geval van enige verordening wat nie aan die Administrateur ingevolge artikel 98 voorgelê hoef te word nie —

(i) elke beswaar aangeteken ingevolge paragraaf (b) (iii); of

(ii) indien geen beswaar aangeteken is nie, 'n sertifikaat tot dien effekte, aan die raad voor, en in die geval waar 'n beswaar aangeteken is mag die raad nie 'n verordening opstel, wysig of herroep nie tensy die raad elke sodanige beswaar oorweeg het."

Herroeping van artikel 97 van Ordonnansie 17 van 1939, soos gewysig deur artikel 7 van Ordonnansie 16 van 1979

12. Artikel 97 van die Ordonnansie word hierby herroep.

Wysiging van artikel 98 van Ordonnansie 17 van 1939, soos vervang deur artikel 7 van Ordonnansie 16 van 1986

13. Artikel 98 van die Ordonnansie word hierby gewysig deur paragraaf (d) deur die volgende paragraaf te vervang:

79^{sex}t. Notwithstanding the provisions of section 79bis, a council shall contribute to a medical scheme as defined in the Medical Schemes Act, 1967 (Act 72 of 1967), and to which any employee or [any class of] retired employee of the council or a dependant of an employee or retired employee of the council has been admitted as a member, in accordance with the scale specified in such scheme."

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 and section 4 of Administrator's Proclamation 34 of 1988

10. Section 80 of the Ordinance is hereby amended —

(a) by the insertion after subsection (10) of the following subsection:

"(10A) for regulating, restricting or prohibiting smoking in places where food is served to the public;"; and

(b) by the substitution for paragraph (c) of subsection (75) of the following paragraph:

"(c) for regulating, controlling, restricting or prohibiting the use of stands and shopping places [prescribed] fixed in terms of section 65bis and for levying charges for the use of such stands and stopping places;"

Amendment of section 96 of Ordinance 17 of 1939, as amended by section 13 of Ordinance 12 of 1941, section 13 of Ordinance 24 of 1966 and section 11 of Ordinance 10 of 1971

11. Section 96 of the Ordinance is hereby amended by the addition to subsection (1) of the following paragraph:

"(c) The town clerk shall, in the case of any by-law which need not be submitted to the Administrator in terms of section 98, submit to the council —

(i) every objection recorded in terms of paragraph (b)(iii); or

(ii) if no objection has been recorded, a certificate to that effect,

and in the case of an objection having been recorded the council shall not make, amend or revoke any by-law unless the Council has considered every objection."

Repeal of section 97 of Ordinance 17 of 1939, as amended by section 7 of Ordinance 16 of 1979

12. Section 97 of the Ordinance is hereby repealed.

Amendment of section 98 of Ordinance 17 of 1939, as substituted by section 7 of Ordinance 16 of 1986

13. Section 98 of the Ordinance is hereby amended by the substitution for paragraph (d) of the following paragraph:

"(d) 'n sertikaat dat aan die bepalings van artikel 96 [en, waar van toepassing, artikel 97] voldoen is; en"

Wysiging van artikel 99 van Ordonnansie 17 van 1939, soos vervang deur artikel 17 van Ordonnansie 16 van 1984 en gewysig deur artikel 8 van Ordonnansie 16 van 1986

14. Artikel 99 van die Ordonnansie word hereby gewysig deur subparagraaf (i) van paragraaf (a) deur die volgende subparagraaf te vervang:

"(i) aan die bepalings van artikel 96 [en, waar van toepassing, artikel 97] voldoen is; en"

Vervanging van artikel 101 van Ordonnansie 17 van 1939, soos gewysig deur artikel 9 van Ordonnansie 16 van 1955, artikel 9 van Ordonnansie 21 van 1957, artikel 9 van Ordonnansie 18 van 1961, artikel 4 van Ordonnansie 14 van 1963, artikel 19 van Ordonnansie 16 van 1984 en artikel 10 van Ordonnansie 16 van 1986

15. Artikel 101 van die Ordonnansie word hereby deur die volgende artikel vervang:

"Afkondiging van verordeninge.

101. (1) Nadat —

- (a) 'n raad 'n verordening opgestel of gewysig het wat nie aan die Administrateur ingevolge artikel 98 voorgelê moet word nie; or
- (b) die Administrateur 'n raad ingevolge artikel 99 in kennis gestel het dat hy 'n verordening of wysiging wat ingevolge artikel 98 aan hom voorgelê is, goedkeur of verander het,

publiseer die stadsklerk die verordening of wysiging in die [Provinsiale] Offisiële Koerant: Met dien verstande dat ten opsigte van standaardverordeninge wat deur die raad ingevolge [die bepalings van subartikel (2) van] artikel 96 bis(2) aangeneem is, dit vir die stadsklerk voldoende is om 'n kennisgewing in die Offisiële Koerant [van die Provincie Transvaal] te publiseer waarin verwys word na die kennisgewing [waarkragtens] waarby sodanige standaardverordeninge gepubliseer is soos beoog in subartikel (1) van daardie artikel, [maar] en waarin enige wysigings wat die raad daaraan aangebring [is] het, duidelik uiteengesit word.

(2) [Sodanige] 'n Verordening of wysiging [daarvan] in subartikel (1) beoog, het [krag van wet] regskrag binne die munisipaliteit [van en na] vanaf die datum van sy publikasie in die Offisiële Koerant [van die Provincie Transvaal] tensy [daar] uitdruklik anders bepaal [word] in die kennisgewing —

- (a) [waaronder] waarby dit gepubliseer word; or
 - (b) waarin verwys word na die kennisgewing waarby die betrokke standaardverordeninge gepubliseer is,
- na gelang van die geval.

(3) Ondanks andersluidende bepalings [in] van hierdie Ordonnansie [vervat] het enige verordening wat binne 'n munisipaliteit regskrag het, insgelyks regskrag binne enige gebied wat [aan sodanige] by daardie munisipaliteit, ingevolge [paragraaf (5), (6) of (7) van artikel nege toegevoeg word] artikel 9(5), (6) of (7) gevoeg word, vanaf [en na] die datum van [die toevoeging van sodanige gebied aan sodanige munisipaliteit en hetsy daar, ten opsigte van die gebied aldus toegevoeg, aan die bepalings van hierdie Deel voldoen is al dan nie: Met dien verstande dat, waar sodanige verordening in die gebied aldus toegevoeg, enige mynwerksaamhede of die beheer oor die eiendom waarop sulke werksaamhede verrig word, sodanige maatskappy, binne dertig dae na die datum van die eerste publikasie van die kennisgewing in artikel tien of in artikel veertien genoem, na gelang van die geval, die Administrateur skriftelik kan versoek om 'n bevel uit te reik

"(d) a certificate that the provisions of section 96 [and, where applicable, section 97] have been complied with; and"

Amendment of section 99 of Ordinance 17 of 1939, as substituted by section 17 of Ordinance 16 of 1984 and amended by section 8 of Ordinance 16 of 1986

14. Section 99 of the Ordinance is hereby amended by the substitution for subparagraph (i) of paragraph (a) of the following subparagraph:

"(i) the provisions of section 96 [and, where applicable, section 97] have been complied with; and"

Substitution of section 101 of Ordinance 17 of 1939, as amended by section 9 of Ordinance 16 of 1955, section 9 of Ordinance 21 of 1957, section 9 of Ordinance 18 of 1961, section 4 of Ordinance 14 of 1963, section 19 of Ordinance 16 of 1984 and section 10 of Ordinance 16 of 1986

15. The following section is hereby substituted for section 101 of the Ordinance:

"Promulgation of by-laws.

101. (1) After —

- (a) a council has made or amended a by-law which need not be submitted to the Administrator in terms of section 98; or
- (b) the Administrator has, in terms of section 99 advised a council that he has approved or altered a by-law or amendment submitted to him in terms of section 98,

the town clerk shall publish the by-law or amendment in the [Provincial] Official Gazette: Provided that in respect of standard by-laws adopted by the council in terms [of subsection (2)] of section 96bis(2), it shall be sufficient for the town clerk to publish a notice in the [Provincial] Official Gazette by referring to the notice [under] by which such standard by-laws were published as contemplated in subsection (1) of that section [but], and setting out clearly any amendments which the council effected thereto.

(2) [Such] A by-law or amendment [thereof] contemplated in subsection (1) shall have the force of law within the municipality as from [and after] the date of its publication in the [Provincial] Official Gazette unless expressly otherwise provided in the notice —

- (a) [under] by which it is published; or
- (b) referring to the notice by which the standard by-laws concerned were published.

as the case may be.

(3) Notwithstanding anything to the contrary in this Ordinance contained, any by-law which has the force of law within a municipality shall similarly have the force of law within any area which may be annexed to [such] that municipality in terms of [paragraphs (5), (6) or (7) of section nine] section 9(5), (6) or (7) as from [and after] the date of [the] such annexing [of such area to such municipality and whether or not there has been compliance with the provisions of this Part in respect of the area so annexed]: Provided that, where such by-law in the area so annexed affects any mining company in respect of the management of its mining operations or the control of the property on which such operations are carried on,

dat daar eers aan die bepalings van artikel sewe-en-negentig voldoen moet word en, wanneer die Administrateur die toevoeging van sodanige gebied aan sodanige munisipaliteit, deur 'n kennisgewing in die *Offisiële Koerant* van die Provincie Transvaal goedkeur, reik hy 'n bevel uit dat sodanige verordening geen regskrag binne die gebied aldus toegevoeg, het nie tensy en totdat daar aan die bepalings van paragrawe (a), (b), (c) en (d) van artikel sewe-en-negentig voldoen is, en daarna word sodanige verordening, ten opsigte van die gebied aldus toegevoeg, geag 'n voorgestelde verordening te wees, soos in artikel sewe-en-negentig beoog: Voorts met dien verstande dat, indien die Administrateur sodanige verordening ten opsigte van die gebied aldus toegevoeg, goedkeur, hy kennis van sodanige goedkeuring gee deur 'n kennisgewing in die *Offisiële Koerant* van die Provincie Transvaal en geen verdere afkondiging van sodanige verordening is nodig nie] sodanige byvoeging.”.

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

16. Artikel 105 van die Ordonnansie word hierby gewysig deur in subartikel (1) die uitdrukking “driehonderd rand”, waar dit ook al voorkom, deur die uitdrukking “R500” te vervang.

Wysiging van artikel 106 van Ordonnansie 17 van 1939

17. Artikel 106 van die Ordonnansie word hierby gewysig deur die uitdrukking “tien pond” deur die uitdrukking “R300” te vervang.

Wysiging van artikel 133 van Ordonnansie 17 van 1939, soos gewysig deur artikel 15 van Ordonnansie 13 van 1981 en artikel 10 van Ordonnansie 16 van 1982

18. Artikel 133 van die Ordonnansie word hierby gewysig —

- (a) deur die voorbehoudsbepaling by subartikel (1) te skrap; en
- (b) deur in subartikel (2) die woorde “met toestemming van die Administrateur” te skrap.

Wysiging van artikel 136 van Ordonnansie 17 van 1939, soos gewysig deur artikel 11 van Ordonnansie 21 van 1957, artikel 9 van Ordonnansie 14 van 1976, artikel 16 van Ordonnansie 13 van 1981 en artikel 11 van Ordonnansie 16 van 1982

19. Artikel 136 van die Ordonnansie word hierby gewysig deur subartikel (2) te skrap.

Kort titel en inwerkingtreding

20.(a) Hierdie proklamasie heet die Wysigingsproklamasie op Plaaslike Bestuur, 1919, en tree, onderworpe aan paraaf (b), in werking op 1 Januarie 1991.

- (b) Ondanks die bepalings van paragraaf (a) word —
 - (i) artikel 1 van hierdie Ordonnansie geag op 1 Januarie 1973 in werking te getree het; en
 - (ii) artikel 9 van hierdie Ordonnansie geag op 13 Oktober 1976 in werking te getree het.

No 41 (Administrateurs-), 1990

PROKLAMASIE

WYSIGING VAN DIE ORDONNANSIE OP PERDEWEDRENNE EN WEDDENSKAPPE, 1978 (ORDONNANSIE NO. 24 VAN 1978)

Kragtens die bevoegdheid my verleen by artikel 14(2)(a) van

such mining company may, not later than thirty days after the date of the first publication of the notice referred to in section ten or in section fourteen, as the case may be, in writing request the Administrator to issue an order that the provisions of section ninety-seven shall first be complied with, and the Administrator shall, when approving the annexing of such area to such municipality by notice in the *Provincial Gazette*, issue an order that such by-law shall not have the force of law in the area so annexed unless and until the provisions of paragraphs (a), (b), (c) and (d) of section ninety-seven have been complied with and thereupon such by-law shall in respect of the area so annexed, be deemed to be a proposed by-law as contemplated in section ninety-seven: Provided further that if the Administrator approves such by-law in respect of the area so annexed, he shall notify such approval by notice in the *Provincial Gazette*, and no further promulgation of such by-law shall be necessary].”.

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

16. Section 105 of the Ordinance is hereby amended by the substitution in subsection (1) for the expression “three hundred rand”, wherever it occurs, of the expression “R500”.

Amendment of section 106 of Ordinance 17 of 1939

17. Section 106 of the Ordinance is hereby amended by the substitution for the expression “ten pounds” of the expression “R300”.

Amendment of section 133 of Ordinance 17 of 1939, as amended by section 15 of Ordinance 13 of 1981 and section 10 of Ordinance 16 of 1982

18. Section 133 of the Ordinance is hereby amended —

- (a) by the deletion of the proviso to subsection (1); and
- (b) by the deletion in subsection (2) of the words “With the consent of the Administrator”.

Amendment of section 136 of Ordinance 17 of 1939, as amended by section 11 of Ordinance 21 of 1957, section 9 of Ordinance 14 of 1976, section 16 of Ordinance 13 of 1981 and section 11 of Ordinance 16 of 1982

19. Section 136 of the Ordinance is hereby amended by the deletion of subsection (2).

Short title and commencement

20.(a) This Proclamation shall be called the Local Government Amendment Proclamation, 1990, and shall subject to paragraph (b) come into operation on 1 January 1991.

(b) Notwithstanding the provisions of paragraph (a) —

- (i) section 1 of this Proclamation shall be deemed to have come into operation on 1 January 1973; and
- (ii) section 9 of this Proclamation shall be deemed to have come into operation on 13 October 1976.

No 41 (Administrator's), 1990

PROCLAMATION

AMENDMENT TO THE HORSE-RACING AND BETTING ORDINANCE, 1978 (ORDINANCE NO. 24 OF 1978)

Under the powers vested in me by section 14(2)(a) of the

die Wet op Provinciale Regering, 1986 (Wet No. 69 van 1986), en nadat aan die bepalings van artikel 16 van genoemde Wet voldoen is, wysig ek hierby die Ordonnansie op Perdewedrenne en Weddenskappe, 1978 (Ordonnansie No. 24 van 1978), soos in die Bylae uiteengesit.

Hierdie Proklamasie is goedgekeur deur 'n gesamentlike komitee van die Parlement soos in die voorbehoudsbepaling by genoemde artikel 14(2)(a) bedoel.

Gegee onder my Hand te Sanlameer, op hede die 18e dag van Desember Eenduisend Negenhonderd en Negentig.

DJ HOUGH
Administrateur van die Provinsie Transvaal

BYLAE

Wysiging van artikel 37A van Ordonnansie No. 24 van 1978

1. Artikel 37A van die Ordonnansie op Perdewedrenne en Weddenskappe, 1978, word hierby gewysig deur die volgende subartikel by te voeg:

"(6) Na die dood van 'n gelisensieerde beroepswedder gaan die betrokke lisensie, behoudens die reg met betrekking tot bestorwe boedels, oor op die eksekuteur van die betrokke boedel vir 'n tydperk van hoogstens 90 dae vanaf sy aanstelling, waartydens hy as 'n gelisensieerde beroepswedder kragtens subartikel (1) kan kennis gee ten einde die bepalings van subartikels (2), (3) en (4) in werking te stel."

Kort titel en inwerkingtreding

2.(1) Hierdie Proklamasie heet die Wysigingsproklamasie op Perdewedrenne en Weddenskappe, 1990, en word geag op 1 Augustus 1989 in werking te getree het.

(2) By die toepassing van subartikel (1) van hierdie artikel neem die tydperk van 90 dae beoog in artikel 37A(6) van die Ordonnansie op Perdewedrenne en Weddenskappe, 1978, 'n aanvang op die datum van die publikasie van hierdie Proklamasie in die Offisiële Koerant ten opsigte van 'n eksekuteur wat voor daardie datum aangestel is.

No 42 (Administrateurs-), 1990

PROKLAMASIE

WYSIGING VAN DIE BEKRAGTIGINGSORDONNANSIE OP ELEKTRISITEITSGELDE (DUIVELSKLOOF), 1986 (ORDONNANSIE NO. 19 VAN 1986)

Kragtens die bevoegdheid my verleen by artikel 14(2)(a) van die Wet op Provinciale Regering, 1986 (Wet No. 69 van 1986), en nadat aan die bepalings van artikel 16 van genoemde Wet voldoen is, wysig ek hierby die Bekragtigingsordonnansie op Elektrisiteitsgelde (Duvelskloof), 1986 (Ordonnansie No. 19 van 1986), soos in die Bylae hierby uiteengesit.

Hierdie Proklamasie is deur 'n staande komitee van die Parlement soos in die voorbehoudsbepaling by genoemde artikel 14(2)(a) bedoel, goedgekeur.

Gegee onder my Hand te Sanlameer, op hede die 18e dag van Desember Eenduisend Negenhonderd en Negentig.

DJ HOUGH
Administrateur van die Provinsie Transvaal

BYLAE

Wysiging van artikel 1 van Ordonnansie 19 van 1986

Provincial Government Act, 1986 (Act No. 69 of 1986), and after compliance with the provisions of section 16 of the said Act, I hereby amend the Horse-racing and Betting Ordinance, 1978 (Ordinance No. 24 of 1978), as set out in the Schedule hereto.

This proclamation has been approved by a joint committee of Parliament as referred to in the proviso to the said section 14(2)(a).

Given under my Hand at Sanlameer, this 18th day of December One thousand Nine hundred and Ninety.

DJ HOUGH
Administrator of the Province of the Transvaal

SCHEDULE

Amendment of section 37A of Ordinance No. 24 of 1978

1. Section 37A of the Horse-racing and Betting Ordinance, 1978, is hereby amended by the addition of the following subsection:

"(6) After the death of a licensed bookmaker the licence in question shall, subject to the law relating to deceased estates, vest in the executor of the estate in question for a period not exceeding 90 days after his appointment during which time he, as a licensed bookmaker, may give notice under subsection (1) in order to put the provisions of subsections (2), (3) and (4) into operation."

Short title and commencement

2.(1) This Proclamation shall be called the Horse-racing and Batting Amendment Proclamation, 1990 and shall be deemed to have come into operation on 1 August 1989.

(2) For the purpose of subsection (1) of this section, the period of 90 days contemplated in section 37A(6) of the Horse-racing and Betting Ordinance, 1978, shall commence on the date of the publication of this Proclamation in the Official Gazette in respect of an executor appointed before that date.

No 42 (Administrator's), 1990

PROCLAMATION

AMENDMENT TO THE ELECTRICITY CHARGES (DUIVELSKLOOF) VALIDATION ORDINANCE, 1986 (ORDINANCE NO. 19 OF 1986)

Under the powers vested in me by section 14(2)(a) of the Provincial Government Act, 1986 (Act No. 69 of 1986), and after compliance with the provisions of section 16 of the said Act, I hereby amend the Electricity Charges (Duvelskloof) Validation Ordinance, 1986 (Ordinance No. 19 of 1986), as set out in the Schedule hereto.

This Proclamation has been approved by a standing committee of Parliament as referred to in the proviso to the said section 14(2)(a).

Given under my Hand at Sanlameer, this 18th day of December One thousand Nine hundred and Ninety.

DJ HOUGH
Administrator of the Province of the Transvaal

SCHEDULE

Amendment of section 1 of Ordinance 19 of 1986

1. Artikel 1 van die Bekragtigingsordonnansie op Elektriesiteitsgelde (Duivelskloof), 1986, word hierby gewysig deur in paragraaf (a) na die uitdrukking "28 Februarie 1983" die uitdrukking "en 19 Januarie 1984" in te voeg.

Kort titel en inwerkingtreding

2. Hierdie Proklamasie heet die Wysigingsproklamasie op die Bekragtiging van Elektriesiteitsgelde (Duivelskloof), 1990, en word geag op 3 Desember 1986 in werking te getree het.

No 43 (Administrateurs-), 1990

PROKLAMASIE

WYSIGING VAN DIE ORDONNANSIE OP HOSPITAAL, 1958 (ORDONNANSIE NO. 14 VAN 1958)

Kragtens die bevoegdheid my verleen by artikel 14(2)(a) van die Wet op Provinciale Regering, 1986 (Wet No. 69 van 1986), en nadat aan die bepalings van artikel 16 van genoemde Wet voldoen is, wysig ek hierby die Ordonnansie op Hospitale, 1958 (Ordonnansie No. 14 van 1958), soos in die Bylae uiteengesit.

Hierdie Proklamasie is deur 'n staande komitee van die Parlement soos in die voorbehoudsbepaling by genoemde artikel 14(2)(a) bedoel, goedgekeur.

Gegee onder my Hand te Sanlameer, op hede die 18e dag van Desember Eenduisend Negenhonderd en Negentig.

D J HOUGH
Administrator van die Provincie Transvaal
BYLAE

Wysiging van artikel 70 van Ordonnansie 14 van 1958, soos vervang deur artikel 5 van Ordonnansie 19 van 1963 en gewysig deur artikel 8 van Ordonnansie 17 van 1965, artikel 12 van Ordonnansie B van 1973 en artikel 1 van Ordonnansie 8 van 1984.

1. Artikel 70 van die Ordonnansie op Hospitale, 1958, word hierby gewysig deur in subartikel (4) —
 - (a) die voorbehoudsbepaling by paragraaf (a); en
 - (b) paragraaf (b),
 te skrap.

Kort titel.

2. Hierdie Proklamasie heet die Wysigingsproklamasie op Hospitale, 1990.

No 44 (Administrateurs-), 1990

PROKLAMASIE

WYSIGING VAN DIE ORDONNANSIE OP DIE KAPITAALONTWIKKELINGSFONDS VAN PLAASLIKE BESTURE, 1978 (ORDONNANSIE NO. 9 VAN 1978)

Kragtens die bevoegdheid my verleen by artikel 14(2)(a) van die Wet op Provinciale Regering, 1986 (Wet No. 69 van 1986), en nadat aan die bepalings van artikel 16 van genoemde Wet voldoen is, wysig ek hierby die Ordonnansie op die Kapitaalontwikkelingsfonds van Plaaslike Besture, 1978 (Ordonnansie No. 9 van 1978), soos in die Bylae uiteengesit, be-

1. Section 1 of the Electricity Charges (Duivelskloof) Validation Ordinance, 1986, is hereby amended by the insertion in paragraph (a) after the expression "28 February 1983" of the expression "and 19 January 1984".

Short title and commencement

2. This Proclamation shall be called the Electricity Charges (Duivelskloof) Validation Amendment Proclamation, 1990, and shall be deemed to have come into operation on 3 December 1986.

No 43 (Administrator's), 1990

PROCLAMATION

AMENDMENT TO THE HOSPITALS ORDINANCE, 1958 (ORDINANCE NO. 14 OF 1958)

Under the powers vested in me by section 14(2)(a) of the Provincial Government Act, 1986 (Act No. 69 of 1986), and after compliance with the provisions of section 16 of the said Act, I hereby amend the Hospitals Ordinance, 1958 (Ordinance No. 14 of 1958), as set out in the Schedule.

This Proclamation has been approved by a standing committee of Parliament as referred to in the proviso to the said section 14(2)(a).

Given under my Hand at Sanlameer, this 18th day of December One thousand Nine hundred and Ninety.

D J HOUGH
Administrator of the Province of the Transvaal

SCHEDULE

Amendment of section 70 of Ordinance 14 of 1958, as substituted by section 5 of Ordinance 19 of 1963 and amended by section 8 of Ordinance 17 of 1965, section 12 of Ordinance 8 of 1973 and section 1 of Ordinance 8 of 1984.

1. Section 70 of the Hospitals Ordinance, 1958, is hereby amended by the deletion in subsection (4) —
 - (a) of the proviso to paragraph (a); and
 - (b) of paragraph (b).

Short title

2. This Proclamation shall be called the Hospitals Amendment Proclamation, 1990.

No 44 (Administrator's), 1990

PROCLAMATION

AMENDMENT OF THE LOCAL AUTHORITIES CAPITAL DEVELOPMENT FUND ORDINANCE, 1978 (ORDINANCE NO. 9 OF 1978)

Under the powers vested in me by section 14(2)(a) of the Provincial Government Act, 1986 (Act No. 69 of 1986), and after compliance with the provisions of section 16 of the said Act, I hereby amend the Local Authorities Capital Development Fund Ordinance, 1978 (Ordinance No. 9 of 1978), as set out in the Schedule, except in so far as the provisions of

halwe vir sover die bepalings van Deel IV van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet No. 110 van 1983), op daardie Ordonnansie van toepassing verklaar is by Proklamasie R36 van 31 Maart 1989.

Hierdie Proklamasie is goedgekeur deur 'n staande komitee van die Parlement soos vereis deur die voorbehoudsbepaling by genoemde artikel 14(2)(a).

Gegee onder my Hand te Sanlameer, op hede die 18e dag van Desember Eenduisend Negenhonderd en Negentig.

D J HOUGH
Administrateur van die Provincie Transvaal

BYLAE

Wysiging van artikel 3 van Ordonnansie 9 van 1978, soos gewysig deur artikel 3 van Ordonnansie 18 van 1984 en artikel 2 van Ordonnansie 14 van 1985

1. Artikel 3 van die Ordonnansie op die Kapitaalontwikkelingsfonds van Plaaslike Besture, 1978 (hieronder die Ordonnansie genoem), word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

"(3) 'n Voorskot dra rente gedurende 'n boekjaar teen 'n koers wat —

(a) in die geval van 'n plaaslike bestuur in Deel I of II van die Sesde Bylae by die Ordonnansie op Plaaslike Bestuur, 1939, genoem, daardie plaaslike bestuur by besluit bepaal; en

(b) in die geval van enige ander plaaslike bestuur, nie minder is nie as —

[(a)] (i) die rentekoers wat op 1 Januarie van die onmiddellik voorafgaande boekjaar van toepassing was op lenings uit die Leningsfonds vir Plaaslike Besture ingestel ingevolge artikel 2 van die Wet op die Leningsfonds vir Plaaslike Besture, 1984 (Wet 67 van 1984); of

[(b)] (ii) die ander rentekoers wat die Administrateur, hetsy in die algemeen of in die besonder, bepaal."

Wysiging van artikel 7 van Ordonnansie 9 van 1978, soos gewysig deur artikel 1 van Ordonnansie 8 van 1981 en artikel 1 van Ordonnansie 6 van 1982

2. Artikel 7 van die Ordonnansie word hierby gewysig deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang.

"(a) ten opsigte van plaaslike besture, uitgesondert plaaslike besture en Deel 1 en Deel 11 van die Sesde Bylae by die Ordonnansie op Plaaslike Bestuur, 1939, genoem, betreffende die reëling van of beheer oor voorskotte uit die Fonds; en".

Kort titel en inwerkingtreding

3. Hierdie Proklamasie heet die Wysigsproklamasie op die Kapitaalontwikkelingsfonds van Plaaslike Besture, 1990, en tree in werking op 1 Januarie 1991.

Part IV of the Republic of South Africa Constitution Act, 1983 (Act No. 110 of 1983), have been declared applicable to that Ordinance under Proclamation R36 of 31 March 1989.

This proclamation has been approved by a standing committee of Parliament as required by the proviso to the said section 14(2)(a).

Given under my Hand at Sanlameer, this 18th day of December One thousand Nine hundred and Ninety.

D J HOUGH
Administrator of the Province of the Transvaal

SCHEDULE

Amendment of section 3 of Ordinance 9 of 1978, as amended by section 3 of Ordinance 18 of 1984 and section 2 of Ordinance 14 of 1985

1. Section 3 of the Local Authorities Capital Development fund Ordinance, 1978 (hereinafter referred to as the Ordinance), is hereby amended by the substitution for subsection (3) of the following subsection:

"(3) An advance shall bear interest during a financial year at a rate which —

(a) in the case of a local authority referred to in Part I or II of the Sixth Schedule to the Local Government Ordinance, 1939, that local authority may determine by resolution; and

(b) in the case of any other local authority, shall not be less than —

[(a)] (i) the rate of interest applicable on 1 January of the immediately preceding financial year on loans from the Local Authorities Loans Fund established in terms of section 2 of the Local Authorities Loans Fund Act, 1984 (Act 67 of 1984); or

[(b)] (ii) such other rate of interest as the Administrator may, either generally or specifically, determine."

Amendment of section 7 of Ordinance 9 of 1978, as amended by section 1 of Ordinance 8 of 1981 and section 1 of Ordinance 6 of 1982

2. Section 7 of the Ordinance is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph.

"(a) in respect of local authorities, other than local authorities referred to in Part I and Part II of the Sixth Schedule to the Local Government Ordinance, 1939, regarding the regulation or control of advances from the Fund; and".

Short title and commencement

3. This Proclamation shall be called the Local Authorities Capital Development Fund Amendment Proclamation, 1990, and shall come into operation on 1 January 1991.

No 45 (Administrateurs-), 1990

PROKLAMASIE**WYSIGING VAN DIE ORDONNANSIE OP PLAASLIKE BESTUUR (ADMINISTRASIE EN VERKIESINGS), 1960 (ORDONNANSIE NO. 40 VAN 1960)**

Kragtens die bevoegdheid my verleen by artikel 14(2)(a) van die Wet op Provinciale Regering, 1986 (Wet No. 69 van 1986), en nadat aan die bepalings van artikel 16 van genoemde Wet voldoen is, wysig ek hierby die Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiesings), 1960 (Ordonnansie No. 40 van 1960), soos in die Bylae uiteengesit, behalwe vir sover die bepalings van Deel IV van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet No. 110 van 1983), op daardie Ordonnansie van toepassing verklaar is by proklamasie No. R. 36 van 31 Maart 1989.

Hierdie Proklamasie is deur 'n staande komitee van die Parlement goedgekeur soos deur die voorbehoudsbepaling by genoemde artikel 14(2)(a) vereis.

Gegee onder my Hand te Sanlameer, op hede die 18e dag van Desember Eenduisend Negenhonderd en Negentig.

ADMINISTRATEUR VAN DIE PROVINSIE TRANSVAAL

ALGEMENE VERDUIDELIKENDE NOTA

[] Woorde tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

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

BYLAE**Wysiging van artikel 60 van Ordonnansie 40 van 1960, soos gewysig deur artikel 1 van Ordonnansie 7 van 1970**

1. Artikel 60 van die Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiesings), 1960, word hierby gewysig deur na subartikel (8) die volgende subartikel in te voeg:

"(8A) (a) Die raad kan, met die toestemming van die Administrateur en onderworpe aan die voorwaarde wat die Administrateur stel, die toelaes wat die raad bepaal aan die lede van so 'n komitee betaal, en daar die toelaes kan verskil uit hoofde van —

- (i) die amp deur 'n lid in so 'n komitee beklee; en
- (ii) die bevoegdhede, funksies en pligte van so 'n komitee.

(b) Enige toelae in paragraaf (a) bedoel, is maandeliks betaalbaar, en die bepalings van Hoofstuk IV van die Ordonnansie op Plaaslike Bestuur, 1939, word geag nie op sodanige toelae van toepassing te wees nie."

Kort titel en inwerkingtreding

2. Hierdie Proklamasie heet die Wysigingsproklamasie op Plaaslike Bestuur (Administrasie en Verkiesings), 1990, en word geag op 1 Maart 1989 in werking te getree het.

No 46 (Administrateurs-) 1990

PROKLAMASIE**WYSIGING VAN DIE ORDONNANSIE OP EIENDOMSBELASTING VAN PLAASLIKE BESTURE, 1977 (ORDONNANSIE NO. 11 VAN 1977)**

Kragtens die bevoegdheid my verleen by artikel 14(2)(a)

No 45 (Administrator's), 1990

PROCLAMATION**AMENDMENT OF THE LOCAL GOVERNMENT (ADMINISTRATION AND ELECTIONS) ORDINANCE, 1960 (ORDINANCE NO. 40 OF 1960)**

Under the powers vested in me by section 14(2)(a) of the Provincial Government Act, 1986 (Act No. 69 of 1986), and after compliance with the provisions of section 16 of the said Act, I hereby amend the Local Government (Administration and Elections) Ordinance, 1960 (Ordinance No. 40 of 1960), as set out in the Schedule, except in so far as the provisions of Part IV of the Republic of South Africa Constitution Act, 1983 (Act No. 110 of 1983), have been declared applicable to that Ordinance by Proclamation No. R. 36 of 31 March 1989.

This Proclamation has been approved by a standing committee of Parliament as required by the proviso to the said section 14(2)(a).

Given under my Hand at Sanlameer, this 18th day of December One thousand Nine hundred and Ninety.

ADMINISTRATOR OF THE PROVINCE OF THE TRANSVAAL

GENERAL EXPLANATORY NOTE

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

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

SCHEDULE

Amendment of section 60 of Ordinance 40 of 1960, as amended by section 1 of Ordinance 7 of 1970

1. Section 60 of the Local Government (Administration and Elections) Ordinance, 1960, is hereby amended by the insertion after subsection (8) of the following subsection:

"(8A) (a) The council may, with the consent of the Administrator and subject to such conditions as the Administrator may impose, pay such allowances as the council may determine to the members of such a committee, and those allowances may vary by virtue of —

- (i) the office held by a member on such a committee; and
- (ii) the powers, functions and duties of such a committee.

(b) Any allowance referred to in paragraph (a) shall be payable monthly, and the provisions of Chapter IV of the Local Government Ordinance, 1939, shall be deemed not to apply to any such allowance."

Short title and commencement

2. This Proclamation shall be called the Local Government (Administration and Elections) Amendment Proclamation, 1990, and shall be deemed to have come into operation on 1 March 1989.

No 46 (Administrator's), 1990

PROCLAMATION**AMENDMENT OF LOCAL AUTHORITIES RATING ORDINANCE, 1977 (ORDINANCE NO. 11 OF 1977)**

Under the powers vested in me by section 14(2)(a) of the

van die Wet op Provinciale Regering, 1986 (Wet No. 69 van 1986), en nadat aan die bepalings van artikel 16 van genoemde Wet voldoen is, wysig ek hierby die Ordonnansie op Eiendomsbelasting van Plaaslike Besture, 1977 (Ordonnansie No. 11 van 1977), soos in die Bylae uiteengesit, behalwe vir sover die bepalings van deel IV van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet No. 110 van 1983), op daardie Ordonnansie van toepassing verklaar is by Proklamasie No. R36 van 31 Maart 1989.

Hierdie Proklamasie is goedgekeur deur 'n staande komitee van die Parlement soos vereis deur die voorbehoudsbepaling by genoemde artikel 14(2)(a).

Gegee onder my Hand te Sanlameer, op hede die 18e dag van Desember Eenduisend Negenhonderd en Negentig.

D J HOUGH
Administrateur van die Provinsie Transvaal

BYLAE

Wysiging van artikel 21 van Ordonnansie 11 van 1977, soos gewysig deur artikel 2 van Ordonnansie 7 van 1981, artikel 1 van Ordonnansie 7 van 1982 en artikel 1 van Ordonnansie 10 van 1983.

1. Artikel 21 van die Ordonnansie op Eiendomsbelasting van Plaaslike Besture, 1977, word hierby gewysig —

- (a) deur in die voorbehoudsbepaling by paragraaf (a) van subartikel (3) die uitdrukking "Deel I" deur die uitdrukking "Deel I or II" te vervang; en
- (b) deur in paragraaf (a) van die voorbehoudsbepaling by paragraaf (a) van subartikel (3) die uitdrukking "Deel II or III" deur die uitdrukking "Deel III" te vervang.

Kort titel en inwerkingtreding

2. Hierdie Proklamasie heet die Wysigingsproklamasie op Eiendomsbelasting van Plaaslike Besture, 1990, en tree op 1 Januarie 1991 in werking.

Provincial Government Act, 1986 (Act No. 69 of 1986), and after compliance with the provisions of section 16 of the said Act, I hereby amend the Local Authorities Rating Ordinance, 1977 (Ordinance No. 11 of 1977), as set out in the Schedule, except in so far as the provisions of Part IV of the Republic of South Africa Constitution Act, 1983 (Act No. 110 of 1983), have been declared applicable to that Ordinance under Proclamation R36 of 31 March 1989.

This Proclamation has been approved by a standing committee of Parliament as required by the proviso to the said section 14(2)(a).

Given under my Hand at Sanlameer, this 18th day of December One thousand Nine hundred and Ninety.

D J HOUGH
Administrator of the Province of Transvaal

SCHEDULE

Amendment of section 21 of Ordinance 11 of 1977, as amended by section 2 of Ordinance 7 of 1981, section 1 of Ordinance 7 of 1982 and section 1 of Ordinance 10 of 1983.

1. Section 21 of the Local Authorities Rating Ordinance, 1977, is hereby amended —

- (a) by the substitution in the proviso to paragraph (a) of subsection (3) for the expression "Part I" of the expression "Part I or II"; and
- (b) by the substitution in paragraph (a) of the proviso to paragraph (a) of subsection (3) for the expression "Part II or III" of the expression "Part III".

Short title and commencement

2. This Proclamation shall be called the Local Authorities Rating Amendment Proclamation, 1990, and shall come into operation on 1 January 1991.

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Printed for the Transvaal Provincial Administration, Pta by
Aurora Printers, 161 Mitchell Street, Pretoria West.

Gedruk vir die Transvaalse Provinciale Administrasie, Pta
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