

THE PROVINCE OF TRANSVAAL
Official Gazette
Extraordinary

(Registered at the Post Office as a Newspaper)

PRICES: S.A. R1,25. OVERSEAS: 85c



DIE PROVINSIE TRANSVAAL
Buitengewone
Offisiële Koerant
(As 'n Nuusblad by die Poskantoor Geregistreer)

PRYS: S.A. 40c OORSEE: 50c

Vol. 235

PRETORIA 19 FEBRUARY 1992
19 FEBRUARIE

4811

Proclamation

No 5 (Administrator's), 1992

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

I, Willie Raymond Hoods, Acting Administrator of the Transvaal, under 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, 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 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 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 Pretoria this 19th day of February One thousand Nine hundred and Ninety-two.

W.R. HOODS

Acting Administrator 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 3 of Ordinance 9 of 1978, as amended by section 3 of Ordinance 18 of 1984, section 2 of Ordinance 14 of 1985 and section 1 of Administrator's Proclamation 44 of 1990

1. Section 3 of the Local Authorities Capital Development Fund Ordinance, 1978, is hereby amended—

(a) by the substitution in subsection (3)(b) for subparagraph (i) of the following subparagraph:

“(i) the lowest rate of interest applicable on 1 January of the immediately preceding financial year on loans from the Local Authorities Loans Fund es-

Proklamasie

No 5 (Administrateurs-), 1992

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

Ek, Willie Raymond Hoods, Waarnemende Administrateur van Transvaal, kragtens artikel 14(2)(a) van die Wet op Provinsiale Regering, 1986 (Wet No. 69 van 1986), en nadat aan die bepalings van artikel 16 van genoemde Wet voldoen is, wysig hierby die Ordonnansie op die Kapitaalontwikkelingsfonds van Plaaslike Besture, 1978 (Ordonnansie No. 9 van 1978), 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 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 Pretoria op hede die 19de dag van Februarie Eenduisend Negehonderd Twee-en-negentig.

W.R. HOODS

Waarnemende Administrateur van Transvaal

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde tussen vierkantige hake dui skappings uit bestaande verordeninge aan.

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

BYLAE

Wysiging van artikel 3 van Ordonnansie 9 van 1978, soos gewysig deur artikel 3 van Ordonnansie 18 van 1984, artikel 2 van Ordonnansie 14 van 1985 en artikel 1 van Administrateursproklamasie 44 van 1990

1. Artikel 3 van die Ordonnansie op die Kapitaalontwikkelingsfonds van Plaaslike Besture, 1978, word hierby gewysig—

(a) deur in subartikel (3)(b) subparagraaf (i) deur die volgende subparagraaf te vervang:

“(i) die laagste rentekoers wat op 1 Januarie van die onmiddellik voorafgaande boekjaar van toepassing was op lenings uit die Leningsfonds vir Plaas-

established in terms of section 2 of the Local Authorities Loans Fund Act, 1984 (Act 67 of 1984) [or], "; and

(b) by the deletion in subsection (3)(b) of subparagraph (ii).

Short title and commencement

2. This Proclamation shall be called the Local Authorities Capital Development Fund Amendment Proclamation, 1992, and shall come into operation on a date fixed by the Administrator by proclamation in the *Official Gazette*.

No 4 (Administrator's), 1992

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

I, Willie Raymond Hoods, Acting Administrator of the Transvaal, under 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, 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 Pretoria this 19th day of February One thousand Nine hundred and Ninety-two.

W.R. HOODS

Waarnemende Administrateur van 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 53 of Ordinance 40 of 1960, as amended by section 1 of Ordinance 16 of 1964

1. Section 53 of the Local Government Ordinance (Administration and Elections), 1960 (hereinafter referred to as the Ordinance), is hereby amended by the addition of the following subsection:

"(4)(a) Notwithstanding the provisions of section 18 of the Local Government Ordinance, 1939, the council may—

- (i) in the manner provided for in section 16(1) of that Ordinance for the election of a mayor, elect one of its members who is not a member of the management committee, to be chairman of the council; and
- (ii) in the manner provided for in section 17(1) of that Ordinance for the election of a deputy-mayor, elect any other member who is not a member

like Besture ingestel ingevolge artikel 2 van die Wet op die Leningsfonds vir Plaaslike Besture, 1984 (Wet 67 van 1984) [of], "; en

(b) deur in subartikel (3)(b) subparagraaf (ii) te skrap.

Kort titel en inwerkingtreding

2. Hierdie Proklamasie heet die Wysigingsproklamasie op die Kapitaalontwikkelingsfonds van Plaaslike Besture, 1992, en tree in werking op 'n datum deur die Administrateur by proklamasie in die *Offisiële Koerant* bepaal.

No 4 (Administrateurs-), 1992

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

Ek, Willie Raymond Hoods, Waarnemende Administrateur van Transvaal, kragtens artikel 14(2)(a) van die Wet op Provinsiale Regering, 1986 (Wet No. 69 van 1986), en nadat aan die bepalings van artikel 16 van genoemde Wet voldoen is, wysig 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 Pretoria op hede die 19de dag van Februarie Eenduisend Negehoonderd Twee-en-negentig.

W.R. HOODS

Waarnemende Administrateur van Transvaal

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde tussen vierkantige hake dui skappings uit bestaande verordeninge aan.

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

BYLAE

Wysiging van artikel 53 van Ordonnansie 40 van 1960, soos gewysig deur artikel 1 van Ordonnansie 16 van 1964

1. Artikel 53 van die Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiesings), 1960 (hieronder die Ordonnansie genoem), word hierby gewysig deur die volgende subartikel by te voeg:

"(4)(a) Ondanks die bepalings van artikel 18 van die Ordonnansie op Plaaslike Bestuur, 1939, kan die raad—

- (i) op die wyse bepaal in artikel 16(1) van daardie Ordonnansie vir die verkiesing van 'n burgemeester, iemand uit sy geledere wat nie 'n lid van die bestuurskomitee is nie, verkies om voorsitter van die raad te wees; en
- (ii) op die wyse bepaal in artikel 17(1) van daardie Ordonnansie vir die verkiesing van 'n onderburgemeester 'n ander lid wat nie 'n lid van die be-

of the management committee, as deputy-chairman to act as chairman of the council in the absence of the chairman referred to in subparagraph (i).

(b) The provisions of subsection (3) shall *mutatis mutandis* apply to a chairman and deputy-chairman referred to in paragraph (a)."

Amendment of section 57 of Ordinance 40 of 1960, as amended by section 15 of Ordinance 15 of 1968 and section 3 of Ordinance 17 of 1978

2. Section 57 of the Ordinance is hereby amended by the substitution for subsection (5) of the following subsection:

"(5) A management committee may, of its own accord or by direction of the council, take steps which are within the power of the council for the protection of the —

(a) personnel or the property of the council or property under the control of the council; or

(b) members of the council or a consultative or management committee established under section 2 of the Local Government (Extension of Powers) Ordinance, 1962 (Ordinance 22 of 1962), or the houses occupied by such members,

against attacks or sabotage, and steps so taken shall be deemed to have been taken by the council."

Amendment of section 60 of Ordinance 40 of 1960, as amended by section 3 of Ordinance 12 of 1981 and section 1 of Administrator's Proclamation 45 of 1990

3. Section 60 of the Ordinance is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) If a city council is of the opinion that the management committee, owing to the nature and extent of the powers, functions and duties which the management committee has or which will be delegated to it, is or will be unable to carry out or fulfill such powers, functions and duties satisfactorily, the council may, either for a general or a special purpose, appoint one or more committees from the members of the council and a consultative or management committee established under section 2 of the Local Government (Extension of Powers) Ordinance, 1962 (Ordinance 22 of 1962) if any, with such powers, functions and duties as the council may determine."

Short title and commencement

4. This proclamation shall be called the Local Government (Administration and Elections) Amendment Proclamation, 1992, and shall come into operation on a date fixed by the Administrator by proclamation in the *Official Gazette*.

No 2 (Administrator's), 1992

Amendment to the Municipal Consolidated Loans Fund Ordinance, 1952 (Ordinance No. 9 of 1952)

I, Willie Raymond Hoods Acting Administrator of the

stuurskomitee is nie, verkies as ondervoorsitter om by die afwesigheid van die voorsitter in subparagraaf (i) genoem as voorsitter van die raad waar te neem.

(b) Die bepalings van subartikel (3) is *mutatis mutandis* van toepassing op 'n voorsitter en ondervoorsitter in paragraaf (a) bedoel."

Wysiging van artikel 57 van Ordonnansie 40 van 1960, soos gewysig deur artikel 15 van Ordonnansie 15 van 1968 en artikel 3 van Ordonnansie 17 van 1978

2. Artikel 57 van die Ordonnansie word hierby gewysig deur subartikel (5) deur die volgende subartikel te vervang:

"(5) 'n Bestuurskomitee kan uit eie beweging of in opdrag van die raad stappe doen wat binne die bevoegdheid van die raad is vir die beskerming van die —

(a) personeel of eiendom van die raad of eiendom onder beheer van die raad; of

(b) lede van die raad of 'n raadplegende of bestuurskomitee ingestel kragtens artikel 2 van die Ordonnansie op Plaaslike Bestuur (Uitbreiding van Bevoegdhede), 1962 (Ordonnansie 22 van 1962), of die huise wat deur sodanige lede bewoon word.

teen aanvalle of sabotasie, en stappe aldus gedoen, word geag deur die raad gedoen te gewees het."

Wysiging van artikel 60 van Ordonnansie 40 van 1960, soos gewysig deur artikel 3 van Ordonnansie 12 van 1981 en artikel 1 van Administrateursproklamasie 45 van 1990

3. Artikel 60 van die Ordonnansie word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

"(1) Indien 'n grootstadsraad van mening is dat die bestuurskomitee vanweë die aard en omvang van die bevoegdhede, funksies en pligte wat die bestuurskomitee het of aan hom gedelegeer sal word, nie in staat is of sal wees om sodanige bevoegdhede, funksies en pligte na behore uit te voer of te vervul nie, kan die raad, of vir 'n algemene of 'n spesiale doel, een of meer komitees uit die geledere van die raad en 'n raadplegende of bestuurskomitee ingestel kragtens artikel 2 van die Ordonnansie op Plaaslike Bestuur (Uitbreiding van Bevoegdhede), 1962 (Ordonnansie 22 van 1962), as daar is, aanstel met die bevoegdhede, funksies en pligte wat die raad bepaal."

Kort titel en inwerkingtreding

4. Hierdie proklamasie heet die Wysigingsproklamasie op Plaaslike Bestuur (Administrasie en Verkiezings), 1992, en tree in werking op 'n datum deur die Administrateur by proklamasie in die *Offisiële Koerant* bepaal.

No 2 (Administrateurs-), 1992

Wysiging van die Ordonnansie op die Gekonsolideerde Leningsfonds vir Munisipaliteite, 1952 (Ordonnansie No. 9 van 1952)

Ek, Willie Raymond Hoods, Waarnemende Administrateur

Transvaal, under 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, hereby amend the Municipal Consolidated Loans Fund Ordinance, 1952 (Ordinance No. 9 of 1952), 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 Pretoria this 19th day of February One thousand Nine hundred and Ninety-two.

W.R. HOODS

Acting Administrator 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 4 of Ordinance 9 of 1952, as amended by section 2 of Ordinance 15 of 1985

1. Section 4 of the Municipal Consolidated Loans Fund Ordinance, 1952 (hereinafter referred to as the Ordinance), is hereby amended by the substitution for subsection (3) of the following subsection:

“(3) At the end of every financial year the moneys invested in terms of subsection (2)(c) shall bear interest at a rate [equal to the] not less than the lowest rate of interest of the Local Authorities Loans fund.”.

Amendment of section 12 of Ordinance 9 of 1952, as amended by section 3 of Ordinance 15 of 1985

2. Section 12 of the Ordinance is hereby amended by the substitution for paragraph (b) of subsection (2) of the following paragraph:

“(b) is [equal to the] not less than the lowest rate of interest of the Local Authorities Loans Fund established in terms of section 2 of the Local Authorities Loans Fund Act, 1984 (Act 67 of 1984).”.

Amendment of section 14 of Ordinance 9 of 1952, as substituted by section 1 of Ordinance 9 of 1957 and amended by section 3 of Ordinance 14 of 1981 and section 5 of Ordinance 15 of 1985

3. Section 14 of the Ordinance is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) The net proceeds received from the sale of an asset of the Council, other than an asset referred to in section 79(18) [(d) or] (f) or (h) or section 83(3)(a) of the Local Government Ordinance, 1939, acquired by means of an advance shall be applied in reduction of any outstanding balance of that advance and thereafter any surplus shall be paid into the Capital Development Fund.”.

van Transvaal, kragtens artikel 14(2)(a) van die Wet op Provinsiale Regering, 1986 (Wet No. 69 van 1986), en nadat aan die bepalings van artikel 16 van genoemde Wet voldoen is, wysig hierby die Ordonnansie op die Gekonsolideerde Leningsfonds vir Munisipaliteite, 1952 (Ordonnansie No. 9 van 1952), 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 Pretoria op hede die 19de dag van Februarie Eenduisend Negehoonderd Twee-en-negentig.

W.R. HOODS

Waarnemende Administrateur van Transvaal

ALGEMENE VERDUIDELIKENDE NOTA:

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

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

BYLAE

Wysiging van artikel 4 van Ordonnansie 9 van 1952, soos gewysig deur artikel 2 van Ordonnansie 15 van 1985

1. Artikel 4 van die Ordonnansie op die Gekonsolideerde Leningsfonds vir Munisipaliteite, 1952 (hieronder die Ordonnansie genoem), word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

“(3) Aan die einde van elke boekjaar dra die gelde ingevolge subartikel (2)(c) belê rente teen 'n koers wat [gelyk is aan die] nie minder is nie as die laagste rentekoers van die Leningsfonds vir Plaaslike Besture.”.

Wysiging van artikel 12 van Ordonnansie 9 van 1952, soos gewysig deur artikel 3 van Ordonnansie 15 van 1985

2. Artikel 12 van die Ordonnansie word hierby gewysig deur paragraaf (b) van subartikel (2) deur die volgende paragraaf te vervang:

“(b) [gelyk is aan die] nie minder is nie as die laagste rentekoers van die Leningsfonds vir Plaaslike Besture ingestel ingevolge artikel 2 van die Wet op die Leningsfonds vir Plaaslike Besture, 1984 (Wet 67 van 1984).”.

Wysiging van artikel 14 van Ordonnansie 9 van 1952, soos vervang deur artikel 1 van Ordonnansie 9 van 1957 en gewysig deur artikel 3 van Ordonnansie 14 van 1981 en artikel 5 van Ordonnansie 15 van 1985

3. Artikel 14 van die Ordonnansie word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

“(1) Die netto-opbrengs ontvang uit die verkoping van 'n bate van die Raad uitgesonderd 'n bate in artikel 79(18) [(d) of] (f) of (h) of artikel 83(3)(a) van die Ordonnansie op Plaaslike Bestuur, 1939, genoem, wat deur middel van 'n voorskot verkry is, word aangewend ter vermindering van enige uitstaande saldo van daardie voorskot en daarna word enige oorskot in die Kapitaalontwikkelingsfonds inbetaal.”.

Short title and commencement

4. This proclamation shall be called the **Municipal Consolidated Loans Fund Amendment Proclamation, 1992**, and shall come into operation on a date fixed by the Administrator by proclamation in the *Official Gazette*.

No 3 (Administrator's), 1992

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

I, Willie Raymond Hoods, Acting Administrator of the Transvaal, under 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, 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 Pretoria this 19th day of February One thousand Nine hundred and Ninety-two.

W.R. HOODS
Acting Administrator 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 2 of Ordinance 17 of 1939, as amended by section 1 of Ordinance 27 of 1951, section 1 of Ordinance 16 of 1955, section 1 of Ordinance 21 of 1957, section 1 of Ordinance 15 of 1968, section 1 of Ordinance 15 of 1969, section 1 of Ordinance 16 of 1979, section 1 of Ordinance 16 of 1984 and section 1 of Ordinance 18 of 1985

1. Section 2 of the Local Government Ordinance, 1939, (hereinafter referred to as the Ordinance), is hereby amended by:

(a) the deletion of the definitions "Asiatic", "coloured person" and "native"; and

(b) the substitution for the definition of "town council" of the following definition:

"town council" shall mean a council constituted under and by virtue of the provisions of Chapter I of this Ordinance, and shall include [City Councils] a city council that has been established by any other Ordinance, or a city council contemplated in section 9A;

Kort titel en inwerkingtreding

4. Hierdie proklamasie heet die **Wysigingsproklamasie op die Gekonsolideerde Leningsfonds vir Munisipaliteite, 1992**, en tree in werking op 'n datum deur die Administrateur by proklamasie in die *Offisiële Koerant* bepaal.

No 3 (Administrateurs-), 1992

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

Ek, Willie Raymond Hoods, Waarnemende Administrateur van Transvaal, kragtens artikel 14(2)(a) van die Wet op Provinsiale Regering, 1986 (Wet No. 69 van 1986), en nadat aan die bepalings van artikel 16 van genoemde Wet voldoen is, wysig hierby die Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiezings), 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 Pretoria op hede die 19de dag van Februarie Eenduisend Negehoenderd Twee-en-negentig.

W.R. HOODS
Waarnemende Administrateur van Transvaal

ALGEMENE VERDUIDELIKENDE NOTA:

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

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

BYLAE

Wysiging van artikel 2 van Ordonnansie 17 van 1939, soos gewysig deur artikel 1 van Ordonnansie 27 van 1951, artikel 1 van Ordonnansie 16 van 1955, artikel 1 van Ordonnansie 21 van 1957, artikel 1 van Ordonnansie 15 van 1968, artikel 1 van Ordonnansie 15 van 1969, artikel 1 van Ordonnansie 16 van 1979, artikel 1 van Ordonnansie 16 van 1984 en artikel 1 van Ordonnansie 18 van 1985

1. Artikel 2 van die Ordonnansie op Plaaslike Bestuur, 1939, (hieronder die Ordonnansie genoem), word hierby gewysig deur:

(a) Die omskrywings "Asiaat", "kleurling" en "naturel" te skrap; en

(b) die omskrywing van "stadsraad" deur die volgende omskrywing te vervang:

"stadsraad" 'n raad ingestel ingevolge die bepalings van Hoofstuk I van hierdie Ordonnansie, en sluit 'n "City Council" of grootstadsraad wat aldus verklaar is deur die een of ander Ordonnansie, en 'n grootstadsraad beoog in artikel 9A, in;"

Amendment of section 7 of Ordinance 17 of 1939

2. Section 7 is hereby amended by the substitution for paragraph (b) of the following subsection:

- “(b) Any outside area held by a council for the purpose of [native location, area for coloured persons, Asiatic bazaar,] tramway, light or waterworks, cemetery, sewerage or drainage works or any other municipal undertaking shall (except if it fall within another municipality) be under the control, jurisdiction and powers of the council but shall not form portion of the municipality, and to that extent shall be subject to the powers and provisions of this Ordinance and the by-laws thereunder.”.

Insertion of section 9A in Ordinance 17 of 1939

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

“Establishment of city council

9A.(1) The Administrator may subject to the provisions of section 10, by proclamation in the *Official Gazette* declare a town council to be a city council and the municipality of such town council to be a city.

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

(3) A reference in any other act or document to a town council or municipality declared to be a city council and a city under subsection (1) shall be construed as a reference to the city council or city concerned, as the case may be.”.

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

“Recovery of sanitary rates.

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

(2) If any charges due in respect of any premises for sanitary services, or if basic charges due for water made in terms of section 81(1), or if other charges due in respect of any premises for water where [water borne sewerage] any water-closet system on such premises has been installed, or if basic charges due for electricity made in terms of

Wysiging van artikel 7 van Ordonnansie 17 van 1939

2. Artikel 7 word hierby gewysig deur paragraaf (b) deur die volgende subartikel te vervang:

- “(b) Enige buitegebied waarvan 'n raad die houer is en wat bedoel is vir 'n [naturellelokasie, kleurlinggebied, Asia-tiese basaar,] tremweg, verligtings- of waterwerke, begraafplaas, riolering of dreineringswerke of enige ander munisipale onderneming val (behalwe as dit binne 'n ander munisipaliteit is) onder die beheer, jurisdiksie en bevoegdhede van die raad maar maak nie deel van die munisipaliteit uit nie en is in daardie mate onderworpe aan die bevoegdhede en bepalings van hierdie Ordonnansie en die verordeninge daaronder.”.

Invoeging van artikel 9A in Ordonnansie 17 van 1939

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

“Instelling van grootstadsraad

9A.(1) Die Administrateur kan behoudens die bepalings van artikel 10 by proklamasie in die *Offisiële Koerant* 'n stadsraad tot 'n grootstadsraad en die munisipaliteit van sodanige stadsraad tot 'n grootstad verklaar.

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

(3) 'n Verwysing in enige ander wet of dokument na 'n stadsraad of munisipaliteit wat kragtens subartikel (1) tot 'n grootstadsraad en 'n grootstad verklaar is, word uitgelê as 'n verwysing na die betrokke grootstadsraad of grootstad, na gelang van die geval.”.

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

“Invordering van saniteitsbelasting

49. (1) Alle gelde verskuldig vir [sanitasiedienste] saniteitsdienste, alle gelde verskuldig as basiese koste vir water gehef ingevolge artikel 81(1), alle ander gelde verskuldig vir water waar [waterriolering] enige spoel klosetsisteem op sodanige perseel geïnstalleer is en alle gelde verskuldig as basiese koste vir elektrisiteit gehef ingevolge artikel 83(1) is invorderbaar van die eienaar en bewoner gesamentlik en afsonderlik van die perseel waarvoor die dienste bewys was; met dien verstande dat aan gebrek aan 'n andersluidende ooreenkoms, die eienaar geregtig is om op die persoon wat op daardie tydstip genoemde perseel bewoon, enige sodanige gelde deur hom betaal ten opsigte van die bewoning deur so 'n persoon te verhaal.

(2) As enige koste verskuldig ten opsigte van enige perseel vir saniteitsdienste of as basiese koste vir water gehef ingevolge artikel 81(1), of as enige ander koste verskuldig ten opsigte van enige perseel vir water waar [waterriolering] enige spoel-klosetsisteem op sodanige perseel geïnstalleer is, of as basiese koste verskuldig vir

section 83(1), shall remain unpaid for a period of six weeks after the date on which written notice shall have been given by the council to the owner or occupier of his indebtedness, the council may proceed jointly and severally against the owner and occupier for the time being of such premises for the amount of such charges or any part thereof, and may recover the same from such owner or occupier; provided that every such occupier shall be entitled to deduct from any rent or other amount payable by him to the owner of the premises any portion of such charges paid by or recovered from him under this sub-section which the owner could not lawfully have required him to pay and the production of the receipts for such portion of such charges so paid or recovered from such occupier shall be a good and sufficient discharge for the amount so paid or recovered as payment of rent or other amount."

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

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

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

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

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

Amendment of section 67 of Ordinance 17 of 1939, as amended by section 3 of Ordinance 11 of 1942, 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

7. Section 67 of the Ordinance, is hereby amended –

(a) by the substitution for subsections (1) and (2) of the following subsections:

"(1) A [motion] proposal that steps be taken for the closing or diversion of a street or portion of a street shall be dealt with at a meeting of the council.

(2) If the said [motion] proposal be agreed to the council shall cause a plan to be prepared showing the position of the boundaries of the street or portion of the street proposed to be closed or diverted."

elektrisiteit gehef ingevolge artikel 83(1), onbetaal bly vir 'n tydperk van ses weke na die datum waarop die raad skriftelik kennis gegee het aan die eienaar of bewoner van sy skuld dan kan die raad gesamentlik of afsonderlik op die eienaar en bewoner op daardie tydstip van so 'n perseel 'n vordering instel vir die bedrag van sodanige koste of enige deel daarvan en die koste op so 'n eienaar of bewoner verhaal; met dien verstande dat elke sodanige bewoner die reg het om van enige huurgelde of ander bedrag deur hom aan die eienaar van die perseel betaalbaar, enige gedeelte van sodanige koste af te trek deur hom betaal of van hom ingevorder kragtens hierdie subartikel wat die eienaar nie wettiglik hom kon laat betaal het nie, en die vertoning van die kwitanties vir so 'n gedeelte van sodanige koste aldus betaal deur of ingevorder van so 'n bewoner, is geldige en voldoende kwytskelding vir die bedrag aldus betaal of ingevorder as betaling van huur of ander bedrag."

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

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

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

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

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

Wysiging van artikel 67 van Ordonnansie 17 van 1939, soos gewysig deur artikel 3 van Ordonnansie 11 van 1942, 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

7. Artikel 67 van die Ordonnansie word hierby gewysig –

(a) deur in die Engelse teks subartikels (1) en (2) deur die volgende subartikels te vervang:

"(1) A [motion] proposal that steps be taken for the closing or diversion of a street or portion of a street shall be dealt with at a meeting of the council.

(2) If the said [motion] proposal be agreed to the council shall cause a plan to be prepared showing the position of the boundaries of the street or portion of the street proposed to be closed or diverted."

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

“(3)(a) On completion of the said plan the council shall publish a notice in the *Provincial Gazette* and in at least one English and one Afrikaans newspaper circulating in the council's area of jurisdiction setting out briefly the council's proposals, stating that the said plan is open for inspection at a place and during the hours specified in such notice and calling upon any person who has any objection to the proposed closing or diversion or who will have any claim for compensation if such closing or diversion is carried out to lodge his objection or claim, as the case may be, with the council, in writing, not later than a specified date which shall be at least [sixty] thirty days from the date of publication of the *Provincial Gazette* or newspaper in which the notice will be published last.

- (b) The council shall at least [sixty] thirty days before the time for the lodging of objections and claims will expire —

(i) cause copies of the said notice to be posted in a conspicuous manner on or near the street or portion of the street which it is desired to close or divert and shall cause such copies to remain posted as aforesaid until the time for lodging objections and claims has expired;

(ii) cause a copy of the said notice to be served on the owners or reputed owners, lessees or reputed lessees and the occupiers of all properties abutting upon the street or portion of the street which it is proposed to close or divert; provided that if the name and address of any such owner, reputed owner, lessee, reputed lessee or occupier cannot after reasonably enquiry be ascertained a copy of the notice need not be served on him: Provided further that if any such property has more than one lessee, reputed lessee or occupier a copy of the said notice may be posted on the principal door of the main building or in another conspicuous place on such property and need not to be served on every such lessee, reputed lessee or occupier, except where such property is a sectional titles property, in which case the notice shall also be served on the owners of the units or body corporate.”.

Amendment of section 72 of Ordinance 17 of 1939

8. Section 72 is hereby amended by the substitution for subsections (1) and (2) of the following subsections:

- (b) deur subartikel (3) deur die volgende subartikel te vervang:

“(3)(a) Na voltooiing van genoemde plan, moet die raad 'n kennisgewing in die *Offisiële Koerant* van die Provinsie Transvaal en in minstens een Engelse en een Afrikaanse nuusblad, wat in die regsgebied van die raad in omloop is, laat publiseer, waarin die voorstelle van die raad kortliks uiteengesit word en gemeld word dat genoemde plan op 'n plek en gedurende die ure in sodanige kennisgewing bepaal, ter insae lê, en waarin iedereen wat enige beswaar teen die voorgestelde sluiting of verlegging het of wat enige eis tot skadevergoeding sal hê indien sodanige sluiting of verlegging uitgevoer word, versoek word om sy beswaar of eis, na gelang van die geval, skriftelik by die raad in te dien, nie later as 'n vasgestelde datum nie, wat minstens [sestig] dertig dae moet wees na die datum van publikasie van die *Offisiële Koerant* van die Provinsie Transvaal of nuusblad waarin die kennisgewing laaste gepubliseer word.

- (b) Die raad moet minstens [sestig] dertig dae voordat die tyd vir die indiening van besware en eise verstryk —

(i) afskrifte van genoemde kennisgewing op 'n in die oog vallende wyse op of naby die straat of gedeelte van die straat, waarvan die sluiting of verlegging verlang word, laat aanplak en moet sodanige afskrifte aangeplak laat bly soos voornem totdat die tyd vir die indiening van besware en eise verstryk het;

(ii) 'n afskrif van genoemde kennisgewing op die eienaars of vermeende eienaars, huurders of vermeende huurders en die okkupeerders van alle eiendomme wat grens aan die straat of gedeelte van die straat waarvan die sluiting of verlegging voorgestel word, laat dien: met dien verstande dat, indien die naam en adres van enige sodanige eienaar, vermeende eienaar, huurder, vermeende huurder of okkupeerder na redelike navraag nie vasgestel kan word nie, 'n afskrif van die kennisgewing nie op hom gedien behoeft te word nie: Met dien verstande verder dat indien sodanige eiendom meer as een huurder, vermeende huurder of bewoner het, 'n afskrif van die genoemde kennisgewing aangebring word op die hoof deur van die hoofgebou of op 'n ander in die ooglopende plek of sodanige eiendom en nie op enige sodanige huurder, vermeende huurder of bewoner gedien hoef te word nie, behalwe waar sodanige eiendom 'n deeltiteleiendom is, in welke geval die kennisgewing gedien sal moet word op die eienaars van die eenhede of die regspersoon.”.

Wysiging van artikel 72 van Ordonnansie 17 van 1939

8. Artikel 72 word hierby gewysig deur subartikels (1) en (2) deur die volgende subartikels te vervang:

"(1) Anything to the contrary in any law notwithstanding, the council shall have power by itself or its officers or servants to enter into and upon any premises within the municipality, forcibly if need be, for the purpose of exercising any power of inspection, inquiry or execution of work which is given to the council under this Ordinance or under any by-law or regulation in force within the municipality; provided that except for the purpose of carrying out any sanitary service or for any other purpose specially provided for in this Ordinance or any other law such power of entry shall not be exercised in respect of premises which are not used for the purpose of or in connection with any trade or business [and are not situated in a native location] save between the hours of [7 a.m.] 07:00 and [7 p.m.] 19:00 unless either—

- (a) there is reasonable ground for suspecting that any act causing a nuisance or constituting a contravention of this Ordinance or any by-law or regulation in force in the municipality is being committed on such premises at any other hour; or
- (b) entry on such premises at some other hour appears on reasonable grounds to be necessary for the purpose of dealing with any case of infectious or contagious disease or any outbreak of fire, escape of water, or other emergency, whether actual or suspected.

(2) The medical officer of health or any sanitary inspector may when entering upon any premises in exercise of the power conferred by this section be accompanied by any [European] member of [a police force lawfully established in the Province] the South African Police."

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, section 3 of Administrator's Proclamation 34 of 1988 and section 7 of Proclamation 40 of 1990.

9. Section 79 of the Ordinance is hereby amended -

"(1) Nieteenstaande andersluidende bepalings in enige wet, het die raad die reg om self of deur sy beamptes of dienaars enige perseel binne die munisipaliteit te betree of binne te gaan, so nodig met geweld, vir die doel om enige reg van inspeksie, ondersoek of uitvoering van werk uit te oefen wat aan die raad verleen is kragtens hierdie Ordonnansie of kragtens enige verordeninge of regulasie van krag binne die munisipaliteit; met dien verstande dat behalwe vir die doel van verrigting van enige gesondheidsdiens of vir enige ander doel waarvoor spesiaal voorsiening gemaak is in hierdie Ordonnansie of enige ander wet, so 'n reg van betreding nie uitgeoefen mag word nie ten opsigte van 'n perseel wat nie gebruik word vir die doel van of in verband met enige bedryf of besigheid [en nie geleë is in 'n natuurlike lokasie nie] behalwe tussen die ure [7 vm.] 07:00 en [7 nm.] 19:00 tensy daar óf—

- (a) rede is om te vermoed dat enige handeling wat 'n oorlas veroorsaak of 'n oortreding van hierdie Ordonnansie of enige verordening of regulasie in die munisipaliteit van krag, uitmaak op so 'n perseel op enige ander tyd begaan word; óf
- (b) op redelike grond toegang tot so 'n perseel op enige ander tyd noodsaaklik blyk vir die doel om te handel met enige geval van besmetlike of aansteeklike siekte of enige uitbreek van brand, weglomp van water of ander onverwagte gebeurtenis, hetsy werklik of verdag.

(2) Die geneeskundige gesondheidsbeampte of enige gesondheidsinspekteur kan, wanneer hy enige eiendom betree met die doel om die bevoegdheid by hierdie artikel toegeken, uit te oefen, vergesel wees van 'n [blanke] lid van ['n polisiemag wettiglik in die Provinsie ingestel] die Suid-Afrikaanse Polisie."

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, artikel 3 van Administrateursproklamasie 34 van 1988 en artikel 7 van Proklamasie 40 van 1990.

9. Artikel 79 van die Ordonnansie word hierby gewysig -

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

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

(b) by the substitution for subsection (11) of the following subsection:

“(11) set apart any such portion of any recreation ground established by the council as may be fixed by the council and described in a notice set up in some conspicuous position in such recreation ground for the purpose of any particular game or recreation and to exclude the public [or any class or section thereof] from the part so set apart while it is in actual use for that purpose;”;

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

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

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

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

(f) by the deletion of subsection (30);

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

“(i) in different parts of the municipality; and

(ii) inside and outside the municipality; [and

(iii) to persons of different races]”.

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

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

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

(b) deur subartikel (11) deur die volgende subartikel te vervang:

“(11) enige gedeelte van 'n ontspanningsoord deur die raad ingestel, al na die raad bepaal, en omskrywe in 'n kennisgewing aangebring op een of ander duidelik sigbare plek op so 'n ontspanningsgrond, uithou vir die doel van enige bepaalde spel of ontspanning en die publiek [of enige klas of deel daarvan] uitsluit van die gedeelte aldus uitgehou terwyl dit vir daardie doel in werklike gebruik is;”;

(c) deur subparagraph (ii) van subartikel (17)(a) te skrap;

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

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

(e) deur subartikel (23) te skrap;

(f) deur subartikel (30) te skrap;

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

“(i) in verskillende dele van die munisipaliteit en

(ii) binne en buite die munisipaliteit; [en

(iii) aan persone van verskillende rasse]”.

Wysiging van artikel 80 van Ordonnansie 17 van 1939, soos gewysig deur artikel 9 van Ordonnansie 12 van 1941, artikel 6 van Ordonnansie 11 van 1942, artikel 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 5 van Ordonnansie 22 van 1977, artikel 5 van Ordonnansie 16 van 1979, artikel 4 van Ordonnansie 13 van 1980, artikel 11

of 1984, section 11 of Ordinance 18 of 1985, section 4 of Administrator's Proclamation 34 of 1988 and section 10 of Proclamation 40 of 1990.

10. Section 80 of the Ordinance is hereby amended -

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

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

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

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

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

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

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

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

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

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

van Ordonnansie 16 van 1984, artikel 11 van Ordonnansie 18 van 1985, artikel 4 van Administrateursproklamasie 34 van 1988 en artikel 10 van Proklamasie 40 van 1990

10. Artikel 80 van die Ordonnansie word hierby gewysig -

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

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

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

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

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

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

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

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

- (e) deur subartikel (29) te skrap;

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

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

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

"(48A) subject to the provisions of the Factories, Machinery and Building Work Act, 1941 (Act 22 of 1941), for the requiring and regulating the provision in any building erected or to be erected of such eating or restroom facilities, or both, as the council may deem necessary or as the council may prescribe for persons who occupy or will occupy or are or will be employed in such building [and the setting apart or reserving of such eating or restroom facilities, or both, for the exclusive use of persons of any particular race or category and in such by-laws to differentiate between buildings, in different parts of the municipality or between different categories of persons who occupy or will occupy or are or will be employed in such buildings];";

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

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

- (i) by the substitution for paragraph (a) of subsection (59) of the following paragraph:

"(a) for the giving of notice and the deposit of plans and sections by persons wishing to construct or alter buildings before commencing any such work, and for the approval or otherwise of all plans and sections of any such buildings or alterations by the council, and for charging fees in connection therewith and any such by-law may provide that the council may restrict the accommodation shown on such plans and sections for [servants] employees;";

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

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

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

- (l) by the substitution for paragraph (c) for subsection (93) of the following paragraph:

"(c) for the providing for the [exemption of any blind person] full or partial exemption of any category persons from the payment of such tax in respect of [a dog used by such person mainly as a guide or lead dog;] all dogs or any category of dogs;";

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

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

"(48A) om, behoudens die bepalings van die Wet op Fabriek, Masjinerie en Bouwerk, 1941 (Wet 22 van 1941), die voorsiening in enige gebou wat opgerig is of opgerig staan te word van sodanige eet- of ruskamergeriewe, of beide, as wat die raad nodig ag of wat die raad voorskryf vir persone wat sodanige gebou okkupeer of sal okkupeer of daarin werksaam is of sal wees [en die afsondering of aanwysing van sodanige eet- of ruskamergeriewe, of beide, vir die insluitende gebruik van persone van enige besondere ras of kategorie] te vereis en te reguleer [en om in sodanige verordeninge te onderskei tussen geboue in verskillende dele van die munisipaliteit of tussen verskillende kategorieë van persone wat sodanige geboue okkupeer of sal okkupeer of daarin werksaam is of sal wees];";

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

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

- (i) deur paragraaf (a) van subartikel (59) deur die volgende paragraaf te vervang:

"(a) om te reël dat kennis gegee en grond- en deursnyplanne ingedien word deur persone wat geboue wil oprig of verbou, voordat met so 'n werk 'n aanvang gemaak word, en dat die raad alle grond- en deursnyplanne van sulke geboue of verbouings, goed- of afkeur en dat geld in verband daarmee gehef word en enige sodanige verordening kan bepaal dat die raad die huisvesting vir [bediendes] werknemers aangetoon op sodanige grond- en deursnyplanne kan beperk;";

- (j) deur subartikel (76) deur die volgende subartikel te vervang:

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

- (k) deur subartikel (91) te skrap;

- (l) deur paragraaf (c) van subartikel (93) deur die volgende paragraaf te vervang:

"(c) om voorsiening te maak vir die [vrystelling van enige blinde persoon] volle of gedeeltelike vrystelling van enige kategorie persone van die betaling van sodanige belasting ten opsigte van ['n hond wat deur sodanige persoon gebruik word hoofsaaklik as 'n gids- of leihond;] alle honde of enige kategorie honde;";

(m) by the substitution for subsection (98) of the following subsection:

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

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

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

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

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

Amendment of section 131 of Ordinance 17 of 1939, as amended by section 15 of Ordinance 27 of 1951, section 10 of Ordinance 21 of 1957, section 7 of Ordinance 14 of 1976, section 48 of Ordinance 11 of 1977, section 5 of Ordinance 22 of

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

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

(n) deur subartikel (121) te skrap.

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

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

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

Wysiging van artikel 131 van Ordonnansie 17 van 1939, soos gewysig deur artikel 15 van Ordonnansie 27 van 1951, artikel 10 van Ordonnansie 21 van 1957, artikel 7 van Ordonnansie 14 van 1976, artikel 48 van Ordonnansie 11 van 1977, artikel

1977, as substituted by section 9 of Ordinance 16 of 1982 having previously been substituted by section 6 of Ordinance 13 of 1980 and section 9 of Proclamation 34 (Adm) of 27 July 1988 having previously been substituted by section 5 of Ordinance 22 of 1977

12. Section 131 of the Ordinance is hereby amended by the substitution for paragraph (b) of subsection (11) of the following paragraph:

“(b) contribute to any organisation (approved by the Administrator) established for collecting and collating information in regard to the amenities and advantages of the [Union] Republic of South Africa or any part thereof whether commercial, historical, scenic, recreational, curative or climatic and for disseminating that information within or outside the said [Union] Republic [and any such contribution shall be subject to the following conditions —

- (i) the serving and waiting upon of non-Europeans by Europeans at any function provided by such organisation shall be prohibited;
- (ii) no function shall be provided by such organisation both for Europeans who are not councillors, municipal officers or representatives of a State Department, inclusive of the Transvaal Provincial Administration, who have been invited in their capacities as such, and for non-Europeans, unless such organisation has obtained, through the medium of the council, the prior approval of the Administrator thereto;
- (iii) on breach of any of the foregoing conditions no such organisation shall receive any further contribution in terms of this paragraph except with the consent of the Administrator];”.

Substitution of section 151 of Ordinance 17 of 1939, as amended by section 16 of Ordinance 12 of 1941

13. Section 151 of the Ordinance is hereby amended by the substitution for paragraph (b) of the following paragraph:

“(b) for [appointing separate tramcars for the use of white persons and of natives or Asiatics or other coloured persons respectively and restricting the use of such cars to such persons and] prohibiting the use of any tramcars by persons who are not respectably dressed or well conducted;”.

Amendment of section 167 of Ordinance 17 of 1939

14. Section 167 is hereby amended:

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

“(b) any article, whether solid or liquid, intended for human consumption and sold or exposed for sale, or deposited in any place or in course of transmission for the purpose of sale or of preparation for sale or for the purpose of being supplied by an employer to his employees;

the medical officer of health or veterinary surgeon or sanitary inspector may seize and carry away by himself or with assistance any such animal or article which in his opinion is diseased or

5 van Ordonnansie 22 van 1977, soos vervang deur artikel 9 van Ordonnansie 16 van 1982, terwyl dit voorheen vervang is deur artikel 6 van Ordonnansie 13 van 1980 en artikel 9 van Proklamasie 34 (Adm) van 27 Julie 1988 terwyl dit voorheen vervang is deur artikel 5 van Ordonnansie 22 van 1977

12. Artikel 131 van die Ordonnansie word hierby gewysig deur paragraaf (b) van subartikel (11) deur die volgende paragraaf te vervang:

“(b) bydra tot enige organisasie (deur die Administrateur goedgekeur) wat ingestel is vir die insameling en vergelyking van gegewens omtrent die aantreklikhede en voordele van die [Unie] Republiek van Suid-Afrika of enige deel daarvan, betreffende die handel, geskiedenis, natuurskoon, ontspanning, genesing of klimaat en vir die verspreiding van bedoelde gegewens binne of buite genoemde [Unie] Republiek; [en enige sodanige bydrae is onderworpe aan die volgende voorwaardes —

- (i) die bediening van nie-blankes deur blankes by enige verrigting wat deur sodanige organisasie aangebied word, word verbied;
- (ii) geen verrigting mag deur sodanige organisasie vir beide blankes wat nie raadslede, munisipale beamptes of verteenwoordigers van 'n staatsdepartement, insluitende die Transvaalse Provinsiale Administrasie, is nie wat in hulle hoedanigheid as sodanig uitgenooi is en vir nie-blankes voorsien word nie, tensy sodanige organisasie deur bemiddeling van die raad, vooraf die goedkeuring van die Administrateur daartoe verkry het;
- (iii) na verontagsaming van enige van die voorafgaande voorwaardes, ontvang sodanige organisasie geen verdere bydraes ingevolge hierdie paragraaf uitgesonderd met die toestemming van die Administrateur nie;]”.

Vervanging van artikel 151 van Ordonnansie 17 van 1939, soos gewysig deur artikel 16 van Ordonnansie 12 van 1941

13. Artikel 151 van die Ordonnansie word hierby gewysig deur paragraaf (b) deur die volgende paragraaf te vervang:

“(b) [om afsonderlike tremwaens vir die gebruik van ongeskeidelik blanke persone en van naturelle of Asiate of ander kleurlinge vas te stel en om die gebruik van sulke waens tot sulke persone te beperk en] om die gebruik van enige tremwaens te verbied deur persone wat nie fatsoenlik gekleed is of wat hulle nie behoorlik gedra nie;”.

Wysiging van artikel 167 van Ordonnansie 17 van 1939

14. Artikel 167 word hierby gewysig:

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

“(b) enige artikel, hetsy solied of vloeibaar, bestem vir menslike verbruik en wat verkoop of te koop uitgestal word, of op enige plek geplaas of wat oorbring word vir die doel van verkoop of van bereiding vir verkoop of om deur 'n werkgewer aan sy [bediendes] werknemers gegee te word, te inspekteer en te ondersoek, en hy mag dit inspekteer en ondersoek; die geneeskundige gesondheidsbeampte of veearts of gesondheidsinspekteur kan persoonlik of met behulp van iemand anders so 'n dier of artikel wat na sy mening siek of ongesond of ongeskik vir menslike

unsound or unfit for human consumption, and may detain for a reasonable time pending examination and inquiry any animal or article which is suspected of being diseased or unsound or unfit for human consumption.

A medical officer of health or any veterinary surgeon or any sanitary inspector approved as aforesaid may cut into any dead animal or article of food for the purpose of any examination under this section.

Any [European] member of [a police force lawfully established in the Province] the South African Police shall have power to search carts or vehicles, or barrows, baskets sacks, bags, receptacles or parcels; and to assist generally in executing and enforcing this section.”; and

- (b) by the substitution in paragraph (b) of subsection (3) of the Afrikaans text for the word “bediendes” of the word “werknemers”.

Short title and commencement

15. (1) This proclamation shall be called the Local Government Ordinance Amendment Proclamation, 1992, and shall come into operation on a date fixed by the Administrator by proclamation in the Official Gazette.
- (2) Different dates may be so fixed in respect of different provisions of this proclamation.

verbruik is, in beslag neem en saam neem, en enige dier of artikel wat vermoedelik siek of ongesond of ongeskik vir menslike gebruik is vir 'n redelike tyd in afwagting van keuring en ondersoek, aanhou.

'n Geneeskundige gesondheidsbeampte of enige veearts of enige gesondheidsinspekteur goedgekeur soos voormeld, kan in enige dooie dier of voedingsartikel sny vir die doel van enige ondersoek kragtens hierdie artikel.

Enige [blanke] lid van [’n polisiemag wettiglik in die Provinsie gevestig] die Suid-Afrikaanse Polisie, het die reg om karre of voertuie, of kruiwaens, mandjies, sakke, draagbakke of pakkette deur te soek; en om in die algemeen mee te werk tot die uitvoering van toepassing van hierdie artikel.”; en

- (b) deur in paragraaf (b) van subartikel (3) die woord “bediendes” deur die woord “werknemers” te vervang.

Kort titel en inwerkingtreding

15. (1) Hierdie proklamasie heet die Wysigingsproklamasie op die Ordonnansie op Plaaslike Bestuur, 1992, en tree in werking op 'n datum wat die Administrateur by proklamasie in die Offisiële Koerant bepaal.
- (2) Verskillende datums kan aldus bepaal word ten opsigte van verskillende bepalings van hierdie proklamasie.

