



GOVERNMENT GAZETTE

OF THE REPUBLIC OF SOUTH AFRICA

REPUBLIEK VAN SUID-AFRIKA

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STATE PRESIDENT'S OFFICE

No. 905.

24 April 1985

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

No. 45 of 1985: Promotion of Local Government Affairs Amendment Act, 1985.

KANTOOR VAN DIE STAATSPRESIDENT

No. 905.

24 April 1985

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

No. 45 van 1985: Wysigingswet op die Bevordering van Plaaslike Owerheidsaangeleenthede, 1985.

Act No. 45, 1985

PROMOTION OF LOCAL GOVERNMENT AFFAIRS AMENDMENT
ACT, 1985

GENERAL EXPLANATORY NOTE:

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

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

ACT

To amend the Promotion of Local Government Affairs Act, 1983, so as to further regulate the constitution of the Council for the Co-ordination of Local Government Affairs and the action committee of that council; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 12 April 1985.)*

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

Amendment of section 1 of Act 91 of 1983, as amended by section 1 of Act 116 of 1984.

1. Section 1 of the Promotion of Local Government Affairs Act, 1983 (hereinafter referred to as the principal Act), is hereby amended—
- (a) by the insertion after the definition of “Department” of the following definition:
“development board” a development board established under section 3 of the Black Communities Development Act, 1984 (Act No. 4 of 1984);”; and
 - (b) by the substitution for the definition of “local authority” of the following definition:
“local authority” means any institution or body contemplated in section 84 (1) (f) of the Republic of South Africa Constitution Provincial Government Act, 1961 (Act No. 32 of 1961), and includes—

- (a) an institution or body established under the Rural Coloured Areas Law, 1979 (Law No. 1 of 1979), of the Coloured Persons Representative Council of the Republic of South Africa;
- (b) a regional services council;
- (c) a community council established under the Community Councils Act, 1977 (Act No. 125 of 1977); or
- (d) a local authority as defined in the Black Local Authorities Act, 1982 (Act No. 102 of 1982);”.

Amendment of section 3 of Act 91 of 1983.

2. Section 3 of the principal Act is hereby amended—
- (a) by the insertion after paragraph (a) of subsection (2) of the following paragraphs:
“(aA) the Minister of Co-operation, Development and Education;
(aB) every Minister of a department of State responsible for local government affairs;”;

WYSIGINGSWET OP DIE BEVORDERING VAN PLAASLIKE OWERHEIDSAAANGELEENTHEDE, 1985

Wet No. 45, 1985

ALGEMENE VERDUIDELIKENDE NOTA:

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Woerde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

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

WET

Tot wysiging van die Wet op die Bevordering van Plaaslike Owerheidsaangeleenthede, 1983, ten einde die samestelling van die Raad vir die Koördinering van Plaaslike Owerheidsaangeleenthede en die aksiekomitee van daardie raad verder te reël; en om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 12 April 1985.)

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

1. Artikel 1 van die Wet op die Bevordering van Plaaslike Owerheidsaangeleenthede, 1983 (hieronder die Hoofwet genoem), word hierby gewysig—

(a) deur na die omskrywing van "munisipale ontwikkelingsraad" die volgende omskrywing in te voeg:
"ontwikkelingsraad" 'n ontwikkelingsraad ingestel kragtens artikel 3 van die Wet op die Ontwikkeling van Swart Gemeenskappe, 1984 (Wet No. 4 van 1984); en

(b) deur die omskrywing van "plaaslike owerheid" deur die volgende omskrywing te vervang:
"plaaslike owerheid" 'n instelling of liggaam beoog in artikel 84 (1) (f) van die **[Grondwet van die Republiek van Suid-Afrika] Wet op Provinciale Bestuur**, 1961 (Wet No. 32 van 1961), en ook—

(a) 'n instelling of liggaam ingestel kragtens die Wet op Landelike Kleurlinggebiede, 1979 (Wet No. 1 van 1979), van die Verteenwoordigende Kleurlingraad van die Republiek van Suid-Afrika;
(b) 'n streekdiensteraad;
(c) 'n gemeenskapsraad ingestel kragtens die Wet op Gemeenskapsrade, 1977 (Wet No. 125 van 1977); of
(d) 'n plaaslike bestuur soos omskryf in die Wet op Swart Plaaslike Besture, 1982 (Wet No. 102 van 1982)."

Wysiging van artikel 1 van Wet 91 van 1983, soos gewysig deur artikel 1 van Wet 116 van 1984.

30 2. Artikel 3 van die Hoofwet word hierby gewysig—

(a) deur na paragraaf (a) van subartikel (2) die volgende paragrawe in te voeg:

"(aA) die Minister van Samewerking, Ontwikkeling en Onderwys;

35 (aB) elke Minister van 'n Staatsdepartement verantwoordelik vir plaaslike owerheidsaangeleenthede;"

Wysiging van artikel 3 van Wet 91 van 1983.

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PROMOTION OF LOCAL GOVERNMENT AFFAIRS AMENDMENT ACT, 1985

- (b) by the substitution for paragraph (e) of subsection (2) of the following paragraphs:
- “(e) the Director-General: **[Internal Affairs] Co-operation and Development;**
- “(eA) the Directors-General of the Administration: House of Assembly, the Administration: House of Representatives and the Administration House of Delegates;”;
- (c) by the insertion after paragraph (h) of subsection (2) of the following paragraph:
- “(i) the Director of the Urban Councils Association of South Africa.”;
- (d) by the insertion after paragraph (d) of subsection (3) of the following paragraph:
- “(dA) one member of the Institute of Administrators of Community Affairs of the Republic of South Africa nominated by that Institute;”;
- (e) by the substitution for paragraph (g) of subsection (3) of the following paragraphs:
- “(g) two **[members of the executive committee of the South African Indian Council]** persons nominated by **[that committee]** the Urban Councils Association of South Africa;
- “(gA) two persons nominated by the Council of Chairmen of the Development Boards;”;
- (f) by the substitution for subsection (5) of the following subsection:
- “(5) The Minister shall be chairman of the co-ordinating council and if he is absent from any meeting of the council **one of the other Ministers who are members of the council in terms of subsection (2)** or the Administrator designated by the Minister shall preside at such meeting.”.

Amendment of
section 5 of
Act 91 of 1983.

3. Section 5 of the principal Act is hereby amended—
- (a) by the insertion after subparagraph (i) of paragraph (a) of subsection (1) of the following subparagraphs:
- “(iA) the Minister of Co-operation, Development and Education;
- “(iB) every Minister of a department of State responsible for local government affairs;”;
- (b) by the insertion after subparagraph (ix) of paragraph (a) of subsection (1) of the following subparagraphs:
- “(x) the person appointed in terms of section 3 (3) (dA);
- “(xi) one of the members appointed in terms of section 3 (3) (g), nominated for this purpose by the association referred to therein;
- “(xii) one of the members appointed in terms of section 3 (3) (gA), nominated for this purpose by the council referred to therein.”;
- (c) by the insertion after paragraph (b) of subsection (1) of the following paragraph:
- “(c) The action committee may allow any member of the co-ordinating council or any alternate of such member or a member of a committee referred to in subsection (2) who is not a member of the council, to attend any meeting of the action committee, and may allow such person to speak at such meeting.”.

Short title.

4. This Act shall be called the Promotion of Local Government Affairs Amendment Act, 1985.

WYSIGINGSWET OP DIE BEVORDERING VAN PLAASLIKE
OWERHEDSAANGELEENTHEDE, 1985

Wet No. 45, 1985

- (b) deur paragraaf (e) van subartikel (2) deur die volgende paragrawe te vervang:
 “(e) die Direkteur-generaal: **[Binnelandse Aangeleenthede]** Samewerking en Ontwikkeling;
- 5 (eA) die Directeurs-generaal van die Administrasie: Volksraad, die Administrasie: Raad van Verteenwoordigers en die Administrasie: Raad van Afgevaardigdes;”;
- 10 (c) deur na paragraaf (h) van subartikel (2) die volgende paragraaf in te voeg:
 “(i) die Directeur van die Vereniging van Stedelike Rade van Suid-Afrika.”;
- 15 (d) deur na paragraaf (d) van subartikel (3) die volgende paragraaf in te voeg:
 “(dA) een lid van die Instituut vir Administrateurs van Gemeenskapsaangeleenthede van die Republiek van Suid-Afrika wat deur daardie Instituut benoem is;”;
- 20 (e) deur paragraaf (g) van subartikel (3) deur die volgende paragrawe te vervang:
 “(g) twee **[lede van die uitvoerende komitee van die Suid-Afrikaanse Indiërraad wat deur daardie komitee]** persone wat deur die Vereniging van Stedelike Rade van Suid-Afrika benoem is;
- 25 (gA) twee persone wat deur die Raad van Voorsitters van Ontwikkelingsrade benoem is.”; en
- (f) deur subartikel (5) deur die volgende subartikel te vervang:
 “(5) Die Minister is voorzitter van die koördinerende raad en indien hy van 'n vergadering van die raad afwezig is, sit een van die ander Ministers wat ingevolge subartikel (2) lede van die raad is of die Administrateur wat deur die Minister aangewys word op daardie vergadering voor.”.
- 35 3. Artikel 5 van die Hoofwet word hierby gewysig—
 (a) deur na subparagraph (i) van paragraaf (a) van subartikel (1) die volgende subparagraphs in te voeg:
 “(iA) die Minister van Samewerking, Ontwikkeling en Onderwys;
- 40 (iB) elke Minister van 'n Staatsdepartement verantwoordelik vir plaaslike owerhedsaangeleenthede;”;
- (b) deur na subparagraph (ix) van paragraaf (a) van subartikel (1) die volgende subparagraphs in te voeg:
 “(x) die persoon ingevolge artikel 3 (3) (dA) aangestel;
- 45 (xi) een van die lede ingevolge artikel 3 (3) (g) aangestel, wat vir dié doel deur die vereniging daarin vermeld, benoem is;
- (xii) een van die lede ingevolge artikel 3 (3) (gA) aangestel, wat vir dié doel deur die raad daarin vermeld, benoem is.”; en
- 50 (c) deur na paragraaf (b) van subartikel (1) die volgende paragraaf in te voeg:
 “(c) Die aksiekomitee kan 'n lid van die koördinerende raad of 'n plaasvervangende lid van so 'n lid of 'n lid van 'n komitee in subartikel (2) bedoel wat nie 'n lid van die raad is nie, toelaat om 'n vergadering van die aksiekomitee by te woon, en kan so 'n persoon toelaat om op so 'n vergadering te praat.”.

Wysiging van
artikel 5 van
Wet 91 van 1983.

- 60 4. Hierdie Wet heet die Wysigingswet op die Bevordering van Kort titel.
 Plaaslike Owerhedsaangeleenthede, 1985.

