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GOEWERMENSKENNISGEWING.**DEPARTEMENT VAN KLEURLINGSAKE.**

No. R.1375]

[15 September 1965.]

REGULASIES UITGEVAARDIG KRAGTENS DIE
 WET OP LANDELIKE KLEURLINGGEBIEDE, 1963.

Dit het die Minister van Kleurlingsake behaag om, kragtens artikels *drie-en-dertig* en *twee-en-veertig* van die Wet op Landelike Kleurlinggebiede, 1963 (Wet No. 24 van 1963), die regulasies wat hieronder verskyn, te maak en om verder die bestaande regulasies soos uitgevaardig by Goewermentskennisgewing No. R.1866 van 18 November 1960, en gewysig by Goewermentskennisgewing No. R.392 van 3 Maart 1961, te herroep.

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2. Woordomskeywing.

Tensy uit die samehang anders blyk, beteken in hierdie regulasies—

- (i) „die Wet” die Wet op Landelike Kleurlinggebiede, 1963 (Wet No. 24 van 1963); (vi)

GOVERNMENT NOTICE.**DEPARTMENT OF COLOURED AFFAIRS.**

No. R.1375.]

[15th September, 1965.]

REGULATIONS PROMULGATED IN TERMS OF
 THE RURAL COLOURED AREAS ACT, 1963.

The Minister of Coloured Affairs has been pleased to make in terms of the provisions of sections *thirty-three* and *fifty-two* of the Rural Coloured Areas Act, 1963 (Act No. 24 of 1963), the subjoined regulations and in addition to repeal the existing regulations promulgated under Government Notice No. R.1866 of 18th November, 1960, and amended by Government Notice No. R.392 of 3rd March, 1961.

CLASSIFICATION OF REGULATIONS.

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2. Interpretation of Terms.

In these regulations, unless the context otherwise indicates—

- (i) “certificate of occupation” means the certificate referred to in regulation 63; (vi)

- (ii) „kieser” met betrekking tot—
 - (a) ’n eerste verkiesing waarna in regulasie 12 verwys word, ’n natuurlike persoon wie se naam op die in subregulasie (6) van regulasie 8 bedoelde lys verskyn; en
 - (b) ’n latere verkiesing waarna in regulasies 13 en 14 verwys word, ’n natuurlike persoon wie se naam op die in regulasie 10 bedoelde kieserslys verskyn en ook die gemagtigde verteenwoordiger van ’n regs persoon wie se naam op bedoelde kieserslys verskyn; (vii)
- (iii) „ondersoekbeampte” die landdros of ’n ingevolge artikel *een-en-twintig* van die Wet deur die Minister aangestelde beampte; (iii)
- (iv) „Sekretaris” die Sekretaris van Kleurlingsake; (v)
- (v) „skriftelike toestemming” die toestemming waarna in paragraaf (e) van regulasie 49 of in regulasie 55 verwys word; (viii)
- (vi) „toekenningsbrief” ’n brief waarna in regulasie 63 verwys word; (i)
- (vii) „wangedrag” met betrekking tot ’n werknemer van die raad—
 - (a) ’n daad wat nadelig is vir die raad se administrasie of doeltreffendheid doen, laat doen of toelaat dat dit gedoen word;
 - (b) wegbly van diens sonder verlof of geldige rede;
 - (c) nalatigheid of traagheid in die vervulling van sy pligte;
 - (d) versuim, veronagsaming of weiering om ’n wettige opdrag van ’n daartoe bevoegde persoon uit te voer;
 - (e) growwe onbeleefdheid terwyl hy diens doen of skandelijke, onbehoorlike of onbetaamlike gedrag;
 - (f) buitensporige gebruik van sterk drank of bedwelmende middels;
 - (g) geldelike moeilikheid as gevolg van onversigtigheid of ander laakbare oorsaak; en
 - (h) wederregtelike toeëiening of onbehoorlike gebruik van eiendom van die raad onder sodanige omstandighede dat dit nie ’n kriminele misdryf uitmaak nie; (iv)
- (viii) „windhond” enige soort windhond en omvat ’n Afgaanse jaghond, borzoi, jagwindhond, Ierse wolfhond of enige hond wat enigszins met enige van bedoelde soorte gebaster is; (ii)
- (ix) enige woord of uitdrukking waaraan ’n betekenis in die Wet toegeskryf word, dieselfde as in die Wet. (ix)

PROSEDURE VIR RAADPLEGING, ONDERSOEK, INLYWING, ENS.

3. Nadat hy deur die Sekretaris in kennis gestel is van die voorneme om enige gebied onder die Wet vir okkupasie en besit deur Kleurlinge voorbehoud te verklaar, moet die ondersoekbeampte ’n vergadering (of na gelang van plaaslike omstandighede, afsonderlike vergaderings vir Kleurlinge en onbevoegde persone) belê van die persone wat ingevolge artikel vier van die Wet geraadpleeg moet word. Die ondersoekbeampte moet minstens drie weke voor so ’n vergadering die kennisgewing wat die vergadering byeenroep in die *Staatskoerant* publiseer en afskrifte daarvan op een of meer geskikte plekke binne sodanige gebied laat opplak.

4. Die ondersoekbeampte moet op die vergadering—

- (a) die doelstellings van die Wet verduidelik;
- (b) die stappe aandui wat ten opsigte van die gemeenskap beoog word; en
- (c) die belanghebbendes vra om deur bemiddeling van hom vertoë te rig wat hulle wil laat voorlê vir oorweging deur die Minister.

5. (1) Na raadpleging van die belanghebbendes moet die ondersoekbeampte, tensy hy om goeie redes anders besluit, voortgaan met die samestelling van ’n tydelike raadplegende komitee van Kleurlinge, en, indien nodig, ook ’n tweede tydelike raadplegende komitee wat die onbevoegde persone verteenwoordig, om hom te adviseer

- (ii) „greyhound” means any breed of greyhound and includes an Afghan hound, borzoi, deerhound, Irish wolfhound or any dog with a strain of any such breed; (viii)
- (iii) „investigating officer” means the magistrate or an officer appointed by the Minister in terms of section *twenty-one* of the Act; (iii)
- (iv) „misconduct” in relation to any employee of the board, means—
 - (a) any act done, caused or permitted to be done, which is prejudicial to the administration or efficiency of the board;
 - (b) absence from duty without leave or valid cause;
 - (c) negligence or indolence in the discharge of his duties;
 - (d) failure, disregard or refusal in carrying out a lawful order given by a person having authority;
 - (e) gross discourtesy or disgraceful, improper or unbecoming conduct while on duty;
 - (f) excessive use of intoxicants or stupefying drugs;
 - (g) pecuniary embarrassment occasioned by imprudence or other reprehensible cause; and
 - (h) misappropriation or improper use of any property of the board under such circumstances not constituting a criminal offence; (vii)
- (v) „Secretary” means the Secretary for Coloured Affairs; (iv)
- (vi) „the Act” means the Rural Coloured Areas Act, 1963 (Act No. 24 of 1963); (i)
- (vii) „voter” in relation to—
 - (a) a first election referred to in regulation 12, means a natural person whose name appears in the list referred to in sub-regulation (6) of regulation 8; and
 - (b) any subsequent election referred to in regulations 13 and 14, means a natural person whose name appears in the voters’ list referred to in regulation 10 and includes the proxy of a juristic person whose name appears in the said voters’ list; (ii)
- (viii) „written consent” means the consent referred to in paragraph (e) of regulation 49 or in regulation 55; (v)
- (ix) any word or expression to which a meaning is assigned in the Act shall have the meaning so assigned. (ix)

PROCEDURE FOR CONSULTATION, INVESTIGATION, INCORPORATION, ETC.

3. Upon information received from the Secretary that it is proposed to declare under the Act any area to be reserved for occupation and ownership of Coloured persons, the investigating officer shall convene a meeting (or, depending on local circumstances, separate meetings for Coloured persons and disqualified persons) of the persons who, in terms of section *four* of the Act, are to be consulted. The investigating officer shall, at least three weeks before such meeting, publish the notice summoning the meeting in the *Government Gazette* and cause copies thereof to be posted at one or more convenient places within such area.

4. At the meeting the investigating officer shall—

- (a) explain the objects of the Act;
- (b) indicate the action proposed in respect of the community; and
- (c) invite the interested persons to make through him any representations they may desire to submit for the consideration of the Minister.

5. (1) After the interested persons have been consulted, the investigating officer shall, unless for sound reasons he decides to the contrary, proceed to constitute a temporary consultative committee of Coloured persons and, if necessary, a second temporary consultative committee representing the disqualified persons, to advise and assist

en by te staan met voorlopige reëlings om die toepassing van die Wet te vergemaklik.

(2) 'n Tydelike raadplegende komitee bestaan uit hoogstens vyf persone al na gelang die ondersoekbeampte bepaal wat deur die vergadering uit sy midde verkies word. Ingeval die vergadering versuim om die verlangde getal verteenwoordigers te kies, kan die ondersoekbeampte self sonder verdere verwysing na die vergadering die getal verteenwoordigers aanstel wat die vergadering versuim het om te kies, of hy kan sonder die hulp van 'n komitee voortgaan met die ondersoek.

(3) Vertoë deur of namens die belanghebbendes moet deur die ondersoekbeampte, tesame met sy aanbevelings na oorlegpleging met die betrokke komitee, aan die Sekretaris vir oorweging van die Minister deurgestuur word.

6. Die ondersoekbeampte moet, na gelang van die geval, van die liggaam of persoon wat beheer oor sodanige gebied uitoefen, of van 'n persoon of persone wat oor besonderhede beskik of met die gebied bekend is, die volgende besonderhede ten opsigte van daardie gebied so gou doenlik inwin—

- (a) name van die wettige bewoners en eienaars van die gebied, 'n beskrywing van die ligging en grootte van grond wat deur hulle geokkupeer of besit word, die gelde of huurgelde wat daarvoor betaal word en die meentregte wat daarmee gepaard gaan;
- (b) die name van aanspraakmakers op enige reg op grond in sodanige gebied en besonderhede van elke sodanige aanspraak en die egtheid daarvan;
- (c) die geskiedenis en geldelike administrasie van die gebied, die moontlike bronne van inkomste wat tot beskikking van die raad sal wees en die moontlike jaarlikse opbrengs daarvan.

7. By ontvangs van die in regulasie 6 bedoelde besonderhede en na oorleg met die tydelike raadplegende komitee, moet die ondersoekbeampte 'n voorlopige lys waarop onbevoegde persone afsonderlik vermeld word, van wettige bewoners en eienaars en hul erwe of eiendomme en, indien nodig, 'n aanvullende lys van aanspraakmakers opstel.

8. (1) So gou moontlik na uitvaardiging van die proklamasie ingevolge artikel vier van die Wet moet die ondersoekbeampte 'n verdere vergadering of vergaderings belê op die wyse voorgeskryf in regulasie 3.

(2) Afskrifte van die in regulasie 7 bedoelde voorlopige lys moet by die landdroskantoor en een of meer gerieflike plekke in die betrokke gebied vir algemene kennisname ter insae lê gedurende die drie weke wat die vergadering of vergaderings voorafgaan en in die kennisgewing wat die vergadering of vergaderings byeenroep moet vermeld word dat bedoelde voorlopige lys ter insae lê.

(3) Enige belanghebbende kan op die in subregulasie (1) bedoelde vergadering of vergaderings vertoë, aansprake of besware ten opsigte van bedoelde voorlopige lys aan die ondersoekbeampte voorlê.

(4) Nadat die ondersoekbeampte voorlopig oor enige aanspraak of beswaar beslis het, moet hy 'n finale lys van belanghebbendes (waarop onbevoegde persone afsonderlik vermeld word) met die erwe of eiendomme wat elk okkupeer of besit en hul onderskeie regte vir voorlegging aan die Minister opstel.

(5) Die finale lys soos deur die Minister goedgekeur, word vir die doel van paragraaf (b) van artikel een-en-twintig van die Wet geag die register van geregtigde persone te wees.

(6) Die Kleurlinge wie se name op die in subregulasie (5) bedoelde finale lys verskyn, word geag die geregistreerde Kleurlingokkupeerdere en -eienaars te wees waarna in subartikel (2) van artikel twee-en-twintig van die Wet verwys word.

BEVOEGDHEDE VAN KIESERS.

(9) (1) Iedere geregistreerde Kleurlingokkupeerder of -eenaar is geregtig om sy naam te laat plaas op die kieserslys wat die raad jaarliks ingevolge regulasie 10 vir sy gebied opstel, mits—

him in the preliminary arrangements to facilitate the application of the Act.

(2) A temporary consultative committee shall, depending on the investigating officer's determination, consist of not more than five persons elected by the meeting from those present thereat. In the event of the meeting failing to elect the required number of representatives, the investigating officer may, without further reference to such meeting, appoint the number of representatives which such meeting failed to elect, or he may without the assistance of a committee proceed with the investigation.

(3) Representations by or on behalf of the interested persons shall be transmitted by the investigating officer, together with his recommendations after consultation with the committee concerned, to the Secretary for the consideration of the Minister.

6. The investigating officer shall as soon as possible obtain from the body or person controlling such area, or from a person or persons having at their disposal particulars of, or acquainted with, the area, as the case may be, the following particulars in respect of such area—

- (a) the names of the lawful occupiers and owners of such area, a description of the position and extent of land occupied or owned by them, the fees or rent paid therefor and the accompanying commonage rights;
- (b) the names of claimants to any right to land in such area and particulars of any such claim and the validity thereof;
- (c) the history and financial administration of the area, the sources of income likely to be at the disposal of the board and the possible annual yield thereof.

7. On receipt of the particulars referred to in regulation 6 and after consultation with the temporary consultative committee, the investigating officer shall prepare a preliminary list of lawful occupiers and owners and of their erven or properties indicating disqualified persons separately, and, if necessary, a supplementary list of claimants.

8. (1) As soon as possible after the promulgation of the proclamation in terms of section four of the Act, the investigating officer shall convene a further meeting or meetings in the manner prescribed in regulation 3.

(2) During the three weeks preceding the meeting or meetings, copies of the said preliminary list referred to in regulation 7 shall lie for general inspection at the office of the magistrate and at one or more convenient places within such area, and notification thereof shall be given in the notice summoning the meeting or meetings.

(3) Any interested person may at the meeting or meetings referred to sub-regulation (1), submit to the investigating officer representations, claims or objections in respect of the said preliminary list.

(4) After having provisionally determined any claim or objection, the investigating officer shall prepare a final list of interested persons (indicating disqualified persons separately) showing the erven or properties occupied or owned by each and their respective rights for submission to the Minister.

(5) The final list as approved by the Minister shall, for the purpose of paragraph (b) of section twenty-one of the Act, be deemed to be the register of entitled persons.

(6) The Coloured persons whose names appear in the final list referred to in sub-regulation (5) shall be deemed to be the registered Coloured occupiers and owners referred to in sub-section (2) of section twenty-two of the Act.

QUALIFICATIONS OF VOTERS.

9. (1) Every registered Coloured occupier or owner shall be entitled to be enrolled on the voters' list prepared annually by the board for its area in terms of regulation 10, provided—

- (a) hy op die eerste dag van April van die jaar waarin die kieserslys opgestel word, 'n geregistreerde okkuperder of eienaar van of bo die ouderdom van een-en-twintig jaar van daardie gebied is; en
 - (b) sy belasting verskuldig en betaalbaar aan die bestuursraad voor of op die dertigste dag van April van daardie jaar betaal is.
- (2) Geen persoon wie se naam nie op die kieserslys verskyn is geregtig om te stem of om enige reg uit te oefen wat by hierdie regulasies aan 'n kieser verleen word nie.
- (3) Iedere geregistreerde kieser het by elke verkiesing een stem ten opsigte van elke vakature waarvoor 'n lid verkies moet word.

OPSTEL VAN KIESERSLYS.

10. (1) Die raad moet jaarliks so gou doenlik na 1 Mei 'n kieserslys opstel.
- (2) Die kieserslys moet in alfabetiese volgorde van familienaam die name voluit vermeld van persone wat geregtig is om as kiesers van die adviesraad of die bestuursraad registreer te word.
- (3) Die raad moet nie later as die vyftiende dag van Mei in elke jaar die kieserslys gereed hê en by wyse van 'n kennisgewing wat by sy kantoor en op sodanige ander plek binne sy gebied as wat hy gerieflik ag, opgeplak word, bekendmaak—
- (a) dat 'n eksemplaar van sodanige lys vir 'n tydperk van veertien dae vanaf sodanige kennisgewing gedurende die kantoorure van die raad op sy kantoor ter insae lê; en
 - (b) dat op 'n bepaalde dag, nie meer as 10 dae na die verstryking van die veertien dae waarna in paragraaf (a) verwys word, en op 'n uur en plek wat in die kennisgewing vermeld moet word, aansprake om op die lys geplaas te word of besware teen inskrywings op die lys aangehoor en beslis sal word.
- (4) Op die dag en plek wat vir die aanhoor en beslissing van aansprake of besware bepaal is, moet die beambte of waar daar nie 'n beambte aangestel is nie, 'n persoon vir die doel aangewys deur die raad en twee lede van die raad of adviesraad in openbare sitting alle sodanige aansprake en besware aanhoor en daaroor beslis.
- (5) Die beambte moet die lys waar nodig wysig deur invoeging of skapping van name of herstelling van enige fout.
- (6) Die hersiene lys, as juis gesertifiseer deur die beambte, is finaal en bly van krag, en niks mag daaraan toegevoeg of verander word totdat 'n nuwe lys ingevolge hierdie regulasies opgestel word nie.

KWALIFIKASIES VAN KANDIDATE VIR LID VAN DIE RAAD OF ADVIESRAAD.

11. (1) Elke natuurlike persoon wat ingevolge hierdie regulasies 'n kieser is en wat op die datum van die verkiesing nie ingevolge subregulasie (2) onbevoeg is nie, kan as lid van die adviesraad of die bestuursraad verkies word.
- (2) Geen persoon kan as lid van die adviesraad of die bestuursraad verkies word as hy—
- (a) 'n lid van die adviesraad of die bestuursraad is nie, tensy hy hom weens sy naderende aftreding verkiesbaar of herverkiesbaar stel;
 - (b) 'n ongerehabiliteerde bankroetier is;
 - (c) binne die voorafgaande twee jaar sy boedel oor-gegee het;
 - (d) tot swaksinnig of geestelik gekrenk of gebrekkig verklaar is of kragtens die Wet op Geestesgebreken, 1916, wettig as geestelik gekrenk of gebrekkig aangehou word;
 - (e) 'n winsbetrekking onder die Staat beklee tensy hy op die verkiesingsvergadering skriftelike bewys voorlê van of namens die hoof van die departement, administrasie of liggaam waarin, waarop of waaronder sodanige betrekking beklee word, dat

- (a) he has been a registered occupier or owner of or over the age of twenty-one years of such area on the first day of April in the year in which the voters' list is being prepared;
 - (b) his rates due and payable to the board of management have been paid on or before the thirtieth day of April in that year.
- (2) No person whose name does not appear in the voters' list shall be entitled to vote or exercise any right conferred on a voter by these regulations.
- (3) Every registered voter shall at each election have one vote in respect of each vacancy for which a member has to be elected.

COMPILATION OF VOTERS' LIST.

10. (1) The board shall annually as soon as possible after the 1st of May prepare a voters' list.
- (2) The voters' list shall contain in alphabetical order of surnames the names in full of persons entitled to be enrolled as voters of the advisory board or the board of management.
- (3) The board shall not later than the fifteenth day of May in each year have the voters' list in readiness and by notice posted at its office and such other place within its area as it may deem convenient make known—
- (a) that a copy of such list is open for inspection during the office hours of the board at its office for a period of fourteen days from the date of such notice; and
 - (b) that on a specified day not more than ten days after the expiry of the fourteen days referred to in paragraph (a), and at an hour and place to be specified in the notice, claims to be included in the list or objections to entries on the list will be heard and determined.
- (4) On the day and at the place fixed for hearing and determining claims or objections, the officer or, where no officer has been appointed, a person appointed for the purpose by the board and two members of the board or advisory board shall in open session hear and determine all such claims and objections.
- (5) The officer shall, where necessary, alter the list by inserting or deleting any name or rectifying any error.
- (6) The revised list certified correct by the officer shall be final and remain in force and shall not be added to or altered until a new list has been prepared in terms of these regulations.

QUALIFICATIONS OF CANDIDATES FOR MEMBERSHIP OF THE BOARD OR THE ADVISORY BOARD.

11. (1) Every natural person who in terms of these regulations is a voter and who at the date of the election is not disqualified under sub-regulation (2), shall be eligible to be elected a member of the advisory board or the board of management.
- (2) No person shall be eligible to be elected a member of the advisory board or the board of management if he—
- (a) is a member of the advisory board or the board of management, unless owing to his impending retirement, he is seeking election or re-election;
 - (b) is an unrehabilitated insolvent;
 - (c) within the preceding two years has assigned his estate;
 - (d) has been declared to be of unsound mind or mentally disordered or is lawfully detained as mentally disordered or defective under the Mental Disorders Act, 1916;
 - (e) holds an office of profit under the State, unless he at the election meeting submits written proof by or on behalf of the head of the department, administration or body, in, under or on which such office

daar geen wetlike bepaling is waarby hy belet of verhinder word om lid van die adviesraad of bestuursraad te wees op grond daarvan dat hy sodanige amp beklee nie, of dat vergunning verleen is dat hy as lid van die adviesraad of bestuursraad mag dien;

- (f) 'n winsbetrekking onder die raad beklee tensy hy in die openbare belang skriftelik deur die Sekretaris van hierdie bepaling vrygestel is;
- (g) binne die voorafgaande drie jaar sy setel as lid van die adviesraad of die bestuursraad moes ontruim om redes vermeld in paragrafe (e), (f), (g) en (i) van subregulasie (1) van regulasie 15;
- (h) skuldig bevind is aan 'n misdryf waarvoor die doodstraf opgelê kan word, of 'n misdryf teen die Staat of onder die Wet op die Onderdrukking van Kommunisme, 1950 (Wet No. 44 van 1950).

EERSTE VERKIESING.

12. (1) Nadat hy deur die Sekretaris in kennis gestel is van die Minister se beslissing ingevolge subregulasie (5) van regulasie 8 en paragraaf (c) van artikel *een-en-twintig* van die Wet, moet die ondersoekbeampte (hieronder „voorsittende beampte” genoem) na oorleg met die tydelike raadplegende komitee van Kleurlinge, ten opsigte van die betrokke ingelyfde gebied 'n dag bepaal vir die in paragraaf (a) van subartikel (2) van artikel *twee-en-twintig* van die Wet bedoelde eerste verkiesing van 'n adviesraad of die eerste verkiesing van 'n bestuursraad waarna verwys word in subartikel (3) van artikel *vier-en-twintig* van die Wet, na gelang die Minister gelas.

(2) Nie minder nie as veertien dae voor die in subregulasie (1) bedoelde dag moet die voorsittende beampte 'n kennisgewing van die verkiesing met vermelding van die datum, tyd en plek en die getal lede wat verkies moet word op een of meer geskikte plekke in die betrokke ingelyfde gebied laat opplak.

(3) Die bepalings van subregulasie (3) van regulasie 13 is *mutatis mutandis* van toepassing ten opsigte van die in subregulasie (1) bedoelde verkiesing.

(4) Behoudens die bepalings van subregulasies (1) en (2) van regulasie 17, is die bepalings van paragraaf (a) van subregulasie (2) en van subregulasie (3) van regulasie 13 *mutatis mutandis* van toepassing ten opsigte van 'n in paragraaf (a) van subartikel (2) van artikel *twee-en-twintig* van die Wet bedoelde eerste verkiesing van 'n adviesraad wat by die inwerkingtreding van hierdie regulasies bestaan het.

GEWONE VERKIESING.

13. (1) Die gewone verkiesing van adviesrade en van bestuursrade word gehou op 'n dag gedurende die tydperk 16 tot 31 Julie in elke jaar.

(2) (a) 'n Persoon deur die Sekretaris benoem (hieronder die „voorsittende beampte” genoem) moet in oorleg met die raad of adviesraad die dag van die verkiesing bepaal, en nie minder as veertien dae voor dié bepaalde dag moet hy 'n kennisgewing van die verkiesing met vermelding van die datum, tyd en plek en die name van die aftredende lede laat opplak by die kantoor van die raad en sodanige ander plek binne die raadsgebied wat hy mag goedvind.

(b) Die voorsittende beampte mag nie 'n kandidaat wees of word by die verkiesing waarop hy as voorsittende beampte optree nie.

(c) Ingeval die voorsittende beampte nie teenwoordig is nie of weens benoeming tot kandidaat gediskwalifiseer is, kan enige aanwesige geregistreerde kieser (hieronder die „voorsittende kieser” genoem) deur 'n meerderheid van die teenwoordige kiesers op sodanige vergadering gekies word om as voorsittende beampte op te tree, en sodanige voorsittende kieser het dieselfde bevoegdheid as wat die voorsittende beampte ingevolge hierdie regulasies sou hê.

(3) (a) Op die bepaalde dag, tyd en plek moet die voorsittende beampte of voorsittende kieser die vergadering hou.

is being held, that there is no provision in law debarring him on account of his holding such office from being a member of the advisory board or board of management or that he has been granted permission to serve as a member of the advisory board or board of management;

- (f) holds an office of profit under the board, unless he has, in the public interest, been exempted from this provision in writing by the Secretary;
- (g) within the preceding three years had to vacate his office as member of the advisory board or the board of management on the grounds set forth in paragraphs (e), (f), (g) and (i) of sub-regulation (1) of regulation 15;
- (h) has been convicted of an offence for which capital punishment may be imposed, or any offence against the State or under the Suppression of Communism Act, 1950 (Act No. 40 of 1950).

FIRST ELECTION.

12. (1) Having been informed by the Secretary of the Minister's determination in terms of sub-regulation (5) of regulation 8 and paragraph (c) of section *twenty-one* of the Act, the investigating officer (hereinafter called “presiding officer”) shall, depending on the Minister's direction, after consultation with the temporary consultative committee of Coloured persons, in respect of the incorporated area concerned, fix a day for the first election of an advisory board referred to in paragraph (a) of sub-section (2) of section *twenty-two* of the Act or for the first election of a board of management referred to in sub-section (3) of section *twenty-four* of the Act.

(2) Not less than fourteen days before the day referred to in sub-regulation (1), the presiding officer shall cause a notice of the election indicating the date, time and place and the number of members to be elected, to be posted at one or more convenient places within the incorporated area concerned.

(3) The provisions of sub-regulation (3) of regulation 13 shall *mutatis mutandis* apply in respect of the election referred to in sub-regulation (1).

(4) Subject to the provisions of sub-regulations (1) and (2) of regulation 17, the provisions of paragraph (a) of sub-regulation (2) and of sub-regulation (3) of regulation 13 shall *mutatis mutandis* apply in respect of the first election referred to in paragraph (a) of sub-section (2) of section *twenty-two* of the Act of an advisory board which existed at the commencement of these regulations.

ORDINARY ELECTIONS.

13. (1) The ordinary election of advisory boards and of boards of management shall be held on a day during the period 16th to 31st July in each year.

(2) (a) A person appointed by the Secretary (hereinafter referred to as the “presiding officer”) shall in consultation with the board or advisory board fix the day for the election and not less than fourteen days before the day so fixed he shall cause a notice of the election to be posted at the office of the board and such other place within the board area as he may deem convenient indicating the date, time and place of the election and the names of the retiring members.

(b) The presiding officer shall not be or become a candidate at the election at which he is presiding.

(c) In the event of the presiding officer not being present, or being disqualified owing to his nomination as candidate, any registered voter (hereinafter called the “presiding voter”) present may be elected by a majority of voters present at such meeting to act as presiding officer and such presiding voter shall have all the powers which the presiding officer would have had in terms of these regulations.

(3) (a) On the specified day and at the specified time and place the presiding officer or presiding voter shall hold the meeting.

(b) Niemand behalwe 'n geregistreerde kieser of iemand anders wat die voorsittende beampte of voorsittende kieser toelaat, mag die vergadering bywoon of daaraan deelneem nie.

(c) Iemand wat na die oordeel van die voorsittende beampte of voorsittende kieser steurnis verwek, kan deur die voorsittende beampte of voorsittende kieser versoek word om die vergadering en die onmiddellike omgewing van die plek waar die vergadering gehou word, te verlaat, en iedereen wat so 'n versoek ontvang, is verplig om daaraan te voldoen.

(d) Nadat die voorsittende beampte of voorsittende kieser die vergadering geopen het, lees hy die kennisgewing waardeur die vergadering belê is, en nadat alle persone wat nie ingevolge paragraaf (b) toegelaat word om teenwoordig te wees nie, hulle aan die vergadering onttrek het, vra die voorsittende beampte of voorsittende kieser voorstelle vir die vulling van die vakatures in die kennisgewing vermeld.

(e) Elke voorstel moet deur minstens een teenwoordige kieser gedoen en deur 'n ander teenwoordige kieser gesecondeer word. Die aldus voorgestelde en gesecondeerde persoon word deur die voorsittende beampte of voorsittende kieser as behoorlik benoem verklaar nadat die persoon persoonlik op die vergadering of skriftelik aan die voorsittende beampte of voorsittende kieser te kenne gegee het dat hy die benoeming aanvaar en nadat die voorsittende beampte of voorsittende kieser vasgestel het dat die persoon nie ingevolge subregulasie (2) van regulasie 11 onbevoeg is om verkies te word nie. Indien bevind word dat die persoon onbevoeg is, moet die voorsittende beampte of voorsittende kieser dit aan die vergadering bekend maak en voorstelle vir 'n ander persoon in die plek van die onbevoegverklarde persoon vra.

(f) Indien die getal behoorlik benoemde persone nie meer is as die getal lede wat verkies moet word nie, verklaar die voorsittende beampte of voorsittende kieser op staande voet dat sodanige benoemde persone behoorlik verkies is.

(g) Indien die getal behoorlik benoemde persone meer is as die getal lede wat verkies moet word, moet die voorsittende beampte of voorsittende kieser op staande voet die teenwoordige kiesers vir die behoorlik benoemde persone laat stem deur die opsteek van hande of op 'n ander wyse wat hy goeddink; Met dien verstande dat vyf of meer aanwesige kiesers 'n geheime stemming mag eis.

(h) Die voorsittende beampte of voorsittende kieser moet soveel van die kandidate wat die meeste stemme verkry het as wat gelyk staan met die aantal lede wat verkies moet word, as behoorlik verkose verklaar: Met dien verstande dat indien op twee of meer kandidate ewe veel stemme uitgebring is en daar gevolglik nie beslis kan word watter kandidaat of kandidate verkies is nie die voorsittende beampte of voorsittende kieser deur die lot moet beslis wie verkies is.

BUITENGEWONE VERKIESING.

14. (1) Wanneer 'n lid van die raad of adviesraad sterf of sy setel ingevolge regulasie 15 ontruim, ontstaan 'n buitengewone vakature in die amp van raadslid. Sodanige vakature moet so gou moontlik en in elk geval binne sewe dae nadat hy van die ontstaan daarvan bewus geword het deur die beampte of sekretaris van die raad bekendgemaak word per kennisgewing wat hy by die kantoor van die raad en enige ander geskikte plek binne die raadsgebied opplak en deur 'n afskrif daarvan aan die Sekretaris te stuur. Op ontvangs van sodanige kennisgewing moet die Sekretaris stappe doen vir die aanstelling van 'n persoon om as voorsittende beampte op te tree by 'n verkiesing ter vulling van die vakature: Met dien verstande dat 'n buitengewone vakature wat na die eerste dag van Maart in enige jaar bekend gemaak word tesame met die gewone vakatures in Julie van daardie jaar gevul word.

(2) Die bepalinge van subregulasies (2) en (3) van regulasie 13 is *mutatis mutandis* van toepassing op die vulling van 'n buitengewone vakature.

(b) No person, save a registered voter or such other person admitted by the presiding officer or presiding voter, shall attend the meeting or take any part in the proceedings.

(c) Any person who in the opinion of the presiding officer or presiding voter causes disturbance may be called upon by the presiding officer or presiding voter to leave the meeting and the immediate vicinity of the place where the meeting is being held, and any person so requested shall comply with such request.

(d) After having opened the meeting the presiding officer or presiding voter shall read the notice convening the meeting and upon the withdrawal from the meeting of all persons who are not permitted to be present in accordance with paragraph (b), the presiding officer or presiding voter shall invite proposals for filling the vacancies indicated in the notice.

(e) Every proposal shall be introduced by at least one voter present and seconded by another voter present. The person so proposed and seconded shall after having personally signified his acceptance of nomination at the meeting or in writing to the presiding officer or presiding voter and after determination by the presiding officer or presiding voter that such person, in terms of sub-regulation (2) of regulation 11, is not disqualified to be elected, be declared to be duly nominated by the presiding officer or presiding voter. Should such person be found disqualified, the presiding officer or presiding voter shall make this fact known to the meeting and request the meeting to nominate another person in the place of the person declared disqualified.

(f) Should the number of persons duly nominated be not more than the number of members to be elected, the presiding officer or presiding voter shall then and there declare the persons so nominated to be duly elected.

(g) Should the number of persons duly nominated be more than the number to be elected, the presiding officer or presiding voter shall then and there call upon the voters present to vote for the duly nominated persons by a show of hands or in such manner as he may think fit: Provided that five or more voters present may demand a poll by secret ballot.

(h) The presiding officer or presiding voter shall declare so many of the candidates for whom the largest number of votes have been polled as are equal to the number of members to be elected, to be duly elected: Provided that, should the number of votes recorded for two or more candidates be equal resulting in indecision as to which candidate or candidates have been elected, the presiding officer shall by lot determine which has been duly elected.

EXTRAORDINARY ELECTION.

14. (1) When a member of the board or advisory board dies or vacates his seat in terms of regulation 15 an extraordinary vacancy in the office of member shall occur. Such vacancy shall be declared by the officer or the secretary of the board as soon as possible and in any case within seven days of his becoming aware of the occurrence thereof, by posting a notice at the office of the board and any other convenient place within the board area and by transmitting a copy thereof to the Secretary. Upon receipt of such notice the Secretary shall cause the appointment of a person to act as presiding officer at an election for the filling of the vacancy: Provided that any extraordinary vacancy declared after the first day of March in any year shall be filled in July of that year simultaneously with the ordinary vacancies.

(2) The provisions of sub-regulations (2) and (3) of regulation 13 shall *mutatis mutandis* apply to the filling of an extraordinary vacancy.

OMSTANDIGHEDE WAARONDER RAADSLEDE HULLE SETELS ONTRUIM

15. (1) 'n Raadslid ontruim sy setel wanneer—

- (a) hy skriftelik sy bedanking by die voorsitter van die raad indien;
- (b) hy sonder verlof van die voorsitter van die raad by drie agtereenvolgende maandelikse vergaderings van die raad afwesig is;
- (c) 'n finale bevel uitgevaardig is waarby sy boedel as insolvent gesekwestreer is, hy sy boedel oorgee of as hy 'n nie-gerehabiliteerde insolvent is;
- (d) hy tot swaksinnig of geestelik gekrenk of gebrekkig verklaar is of kragtens die Wet op Geestesgebreken, 1916, wettig as geestelik gekrenk of gebrekkig aangehou word;
- (e) hy aan enige oortreding skuldig bevind en veroordeel is tot gevangenisstraf sonder die keuse van 'n boete, tensy volle grasië aan hom verleen is;
- (f) hy skuldig bevind is aan 'n oortreding van enige regulasie wat die prosedure van 'n vergadering van die raad voorskryf of van enige regulasie wat pligte op 'n lid lê;
- (g) hy vir 'n derde maal gedurende sy ampstermyn ingevolge 'n regulasie, uitgevaardig onder paragraaf (40) van artikel *ag-en-twintig* van die Wet, van 'n raadsvergadering uitgesluit is;
- (h) hy in gebreke gebly het om belasting wat aan die raad verskuldig is voor of op 30 April van elke jaar te betaal;
- (i) hy na die oordeel van die Minister—
 - (i) weier om hom aan die bepalings van die Wet te onderwerp of uitvoering daaraan te gee;
 - (ii) die gesag van die raad ondermyn deur op sy eie besluite te neem en uit te voer en daardeur die indruk te skep dat hy op gesag van die raad handel, tensy sodanige optrede daarna deur die raad bekragtig word;
 - (iii) onbevoeg is om sy pligte as 'n raadslid op 'n bevredigende en waardige wyse te behartig;
- (j) hy 'n winsbetrekking onder die Staat aanvaar, tensy hy die beampte en die raad oortuig deur voorlegging van skriftelike bewys geteken namens die hoof van die departement, administrasie of liggaam waarin, waarop of waaronder sodanige betrekking beklee word, dat daar geen wetlike bepaling is waarby hy belet of verhinder word om raadslid te wees op grond daarvan dat hy sodanige amp beklee nie, of dat vergunning verleen is dat hy as raadslid mag dien;
- (k) hy 'n winsbetrekking onder die raad aanvaar;
- (l) hy self, of deur sy gade, vennoot of sakegenoot 'n regstreekse of onregstreekse geldelike belang het by, of regstreeks of onregstreeks betrokke is by, of deel in, winste of voordele van enige kontrak met, of werk wat gedoen word of gedoen moet word vir die raad: Met dien verstande dat die bepalings van hierdie paragraaf nie van toepassing is ten opsigte van—
 - (i) enige kontrak wat aangegaan word of werk wat uitgevoer word deur 'n maatskappy wat ingevolge enige wet as sodanig geïnkorporeer of geregistreer is nie, bloot omrede van die feit dat 'n raadslid of sy gade, vennoot of sakegenoot, 'n direkteur, aandeelhouer, effekthouder, werknemer of agent van sodanige maatskappy is nie, tensy sodanige maatskappy 'n private maatskappy is, of sodanige raadslid die eienaar is van, of tesame met sy gade of minderjarige kinders of albei beheer het oor meer as die helfte van die aandele of effekte van die betrokke maatskappy;
 - (ii) die aankoop van enigiets wat deur die raad per openbare konkurrensie verkoop word nie;
 - (iii) die aankoop deur die raad van enigiets op 'n vendusie nie; of
 - (iv) die lewering van goedere of dienste wat gewoonlik deur die raad aan die publiek verskaf of gelewer word teen 'n bedrag wat by wet of besluit van die raad vasgestel is nie.

CIRCUMSTANCES UNDER WHICH MEMBERS OF A BOARD SHALL VACATE THEIR SEATS.

15. (1) A member of the board shall vacate his seat if—

- (a) he presents his resignation in writing to the chairman of the board;
- (b) he has been absent without leave of the chairman of the board from three consecutive monthly meetings of the board;
- (c) a final order sequestrating his estate as insolvent is made, he assigns his estate or he is an unrehabilitated insolvent;
- (d) he is declared to be of unsound mind or mentally disordered or defective or is lawfully detained as mentally disordered or defective under the Mental Disorders Act, 1916;
- (e) he has been convicted of any offence and is sentenced to imprisonment, without the option of a fine, unless he has obtained a free pardon;
- (f) he has been convicted of contravening any regulation prescribing the procedure of a meeting of the board or any regulation conferring duties on a member;
- (g) he has, in terms of any regulation promulgated under paragraph (40) of section *twenty-eight* of the Act, for a third time during his term of office been excluded from a meeting of the board;
- (h) he has failed to pay on or before 30th April of each year any rates which have been due and payable to the board;
- (i) he, in the opinion of the Minister—
 - (i) refuses to subject himself to the provisions of the Act or to comply therewith;
 - (ii) undermines the authority of the board by taking decisions of his own accord and implementing such decisions and thereby creating the impression that he acts on authority of the board, unless such conduct and action are subsequently confirmed by the board;
 - (iii) is unfit to perform his duties as a member of the board in a satisfactory and dignified manner;
- (j) he assumes an office of profit under the State, unless he satisfies the officer and the board by submitting written proof signed on behalf of the head of the department, administration or body, in, under or on which such office is being held, that there is no provision in law debarring him on account of his holding such office from being a member of the board or that he has been granted permission to serve as a member of the board;
- (k) he assumes an office of profit under the board;
- (l) he by himself, or through his spouse, partner or business associate has a direct or indirect pecuniary interest in, or is directly or indirectly concerned in or participates in the profits or benefits of, any contract with or work being done or to be done for the board: Provided that the provisions of this paragraph shall not apply in respect of—
 - (i) any contract entered into or work undertaken by a company incorporated or registered as such under any law, merely by reason of the fact that a member of the board or his spouse, partner or business associate is a director, shareholder, stockholder, employee or agent of such company, unless such company is a private company, or such member of the board is the owner, or together with his spouse or minor children or both controls more than one-half of the shares or stock of the company concerned;
 - (ii) the purchase of anything sold by the board by public competition;
 - (iii) the purchase by the board of anything at any auction sale; or
 - (iv) the supply of goods or services commonly supplied or rendered by the board to the public at a charge fixed by law or resolution of the board.

(2) Die Sekretaris kan op aansoek van 'n raad 'n raadslid vrystel van die bepalings van paragraaf (k) of (l) van subregulasie (1) as hy daarvan oortuig is dat die toestaan van so 'n vrystelling in die openbare belang wenslik is.

(3) Die bepalings van subregulasies (1) en (2) is *mutatis mutandis* ook op die lede van adviesrade van toepassing.

AMPSTYD EN AFTREDE VAN RAADS- EN ADVIESRAADSLEDE.

16. (1) In die geval van 'n raad wat by die inwerking-treding van hierdie regulasies bestaan het, tree by die jaarlikse verkiesing van raadslede wat vir die eerste maal ingevolge regulasie 13 gehou word, die twee lede af wat die langste diens tyd sonder herverkiesing het en wat by die jaarlikse verkiesing sou afgetree het as hierdie regulasies nie in werking getree het nie en word daar twee persone ingevolge die bepalings van hierdie regulasies in hul plekke verkies.

(2) By die eerste verkiesing van 'n bestuursraad ingevolge die bepalings van artikel vier-en-twintig van die Wet of wanneer 'n bestuursraad 'n adviesraad vervang, word die ses persone waarna in paragraaf (a) van subartikel (1) van bedoelde artikel verwys word, gelyktydig verkies, en tree by elkeen van die daaropvolgende jaarlikse verkiesings bedoel in subregulasie (1) van regulasie 13, twee van hulle af in volgorde van die stemme by hul verkiesing behaal, beginnende met die twee lede wat die laagste aantal stemme behaal het, en word daar by sodanige jaarlikse verkiesing twee persone ingevolge die bepalings van hierdie regulasies in hul plekke verkies: Met dien verstande dat indien by hul verkiesing twee of meer lede 'n gelyke aantal stemme behaal het, of die lede sonder stemming verkies is, en as gevolg daarvan daar twyfel bestaan oor watter van die twee of meer lede, of watter van die ses lede (na gelang van die geval) moet aftree, dit deur die lot besluit word.

(3) Behoudens die bepalings van subregulasies (1) en (2), tree by elke jaarlikse verkiesing waarna in subregulasie (1) van regulasie 13 verwys word, in gereelde beurtorde af die twee lede wat die langste diens tyd sonder herverkiesing het, en word daar twee persone ingevolge hierdie regulasies in hul plekke verkies.

(4) Behoudens die bepalings van subregulasie (2) en regulasie 15 is die diens tyd van 'n lid verkies ingevolge—

(a) subregulasies (1), (2) en (3) vir 'n tydperk van drie jaar; en

(b) subregulasie (1) van regulasie 14 vir die onverstreke diens tyd van die lid in wie se plek hy verkies is.

(5) Die diens tyd van 'n lid wat ingevolge paragraaf (b) van subartikel (1) van artikel vier-en-twintig van die Wet deur die Minister aangestel is, is vir die tydperk wat dit sou gewees het as so 'n lid ooreenkomstig hierdie regulasies verkies was.

17. (1) In die geval van 'n adviesraad wat by die inwerking-treding van hierdie regulasies bestaan het, tree by die eerste verkiesing waarna in artikel twee-en-twintig van die Wet verwys word of by die eerste jaarlikse verkiesing ingevolge subregulasie (1) van regulasie 13 (na gelang van die geval) al die lede af en word in hul plekke soveel persone ingevolge hierdie regulasies verkies as wat ingevolge paragraaf (a) van subartikel (1) van bedoelde artikel bepaal is.

(2) Die in subregulasie (1) bedoelde eerste verkiesing vind plaas op die datum waarop die diens termyn van die sittende lede verstryk of op 'n vroeër datum wat die Sekretaris bepaal.

(3) By elke jaarlikse verkiesing waarna in subregulasie (1) van regulasie 13 verwys word volgende op die verkiesing bedoel in subregulasie (1), tree een-derde van die lede wat die langste diens het sonder herverkiesing af in volgorde van die aantal stemme by hul verkiesing behaal, beginnende met die een-derde van die lede wat die laagste aantal stemme behaal het en word plaasvervangers ingevolge die bepalings van hierdie regulasies in hul plekke verkies: Met dien verstande dat vir die berekening van genoemde een-derde getal lede die ledetal van elke adviesraad geag word te bestaan uit veelvoud van drie tot die naaste hoër veelvoud, en dat in die geval van twyfel oor

(2) The Secretary may on application by a board exempt a member of the board from the provisions of paragraph (k) or (l) of sub-regulation (1) if he is satisfied that such exemption is desirable in the public interest.

(3) The provisions of sub-regulations (1) and (2) shall *mutatis mutandis* apply in respect of members of advisory boards.

TENURE OF OFFICE AND RETIREMENT OF MEMBERS OF A BOARD AND AN ADVISORY BOARD.

16. (1) In the case of a board existing at the commencement of these regulations, the two members who have had the longest term of office without re-election and who would have retired at the annual election had these regulations not come into operation, shall retire from office at the annual election held for the first time in terms of regulation 13 and in their places two members shall be elected in terms of these regulations.

(2) At the first election of a board of management in terms of the provisions of section twenty-four of the Act or when a board of management replaces an advisory board, the six persons referred to in paragraph (a) of sub-section (1) of the said section, shall be elected simultaneously and at each subsequent annual election referred to in sub-regulation (1) of regulation 13 two of such members shall retire from office in the order of votes obtained at their election, commencing with the two members who obtained the lowest number of votes and at such annual election two persons shall be elected in their places in terms of the provisions of these regulations: Provided that if at their election two or more members obtained an equal number of votes, or if the members have been elected without a poll and there be any doubt as to which of the two or more members, or which of the six members (as the case may be) shall retire from office, it shall be determined by lot.

(3) At each annual election referred to in sub-regulation (1) of regulation 13, and by rotation, the two members who had been the longest time in office without re-election shall, subject to the provisions of sub-regulations (1) and (2), retire from office and in their places two persons shall be elected in terms of these regulations.

(4) Subject to the provisions of sub-regulation (2) and regulation 15 the term of office of a member elected in terms of—

(a) sub-regulations (1), (2) and (3) shall be for a period of three years; and

(b) sub-regulation (1) of regulation 14 shall be for the unexpired period of office of the member in whose place he has been elected.

(5) The term of office of a member appointed by the Minister in terms of paragraph (b) of sub-section (1) of section twenty-four of the Act shall be for such period as would have been the case had such member been elected in accordance with these regulations.

17. (1) In the case of an advisory board existing at the commencement of these regulations, all the members shall, at the first election referred to in section twenty-two of the Act or at the first annual election in terms of sub-regulation (1) of regulation 13 (as the case may be) retire from office and in their places such number of persons shall be elected in terms of these regulations as have been determined in terms of paragraph (a) of sub-section (1) of the said section.

(2) The first election referred to in sub-regulation (1) shall be held on the date on which the tenure of office of the present members terminates or at an earlier date determined by the Secretary.

(3) At each annual election referred to in sub-regulation (1) of regulation 13 subsequent to the election referred to in sub-regulation (1), one-third of the members who had been the longest time in office without re-election, shall retire from office in the order of the number of votes obtained at their election, commencing with one-third of the members who obtained the lowest number of votes, and successors shall be elected in their places in terms of the provisions of these regulations: Provided that for the calculation of the said one-third number of members every advisory board shall be deemed to consist of multiples of three to the nearest higher multiple and in the

watter lid moet aftree vanweë verkiesing sonder stemming of omdat twee of meer lede 'n gelyke aantal stemme gekry het, word deur die lot beslis watter lid moet aftree.

(4) Behoudens die bepalings van subregulasie (3) en regulasie 15, is die dienstryd van 'n lid verkies ingevolge—

- (a) subregulasies (1) en (3) vir 'n tydperk van drie jaar; en
- (b) subregulasie (1) van regulasie 14 vir die onverstreke dienstryd van die lid in wie se plek hy verkies is.

SAMESTELLING VAN BESTUURSRAAD EN ADVIESRAAD EN PROSEDURE VAN VERGADERINGS, TOELAES EN ANDER AANGELEENTHEDE.

18. 'n Meerderheid van die lede van die raad vorm 'n kworum vir vergaderings van die raad.

19. Die raad vergader een keer per maand gedurende die eerste helfte van die maand en wel op 'n dag wat deur die raad tydens sy sitting gedurende die eerste maand van die jaar bepaal word: Met dien verstande dat, indien nodig, die raad ook op daaropvolgende dae kan vergader, of as omstandighede dit regverdig, op ander dae. Wanneer die raad die datum van sy maandelikse vergaderings gedurende die jaar wil verander moet hy eers 'n eenstemmige besluit oor die saak neem, en dan 'n kennisgewing vir 14 dae by die raadskantoor opplak, waarna die raad 'n vergadering op die veranderde datum kan hou.

20. Die beamppte kan enige tyd wanneer hy dit nodig ag met voorafgaande skriftelike kennisgewing van sewe dae aan die lede 'n spesiale vergadering, behalwe die maandelikse vergadering van die raad, belê: Met dien verstande dat die beamppte met die doel om stappe te doen ingevolge regulasies 51 en 52 te eniger tyd 'n vergadering kan belê, en die beamppte tesame met twee lede van die raad vorm 'n kworum vir so 'n vergadering.

21. 'n Lid van die raad mag nie in sy hoedanigheid van raadslid 'n vergadering van die raad of 'n komitee daarvan bywoon of aan die verrigtinge daarvan deelneem gedurende die bespreking van 'n saak waarby hy self of deur sy gade, vennoot of sakegenoot regstreeks of onregstreeks enige geldelike belang het nie.

22. 'n Raadslid mag nie 'n geskenk, beloning of ander teenprestasie wat ook al (uitgesonderd die toelaes waarop hy ingevolge 'n regulasie geregtig is) regstreeks of onregstreeks eis of aanneem of toestem om dit aan te neem, of probeer om dit vir homself of vir iemand anders, of ten opsigte van sy dienste as raadslid of omdat hy iets doen of nalaat, of iets gedoen of nagelaat het, in sy hoedanigheid van raadslid te verkry nie.

23. (1) Die verrigtinge en besluite van die raad word opgeteken in 'n behoorlike notuleboek wat vir die doel gehou word.

(2) Die notule van 'n vergadering word na bekragtiging deur die raad op die eersvolgende vergadering deur die voorsitter onderteken.

(3) 'n Afskrif van die notule van elke vergadering van 'n raad moet binne 21 dae na so 'n vergadering aan die Sekretaris gestuur word, gesertifiseer deur die beamppte en die sekretaris van die raad dat die afskrif juis is, onderworpe aan bekragtiging.

24. Die kasboek aantonende die balans voorhande, word op elke vergadering voorgelê, en elke lid sowel as die Sekretaris of sy gemagtigde het die reg van insae daarin sowel as in die notuleboek wanneer hy dit verlang.

25. 'n Geregistreerde okkupeerder, eienaar van grond in die raadsgebied, of 'n ander persoon wat verlof van die voorsitter verkry het, kan 'n vergadering van die raad bywoon, maar mag nie aan die verrigtinge deelneem nie. As daar te min ruimte beskikbaar is of as die raad 'n saak *in camera* wil bespreek of as 'n geregistreerde okkupeerder, eienaar of ander persoon hom in die vergadering of

event of any doubt as to which member shall retire from office by reason of election without a poll or of an equal number of votes having been given to two or more members, the member to retire from office shall be determined by lot.

(4) Subject to the provisions of sub-regulation (3) and regulation 15, the term of office of a member elected in terms of—

- (a) sub-regulations (1) and (3) shall be for a period of 3 years; and
- (b) sub-regulation (1) of regulation 14 shall be for the unexpired period of office of the member in whose place he has been elected.

CONSTITUTION OF BOARDS OF MANAGEMENT AND ADVISORY BOARDS AND PROCEDURE OF MEETINGS, ALLOWANCES AND OTHER MATTERS.

18. A majority of the members of the board shall form a quorum at the meetings of the board.

19. The board shall meet once a month during the first half of the month on a day fixed by the board at its meeting during the first month of the year: Provided that if necessary, the board may also meet on succeeding days, or if justified by circumstances, on other days. Should the board during the course of the year wish to change the date of its monthly meetings, it shall first adopt a unanimous resolution in regard to the matter, and then post a notice for 14 days at the office of the board whereupon the board may hold a meeting on the altered date.

20. In addition to the monthly meeting of the board, the officer may at any time he deems necessary convene a special meeting giving members prior written notice of seven days: Provided that the officer may at any time convene a meeting for the purpose of taking action in terms of regulations 51 and 52 and the officer together with two members of the board shall form a quorum at such meeting.

21. No member of the board shall, in his capacity as member, attend a meeting of the board or a committee of the board or participate in proceedings thereof during the discussion of any matter in which he by himself or through his spouse, partner or business associate has a direct or indirect pecuniary interest.

22. No member of a board shall directly or indirectly exact or accept or agree to accept or attempt to obtain for himself or for any other person any gift, reward or other consideration whatsoever (other than allowances to which he is entitled in terms of any regulation) or on account of his services as a member of the board or his doing or refraining from doing or having done or refrained from doing anything in his capacity as a member of the board.

23. (1) The proceedings and resolutions of the board shall be entered in a proper minute-book which shall be kept for that purpose.

(2) The minutes of a meeting shall after confirmation by the board at the next meeting be signed by the chairman.

(3) A copy of the minutes of each meeting of a board, certified as correct, subject to confirmation, by the officer and the secretary of the board, shall be forwarded to the Secretary within 21 days of such meeting.

24. The cash book, showing the balance on hand, shall be submitted at each meeting, and every member, as well as the Secretary or his proxy, shall have the right to inspect such cash book as well as the minute-book should he so desire.

25. Any registered occupier, owner of land in the board area or any other person who has obtained permission from the chairman, may attend a meeting of the board, but may not take any part in the proceedings. Should insufficient room be available or should the board wish to hold a discussion *in camera* or should there be disorderly behaviour on the part of any registered occupier, owner or any other person in the meeting or in the immediate

in die onmiddellike omgewing van die plek van die vergadering wanordelik gedra, het die voorsitter die reg om sodanige geregistreerde okkupeerder, eienaar of ander persoon te versoek om die vergadering en/of die onmiddellike omgewing van die plek van die vergadering te verlaat.

'n Geregistreerde okkupeerder, eienaar of enige ander persoon aldus deur die voorsitter versoek, is verplig om die vergadering en/of die onmiddellike omgewing van die plek van die vergadering te verlaat.

26. (1) Behalwe waar anders bepaal, word alle sake wat aan 'n vergadering van die raad voorgelê word, behoudens die bepalinge van regulasie 18, deur 'n gewone meerderheidsbesluit van die aanwesige lede beslis en het elke lid een beraadslagende stem: Met dien verstande dat in die geval van 'n staking van uitgebragte stemme die voorsitter ook 'n beslissende stem het.

(2) 'n Besluit wat deur die raad geneem is mag alleen op voorstel van 'n lid van die raad herroep word mits twee-derdes van die volle raad stem vir die herroeping van die besluit.

27. Wanneer 'n lid van die raad van sy huis afwesig is in die uitoefening van sy pligte as lid, kan die volgende vergoeding vir noodsaaklike onkoste aan hom betaal word:—

(a) vir elke myl na die eerste drie myl wat afgelê word hoogstens vyf sent per myl: Met dien verstande dat hoogstens R6 aan 'n lid ingevolge hierdie paragraaf betaal word in geval van 'n enkele bywoning van 'n vergadering of konferensie;

(b) 'n verdere bedrag van hoogstens R1 per dag, of 50 cents per halfdag. Vir die toepassing van hierdie paragraaf word enige tydperk van vier-en-twintig uur as 'n dag beskou en enige tydperk van minder as vier-en-twintig uur maar meer as ses uur as 'n halfdag:

Met dien verstande dat, as 'n lid tot tevredenheid van die raad bewys dat die noodsaaklike onkoste deur hom aangegaan in die uitoefening van sy pligte as lid, meer is as die bedrag waartoe hy ingevolge paragrafe (a) en (b) geregtig is, die bedrag wat die Sekretaris as noodsaaklike onkoste goedkeur aan so 'n lid vergoed kan word.

28. 'n Raad mag staande komitees uit sy midde benoem, wat op enige tyd mag vergader om sake wat aan hulle opgedra is, te bespreek. Sulke komitees moet hulle voorstelle by die maandelikse raadsvergadering voorlê, en eers wanneer sulke voorstelle deur 'n raadsbesluit aangeneem is, sal hulle in werking tree. 'n Lid van so 'n komitee is slegs geregtig op vergoeding soos bepaal by paragraaf (b) van regulasie 27.

29. (1) Benewens 'n komitee bedoel in regulasie 28, kan die Sekretaris die raad gelas om uit sy geledere 'n dagbestuur wat tussen raadsvergaderings uitvoerend kan optree, te benoem;

(2) Die dagbestuur bestaan uit soveel lede en voer sulke voorgeskrewe pligte van die raad uit as wat die Sekretaris gelas;

(3) Die dagbestuur staan onder voorsitterskap van die beampte, of, by afwesigheid van 'n beampte, tree hy selfstandig op;

(4) Die dagbestuur moet by elke eersvolgende vergadering van die raad verslag doen van sy werksaamhede.

30. Die vergaderings van 'n adviesraad, met die beampte en twee lede as kworum, word gehou so dikwels as wat die beampte dit mag nodig ag: Met dien verstande dat minstens een vergadering elke kwartaal gehou word, en regulasies 23, 25 en 27 geld *mutatis mutandis* en vir sover toepaslik ten opsigte van die adviesraad, sy vergaderings en sy lede.

PROSEDURE VIR DIE BYEENROEP EN HOU VAN VERGADERINGS VAN GEREJISTREERDE OKKUPEDERS EN EIENAARS EN DIE VERRIGTINGS BY SULKE VERGADERINGS.

31. (1) Vergaderings van geregistreerde okkupeerders en eienaars in die raadsgebied—

(a) vir die doel van subartikel (3) van artikel vier van die Wet;

vicinity of the place where the meeting is held, the chairman shall have the right to call upon such registered occupier, owner or other person to leave the meeting and/or the immediate vicinity of the place of the meeting.

Any registered occupier, owner or any other person so called upon by the chairman shall leave the meeting and/or the immediate vicinity of the place of the meeting.

26. (1) Except where otherwise provided all questions before a meeting of the board shall, subject to the provisions of regulation 18, be decided by ordinary majority resolution of the members present and each member shall have one deliberative vote: Provided that in the event of an equality of votes the chairman shall have a casting vote as well.

(2) A resolution adopted by the board shall be reversed only on the motion of a member of the board and provided two-thirds of entire board vote for the reversal of such resolution.

27. Should any member of the board be absent from his home in the performance of his duties as member of the board, he may be reimbursed as follows for necessary expenses incurred by him:—

(a) For each mile after the first three miles covered, a sum not exceeding five cents per mile: Provided that not more than R6 shall be paid to any member in terms of this paragraph in respect of a single attendance at any meeting or conference.

(b) A further sum not exceeding R1 per day, or 50 cents per half day. For the purpose of this paragraph any period of twenty-four hours shall be regarded as a day, and any period of less than twenty-four hours but more than six hours shall be regarded as half a day:

Provided that should any member be able to prove to the satisfaction of the board that the necessary expenses incurred by him in the performance of his duties as member exceed the sum to which he is entitled in terms of paragraphs (a) and (b), such member may be reimbursed the sum the Secretary may approve as necessary expenses.

28. A board may appoint standing committees from its members who may meet at any time to discuss matters entrusted to them. Such committees shall submit their proposals at the monthly meeting of the board, and such proposals shall not become operative before they shall have been adopted by resolution of the board. A member of such committee shall be entitled to compensation only as provided in paragraph (b) of regulation 27.

29. (1) In addition to any committee referred to in regulation 28, the Secretary may instruct any board to nominate from its members an executive committee to act as such between meetings of the board.

(2) Such executive committee shall consist of such number of members and perform such prescribed duties of the board as the Secretary may determine.

(3) The executive committee shall be presided over by the officer or, should the officer be absent, act independently.

(4) The executive committee shall submit a report on its activities to every next succeeding meeting of the board.

30. The meetings of an advisory board, with the officer and two members forming a quorum, shall be held as often as the officer may deem it necessary: Provided that at least one meeting shall be held every quarter and regulations 23, 25 and 27 shall *mutatis mutandis*, and in so far as applicable, apply in respect of the advisory board, its meetings and its members.

PROCEDURE FOR CONVENING AND HOLDING OF MEETINGS OF REGISTERED OCCUPIERS AND OWNERS AND THE PROCEEDINGS AT SUCH MEETINGS.

31. (1) Meetings of registered occupiers and owners in the board area—

(a) for the purpose of sub-section (3) of section four of the Act;

(b) gedurende Desember vir die doel van verslagdoening van die raad se werksaamhede en sy finansiële aangeleenthede vir die lopende jaar;

(c) vir enige ander doel deur die Sekretaris opgedra;

(d) op besluit van die raad vir 'n bepaalde doel, word deur die raad belê deur die opplak van 'n kennisgewing vir 'n tydperk van minstens veertien dae by die raadskantoor, en enige ander geskikte plek in die raadsgebied, waarin die datum, tyd, plek en doel van die vergadering vermeld word.

(2) Die beampte of 'n raadslid vir die doel deur die raad aangewys vir afwesigheid van die beampte, tree op as voorsitter van die vergadering.

(3) (a) Die verrigtings en besluite van die vergadering word opgeteken in 'n behoorlike notuleboek wat vir die doel gehou word.

(b) Die notule van 'n vergadering word na bekragtiging deur die vergadering op die eersvolgende vergadering deur die voorsitter onderteken.

(4) 'n Geregistreerde okkupeerder of eienaar en ook 'n ander persoon wat verlof van die voorsitter verkry het om die vergadering by te woon, moet, wanneer deur die voorsitter ter wille van ordelekheid in die vergadering daartoe versoek, die vergadering verlaat.

(5) Enige besluit wat deur 'n meerderheid van die vergadering aangeneem word hetsy deur die opsteek van hande of op sodanige ander wyse as wat die voorsitter mag bepaal, is 'n besluit van die vergadering.

(6) Wanneer die besluit van die vergadering 'n vereiste is vir 'n administratiewe handeling, kan die voorsitter die notule van die vergadering op daardie vergadering laat opstel, voorlees en deur die vergadering laat bekragtig.

REGTE, BEVOEGDHEDE EN PLIGTE VAN BESTUURSGRADE Kragtens die Wet.

32. Die raad kan enige geregistreerde okkupeerder of eienaar binne sy regsgebied skriftelik aansê om binne een-en-dertig dae, of sodanige langer tydperk as wat die raad mag goedkeur, enige plantesoort wat by raadsbesluit as skadelik verklaar is (benewens enige ingevolge die Wet op Onkruid, 1937 (Wet No. 42 van 1937) as skadelike onkruid verklaar) op sy erf of eiendom tot bevrediging van die raad uit te roei.

33. Die raad kan met goedkeuring van die Sekretaris en op die voorwaardes wat hy dienstig mag ag—

- (a) grond vir boerdery huur wat deur die geregistreerde okkupeerders of eienaars van sy gebied geokkupeer en gebruik mag word;
- (b) geboue huur wat by die uitoefening van die raad se pligte nodig is; en
- (c) grond en geboue verhuur.

34. 'n Raad kan met die toestemming van die Sekretaris uit sy inkomste bydra tot die koste van 'n openbare saak.

35. Behoudens die voorwaarde dat die raad die nodige fondse ter beskikking het en nadat die Sekretaris se goedkeuring vir so 'n onderneming verkry is en vir solank dit hom behaag, kan 'n raad uit sy fondse voorrade saad, misstowwe, landbou-implemente, onderdele van implemente en boumateriaal koop en sulke voorrade aan geregistreerde okkupeerders en eienaars verkoop met slegs genoeg wins om alle koste daaraan verbonde te dek: Met dien verstande dat die raad nie meer as tweehonderd rand se voorrade van elkeen van die vyf items saad, misstowwe, landbou-implemente, onderdele van implemente en boumateriaal op 'n gegewe datum mag aanhou nie, tensy magtiging daarvoor van die Sekretaris verkry is nie.

36. 'n Raad kan na goeddunke en teen terugbetaling in die paaiemente waartoe hy besluit, aan geregistreerde okkupeerders en eienaars bedrae van hoogstens sestig rand per geregistreerde okkupeerder of eienaar voorskiet vir die aankoop van plaasuitrusting, saad, misstowwe, boumateriaal en lewende hawe.

(b) during December for the purpose of reporting the board's activities and its financial matters for the current year;

(c) for any other purpose required by the Secretary;

(d) for a particular purpose on the resolution of the board,

shall be convened by the board by the posting of a notice at its office and any other suitable place within the board area for a period of not less than fourteen days, in which the date, time, place and purpose of the meeting are stated.

(2) The officer, or in the event of his absence a member of the board appointed by the board for the purpose, shall preside over the meeting.

(3) (a) The proceedings and resolutions of the meeting shall be entered in a proper minute-book which shall be kept for that purpose.

(b) The minutes of the meeting, after confirmation at the next meeting, shall be signed by the chairman.

(4) A registered occupier or owner and any other person who has obtained the consent of the chairman to attend the meeting, shall leave the meeting when the chairman, in the interest of order in the meeting, requests him to do so.

(5) Any resolution adopted by a majority at the meeting, whether by the show of hands or by such other means as determined by the chairman, shall be a resolution of the meeting.

(6) When a resolution of the meeting is a requirement for an administrative action, the chairman may cause the minutes of the meeting to be prepared, and read at and confirmed by that meeting.

RIGHTS, POWERS AND DUTIES OF BOARDS OF MANAGEMENT IN TERMS OF THE ACT.

32. The board may in writing require any registered occupier or owner within its area of jurisdiction to eradicate to the satisfaction of the board within thirty-one days or such longer period as the board may approve, any such species of plants on his erf or property as have been declared noxious weeds by resolution of the board (in addition to noxious weeds declared as such in terms of the Weeds Act, 1937 (Act No. 42 of 1937)).

33. The board may, with the consent of the Secretary, and subject to such conditions as he may deem fit—

- (a) hire land for farming purposes which may be occupied and used by the registered occupiers or owners within its area;
- (b) hire buildings as may be required by the board for the exercise of its duties; and
- (c) let land and buildings.

34. A board may, with the consent of the Secretary, contribute out of its revenue towards the cost of a public matter.

35. Subject to the provision that the board has the necessary funds at its disposal and upon the approval of the Secretary having been obtained for such undertaking and for such period as he may deem fit, the board may, out of its funds, purchase supplies of seed, fertilizers, agricultural implements, parts of implements and building materials, and sell such supplies to registered occupiers and owners at such profit as to cover only all expenses incurred in respect thereof: Provided that the board shall not keep supplies of each of the five items, namely, seed, fertilizers, agricultural implements, parts of implements and building materials, to the value of more than two hundred rand at a given date without the consent of the Secretary.

36. A board may, in its discretion and against repayment in such instalments as may be decided upon, advance sums not exceeding sixty rand per registered occupier or owner to registered occupiers and owners for purchasing farm equipment, seed, fertilizers, building materials and livestock.

37. 'n Raad kan vir die bestryding van noodtoestande as gevolg van oorstroming, droogte of ander natuurrampe, aan 'n geregistreerde okkupeerder of 'n eienaar in sy gebied sulke bedrae en onder sulke voorwaardes voorskiet as wat die Sekretaris goedkeur.

38. Behoudens die goedkeuring van die Sekretaris en op die voorwaardes wat hy dienstig mag ag, kan die raad aan geregistreerde okkupeerders en eienaars bedrae van hoogstens vyfhonderd rand per geregistreerde okkupeerder en eienaar voorskiet ter bestryding van die oprigtingskoste van woonhuise binne die raadsgebied, en sodanige bedrae moet terugbetaal word in die paaielemente wat die raad mag bepaal.

39.(1) Enige werk waarvan die koste eenhonderd rand of meer beloop kan deur die raad slegs met die goedkeuring van die Sekretaris onderneem word.

(2) 'n Raad kan met die toestemming van die Sekretaris geld leen vir enige doel deur die Sekretaris goedgekeur.

HANDEL.

40. 'n Raad kan met die toestemming van die Sekretaris terreine verhuur vir handelsdoeleindes in die raadsgebied vir tydperke nie vyf jaar te bowe gaande nie teen die huurgeld wat die raad mag goedkeur: Met dien verstande dat—

- (1) (a) die huurder die verkreeë regte nie mag onderverhuur of oordra sonder die toestemming van die raad nie;
- (b) die huurder nie geregtig is op vergoeding vir verbeteringe wat deur hom op die grond aangebring is nie, maar die huurder mag alles wat hy opgerig het tydens sy verblyf op die grond sonder beskadiging van die grond verwyder binne een maand na die beëindiging van sy huurooreenkoms, tensy hy en die raad anders ooreengekom het;
- (c) die huurooreenkoms met die toestemming van die Sekretaris deur die raad opgesê mag word as die doel waarvoor die ooreenkoms aangegaan is, nie meer nagekom word nie;
- (d) die opbrengs van die huur gestort word in die algemene inkomstefonds van die raad;
- (e) die ooreenkoms in viervoud ingestuur word na die Sekretaris met die by wet vereiste inkomste-seëls daarop;
- (2) persone of maatskappye wat lisensies verkry het om te prospekter of met mynery besig is in 'n raadsgebied mag handel drywe, maar dan verplig is om te voldoen aan al die bepalings waaraan 'n gewone handelaar kragtens hierdie regulasies moet voldoen;
- (3) as enige persoon handel wil drywe in die raadsgebied, hy daarom aansoek moet doen by die raad wat sodanige aansoek met sy aanbeveling aan die Sekretaris moet stuur vir oorweging ingevolge artikel *nege-en-dertig* van die Wet.

REGULASIES VAN RAAD.

41. (1) Wanneer 'n raad voornemens is om 'n regulasie kragtens artikel *ag-en-twintig* van die Wet uit te vaardig, word sodanige besluit deur die raad by genotuleerde besluit goedgekeur alvorens dit aan die Minister vir sy goedkeuring voorgelê word.

(2) Alvorens 'n raad kragtens subartikel (2) van artikel *dertig* van die Wet 'n standaardregulasie aanneem word sodanige aanname deur die raad by genotuleerde besluit goedgekeur.

WERKNEMERS VAN DIE RAAD.

42. 'n Werknemer van die raad aan wie die hantering van geld namens die raad toevertrou word, moet 'n waarborg tot tevredenheid van die raad verskaf en in stand hou: Met dien verstande dat as 'n eerlikheidspolis deur die werknemer verskaf word, die raad 'n gedeelte van of die hele premie daarop uit sy fondse kan betaal.

37. A board may advance to a registered occupier or an owner within its area such amounts on such conditions as the Secretary may approve, for combating emergency conditions resulting from flood, drought or other natural disasters.

38. Subject to the approval of the Secretary and to such conditions as he may deem fit, the board may against repayment in such instalments as may be decided upon by it, advance sums not exceeding five hundred rand per registered occupier and owner to registered occupiers and owners for the purpose of defraying the cost of erecting houses within the board area.

39. (1) A board may, only with the consent of the Secretary, undertake any work involving a cost of one hundred rand or over.

(2) A board may, with the consent of the Secretary, borrow money for any purpose approved by the Secretary.

TRADING.

40. A board may, with the consent of the Secretary, lease for trading purposes sites in the board area for periods of not more than five years at such rentals as the board may approve: Provided that—

- (1) (a) the lessee shall not sublet or transfer rights granted to him without the sanction of the board;
- (b) the lessee shall not be entitled to any compensation for improvements effected by him on the land, but the lessee may remove everything erected by him on the land during his stay within one month of the termination of his lease without damage to the land, unless he and the board shall have agreed otherwise;
- (c) the lease may be terminated by the board with the consent of the Secretary if the purposes for which the lease was granted are no longer carried out;
- (d) the proceeds of such lease shall be paid into the general revenue fund of the board;
- (e) the agreement shall be submitted to the Secretary in quadruplicate with the revenue stamps required by law affixed thereto;
- (2) persons or companies to whom prospecting licences have been granted or who are carrying out mining operations in any board area may trade, but shall then comply with all the provisions to which an ordinary trader is subject under these regulations;
- (3) any person desiring to trade in the board area shall apply to the board who shall submit any such application together with its recommendation to the Secretary for consideration in terms of section *thirty-nine* of the Act.

REGULATIONS OF BOARD.

41. (1) Whenever a board intends to promulgate, in terms of section *twenty-eight* of the Act, any regulation, such resolution shall be approved by minuted resolution of the board before submission for the Minister's approval.

(2) Before the board adopts any standard regulation in terms of sub-section (2) of section *thirty* of the Act, such adoption by the board shall be approved by minuted resolution.

EMPLOYEES OF BOARD.

42. Any employee of the board entrusted with the handling of money on behalf of the board shall furnish and maintain surety to the satisfaction of the board: Provided that if a fidelity policy is furnished by such employee the board may pay from its funds a part or the whole of any premium thereon.

43. Die raad kan die dienste van 'n werknemer beëindig deur kennisgewing van minstens drie maande, tensy anders bepaal in sy aanstellings- of diensvoorwaardes, of sonder kennisgewing soos hierna bepaal.

44. 'n Werknemer van die raad word in die geval van paragrawe (a) en (b) en kan in die geval van paragraaf (c), op staande voet ontslaan word as—

- (a) hy skuldig bevind is aan 'n misdryf ingevolge die bepalings van die Wet op die Voorkoming van Korruptsie, 1958 (Wet No. 6 van 1958);
- (b) hy skuldig bevind is aan 'n kriminele oortreding;
- (c) hy, onderwyl hy in 'n voltydse hoedanigheid in diens is, sonder die toestemming van die raad regstreeks of onregstreeks werkzaam is in verband met enige besigheid, beroep, bedryf of amp, of sonder die toestemming van die raad enige werk vir besoldiging uitvoer anders as in sy hoedanigheid van werknemer van die raad.

45. Wanneer 'n werknemer skuldig is aan wangedrag uitgesonderd in die geval van paragrawe (a) en (b) van regulasie 44, en sodanige werknemer nie ontslaan word nie, kan die raad—

- (a) hom waarsku of berispe; of
- (b) een of meer salarisverhogings staak; of
- (c) sy besoldiging of graad of sowel sy besoldiging as graad verminder of verlaag.

46. (1) Ondanks die bepalings van regulasies 43 en 44 kan die raad of die beampte, hangende ondersoek en afhandeling van enige aanklag, bewering of beskuldiging van wangedrag wat na sy mening ontslag kan regverdig, 'n werknemer in sy diens skors ten opsigte van wie daar redelike vermoede bestaan dat hy aan sodanige wangedrag skuldig is, en iemand anders tydelik aanstel om in sy plek op te tree.

(2) Die skorsing in sy diens van 'n werknemer deur die beampte word aan die raad op sy eersvolgende vergadering na sodanige skorsing gerapporteer.

(3) Geen werknemer is ten opsigte van en gedurende die tydperk van sy skorsing geregtig op besoldiging of toelaes nie: Met dien verstande dat nadat die aanklag, bewering of beskuldiging van wangedrag afgehandel is, die raad aan 'n werknemer wat—

- (a) aan wangedrag skuldig bevind is, die hele of 'n gedeelte van sy verdienste en toelaes ten opsigte van die tydperk van sy skorsing kan betaal; en
- (b) nie aan wangedrag skuldig bevind is nie, die hele van sy verdienste en toelaes ten opsigte van die tydperk van sy skorsing moet betaal.

47. (1) Enige ondersoek na 'n aanklag van wangedrag teen 'n werknemer van die raad kan ingestel word of deur die raad of deur 'n ander persoon of persone wat hy in die algemeen of spesiaal daartoe aanwys en so iemand moet sy verslag en aanbeveling in elke geval aan die raad voorlê.

(2) By 'n ondersoek het die werknemer wat aangekla word, die reg om teenwoordig te wees en getuienis af te lê en, of persoonlik of deur 'n verteenwoordiger, sy saak te stel, om getuienis op te roep en enigiemand onder kruisverhoor te neem wie se getuienis aangevoer word of wie se verklaring of aanklag gebruik word ter ondersteuning van die beskuldiging teen hom.

(3) By 'n ondersoek kan die saak teen die werknemer wat aangekla word, voorgedra word deur iemand wat deur die raad aangestel word.

48. Enige optrede deur die beampte of die raad ingevolge regulasies 43 tot en met 46 moet onmiddellik volledig aan die Sekretaris gerapporteer word vir sy kennisname of die opdragte wat hy dienstig ag.

TOELATING VAN PERSONE EN HULLE REGTE EN PLIGTE.

49. Die volgende persone met hul eggenotes en onge-troude kinders is geregtig om te woon in 'n raadsgebied waarin nog nie eiendomsreg aan geregistreerde okku-peerders verleen is nie:—

43. The board may terminate the services of an employee upon notice of not less than three months unless otherwise provided in his conditions of appointment or service, or without notice as hereinafter laid down.

44. Any employee of the board shall in the case of paragraphs (a) and (b) and may in the case of paragraph (c) be summarily dismissed if—

- (a) he has been convicted of an offence in terms of the provisions of the Prevention of Corruption Act, 1958 (Act No. 6 of 1958);
- (b) he has been convicted of any criminal offence;
- (c) he, whilst employed in a full-time capacity, engages directly or indirectly, without the consent of the board, in any business, profession, trade or calling, or, without the consent of the board, for remuneration undertakes any work, otherwise than in his capacity as an employee of the board.

45. When an employee is guilty of misconduct other than in the case of paragraphs (a) and (b) of regulation 44, and such employee is not dismissed, the board may—

- (a) caution or reprimand him; or
- (b) stop one or more increments in his emoluments; or
- (c) reduce his emoluments or grade or both his emoluments and grade.

46. (1) Notwithstanding the provisions of regulations 43 and 44 the board or the officer may, pending investigation and disposal of any complaint, allegation or charge of misconduct such as in its or his opinion may justify dismissal, suspend from duty any employee reasonably suspected of being guilty of such misconduct and appoint another person temporarily to act in his place.

(2) The suspension from duty by the officer of an employee shall be reported to the board at its next meeting after such suspension.

(3) No employee shall for and during the period of his suspension from duty be entitled to any emoluments or allowances: Provided that after the complaint, allegation or charge of misconduct has been disposed of, the board—

- (a) may pay to an employee who has been found guilty of misconduct, the whole or any part of his emoluments and allowances in respect of the period of his suspension; and
- (b) shall pay to an employee who has not been found guilty of misconduct the whole of his emoluments and allowances in respect of the period of his suspension.

47. (1) Any investigation into a charge of misconduct against an employee of the board may be held either by the board or by some person or persons designated by it either generally or specially and such person shall submit to the board his report and recommendation in every case.

(2) At an investigation the employee charged shall be entitled to be present and to give evidence and, either personally or by a representative, to be heard, to call evidence and to cross-examine any person whose evidence is adduced or whose statement or complaint is used in support of the charge against him.

(3) At an investigation the case against the employee charged may be presented by a person appointed by the board.

48. Any action by the officer or the board in terms of regulations 43 to and including 46 shall immediately be reported in full to the Secretary for his information or such instructions as he may deem fit.

ADMISSION OF PERSONS AND THEIR RIGHTS AND DUTIES.

49. The following persons with their spouses and unmarried children shall be entitled to reside in the board area in respect of which no ownership has been granted to registered occupiers—

- (a) 'n Geregistreeerde okkupeerder en 'n persoon wat volgens hierdie regulasies deur die Sekretaris in oorleg met die raad as 'n nuwe geregistreeerde okkupeerder goedgekeur is;
- (b) 'n persoon wat 'n handelsooreenkoms ingevolge regulasie 40 aangegaan het;
- (c) 'n persoon, behalwe 'n geregistreeerde okkupeerder, wat toegelaat is kragtens die bepalings van 'n proklamasie wat ingevolge subartikel (2) van artikel drie van die Wet van krag bly;
- (d) 'n persoon in goewermentsdiens wat vir die uitoefening van sy pligte daar woon; en
- (e) enige ander persoon wat nie 'n onbevoegde persoon is nie en wat die skriftelike toestemming van die raad verkry het om tydelik daar te woon.

50. (1) 'n Geregistreeerde okkupeerder of iemand wat toegelaat is om op grond in die raadsgebied te woon, mag nie met of sonder sy huisgesin by 'n ander geregistreeerde okkupeerder of persoon en sy huisgesin aldaar inwoon nie of toelaat dat 'n ander geregistreeerde okkupeerder of persoon met of sonder sy huisgesin by hom op dieselfde erf inwoon nie tensy die een of ander vooraf skriftelik toestemming van die raad verkry het wat die raad mag uitreik op voorwaardes wat hy goeddink.

(2) Die raad moet, alvorens goedkeuring van 'n aansoek onder subregulasie (1) verleen word, magtiging van die Sekretaris daartoe verkry.

51. Enige persoon onwettiglik in die raadsgebied gevind, moet op die skriftelike versoek van die raad binne die tydperk wat die raad mag goeddink, die gebied verlaat.

52. Indien 'n raad, nadat skriftelike toestemming ingevolge die bepalings van paragraaf (e) van regulasie 49 verleen is, besluit om sodanige toestemming te kanselleer, weens ondermyning van die gesag van die raad, swak gedrag, of die pleging van 'n misdryf deur sodanige persoon aan wie toestemming verleen is om binne die raadsgebied te woon, moet die persoon die raadsgebied verlaat binne vier-en-twintig uur na ontvangs deur hom van skriftelike kennisgewing van die raad se besluit.

53. Niemand wat binne die raadsgebied woon, mag 'n persoon, aan wie die raad ingevolge regulasie 51 of regulasie 52 kennis gegee het om die gebied te verlaat, huisves, in diens hou, in diens neem, verhinder om die raadsgebied te verlaat of aanhits om nie die gebied te verlaat nie.

54. Iedereen wie se naam by die inwerkingtreding van hierdie regulasies as 'n geregistreeerde okkupeerder in die rekords van die raad voorkom en aan wie daar nie 'n toekenningsbrief deur die raad kragtens 'n deur hierdie regulasies herroepe regulasie uitgereik is nie en iedereen wat reeds in die raadsgebied gewoon het en wat nog nie 'n skriftelike toestemming van die raad voorheen verkry het nie, moet nie later as 3 maande na die inwerkingtreding van hierdie regulasies 'n skriftelike aansoek by die raad doen om of 'n toekenningsbrief of 'n skriftelike toestemming om in die raadsgebied te woon, na gelang van sy geval.

55. Die raad moet elke aansoek om 'n toekenningsbrief wat hy ingevolge regulasie 54 ontvang, tesame met sy opmerkings binne een maand vir oorweging aan die Sekretaris voorlê wat die aansoeke moet goed- of afkeur, en in die geval van 'n aansoek om skriftelike toestemming om in die raadsgebied te woon ingevolge bogenoemde regulasie, moet die raad aan so iemand 'n skriftelike toestemming soos vervat in Bylae A uitreik, tensy die raad besluit dat die aansoeker nie toegelaat behoort te word om binne sy gebied te woon nie.

56. Die raad moet aan elke persoon wie se aansoek om 'n toekenningsbrief deur die Sekretaris goedgekeur is 'n toekenningsbrief ooreenkomstig regulasie 63 uitreik en verder die bepalings van regulasies 63 en 64 nakom.

57. Die raad moet elke persoon wie se aansoek om 'n toekenningsbrief of om die skriftelike toestemming van die raad om in sy gebied te woon, geweier is, skriftelik daarvan in kennis stel.

- (a) a registered occupier and a person approved as a new registered occupier in accordance with these regulations by the Secretary in consultation with the board;
- (b) a person entering into a trading agreement in terms of regulation 40;
- (c) a person, other than a registered occupier, admitted in terms of the provisions of any proclamation remaining in force in terms of sub-section (2) of section three of the Act;
- (d) a person in Government employ residing there for the execution of his duties; and
- (e) any other person not being a disqualified person having obtained written consent from the board to reside there temporarily.

50. (1) No registered occupier or person permitted to reside on land in the board area shall, with or without his household, take up his abode there with any other registered occupier or person and his household nor shall he allow any other registered occupier or person, with or without his household, to reside with him on the same erf unless either the one or the other shall have obtained prior written consent from the board, which consent the board may issue subject to such conditions as the board may deem fit.

(2) The board shall, before approving any application in terms of sub-regulation (1), obtain the Secretary's sanction therefor.

51. Any person found within the board area illegally, shall upon the written request of the board remove himself from the area within such period as the board may determine.

52. Should the board, after granting written consent in terms of the provisions of paragraph (e) of regulation 49, decide to cancel such consent on account of the undermining of the board's authority, misbehaviour or any offence committed by such person who had been permitted to reside within the board area, such person shall remove himself from the board area within twenty-four hours of receiving written notice of the board's decision.

53. No person residing within the board area, shall accommodate, retain in his employ, take into employ, prevent from leaving or instigate not to leave the board area, any such person to whom the board has issued a notice in terms of regulation 51 or regulation 52 requiring his removal from the area.

54. Every person whose name at the commencement of these regulations appeared in the records of the board as a registered occupier, and to whom no certificate of occupation had been issued by the board in terms of any regulation repealed by these regulations, and every person who was residing within the board area and to whom no written consent had previously been issued by the board, shall not later than 3 months from the commencement of these regulations apply in writing to the board for a certificate of occupation or a written consent to reside in the board area, as the case may be.

55. The board shall submit every application for a certificate of occupation received in terms of regulation 54, together with its comments, within one month, for consideration to the Secretary, who shall either approve or refuse such applications and in the case of an application for written consent to reside in its area, in terms of the above-mentioned regulation, it shall issue to such person, a written consent, contained in Schedule A, unless the board considers that the applicant should not be allowed to reside within its area.

56. The board shall issue a certificate of occupation in accordance with regulation 63 to each person whose application for a certificate of occupation has been approved by the Secretary, and further comply with the provisions of regulations 63 and 64.

57. The board shall notify in writing each person whose application for a certificate of occupation or for the board's written consent to reside within its area, has been refused.

58. Ondanks andersluidende bepalinge in hierdie regulasies moet enige persoon wat in die gebied van die raad wil woon as 'n geregistreerde okkupeerder of met die skriftelike toestemming van die raad, of enige persoon wat die regte van 'n geregistreerde okkupeerder wil oorneem of huur, skriftelik daarom by die raad aansoek doen, en die raad is gemagtig om op sy volgende vergadering in die geval van 'n aansoek om sy skriftelike toestemming om binne sy gebied te woon, sodanige aansoek goed te keur vir 'n gegewe tydperk wat die raad goeëdink nie twaalf maande te bowe gaande nie, of om dit te weier.

59. Indien die raad 'n aansoek om 'n skriftelike toestemming om in sy gebied te woon, goedkeur, reik die raad 'n skriftelike toestemming aan die applikant uit. Indien die raad sodanige aansoek weier, stel hy die applikant daarvan in kennis.

60. Enige aansoek om as geregistreerde okkupeerder toegelaat te word, of om die regte van 'n geregistreerde okkupeerder oor te neem, of te huur moet by wyse van 'n kennisgewing wat die raad by sy kantoor opplak, vir 'n tydperk van 14 dae bekendgemaak word alvorens so 'n aansoek deur die raad oorweeg word.

61. Die aansoeke vermeld in regulasie 60, moet op sy eersvolgende vergadering deur die raad behandel word indien die betrokke partye se belastinge betaal is, en sodanige aansoeke moet tesame met alle besware wat ontvang is en die raad se opmerkings oor sowel die aansoeke as die besware aan die Sekretaris vir oorweging voorgelê word.

62. Indien die Sekretaris 'n aansoek wat ingevolge regulasie 61 aan hom voorgelê is, goedkeur, reik die raad 'n toekenningsbrief aan die applikant uit. Indien die Sekretaris so 'n aansoek weier, stel die raad die applikant daarvan in kennis.

63. 'n Toekenningsbrief in die vorm vervat in Bylae B, moet in drievoud vir elke aparte erf deur die raad opgestel word, en die oorspronklike moet aan die geregistreerde okkupeerder uitgereik word.

64. Die duplikaat en die tripliakaat van die toekenningsbrief moet deur die Sekretaris en die raad onderskeidelik in alfabetiese volgorde van familienaam in 'n register ingebind word wat as die register van geregistreerde okkupeerders bekend sal wees.

65. Niemand mag as 'n geregistreerde okkupeerder goedgekeur word nie, tensy—

- (a) hy die ouderdom van 18 jaar bereik het; en
- (b) ten opsigte van onopgemete grond 'n bouverseel aan hom toegeken is: Met dien verstande dat die Sekretaris op aanbeveling van die raad en op voorwaardes wat hy dienstig ag, 'n persoon as geregistreerde okkupeerder kan goedkeur sonder dat 'n bouverseel aan daardie persoon toegeken is indien 'n ander soort perseel soos in regulasie 66 omskryf aan hom toegeken is of deur hom bekom is.

66. Vir die doeleindes van die Wet word ten opsigte van onopgemete grond elkeen van die volgende persele, waarvan die grootte en ligging deur die Sekretaris in ooreenstemming met die raad vasgestel word, as 'n aparte perseel beskou, tensy twee of meer aanliggend is, in watter geval dit as een perseel beskou word, tensy die Sekretaris anders beslis:—

- (a) Persele waarop geboue opgerig mag word, genoem bouversele;
- (b) persele wat bestaan uit tuine sonder besproeiing, genoem droëtuinpersele;
- (c) persele wat bestaan uit tuine onder besproeiing, genoem watertuinpersele; en
- (d) persele wat bestaan uit landerye nie onder besproeiing nie, genoem droëlandpersele.

67. Vanaf die datum van inwerkingtreding van hierdie regulasies word geen nuwe perseel aan enige geregistreerde okkupeerder toegeken of aangewys nie, tensy sodanige perseel geleë is binne 'n in subparagraaf (i) van paragraaf (d) van artikel een-en-twintig van die Wet bepaalde woon-

58. Notwithstanding any contrary provision in these regulations, any person desiring to reside in the board area as a registered occupier or with the board's written consent or any person desiring to take over or lease the rights of a registered occupier, shall apply in writing to the board and the board is authorised, in the case of an application for its written consent to reside within its area, to grant such application for any given period not exceeding twelve months the board may approve or to refuse it at its next meeting.

59. Should the board approve an application for a written consent to reside within its area, the board shall issue a written consent to the applicant. Should the board refuse an application, it shall inform the applicant accordingly.

60. Any application for admission as a registered occupier, or for taking over or leasing the rights of a registered occupier, shall be made known by the board by posting a notice at its office for a period of 14 days before considering such application.

61. The applications referred to in regulation 60 shall be dealt with by the board at its next succeeding meeting, provided the rates of the parties concerned have been paid, and such applications together with any objections received and the board's comment on both the applications and objections, shall be submitted for consideration to the Secretary.

62. Should the Secretary approve an application submitted to him in terms of regulation 61, the board shall issue a certificate of occupation to the applicant. Should the Secretary refuse such an application, the board shall notify the applicant accordingly.

63. A certificate of occupation, in the form contained in Schedule B, shall be prepared by the board in triplicate for each separate erf and the original shall be issued to the registered occupier.

64. The duplicates and triplicates of the certificates of occupation shall be arranged in alphabetical order of surnames and bound by the Secretary and the board, respectively, into a register which shall be known as the register of registered occupiers.

65. No person shall be approved as a registered occupier unless—

- (a) he has reached the age of 18 years; and
- (b) a building allotment, in respect of unsurveyed land, has been allotted to him: Provided that, if any other kind of allotment defined in regulation 66 has been allotted to or has been acquired by him, the Secretary on the recommendation of the board and subject to such conditions as he may deem fit, may approve a person as a registered occupier without a building allotment being allotted to such person.

66. For the purposes of the Act each of the following allotments, the size and situation of which shall be determined by the Secretary in consultation with the board, shall in the case of unsurveyed land, be regarded as a separate allotment, except in the case of abutment of two or more, when it shall be regarded as one allotment unless otherwise determined by the Secretary:—

- (a) Allotments on which buildings may be erected, called building allotments;
- (b) allotments consisting of gardens without irrigation, called dry garden allotments;
- (c) allotments consisting of gardens under irrigation, called irrigable garden allotments;
- (d) allotments consisting of lands not under irrigation, called dry land allotments.

67. As from the date of commencement of these regulations no new allotment shall be allotted or assigned to a registered occupier unless such allotment is situated within a residential area determined in terms of sub-paragraph (i) of paragraph (d) of section twenty-one of the Act

gebied en mits dit nie met die uiteindelijke beplanning ingevolge voornoemde wetsbepaling bots nie.

68. Die raad of iemand gemagtig deur die raad moet, in die geval van 'n onopgemete erf, aan 'n persoon wat as geregistreerde okkupeerder goedgekeur is, sy perseel of persele, soos omskrywe in die toekenningsbrief, aanwys, en die geregistreerde okkupeerder moet die bakens aanbring wat sy perseel of persele van dié van ander persone sal onderskei.

69. As ten opsigte van 'n in regulasie 68 bedoelde perseel 'n gemeenskaplike baken of teken tussen twee aanliggende persele opgerig moet word moet die twee betrokke geregistreerde okkupeerders gesamentlik en afsonderlik sodanige gemeenskaplike bakens of tekens oprig en in stand hou.

70. Niemand mag sonder die skriftelike toestemming van die raad 'n baken verskuif of verwyder of toelaat dat dit verskuif of verwyder word nie.

71. Die raad kan enige geregistreerde okkupeerder of eienaar beveel om sy erf of eiendom te omhein op die wyse wat die raad bepaal, en iedere geregistreerde okkupeerder of eienaar is verplig om so 'n bevel uit te voer.

72. Behoudens die vergoeding aan die geregistreerde okkupeerder wat die Sekretaris mag goedkeur, kan die raad, in oorleg met die geregistreerde okkupeerder, in die belang van die gemeenskap of 'n ander aanwonende geregistreerde okkupeerder, oor enige perseel van enige geregistreerde okkupeerder, 'n pad aanlê of 'n waterleivoor, pypleiding of dreineringskanaal aanbring.

73. Die raad het in die persoon van sy lede, werknemers of raadgevers toegang tot of oor enige erf langs die kortste en doenlikste roete wat onder die omstandighede redelik is, ten einde enigiets te doen wat die Raad ingevolge die Wet gemagtig is om te doen of moet doen of ten einde die nakoming van enige voorskrif van die Wet te ondersoek of af te dwing.

74. Enige persoon wat 'n raadslid, werknemer of raadgever van die raad by die uitoefening van sy bevoegdhede of die uitvoering van sy pligte, dreig, weerstaan, hinder of belemmer, of vuil, kwetsende of beledigende taal teenoor hom besig, pleeg 'n misdryf.

75. Enige geregistreerde okkupeerder wat meen om vir langer as drie maande aaneen van die raadsgebied afwesig te wees, moet die raad skriftelik daarvan in kennis stel met opgawe van hoe lank hy meen om afwesig te wees, om watter rede en wie sy perseel sal oppas.

76. Die raad kan met goedkeuring van die Sekretaris en onderworpe aan die voorwaardes wat die Sekretaris dienstig ag enige onuitgewe grond van die meent wat die gemeenskap nie nodig het nie, aan enige geregistreerde okkupeerder of eienaar verhuur.

77. Die raad kan 'n spesiale uitspanning aanwys waar die publiek kan uitspan, afgesien van geregistreerde of geproklameerde uitspannings. Reisigers en besoekers is geregtig om op sulke spesiale uitspannings vier-en-twintig uur aaneen gratis uit te span. Na verloop van genoemde vier-en-twintig uur kan reisigers en besoekers by die Sekretaris van die raad aansoek doen om langer te vertoef teen betaling van 3 sent per dier per dag.

FINANSIES EN BELASTINGS.

78. Die raad moet 'n bankrekening by 'n gerieflik geleë handelsbank open.

79. Alle gelde deur die raad ontvang, moet erken word deur die uitreiking van 'n kwitansie, permit, lisensie of ander voorgeskrewe bewys, na gelang van die geval, en in 'n kasboek opgeteken word.

80. Alle inkomste deur die raad ontvang, moet van tyd tot tyd so spoedig moontlik na ontvangs in die bankrekening gestort word.

81. Behoudens die goedkeuring van die Sekretaris en op die voorwaardes wat hy dienstig ag, kan die raad 'n voorskot van sy bank by wyse van oortrekking op die lopende rekening, of van enige ander bank of iemand anders verkry.

and provided it is not in conflict with the eventual planning in terms of the said section.

68. The board or a person authorised by the board shall, in the case of an unsurveyed erf, indicate to a person approved as a registered occupier, his allotment or allotments, defined in the certificate of occupation and the registered occupier shall erect such beacons as will distinguish his allotment or allotments from those of other persons.

69. Should, in respect of an allotment referred to in regulation 68, a common landmark or beacon be necessary between two adjoining allotments, the two registered occupiers concerned shall jointly and severally erect and maintain such common beacon or landmark.

70. No person shall, without the written consent of the board, shift or remove a beacon or suffer it to be shifted or removed.

71. The board may order any registered occupier or owner to enclose his erf or property in the manner determined by the board and each registered occupier or owner shall comply with such order.

72. Subject to such compensation to the registered occupier as the Secretary may approve, the board may, after consultation with the registered occupier, in the interest of the community or some other adjacent registered occupier, construct a road or a lead furrow, pipeline, or drainage canal across any allotment allotted to any registered occupier.

73. The board shall through its members, employees or advisers have access to or over any erf, by the shortest and most practicable route reasonable in the circumstances for the purpose of doing anything authorised or required to be done by the board under the Act or to investigate or enforce compliance with any provision of the Act.

74. Any person who threatens, resists, hinders or obstructs, or uses foul, abusive or insulting language towards a member, employee, or adviser of the board in the exercise of his powers or execution of his duties shall be guilty of an offence.

75. Any registered occupier who intends to be absent from the board area for a period exceeding three consecutive months shall notify the board in writing, stating the period of his intended absence, the reason for his absence and the name of the person who will be left in charge of his allotment.

76. It shall be lawful for the board to lease with the consent of the Secretary and subject to such conditions as he may deem fit any unallotted portion of the commonage not required by the community to any registered occupier or owner.

77. The board may allot a special outspan to the public, irrespective of registered or proclaimed outspans. Travellers and visitors shall be entitled to outspan free of charge for a continuous period of twenty-four hours on such special outspans. After the expiry of the said twenty-four hours, travellers and visitors may apply to the secretary of the board for a longer stay against payment of 3 cents per animal per day.

FINANCE AND RATES.

78. Every board shall open a banking account with a conveniently situated commercial bank.

79. All moneys received by the board shall be acknowledged by the issue of a receipt, permit, licence or other prescribed voucher, as the case may be, and entered into the cash book.

80. All revenues received by the board shall from time to time be paid into the banking account as soon as possible after receipt thereof.

81. Subject to the approval of the Secretary and on such conditions as he may deem expedient, the board may obtain an advance from its bank by means of overdraft on the current account, or from any other bank or person.

82. Sodra die raad se kredietbalans op sy lopende bankrekening meer is as sy gemiddelde maandelikse uitgawe gedurende die voorafgaande boekjaar en dit nie vir uitbetaling binne dertig dae nodig is nie, moet die raad 'n spaarrekening by die poskantoor, 'n handelsbank of geregistreerde depositonemende finansiële instelling open, en sodanige geld moet per tjek daarin gestort word. Geen geld word uit sodanige spaarrekening getrek tensy 'n genotuleerde raadsbesluit vooraf verkry is nie.

83. Alle uitgawes van meer as een rand moet behoudens die bepalings van regulasie 84 per tjek geskied.

84. In die geval waar twee of meer werknemers van die raad gelyktydig besoldig moet word in bedrae van tien rand elk nie te bowe gaande nie, laat die raad 'n betaalstaat in die vorm wat die Sekretaris bepaal ten opsigte van al sulke werknemers uitmaak en kan bedoelde werknemers in kontant uitbetaal word nadat een tjek vir die doel vir die gesamentlike bedrag op die staat aangetoon, aan die persoon in bevel van die werkspan uitgereik is. Bedoelde betaalstaat met die handtekening van die werknemer agter die bedrag deur hom ontvang, word geag aan die vereistes van regulasie 85 te voldoen.

85. Geen betaling van enige aard, selfs kleinkasbetalings, mag gemaak word deur die raad of 'n lid van die raad of die sekretaris van die raad of die beampte nie, tensy die persoon wat die geld eis, sy eis skriftelik voorlê en behoorlik onderteken en dateer, met vermelding van die rede vir die eis; en die eiser moet 'n kwitansie gee vir die bedrag ontvang of op die eis teken dat die bedrag ontvang is, in watter geval die eis as kwitansie sal geld, en die sekretaris van die raad moet die eis en die kwitansie bewaar en die bedrag met besonderhede van die transaksie in rekening bring.

86. Twee lede van die raad wat van tyd tot tyd deur die raad aangewys word, moet alle tjeks gesamentlik teken en namens die raad die spaarrekeningstransaksies behartig. As een of albei van hierdie persone afwesig is, kan die raad een of twee ander persone aanwys om die tjeks te teken en die spaarrekeningstransaksies te behartig.

87. Die sekretaris van die raad moet aan die end van elke kalendermaand die raad se boeke balanseer.

88. Die raad moet in Januarie van elke jaar die boeke en finansiële state van die raad inspekteer.

89. Onmiddellik na die inspeksie in Januarie moet die raad sy finansiële state laat ouditeer deur 'n ouditeur en 'n staat van inkomste en uitgawes en 'n balansstaat laat opstel, waarvan 'n afskrif na die Sekretaris gestuur moet word voor die einde van Maart elke jaar. Die raad benoem en besoldig vir dié doel sy eie ouditeur. Die ouditeur wat die finansiële stukke ouditeer, moet sertifiseer dat die balansstaat 'n juiste opgawe van die inkomste en uitgawe van die raad is en dat die balans klop met die bankbalans. Verder moet hy aantoon hoeveel persone met hulle belastinge en ander geldelike verpligtings agterstallig is en wat die bedrae is.

9. Van tyd tot tyd kan by besluit van die raad 'n bedrag van tien rand nie te bowe gaande nie aan die sekretaris van die raad oorhandig word deur middel van 'n tjek geteken op die wyse soos voorgeskryf by regulasie 86 vir kleinkasdoeleindes, en uitgawes hieruit moet geskied ooreenkomstig die prosedure voorgeskrywe in regulasie 85.

91. Die raad moet vir alle werk wat hy wil laat verrig waarvan die koste meer as vyftig rand sal bedra, tenders inroep.

92. Behoudens die bepalings van regulasie 93 is 'n raad bevoeg om self oor uitgawes van hoogstens eenhonderd rand te besluit.

93. Voor 31 Augustus in elke jaar moet die raad 'n beraming van alle verwagte inkomste en uitgawes vir die volgende kalenderjaar onder gepaste hoofde opstel en vir goedkeuring aan die Sekretaris voorlê. Nadat die Sekretaris die beraming goedgekeur het en behoudens die voor-

82. As soon as the credit balance in the current banking account of the board exceeds its average monthly expenditure over the preceding financial year, and such credit is not required for disbursement within thirty days, the board shall open a savings account with the post office, a commercial bank or registered deposit-receiving financial institution and any such money shall be deposited into such account by cheque. No money shall be withdrawn from such savings account until the board has adopted a minuted resolution to that effect.

83. All expenses exceeding the sum of one rand shall, subject to the provisions of regulation 84, be paid by cheque.

84. In the event of two or more employees of the board being paid at the same time in sums not exceeding ten rand each, the board shall cause a paysheet, in the form required by the Secretary, to be prepared in respect of all such employees, and after issuing one cheque for the purpose for the total amount shown on such paysheet to the person in charge of the working team the said employees may be paid in cash. The said paysheet with each employee's signature opposite the amount received by him shall be deemed to comply with the requirements of regulation 85.

85. No payment whatsoever, including petty cash payments, shall be made by the board or a member of the board or the secretary of the board or the officer, unless the person claiming the money submits a written claim properly signed and dated, stating the reason for the claim and the claimant shall give a receipt for the amount received or endorse the claim to the effect that the amount has been received, in which case the claim shall be regarded as a receipt, which claim and receipt shall be kept and the amount with particulars of the transaction recorded by the secretary of the board.

86. Two members of the board appointed from time to time by the board shall jointly sign all cheques and operate on the savings account on behalf of the board. Should one of or both these persons be absent, the board may appoint one or two other persons to sign the cheques and to operate on the savings account.

87. The secretary of the board shall balance the books of the board at the end of each calendar month.

88. The books and financial statements of the board shall be inspected by the board each year in January.

89. Immediately following the inspection in January, the board shall cause its financial statements to be audited by an auditor and shall cause a statement of revenue and expenditure and a balance sheet to be drawn up, a copy of which shall be forwarded to the Secretary before the end of March each year. The board shall appoint and remunerate its own auditor for this purpose. The auditor who audits the financial statements shall certify the balance sheet to be correct statements of income and expenditure of the board and the balance to be in agreement with the bank balance. He shall further indicate the number of persons in arrears with their rates and other financial obligations and the amounts.

90. By resolution of the board a sum not exceeding ten rand may from time to time be handed to the secretary of the board in the form of a cheque, signed as prescribed in regulation 86, for petty cash purposes, and expenditure out of this amount shall be made in accordance with the procedure prescribed in regulation 85.

91. The board shall call for tenders for the performance of all work which will entail an expense of more than fifty rand.

92. Subject to the provisions of regulation 93 the board may take its own decisions in respect of expenses not exceeding one hundred rand.

93. In each year before 31st of August the board shall prepare and submit to the Secretary for approval under suitable headings, estimates of all expected income and expenditure for the calendar year next ensuing. Upon the Secretary's approval of such estimates and subject to the

waardes wat hy dienstig ag, kan die raad die dienste laat verrig en die uitgawes daaraan verbonde betaal. Geen uitgawe vir nuwe dienste of werke mag bygevoeg en geen uitgawe bo die bedrag onder enige hoof goedgekeur, of ten opsigte van 'n enkele of afsonderlike diens of werk wat eenhonderd rand te bowe gaan, mag sonder voorafgaande goedkeuring van die sekretaris aangegaan word nie.

94. (1) Die raad moet die belasting vir die eersvolgende jaar, wat ingevolge artikel *een-en-dertig* of *vier-en-dertig* van die Wet betaalbaar is, nie later hef as by sy maandelikse vergadering wat in Augustus gehou word nie.

(2) Sodanige belasting is verskuldig en betaalbaar op 2 Januarie van die eersvolgende jaar.

(3) Die raad moet jaarliks minstens drie maande voordat sodanige belasting betaalbaar is, 'n kennisgewing by die kantoor van die raad en sodanige ander plek binne die raadsgebied wat hy mag goedgevind laat opplak waarin die heffing van belasting bekend gemaak word.

95. Ondanks die bepalings van regulasie 94 kan in die geval van 'n ingelyfde gebied, 'n raad wat vir die eerste maal 'n belasting ingevolge die Wet en hierdie regulasies hef, sodanige belasting by enige vergadering hef: Met dien verstande dat die raad by sy kantoor of 'n ander gerieflike plek binne die raadsgebied 'n kennisgewing opplak waarin bekend gemaak word dat die belasting na verloop van dertig dae van die datum van die kennisgewing betaalbaar is.

96. Behoudens die bepalings van artikel *sewe-en-dertig* van die Wet kan belastingpligtiges met toestemming van die raad die belasting betaal in paaiemente van minstens een rand, mits volle betaling daarvan geskied binne die jaar waarvoor dit betaalbaar is.

97. 'n In sub-artikel (2) van artikel *sewe-en-dertig* van die Wet bedoelde kennisgewing soos vervat in Bylae C word in drievoud deur die raad voltooi ten opsigte van elke in genoemde subartikel bedoelde persoon en word geag behoorlik op hom gedien te wees indien die oorspronklike per geregistreerde pos aan hom gestuur of per hand aan hom afgelewer en sy handtekening op die afskrif verkry is of, in die geval waar sy adres onbekend is en hy nie sy erf of eiendom in die raadsgebied bewoon nie, die kennisgewing op 'n opsigtelike plek op die erf of eiendom vertoon is. Die duplikaat van die kennisgewing word in die raadskantoor bewaar en die triplikaat word vir kennisname aan die Sekretaris gestuur.

98. Belasting wat vir 'n tydperk van minstens drie jaar agterstallig en oninbaar is, kan met goedkeuring van die Sekretaris deur die raad afgeskryf word.

99. Die raad moet sy rekenings op die wyse en die boeke en registers hou en die verslae verstrek wat die Sekretaris van tyd tot tyd mag vereis.

100. Alle boeke, dokumente, bewysstukke of rekords van die raad bly in besit van die sekretaris van die raad en word nie uit die raadskantoor verwyder of in iemand anders se besit gestel sonder skriftelike goedkeuring van die beampite of 'n magtigende besluit van die raad nie.

EIENDOMME, GEBOUE EN VERBETERINGS VRYGESTEL VAN BELASTING.

101. Behoudens die bepalings van regulasies 102 en 103 is die volgende onroerende eiendomme in die raadsgebied van belasting, geheel kragtens artikel *vier-en-dertig* van die Wet, vrygestel—

- (1) onroerende eiendom wat by die Staat berus insluitende eiendom wat deel uitmaak van 'n spoorweglyn of wat 'n spoorweggebou of gebou is wat die padmotordienste van die Administrasie van die Suid-Afrikaanse Spoorweë en Hawens gebruik (uitgesonderd geboue wat deur iemand in 'n private hoedanigheid nuttig gebruik word of 'n erf of eiendom wat aan 'n geregistreerde okkupeerder ingevolge die Wet toegeken is);
- (2) onroerende eiendom onder berusting van onderwys-trustees, hospitaaltrustees of 'n ander soortgelyke liggaam;

conditions he deems fit, the board may cause the services to be performed and may pay the expenses in connection therewith. No expenditure in respect of any new service or work shall be added and no expenditure exceeding the amount approved under any heading or in respect of any single or separate service or work exceeding the amount of one hundred rand shall be incurred without the prior sanction of the Secretary.

94. (1) The board shall levy the rates for the next succeeding year, payable in accordance with section *thirty-one* or *thirty-four* of the Act, not later than at its monthly meeting held in August.

(2) Such rates shall be due and payable on 2nd January of the next ensuing year.

(3) Each year, at least three months before such rates become due, the board shall cause a notice to that effect to be posted at the office of the board and some other place within the board area it may deem convenient.

95. Notwithstanding the provisions of regulation 94, a board levying rates under the Act and these regulations for the first time, may in the case of an incorporated area levy such rates at any meeting: Provided that the board shall cause a notice to be posted at its office or any convenient place within the board area whereby it is notified that such rates shall be due and payable after the expiration of thirty days from the date of such notice.

96. Subject to the provisions of section *thirty-seven* of the Act, ratepayers may with the consent of the board pay the rates in instalments of at least one rand provided the rates shall be paid in full during the year in respect of which it became payable.

97. A notice referred to in sub-section (2) of section *thirty-seven* of the Act, in the form contained in Schedule C, shall be prepared by the board in triplicate in respect of every person referred to in the said sub-section, which notice shall be deemed to have been properly served upon such person if the original thereof has been sent to him by registered post or delivered by hand and his signature obtained on the copy thereof or, if his address is unknown and he does not occupy his erf or property in the board area, such notice has been displayed at a conspicuous place on such erf or property. The duplicate of such notice shall be kept in the office of the board and the triplicate forwarded for information to the Secretary.

98. Any rates which have been in arrears for at least three years and which are irrecoverable may, with the Secretary's approval be written off by the board.

99. The board shall keep its accounts in such a manner and such books and registers and render such reports as the Secretary may from time to time require.

100. All books, documents, vouchers or records of the board shall remain in the possession of the secretary of the board and shall not be removed from the office of the board or placed in possession of any other person without the consent in writing of the officer or authority by resolution of the board.

PROPERTIES, BUILDINGS AND IMPROVEMENTS EXEMPT FROM RATES.

101. Subject to the provisions of regulations 102 and 103, the following immovable properties within the board area shall be exempt from rates levied in terms of section *thirty-four* of the Act—

- (1) immovable property vested in the State including property which forms part of any railway line or which is a railway building or a building used for the road motor services of the South African Railways and Harbours Administration (other than buildings beneficially occupied by any person in a private capacity or an erf or property which has been allocated to a registered occupier in terms of the Act);
- (2) immovable property vested in the Educational Trustees, Hospital Trustees or any other similar body;

- (3) onroerende eiendom wat deur die Staat of die Provinsiale Administrasie of 'n skoolraad of ander raad of komitee onder beheer van die Provinsiale Administrasie gehuur en gebruik word vir openbare doeleindes soos 'n poskantoor, 'n losiesinrigting vir leerlinge of leerlinge en onderwysers, as die belasting ten opsigte van sodanige eiendom ooreenkomstig huurkontrak of andersins deur die huurder betaalbaar is;
- (4) onroerende eiendom onder berusting van die raad, 'n afdelingsraad of ander owerheid;
- (5) onroerende eiendom wat dwarsdeur die jaar uitsluitend vir openbare eredienste of vir openbare eredienste en onderwysdoeleindes gebruik word;
- (6) onroerende eiendom wat uitsluitlik gebruik word vir 'n skool of kollege wat nie vir die private geldelike wins van enigiemand, hetsy as 'n aandeelhouer van 'n maatskappy, of andersins, gedryf word nie;
- (7) onroerende eiendom wat uitsluitlik gebruik word vir hospitale, liefdadigheidsinrigtings, weeshuise of dergelike inrigtings—
 - (a) wat deur die Regering, die Provinsiale Administrasie, of 'n plaaslike owerheid of ander liggaam gedryf word; of
 - (b) wat deur openbare liefdadigheid gesteun word; of
 - (c) waarvan die winste (as daar is) geheel en al vir liefdadigheidsdoeleindes in die raadsgebied aangewend word;
- (8) onroerende eiendom wat uitsluitend vir begraaft-plase gebruik word;
- (9) onroerende eiendom wat uitsluitend vir die doel van atletiek, sport en ontspanning gebruik word (insluitende geboue) as sodanige eiendom onder berusting is van, of in bewaring is ten behoeve van, of gehuur word van die raad, 'n ander owerheid, of die Staat deur of namens 'n sportorganisasie, 'n universiteit, 'n kollege of 'n skool, waarvan geeneen vir die private geldelike wins van enigiemand, hetsy as 'n aandeelhouer van 'n maatskappy of andersins, gedryf word nie, uitgesonderd 'n verversingskamer of kroeg waarvan die winste (as daar is) nie uitsluitend vir die doeleindes van sodanige sportorganisasie, universiteit, kollege of skool gebruik word nie;
- (10) onroerende eiendom wat behoort aan of geokkupeer word deur 'n deur die Sekretaris goedgekeurde jeugorganisasie solank sodanige eiendom uitsluitend vir onderwysdoeleindes of die ontwikkeling van burgersin gebruik word: Met dien verstande dat—
 - (a) die organisasie nie sodanige eiendom gebruik met die doel om enige geldelike wins daaruit te verkry nie; en
 - (b) as sodanige eiendom deur so 'n organisasie verhuur word, die huurgeld wat ontvang word, nie meer mag wees as 'n bedrag wat nodig is om vir redelike onderhoud, reparasies en huurkoste voorsiening te maak nie;
- (11) onroerende eiendom onder berusting van 'n openbare nutsmaatskappy of dergelike instelling waarvan geeneen dit as een van sy oogmerke het om winste onder of ten bate van sy lede te verdeel nie en dit nie verdeel nie, en synde onroerende eiendom aangeskaf of opgerig ingevolge 'n deur die Sekretaris goedgekeurde behuisingskema van 'n sub-ekonomiese aard, mits die raad hom by besluit ten gunste van vrystelling van belasting van sodanige eiendom in die raadsgebied verklaar het;
- (12) onroerende eiendom synde 'n kerkgebou of -saal wat aan 'n kerk behoort en wat deur hom vir sy eie doeleindes gebruik word of wat van tyd tot tyd deur hom verhuur word teen 'n huurgeld wat nie die onkoste oorskry wat in verband met sodanige verhuring deur hom aangegaan word nie;
- (13) nuttige verbeterings wat die waarde van grond vir *bona fide*-boerderydoeleindes verhoog, met inbegrip van bouwerke, dipbakke, opgaartenks, mure, voerkuile en krale van blywende aard en gebou van klip, baksteen of beton, en ook besproeiingswerke,
- (3) immovable property hired by the State or the Provincial Administration or a school board or other board or committee under the control of the Provincial Administration and used for public purposes such as a post office, a boarding institution for pupils or pupils and teachers, when in terms of the lease or otherwise the rates in respect of such property are payable by the lessee;
- (4) immovable property vested in the board, a divisional council or any other authority;
- (5) immovable property used throughout the year exclusively for public worship or for public worship and educational purposes;
- (6) immovable property used exclusively for a school or college not conducted for the private pecuniary profit of any person, whether as a shareholder of a company or otherwise;
- (7) immovable property used exclusively for hospitals, charitable institutions, orphanages or similar institutions—
 - (a) conducted by the Government, the Provincial Administration, or a local authority or other body; or
 - (b) supported by public charity; or
 - (c) the profits (if any) of which are devoted entirely to charitable purposes within the board area;
- (8) immovable property used exclusively as cemeteries;
- (9) immovable property used exclusively for the purpose of athletics, sports and recreation (including buildings) if such property is vested in, or held in custody on behalf of, or is leased from the board, any other authority or the State by or on behalf of a sports organisation, a university, a college or a school, not one of which is conducted for the private pecuniary profit of any person whether as a shareholder of a company or otherwise, except a refreshment room or bar the profits (if any) of which are not devoted exclusively to the purposes of such sports organisation, university, college or school;
- (10) immovable property owned or occupied by any youth organisation approved by the Secretary, as long as such property is used exclusively for educational purposes or the development of the qualities of citizenship: Provided that—
 - (a) the organisation does not use any such property for the purpose of deriving any financial profit therefrom; and
 - (b) if such property is let by such organisation, the rental received shall not be more than an amount necessary to provide for reasonable maintenance, repairs and cost of letting;
- (11) immovable property vested in a public utility company or similar institution neither of which has as one of its objects the distribution of, and does not distribute, profits among or for the benefit of its members and being immovable property acquired or erected under a housing scheme of a sub-economic nature approved by the Secretary, provided the board has by resolution declared itself in favour of exempting from rates such property within the board area;
- (12) immovable property being a church building or hall owned by any church and used by it for its own purposes or let by it from time to time at a rental which does not exceed the expense incurred by it in connection with such letting;
- (13) beneficial improvements which increase the value of land for *bona fide* farming purposes, including structural works, dipping tanks, storage tanks, walls, silos and kraals of a permanent nature and constructed of stone, brick or concrete as well as

damme, boorgate, plantasies, wingerde en vrugteboorde: Met die verstande dat dit nie wonings insluit nie.

102. Onroerende eiendomme of enige gedeelte daarvan wat van belasting vrygestel is, word belasbaar en dit word beskou dat belasting daarop vasgestel en gehef is vanaf die datum waarop dit ophou om te voldoen aan die voorwaardes waarkragtens vrystelling verleen is.

103. (1) Ondanks die feit dat onroerende eiendom wat onder berusting van die Staat of 'n ander owerheid of die raad is by hierdie regulasies van belasting vrygestel is, is sodanige eiendom belasbaar en is belasting deur die huurder betaalbaar solank dit gehou word ingevolge 'n huurkontrak van minstens een jaar, of ingevolge 'n uitdruklike of stilswygende verlenging daarvan vir 'n tydperk van minstens een maand.

(2) 'n Raad kan by besluit en met toestemming van die Sekretaris enigiemand wat daardeur geraak word, van die bepalings van subregulasie (1) vrystel.

HONDEBELASTING.

104. 'n Raad wat voornemens is om 'n belasting op honde in sy gebied te hef ingevolge artikel *agt-en-dertig* van die Wet, moet minstens dertig dae voordat so 'n belasting gehef word die Sekretaris daarvan in kennis stel.

105. By ontvangs van die in regulasie 104 bedoelde kennisgewing, stel die Sekretaris die ander owerheid wat in die betrokke raadsgebied regsbevoegdheid besit (indien daar so een is) van die raad se voorneme en van die bepalings van artikel *agt-en-dertig* van die Wet in kennis.

106. Die raad moet nadat hy vasgestel het wat die belasting van die betrokke ander owerheid is, jaarliks belasting op honde vir die volgende jaar hef nie later nie as by sy maandelikse vergadering wat in Augustus gehou word.

107. Hondebelasting is verskuldig en betaalbaar voor of op die een-en-dertigste dag van Januarie van elke jaar of binne sewe dae nadat iemand 'n hond begin aanhou, en vervall op die eersvolgende een-en-dertigste dag van Desember: Met dien verstande dat as iemand na 30 Junie van enige jaar belastingpligtig word, die belasting vir daardie jaar met die helfte verminder word.

108. Die bepalings van regulasies 94 (3) en 95 is *mutatis mutandis* van toepassing ten opsigte van hondebelasting: Met dien verstande dat:

- (a) hondebelasting gehef word ten opsigte van die eersvolgende jaar en in die geval van 'n eerste heffing ingevolge hierdie regulasies nie later gehef word nie as by die raad se maandelikse vergadering wat in Desember gehou word;
- (b) in die geval waar 'n ander owerheid geen hondebelasting in die raadsgebied gehef het nie, die raad van 'n bestaande of ingelyfde gebied ondanks 'n andersluidende regulasie, in die geval van 'n eerste heffing van hondebelasting ingevolge hierdie regulasies, ooreenkomstig regulasie 95 kan handel en 'n hondebelasting vir die lopende jaar kan hef.

109. Ingeval geen hondebelasting deur 'n ander owerheid ten opsigte van die betrokke raadsgebied gehef word nie, bedra die belasting wat die raad hef—

- (a) tien rand ten opsigte van 'n windhond wat nie by 'n deur die Sekretaris goedgekeurde hondeklub of hondevereniging geregistreer is nie;
- (b) minstens vyftig sent ten opsigte van enige ander hond, insluitende 'n hond wat by 'n deur die Sekretaris goedgekeurde hondeklub of hondevereniging geregistreer is, en kan die raad 'n hoër belasting op tewe as op reunhonde hef: Met dien verstande dat—
 - (i) die belasting op 'n teef vier rand en die belasting op 'n reunhond twee rand nie te bowe gaan nie;
 - (ii) die totale belasting wat deur 'n teler betaalbaar is ten opsigte van elke vyf tewe nie tien rand te bowe gaan nie.

irrigation works, dams, boreholes, plantations, vineyards and orchards: Provided that residential buildings are not included.

102. Immovable property or any part thereof which is exempt from rates shall become ratable and rates shall be deemed to have been made and levied thereon from the date that it ceases to comply with the conditions conferring exemption.

103. (1) Notwithstanding the fact that immovable property vested in the State or any other authority or the board is by these regulations exempt from rates, such property shall be ratable and the lessee liable to pay such rates while held under a lease of not less than one year, or under any express or tacit extension thereof for a period of not less than one month.

(2) A board may by resolution and with the consent of the Secretary exempt from the provisions of sub-regulation (1) any person affected thereby.

DOG TAX.

104. A board intending to impose a tax upon dogs in its area in terms of section *thirty-eight* of the Act, shall at least thirty days before imposing such tax, notify the Secretary of its intention.

105. Upon receipt of the notice referred to in regulation 104, the Secretary shall inform such other authority (if any) having jurisdiction in the board area in question of the board's intention and of the provisions of section *thirty-eight* of the Act.

106. The board shall after having ascertained the tax levied by the other authority concerned, levy annually a tax on dogs for the following year not later than at its monthly meeting held in August.

107. Dog tax shall be due and payable on or before the 31st day of January in each year or within seven days after any person commences to keep a dog and shall expire on the 31st day of December next succeeding: Provided that if liability for the tax arises after 30th June in any year the tax for that year shall be reduced by one-half.

108. The provisions of sub-regulation (3) of regulation 94 and of regulation 95 shall *mutatis mutandis* apply in respect of dog tax: Provided that:

- (a) dog tax shall be levied in respect of the next ensuing year and in the event of levying tax under these regulations for the first time, be levied not later than at the monthly meeting of the board held in December;
- (b) in the case where no other authority has levied any dog tax in respect of the board area, the board of an existing or an incorporated area may, notwithstanding any regulation to the contrary, in the case of dog tax levied under these regulations for the first time, act in accordance with regulation 95 and levy dog tax for the current year.

109. In the event of no dog tax being levied by any other authority in respect of the board area concerned, the tax levied by the board shall be—

- (a) ten rand in respect of a greyhound not registered with a kennel club or association approved by the Secretary;
- (b) not less than 50 cents in respect of any other dog, including a dog registered with a kennel club or association approved by the Secretary, and the board may impose a higher tax on bitches than on male dogs: Provided that—
 - (i) the tax on a bitch shall not exceed four rand and the tax on a male dog shall not exceed two rand;
 - (ii) the total amount of tax payable by a breeder in respect of every five bitches, shall not exceed ten rand.

110. Iedereen wat 'n hond van ouer as drie maande in die raadsgebied aanhou, moet die belasting jaarliks betaal: Met dien verstande dat—

- (a) iemand wat van iemand anders 'n hond verkry ten opsigte waarvan 'n geldige lisensie en metaalplaatjie ingevolge regulasie 111 uitgereik is, gedurende die tydperk van geldigheid van sodanige lisensie by betaling van tien sent geregtig is om die lisensie en metaalplaatjie aan hom te laat oordra by wyse van endossement op die lisensie deur die raad wat die lisensie uitgereik het;
- (b) iemand wat ophou om 'n hond aan te hou ten opsigte waarvan die belasting betaal is, geregtig is om by betaling van tien sent die lisensie en metaalplaatjie uitgereik ingevolge regulasie 111 ten opsigte van so 'n hond, by wyse van endossement deur die raad wat die lisensie uitgereik het, te laat oordra ten opsigte van 'n ander hond wat deur so iemand aangehou word en ten opsigte waarvan daar tot tevredenheid van die raad bewys word dat geen belastingpligtigheid ontstaan het voor die datum waarop so iemand opgehou het om eersgenoemde hond aan te hou nie;
- (c) iemand wat ten behoeve van iemand anders 'n hond tydelik aanhou ten opsigte waarvan die belasting betaal is, nie gedurende die geldigheid van 'n lisensie en metaalplaatjie uitgereik ingevolge regulasie 111, aangesê mag word om weer belasting ten opsigte van so 'n hond te betaal nie.

111. (1) Hondebelasting word deur die raad ingevorder en 'n lisensie word uitgereik waarby die houer gemagtig word om 'n hond aan te hou.

(2) Saam met so 'n lisensie reik die raad aan die houer 'n metaalplaatjie kosteloos uit waarop die nommer van die lisensie, die jaar waarvoor dit geldig is, die naam van die raad asook alle besonderhede en merke wat die raad nodig ag, gestempel is.

112. (1) Behoudens die bepalings van subregulasie (2) is geen belasting betaalbaar ten opsigte van 'n hond wat deur 'n blinde persoon as gids gebruik word nie.

(2) Geen hond word beskou as belastingvry ingevolge subregulasie (1) nie, tensy die persoon wat vrystelling verlang, jaarliks voor 31 Januarie of binne dertig dae nadat hy so 'n hond begin aanhou, op aansoek by die raad vrystelling verkry. Die applikant moet alle bewyse en besonderhede verstrek wat deur die raad vereis word en as die raad oortuig is dat so 'n hond belastingvry is, reik hy aan die applikant by betaling van die bedrag van tien sent 'n lisensie en metaalplaatjie uit soos in regulasie 111 bepaal.

113. (1) 'n Gemagtigde beampte van die raad (hierna „gemagtigde beampte” genoem) kan vir enige doel in verband met die toepassing van hierdie regulasies—

- (a) enige persoon wat met 'n hond in die raadsgebied aangetref word, aansê om die lisensie ten opsigte van so 'n hond, asook die hond ten opsigte waarvan so 'n lisensie uitgereik is, vir inspeksie te vertoon;
- (b) van enige persoon wat met 'n hond in die raadsgebied aangetref word sy naam en adres opeis;
- (c) enige eienaar of okkupeerder van grond in die raadsgebied aansê om die aantal honde op sodanige grond op te gee;
- (d) op alle redelike tye sonder om vooraf kennis te gee, enige grond of perseel in die raadsgebied betree;
- (e) enige persoon ondervra wat na sy mening in staat is om inligting te verstrek wat hy ten opsigte van 'n hond verlang.

(2) Enige eienaar of okkupeerder van grond in 'n raadsgebied en enige agent, werknemer of afhanklike bo die ouderdom van agtien jaar van so 'n eienaar of okkupeerder moet op versoek van 'n gemagtigde beampte hom in die geleentheid stel om sodanige grond te betree en om daarop sy bevoegdhede uit te oefen of sy pligte te vervul.

(3) 'n Gemagtigde beampte kan te alle tye 'n assistent saamneem, wat, terwyl hy op las van sodanige beampte optree, as 'n gemagtigde beampte beskou word.

110. Every person keeping a dog of over age of three months in the board area, shall annually pay the tax: Provided that—

- (a) any person who obtains from some other person a dog in respect of which a valid licence and metal badge have been issued in terms of regulation 111, shall during the currency of such licence, on payment of a fee of 10 cents, be entitled to have such licence and metal badge transferred to him by endorsement made on such licence by the board which issued such licence;
- (b) a person ceasing to keep a dog in respect of which the tax has been paid, shall be entitled on payment of a fee of ten cents to have the licence and metal badge issued in terms of regulation 111 in respect of such dog transferred by endorsement by the board which issued the licence in respect of any other dog kept by such person and in respect of which it is shown to the satisfaction of such board that no liability for tax has arisen before the date on which such person ceased to keep the first-mentioned dog;
- (c) any person who, on behalf of some other person, temporarily keeps a dog in respect of which the tax has been paid, shall not during the currency of a licence and metal badge issued in terms of regulation 111, be required again to pay the tax in respect of such dog.

111. (1) Dog tax shall be collected by the board and a licence shall be issued authorising the holder to keep a dog.

(2) Together with such licence the board shall issue to the holder free of charge a metal badge stamped with the number of the licence, the year of its currency, the name of the board and such other particulars and marks as the board may deem necessary.

112. (1) Subject to the provisions of sub-regulation (2), no tax shall be payable in respect of a dog being used by a blind person as a guide.

(2) No dog shall be deemed to be exempt from tax under the provisions of sub-regulation (1) unless the person claiming exemption shall annually before 31st January or within thirty days of commencing to keep such dog, apply to and obtain exemption from the board. The applicant shall furnish such proof and particulars as may be required by the board which shall, if satisfied that such dog is exempt from taxation, issue to the applicant on payment of a fee of 10 cents a licence and a metal badge as provided in regulation 111.

113. (1) An authorised officer of the board (hereinafter called “authorised officer”) may for any purpose connected with the carrying out of these regulations—

- (a) request any person found with a dog within the board area to produce for inspection the licence in respect of such dog and the dog in respect of which such licence was issued;
- (b) demand from any person found with a dog within the board area his name and address;
- (c) request any owner or occupier of land in the board area to furnish the number of dogs on such land;
- (d) at all reasonable times without previous notice enter upon any land or premises in the board area;
- (e) question any person who in his opinion may be able to furnish any information desired by him in respect of any dog.

(2) Any owner or occupier of land in the board area, and any agent, employee or dependant over the age of eighteen years of such owner or occupier shall upon request furnish to an authorised officer such facilities as may be required by him for entering upon such land and for the exercise of his powers or the execution of his duties thereon.

(3) An authorised officer may at all times take with him an assistant who shall, while acting under direction of such officer, be deemed to be an authorised officer.

(4) As 'n gemagtigde beampte van mening is dat die belasting ten opsigte van 'n hond aan 'n ander owerheid verskuldig en betaalbaar is, moet hy 'n verslag te dien effekte indien by die raad en die raad moet dit aan die ander owerheid oordra.

(5) Iedereen wat—

(a) weier of in gebreke bly om na die beste van sy vermoë enige vraag te beantwoord wat aan hom gestel word deur, of wat met opset 'n valse verklaring doen aan 'n gemagtigde beampte by die uitoefening van sy bevoegdhede of die vervulling van sy pligte;

(b) weier of in gebreke bly om na die beste van sy vermoë te voldoen aan enige vereiste van 'n gemagtigde beampte by die uitoefening van sy bevoegdhede of die vervulling van sy pligte;

(c) 'n gemagtigde beampte by die uitoefening van sy bevoegdhede of die vervulling van sy pligte weerstaan, hinder of belemmer;

(d) hom valslik as 'n gemagtigde beampte voordoen;

(e) in gebreke bly om aan die bepalings van subregulasie (2) te voldoen.

is skuldig aan 'n misdryf.

114. Iedereen wat 'n hond aanhou ten opsigte waarvan 'n metaalplaatjie ingevolge hierdie regulasies uitgereik is, en wat in gebreke bly om toe te sien dat sodanige hond dit te alle tye dra solank dit geldig is, behalwe in die geval waar die raad spesiale vrystelling van hierdie regulasie verleen het, is skuldig aan 'n misdryf.

115. (1) Wanneer 'n hond nie 'n metaalplaatjie dra soos vereis by regulasie 114 nie, word dit in enige saak ingevolge hierdie regulasies vermoed dat die belasting ten opsigte van so 'n hond nie betaal is nie en dat die hond nie belastingvry is nie, tensy die teendeel bewys word.

(2) Wanneer daar in 'n dagvaarding, akte van beskuldiging of aanklag beweer word dat 'n hond van 'n besondere ras of soort is, word dit geag dat sodanige hond van die beweerde ras of soort is totdat die teendeel bewys word.

116. Enige hond kan van kant gemaak word—

(a) deur of op las van die eienaar of okkupeerder van enige grond in die raadsgebied wat vir landbou-doeleindes aangewend word, as dit daarop oortree en nie by iemand is nie, of as dit skade daarop aanrig;

(b) deur 'n gemagtigde beampte—

(i) as dit êrens (uitgesonderd op grond wat die eiendom is van, of geokkupeer word deur die persoon wat die hond aanhou) gevind word sonder 'n plaatjie wat kragtens hierdie regulasies uitgereik is, tensy so 'n hond by iemand is wat die gemagtigde beampte oortuig dat die belasting ten opsigte van sodanige hond betaal is of dat dit belastingvry is;

(ii) as die belasting ten opsigte van so 'n hond nie betaal is nie tensy alle lopende en agterstallige belastingen ten opsigte van so 'n hond op aanvraag van die gemagtigde beampte betaal word, of die belasting ten opsigte van so 'n hond na die mening van die gemagtigde beampte aan 'n ander owerheid verskuldig en betaalbaar is.

117. Iedereen is skuldig aan 'n misdryf wat—

(a) enige dokument of metaalstuk namaak of vervals met die oog op die gebruik van so 'n dokument as 'n lisensie of vrystellingsertifikaat of van so 'n metaalstuk as 'n metaalplaatjie wat kragtens hierdie regulasies uitgereik is;

(b) 'n nagmaakte of vervalste dokument of metaalstuk gebruik, uitgee of in sy besit het wetende dat dit nagmaak of vervals is;

(c) 'n metaalplaatjie wat kragtens hierdie regulasies uitgereik is, wederregtelik deur 'n ander hond as dié ten opsigte waarvan dit uitgereik is, laat dra of toe laat dat dit deur hom gedra word;

(4) If it appears to an authorised officer that the tax in respect of a dog is due and payable to some other authority, he shall submit a report to the board and the board shall transmit it to such other authority.

(5) Any person who—

(a) refuses or fails to reply to the best of his ability any question put to him by, or wilfully makes any false statement to, an authorised officer in the exercise of his powers or the execution of his duties;

(b) refuses or fails to comply to the best of his ability with any requirement made by an authorised officer in the exercise of his powers or the execution of his duties;

(c) resists, hinders or obstructs an authorised officer in the exercise of his powers or the execution of his duties;

(d) falsely represents himself to be an authorised officer;

(e) fails to comply with the provisions of sub-regulation (2).

shall be guilty of an offence.

114. Any person keeping a dog in respect of which a metal badge has been issued under these regulations and who fails to cause such badge to be worn by such dog at all times during the currency thereof, except where special exemption of the provisions of this regulation has been granted by the board, shall be guilty of an offence.

115. (1) Whenever a dog is not wearing a metal badge as required by regulation 114, it shall in any proceedings under these regulations be presumed that the tax in respect of such dog has not been paid and that such dog is not exempt from tax, unless the contrary is proved.

(2) Whenever in any summons, indictment or charge it is alleged that a dog is of a particular breed or kind, it shall be deemed to be of the alleged breed or kind until the contrary is proved.

116. Any dog may be destroyed—

(a) by or on the order of the owner or occupier of any land in the board area utilised for agricultural purposes, if found trespassing thereon and not being with any person or if found causing any damage thereon;

(b) by an authorised official—

(i) if found in any place (not being land owned or occupied by the person keeping such dog) without a badge issued under these regulations, unless such dog is with a person who satisfies the authorised official that the tax in respect of such dog has been paid or that it is exempt from tax;

(ii) if the tax in respect of such dog has not been paid, unless all current and arrear taxes in respect of such dog be paid on demand by the authorised official or it appears to the authorised official that the tax in respect of such dog is due and payable to some other authority.

117. Any person shall be guilty of an offence who—

(a) fabricates or forges any document or piece of metal with intent that such document shall be used as a licence or certificate of exemption or such piece of metal shall be used as a metal badge issued under these regulations;

(b) uses, utters or has in his possession any fabricated or forged document or piece of metal, well knowing the same to have been fabricated or forged;

(c) unlawfully causes or permits a metal badge issued under these regulations to be worn by any other dog than the dog in respect of which it was issued;

- (d) wederregtelik in besit gevind word van 'n lisensie, vrystellingsertifikaat of metaalplaatjie wat kragtens hierdie regulasies uitgereik is.

ANDER VERGADERINGS.

118. (1) Iedereen wat sonder die skriftelike goedkeuring van die Sekretaris—

- (a) 'n vergadering, byeenkoms of samekoms waarby meer as vyf persone op enige besondere tydstop aanwesig is, in die gebied waarop die bepalings van die Wet van toepassing is, hou, daarop voorsit of dit toespreek; of
(b) toelaat dat so 'n vergadering, byeenkoms of samekoms in sy huis of op 'n ander perseel of grond onder sy beheer, gehou word, pleeg 'n misdryf.

(2) Subregulasie (1) is nie van toepassing nie op 'n vergadering, byeenkoms of samekoms—

- (a) gehou vir die doel van 'n begrafnis;
(b) gehou vir die doel van 'n *bona fide*-kerkdiens;
(c) gehou in verband met die reëling van die huishoudelike sake van 'n huishouding;
(d) van die lede van 'n statutêre liggaam van persone wat uitsluitlik vir die verrigting van sake van daardie liggaam gehou word;
(e) gehou vir die doel van onderrig wat ingevolge 'n wet gegee word;
(f) wat 'n *bona fide*-sportbyeenkoms, konsert of vermaaklikheid is;
(g) gehou in verband met 'n bruilof;
(h) gehou vir amptelike administratiewe doeleindes.

STRAFBEPALINGS.

119. Iedereen wat 'n bepaling van regulasie 13 (3) (c), 21, 22, 25, 32, 40 (2) en (3), 50 (1), 51, 52, 53, 54, 58, 68, 69, 70, 71, 74, 75, 110, 113 (5), 114, 117 of 118 oortree of versuim om 'n verpligting wat daarin opgelê word na te kom, pleeg 'n misdryf en is by skuldigbevinding strafbaar in die geval van—

- (a) regulasie 13 (3) (c), 25, 40 (2) en (3), 50 (1), 54, 58, 68, 69, 71, 75, 110 of 114 met 'n boete van hoogstens twintig rand of by wanbetaling met gevangenisstraf van hoogstens 15 dae;
(b) regulasie 21, 22, 32, 51, 52, 53, 70, 74, 113 (5) of 117 met 'n boete van hoogstens dertig rand of by wanbetaling met gevangenisstraf van hoogstens 20 dae; en
(c) regulasie 118 met 'n boete van hoogstens vyftig rand of by wanbetaling met gevangenisstraf van hoogstens 30 dae.

BYLAE A.

SKRIFTELIKE TOESTEMMING OM TE WOON.

Toestemming word aan
van
kragtens besluit No. gedateer
van die Bestuursraad van die Landelike Kleurlinggebied
verleen om tot
in die raadsgebied te woon, onderworpe aan die bepalings van die Wet op Landelike Kleurlinggebiede, 1963 (Wet No. 24 van 1963), en regulasies daarkragtens uitgevaardig.

.....
Sekretaris van Bestuursraad.

Datum

.....
Stempel van Bestuursraad.

- (d) is found in unlawful possession of a licence, certificate of exemption or metal badge issued under these regulations.

OTHER MEETINGS.

118. (1) Any person who, without the approval in writing of the Secretary—

- (a) holds, presides at or addresses any meeting, gathering or assembly in the area to which the provisions of the Act apply at which more than five persons are present at any one time; or
(b) permits any such meeting, gathering or assembly to be held in his house or on other premises or land under his control;

shall be guilty of an offence.

(2) Sub-regulation (1) shall not apply to any meeting, gathering or assembly—

- (a) held for the purpose of a funeral;
(b) held for the purpose of a *bona fide* religious service;
(c) held in connection with the regulation of the domestic affairs of any household;
(d) of the members of a statutory body of persons, held exclusively for the purpose of transacting any business of that body;
(e) held for the purpose of instruction given under any law;
(f) being a *bona fide* sports gathering, concert or entertainment;
(g) held in connection with a wedding;
(h) held for official administrative purposes.

PENALTIES.

119. Any person contravening a provision of regulation 13 (3) (c), 21, 22, 25, 32, 40 (2) and (3), 50 (1), 51, 52, 53, 54, 58, 68, 69, 70, 71, 74, 75, 110, 113 (5), 114, 117 or 118 or failing to fulfil an obligation thereunder shall be guilty of an offence and shall be liable on conviction in the case of—

- (a) regulation 13 (3) (c), 25, 40 (2) and (3), 50 (1), 54, 58, 68, 69, 71, 75, 110 or 114 to a fine not exceeding twenty rand or in default of payment to imprisonment for a period not exceeding 15 days;
(b) regulation 21, 22, 32, 51, 52, 53, 70, 74, 113 (5) or 117 to a fine not exceeding thirty rand or in default of payment to imprisonment for a period not exceeding 20 days; and
(c) regulation 118 to a fine not exceeding fifty rand or in default of payment to imprisonment for a period not exceeding 30 days.

SCHEDULE A.

WRITTEN CONSENT TO RESIDE.

Permission is granted to
of in terms of
resolution No., dated, of the
board of management of the Rural Coloured Area
to reside in the board area
till
subject to the provisions of the Rural Coloured Areas Act, 1963 (Act No. 24 of 1963), and regulations promulgated thereunder.

.....
Secretary, Board of Management.

Date

.....
Board's Stamp.

BYLAE B.

No.
(Nommer van goedkeuringsbrief
van die Sekretaris van Kleurling-
sake).

TOEKENNINGSBRIEF.

Mnr./Mev./Mej.

Geagte mnr./mev./mej.,

Hierby word u in kennis gestel dat die Sekretaris van Kleurlingsake in oorleg met die bestuursraad u goedgekeur het as geregistreerde okkupeerder van die Landelike Kleurlinggebied

U regte is soos volg:—

- * 1. Bouperseel No.
- * 2. Droëtuinperseel No.
- * 3. Watertuinperseel No.
- * 4. Droëlandperseel No.
- * 5. Weiding soos van tyd tot tyd by regulasie bepaal.

U pligte is soos volg:—

- 1. Stiptelike betaling van u belastinge en ander toepaslike gelde aan die raad.
- 2. Onderwerping aan die bepalings van die Wet en van die onderskeie regulasies, soos van tyd tot tyd gewysig, wat op die gebied van toepassing is, en waarvan 'n eksemplaar by die kantoor van die raad verkrygbaar is.

.....
Voorsitter van Bestuursraad.

.....
Sekretaris van Bestuursraad.

Datum

Stempel van Bestuursraad.

* Skrap wat nie van toepassing is nie.

BYLAE C.

KENNISGEWING INSAKE AGTERSTALLIGE BELASTINGS.

Mnr./Mev./Mej.

Kennisgewing geskied hierby ingevolge subartikel (2) van artikel sewe-en-dertig van die Wet op Landelike Kleurlinggebiede, 1963 (Wet No. 24 van 1963), dat u versuim het om u belasting wat kragtens genoemde Wet aan die bestuursraad verskuldig is voor of op (1) te betaal.

Tensy die verskuldigde bedrag van R..... tesame met rente bereken vanaf die eerste dag van (2) 19..... teen 7 persent vir elke maand of gedeelte van 'n maand wat sodanige belasting onverreken bly, binne een maand vanaf die datum van hierdie kennisgewing by die kantoor van die raad verreken word, is u aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens vyf-en-twintig rand.

.....
Sekretaris van Bestuursraad.

Datum

Adres

.....
Stempel van Bestuursraad.

- (1) Vul hier in 30 April en jaartal of die datum waarop met die raad ooreengekom is om te betaal, na gelang van die geval.
- (2) Vul hier in die datum waarvandaan rente verskuldig en betaalbaar is.

SCHEDULE B.

No.
(No. of letter of approval of
the Secretary for Coloured
Affairs).

CERTIFICATE OF OCCUPATION.

Mr./Mrs./Miss

Dear Sir/Madam,

You are hereby informed that the Secretary for Coloured Affairs in consultation with the board of management has approved of you as a registered occupier of the Rural Coloured Area

Your rights shall be as follows:—

- * 1. Building allotment No.
- * 2. Dry garden allotment No.
- * 3. Irrigable garden allotment No.
- * 4. Dry land allotment No.
- * 5. Grazing as from time to time prescribed by regulation.

Your duties shall be as follows:—

- 1. Prompt payment of your rates and other applicable fees to the board;
- 2. Subjection to the provisions of the Act and of the various regulations, as amended from time to time, which apply in respect of the area, and a copy of which is obtainable at the office of the board.

.....
Chairman of Board of Management.

.....
Secretary of Board of Management.

Date

.....
Board's Stamp.

* Delete whatever is not applicable.

SCHEDULE C.

NOTICE RE ARREAR RATES.

Mr./Mrs./Miss

Notice is hereby given in terms of sub-section (2) of section thirty-seven of the Rural Coloured Areas Act, 1963 (Act No. 24 of 1963), that you have failed to pay on or before the (1) your rates due and payable to the board in terms of the said Act.

Unless the due amount of R....., together with interest calculated from the 1st day of (2) 19..... at 7 per cent for each month or portion of a month such rates remain unpaid, shall have been paid within one month of the date of this notice at the office of the board, you shall be guilty of an offence and on conviction liable to a fine not exceeding twenty-five rand.

.....
Secretary of Board of Management.

Date

Address

.....
Board's Stamp.

- (1) Insert here 30th April and year or the date on which has been agreed with the board to pay, as the case may be.
- (2) Insert here the date from which interest is due and payable.