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VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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REGULATION GAZETTE No. 3684

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GOEWERMENTSKENNISGEWING

DEPARTEMENT VAN SAMEWERKING EN ONTWIKKELING

No. R. 437

9 Maart 1984

REGULASIES BETREFFENDE DIE BEHEER OOR
BIBLIOTEKE BINNE DIE REGSGEBIED VAN DIE GE-
MEENSKAPSRAAD VAN STANDERTON

Ek, George de Villiers Morrison, Adjunk-minister van Samewerking, namens en in opdrag van die Minister van Samewerking en Ontwikkeling, kragtens die bevoegdheid hom verleen by artikel 11 (1) (fA) van die Wet op Gemeenskapsrade, 1977 (Wet 125 van 1977), maak hierby bekend dat die regulasies in die bygaande Bylae vervat, kragtens 'n besluit deur die Gemeenskapsraad van Standerton ingevolge artikel 5 (1) (a) (xii) van genoemde Wet geneem met ingang van die datum van hierdie kennisgewing op die regsgebied van daardie Raad van toepassing is.

G. DE V. MORRISON, Adjunk-minister van
Samewerking.

(Lêer A2/14/4/S49)

BYLAE

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

- (i) "biblioteek" enige openbare biblioteek wat deur die raad binne sy regsgebied geadministreer en onderhou word; (iv)
- (ii) "biblioteekmateriaal" alle boeke, tydskrifte, nuusblaie, afdrukke, prente, films, musiekpartiture en grammofoonplate of stelle plate, hetsy die eiendom van die raad of aan die raad geleen; (vii)
- (iii) "bibliotekaris" die beamppte (of sy verteenwoordiger) deur die raad aangestel om beheer oor die biblioteek uit te oefen en dit te bestuur; (v)
- (iv) "lener" enige persoon wat ingevolge hierdie regulasies as 'n lener geregistreer is; (i)
- (v) "raad" die Standerton Gemeenskapsraad ingestel kragtens artikel 2 (1) van die Wet op Gemeenskapsrade, 1977 (Wet 125 van 1977); (ii)
- (vi) "regsgebied" die stedelike woongebied waarvoor die raad ingestel is; (iii)
- (vii) "raadskantoor" enige kantoor van die raad. (iv)

GOVERNMENT NOTICE

DEPARTMENT OF CO-OPERATION AND DEVELOPMENT

No. R. 437

9 March 1984

REGULATIONS ON THE CONTROL OF LIBRARIES
WITHIN THE AREA OF JURISDICTION OF THE COM-
MUNITY COUNCIL OF STANDERTON

I, George de Villiers Morrison, Deputy Minister of Co-operation, on behalf of and by direction of the Minister of Co-operation and Development, by virtue of the powers vested in him by section 11 (1) (fA) of the Community Councils Act, 1977 (Act 125 of 1977), hereby announce that the regulations contained in the accompanying Schedule are by virtue of a decision taken by the Community Council of Standerton in terms of section 5 (1) (a) (xii) of the said Act, applicable to the area of jurisdiction of that Council as from the date of this notice.

G. DE V. MORRISON, Deputy Minister of
Co-operation.

(File A2/14/4/S49)

SCHEDULE

Definitions

In these regulations, unless the context otherwise indicates—

- (i) "borrower" means any person registered in terms of these regulations as a borrower; (iv)
- (ii) "council" means the Standerton Community Council established under section 2 (1) of the Community Councils Act, 1977; (v)
- (iii) "jurisdiction area" means the urban residential area for which the council has been established; (vi)
- (iv) "council's office" means any office of the council; (vii)
- (v) "librarian" means the official (or his representative) appointed by the local authority to exercise control over and to manage the library; (iii)
- (vi) "library" means any public library which is administered and maintained by the council within its jurisdiction area; (i)
- (vii) "library material" means all books, periodicals, newspapers, prints, pictures, films, musical scores and gramophone records or sets of records, whether the property of or on loan to the council. (ii)

Registrasie van leners

2. (1) 'n Biblioteek is, behoudens die bepalings van hierdie regulasies, toeganklik vir gebruik deur leners sonder betaling van 'n ledegeld, deposito of enige ander heffing.

(2) Enige persoon wat permanent woonagtig is binne die regsgebied kan, op die vorm deur die plaaslike bestuur verskaf, om registrasie as 'n lener aansoek doen: Met dien verstande dat enige aansoek deur 'n kind onder die ouderdom van 16 jaar mede-onderteken moet word deur sy ouer of voog, wat daardeur vir alle doeleindes geag word aanspreeklikheid te aanvaar ten opsigte van enige biblioteekmateriaal wat deur sodanige kind geleen word.

(3) Enige persoon wat tydelik woonagtig is binne die regsgebied kan, op die vorm deur die raad verskaf, om registrasie as 'n tydelike lener aansoek doen—

(a) by nakoming van die vereistes vir tydelike leners soos in hierdie regulasies vervat, asook enige ander vereistes van die raad wat nie met hierdie regulasies strydig is nie; en

(b) na deponering by die bibliotekaris van 'n bedrag gelyk aan die vervangingswaarde van enige biblioteekmateriaal deur sodanige tydelike lener geleen: Met dien verstande dat die bedrag aldus gedeponeer aan hom terugbetaal moet word by terugbesorging van sodanige materiaal: Met dien verstande voorts dat die bibliotekaris enige boete of vergoeding vir skade aan of verlies van sodanige materiaal van die gedeponeerde bedrag kan aftrek voordat dit terugbetaal word aan die tydelike lener.

(4) Die bibliotekaris moet die besonderhede op die aanvraag van 'n lener of tydelike lener kontroleer en die nodige inskrywing in die register maak ten einde 'n lener of tydelike lener as sodanig te registreer.

(5) Die bibliotekaris moet aan 'n geregistreerde lener 'n kaartjie verskaf vir *elke* boek, afdruk, prent, musiekpartituur, grammofoonplaat of stel plate wat sodanige lener ingevolge hierdie regulasies gemagtig is om te leen.

(6) (a) Die bibliotekaris moet aan 'n geregistreerde lener 'n duplikaatkaartjie verskaf by betaling van 'n geld deur die raad bepaal, indien sodanige lener 'n kaartjie verloor het: Met dien verstande dat sodanige lener ingevolge hierdie regulasies aanspreeklik is vir die verlies van enige biblioteekmateriaal wat voortspruit uit die ongemagtigde gebruik van die vermiste kaartjie voordat die verlies van sodanige kaartjie aan die bibliotekaris gerapporteer is.

(b) Indien die vermiste kaartjie teruggevind word, moet die duplikaatkaartjie wat in die plek van die vermiste kaartjie uitgereik is, onverwyld aan die bibliotekaris terugbesorg word: Met dien verstande dat enige geld vir sodanige duplikaatkaartjie betaal, nie aan die lener terugbetaal word nie.

(7) 'n Lener moet die bibliotekaris van die biblioteek waar die lener as sodanig geregistreer is, van enige adresverandering in kennis stel binne sewe dae nadat sodanige verandering plaasgevind het.

(8) Indien 'n lener sy registrasie as 'n lener wil beëindig of ingevolge hierdie regulasies nie langer op registrasie as 'n lener geregtig is nie, moet sodanige lener alle kaartjies in sy besit terugbesorg aan die bibliotekaris van die biblioteek waar die lener as sodanig geregistreer is.

Uitleen en terugbesorging van biblioteekmateriaal

3. (1) Geen biblioteekmateriaal mag aan enige persoon wat nie ingevolge hierdie regulasies deur die bibliotekaris as 'n lener geregistreer is nie, uitgeleen word nie en 'n uitleening mag alleen geskied by ontvangs van die kaartjie waarby sodanige uitleening aan 'n geregistreerde lener gemagtig is.

Registration of borrowers

2. (1) A library shall, subject to the provisions of these regulations, be open for use by borrowers free of subscription, deposit or any other levy.

(2) Any person permanently resident within the council's jurisdiction area may, on the form supplied by the council, apply for registration as a borrower: Provided that any application by a child under the age of 16 years shall be countersigned by his parent or guardian who thereby shall for all purposes be deemed to accept liability in respect of any library material borrowed by such child.

(3) Any person temporarily resident within the council's jurisdiction area may, on the form supplied by the council, apply for registration as a temporary borrower—

(a) on compliance with the requirements for temporary borrowers as contained in these regulations, as well as any other requirements of the council not inconsistent with these regulations; and

(b) after depositing with the librarian an amount equal to the replacement value of any library material borrowed by such temporary borrower: Provided that the amount so deposited shall be refunded to him on his returning such material: Provided further that the librarian shall be entitled, prior to making such refund, to deduct from such deposit any fine or compensation for damage to or loss of such material.

(4) The librarian shall verify the particulars on the application form of a borrower or temporary borrower and make in the register such entry as is necessary in order to register a borrower or temporary borrower as such.

(5) The librarian shall supply a registered borrower with a card for *each* book, print, picture, musical score, gramophone record or set of records which such borrower is entitled to borrow in terms of these regulations.

(6) (a) The librarian shall supply a registered borrower with a duplicate card on payment of a fee determined by the council should such borrower have lost his card: Provided that such borrower shall be liable in terms of these regulations for any loss of library material arising from any unauthorised use which may be made of such lost card prior to the loss of such card being reported to the librarian.

(b) Should the lost card be found, any duplicate card issued in place thereof shall immediately be returned to the librarian: Provided that any fee paid for such duplicate card shall not be refunded to the borrower.

(7) A borrower shall notify the librarian of the library at which the borrower is registered as such of any change of address within seven days of such change occurring.

(8) Should a borrower wish to terminate his registration as a borrower or in terms of these regulations no longer qualify for registration as a borrower, such borrower shall return all cards in his possession to the librarian of the library at which the borrower is registered as such.

Loan and return of library material

3. (1) No library material shall be lent to any person unless such person is registered by the librarian as a borrower and a loan may only take place upon receipt of a card authorising such loan to a registered borrower.

(2) Hoogstens die volgende getal items biblioteekmateriaal wat vir uitleendoeleindes beskikbaar gestel is, mag by enige enkele geleentheid aan 'n lener uitgeleen word:

- (a) Drie boeke;
- (b) twee grammofoonplate of een stel plate; en
- (c) een prent, afdruk of musiekpartituur:

Met dien verstande dat 'n lener wat 'n kind onder die ouderdom van sestien jaar is, hoogstens twee boeke by enige enkele geleentheid mag leen en geen ander biblioteekmateriaal nie.

(3) 'n Lener mag boeke, musiekpartiture en grammofoonplate vir 'n tydperk van hoogstens 14 dae hou en prente of afdrukke vir 'n tydperk van hoogstens 60 dae: Met dien verstande dat, behoudens die bepalings van subregulasies (5) en (7) en paragraaf (i) van regulasie 6, sodanige tydperke op versoek van die lener hernieu mag word, mits enige boete deur die lener betaalbaar, vereffen is en mits die betrokke items nie intussen deur 'n ander lener of biblioteek aangevra is nie.

(4) (a) Indien 'n vereniging of liggaam wat binne die regsgebied van die raad funksioneer, behoorlik toegerus is vir die vertoning van films en onderneem om sodanige films te vertoon sonder die vordering van 'n toegangsgeld, moet die bibliotekaris daardie vereniging of liggaam as 'n lener ten opsigte van films registreer.

(b) Die sekretaris van enige vereniging of dergelike liggaam kan, indien behoorlik daartoe gemagtig deur sodanige vereniging of liggaam, op die vorm deur die raad verskaf, aansoek doen om die registrasie van sodanige vereniging of liggaam as 'n lener ten opsigte van films.

(c) Films wat deur die raad aan die biblioteek beskikbaar gestel is vir uitleendoeleindes, mag net aan 'n vereniging of dergelike liggaam uitgeleen word en moet uiterlik op die eerste dag waarop die biblioteek oop is nadat die film vertoon is, aan die biblioteek terugbesorg word: Met dien verstande dat 'n film nie langer as drie dae gehou mag word nie.

(5) 'n Boete vir die hou van biblioteekmateriaal deur 'n lener na die tydperk in hierdie regulasies bepaal, word gehef ten opsigte van—

- (a) enige biblioteekmateriaal, uitgesonderd films, teen 'n tarief van 50c per item van sodanige materiaal, per week of gedeelte van 'n week langer as sodanige tydperk; of
- (b) films, teen 'n tarief van 50c per film per dag of gedeelte van 'n dag langer as sodanige tydperk.

(6) (a) 'n Lener moet toesien dat biblioteekmateriaal wat hy wil leen, in 'n ongeskonde toestand is en enige skade wat hy opmerk, moet aan die bibliotekaris gerapporteer word voordat hy sodanige materiaal uit die biblioteek verwyder.

(b) 'n Lener of, indien die lener 'n kind is, die ouer of voog van sodanige lener is aanspreeklik vir enige verlies van of skade aan enige biblioteekmateriaal wat aan sodanige lener uitgeleen is, hetsy dit deur die lener se nalatigheid of op enige ander wyse veroorsaak is, uitgesonderd redelike slytasie.

(c) Vergoeding soos deur die bibliotekaris aangedui ten opsigte van sodanige verlies of skade, moet binne een maand nadat dit tot die bibliotekaris se kennis gebring is, aan hom betaal word.

(d) Enige biblioteekmateriaal wat die eiendomsmerk of stempel van die biblioteek of die betrokke provinsiale administrasie daarop het en nie amptelik as onttrek, afgeskryf of verkoop gemerk is nie, bly te alle tye die eiendom van die biblioteek.

(7) Biblioteekmateriaal wat 'n lener hou vir langer as drie maande, bereken vanaf die datum waarop die uitleen daarvan geregistreer is, insluitende enige verlengde periode ingevolge hierdie regulasies toegestaan, word vir alle doeleindes geag vermis te wees: Met dien verstande dat prente of afdrukke na 'n tydperk van ses maande na sodanige datum geag word vermis te wees.

(2) Not more than the following number of items of library material made available for loan purposes may at any one time be lent to a borrower:

- (a) Three books;
- (b) two gramophone records or one set of records; and
- (c) one picture, print or musical score:

Provided that a borrower who is a child under the age of sixteen years shall not borrow more than two books at any one time and shall not borrow any other library material.

(3) A borrower may retain books, musical scores and gramophone records for a period not exceeding fourteen days and, in the case of pictures or prints, not exceeding sixty days: Provided that subject to subregulations (5) and (7) and paragraph (i) of regulation 6, such periods may be renewed at the request of the borrower provided that any fine payable by the borrower is paid and provided further that no other borrower or library has requested the items in question.

(4) (a) If any society or body functioning within the council's jurisdiction area is properly equipped for the showing of films and undertakes to show such films without admission being charged, the librarian shall register such society or body as a borrower in respect of films.

(b) The secretary of any society or similar body, if duly authorised thereto by such society or body, may, on the form supplied by the council, apply for the registration of such society or body as a borrower in respect of films.

(c) Films made available to the library by the council for loan purposes shall be loaned to no person other than a society or similar body and such films shall be returned to the library not later than the first day on which the library is open after the showing of the film: Provided that a film shall not be kept for longer than three days.

(5) A fine for the retention of library material by a borrower in excess of the period provided for in these regulations shall be levied, in respect of—

- (a) any library material other than films, at a rate of 50c per item of such material per week or part of a week in excess of such period; or
- (b) films, at a rate of 50c per film per day or part of a day in excess of such period.

(6) (a) A borrower shall ensure that library material which he wishes to borrow is in an undamaged condition and, prior to removing such material from the library, shall report to the librarian any damage which he observes.

(b) A borrower or, if the borrower is a child, the parent or guardian of such borrower shall be liable for any loss or damage to any library material lent to such borrower, whether such loss or damage is occasioned by the negligence of such borrower or in any other manner, with the exception of fair wear and tear.

(c) Compensation as indicated by the librarian in respect of such loss or damage shall be paid to the librarian within one month after such loss or damage has been reported to him.

(d) Any library material bearing the ownership mark or stamp of the library or the provincial administration concerned and not officially marked as withdrawn, discarded or sold shall at all times remain the property of the library.

(7) Library material retained by a borrower for more than three months calculated from the date on which the loan of such material has been registered, including any extended period granted in terms of these regulations, shall for all purposes be deemed to be lost: Provided that pictures or prints shall be deemed to be lost after the lapse of a period of six months from such date.

(8) Geen lener mag enige biblioteekmateriaal leen alvorens enige boete of vergoeding waarvoor sodanige lener ingevolge hierdie regulasies aanspreeklik is, betaal is nie.

Bespreking van biblioteekmateriaal

4. (1) Hoogstens ses items biblioteekmateriaal wat vir uitleendoeleindes beskikbaar gestel is, mag by enige enkele geleentheid deur 'n lener by voltooiing van 'n besprekingskaartjie bespreek word.

(2) 'n Bedrag van hoogstens 5c per item biblioteekmateriaal, uitgesonderd feiteliteratuur, sal vir die bespreking daarvan gehef word: Met dien verstande dat geen bespreekte item vir langer as een week na die datum van die kennisgewing aan die lener dat sodanige item beskikbaar is, gehou sal word nie.

Algemeen

5. (1) Niemand wat in besit of beheer van enige item biblioteekmateriaal is, mag opsetlik of weens nalatigheid—

- (a) sodanige materiaal beskadig, skend of merk nie of toelaat dat dit beskadig, geskend of gemerk word nie;
- (b) enige beskermingsoortreksel van sodanige materiaal verwyder of beskadig nie of toelaat dat dit verwyder of beskadig word nie.

(2) (a) Niemand wat aan 'n aansteeklike of besmetlike siekte ly wat ingevolge enige wet aangemeld moet word, mag enige item biblioteekmateriaal leen of gebruik nie en niemand wat in besit van enige item biblioteekmateriaal is, mag toelaat dat dit deur 'n persoon wat aan so 'n siekte ly, gebruik word nie.

(b) Waar enige item biblioteekmateriaal aan die gevaar van besmetting deur 'n persoon wat aan so 'n siekte ly, blootgestel was, moet die persoon wat die betrokke item terugbesorg, die biblioteekaris daarvan in kennis stel.

(3) Biblioteekmateriaal wat vir naslaan- en leesdoeleindes in die naslaanbiblioteek en in die leeskamer afgesonder is, mag nie sonder die toestemming van die biblioteekaris uit daardie dele van die biblioteekgebou verwyder word nie.

(4) By kennisgewing, wat op 'n opvallende plek by of naby die ingang van die biblioteek vertoon moet word, kan die raad gelas—

- (a) watter dae en tye die biblioteek oop is; en
- (b) gedurende watter tye die gebruik van die biblioteek beperk is tot net volwassenes of net kinders.

Misdrywe

6. Niemand mag—

- (a) enige ingang tot of enige uitgang van die biblioteekgebou belemmer of versper nie;
- (b) die biblioteekgebou binnegaan of verlaat deur enige ingang of uitgang wat nie amptelik vir gebruik van die publiek verskaf is nie;
- (c) die biblioteekgebou of enige deel daarvan binnegaan of daarin wees—
 - (i) gedurende tye wanneer sodanige biblioteek of deel daarvan nie amptelik vir diens aan die publiek toeganklik is nie;
 - (ii) wat vir die gebruik van biblioteekpersoneel afgesonder is;
 - (iii) as hy vuil op sy persoon of klere is, aan 'n besmetlike of aansteeklike siekte ly wat ingevolge enige wet aangemeld moet word of terwyl hy onder die invloed van bedwelmende drank of verdowingsmiddels is;
- (d) enige deel van die biblioteekgebou of enige toebehore, meubels, uitrusting of inhoud daarvan beskadig of ontsier nie;

(8) No borrower shall borrow any library material until all fines or compensation for which such borrower is liable in terms of these regulations has been paid.

Reservation of library material

4. (1) A borrower shall not reserve, at any one time and on completion of a reservation card, more than six items of library material made available for loan purposes.

(2) An amount not exceeding 5c per item shall be levied for the reservation of library material other than non-fiction literature: Provided that no reserved item shall be kept for longer than one week after the date of the notice to the borrower that such item is available.

General

5. (1) No person having an item of library material in his possession or under his control shall either wilfully or negligently—

- (a) damage, mutilate or mark such material or permit such material to be damaged, mutilated or marked;
- (b) remove or damage or permit to be removed or damaged any protective coverings of such material.

(2) (a) No person suffering from an infectious or contagious disease which is notifiable in terms of any law shall use or borrow any item of library material and a person in possession of any item of library material shall not allow such item to be used by another person suffering from such a disease.

(b) Where any item of library material has been exposed to the risk of contamination by a person suffering from such disease, the person returning such item shall advise the librarian of such fact.

(3) Library material set aside for reference and reading purposes in the reference library and the reading room shall not be removed from those parts of the library building without the permission of the librarian.

(4) The council may, in a notice which shall be displayed in a prominent place at or near the entrance to the library, determine—

- (a) the days and hours during which the library shall be open; and
- (b) the hours during which the use of the library shall be restricted to adults or children.

Offences

6. No person shall—

- (a) impede or obstruct any entrance to or exit from the library building;
- (b) enter or leave the library building by any entrance or exit not officially provided for the use of the public;
- (c) enter or remain in any part of the library building—
 - (i) during the hours that such library or part thereof is not officially open for service to the public;
 - (ii) which is reserved for the use of the library staff;
 - (iii) if he is unclean in body or dress, is suffering from a contagious or infectious disease notifiable in terms of any law or is under the influence of intoxicating liquor or drugs;
- (d) damage or deface any part of the library building, or any fitting, furniture, equipment or contents thereof;

- (e) in die biblioteekgebou enige stoornis veroorsaak deur geluide te maak wat vir ander persone hoorbaar is of 'n wettige gebruiker van die biblioteek hinder, belemmer, steur of op enige wyse lastig val of toelaat dat 'n kind onder sy toesig 'n stoornis in die gebou veroorsaak nie;
- (f) in enige deel van die biblioteekgebou hom op 'n onbeskofte of wanordelike wyse gedra, onbetaamlike, beledigende of godslasterlike taal gebruik, weddenskappe aanvaar, dobbel, verversings nuttig, lê of slaap nie;
- (g) enige dier onder sy toesig die biblioteekgebou laat binnegaan of daarin laat bly nie of dit toelaat nie of sonder die toestemming van die bibliotekaris enige voertuig, draer of houer in die biblioteekgebou inbring nie;
- (h) sonder die toestemming van die raad enige materiaal vir reklame-, publisiteits- of enige ander doeleindes in die biblioteekgebou plaas, versprei of vir verspreiding neersit nie;
- (i) sonder die toestemming van die bibliotekaris enige biblioteekmateriaal uit die biblioteek verwyder of in besit daarvan wees terwyl die uitleen daarvan nie ingevolge hierdie regulasies deur die bibliotekaris geregistreer is nie;
- (j) enige geleende biblioteekmateriaal in sy besit hou vir langer as 24 uur na aflewering by sy geregistreerde adres van 'n skriftelike versoek van die bibliotekaris vir die terugbesorging van sodanige materiaal nie;
- (k) onderwyl hy van die biblioteek gebruik maak, weier om aan enige wettige versoek van die bibliotekaris te voldoen nie.

Algemene strafbepaling

7. Enige persoon wat 'n bepaling van hierdie regulasies oortree, is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete van hoogstens R50.

- (e) create a disturbance in the library building by making sounds audible to other persons or impede, obstruct, disturb or in any way annoy any other person in the legitimate use of the library, or allow any child under his supervision to create a disturbance in the library;
- (f) act in an uncouth, or disorderly fashion, use unseemly, abusive or blasphemous language, lay bets, gamble, partake of refreshments, recline or sleep in any part of the library building;
- (g) cause or permit any animal under his supervision to enter or remain in the library building or without the permission of the librarian bring any vehicle, carrier or container into the library building;
- (h) without the permission of the council, deposit or distribute in the library building, or deposit there for distribution, any material for advertisement, publicity or any other purposes;
- (i) without the permission of the librarian, remove from the library or be in possession of library material the loan of which has not been registered by the librarian in terms of these regulations;
- (j) retain any library material in his possession for more than 24 hours after the delivery to his registered address of a written demand from the librarian for the return of such material;
- (k) while using the library, refuse to comply with any lawful request of the librarian.

General penalty

7. Any person contravening any of the provisions of these regulations shall be guilty of an offence and shall on conviction be liable to a fine not exceeding R50.

PHYTOPHYLACTICA

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Samewerking en Ontwikkeling, Departement van Goewermentskennisgewing		
R. 437 Wet op Gemeenskapsrade (125/1977): Regulasies: Beheer oor biblioteke binne die regsgebied van die Gemeenskapsraad van Standerton.....	1	9116

CONTENTS

<i>No.</i>	<i>Page No.</i>	<i>Gazette No.</i>
Co-operation and Development, Department of Government Notice		
R. 437 Community Councils Act (125/1977): Regulations: Control of libraries within the area of jurisdiction of the Community Council of Standerton.....	1	9116