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Government Gazette

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CAPE TOWN, 25TH FEBRUARY, 1953.
KAAPSTAD, 25 FEBRUARIE 1953.

PRYS 6d. [No. 5011.

OFFICE OF THE PRIME MINISTER.

The following Government Notice is published for general information:—

No. 394.]

[25th February, 1952.

It is hereby notified that His Excellency the Governor-General has been pleased to assent to the following Acts which are hereby published for general information:—

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KANTOOR VAN DIE EERSTE MINISTER.

Onderstaande Goewermmentskennisgewing word ter algemene inligting gepubliseer:—

No. 394.]

[25 Februarie 1953.

Hierby word bekendgemaak dat dit Sy Eksellensie die Goewerneur-generaal behaag het om sy goedkeuring te heg aan onderstaande Wette wat hierby ter algemene inligting gepubliseer word:—

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No. 1, 1953.]

ACT

To apply a sum not exceeding one hundred and five million pounds on account of the service of the Union for the year ending the thirty-first day of March, 1954.

*(English text signed by the Governor-General.)
(Assented to 19th February, 1953.)*

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Exchequer
Account charged
with £77,000,000
on Revenue
Account and
£28,000,000 on
Loan Account.

1. On and after the first day of April, 1953, there may be issued out of the Exchequer Account such sums of money not exceeding in the aggregate the sum of seventy-seven million pounds for revenue services and twenty-eight million pounds for loan services as may from time to time be required for the service of the Union for the year ending the thirty-first day of March, 1954, until such time as provision is made therefor by Parliament in an Appropriation Act.

Sums issued under
this Act to be
advances in
anticipation.

2. All sums issued under the provisions of this Act shall be deemed to be advances on account of grants to be made by Parliament in an Appropriation Act for the year ending the thirty-first day of March, 1954, and upon the commencement of such Appropriation Act, this Act shall cease to have effect and issues already made hereunder shall be deemed to be issues under that Appropriation Act, and shall be accounted for in accordance with the provisions thereof:

Provided that no services upon which expenditure has not been duly authorized under an Appropriation Act during the year ending the thirty-first day of March, 1953, or for which there is no statutory authority, shall be deemed to be authorized under section one of this Act.

Short title.

3. This Act shall be known as the Part Appropriation Act, 1953.

No. 1, 1953.]

WET

Tot aanwending van 'n som van hoogstens eenhonderd-en-veftmiljoen pond ten behoeve van die diens van die Unie vir die jaar wat op die een-en-dertigste dag van Maart 1954 eindig.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 19 Februarie 1953.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

1. Op en na die eerste dag van April 1953 mag die somme geld gesamentlik ten bedrae van hoogstens sewe-en-sewentigmiljoen pond vir inkomstediensle en agt-en-twintigmiljoen pond vir leningsdiensle wat van tyd tot tyd nodig mag wees vir die diens van die Unie vir die jaar wat op die een-en-dertigste dag van Maart 1954 eindig, uit die Skatkisrekening uitgerek word, totdat die Parlement in 'n Begrotingswet daarvoor voorsiening maak.

Skatkisrekening
belas met
£77,000,000 op
Inkomsterekening
en £28,000,000 op
Leningsrekening.

2. Alle somme kragtens die bepalinge van hierdie Wet uitgerek, word beskou as voorskotte op rekening van gelde wat deur die Parlement in 'n Begrotingswet toegestaan sal word vir die jaar wat op die een-en-dertigste dag van Maart 1954 eindig, en by die inwerkingtreling van daardie Begrotingswet tree hierdie Wet buite werking en word gelde wat kragtens hierdie Wet reeds uitgerek is, beskou as uitreikings kragtens daardie Begrotingswet en moet sodanige uitreikings ooreenkomstig die bepalinge daarvan verantwoord word:

Somme ingevolge
hierdie Wet
uitgerek word
beskou as
voorlopige
voorskotte.

Met dien verstande dat daar nie beskou word dat diensle waarvoor geen uitgawe gedurende die jaar wat op die een-endertigste dag van Maart 1953 eindig, behoortlik kragtens 'n Begrotingswet gemagtig is nie, of waarvoor geen wetlike magtiging bestaan nie, deur artikel een van hierdie Wet gemagtig word nie.

3. Hierdie Wet heet die Gedeeltelike Begrotingswet, 1953. Kort titel.

No. 2, 1953.]

PRIVATE ACT

To provide for a supply of water from the Lichtenburg Springs for the Municipality of Lichtenburg and to confer certain Powers and impose certain obligations on the said Municipality in relation thereto.

*(Afrikaans text signed by the Governor-General.)
(Assented to 23rd February, 1952.)*

Preamble.

WHEREAS the existing water supply of the Municipality of Lichtenburg (hereinafter called "the Municipality") is insufficient to meet the present or the future requirements of the Municipality in respect of water for primary, secondary, or tertiary purposes, and it is desirable that provision be made for the acquisition by the Municipality of an additional supply of water to meet such requirements:

AND WHEREAS there are situate on the property of the Municipality certain springs, known as the "Lichtenburg Springs", and the Municipality has prepared a scheme whereby the water of the said springs may be conveyed to the township of Lichtenburg to be there stored and distributed by the Municipality to the inhabitants of Lichtenburg and such other persons as may become entitled thereto:

AND WHEREAS certain rights to the use of portion of the water of the said springs were, on the foundation of the town of Lichtenburg, vested in the owners of certain 105 watererven in undivided shares and these rights have since remained vested in such owners or their successors in title:

AND WHEREAS the Municipality has, since 1904 and in terms of bye-laws duly promulgated by it, enjoyed the exclusive right of distributing the water of the said springs among the owners of the aforementioned 105 watererven:

AND WHEREAS it is desirable that the Municipality be empowered to carry into effect its aforementioned scheme in order that the water of the said springs may be divided among all the inhabitants of the Municipality of Lichtenburg and in order that the present loss of water through seepage, evaporation and other causes be controlled:

AND WHEREAS it is desirable that all right, title, and interest in and to the water of the said springs be vested in the Municipality for the purpose of the aforementioned scheme notwithstanding the fact that such water may be subterranean water abstracted from a dolomite formation situate within a dolomitic geological area of the Union which has been defined by the Governor-General by proclamation in the *Gazette* in terms of Chapter III of the Irrigation and Conservation of Waters Act, 1912, and further notwithstanding any order of Court or any conditions which may be registered against the titles of any properties whatsoever prohibiting the conveyance of any such water beyond the limits of such properties and limiting the use thereof:

AND WHEREAS it is desirable that provision be made for the payment of compensation by the Municipality to any persons whose rights in the water of the said springs may be adversely affected by the provisions of this Act and for this purpose to provide for the constitution of a Water Court:

AND WHEREAS it is desirable to confer on the Municipality the right to acquire any servitudes over any land which may be necessary for the proper implementation of the aforementioned scheme and to provide for the manner of acquisition of such servitudes:

AND WHEREAS it is desirable to define the rights and obligations of the Municipality in respect of the said scheme:

AND WHEREAS it is desirable to impose penalties upon any person damaging or interfering with the works of the said scheme, or polluting or unlawfully taking or interfering with the water of the said springs, and to make provision in regard to the application of fines:

No. 2, 1953.]

PRIVATE WET

Om voorsiening te maak vir 'n watertoevoer uit die Lichtenburg-fonteine vir die Munisipaliteit van Lichtenburg en om in verband daarmee sekere bevoegdhede aan genoemde Munisipaliteit te verleen en hom sekere verpligtings op te lê.

(Afrikaanse teks deur die Goewerneur-general geteken.)
(Goedgekeur op 23 Februarie 1953.)

NADEMAAL die bestaande watervoorraad van die Munisipaliteit van Lichtenburg (hierna die Munisipaliteit genoem) onvoldoende is om in die huidige of die toekomstige behoeftes van die Munisipaliteit ten opsigte van water vir primêre, sekondêre of tersiêre doeleindes te voorsien en dit wenslik is dat voorsiening gemaak word vir die verkryging deur die Munisipaliteit van 'n addisionele voorraad water om in sodanige behoeftes te voorsien: Aanhef.

EN NADEMAAL daar op die eiendom van die Munisipaliteit sekere fonteine geleë is, bekend as die „Lichtenburg-fonteine”, en die Munisipaliteit 'n skema opgestel het waarvolgens die water van genoemde fonteine na die dorp Lichtenburg gevoer kan word om daar deur die Munisipaliteit bewaar en verdeel te word onder die inwoners van Lichtenburg en ander persone wat daarop geregtig mag word:

EN NADEMAAL sekere regte op die gebruik van 'n deel van die water van genoemde fonteine by die stigting van die dorp Lichtenburg aan die eienaars van sekere 105 water-erwe in onverdeelde aandele verleen is en daardie regte sedertdien in sodanige eienaars of hulle regsopvolgers gevestig gebly het:

EN NADEMAAL die Munisipaliteit sedert 1904 en ooreenkomstig regulasies behoorlik deur hom uitgevaardig die alleenreg gehad het om die water van genoemde fonteine onder die eienaars van voormelde 105 water-erwe te verdeel:

EN NADEMAAL dit wenslik is dat die Munisipaliteit gemagtig word om sy voornoemde skema uit te voer sodat die water van genoemde fonteine verdeel kan word onder al die inwoners van die Munisipaliteit van Lichtenburg en sodat die huidige verlies van water deur syfering, verdamping en ander oorsake beheer kan word:

EN NADEMAAL dit wenslik is dat die Munisipaliteit vir die doel van voormelde skema bekleed word met alle reg, aanspraak en belang op en in die water van genoemde fonteine niesteenstaande die feit dat sodanige water onderaardse water mag wees verkry uit 'n dolomiet-formasie geleë binne 'n dolomiethoudende geologiese streek van die Unie wat deur die Goewerneur-generaal by proklamasie in die *Staatskoerant* ingevolge Hoofstuk III van die „Besproeiings- en Waterbewarings Wet, 1912” omskryf is, en verder niesteenstaande enige Hofbevel of enige voorwaardes wat teen die titelbewyse van watter eiendomme ook al geregistreer mag wees en wat die voer van enige sodanige water tot buite die grense van sodanige eiendomme belet en die gebruik daarvan beperk:

EN NADEMAAL dit wenslik is dat voorsiening gemaak word vir die betaling van vergoeding deur die Munisipaliteit aan persone wie se regte op die water van genoemde fonteine nadelig geraak mag word deur die bepalinge van hierdie Wet en om vir hierdie doel voorsiening te maak vir die instelling van 'n Waterhof:

EN NADEMAAL dit wenslik is om die reg aan die Munisipaliteit te verleen om enige serwitute oor enige grond te verkry wat nodig mag wees vir die behoorlike uitvoering van voormelde skema en om voorsiening te maak vir die wyse waarop sodanige serwitute verkry moet word:

EN NADEMAAL dit wenslik is om die regte en verpligtings van die Munisipaliteit ten opsigte van genoemde skema te omskryf:

EN NADEMAAL dit wenslik is om strawwe te bepaal vir enige persoon wat die werke van genoemde skema beskadig of belemmer of die water van genoemde fonteine besoedel of wederregtelik neem of belemmer, en om voorsiening te maak in verband met die aanwending van boetes:

BE IT THEREFORE ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa as follows:—

Definitions.

1. "Irrigation Act" means the Irrigation and Conservation of Waters Act (Act No. 8 of 1912) as amended from time to time. "Municipality" means the Town Council of Lichtenburg. "Springs" mean the dolomitic springs commonly known as the Lichtenburg Springs and situated on the property of the Municipality approximately one-and-one-half miles to the North of the township of Lichtenburg, in the district of Lichtenburg in the Province of the Transvaal in a proclaimed dolomitic geological area in terms of section *twenty-five* of the Irrigation Act.

Vesting of certain water rights in the Municipality.

2. Notwithstanding anything to the contrary contained in the Irrigation Act or in any other law, and notwithstanding anything to the contrary contained or referred to in or registered against any deed of transfer, or in any agreement or Order of Court whatsoever, all right, title and interest in and to the water of the springs is, subject to the provisions of section *three* of this Act, hereby vested in the Municipality.

Rights and obligations of the Municipality.

3. The rights and obligations of the Municipality in relation to the water vested in it in terms of section *two* shall be as follows:

- (a) The Municipality shall construct, in the manner and place shown on the plans of the scheme deposited in connection with this Act under the Standing Orders of the House of Assembly, the works described in the Schedule to this Act and for the purposes therein set out.
- (b) The Municipality may abstract and divert as its own property all water vested in it in terms of this Act and to take such water and convey it by means of the works described in the Schedule to such place or places as it may decide.
- (c) The Municipality may (subject to the provisions of paragraph (a) of this section) use such water for any purpose whatsoever either within or without the Municipal area or may sell or otherwise dispose of the same for any purpose to the inhabitants of the Municipal area or to any other persons whatsoever.

Power to acquire servitudes.

4. (1) The Municipality may by agreement, or failing agreement by compulsory purchase, acquire any servitude in, over, or under any land as may be deemed necessary or expedient for the purpose of conveying the aforementioned water or for any other purpose of the aforesaid scheme, or for laying down, inspecting, repairing, renewing, and maintaining the pipe lines and other works aforesaid, and generally for the purpose of exercising any other powers conferred by this Act, including the right to take, use and carry away any stone, clay, gravel, sand, or other material which it may deem necessary or expedient for the purpose of constructing, maintaining, using and renewing the works described in the Schedule to this Act, together with all other proper works connected with or ancillary to the same or for the purpose of exercising any other power conferred by this Act: Provided that—

- (a) no such stone, clay, gravel, sand, or other material shall, save with the consent of the owner thereof, be taken from any cultivated land or gardens or from any spot within a radius of twenty yards from any building upon any land; and
- (b) the powers under this section shall not apply to any land or rights of the South African Railways and Harbours Administration but where it is necessary that the works of the Municipality shall pass under or over the railway lines of the said Administration, the provisions of section *seventy-two* of Act No. 22 of 1916 shall apply, whether the said works cross such railway lines at a level crossing or any other place.

(2) The right of compulsory purchase conferred upon the Municipality by sub-section (1) of this section shall be exercised by it in conformity with and subject *mutatis mutandis* to the provisions of Ordinance No. 64 of 1903 (Transvaal) as amended from time to time.

WORD DIT DERHALWE BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika soos volg:—

1. „Besproeiingswet” beteken die „Besproeiings- en Waterbewarings Wet” (Wet No. 8 van 1912) soos van tyd tot tyd gewysig. „Munisipaliteit” beteken die Stadsraad van Lichtenburg. „Fontein” beteken die dolomiet-fontein algemeen bekend as die Lichtenburg-fontein en geleë op die eiendom van die Munisipaliteit ongeveer anderhalf myl noord van die dorp Lichtenburg in die distrik Lichtenburg in die Provinsie Transvaal in ’n geproklameerde dolomiethoudende geologiese streek ooreenkomstig artikel vyf-en-twintig van die Besproeiingswet. Omskrywings.

2. Ondanks enigiets teenstrydigs in die Besproeiingswet of in enige ander wet en niestandaard enigiets teenstrydigs wat vervat word of gemeld word in of geregistreer is teen enige transportakte of in enige ooreenkoms of Hofbevel van watter aard ook al, word die Munisipaliteit, behoudens die bepalings van artikel drie van hierdie Wet, hiermee bekleed met alle reg, aanspraak en belang op en in die water van die fontein. Bekleding van Munisipaliteit met sekere waterregte.

3. Die regte en verpligtings van die Munisipaliteit met betrekking tot die water waarop hy ooreenkomstig artikel twee die reg verkry het, is soos volg: Regte en verpligtings van die Munisipaliteit.

- (a) Die Munisipaliteit moet op die wyse en plek aangedui op die planne van die skema wat in verband met hierdie Wet kragtens die Reglement van Orde van die Volksraad ingelewer is, die werke soos beskryf in die Bylae van hierdie Wet en vir die doeleindes daarin uiteengesit, aanlê.
- (b) Die Munisipaliteit is geregtig om alle water waarop hy ingevolge hierdie Wet die reg verkry het, uit te keer en as sy eie eiendom uit te haal en af te lei en om sodanige water te neem en dit deur middel van die werke in die Bylae beskryf te voer na die plek of plekke wat hy besluit.
- (c) Die Munisipaliteit is geregtig (behoudens die bepalings van paragraaf (a) van hierdie artikel) om sodanige water vir watter doel ook al, hetsy binne of buite die munisipale gebied, te gebruik of om dit te verkoop of andersins van die hand te sit vir enige doel aan die inwoners van die munisipale gebied of aan enige ander persone hoegenaamd.

4. (1) Die Munisipaliteit kan deur ooreenkoms of, by gebrek aan ooreenkoms, deur gedwonge koop, enige serwituut in, oor of onder enige grond verkry wat nodig of dienstig geag word vir die doel van die voer van voormelde water of vir enige ander doel van voormelde skema of vir die lê, inspeksie, herstel, hernuwing en instandhouding van die pypleidings en ander werke voormeld, en oor die algemeen vir die doel van die uitoefening van enige ander bevoegdhede deur hierdie Wet verleen, met inbegrip van die reg om enige klip, klei, gruis, sand of ander stof te neem, te gebruik en weg te voer wat hy nodig of dienstig ag vir die doel van die aanleg, instandhouding, gebruik en hernuwing van die werke in die Bylae van hierdie Wet beskryf, tesame met alle ander behoorlike werke wat in verband staan daarmee of bykomstig daarby is, of vir die doel van die uitoefening van enige ander bevoegdheid deur hierdie Wet verleen: Met dien verstande dat— Bevoegdheid om serwituute te verkry.

- (a) geen sodanige klip, klei, gruis, sand of ander stof van enige bewerkte grond of tuin of van enige plek binne ’n omtrek van twintig tree van enige gebou op enige grond geneem word nie behalwe met die toestemming van die eienaar daarvan; en
- (b) die bevoegdhede ingevolge hierdie artikel nie van toepassing is nie op enige grond of regte van die Suid-Afrikaanse Spoorweg- en Hawensadministrasie, maar waar dit nodig is dat die werke van die Munisipaliteit onder of oor die spoorlyne van genoemde Administrasie gaan, die bepalings van artikel twee-en-sewentig van Wet No. 22 van 1916 van toepassing is, ongeag of genoemde werke sodanige spoorlyne by ’n gelykgrondse oorgang of enige ander plek kruis.

(2) Die reg van gedwonge koop wat deur sub-artikel (1) van hierdie artikel aan die Munisipaliteit verleen word, moet deur hom uitgeoefen word in ooreenstemming met en *mutatis mutandis* onderworpe aan die bepalings van Ordonnansie No. 64 van 1903 (Transvaal) soos van tyd tot tyd gewysig.

Access and re-entry to works.

5. The Municipality by its proper representatives, agents, officers, and servants, shall, with or without vehicles, draught animals, plant and tools, have the right of access or entry on any land over, under, or upon which the works authorized by this Act pass or are situate, for the purpose of constructing, maintaining, renewing and inspecting the same.

Power to deviate.

6. The Municipality may, in the construction or maintenance of the works aforesaid deviate laterally from the lines or positions thereof as shown on the said plans, and may further deviate from the levels shown thereon, save that any deviation may not exceed, in extent, the limits of deviation shown on the said plans.

Right to claim compensation.

7. (1) Any person who claims that he has been deprived by the provisions of this Act, or the exercise of any powers thereunder, of any right to the water of the said springs may, failing agreement with the Municipality as to the amount of compensation if any, to be paid to such person by the Municipality, make application for the constitution of an ordinary Water Court by the Governor-General in terms of section *twenty-seven* of the Irrigation Act and, if the Court is satisfied by such person that such deprivation has been suffered, it may award, or refuse to award, compensation to be paid by the Municipality for the deprivation suffered: Provided that in fixing the amount of compensation the Water Court shall deduct such amount as it thinks reasonable in consideration of such advantages as the Applicant may derive from the aforesaid scheme.

(2) The decision of the said Water Court shall be subject to appeal to the Supreme Court of South Africa in manner provided in section *thirty-nine* of the Irrigation Act.

Penalty for damaging or interfering with works.

8. Any person who wilfully or negligently injures, damages, disturbs, obstructs, or interrupts the works authorized by this Act, or injures, damages, obstructs, hinders, or prevents the forming, constructing, building, renewal or maintenance of the same, shall be liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for any period not exceeding six months or to both such fine and imprisonment.

Penalty for pollution of water.

9. Any person who knowingly or negligently places or deposits or who causes or permits to be placed or deposited in the works authorized by this Act, or in the springs, any solid or liquid sewage, trade refuse, house refuse, or any other thing or substance which may cause or be reasonably expected to cause pollution of the water contained in the said works or in the springs, or who in or upon any lands used or held by the Municipality in connection with the said works, places or deposits or causes to be placed or deposited anything or commits or causes to be committed any act which may cause or be reasonably expected to cause such pollution, shall for every offence be liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for any period not exceeding six months, or to both such fine and imprisonment: Provided that—

- (a) nothing in this section contained shall be held or taken to exempt any such person from any civil or other criminal liability in respect of any of the aforesaid acts to which he would have been subject if this Act had not been passed; and
- (b) if the pollution or likelihood of pollution is due to the act of any person, such person may be restrained by Order of the Transvaal Provincial Division of the Supreme Court of South Africa, or any judge thereof, and if necessary ordered to remedy or remove the cause of such pollution.

Penalty for wrongfully taking or using water.

10. No person shall, without the written sanction of the Municipality, take, use or interfere with any water which is vested in the Municipality in terms of this Act, and every person taking, using, or interfering with such water without such sanction shall be liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for any period not exceeding six months or to both such fine and imprisonment: Provided that nothing in this section contained shall be held to exempt such person from any civil or other criminal

5. Die Munisipaliteit het deur sy behoorlike verteenwoordigers, agente, beamptes en dienare, met of sonder voertuie, trekkiers, uitrusting en gereedskap, die reg van toegang tot of betreding van enige grond waaroor, waaronder of waarop die werke wat deur hierdie Wet gemagtig word, gaan of geleë is, vir die doel van die aanleg, instandhouding, hernuwing en inspeksie daarvan.

Toegang tot werke.

6. Die Munisipaliteit kan by die aanleg of instandhouding van voormelde werke sydelings afwyk van die lyne of posisies daarvan soos op genoemde planne aangetoon en kan verder van die hoogtes daarop aangetoon, afwyk, behalwe dat die omvang van enige afwyking nie die perke van afwyking wat op genoemde planne aangetoon word, mag oorskry nie.

Bevoegdheid om af te wyk.

7. (1) 'n Persoon wat beweer dat 'n reg op die water van genoemde fontein hom ontnem is deur die bepalings van hierdie Wet of die uitoefening van enige bevoegdhede daarkragtens, kan by gebrek aan ooreenkoms met die Munisipaliteit oor die bedrag van die vergoeding, indien enige, wat die Munisipaliteit aan daardie persoon moet betaal, aansoek doen om die instelling van 'n gewone Waterhof deur die Goewerneurgeneraal ooreenkomstig artikel *sewe-en-twintig* van die Besproeiingswet, en indien die Hof deur so 'n persoon oortuig word dat so 'n reg hom aldus ontnem is, kan die Hof vergoeding, wat deur die Munisipaliteit betaal moet word, vir sodanige ontneming toeken of weier om dit toe te ken: Met dien verstande dat die Waterhof by die vasstelling van die bedrag van vergoeding 'n bedrag wat hy redelik ag aftrek as teenprestatie vir die voordele wat die aansoeker uit voormelde skema mag trek.

Reg om vergoeding te eis.

(2) Die uitspraak van genoemde Waterhof is onderhewig aan appèl na die Hooggeregshof van Suid-Afrika op die wyse in artikel *nege-en-dertig* van die Besproeiingswet bepaal.

8. Iemand wat opsetlik of uit nalatigheid die werke wat deur hierdie Wet gemagtig word, benadeel, beskadig, verstoer, belemmer of onderbreek of die vorming, aanleg, bou, hernuwing of instandhouding daarvan benadeel, beskadig, belemmer, verhoed of belet, is by skuldigbevinding strafbaar met 'n boete van hoogstens honderd pond of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide sodanige boete en gevangenisstraf.

Straf vir beskadiging of belemmering van werke.

9. Iemand wat wetens of uit nalatigheid enige vaste of vloeibare rioolvullis, bedryfsafval, huisvullis of enige ander ding of stof wat besoedeling van die water in die werke wat deur hierdie Wet gemagtig word of in die fontein kan veroorsaak of redelikerwys verwag kan word om dit te veroorsaak, in genoemde werke plaas of agterlaat of wat dit laat doen of toelaat dat dit gedoen word, of wat enigiets in of op grond wat deur die Munisipaliteit in verband met genoemde werke gebruik of besit word, plaas of agterlaat of dit laat doen, of enige daad verrig of laat verrig wat sodanige besoedeling kan veroorsaak of redelikerwys verwag kan word om dit te veroorsaak, is weens elke oortreding by skuldigbevinding strafbaar met 'n boete van hoogstens honderd pond of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide sodanige boete en gevangenisstraf: Met dien verstande dat—

Straf vir besoedeling van water.

- (a) niks in hierdie artikel vervat, beskou of vertolk word dat dit so 'n persoon vrystel van enige siviele of ander strafregtelike aanspreeklikheid ten opsigte van enige van voormelde daade waaraan hy onderhewig sou gewees het as hierdie Wet nie aangeneem was nie; en
- (b) indien die besoedeling of waarskynlikheid van besoedeling te wyte is aan die daad van 'n persoon, daardie persoon deur 'n bevel van die Transvaalse Provinsiale Afdeling van die Hooggeregshof van Suid-Afrika of 'n regter daarvan belet kan word en, indien nodig, gelas kan word om die oorsaak van sodanige besoedeling te verhelp of te verwyder.

10. Niemand mag sonder skriftelike verlof van die Munisipaliteit enige water waarop die Munisipaliteit kragtens hierdie Wet die reg verkry het, neem, gebruik of belemmer nie en elke persoon wat sodanige water sonder sodanige verlof neem, gebruik of belemmer, is by skuldigbevinding strafbaar met 'n boete van hoogstens honderd pond of met gevangenisstraf van hoogstens ses maande of met beide sodanige boete en gevangenisstraf: Met dien verstande dat niks in hierdie artikel vervat beskou word dat dit so 'n persoon vrystel nie van enige siviele

Straf vir wederregtelike neem of gebruik van water.

liability for any of the aforesaid acts to which he would have been subject if this Act had not been passed.

Application of
fines.

11. Any fine imposed under the provisions of this Act shall be payable to the Crown.

Short title.

12. This Act may be cited as the Lichtenburg Waterworks (Private) Act, 1953.

Schedule.

The principal works authorized by this Act shall be directed primarily to the provision of a good and sufficient supply of water for domestic purposes for the benefit of the inhabitants of Lichtenburg, and shall consist more particularly of the following:

- (1) Works for the development and protection of the Lichtenburg springs and for the prevention of leakage therefrom.
- (2) Works for the conveyance, by pipe-line or by furrows lined with concrete or other suitable material, of the water of the springs to the township of Lichtenburg, together with such ancillary works as may be deemed necessary or expedient.
- (3) The construction of diversion weirs in the said furrows or pipe-lines and such further works, including the building of reservoirs and purification plants, as may be necessary for the delivery to the inhabitants of Lichtenburg (or any other persons entitled thereto) of the water stored in the said reservoirs, including the establishment of a reticulation system for the distribution, according to their several needs, to the inhabitants of Lichtenburg, of such water as may from time to time be available.

of ander strafregtelike aanspreeklikheid vir enige van voormelde dade waaraan hy onderhewig sou gewees het as hierdie Wet nie aangeneem was nie.

11. 'n Boete wat kragtens die bepalings van hierdie Wet opgelê word, is aan die Staat betaalbaar. Aanwending van boetes.

12. Hierdie Wet kan aangehaal word as die Private Wet op Kort titel. die Lichtenburgse Waterwerke, 1953.

Bylae.

Die vernaamste werke deur hierdie Wet gemagtig moet eerstens ten doel hê die verskaffing van 'n goeie en voldoende voorraad water vir huishoudelike doeleindes tot voordeel van die inwoners van Lichtenburg en bestaan meer in die besonder uit die volgende:

- (1) Werke ter ontwikkeling en beskerming van die Lichtenburg-fonteine en ter voorkoming van lekkasie daaruit.
- (2) Werke vir die toevoer, deur pypleiding of deur vore met beton of ander geskikte materiaal uitgevoer, van die water van die fonteine na die dorp Lichtenburg benewens bykomstige werke wat nodig of dienstig geag word.
- (3) Die bou van uitkeerdamme in genoemde vore of pypleidings en verdere werke met inbegrip van die bou van opgaardamme en reinigingswerke wat nodig mag wees vir die lewering aan die inwoners van Lichtenburg (of enige ander persone wat daarop geregtig is) van die water wat in genoemde opgaardamme bewaar word, met inbegrip van die daarstelling van 'n netwerkstelsel vir die verdeling, na gelang van hulle onderskeie behoeftes, onder die inwoners van Lichtenburg van die water wat van tyd tot tyd beskikbaar is.