



STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

As 'n Nuusblad by die Poskantoor Geregistreer

PRYS 10c PRICE
OORSEE 15c OVERSEAS
POSVRY — POST FREE

Registered at the Post Office as a Newspaper

VOL. 45.]

KAAPSTAD, 28 MAART 1969.

[No. 2335.

CAPE TOWN, 28TH MARCH, 1969.

PROKLAMASIE

VAN DIE STAATSPRESIDENT VAN DIE REPUBLIEK VAN
SUID-AFRIKA.

No. 71, 1969.]

VERKLARING DAT DIE GEMEENSKAPSONTWIKKELINGSRAAD MET SEKERE BEVOEGDHEDE, WERKSAAMHEDE EN PLIGTE VAN DIE MUNISIPALITEIT VAN STELLENBOSCH TEN OPSIGTE VAN DIE HIERIN OMSKREWE GEBIED KRAGTENS DIE BEPALINGS VAN DIE WET OP GEMEENSKAPSONTWIKKELING, 1966, BEKLEE EN BELAS IS.

KRAGTENS die bevoegdheid my verleen by artikel 17 van die Wet op Gemeenskapsontwikkeling, 1966 (Wet No. 3 van 1966), verklaar ek hierby dat, onderworpe aan die voorwaardes en beperkings hierin uiteengesit, die Gemeenskapsontwikkelingsraad ingestel by artikel 2 van genoemde Wet (hieronder die Raad genoem), met ingang van die 15de dag van April 1969 met betrekking tot die gebied soos omskryf in paragraaf (c) van die Bylae tot Proklamasie No. 205 van 1962 afgekondig op die 24ste dag van Augustus 1962 (hieronder die omskrewe gebied genoem), bekleë en belas is met al die bevoegdhede, werksaamhede en pligte van die Munisipaliteit van Stellenbosch kragtens die bepalings van Hoofstuk VIII van die Behuisingwet, 1966 (Wet No. 4 van 1966), en kragtens die bepalings van die Slumswet, 1934 (Wet No. 53 van 1934), en met sodanige ander bevoegdhede, werksaamhede en pligte hoegenaamd wat daarmee in verband staan of daaruit voortvloei, en bepaal ek hierby dat die Raad met betrekking tot die uitoefening van 'n bevoegdheid of die verrigting van 'n werksaamheid of plig waarmee hy hierby bekleë of belas is—

- (1) al die grond of eiendom in die omskrewe gebied wat aan die Munisipaliteit van Stellenbosch behoort of deur hom beheer word of enige gedeelte van daardie grond of eiendom kan betree, beheer, onderverdeel, uitlê, beplan, ontwikkel, verhuur, verkoop en werke van watter aard ook al op of onder bedoelde grond of eiendom kan laat uitvoer;

PROCLAMATION

BY THE STATE PRESIDENT OF THE REPUBLIC OF
SOUTH AFRICA.

No. 71, 1969.]

DECLARATION THAT THE COMMUNITY DEVELOPMENT BOARD SHALL BE VESTED AND CHARGED WITH CERTAIN POWERS, FUNCTIONS AND DUTIES OF THE MUNICIPALITY OF STELLENBOSCH IN RESPECT OF THE HEREIN DEFINED AREA IN TERMS OF THE PROVISIONS OF THE COMMUNITY DEVELOPMENT ACT, 1966.

UNDER the powers vested in me by section 17 of the Community Development Act, 1966 (Act No. 3 of 1966), I hereby declare that, subject to the conditions and restrictions detailed herein, the Community Development Board established by section 2 of the said Act (hereinafter referred to as the Board), shall, with effect from the 15th day of April, 1969 in respect of the area as defined in paragraph (c) of the Schedule to Proclamation No. 205 of 1962, published on the 24th day of August, 1962 (hereinafter referred to as the defined area), be vested and charged with all the powers, functions and duties of the Municipality of Stellenbosch under the provisions of Chapter VIII of the Housing Act, 1966 (Act No. 4 of 1966), and under the provisions of the Slums Act, 1934 (Act No. 53 of 1934), and with such other powers, functions and duties whatsoever which are incidental thereto or arising therefrom, and I hereby declare that the Board in respect of the exercise of any power or the performance of any function or duty with which it is hereby vested or charged—

- (1) may enter upon, control, sub-divide, lay out, plan, develop, let or sell all land or property owned or controlled by the Municipality of Stellenbosch in the defined area or any portion of such land or property and cause works of whatever nature to be carried out on or under the said land or property;

- (2) enige grond of eiendom binne of buite die omskrewe gebied kan betree en werke van watter aard ook al op of onder sodanige grond of eiendom kan laat uitvoer en dit in stand hou;
- (3) skriftelik of andersins by die Munisipaliteit van Stellenbosch aansoek kan doen om die verskaffing van alle inligting, hulp of bystand of die verrigting van dienste van watter aard ook al, wat die Raad vir of in verband met die uitoefening van die bevoegdhede, werksaamhede of pligte waarmee hy hierby bekleed of belas is, dienstig ag, en dat indien die Munisipaliteit van Stellenbosch versuim om binne die tydperk deur die Raad bepaal sodanige inligting, hulp, bystand of dienste te verskaf, te verleen of te verrig, die Raad enige koste wat hy nodig ag, kan aangaan vir die verkryging van sodanige inligting, hulp of bystand of vir die verrigting van sodanige dienste deur wie ook al, en dat die Raad die koste daardeur deur hom aangegaan op die Munisipaliteit van Stellenbosch kan verhaal, en dat indien die genoemde Munisipaliteit versuim om sodanige koste te betaal of aan die Raad te vergoed binne 'n tydperk van dertig dae vanaf die datum waarop hy versoek is om dit te doen, die Raad sodanige koste op die genoemde Munisipaliteit kan verhaal—
 - (a) deur aksie in 'n bevoegde hof;
 - (b) deur te verklaar dat die inkomste van die Munisipaliteit van Stellenbosch aangewend moet word ter betaling van sodanige koste en deur 'n ontvanger te benoem wat gemagtig word om soveel van sodanige inkomste in te vorder as wat nodig is om die bedrag van sodanige koste af te betaal en om dit aan die Raad oor te betaal; of
 - (c) deur 'n spesiale belasting te hef op alle belastbare eiendom geleë binne die regsgebied van genoemde Munisipaliteit, of deur middel van al drie of enige twee van bedoelde verhaalmodes, en 'n sertifikaat van die Sekretaris aangaande die bedrag van sodanige koste is afdoende bewys van daardie koste;
- (4) in die plek van die Munisipaliteit van Stellenbosch kan tree ten opsigte van 'n kontrak of lening deur die genoemde Munisipaliteit aangegaan en uitsluitlik daarmee kan handel asof hyself daardie kontrak of lening aangegaan het, en dat alle partye by so 'n kontrak of lening, vir solank die Raad optree kragtens die bevoegdhede by hierdie proklamasie aan hom verleen, die bepalinge van so 'n kontrak of lening moet nakom asof die Raad die Munisipaliteit van Stellenbosch was;
- (5) kontrakte of lenings wat hy vir of in verband met die beheer, onderverdeling, uitleë, beplanning, ontwikkeling of administrasie van die omskrewe gebied of grond of eiendom in daardie gebied nodig ag, kan aangaan:

Met dien verstande dat kontrakte ten opsigte van geldelike verpligtinge deur die Munisipaliteit van Stellenbosch met betrekking tot die omskrewe gebied of grond of eiendom in daardie gebied aangegaan, bly voortbestaan maar dat die nakoming daarvan deur die Munisipaliteit van Stellenbosch opgeskort word vir solank en vir sover hierdie proklamasie van krag bly en dat die Raad gedurende die tydperk van bedoelde opskorting die voorwaardes van sulke kontrakte moet nakom soos die Munisipaliteit van Stellenbosch dit sou moes nakom as dit nie vir hierdie proklamasie was nie, en dat rente op lenings betaalbaar, hetsy die lenings deur die Munisipaliteit van Stellenbosch of die Raad aangegaan is, of gekapitaliseerde rente op so 'n lening, by uitrede van die Raad uit die omskrewe gebied, geag word 'n wettige las van die Munisipaliteit van Stellenbosch te wees;

- (2) may enter upon any land or property inside or outside the defined area and cause any works of whatever nature to be carried out on or under such land or property and maintain the same;
- (3) may apply to the Municipality of Stellenbosch, in writing or otherwise, for the supply of all information, assistance or support or the performance of services of whatever nature, which the Board thinks fit for or in connection with the exercise of the powers, functions or duties with which it is hereby vested or charged, and that if the Municipality of Stellenbosch fails to supply or render such information, assistance or support or to perform such services within the period determined by the Board, the Board may incur any costs which it considers necessary for the acquisition of such information, assistance or support or for the performance of such services by any person, and that the Board may recover the costs thereby incurred by it from the Municipality of Stellenbosch, and that if the said Municipality fails to pay such costs or to reimburse the Board within a period of thirty days from the date on which it was requested to do so, the Board may recover such costs from the said Municipality—
 - (a) by action in a competent court;
 - (b) by declaring that any revenue of the Municipality of Stellenbosch shall be applied to the payment of such costs and by appointing a receiver, who is authorized to collect so much of such revenue as will discharge the amount of such costs and to pay over the same to the Board; or
 - (c) by levying a special rate on all rateable property within the area under the jurisdiction of the said Municipality, or by all three or any two of such methods of recovery, and a certificate by the Secretary as to the amount of such costs shall be sufficient proof of such costs;
- (4) may take the place of the Municipality of Stellenbosch in respect of any contract or loan concluded by the said Municipality and may deal therewith exclusively as if it had itself concluded that contract or loan, and that all parties to such a contract or loan shall, for so long as the Board acts in accordance with the powers conferred on it by this proclamation, fulfil the provisions of such a contract or loan as if the Board were the Municipality of Stellenbosch;
- (5) may conclude contracts or loans which it considers necessary for or in connection with the control, subdivision, laying out, planning, development or administration of the defined area or land or property in that area:

Provided that any contracts in respect of financial commitments concluded by the Municipality of Stellenbosch in connection with the defined area or any land or property in that area shall continue to exist but that the fulfilment thereof by the Municipality of Stellenbosch shall be suspended for so long and in so far as this proclamation remains in force, and that the Board shall during the period of such suspension fulfil the conditions of such contracts as the Municipality of Stellenbosch would have been obliged to fulfil them had it not been for this proclamation, and that any interest payable on loans, whether the loans were concluded by the Municipality of Stellenbosch or the Board, or capitalized interest on such a loan, shall, on withdrawal of the Board from the defined area, be deemed to be a lawful liability of the Municipality of Stellenbosch;

- (6) nie verplig is om te voldoen aan 'n vereiste, hetsy met betrekking tot goedkeuring van 'n voorgename optrede of andersins, insluitende die aangaan van finansiële verpligtinge, waaraan 'n plaaslike bestuur in verband met die uitoefening deur hom van so 'n bevoegdheid of die verrigting deur hom van so 'n werksaamheid of plig moet voldoen nie.

GEGEE onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad op hede die Ses-en-twintigste dag van Maart Eenduisend Negehonderd Nege-en-sestig.

J. J. FOUCHÉ,
Staatspresident.

Op las van die Staatspresident-in-Rade,
B. COETZEE.

- (6) shall not be required to comply with any requirement, whether as regards approval of any proposed action or otherwise, including the entering into of financial obligations, with which a local authority is required to comply in connection with the exercise by it of any such power or the performance by it of any such function or duty.

GIVEN under my Hand and the Seal of the Republic of South Africa at Cape Town on this Twenty-sixth day of March, One Thousand Nine hundred and Sixty-nine.

J. J. FOUCHÉ,
State President.

By Order of the State President-in-Council,
B. COETZEE.

INHOUD.

PROKLAMASIE.

No.		BLADSY
71	Verklaring dat die Gemeenskapsontwikkelingsraad met sekere bevoegdhede, werksaamhede en pligte van die Munisipaliteit van Stellenbosch ten opsigte van die hierin omskrewe gebied kragtens die bepalings van die Wet op Gemeenskapsontwikkeling, 1966, bekleed en belas is.	1

CONTENTS.

PROCLAMATION.

No.		PAGE
71	Declaration that the Community Development Board shall be vested and charged with certain powers, functions and duties of the Municipality of Stellenbosch in respect of the herein defined area in terms of the provisions of the Community Development Act, 1966. . .	1