



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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No. 9310

KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 1477.

18 Julie 1984

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

No. 83 van 1984: Wysigingswet op Wetgewing op Samewerking en Ontwikkeling, 1984.

No. 1477.

18 July 1984

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

No. 83 of 1984: Laws and Co-operation and Development Amendment Act, 1984.

Wet No. 83, 1984

WYSIGINGSWET OP WETGEWING OP SAMEWERKING EN
ONTWIKKELING, 1984**ALGEMENE VERDUIDELIKENDE NOTA:**

[**]** Woorde in vet druk tussen vierkantige hake dui skappings uit
bestaande verordenings aan.

_____ Woorde met 'n volstreep daaronder, dui invoegings in be-
staande verordenings aan.

WET

Tot wysiging van die Swart Administrasie Wet, 1927, ten einde sekere proklamasies wat ingevolge daardie Wet uitgevaardig heet te wees, geldig te verklaar; en voorsiening te maak vir die instelling en bestuur van dorpe vir Swart persone op sekere grond; tot wysiging van die Ontwikkelingstrust en Grond Wet, 1936, ten einde die Staatspresident te magtig om die regte en verpligtinge van die Trustee van die Suid-Afrikaanse Ontwikkelingstrust ten opsigte van sekere grond of ander eiendom wat aan 'n Swart persoon behoort, oor te dra aan die regering van die selfregerende gebied waarin die grond of eiendom geleë is; en voorsiening te maak vir die verkryging van addisionele grond deur daardie Trust wat nodig is vir Swart nedersetting en vir die uitvoering van die bepalings van daardie Wet, ooreenkomstig sekere besluite van die Parlement; tot wysiging van die Wysigingswet op Swart Wetgewing, 1963, ten einde te bepaal dat 'n sertifikaat wat deur 'n Kommissaris uitgereik is, afdoende bewys is van die bestaan van 'n sekere gebruikelike verbinding; tot wysiging van die Wet op die Ekonomiese Bevordering van Nasionale State, 1968, ten einde voorsiening te maak vir die ontbinding van die Ekonomiese Ontwikkelingskorporasie, Beperk; en vir die beskikking oor die bates en laste van die Ekonomiese Ontwikkelingskorporasie, Beperk; die finansiering van ontwikkelingskorporasies en korporasies ingevolge daardie Wet ingestel verder te reël; en te bepaal dat sekere vrywarings wat deur die Ekonomiese Ontwikkelingskorporasie, Beperk, gegee is, geag word vrywarings te wees wat deur die Regering van die Republiek gegee is; tot wysiging van die Grondwet van die Nasionale State, 1971, ten einde te bepaal dat sekere proklamasies wat ingevolge daardie Wet uitgevaardig sou kon word indien dit deur sekere raadpleging voorafgegaan is, geag word uitgevaardig te wees nadat die vereiste raadpleging plaasgevind het; en sekere aangeleenthede in verband met die dorp Evaton en die gesag wat vir die bestuur daarvan verkies is, te reël; tot wysiging van die Wet op Swart Plaaslike Bestuur, 1982, ten einde voorsiening te maak vir die oorplasing van werknemers van 'n by of kragtens wet ingestelde liggaam na 'n plaaslike bestuur in daardie Wet beoog; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 28 Junie 1984.)

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

1. Artikel 25 van die Swart Administrasie Wet, 1927, word hierby gewysig deur die volgende subartikel by te voeg:

“(4) Proklamasies Nos. R.174 van 1976, R.155 van 1977, R.162 van 1977, R.62 van 1980, R.124 van 1981, R.195 van 1981, R.124 van 1981, R.31 van 1982, R.117 van 1982, 5

LAWS AND CO-OPERATION AND DEVELOPMENT AMENDMENT
ACT, 1984

Act No. 83, 1984

GENERAL EXPLANATORY NOTE:

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

Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Black Administration Act, 1927, so as to validate certain proclamations purporting to have been made in terms of that Act; and to provide for the establishment and management of towns for Black persons on certain land; to amend the Development Trust and Land Act, 1936, so as to authorize the State President to transfer the rights and obligations of the Trustee of the South African Development Trust in respect of certain land or other property belonging to a Black person to the government of the self-governing area in which the land or property is situated; and to provide for the acquisition by that Trust of additional land required for Black settlement and for the implementation of the provisions of that Act, in accordance with certain resolutions of Parliament; to amend the Black Laws Amendment Act, 1963, so as to provide that a certificate issued by a Commissioner shall be conclusive proof of the existence of a certain customary union; to amend the Promotion of the Economic Development of National States Act, 1968, so as to provide for the dissolution of the Corporation for Economic Development, Limited; and for the disposal of the assets and liabilities of the Corporation for Economic Development, Limited; to further regulate the financing of development corporations and corporations established in terms of that Act; and to provide that certain indemnities given by the Corporation for Economic Development, Limited, shall be deemed to be indemnities given by the Government of the Republic; to amend the National States Constitution Act, 1971, so as to provide that certain proclamations which could have been issued in terms of that Act if they had been preceded by certain consultation, shall be deemed to have been made after such consultation had taken place; and to regulate certain matters with regard to the town of Evaton and the authority elected for the management thereof; to amend the Black Local Authorities Act, 1982, so as to provide for the transfer of employees of a body established by or under a law to a local authority contemplated in that Act; and to provide for incidental matters.

(English text signed by the State President.)
(Assented to 28 June 1984.)

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

1. Section 25 of the Black Administration Act, 1927, is hereby amended by the addition of the following subsection:

5 “(4) Proclamations Nos. R. 174 of 1976, R. 155 of 1977, R. 162 of 1977, R. 62 of 1980, R. 124 of 1981, R. 195 of 1981, R. 31 of 1982, R. 117 of 1982, R. 169 of 1982 and R.

Amendment of
section 25 of
Act 38 of 1927.

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R.169 van 1982 en R.170 van 1982 word hierby geldig verklaar met ingang van die onderskeie datums waarop daardie proklamasies in die *Staatskoerant* gepubliseer is."

Vervanging van artikel 30 van Wet 38 van 1927, soos vervang deur artikel 9 van Wet 21 van 1943.

2. (1) Artikel 30 van die Swart Administrasie Wet, 1927, word hierby deur die volgende artikel vervang:

"Instelling van dorpe vir Swart persone op sekere grond.

30. (1) Die Staatspresident kan, ondanks anders-

luidende bepalings van die een of ander Wet, by proklamasie in die *Staatskoerant* grond wat ingevolge onderskeidelik artikels 2 en 49 van die Ontwikkelingstrust en Grond Wet, 1936 (Wet No. 18 van 1936), 'n oopgestelde of 'n afgesonderde gebied is of wat aan die Suid-Afrikaanse Ontwikkelingstrust behoort of wat geleë is in enige gebied wat deur die Parlement by besluit bepaal is, as 'n dorp afsonder vir bewoning deur of vir die nywerheids- of besigheidsdoeleindes van Swart persone, en grond wat aldus afgesonder word, kan grond insluit wat reeds deur Swart persone bewoon word of deur hulle vir gemelde ander doeleindes aangewend word.

(2) Die Minister kan met betrekking tot 'n dorp in subartikel (1) vermeld regulasies uitvaardig wat voorsiening maak vir—

- (a) die instelling van 'n plaaslike bestuursliggaam vir die beheer en bestuur van daardie dorp;
- (b) die samestelling van sodanige bestuursliggaam en die verkiesing of aanstelling en die ampstermyn van die lede van sodanige bestuursliggaam;
- (c) die byeenroeping van en die prosedure by vergaderings van sodanige bestuursliggaam en van komitees daarvan;
- (d) die indiensneming van personeel vir die verrigting van die administratiewe werk verbonde aan die uitvoering van die pligte, die uitoefening van die bevoegdhede en die verrigting van die werksaamhede van sodanige liggaam;
- (e) die inkomstebronne van sodanige bestuursliggaam, en die doeleindes waarvoor sodanige bestuursliggaam sy geld moet of mag aanwend;
- (f) die ontwikkeling van daardie dorp (met inbegrip van die oprigting van wonings en ander geboue), die aanlê van strate, en die voorsiening van alle dienste wat gewoonlik deur plaaslike bestuursvoorsien word, deur 'n dorpsontwikkelaar, die betrokke plaaslike bestuursliggaam of deur individue, onderworpe aan die voorwaardes wat die Minister bepaal;
- (g) die reëling en beheer (met inbegrip van die oplegging van beperkings) van enige aangeleentheid betreffende die ontwikkeling, beheer en bestuur van daardie dorp;
- (h) die bepaling of identifisering van persele in daardie dorp as persele ten opsigte waarvan huurpag verleen mag word deur die Suid-Afrikaanse Ontwikkelingstrust, die plaaslike bestuursliggaam, 'n dorpsontwikkelaar of individu, na gelang van wie die eienaar is of van die eienaar van sodanige perseel die reg verkry het om huurpag ten opsigte van daardie perseel toe te staan;
- (i) die registrasie in 'n aktekantoor of ander registrasiekantoor van die eiendomsreg op enige grond of perseel in daardie dorp, die verlening van huurpag en ander saaklike regte daarop en die beswaring met verband of die vervreemding van sodanige grond, perseel, huurpag of ander saaklike reg;
- (j) die toepassing, met sodanige aanpassings as waarvoor in die regulasies voorsiening gemaak

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170 of 1982 are hereby validated with effect from the re-
spective dates on which those proclamations were published
in the *Gazette*."

2. (1) The following section is hereby substituted for section
5 30 of the Black Administration Act, 1927:

Substitution of
section 30 of
Act 38 of 1927,
as substituted by
section 9 of
Act 21 of 1943.

- 10 "Establish-
ment of
towns for
Black persons
on certain
land.
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30. (1) The State President may, notwithstanding anything to the contrary in any law contained, by proclamation in the *Gazette* set apart land which in terms of sections 2 and 49, respectively, of the Development Trust and Land Act, 1936 (Act No. 18 of 1936), is a released area or a scheduled area, or which belongs to the South African Development Trust, or which is situated in any area determined by Parliament by resolution as a town for occupation by or for the residential or business purposes of Black persons, and land which is so set aside may include land which at the time of the setting aside is already occupied by such persons or is already utilized by them for such other purposes.
- (2) The Minister may with regard to a town referred to in subsection (1) make regulations providing for—
- (a) the establishment of a local government body for the control and management of that town;
 - (b) the constitution of such government body and the election or appointment and the term of office of the members of such government body;
 - (c) the calling of and the procedure at the meetings of such government body and of committees thereof;
 - (d) the employment of staff for the performance of the administrative work connected with the carrying out of the duties, the exercise of the powers and the performance of the functions of such government body;
 - (e) the sources of income of such government body, and the purposes for which such government body shall or may apply its funds;
 - (f) the development of that town (including the erection of dwellings and other buildings), the construction of streets, and the provision of all such services as are provided by local authorities, by a township developer, by the local government body or by individuals, subject to such conditions as the Minister may determine;
 - (g) the regulation and control (including the imposition of restrictions and prohibitions) of any matter relating to the development, control and management of that town;
 - (h) the determination or identification of premises in that town as premises in respect of which leasehold may be granted by the South African Development Trust, the local government body, a township developer or individual, according as to who is the owner of those premises or who has obtained from the owner of such premises the right to grant leasehold in respect of such premises;
 - (i) the registration in a deeds office or other registration office of the ownership of any land or premises in that town, the granting of leasehold and other real rights thereto and any hypothecation or alienation of such land, premises, leasehold or other real right;
 - (j) the application, with such adaptations as may be provided for in regulations, of any of the provis-

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word, van enige van die bepalings van die Wet op Swart Plaaslike Besture, 1982 (Wet No. 102 van 1982), en van die Wet op die Ontwikkeling van Swart Gemeenskappe, 1984 (Wet No. 4 van 1984), ten opsigte van daardie dorp deur die plaaslike bestuursliggaam wat ten opsigte daarvan ingestel is en die herroeping of wysiging van die bepalings van enige wet wat betrekking het op enige aangeleentheid in hierdie artikel vermeld.”.

(2) Enige dorp gestig kragtens Proklamasie No. R.293 van 16 November 1962 of Proklamasie No. 163 van 23 Augustus 1974 op grond vermeld in artikel 30 van die Swart Administrasie Wet, 1927 (Wet No. 38 van 1927), of wat aldus gestig heet te wees, en enige regulasie in so 'n proklamasie vervat, word geag gestig of uitgevaardig te wees kragtens die ooreenstemmende bepaling van gemelde artikel 30, soos vervang deur artikel 2 van die Wysigingswet op Wetgewing op Samewerking en Ontwikkeling, 1984.

Vervanging van artikel 4bis van Wet 18 van 1936, soos ingevoeg deur artikel 7 van Wet 46 van 1959 en vervang deur artikel 4 van Wet 4 van 1976.

3. Artikel 4bis van die Ontwikkelingstrust en Grond Wet, 1936, 20 word hierby deur die volgende artikel vervang:

“Oordrag van sekere regte en verpligtings aan selfregerende gebiede. **4bis.** Die Staatspresident kan by proklamasie in die *Staatskoerant* gelas dat vanaf 'n datum wat hy bepaal—

(a) enige reg of verpligting van die Trustee ten opsigte van grond of ander eiendom van die Trust; of

(b) enige reg of verpligting van die Trustee ten opsigte van grond waarvan 'n Swart persoon die geregistreerde eienaar is; of

(c) grond wat op naam van die Minister of enige ander persoon geregistreer is in trust vir 'n Swart persoon, 'n Swart stam of 'n Swart gemeenskap, en wat geleë is in 'n gebied wat ingevolge die een of ander wet 'n selfregerende gebied binne die Republiek [of 'n selfregerende gebied] is of was, op die regering van so 'n selfregerende gebied oorgaan, en wel onderworpe aan die bepalings van hierdie Wet en die voorwaardes wat in bedoelde proklamasie voorgeskryf word.”.

Wysiging van artikel 10 van Wet 18 van 1936, soos gewysig deur artikel 5 van Wet 17 van 1937, artikel 11 van Wet 46 van 1962, artikel 2 van Wet 19 van 1970, artikel 3 van Wet 7 van 1973, artikel 6 van Wet 4 van 1976, artikel 1 van Wet 110 van 1976 en artikel 2 van Wet 16 van 1979.

4. Artikel 10 van die Ontwikkelingstrust en Grond Wet, 1936, word hierby gewysig deur na subartikel (1C) die volgende subartikel in te voeg:

“(1D) Ondanks die bepalings van subartikel (1), maar behoudens die bepalings van subartikel (2) (c) en (d), kan die Trust grond verkry en besit wat die grootte in subartikel (1) vermeld, te bowe gaan indien sodanige grond verkry word in gebiede wat vir dié doel deur die Parlement by besluit bepaal is.”.

Wysiging van artikel 31 van Wet 76 van 1963.

5. Artikel 31 van die Wysigingswet op Swart Wetgewing, 1963, word hierby gewysig deur na subartikel (2) die volgende subartikel in te voeg:

“(2A) 'n Sertifikaat in subartikel (2) vermeld, word as afdoende bewys aanvaar van die bestaan van 'n gebruikelike verbinding van die oorlede deelgenoot, en dié deelgenoot of, in die geval van 'n verbinding met meer as een vrou, die deelgenote wie se naam of name op daardie sertifikaat vermeld word.”.

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5 ions of the Black Local Authorities Act, 1982 (Act No. 102 of 1982), and of the Black Communities Development Act, 1984 (Act No. 4 of 1984), in respect of that town, by the local government body established in respect thereof, and the repeal or amendment of the provisions of any law which relate to any matter referred to in this section.”

10 (2) Any town established under Proclamation No. R. 293 of 16 November 1962 or Proclamation No. 163 of 23 August 1974 on land referred to in section 30 of the Black Administration Act, 1927 (Act No. 38 of 1927), or purporting to have been so established, and any regulation contained in such proclamation shall be deemed to have been established or made under the
15 corresponding provision of the said section 30, as substituted by section 2 of the Laws on Co-operation and Development Amendment Act, 1984.

3. The following subsection is hereby substituted for section 4bis of the Development Trust and Land Act, 1936:

Substitution of section 4bis of Act 18 of 1936, as inserted by section 7 of Act 46 of 1959 and substituted by section 4 of Act 4 of 1976.

20 “Transfer of certain rights and obligations to self-governing territories.
25 4bis. The State President may by proclamation in the Gazette direct that as from a date determined by him—
(a) any right or obligation of the Trustee in respect of any land or other property of the Trust; or
(b) any right or obligation of the Trustee in respect of land of which a Black person is the registered owner; or
(c) land which is registered in the name of the Minister or any other person in trust for a Black person, a Black tribe or a Black community
30 and which is situated in an area which is or was in terms of any law a self-governing territory within the Republic [or a self-governing territory] shall, subject to the provisions of this Act and the conditions prescribed in such proclamation, vest in the government
35 of such self-governing territory.”

4. Section 10 of the Development Trust and Land Act, 1936, is hereby amended by the insertion after subsection (1C) of the following subsection:

Amendment of section 10 of Act 18 of 1936, as amended by section 5 of Act 17 of 1937, section 11 of Act 46 of 1962, section 2 of Act 19 of 1970, section 3 of Act 7 of 1973, section 6 of Act 4 of 1976, section 1 of Act 110 of 1976 and section 2 of Act 16 of 1979.

40 “(1D) Notwithstanding the provisions of subsection (1) but subject to the provisions of subsection (2) (c) and (d), the Trust may acquire and hold land exceeding the extent referred to in subsection (1) if such land is acquired in areas determined for the purpose by resolution of Parliament.”

5. Section 31 of the Black Laws Amendment Act, 1963, is hereby amended by the insertion after subsection (2) of the following subsection:

Amendment of section 31 of Act 76 of 1963.

50 “(2A) A certificate referred to in subsection (2) shall be accepted as conclusive proof of the existence of a customary union of the deceased partner and the partner or, in the case of a union with more than one woman, the partners whose name or names appear on such certificate.”

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Wysiging van
artikel 4 van
Wet 46 van 1968,
soos gewysig deur
artikel 12 van
Wet 4 van 1976
en artikel 4 van
Wet 80 van 1977.

6. Artikel 4 van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Nasionale State, 1968, word hierby gewysig deur na paragraaf (x) van subartikel (1) die volgende paragraaf in te voeg:

“(xA) om enige aanspreeklikheid van die Ekonomiese Ontwikkelingskorporasie, Beperk, ten opsigte van leningskapitaal oor te dra aan die Ontwikkelingsbank van Suider-Afrika, mits daarmee saam bates van minstens ’n gelyke bedrag aan daardie Ontwikkelingsbank oorgedra word;”.

Wysiging van
artikel 5 van
Wet 46 van 1968,
soos gewysig deur
artikel 9 van Wet
102 van 1983.

7. Artikel 5 van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Nasionale State, 1968, word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Die Minister moet, [—

(i) voordat ’n ontwikkelingskorporasie ingestel word, die Ekonomiese Ontwikkelingskorporasie, Beperk, raadpleeg; en

(ii) voordat ’n korporasie ingestel word, [die Ekonomiese Ontwikkelingskorporasie, Beperk en,] waar die betrokke onderneming of projek opgerig of geloods staan te word in ’n gedeelte van die nasionale state ten opsigte waarvan ’n ontwikkelingskorporasie ingestel is, [ook] daardie ontwikkelingskorporasie raadpleeg.”.

Vervanging van
artikel 5A van
Wet 46 van 1968,
soos ingevoeg deur
artikel 5 van
Wet 80 van 1977.

8. Artikel 5A van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Nasionale State, 1968, word hierby deur die volgende artikel vervang:

“Ontbinding
van Ekono-
miese
Ontwikke-
lingskorpora-
sie, ontwik-
kelingskorpora-
sie of
korporasie.

5A. (1) Die Staatspresident kan by proklamasie in die *Staatskoerant* vanaf ’n datum deur hom in sodanige proklamasie bepaal—

(a) die naam waaronder [die Ekonomiese Ontwikkelingskorporasie, Beperk,] ’n ontwikkelingskorporasie of ’n korporasie bekend staan, verander; (b) die Ekonomiese Ontwikkelingskorporasie, Beperk, ’n ontwikkelingskorporasie of ’n korporasie [na oorlegpleging met die Ekonomiese Ontwikkelingskorporasie, Beperk, en die betrokke ontwikkelingskorporasie of korporasie] ontbind, en kan aangeleenthede betreffende die bates, laste, regte en verpligtinge van daardie Ontwikkelingskorporasie of ’n aldus ontbinde ontwikkelingskorporasie of korporasie reël.

(2) Op die datum aldus bepaal, teken die Registrateur van Maatskappye die naamsverandering of ontbinding, na gelang van die geval, in sy registers aan.”.

Wysiging van
artikel 6 van
Wet 46 van 1968,
soos vervang deur
artikel 6 van
Wet 80 van 1977
en artikel 4 van
Wet 3 van 1980.

9. Artikel 6 van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Nasionale State, 1968, word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Ten einde sy doelstellings te bereik, kan ’n ontwikkelingskorporasie dié bevoegdhede in artikel 4 (1) bedoel wat die Trustee van tyd tot tyd bepaal, uitoefen [en, tensy die Trustee anders bepaal, oefen die Ekonomiese Ontwikkelingskorporasie, Beperk, nie bedoelde bevoegdhede uit in daardie gedeeltes van die nasionale state ten opsigte waarvan die betrokke ontwikkelingskorporasie ingestel is nie: Met dien verstande dat indien ’n ontwikkelingskorporasie geld van die Ekonomiese Ontwikkelingskorporasie, Beperk, opneem of leen, die Minister nie enige voorwaardes bepaal waarop sodanige geld aldus opgeneem of geleen moet word nie].”.

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6. Section 4 of the Promotion of the Economic Development of National States Act, 1968, is hereby amended by the insertion after paragraph (x) of subsection (1) of the following paragraph:

- 5 “(xA) to transfer to the Development Bank of Southern Africa any liability of the Corporation for Economic Development, Limited, in respect of loans capital, if assets of at least an equivalent amount are transferred to that Development Bank.”

Amendment of section 4 of Act 46 of 1968, as amended by section 12 of Act 4 of 1976 and section 4 of Act 80 of 1977.

7. Section 5 of the Promotion of the Economic Development of National States Act, 1968, is hereby amended by the substitution for subsection (2) of the following subsection:

- 10 “(2) The Minister shall, [—
15 (i) before a development corporation is established, consult the Corporation for Economic Development, Limited; and
16 (ii)] before a corporation is established, consult, [the Corporation for Economic Development, Limited, and,]
20 where the undertaking or project concerned is to be established or inaugurated in a portion of the national states in respect of which a development corporation has been established, [also] that development corporation.”

Amendment of section 5 of Act 46 of 1968, as amended by section 9 of Act 102 of 1983.

8. The following section is hereby substituted for section 5A of the principal Act:

- 25 “Dissolution of Corporation for Economic Development, development corporation or corporation.
30 5A. (1) The State President may by proclamation in the *Gazette* from a date fixed by him in such proclamation—
31 (a) change the name under which [the Corporation for Economic Development, Limited] a development corporation or a corporation is known;
35 (b) [after consultation with the Corporation for Economic Development, Limited, and the development corporation or corporation concerned,] dissolve the Corporation for Economic Development, Limited, a development corporation or a corporation, and may regulate matters relating to the assets, liabilities, rights and obligations of that Development Corporation or a development corporation so dissolved.
40 (2) Upon the date so fixed the Registrar of Companies shall enter the change of name or dissolution, as the case may be, in his registers.”

Substitution of section 5A of Act 46 of 1968, as inserted by section 5 of Act 80 of 1977.

9. Section 6 of the Promotion of the Economic Development of National States Act, 1968, is hereby amended by the substitution for subsection (2) of the following subsection:

- 45 “(2) For the purpose of attaining its objects, a development corporation may exercise such of the powers referred to in section 4 (1) as the Trustee may determine from time to time [and, unless the Trustee otherwise determines, the Corporation for Economic Development, Limited, shall not exercise the said powers in those portions of the national states in respect of which the development corporation concerned has been established: Provided that if a development corporation raises or borrows money from the Corporation for Economic Development, Limited, the Minister shall not determine any conditions on which such money is to be so raised or borrowed].”

Amendment of section 6 of Act 46 of 1968, as substituted by section 6 of Act 80 of 1977 and amended by section 4 of Act 3 of 1980.

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Invoeging van
artikel 7B in
Wet 46 van 1968.

10. Die volgende artikel word hierby in die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Nasionale State, 1968, na artikel 7A ingevoeg:

“Oordrag van 7B. Enige vrywaring ingevolge artikel 7A gegee
vrywaring ge- deur die Ekonomiese Ontwikkelingskorporasie, Be- 5
gee deur perk, word vanaf die datum met ingang waarvan
Ekonomiese daardie Korporasie ontbind word, oorgedra aan die
Ontwikke- Regering van die Republiek van Suid-Afrika, en met
lingskorpora- ingang van sodanige datum word enige verwysing in
sie aan Rege- enige tersaaklike dokument na daardie Korporasie 10
ring van uitgelê as 'n verwysing na die Regering.”
Republiek
van Suid-
Afrika.

Herroeping van
artikel 27 van
Wet 46 van 1968.

11. Artikel 27 van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Nasionale State, 1968, word hierby herroep.

Invoeging van
artikel 37B in
Wet 21 van 1971.

12. Die volgende artikel word hierby in die Grondwet van die 15
Nasionale State, 1971, na artikel 37A ingevoeg:

“Sekere pro- 37B. Ondanks die bepalings van hierdie Wet of
klamasies enige ander wet, word enige proklamasie wat inge-
geag deur volge hierdie Wet voor 18 Junie 1982 uitgevaardig is, 20
raadpleging of uitgevaardig heet te wees, en wat volgens die ver-
voorafgegaan te wees. eiste van die een of ander Wet deur raadpleging
voorafgegaan moes word, geag deur sodanige raad-
pleging voorafgegaan te wees.”

Evaton word geag
as dorp ingevolge
Wet 4 van 1984
ingestel te wees.

13. (1) Evaton, soos omskryf in Bylae A by Proklamasie No. 54 van 1959, word geag ingevolge artikel 35 van die Wet op die 25
Ontwikkeling van Swart Gemeenskappe, 1984, as dorp afge-
sonder te wees, en die plaaslike bestuur wat by die inwerking-
treeding van hierdie Wet die sake van Evaton bestuur, word geag
as plaaslike bestuur ten opsigte daarvan ingestel te wees inge-
volge die Wet op Swart Plaaslike Besture, 1982 (Wet No. 102 30
van 1982).

(2) Subartikel (1) word geag op 15 September 1983 in werking
te getree het.

Vervanging van
artikel 36 van
Wet 102 van 1982.

14. Artikel 36 van die Wet op Swart Plaaslike Besture, 1982, 35
word hierby deur die volgende artikel vervang:

“Oorplasing 36. (1) 'n Ontwikkelingsraad of liggaam van per-
van werkne- sone by of kragtens wet ingestel kan, met die instem-
mers van ming van 'n plaaslike bestuur in sy administrasiege-
ontwikke- bied en met die goedkeuring van die Minister, 'n
lingsraad of liggaam van persoon in sy diens oorplaas na die diens van daardie 40
pense by of kragtens wet ingestel na plaaslike bestuur.

(2) Iemand wat ingevolge subartikel (1) oorgeplaas
is, word vanaf die datum van sy oorplasing aangestel
in 'n pos wat by die plaaslike bestuur ingestel is op
die voorwaardes wat vir daardie pos voorgeskryf is 45
en teen die besoldiging wat vir daardie pos bepaal is:
Met dien verstande dat—

(a) bedoelde voorwaardes en besoldiging nie minder
gunstig mag wees as die voorwaardes en besol- 50
diging wat op hom van toepassing was as 'n per-
soon in diens van die ontwikkelingsraad of lig-
gaam by of kragtens wet ingestel nie; en

(b) siekte- en vakansieverlof waarmee so iemand
gekrediteer was onmiddellik voor sy oorplasing
na die plaaslike bestuur, geag word verlof te 55
wees wat hy verdien het in die diens van die
plaaslike bestuur.

(3) Iemand wat onmiddellik voor sy oorplasing in-
gevolge subartikel (1), 'n bydraer was tot die Pen-
sioenfonds vir Geassosieerde Inrigtings ingestel krag- 60
tens artikel 2 van die Wet op die Pensioenfonds vir
Geassosieerde Inrigtings, 1963 (Wet No. 41 van
1963)—

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Act No. 83, 1984

10. The following section is hereby inserted in the Promotion of the Economic Development of National States Act, 1968, after section 7A:

Insertion of
section 7B in
Act 46 of 1968.

5 "Transfer of indemnity given by Corporation for Economic Development to Government of Republic of South Africa. 7B. Any indemnity given by the Corporation for Economic Development, Limited, in terms of section 7A, shall as from the date with effect from which such Corporation is dissolved, be transferred to the Government of the Republic of South Africa, and with effect from such date any reference in any relevant document to such Corporation shall be construed as a reference to the Government."

11. Section 27 of the Promotion of the Economic Development of National States Act, 1968, is hereby repealed.

Repeal of
section 27 of
Act 46 of 1968.

12. The following section is hereby inserted in the National States Constitution Act, 1971, after section 37A:

Insertion of
section 37B in
Act 21 of 1971.

20 "Certain proclamations to be deemed to have been preceded by consultation. 37B. Notwithstanding the provisions of this Act or any other law, any proclamation promulgated or purporting to have been promulgated under this Act before 18 June 1982, and which according to the requirement of any Act had to be preceded by consultation, shall be deemed to have been preceded by consultation."

25 13. (1) Evaton, as defined in Schedule A to Proclamation No. 54 of 1959, shall be deemed to have been set apart as a town in terms of section 35 of the Black Communities Development Act, 1984 (Act No. 4 of 1984), and the local authority which at the commencement of this Act manages the affairs of Evaton shall be deemed to have been instituted as a local authority in respect thereof in terms of the Black Local Authorities Act, 1982 (Act No. 102 of 1982).

Evaton deemed to
have been estab-
lished as town in
terms of Act 4 of
1984.

(2) Subsection (1) shall be deemed to have come into operation on 15 September 1983.

14. The following section is hereby substituted for section 36 of the Black Local Authorities Act, 1982:

Substitution of
section 36 of
Act 102 of 1982.

35 "Transfer of employees of development board or body of persons established under any law to local authority. 36. (1) A development board or body of persons established under any law may, with the concurrence of a local authority in its administration area and with the approval of the Minister, transfer a person in its service to the service of such local authority.

40 (2) Any person transferred under subsection (1) shall as from the date of his transfer be appointed to a post established under the local authority on such conditions as may be prescribed for such post and at such remuneration as may be determined for such post: Provided that—

45 (a) the said conditions and remuneration shall not be less favourable than the conditions and remuneration applicable to him as a person employed by the development board or body established by or under any law; and

50 (b) any sick or vacation leave which stood to the credit of such person immediately prior to his transfer to the local authority shall be deemed to be leave earned by him in the service of the local authority.

55 (3) Any person who, immediately prior to his transfer in terms of subsection (1), was a contributor to the Associated Institutions Pension Fund established under section 2 of the Associated Institutions Pension Fund Act, 1963 (Act No. 41 of 1963)—

60

Wet No. 83, 1984

WYSIGINGSWET OP WETGEWING OP SAMEWERKING EN
ONTWIKKELING, 1984

- (a) word geag sonder onderbreking in sy diens 'n lid van daardie pensioenfonds te bly; en
- (b) is, ondanks andersluidende bepalings van die een of ander wet, nie geregtig op die betaling van 'n voordeel uit bedoelde pensioenfonds uit hoofde van sy oorplasing nie, vir sover sy oorplasing met die beëindiging van sy diens by die betrokke ontwikkelingsraad of liggaam by of kragtens wet ingestel gepaard gaan. 5

(4) Die Minister kan, met die instemming van die bestuur van 'n munisipale pensioenfonds wat daardeur geraak sal word, regulasies uitvaardig betreffende die grondslag en voorwaardes waarop iemand wat onmiddellik voor sy oorplasing ingevolge subartikel (1) 'n bydraer tot 'n munisipale pensioenfonds was, 'n lid van daardie pensioenfonds kan bly. 15

(5) Ondanks 'n andersluidende bepaling van die een of ander wet is iemand wat ingevolge 'n regulasie kragtens subartikel (4) die reg het om na sy oorplasing lid van 'n munisipale pensioenfonds te bly, nie geregtig op die betaling van 'n voordeel uit so 'n pensioenfonds uit hoofde van sy oorplasing nie, vir sover sy oorplasing met die beëindiging van sy diens by die betrokke ontwikkelingsraad of liggaam by of kragtens wet ingestel gepaard gaan. 20 25

(6) By die toepassing van hierdie artikel beteken 'munisipale pensioenfonds' 'n superannuasie-, pensioen- of voorsieningsfonds of -skema (behalwe 'n assuranceskema) deur 'n plaaslike bestuursliggaam ten bate van sy werknemers, of deur 'n wet ten bate van die werknemers van een of meer plaaslike bestuursliggame, ingestel." 30

Kort titel.

15. Hierdie Wet heet die Wysigingswet op Wetgewing op Samewerking en Ontwikkeling, 1984.

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- (a) shall be deemed to remain, without a break in his service, a member of such pension fund; and
- (b) shall, notwithstanding anything to the contrary contained in any law, not be entitled to the payment of any benefit from such pension fund by virtue of his transfer, in so far as his transfer involves the termination of his service with the development board, or body established by or under any law, concerned.

(4) The Minister may, with the concurrence of the management of any municipal pension fund which will be affected thereby, make regulations relating to the basis and conditions on which any person who immediately prior to his transfer in terms of subsection (1) was a contributor to a municipal pension fund, may remain a member of such pension fund.

(5) Notwithstanding anything to the contrary contained in any law a person who in terms of a regulation under subsection (4) has the right to remain after his transfer a member of a municipal pension fund, shall not be entitled to the payment of any benefit from such pension fund by virtue of his transfer, in so far as his transfer involves the termination of his service with the development board, or body established by or under any law, concerned.

(6) For the purposes of this section 'municipal pension fund' means any superannuation, pension or provident fund or scheme (other than an assurance scheme) established by a local government body for the benefit of its employees, or by any law for the benefit of the employees of one or more local government bodies."

15. This Act shall be called the Laws on Co-operation and Development Amendment Act, 1984. Short title.

