



GOVERNMENT GAZETTE

OF THE REPUBLIC OF SOUTH AFRICA

REPUBLIEK VAN SUID-AFRIKA

STAATSKOERANT

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Selling price • Verkoopprys
(GST excluded/AVB uitgesluit)

Local **45c** Plaaslik
Other countries 60c Buitelands
Post free • Posvry

VOL. 241

CAPE TOWN, 24 JULY 1985

KAAPSTAD, 24 JULIE 1985

No. 9855

STATE PRESIDENT'S OFFICE

No. 1623.

24 July 1985

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

No. 94 of 1985: Second Railway Construction Act, 1985.

KANTOOR VAN DIE STAATSPRESIDENT

No. 1623:

24 Julie 1985

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

No. 94 van 1985: Tweede Spoorwegaanlegwet, 1985.

Act No. 94, 1985

SECOND RAILWAY CONSTRUCTION ACT, 1985

ACT

To provide for the construction and equipment of a line of railway between Philippi and Khayelitsha (Province of the Cape of Good Hope), and for matters incidental thereto.

(English text signed by the State President.)
(Assented to 10 July 1985.)

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

Construction and
equipment of a cer-
tain line of railway.

1. (1) The State President may, as soon after the commencement of this Act as to him may seem expedient, cause to be constructed and equipped, and upon a gauge of one thousand and sixty-five millimetres, a line of railway of a length of approximately ten comma five kilometres between Philippi and Khayelitsha (Province of the Cape of Good Hope) at a gross cost of approximately R62 million. 5

(2) The powers conferred by this section shall include the power to construct and equip all sidings, stations, buildings and other appurtenances necessary for or incidental to the proper working of the said line of railway.

(3) The expression "construct and equip" shall include "maintain" while the line is in the course of construction and equipment. 15

Cost of construction and equipment.

2. The cost of construction and equipment of the line of railway authorized by section 1 shall be defrayed out of the State Revenue Fund with moneys appropriated for that purpose by Parliament. 20

Powers incidental to construction and equipment.

3. In respect of the construction and equipment of the said line of railway, the State President shall have the powers conferred by the South African Transport Services Act, 1981 (Act No. 65 of 1981), and the Expropriation Act, 1975 (Act No. 63 of 1975), but subject to the obligations imposed by these Acts: Provided that the width of the land taken for the construction of the line shall not exceed thirty-five metres, together with such additional land as may be required for the slopes, cuttings, drainage, stations, approach roads and other works and matters which may be necessary for the purposes of the line. 30

South African Transport Services to be compensated for losses.

4. The South African Transport Services shall be compensated, in terms of section 10 (3) of the South African Transport Services Act, 1981 (Act No. 65 of 1981), from the State Revenue Fund, out of moneys appropriated by Parliament for such purpose, for all losses that may be sustained in the working of the line of railway referred to in section 1. 35

Short title.

5. This Act shall be called the Second Railway Construction Act, 1985.

WET

Om voorsiening te maak vir die aanlê en uitrus van 'n spoorlyn tussen Philippi en Khayelitsha (provinsie die Kaap die Goeie Hoop), en vir aangeleenthede wat daarmee in verband staan.

*(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 10 Julie 1985.)*

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

1. (1) Die Staatspresident kan, so spoedig na die inwerking-treding van hierdie Wet as wat hy doenlik ag, 'n spoorlyn van 'n
5 spoorwydte van eenduisend en vyf-en-sestig millimeter en van 'n benaderde lengte van tien komma vyf kilometer, tussen Philippi en Khayelitsha (provinsie die Kaap die Goeie Hoop) laat aanlê en uitrus teen 'n bruto koste van ongeveer R62 miljoen.
(2) Die bevoegdhede deur hierdie artikel verleen, sluit die be-
10 voegdheid in om alle sylyne, stasies, geboue en ander toebehore wat vir die behoorlike eksploitasie van gemelde spoorlyn nodig is of daarmee in verband staan, aan te lê en uit te rus.
(3) Die uitdrukking "aanlê en uitrus" omvat "in stand hou" onderwyl die spoorlyn aangelê en uitgerus word.
- 15 2. Die koste van die aanlê en uitrus van die spoorlyn wat deur artikel 1 gemagtig word, word bestry uit die Staatsinkomstefonds met gelde wat vir hierdie doel deur die Parlement bewillig word.
Aanlê en uitrus van 'n sekere spoorlyn.
Koste van aanlê en uitrus.
- 20 3. Ten opsigte van die aanlê en uitrus van gemelde spoorlyn het die Staatspresident die bevoegdhede verleen deur die Suid-Afrikaanse Vervoerdienstewet, 1981 (Wet No. 65 van 1981), en die Onteieningswet, 1975 (Wet No. 63 van 1975), maar onderhe-
wig aan die verpligtings deur bedoelde Wette opgelê: Met dien verstande dat die breedte van die grond wat vir die bou van die
25 spoorlyn geneem word, nie vyf-en-dertig meter mag oorskry nie, tesame met soveel bykomende grond as wat nodig mag wees vir die hellings, deurgrawings, dreinerings, stasies, toegangspaaie en ander werke en sake wat vir die doeleindes van die spoorlyn nodig mag wees.
Bevoegdhede in verband met aanlê en uitrus.
- 30 4. Die Suid-Afrikaanse Vervoerdienstewet word, ingevolge artikel 10 (3) van die Suid-Afrikaanse Vervoerdienstewet, 1981 (Wet No. 65 van 1981), uit die Staatsinkomstefonds vergoed, uit geld deur die Parlement vir dié doel bewillig, vir alle verliese wat gely mag word met die eksploitasie van die spoorlyn in arti-
35 kel 1 vermeld.
Suid-Afrikaanse Vervoerdienstewet word vir verliese vergoed.
5. Hierdie Wet heet die Tweede Spoorwegaanlegwet, 1985.
Kort titel.

