

REPUBLIC
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SOUTH AFRICA



REPUBLIEK
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SUID-AFRIKA

Government Gazette Staatskoerant

Selling price • Verkoopprys
(GST excluded)/(AVB uitgesluit)

Local **50c** Plaaslik
Other countries **70c** Buitelands
Post Free • Posvry

Registered at the Post Office as a Newspaper

As 'n Nuisblad by die Poskantoor Geregistreer

Vol. 266

PRETORIA, 7 AUGUST 1987
AUGUSTUS

No. 10858

PROCLAMATION

by the

State President of the Republic of South Africa

No. 119, 1987

ESTABLISHMENT OF THE KWAZULU/NATAL JOINT EXECUTIVE AUTHORITY AND PUBLICATION OF RULES FOR THE JOINT AND CO-ORDINATED EXERCISE OF POWERS AND PERFORMANCE OF FUNCTIONS BY THE GOVERNMENT OF KWAZULU AND THE PROVINCIAL GOVERNMENT OF NATAL

In terms of section 2 (4) of the Joint Executive Authority for KwaZulu and Natal Act, 1986 (Act 80 of 1986), notice is hereby given that I have approved the set of rules for the KwaZulu/Natal Joint Executive Authority contained in the Schedule and declare them to be binding from 7 August 1987 in the area comprising the Province of Natal and that part of KwaZulu falling outside that province.

Given under my Hand and Seal of the Republic of South Africa at Pretoria on this Twenty-eighth day of July, One thousand Nine hundred and Eighty-seven.

P. W. BOTHA,
State President.

By Order of the State President-in-Cabinet:

J. C. HEUNIS,
Minister of the Cabinet.

SCHEDULE

RULES FOR THE JOINT EXECUTIVE AUTHORITY CONTEMPLATED IN SECTION 2 (1) OF THE JOINT EXECUTIVE AUTHORITY FOR KWAZULU AND NATAL ACT, 1986 (ACT 80 OF 1986)

Definitions

1. In these rules, unless inconsistent with the context—
“chairman” means the member who has been elected in terms of rule 5 as chairman of the joint authority;

PROKLAMASIE

van die

Staatspresident van die Republiek van Suid-Afrika

No. 119, 1987

INSTELLING VAN DIE GESAMENTLIKE UITVOERENDE OWERHEID KWAZULU/NATAL EN AFKONDIGING VAN REËLS VIR DIE GESAMENTLIKE EN GEKOÖRDINEERDE UITOEFENING VAN BEVOEGHEDE EN VERRIGTING VAN WERKSAAMHEDE DEUR DIE REGERING VAN KWAZULU EN DIE PROVINSIALE REGERING VAN NATAL

Kragtens artikel 2 (4) van die Wet op die Gesamentlike Uitvoerende Owerheid vir KwaZulu en Natal, 1986 (Wet 80 van 1986), word hiermee bekendgemaak dat ek die stel reëls vir die Gesamentlike Uitvoerende Owerheid KwaZulu/Natal soos vervat in die Bylae goedgekeur het en verklaar ek hierdie reëls bindend vanaf 7 Augustus 1987 in die gebied bestaande uit die provinsie Natal en enige gedeelte van KwaZulu wat buite daardie provinsie val.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Agt-en-twintigste dag van Julie Eenduisend Negehoenderd Sewe-en-tagtig.

P. W. BOTHA,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

J. C. HEUNIS,
Minister van die Kabinet.

BYLAE

REËLS VIR DIE GESAMENTLIKE UITVOERENDE OWERHEID BEOOG IN ARTIKEL 2 (1) VAN DIE WET OP DIE GESAMENTLIKE UITVOERENDE OWERHEID VIR KWAZULU EN NATAL, 1986 (WET 80 VAN 1986)

Omskrywings

1. In hierdie reëls, tensy strydig met die sinsverband, beteken—
“die gesamentlike owerheid” die gesamentlike uitvoerende owerheid in artikel 5 van die Wet beoog;

“chief executive officer” means the chief executive officer referred to in section 8 (3) (a) of the Act and includes any person lawfully acting in his stead;

“member” means a member of the joint authority contemplated in rule 3 (1);

“the Act” means the Joint Executive Authority for KwaZulu and Natal Act, 1986 (Act 80 of 1986);

“the joint authority” means the joint executive authority contemplated in section 5 of the Act;

“vice-chairman” means the member who has been elected in terms of rule 5 as vice-chairman of the joint authority, and

“year” means a period of twelve months commencing on the first day of April in any year.

Establishment, name and seat of joint authority

2. (1) There shall be and is hereby established a joint authority which shall be called the KwaZulu/Natal Joint Executive Authority and which shall—

- (a) exercise the powers, duties and functions contemplated in paragraphs (b) to and including (e) of the section 6 (1) of the Act, with particular reference to the making of recommendations under the said paragraph (b) in regard to matters which can form the subject of an assignment or authorization contemplated in section 7 (1) of the Act, and
- (b) administer any law or any provision in a law of which the administration has been assigned to it in terms of section 7 (1) of the Act or exercise any power or perform any duty or other function which it is in terms of that section authorised to exercise and perform.

(2) The seat of the joint authority shall be at Durban.

Membership of joint authority

3. (1) The joint authority shall, subject to the provisions of subrule (3) and rule 4, consist of ten persons of which—

- (a) five shall be Members of the Executive Committee of the Province of Natal designated and appointed by the Administrator, and
- (b) five shall be Ministers of the Government of KwaZulu designated and appointed by the Chief Minister.

(2) (a) The Administrator may authorise any Member of the Executive Committee of the Province of Natal who is not a member of the joint authority to participate, otherwise than for the purposes of rules 4, 5, 6 (3), 6 (5) (b) (i) in so far as it relates to the required attendance of members at ordinary meetings of the joint authority, 6 (6), 7, 8 (1), 10 and Annexure 1, in any meeting or meetings of the joint authority.

(b) The Chief Minister may authorise any Minister or Deputy Minister of the Government of KwaZulu who is not a member of the joint authority to participate, otherwise than for the purposes of rules 4, 5, 6 (3), 6 (5) (b) (i) in so far as it relates to the required attendance of members at ordinary meetings of the joint authority, 6 (6), 7, 8 (1), 10 and Annexure 1, in any meeting or meetings of the joint authority.

(3) The Administrator and the Chief Minister shall not be eligible to serve as members.

Tenure of office

4. (1) The period of office of a member shall, subject to the provisions of subrule (2), be five years.

(2) The office of a member shall become vacant when—

- (a) his term of office has expired;

“die Wet” die Wet op die Gesamentlike Uitvoerende Owerheid vir KwaZulu en Natal, 1986 (Wet 80 van 1986);

“hoof- uitvoerende beampte” die hoof- uitvoerende beampte in artikel 8 (3) (a) van die Wet genoem en omvat dit enigene wat wettig in sy plek waarneem;

“jaar” ’n tydperk van twaalf maande wat op die eerste dag van April van enige jaar begin;

“lid” ’n lid van die gesamentlike owerheid in reël 3 (1) beoog;

“ondervoorsitter” die lid wat ingevolge reël 5 tot ondervoorsitter van die gesamentlike owerheid verkies is, en

“voorsitter” die lid wat ingevolge reël 5 tot voorsitter van die gesamentlike owerheid verkies is.

Instelling, naam en setel van gesamentlike owerheid

2. (1) Daar is en word hierby ’n gesamentlike owerheid ingestel wat die Gesamentlike Uitvoerende Owerheid KwaZulu/Natal heet en wat—

- (a) die bevoegdhede, pligte of werksaamhede beoog in paragrawe (b) tot en met (e) van artikel 6 (1) van die Wet uitoefen, met besondere verwysing na die doen van aanbevelings kragtens genoemde paragraaf (b) ten opsigte van aangeleenthede wat die onderwerp kan vorm van ’n opdrag of magtiging in artikel 7 (1) van die Wet beoog, en
- (b) ’n wet of ’n bepaling in ’n wet waarvan die uitvoering ingevolge artikel 7 (1) van die Wet aan hom opgedra is, uitvoer of die bevoegdheid uitoefen en die plig of ander werksaamheid verrig wat hy ingevolge daardie artikel gemagtig word om uit te voer en verrig.

(2) Die setel van die gesamentlike owerheid is Durban.

Lidmaatskap van gesamentlike owerheid

3. (1) Die gesamentlike owerheid bestaan, behoudens die bepalinge van subreël (3) en reël 4, uit tien persone waarvan—

- (a) vyf Lede van die Uitvoerende Komitee van die Provinsie Natal is wat deur die Administrateur aangewys en aangestel word, en
- (b) vyf Ministers van die KwaZulu-regering is wat deur die Hoofminister aangewys en aangestel word.

(2) (a) Die Administrateur kan enige lid van die Uitvoerende Komitee van die Provinsie Natal wat nie ’n lid van die gesamentlike owerheid is nie magtig om, behalwe vir die toepassing van reëls 4, 5, 6 (3), 6 (5) (b) (i) vir sover dit op die vereiste bywoning van gewone vergaderings van die gesamentlike owerheid deur lede betrekking het, 6 (6), 7, 8 (1), 10 en Aanhangsel 1, aan enige vergadering of vergaderings van die gesamentlike owerheid deel te neem.

(b) Die Hoofminister kan enige Minister of Adjunk-minister van die KwaZulu-regering wat nie ’n lid van die gesamentlike owerheid is nie magtig om, behalwe vir die toepassing van reëls 4, 5, 6 (3), 6 (5) (b) (i) vir sover dit op die vereiste bywoning van gewone vergaderings van die gesamentlike owerheid deur lede betrekking het, 6 (6), 7, 8 (1), 10 en Aanhangsel 1, aan enige vergadering of vergaderings van die gesamentlike owerheid deel te neem.

(3) Die Hoofminister en die Administrateur is nie as lede verkiesbaar nie.

Ampstermyn

4. (1) Die ampstermyn van ’n lid is, behoudens die bepalinge van subreël (2), vyf jaar.

(2) Die amp van ’n lid word vakant indien—

- (a) sy ampstermyn verstryk het;

- (b) he ceases to be a Minister of the Government of KwaZulu or Member of the Executive Committee of the Province of Natal, as the case may be;
 - (c) his appointment as a member of the joint authority is terminated—
 - (i) in the case of a member appointed by the Administrator, by the Administrator, and
 - (ii) in the case of a member appointed by the Chief Minister, by the Chief Minister;
 - (d) his written resignation is received in the office of the chief executive officer;
 - (e) he becomes subject to a final order sequestrating his estate under the Insolvency Act, 1936 (Act 24 of 1936);
 - (f) he assigns his estate for the benefit of his creditors;
 - (g) he becomes subject to an order of court declaring him to be of unsound mind or mentally disordered or defective, or
 - (h) he is convicted of any offence and is, in respect thereof, sentenced to imprisonment without the option of a fine for a period of not less than six months, whether such imprisonment is wholly or partially suspended or not, unless he obtains a free pardon.
- (3) Any member whose office has become vacant in terms of subrule (2) shall be eligible for reappointment if—
- (a) in the case contemplated in paragraph (a) or (b) of that subrule, he is or again becomes a Minister of the Government of KwaZulu or a Member of the Executive Committee of the Province of Natal, as the case may be;
 - (b) in the case contemplated in paragraph (c) of that subrule, the reason for the termination of such member's appointment as a member no longer exists;
 - (c) in the case contemplated in paragraph (d) of that subrule, he has in writing indicated his willingness again to accept appointment as a member, or
 - (d) in the case contemplated in paragraphs (e) to and including (g) of that subrule, the relevant assignment or order is no longer of force and effect.

(4) Any vacancy in the office of a member designated and appointed by—

- (a) the Administrator, shall be filled by a person designated and appointed by the Administrator, and
- (b) the Chief Minister, shall be filled by a person designated and appointed by the Chief Minister,

in terms of rule 3 (1) and in the cases contemplated in subrule (2) (b) to and including (h) the person so designated and appointed shall hold office for the unexpired portion of the period of office of the member in whose place he is appointed.

Election of office-bearers

5. (1) At its first ordinary meeting after the designation and appointment of members in terms of rule 3 (1) and at its first ordinary meeting in every succeeding year or at such other intervals as may be determined by the joint authority, the joint authority shall, in accordance with the provisions of Annexure 1, elect one member to be chairman and thereafter another member to be vice-chairman of the joint authority who shall, subject to the provisions of subrule (3), serve until the election of their successors in office.

(2) The Provincial Secretary of Natal shall preside at the first ordinary meeting contemplated in subrule (1) until the election of the chairman in terms of that subrule.

- (b) hy ophou om 'n Minister van die KwaZulu-regering of Lid van die Uitvoerende Komitee van die Provinsie Natal te wees, na gelang van die geval;
- (c) sy aanstelling as 'n lid van die gesamentlike owerheid beëindig word—
 - (i) in die geval van 'n lid wat deur die Administrateur aangestel is, deur die Administrateur, en
 - (ii) in die geval van 'n lid wat deur die Hoofminister aangestel is, deur die Hoofminister;
- (d) sy skriftelike bedanking in die kantoor van die hoofuitvoerende beampste ontvang word;
- (e) hy onderworpe word aan 'n finale bevel waarby sy boedel gesekwestreer word kragtens die Insolvensiewet, 1936 (Wet 24 van 1936);
- (f) hy sy boedel tot voordeel van sy skuldeisers afstaan;
- (g) hy onderworpe word aan 'n hofbevel waarby verklaar word dat hy swaksinnig of geestelik gekrenk of gebrekkig is, of
- (h) hy skuldig bevind word aan enige oortreding en ten opsigte daarvan gevonnissen word tot gevangenisstraf vir 'n tydperk van minstens ses maande sonder die keuse van 'n boete, ongeag of sodanige gevangenisstraf geheel en al of gedeeltelik opgeskort is of nie, tensy volle grasia aan hom veleen is.

(3) Enige lid wie se amp ingevolge subreël (2) vakant geword het, kom vir heraanstelling in aanmerking indien—

- (a) in die geval beoog in paragraaf (a) of (b) van daardie subreël, hy 'n Minister van die KwaZulu-regering of 'n Lid van die Uitvoerende Komitee van die provinsie Natal is of weer word;
- (b) in die geval beoog in paragraaf (c) van daardie subreël, die rede vir die beëindiging van sodanige lid se aanstelling as 'n lid nie meer bestaan nie;
- (c) in die geval beoog in paragraaf (d) van daardie subreël, hy sy bereidwilligheid om aanstelling as 'n lid weer te aanvaar skriftelik aangedui het, of
- (d) in die geval beoog in paragrafe (e) tot en met (g) van daardie subreël, die betrokke afstand of bevel nie meer van krag en toepassing is nie.

(4) Enige vakature in die amp van 'n lid aangewys en aangestel deur—

- (a) die Administrateur, word gevul deur 'n persoon wat deur die Administrateur aangewys en aangestel is, en
- (b) die Hoofminister, word gevul deur 'n persoon wat deur die Hoofminister aangewys en aangestel is,

ingevolge reël 3 (1) en in die gevalle beoog in subreël (2) (b) tot en met (h) beklee die aldus aangewese en aangestelde persoon sy amp vir die onverstreke gedeelte van die amptermyn van die lid in wie se plek hy aangestel word.

Verkiesing van ampsdraers

5. (1) Op sy eerste gewone vergadering na die aanwysing en aanstelling van lede ingevolge reël 3 (1) en op sy eerste gewone vergadering in elke daaropvolgende jaar of met die ander tussenpose wat die gesamentlike owerheid bepaal, kies die gesamentlike owerheid ooreenkomstig die bepalinge van Aanhangsel 1 een lid tot voorsitter en daarna 'n ander lid tot ondervoorsitter van die gesamentlike owerheid, wat behoudens die bepalinge van subreël (3), tot die verkiesing van hul ampsopvolgers aanblyf.

(2) Die Provinsiale Sekretaris van Natal is die voorsitter op die eerste gewone vergadering in subreël (1) beoog tot die verkiesing van die voorsitter ingevolge daardie subreël.

(3) The office of chairman or vice-chairman shall become vacant—

- (a) when the holder thereof ceases to be a member of the joint authority;
- (b) when the written resignation of the holder thereof is received in the office of the chief executive officer, or
- (c) upon a resolution by the joint authority to that effect which has been supported by not less than seven members,

and the joint authority shall, not later than at its first ensuing ordinary meeting, elect a successor.

(4) (a) Whenever the office of chairman is vacant or the chairman is absent or incapacitated or refuses or fails to act, the vice-chairman shall exercise the powers and perform the duties and functions conferred and imposed on the chairman by law or by resolution of the joint authority.

(b) Whenever the offices of both the chairman and vice-chairman are vacant or both the chairman and the vice-chairman are absent or incapacitated or refuse or fail to act, the powers, duties and functions conferred and imposed on the chairman and the vice-chairman by law or by resolution of the joint authority shall be exercised and performed by a member appointed by resolution of the joint authority at any time after the occurrence of the vacancy or incapacity concerned or after such absence, refusal or failure.

(c) A member acting in the place of the chairman or vice-chairman in terms of paragraph (a) or (b) shall be designated "acting chairman".

(d) For the purposes of this rule, a certificate under the hand of the chief executive officer as to the existence of a vacancy in the office or the absence or incapacity of the chairman or vice-chairman or both or the refusal or failure of the chairman or vice-chairman or both to act, shall be *prima facie* proof of such fact.

Meetings

6. (1) The first ordinary meeting of the joint authority after the designation and appointment of members in terms of rule 3 (1) shall, subject *mutatis mutandis* to the proviso to subrule (2), be held at a venue, day and hour determined by the Provincial Secretary of Natal and being not more than seven days after the last such designation and appointment.

(2) The joint authority shall hold not less than six ordinary meetings in every year at such venues, days and hours as the joint authority may determine and any such meeting may from time to time be adjourned to the same or any other venue; provided that for so long as the Legislative Assembly of KwaZulu is in session, such meetings shall be held at Ulundi on such days and at such hours as the joint authority may from time to time determine.

(3) The chairman may at any time and the chief executive officer shall, within seven days of the receipt by him of a written request signed by a majority of the total number of members, call a special meeting of the joint authority to be held on a day and at an hour and a venue specified in the notice referred to in subrule (5) (b) (ii).

(4) (a) The chairman may at any time call an emergency meeting of the joint authority to be held for the disposal of urgent business on a day and at an hour and a venue determined by him.

(b) No business other than the urgent business contemplated in paragraph (a) shall be transacted at an emergency meeting so contemplated.

(3) Die amp van voorsitter of ondervoorsitter word vakant—

- (a) wanneer die bekleër daarvan ophou om 'n lid van die gesamentlike owerheid te wees;
- (b) wanneer die skriftelike bedanking van die bekleër daarvan in die kantoor van die hoof- uitvoerende beampte ontvang word, of
- (c) by 'n besluit deur die gesamentlike owerheid te dien effekte wat ondersteun is deur minstens sewe lede,

en die gesamentlike owerheid moet uiterlik op sy eersvolgende gewone vergadering 'n opvolger verkies.

(4) (a) Wanneer die amp van voorsitter vakant is of die voorsitter afwesig of onbekwaam is of weier of in gebreke bly om op te tree, moet die ondervoorsitter die bevoegdhede uitgeoefen en die pligte en funksies vervul wat die voorsitter by wet of by besluit van die gesamentlike owerheid verleen en opgelê word.

(b) Wanneer die ampte van beide die voorsitter en die ondervoorsitter vakant is of beide die voorsitter en die ondervoorsitter afwesig of onbekwaam is of weier of in gebreke bly om op te tree, moet die bevoegdhede, pligte en funksies wat die voorsitter en die ondervoorsitter by wet of by besluit van die gesamentlike owerheid verleen en opgelê word, uitgeoefen en vervul word deur 'n lid by besluit van die gesamentlike owerheid aangestel te eniger tyd na die ontstaan van die betrokke vakature of onbekwaamheid of na sodanige afwesigheid, weiering of versuim.

(c) 'n Lid wat ingevolge paragraaf (a) of (b) in die plek van die voorsitter of ondervoorsitter optree, word "waarnemende voorsitter" genoem.

(d) Vir die toepassing van hierdie reël is 'n sertifikaat onder die handtekening van die hoof- uitvoerende beampte aangaande die bestaan van 'n vakature in die amp of die afwesigheid of onbekwaamheid van die voorsitter of ondervoorsitter of albei of die weiering of versuim van die voorsitter of ondervoorsitter of albei om op te tree, *prima facie* bewys van sodanige feit.

Vergaderings

6. (1) Die eerste gewone vergadering van die gesamentlike owerheid na die benoeming en aanstelling van lede ingevolge reël 3 (1) word, *mutatis mutandis* behoudens die voorbehoudsbepaling van subreël (2), gehou op 'n plek, dag en uur wat die Provinsiale Sekretaris van Natal bepaal en wel hoogstens sewe dae na die laaste sodanige benoeming en aanstelling.

(2) Die gesamentlike owerheid moet minstens ses gewone vergaderings in elke jaar hou op die plekke, dae en ure wat die gesamentlike owerheid bepaal en enige sodanige vergadering kan van tyd tot tyd na dieselfde of enige ander plek verdaag word; met dien verstande dat solank die Wetgewende Raad van KwaZulu in sessie is sodanige vergaderings op Ulundi gehou moet word op sodanige dae en ure wat die gesamentlike owerheid van tyd tot tyd bepaal.

(3) Die voorsitter kan te eniger tyd en die hoofuitvoerende beampte moet binne sewe dae na ontvangs deur hom van 'n skriftelike versoek onderteken deur 'n meerderheid van die totale getal lede 'n spesiale vergadering van die gesamentlike komitee belê om gehou te word op 'n dag, uur en plek gespesifiseer in die kennisgewing in subreël (5) (b) (ii) genoem.

(4) (a) Die voorsitter kan te eniger tyd 'n noodvergadering van die gesamentlike owerheid belê vir die afhandeling van dringende sake op 'n dag, uur en plek wat hy bepaal.

(b) Geen ander sake behalwe die dringende sake in paragraaf (a) beoog word op so 'n aldus beoogde noodvergadering afgehandel nie.

(5) Written notice shall be given to every member—

(a) by the Provincial Secretary of Natal of the day and hour of the first ordinary meeting of the joint authority after the designation and appointment of members in terms of rule 3 (1) not less than twenty-four hours before the time for such meeting;

(b) by the chief executive officer of—

(i) the determination in terms of subrule (2) of the venues, days and hours for the holding of ordinary meetings of the joint authority and every member shall thereafter, until such days or hours are altered and written notice of such alteration has been given or unless such member is granted leave of absence by the joint authority, be required to attend such ordinary meetings without further notice, and

(ii) the day, hour and venue of and the business to be transacted at every special meeting of the joint authority not less than twenty-four hours before such meeting.

(6) No business other than that specified in the notice referred to in subrule (5) (b) (ii) shall be transacted at a special meeting and any such meeting may from time to time be adjourned; provided that if the total number of members is present and no objection is raised, an urgent matter not specified in such notice may be dealt with after disposal of the business of which notice has been given.

Quorum

7. The quorum at any meeting of the joint authority shall be—

(a) three of the members contemplated in rule 3 (1) (a), and

(b) three of the members contemplated in rule 3 (1) (b),

and no business shall be transacted at any such meeting unless such a quorum is present.

Committees

8. (1) The joint authority may—

(a) in such manner as will achieve the equal representation contemplated in section 5 (2) of the Act, appoint from amongst its members occasional and standing committees, either for general or special purposes, and may from time to time—

(i) appoint a chairman and a vice-chairman for each committee;

(ii) delegate either absolutely or conditionally to a committee any of its powers;

(iii) amend or withdraw any such delegation; provided that any amendment or withdrawal of any such delegation shall not invalidate anything done in pursuance of a decision lawfully taken by such committee;

(iv) discharge or replace any or all of the members of a committee, or

(v) discontinue any committee, and

(b) appoint advisory committees of such number of persons (which may include but need not be limited to members of the joint authority) as it may determine to investigate and report and make recommendations on any matter incidental, supplementary, ancillary or

(5) Skriftelike kennis moet aan elke lid gegee word—

(a) deur die Provinsiale Sekretaris van Natal aangaande die dag en uur van die eerste gewone vergadering van die gesamentlike owerheid na die benoeming en aanstelling van lede ingevolge reël 3 (1) minstens vier-en-twintig uur voor die tyd van sodanige vergadering;

(b) deur die hoof- uitvoerende beampte aangaande—

(i) die bepaling ingevolge subreël (2) van die plekke, dae en ure vir die hou van gewone vergaderings van die gesamentlike owerheid en elke lid moet daarna, totdat sodanige dae of ure verander word en skriftelike kennis van sodanige verandering gegee of tensy sodanige lid verlof tot afwesigheid deur die gesamentlike owerheid toegestaan is, sodanige gewone vergaderings sonder nadere kennisgewing bywoon, en

(ii) die dag, uur en plek van en die sake wat afgehandel staan te word by elke spesiale vergadering van die gesamentlike owerheid en wel minstens vier-en-twintig uur voor sodanige vergadering.

(6) Geen ander sake behalwe die wat gespesifiseer word in die kennisgewing in subreël (5) (b) (ii) genoem, word op 'n spesiale vergadering afgehandel nie en enige sodanige vergadering kan van tyd tot tyd verdaag word; met dien verstande dat indien die totale getal lede aanwesig is en geen beswaar geopper word nie, 'n dringende saak wat nie in sodanige kennisgewing gespesifiseer is nie, afgehandel kan word na afhandeling van die sake waarvan kennis gegee is.

Kworum

7. Die kworum op enige vergadering van die gesamentlike owerheid is—

(a) drie van die lede in reël 3 (1) (a) beoog, en

(b) drie van die lede in reël 3 (1) (b) beoog,

en geen sake word op enige sodanige vergadering afgehandel nie tensy so 'n kworum aanwesig is.

Komitees

8. (1) Die gesamentlike owerheid kan—

(a) op die wyse wat die in artikel 5 (2) van die Wet beoogde gelyke verteenwoordiging sal verwesenlik, geleentheids- en vaste komitees, hetsy vir algemene dan wel spesiale doeleindes, uit sy lede aanstel en kan van tyd tot tyd—

(i) 'n voorsitter en 'n ondervoorsitter vir elke komitee aanstel;

(ii) enigee van sy bevoegdhede, hetsy volstrek dan wel voorwaardelik, aan 'n komitee delegeer;

(iii) enige sodanige delegasie wysig of intrek; met dien verstande dat enigiets wat gedoen is ooreenkomstig 'n besluit wat wettig deur sodanige komitee geneem is, nie deur enige wysiging of intrekking van enige sodanige delegasie ongeldig gemaak word nie;

(iv) enige lid of al die lede van 'n komitee ontslaan, of

(v) enige komitee afskaf, en

(b) advieskomitees bestaande uit die deur hom bepaalde getal persone (wat lede van die gesamentlike owerheid mag insluit maar nie tot sodanige lede beperk hoef te wees nie) aanstel om ondersoek in te stel na en verslag uit te bring en aanbevelings te doen oor enige aangeleentheid bykomstig tot, aanvullend by,

otherwise related to the exercise and performance of the powers, duties and functions conferred and imposed on the joint authority and may from time to time—

- (i) appoint a chairman and a vice-chairman for each advisory committee;
- (ii) discharge or replace any or all of the members of an advisory committee, and
- (iii) discontinue any advisory committee,

and for the purposes of this paragraph persons who serve on an advisory committee and who are not Ministers or Deputy Ministers of the Government of KwaZulu or Members of the Executive Committee of the Province of Natal shall be remunerated for their services in accordance with tariffs fixed by the joint authority in consultation with the Minister of Finance of the Republic.

(2) If the chairman of any committee contemplated in this rule is not appointed by the joint authority, the relevant committee shall itself elect a chairman and may elect a vice-chairman from amongst its members.

(3) The provisions of rule 5 (4) shall apply *mutatis mutandis* to every committee contemplated by this rule; provided that any reference in such firstmentioned rule to the joint authority and the chairman and vice-chairman thereof shall be deemed to be a reference respectively to such committee and the chairman and vice-chairman of such committee.

Internal rules and orders

9. The joint authority may make rules and orders not inconsistent with the Act and this or any other proclamation in force under the Act in connection with—

- (a) the order and conduct of its meetings and the meetings of its committees and advisory committees, and
- (b) its other internal affairs.

Adoption of resolutions

10. (1) Every question before a meeting of the joint authority shall be decided by resolution, which has been formulated by the chairman after debate by the members present at such meeting, and which is carried without dissent.

(2) In the event of a resolution not being carried in accordance with subrule (1), the question shall stand referred to—

- (a) the Administrator, as contemplated in section 7 (1) (i) of the Provincial Government Act, 1986 (Act 69 of 1986), and
- (b) the Chief Minister, as contemplated in section 13 (1) (a) of Schedule 1 to Proclamation 70 published on 30 March, 1972,

for determination jointly in accordance with the provisions of subrule (3).

(3) Any question referred to the Administrator and the Chief Minister shall be determined by agreement between them after consideration of—

- (a) such question;
- (b) the views expressed by the members at the relevant meeting of the joint authority;
- (c) the resolution as formulated by the chairman of the joint authority in terms of subrule (1), and
- (d) any other relevant matter.

(4) Every determination contemplated in subrule (3) shall for all purposes be deemed to be a resolution of the joint authority which has been carried without dissent by the joint authority in terms of subrule (1).

gepaardgaande met of anders in verband met die uitoefening en vervulling van die bevoegdheide, pligte en funksies wat aan die gesamentlike owerheid verleen en opgelê is, en kan van tyd tot tyd—

- (i) 'n voorsitter en 'n ondervoorsitter vir elke advieskomitee aanstel;
- (ii) enige lid of al die lede van 'n advieskomitee ontslaan of vervang, of
- (iii) enige advieskomitee afskaf,

en vir die toepassing van hierdie paragraaf word persone wat op 'n advieskomitee dien en wat nie Ministers of Adjunk-ministers van die kwaZulu-regering of Lede van die Uitvoerende Komitee van die Provinsie Natal is nie, vir hul dienste vergoed ooreenkomstig tariewe deur die gesamentlike owerheid in oorleg met die Minister van Finansies van die Republiek bepaal.

(2) Indien die voorsitter van 'n komitee in hierdie reël beoog nie deur die gesamentlike owerheid aangestel word nie, moet die betrokke komitee 'n voorsitter en kan die komitee 'n ondervoorsitter uit sy geledere kies.

(3) Die bepalings van reël 5 (4) is *mutatis mutandis* van toepassing op elke komitee by hierdie reël beoog; met dien verstande dat enige verwysing in sodanige eersgenoemde reël na die gesamentlike owerheid en die voorsitter en ondervoorsitter daarvan onderskeidelik geag word 'n verwysing na sodanige komitee en die voorsitter en ondervoorsitter van sodanige komitee te wees.

Interne reëls en orders

9. Die gesamentlike owerheid kan reëls en orders uitvaardig wat nie met die Wet en hierdie of enige ander proklamasie kragtens die Wet van krag onbestaanbaar is nie in verband met—

- (a) die orde en leiding van sy vergaderings en die vergaderings van sy komitees en advieskomitees, en
- (b) sy ander huishoudelike sake.

Aanname van besluite

10. (1) Alle aangeleenthede voor 'n vergadering van die gesamentlike owerheid word beslis by besluit wat, na debat deur die lede by sodanige vergadering teenwoordig, deur die voorsitter geformuleer en sonder teenstem aangeneem is.

(2) In die geval van 'n besluit wat nie ooreenkomstig subreël (1) aangeneem word nie, gaan die aangeleentheid vir gesamentlike beslissing ooreenkomstig die bepalings van subreël (3) na—

- (a) die Administrateur, soos beoog in artikel 7 (1) (i) van die Wet op Provinsiale Regering, 1986 (Wet 69 van 1986), en
- (b) die Hoofminister, soos beoog in artikel 13 (1) (a) van Bylae 1 van Proklamasie 70, soos op 30 Maart 1972 gepubliseer.

(3) Enige aangeleentheid wat na die Administrateur en die Hoofminister gegaan het word, behoudens die hieropvolgende bepalings van hierdie subreël, by ooreenkoms tussen hulle bepaal na oorweging van—

- (a) sodanige aangeleentheid;
- (b) die menings uitgespreek deur die lede tydens die betrokke vergadering van die gesamentlike owerheid;
- (c) die besluit soos deur die voorsitter van die gesamentlike owerheid ingevolge subreël (1) geformuleer, en
- (d) enige ander relevante saak.

(4) Elke bepaling in subreël (3) beoog, word vir alle doeleindes geag 'n besluit van die gesamentlike owerheid te wees wat deur die gesamentlike owerheid ingevolge subreël (1) sonder teenstem aangeneem is.

Financial matters

11. (1) There is hereby established the joint revenue fund contemplated in section 9 (1) of the Act.

(2) The joint authority shall keep an account in its name with the South African Reserve Bank or a banking institution which—

- (a) is registered or deemed to be registered in terms of the Banks Act, 1965 (Act 23 of 1965), and
- (b) has been approved by the Administrator and the Chief Minister,

into which shall be paid any moneys accruing to the joint revenue fund established in terms of subrule (1) and from which all payments by the joint authority shall be made.

(3) The statement of estimated revenue and expenditure contemplated in section 9 (2) (a) of the Act shall be drawn up by the chief executive office and shall reflect the amounts and sources of the revenue which it is anticipated will accrue to the joint revenue fund and the amounts and objectives of expenditure which it is anticipated will be a charge to the joint revenue fund in and during the period for which such statement is prepared and shall be drawn up in such a manner as to indicate the estimated revenue and expenditure on each and every power, duty and function assigned to the joint authority or which such joint authority is authorised to exercise or perform.

General

12. The KwaZulu Government Service and the Natal Provincial Administration may allocate and make available to the joint authority such offices and other accommodation and equipment, stores, facilities and other requisites as may, in the opinion of the Administrator and the Chief Minister, be necessary for the proper exercise and performance by the joint authority of its powers, duties and functions.

ANNEXURE 1**PROVISIONS RELATING TO THE ELECTION OF THE CHAIRMAN AND VICE-CHAIRMAN OF THE JOINT AUTHORITY**

1. In this Annexure—

“nomination paper” means the written nomination contemplated in paragraph 2 (b), and

“presiding officer” means—

- (a) in the case of the first ordinary meeting of the joint authority after the designation and appointment of members in terms of rule 3 (1), the Provincial Secretary of Natal, and
- (b) at any other first ordinary meeting contemplated in rule 5 (1), the chief executive officer.

2. (a) Whenever an election of the chairman or vice-chairman is to be held, the presiding officer shall call for nominations of candidates to be delivered to him.

(b) Every nomination shall be submitted in writing signed by a member as proposer, another member as seconder and by the person nominated to signify—

- (i) acceptance by such lastmentioned person of the nomination, and
- (ii) that such lastmentioned person is a member.

(c) A nomination paper which contains the names of more than one candidate or which bears any signature or mark other than the signatures of the proposer, the seconder and the candidate shall be void.

Finansiële aangeleenthede

11. (1) Die gesamentlike inkomstefonds in artikel 9 (1) van die Wet beoog word hierby ingestel.

(2) Die gesamentlike owerheid moet 'n rekening in sy naam hou by die Suid-Afrikaanse Reserwebank of 'n bank-instelling wat—

- (a) geregistreer is of geag word geregistreer te wees ingevolge die Bankwet, 1965 (Wet 23 van 1965), en
- (b) deur die Administrateur en die Hoofminister goedgekeur is,

waarin alle gelde gestort word wat toeval aan die gesamentlike inkomstefonds ingestel ingevolge subreël (1) en waaruit alle betalings deur die gesamentlike owerheid gedoen word.

(3) Die staat van geraamde inkomste en uitgawes in artikel 9 (2) (a) van die Wet beoog moet deur die hoofuitvoerende beampte opgestel word en moet die bedrae en bronne aantoon van die inkomste wat na verwagting aan die gesamentlike inkomstefonds sal toeval asook die bedrae en oogmerke van uitgawes wat na verwagting die gesamentlike inkomstefonds ten laste sal wees in en gedurende die tydperk ten opsigte waarvan sodanige staat opgestel word en moet op so 'n wyse opgestel word dat dit die geraamde inkomste en uitgawe aantoon ten opsigte van iedere en elke bevoegdheid, plig en funksie wat aan die gesamentlike owerheid opgedra word of wat sodanige gesamentlike owerheid gemagtig word om uit te oefen of te vervul.

Algemeen

12. Die KwaZulu-regeringsdiens en die Natalse Provinsiale Administrasie kan die kantore en ander akkommodasie en toerusting, voorrade, geriewe en ander toebehore wat na die oordeel van die Administrateur en die Hoofminister deur die gesamentlike owerheid vir die behoorlike uitoefening en vervulling van sy bevoegdhede, pligte en funksies benodig word, aan die gesamentlike owerheid toewys en beskikbaar stel.

AANHANGSEL 1**BEPALINGS BETREFFENDE DIE VERKIESING VAN DIE VOORSITTER EN ONDERVOORSITTER VAN DIE GESAMENTLIKE OWERHEID**

1. In hierdie aanhangsel—

beteken “nominasiebrief” die skriftelike nominasie in paragraaf 2 (b) beoog, en

beteken “voorsittende beampte”—

- (a) in die geval van die eerste gewone vergadering van die gesamentlike owerheid na die benoeming en aanstelling van lede ingevolge reël 3 (1), die Provinsiale Sekretaris van Natal, en
- (b) op enige ander eerste gewone vergadering beoog in reël 5 (1), die hoof-uitvoerende beampte.

2. (a) Wanneer ook al 'n verkiesing van die voorsitter of ondervoorsitter gehou moet word, moet die voorsittende beampte vra dat nominasies van kandidate by hom ingelewer word.

(b) Elke nominasie moet skriftelik ingedien word en onderteken wees deur 'n lid as voorsteller, 'n ander lid as sekondant en deur die genomineerde persoon om aan te dui dat—

- (i) sodanige laasgenoemde persoon die nominasie aanvaar het, en
- (ii) sodanige laasgenoemde persoon 'n lid is.

(c) 'n Nominasiebrief met die name van meer as een kandidaat of met enige handtekening of merk behalwe die handtekeninge van die voorsteller, die sekondant en die kandidaat is ongeldig.

(d) No member shall sign, either as a proposer or seconder, more than one nomination paper and where more than one nomination paper is signed by a member in contravention of this paragraph every nomination paper so signed shall be void.

3. (a) When the presiding officer is satisfied that every member present at the meeting and desiring to nominate a candidate has either done so or has had sufficient opportunity so to do, he shall adjourn the meeting.

(b) The presiding officer shall thereupon consider every nomination received by him and reject all nominations which do not comply with this Annexure.

(c) The presiding officer shall thereafter resume the meeting and publicly declare the names of the candidates whose nominations have been accepted by him.

(d) If only one candidate is nominated for election to the office of chairman or vice-chairman, as the case may be, the presiding officer shall declare such candidate duly elected to that office.

4. In the event of there being more than one candidate nominated for the office of chairman or vice-chairman, as the case may be, the presiding officer shall—

(a) adjourn the proceedings at the meeting to enable him to prepare the ballot papers contemplated in paragraph (b);

(b) prepare on separate pieces of paper of equal size and similar shape and colour a sufficient number of ballot papers to ensure that every member who is present at the meeting will be able to record his vote;

(c) ensure that the full names of all such candidates, in alphabetical order according to surnames, appear in legible form on such ballot papers, and

(d) resume such proceedings.

5. (a) The presiding officer shall, after resuming the proceedings at the meeting, hand one ballot paper to each member who is present at the meeting and keep a record of the total number of ballot papers handed to members in terms of this paragraph.

(b) Every member present at the meeting shall exercise his vote in person by placing a cross against the name of the candidate for whom he desires to vote.

(c) If a member inadvertently spoils a ballot paper handed to him in terms of subparagraph (a), he shall return it to the presiding officer who shall, if satisfied of such inadvertence, hand another ballot paper to him and retain the spoiled ballot paper which shall thereupon be cancelled by the presiding officer.

6. When a member has recorded his vote on a ballot paper handed to him in terms of paragraph 5, he shall fold the ballot paper in such a manner that the vote recorded thereon is not visible and shall hand such ballot paper to the presiding officer.

7. The presiding officer shall, after all the ballot papers handed to members in terms of paragraph 5 have been handed to him in terms of paragraph 6, by comparison with the record referred to in paragraph 5(a), satisfy himself that all ballot papers so handed to members have been handed to him in terms of paragraph 6 or, in the case of spoiled ballot papers, have been cancelled.

8. A ballot paper shall be invalid—

(a) if it bears any writing, mark or signature by which the member voting can be identified;

(b) if it bears crosses against the names of more than one candidate, or

(c) if it is unmarked or void for uncertainty.

(d) Geen lid mag, hetsy as voorsteller of sekondant, meer as een nominasiebrief teken nie en waar meer as een nominasiebrief strydig met hierdie paragraaf geteken word, is elke aldus getekende nominasiebrief ongeldig.

3. (a) Wanneer die voorsittende beamppte oortuig is dat elke lid wat by die vergadering aanwesig is en 'n kandidaat wil nomineer dit gedoen het of voldoende geleentheid gehad het om dit te doen, moet hy die vergadering verdaag.

(b) Die voorsittende beamppte moet daarop elke nominasie wat hy ontvang het, oorweeg en alle nominasies wat nie aan hierdie aanhangsel voldoen nie, verwerp.

(c) Die voorsittende beamppte moet daarna die vergadering hervat en die name van die kandidate wie se nominasies deur hom aanvaar is, in die openbaar verklaar.

(d) Indien net een kandidaat vir verkiesing tot die amp van voorsitter of ondervoorsitter, na gelang van die geval, genomineer word, moet die voorsittende beamppte sodanige kandidaat behoorlik tot daardie amp verkose verklaar.

4. Indien meer as een kandidaat vir die amp van voorsitter of ondervoorsitter, na gelang van die geval, genomineer word, moet die voorsittende beamppte—

(a) die verrigtinge op die vergadering verdaag ten einde hom in staat te stel om die stembriewe in paragraaf (b) beoog, voor te berei;

(b) op stukke papier van gelyke grootte en eenderse vorm en kleur 'n voldoende aantal stembriewe voorberei ten einde te verseker dat elke lid wat op die vergadering aanwesig is sy stem sal kan uitbring;

(c) verseker dat die volle name van al sodanige kandidate, in alfabetiese volgorde volgens vanne, in leesbare vorm op sodanige stembriewe voorkom, en

(d) sodanige verrigtinge hervat.

5. (a) Die voorsittende beamppte moet na die hervatting van die verrigtinge op die vergadering een stembrief oorhandig aan elke lid wat op die vergadering aanwesig is en aantekening hou van die totale getal stembriewe wat ingevolge hierdie paragraaf aan lede oorhandig is.

(b) Elke lid wat op die vergadering aanwesig is, moet sy stem persoonlik uitbring deur 'n kruis te trek teenoor die naam van die kandidaat vir wie hy wil stem.

(c) Indien 'n stembrief wat ingevolge subparagraph (a) aan hom oorhandig is, onopsetlik deur 'n lid bederf word, moet hy dit teruggee aan die voorsittende beamppte wat, indien hy van sodanige onopsetlikheid oortuig is, 'n ander stembrief aan hom moet oorhandig en die bedorwe stembrief moet behou wat daarna deur die voorsittende beamppte gekanselleer moet word.

6. Wanneer 'n lid sy stem uitgebring het op die stembrief wat ingevolge paragraaf 5 aan hom oorhandig is, moet hy die stembrief op so 'n wyse vou dat die stem wat daarop aangebring is nie sigbaar is nie en sodanige stembrief aan die voorsittende beamppte oorhandig.

7. Nadat al die stembriewe wat ingevolge paragraaf 5 aan lede oorhandig is, ingevolge paragraaf 6 aan die voorsittende beamppte oorhandig is, moet hy homself deur vergelyking met die lys in paragraaf 5 (a) genoem, tevrede stel dat alle stembriewe wat aan lede oorhandig is, ingevolge paragraaf 6 aan hom oorhandig of, in die geval van bedorwe stembriewe, gekanselleer is.

8. 'n Stembrief is ongeldig—

(a) indien dit enige skrif, merk of handtekening bevat waardeur die lid wat stem, geïdentifiseer kan word;

(b) indien dit kruise teenoor die name van meer as een kandidaat bevat, of

(c) indien dit nie gemerk is nie of weens onsekerheid nietig is.

9. The presiding officer shall reject all ballot papers which are for any reason invalid and shall, by counting the number of votes for each candidate, determine which candidate has received the most votes and declare such candidate elected as chairman or vice-chairman, as the case may be.

10. If, after the holding of the ballot hereinbefore contemplated, there is an equality of votes for more than one candidate nominated for the office of chairman or vice-chairman, as the case may be, the presiding officer shall ensure that the full names of all such candidates are individually written on separate pieces of paper of equal size and similar shape and colour.

11. (a) The pieces of paper contemplated in paragraph 10 shall be displayed to every person who is present at the relevant meeting and is desirous of inspecting any or all such pieces of paper.

(b) The presiding officer shall thereafter place every such piece of paper in an empty container.

12. The presiding officer shall thereupon—

- (a) shake the container in such a manner as thoroughly to mix the pieces of paper therein;
- (b) hold the container in such a position that he is unable to see the pieces of paper therein, and
- (c) draw from such container one such piece of paper.

13. The presiding officer shall thereupon read out the full names written thereon and display such piece of paper to every person who is present at the meeting and who is desirous of inspecting such piece of paper.

14. The person whose full names are read out in accordance with the provisions of paragraph 13 shall be deemed to have been elected chairman or vice-chairman, as the case may be.

9. Die voorsittende beampte moet alle stembriewe wat om enige rede ongeldig is, verwerp en deur die getal stemme vir elke kandidaat te tel, bepaal watter kandidaat die meeste stemme ontvang het en sodanige kandidaat verkose verklaar tot voorsitter of ondervoorsitter, na gelang van die geval.

10. Indien daar na die hierbo beoogde stemming 'n staking van stemme is vir meer as een kandidaat wat genomineer is vir die amp van voorsitter of ondervoorsitter, na gelang van die geval, moet die voorsittende beampte sorg dat die volle name van al sodanige kandidate individueel op afsonderlike stukke papier van gelyke grootte en eenderse vorm en kleur geskryf word.

11. (a) Die stukke papier in paragraaf 10 beoog, moet vertoon word aan elkeen wat by die betrokke vergadering aanwesig is en enige of al sodanige stukke papier wil inspekteer.

(b) Die voorsittende beampte moet daarna elke sodanige stuk papier in 'n leë houer plaas.

12. Die voorsittende beampte moet daarna—

- (a) die houer op so 'n wyse skud dat die stukke papier daarin deeglik deurmekaar gemaak word;
- (b) die houer in so 'n posisie hou dat hy nie die stukke papier daarin kan sien nie, en
- (c) een sodanige stuk papier uit sodanige houer trek.

13. Die voorsittende beampte moet daarna die volle name wat daarop geskryf is, uitlees en sodanige stuk papier toon aan elkeen wat op die vergadering teenwoordig is en sodanige stuk papier wil inspekteer.

14. Die persoon wie se volle name ooreenkomstig die bepalings van paragraaf 13 uitgelees word, word geag verkies te gewees het tot voorsitter of ondervoorsitter, na gelang van die geval.

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Government Gazettes

1. Notice is hereby given that the interchange of languages in the *Government Gazette* will be effected annually from the first issue in October.
2. For the period 1 October 1986 to 30 September 1987, English is to be placed FIRST.
3. This arrangement is in conformity with Gazettes containing Acts of Parliament etc. where the language sequence remains constant throughout the sitting of Parliament.
4. *It is therefore expected of you, the advertiser, to see that your copy is in accordance with the above-mentioned arrangement in order to avoid unnecessary style changes and editing to correspond with the correct style.*



BELANGRIK!!

Plasing van tale:

Staatskoerante

1. Hiermee word bekendgemaak dat die omruil van tale in die *Staatskoerant* jaarliks geskied met die eerste uitgawe in Oktober.
2. Vir die tydperk 1 Oktober 1986 tot 30 September 1987 word Engels EERSTE geplaas.
3. Hierdie reëling is in ooreenstemming met dié van die Parlement waarby koerante met Wette ens. die taalvolgorde deurgaans behou vir die duur van die sitting.
4. *Dit word dus van u, as adverteerder, verwag om u kopie met bogenoemde reëling te laat strook om onnodige omskakeling en stylredigering in ooreenstemming te bring.*

CONTENTS

No.		Page No.	Gazette No.
PROCLAMATION			
119	Joint Executive Authority for KwaZulu and Natal Act (80/1986): Establishment of the KwaZulu/Natal Joint Executive Authority and Publication of Rules for the Joint and Co-ordinated Exercise of Powers and Performance of Functions by the Government of KwaZulu and the Provincial Government of Natal	1	10858

INHOUD

No.		Bladsy No.	Staats- koerant No.
PROKLAMASIE			
119	Wet op die Gesamentlike Uitvoerende Owerheid vir KwaZulu en Natal (80/1986): Instelling van die Gesamentlike Uitvoerende Owerheid KwaZulu/Natal en Afkondiging van Reëls vir die Gesamentlike en Gekoördineerde Uitoefening van Bevoegdhede en Verrigting van Werksaamhede deur die Regering van KwaZulu en die Provinsiale Regering van Natal	1	10858