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STATE PRESIDENT'S OFFICE

No. 2135. 25 September 1987

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

No. 66 of 1987: Professional Land Surveyors' and Technical Surveyors' Amendment Act, 1987.

KANTOOR VAN DIE STAATSPRESIDENT

No. 2135. 25 September 1987

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

No. 66 van 1987: Wysigingswet op Professionele Landmeters en Tegniese Opmeters, 1987.

Act No. 66, 1987

PROFESSIONAL LAND SURVEYORS' AND TECHNICAL
SURVEYORS' AMENDMENT ACT, 1987

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 Professional Land Surveyors' and Technical Surveyors' Act, 1984, so as to substitute the definition of "Minister"; to provide for the parties to deviate from the prescribed tariff of fees; and to make provision that the reservation of work for professional land surveyors and technical surveyors shall be done with the concurrence of the Competition Board; and to provide for matters incidental thereto.

(Afrikaans text signed by the State President.)
(Assented to 11 September 1987.)

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

Amendment of
section 1 of
Act 40 of 1984,
as amended by
section 1 of
Act 37 of
1986.

1. Section 1 of the Professional Land Surveyors' and Technical Surveyors' Act, 1984, is hereby amended by the substitution for the definition of "Minister" of the following definition:

"Minister" means the Minister of **[Communications]** Public Works;"

Amendment of
section 7 of
Act 40 of 1984.

2. Section 7 of the Professional Land Surveyors' and Technical Surveyors' Act, 1984, is hereby amended—

(a) by the substitution for paragraph (k) of subsection (1) 10
of the following paragraph:

"(k) recommend to the Minister the tariff of fees referred to in subsection 2 (b) [to be] which may be charged for the work of a kind referred to in paragraph (j);" and

(b) by the substitution for subsection (2) of the following subsection:

"(2) The Minister may, after consideration of a relevant recommendation made by the council—

(a) under subsection (1) (j), and with the concurrence 20
of the Competition Board established by section 3 of the Maintenance and Promotion of Competition Act, 1979 (Act No. 96 of 1979), prescribe the work of a kind in connection with projects, undertakings or services of a survey nature (excluding cadastral 25
surveys and surveys which may or are required to be performed in terms of any law governing mines and works or surveys which are performed in, on or in relation to a mine) which shall be reserved for professional land surveyors, technical sur- 30
veyors, and any category of professional land surveyors and technical surveyors referred to in subsection (4) (b); and

WYSIGINGSWET OP PROFESSIONELE LANDMETERS EN
TEGNIËSE OPMETERS, 1987

Wet No. 66, 1987

ALGEMENE VERDUIDELIKENDE NOTA:

- I** **I** Woorde in vet druk tussen vierkantige hake dui skappings uit bestaande verordenings aan.
- _____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Wet op Professionele Landmeters en Teg-niese Opmeters, 1984, ten einde die omskrywing van "Minis-ter" te vervang; voorsiening te maak dat die partye van die voorgeskrewe tarief van gelde kan afwyk; en voorsiening te maak dat die voorbehoud van werk vir professionele land-meters en tegniese opmeters met die instemming van die Raad op Mededinging geskied; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 11 September 1987.)*

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

1. Artikel 1 van die Wet op Professionele Landmeters en Teg-niese Opmeters, 1984, word hierby gewysig deur die omskry-
5 wing van "Minister" deur die volgende omskrywing te vervang:
"Minister" die Minister van **[Kommunikasie]** Openbare Werke;"

Wysiging van
artikel 1 van
Wet 40 van 1984,
soos gewysig deur
artikel 1 van
Wet 37 van
1986.

2. Artikel 7 van die Wet op Professionele Landmeters en Teg-niese Opmeters, 1984, word hierby gewysig—
10 (a) deur paragraaf (k) van subartikel (1) deur die volgende
paragraaf te vervang:

Wysiging van
artikel 7 van
Wet 40 van 1984.

- 15 "(k) by die Minister die **[geldetarief]** tarief van gelde in
subartikel (2) (b) bedoel, aanbeveel wat gehef
[moet] kan word vir die werk van 'n soort in para-
graaf (j) bedoel;" en

- (b) deur subartikel (2) deur die volgende subartikel te ver-
vang:

- 20 "(2) Die Minister kan, na oorweging van 'n tersaak-
like aanbeveling wat deur die raad—

- (a) kragtens subartikel (1) (j) gedoen is, en met die
instemming van die Raad op Mededinging inge-
stel by artikel 3 van die Wet op die Handhawing
en Bevordering van Mededinging, 1979 (Wet No.
96 van 1979), die werk voorskryf van 'n soort wat
25 in verband met projekte, ondernemings of dienste
van 'n opmeetkundige aard (uitgesonderd kada-
strale opmetings en opmetings wat ingevolge die
een of ander wet op myne en bedrywe verrig kan
of moet word of opmetings wat in, op of met be-
trekking tot 'n myn verrig word) vir professionele
landmeters, tegniese opmeters, en enige kategorie
30 van professionele landmeters en tegniese opmeters
in subartikel (4) (b) bedoel, voorbehou moet
word; en

Act No. 66, 1987**PROFESSIONAL LAND SURVEYORS' AND TECHNICAL
SURVEYORS' AMENDMENT ACT, 1987**

- (b) under subsection (1) (k), prescribe the tariff of fees to which a professional land surveyor or technical surveyor, as the case may be, shall be entitled for services rendered by him in that capacity, in the absence of an agreement between such professional land surveyor or technical surveyor and a particular client in terms of which he shall be entitled in respect of such services to fees according to any other tariff.” 5

Short title.

3. This Act shall be called the Professional Land Surveyors' and Technical Surveyors' Amendment Act, 1987. 10

WYSIGINGSWET OP PROFESSIONELE LANDMETERS EN
TEGNIесе OPMETERS, 1987

Wet No. 66, 1987

5 (b) kragtens subartikel (1) (k) gedoen is, 'n tarief
voorskryf van gelde waarop 'n professionele land-
meter of tegniесе opmeter, na gelang van die ge-
val, ten opsigte van dienste in daardie hoedanig-
heid deur hom gelewer, geregtig is by onstentenis
van 'n ooreenkoms tussen so 'n professionele land-
meter of tegniесе opmeter en 'n bepaalde kliënt
10 ingevolge waarvan hy ten opsigte van sodanige
dienste geregtig is op gelde volgens 'n ander
tarief."

3. Hierdie Wet heet die Wysigingswet op Professionele Land- Kort titel.
meters en Tegniесе Opmeters, 1987.

