



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 • Verkoopprijs
(GST excluded/AVB uitgesluit)

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

Vol. 285

CAPE TOWN, 23 MARCH 1989

KAAPSTAD, 23 MAART 1989

No. 11773

STATE PRESIDENT'S OFFICE

No. 519.

23 March 1989

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

No. 20 of 1989: Housing Development Schemes for Retired Persons Amendment Act, 1989.

KANTOOR VAN DIE STAATSPRESIDENT

No. 519.

23 Maart 1989

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

No. 20 van 1989: Wysigingswet op Behuisingsontwikkelingskemas vir Afgetrede Persone, 1989.

Act No. 20, 1989

HOUSING DEVELOPMENT SCHEMES FOR RETIRED PERSONS
AMENDMENT ACT, 1989

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 Housing Development Schemes for Retired Persons Act, 1988, so as to amend the definition of "housing development scheme"; to provide that land subject to a housing interest may be occupied only by a retired person or the spouse of a retired person; and to repeal section 10 of the Act; and to provide for incidental matters.

(Afrikaans text signed by the acting State President.)
(Assented to 14 March 1989.)

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

Amendment of section 1 of Act 65 of 1988

1. Section 1 of the Housing Development Schemes for Retired Persons Act, 1988 (hereinafter referred to as the principal Act), is hereby amended by the substitution for paragraph (a) of the definition of "housing development scheme" of the following paragraph:

"(a) in terms of which housing interests are alienated **[or are offered for alienation, only to retired persons or mainly to such persons]** for occupation contemplated in section 7, whether the scheme, arrangement or undertaking is operated pursuant to or in connection with a development scheme or a share block scheme or membership of or participation in any club, association, organization or other body, or the issuing of shares, or otherwise, but excluding a property time-sharing scheme; or".

Substitution of section 7 of Act 65 of 1988

15

2. The following section is hereby substituted for section 7 of the principal Act:

"Limitation of occupation of land to which housing interest relates

(1) After a housing interest has been transferred to or has otherwise been vested in a **[retired]** person by virtue of a contract, no person **[shall alienate that interest to any person]** other than a retired person or the spouse of a retired person may occupy the land to which that housing interest relates, except with the written consent of all the holders of housing interests in the housing development scheme concerned.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R1 000 or to 25

WYSIGINGSWET OP BEHUISINGSONTWIKKELINGSKEMAS VIR
AFGETREDE PERSONE, 1989

Wet No. 20, 1989

ALGEMENE VERDUIDELIKENDE NOTA:

- [] Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.
- _____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Wet op Behuisingsontwikkelskemas vir Afgetrede Persone, 1988, ten einde die omskrywing van "behuisingsontwikkelskema" te wysig; voorsiening te maak dat grond wat aan 'n behuisingsbelang onderworpe is slegs deur 'n afgetrede persoon of die gade van 'n afgetrede persoon geokkupeer mag word; en artikel 10 van die Wet te herroep; en om vir bykomstige aangeleenthede voorsiening te maak.

*(Afrikaanse teks deur die waarnemende Staatspresident geteken.)
(Goedgekeur op 14 Maart 1989.)*

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

Wysiging van artikel 1 van Wet 65 van 1988

1. Artikel 1 van die Wet op Behuisingsontwikkelskemas vir Afgetrede Persone, 1988 (hieronder die Hoofwet genoem), word hierby gewysig deur paragraaf (a) van die omskrywing van "behuisingsontwikkelskema" deur die volgende paragraaf te vervang:

- “(a) waarvolgens behuisingsbelange vervreem word **[of vir vervreemding aangebied word, slegs aan afgetrede persone of hoofsaaklik aan sodanige persone]** vir okkupasie in artikel 7 beoog, hetsy die skema, reëling of onderneming bedryf word uit hoofde van of in verband met 'n ontwikkelingskema of 'n aandeelblokskema of lidmaatskap van of deelname aan enige klub, vereniging, organisasie of ander liggaam, of die uitreiking van aandele, of andersins, maar uitgesonderd 'n eiendomstydsdelingskema; of”.

Vervanging van artikel 7 van Wet 65 van 1988

2. Artikel 7 van die Hoofwet word hierby deur die volgende artikel vervang:

“Beperking op okkupasie van grond waarop behuisingsbelang betrekking het

- (1) Nadat 'n behuisingsbelang uit hoofde van 'n kontrak aan 'n **[afgetrede]** persoon oorgedra of op 'n ander wyse in hom gevestig is, mag niemand **[daardie belang aan iemand anders as]** behalwe 'n afgetrede persoon **[vervreem nie]** of die gade van 'n afgetrede persoon die grond waarop daardie behuisingsbelang betrekking het, okkupeer nie, behalwe met die skriftelike toestemming van al die houers van behuisingsbelange in die betrokke behuisingsontwikkelskema.

(2) Enigiemand wat subartikel (1) oortree, is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of met

Act No. 20, 1989**HOUSING DEVELOPMENT SCHEMES FOR RETIRED PERSONS
AMENDMENT ACT, 1989**

imprisonment for a period not exceeding six months or to both that fine and that imprisonment.”.

Repeal of section 10 of Act 65 of 1988

3. Section 10 of the principal Act is hereby repealed.

Short title

5

4. This Act shall be called the Housing Development Schemes for Retired Persons Amendment Act, 1989.

**WYSIGINGSWET OP BEHUISINGSONTWIKKELINGSKEMAS VIR
AFGETREDE PERSONE, 1989****Wet No. 20, 1989**

gevangenisstraf vir 'n tydperk van hoogstens ses maande of met daardie boete sowel as daardie gevangenisstraf.”.

Herroëping van artikel 10 van Wet 65 van 1988

3. Artikel 10 van die Hoofwet word hierby herroep.

5 Kort titel

4. Hierdie Wet heet die Wysigingswet op Behuisingsontwikkelskemas vir Afgetrede Persone, 1989.

