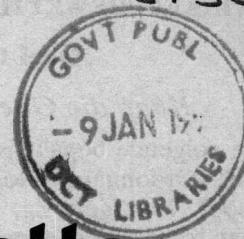


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PROKLAMASIE

van die

Staatspresident van die Republiek van Suid-Afrika

No. 208, 1989

OPHEFFING VAN SEKERE LISENSIËRINGS- EN WINKELUREBEPERKINGS OP EKONOMIESE BEDRYWIGHEDE.—WET OP DIE TYDELIKE OPHEFFING VAN BEPERKINGS OP EKONOMIESE BEDRYWIGHEDE, 1986

Aangesien ek van oordeel is dat daar omstandighede bestaan waarin die toepassing van sekere wette, en die nakoming van sekere voorwaardes, beperkings en verpligtings kragtens daardie wette, ekonomiese ontwikkeling, mededinging op ekonomiese terrein, of die skepping van werkgeleenthede onbehoorlik strem—

- (a) skort ek hierby kragtens subartikel (1) van artikel 1 van die Wet op die Tydelike Opheffing van Beperkings op Ekonomiese Bedrywighe, 1986 (Wet No. 87 van 1986), die wette en die nakoming van voorwaardes, beperkings en verpligtings daarkragtens wat vermeld word in Bylae 1 op;
- (b) maak ek hierby kragtens subartikel (4) van genoemde artikel 1 van die Wet op die Tydelike Opheffing van Beperkings op Ekonomiese Bedrywighe, 1986, die regulasies in Bylae 2,

met ingang van die datum van publikasie van hierdie Proklamasie.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Durban, op hede die Vyftiende dag van Desember Eenduisend Negehonderd Nege-en-tagtig.

F. W. DE KLERK,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

W. J. DE VILLIERS,
Minister van die Kabinet.

PROCLAMATION

by the

State President of the Republic of South Africa

No. 208, 1989

REMOVAL OF CERTAIN LICENSING AND SHOP HOURS RESTRICTIONS ON ECONOMIC ACTIVITIES.—TEMPORARY REMOVAL OF RESTRICTIONS ON ECONOMIC ACTIVITIES ACT, 1986

Whereas I am of the opinion that circumstances exist under which the application of certain laws, and compliance with certain conditions, limitations and obligations under those laws, unduly impede economic development, competition in the economic field, or the creation of job opportunities, I hereby—

- (a) under subsection (1) of section 1 of the Temporary Removal of Restrictions on Economic Activities Act, 1986 (Act No. 87 of 1986), suspend the laws and compliance with the conditions, limitations and obligations thereunder, which are mentioned in Schedule 1;
- (b) under subsection (4) of the said section 1 of the Temporary Removal of Restrictions on Economic Activities Act, 1986, make the regulations in Schedule 2,

with effect from the date of publication of this Proclamation.

Given under my Hand and the Seal of the Republic of South Africa at Durban this Fifteenth day of December, One thousand Nine hundred and Eighty-nine.

F. W. DE KLERK,
State President.

By Order of the State President-in-Cabinet:

W. J. DE VILLIERS,
Minister of the Cabinet.

BYLAE 1**BEPALINGS VAN LISENSIËRINGS- EN
WINKELUREWETTE OPGESKORT****Deel 1***Kaap die Goeie Hoop*

(1) Die volgende bepalings van die Lisensieordonnansie, 1981 (Ordonnansie No. 17 van 1981) (Kaap die Goeie Hoop), soos gewysig, word, behoudens paragraaf (2) van hierdie Deel opgeskort:

- (a) Artikel 3 (3), behalwe vir sover dit betrekking het op die houër van 'n lisensie om 'n besigheid bedoel in enige van die volgende items van die Eerste Bylae by daardie Ordonnansie te dryf:

- (i) Item 1 (1) (b) (i);
- (ii) item 2, vir sover dit op die dryf van besigheid in drank gemeng op die besigheidsperseel betrekking het;
- (iii) items 5 en 10;
- (iv) item 11, vir sover dit op die dryf van besigheid in maaltye of verversings voorberei, vervaardig, verwerk, behandel of gehanteer op die besigheidsperseel betrekking het;
- (v) items 13, 26 en 27;
- (vi) items 32 (1) (b) (i), 32 (1) (b) (ii) en 32 (1) (b) (iii), vir sover dit op die dryf van besigheid in voedsel of drinkware voorberei, vervaardig, verwerk, behandel of gehanteer by enige plek, voertuig, staanplek of struktuur in item 32 (2) van daardie Bylae bedoel, betrekking het;
- (vii) items 41, 42 en 59;
- (viii) item 62, vir sover dit op die dryf van besigheid in voedsel of drinkware voorberei, vervaardig, verwerk, behandel of gehanteer by 'n vertoning, tentoonstelling, openbare byeenkoms of samekoms in item 62 (2) van daardie Bylae bedoel, betrekking het;
- (ix) item 66, vir sover dit op die dryf van besigheid deur middel van 'n verkoopoutomaat ontwerp of ingerig om voedsel of drinkware te bevat, betrekking het,

maar onderworpe aan die voorwaarde uiteengesit in regulasie 1 in Bylae 2 by hierdie Proklamasie;

- (b) artikel 4 (1) (a), behalwe vir sover dit op 'n aansoek om 'n in subparagraaf (a) van hierdie paragraaf vermelde lisensie betrekking het;
- (c) artikels 4 (1) (b), 4 (1) (c) en 4 (1) (d);
- (d) artikel 5 (1), vir sover dit betrekking het op 'n weiering om 'n aansoek om 'n lisensie toe te staan—
 - (i) behalwe 'n aansoek om 'n lisensie vermeld in subparagraaf (a);

SCHEDULE 1**PROVISIONS OF LICENSING AND
SHOP HOURS LAWS SUSPENDED****Part 1***Cape of Good Hope*

(1) The following provisions of the Licences Ordinance, 1981 (Ordinance No. 17 of 1981) (Cape of Good Hope), as amended, are, subject to paragraph (2) of this Part, suspended:

- (a) Section 3 (3), except in so far as it relates to the holder of a licence to carry on a business referred to in any of the following items of the First Schedule to that Ordinance:

- (i) Item 1 (1) (b) (i);
- (ii) item 2, in so far as it relates to the carrying on of business in beverages mixed on the business premises;
- (iii) items 5 and 10;
- (iv) item 11, in so far as it relates to the carrying on of business in meals or refreshments prepared, manufactured, processed, treated or handled on the business premises;
- (v) items 13, 26 and 27;
- (vi) items 32 (1) (b) (i), 32 (1) (b) (ii) and 32 (1) (b) (iii), in so far as they relate to the carrying on of business in food or drink prepared, manufactured, processed, treated or handled at any place, vehicle, stand or structure referred to in item 32 (2) of that Schedule;
- (vii) items 41, 42 and 59;
- (viii) item 62, in so far as it relates to the carrying on of business in food or drink prepared, manufactured, processed, treated or handled at an exhibition, show, public gathering or assembly referred to in item 62 (2) of that Schedule;
- (ix) item 66, in so far as it relates to the carrying on of business by means of a vending machine designed or adapted to contain food or drink,

but subject to the condition set out in regulation 1 in Schedule 2 to this Proclamation;

- (b) section 4 (1) (a), except in so far as it relates to an application for a licence mentioned in subparagraph (a) of this paragraph;
- (c) sections 4 (1) (b), 4 (1) (c) and 4 (1) (d);
- (d) section 5 (1), in so far as it relates to a refusal to grant an application for a licence—
 - (i) other than an application for a licence mentioned in subparagraph (a) of this paragraph;

- (ii) om 'n ander rede as dat die betrokke perseel nie voldoen nie aan enige vereiste met betrekking tot openbare gesondheid, grondgebruik, brandgevaar of oorlas, van 'n wet wat op sodanige perseel van toepassing is;
- (e) artikel 5 (2);
- (f) artikel 5 (3) (a), vir sover dit op 'n aansoek om 'n lisensie vir 'n smous of straatfotograaf betrekking het;
- (g) artikel 5 (3) (b), vir sover dit op 'n aansoek om 'n lisensie vir 'n ontsmetter, ontpester of beroker betrekking het;
- (h) artikel 5 (4);
- (i) artikel 7 (3), vir sover dit van toepassing is binne 'n streek soos omskryf in artikel 1 van die Wet op Streeksdiensterade, 1985 (Wet No. 109 van 1985), waarin die heffings in artikel 12 van daardie Wet bedoel, ingestel is en met ingang van sodanige instelling waar sodanige heffings nog nie ingestel is nie, en in die mate wat genoemde artikel 7 (3) op die verval van 'n lisensie betrekking het, uitgesonderd 'n spesiale lisensie by item 62 van die Eerste Bylae by daardie Ordonnansie beoog van 'n lisensie op 'n daaglikse of weeklikse grondslag uitgereik;
- (j) artikel 8, vir sover dit van toepassing is binne 'n streek soos omskryf in artikel 1 van die Wet op Streeksdiensterade, 1985, waarin die heffings in artikel 12 van daardie Wet bedoel ingestel is;
- (k) artikel 8 (1), vir sover dit op 'n lisensie vir 'n smous betrekking het;
- (l) artikel 12 (1) (b);
- (m) artikel 12 (2), behalwe vir sover dit op 'n in subparagraaf (a) van hierdie paragraaf vermelde besigheid betrekking het;
- (n) artikel 12 (2) (c), behalwe vir sover dit betrekking het op 'n gevaar of bedreiging omrede die betrokke perseel nie voldoen nie aan enige vereiste met betrekking tot openbare gesondheid of brandgevaar, van 'n wet wat op sodanige perseel van toepassing is;
- (o) artikel 16 (a), onderworpe aan die voorwaarde uiteengesit in regulasie 2 in Bylae 2 van hierdie Proklamasie;
- (p) artikel 19, behalwe vir sover dit op 'n in subparagraaf (a) van hierdie paragraaf vermelde lisensie betrekking het, maar onderworpe aan subparagraaf (q) van hierdie paragraaf;
- (q) artikel 19 (1), behalwe vir sover dit op die terugtrekking en intrekking van 'n lisensie as gevolg van die skuldigbevinding van die houer van die lisensie aan 'n misdryf kragtens daardie Ordonnansie betrekking het;
- (r) artikel 20, behalwe vir sover dit betrekking het op 'n voorwaarde betreffende nakoming van 'n vereiste in verband met openbare gesondheid, grondgebruik, brandgevaar of oorlas van 'n wet wat op die betrokke perseel van toepassing is;
- (ii) by reason other than that the relevant premises do not comply with a requirement relating to public health, land use, fire hazard or nuisance, of any law which applies to such premises;
- (e) section 5 (2);
- (f) section 5 (3) (a), in so far as it relates to an application for a licence for a hawker or street photographer;
- (g) section 5 (3) (b), in so far as it relates to an application for a licence for a disinfecter, disinfector or fumigator;
- (h) section 5 (4);
- (i) section 7 (3), in so far as it applies in a region as defined in section 1 of the Regional Services Councils Act, 1985 (Act No. 109 of 1985), in which the levies referred to in section 12 of that Act have been introduced and with effect from such introduction where such levies have not yet been introduced, and to the extent that the said section 7 (3) relates to the lapsing of any licence other than a special licence contemplated by item 62 of the First Schedule to that Ordinance or a licence issued on a daily or weekly basis;
- (j) section 8, in so far as it applies in a region as defined in section 1 of the Regional Services Councils Act, 1985, in which the levies referred to in section 12 of that Act have been introduced;
- (k) section 8 (1), in so far as it relates to a licence for a hawker;
- (l) section 12 (1) (b);
- (m) section 12 (2), except in so far as it relates to a business mentioned in subparagraph (a) of this paragraph;
- (n) section 12 (2) (c), except in so far as it relates to a danger or threat by reason that the relevant premises do not comply with a requirement relating to public health or fire hazard of any law which applies to such premises;
- (o) section 16 (a), subject to the condition set out in regulation 2 in Schedule 2 to this Proclamation;
- (p) section 19, except in so far as it relates to a licence mentioned in subparagraph (a) of this paragraph, but subject to subparagraph (q) of this paragraph;
- (q) section 19 (1), except in so far as it relates to the withdrawal and cancellation of a licence due to the conviction of the holder of the licence of an offence under that Ordinance;
- (r) section 20, except in so far as it relates to a condition concerning compliance with a requirement relating to public health, land use, fire hazard or nuisance of any law which applies to the relevant premises;

- (s) artikels 22 (a) en 22 (f), en enige regulasie daarkragtens gemaak, vir sover hulle op die bekendmaking van 'n aansoek om 'n lisensie betrekking het;
- (t) items 5 en 27 van die Eerste Bylae by die Ordonnansie, vir sover hulle op die dryf van besigheid in voedsel of drinkware voorberei, vervaardig, ingemaak, verwerk, gerook, ingesout, behandel of gehanteer in 'n privaat woning betrekking het; en
- (u) item 33A van die Eerste Bylae.

(2) Die bepalings van paragraaf (1) van hierdie Deel is nie van toepassing nie met betrekking tot 'n besigheid bedoel in item 7, 25, 55 (2) (b), 56 (2) (h) of 56 (2) (l) van die Eerste Bylae van die Lisensieordonnansie, 1981 (Kaa die Goeie Hoop).

(3) Die volgende bepalings van die Winkelureordonnansie, 1976 (Ordonnansie No. 16 van 1976) (Kaa die Goeie Hoop), soos gewysig, word opgeskort:

- (a) Artikel 4 (1) (a), behalwe vir sover dit op 'n Sondag of 'n godsdienstige openbare feesdag soos in daardie Ordonnansie omskryf, betrekking het;
- (b) artikels 4 (1) (b), 4 (1) (c) en 4 (1) (d);
- (c) paragraaf (b) van die voorbehoudsbepaling by artikel 4 (2);
- (d) artikel 5, en enige bevel daarkragtens gemaak;
- (e) artikel 6;
- (f) artikel 8, en enige vasstelling daarkragtens gemaak;
- (g) artikels 9, 10, 11 (3), 20 (2) en 20 (4).

Deel 2

Natal

(1) Die volgende bepalings van die Ordonnansie op Lisensies en Besigheidsure, 1973 (Ordonnansie No. 11 van 1973) (Natal), soos gewysig, word, behoudens paragraaf (2) van hierdie Deel, opgeskort:

- (a) Artikel 11, behalwe vir sover dit op 'n aansoek om 'n lisensie om 'n besigheid bedoel in enige van die volgende items van Bylae I van daardie Ordonnansie te dryf, betrekking het:
 - (i) Items 1.A.1 (1) (a) en 1.B.3;
 - (ii) item 1.C.1, vir sover dit op die dryf van besigheid in maaltye of verversings voorberei, vervaardig, verwerk, behandel of gehanteer op die besigheidsperseel betrekking het;
 - (iii) items 1.C.3 en 1.D.1;
 - (iv) item 1.H.2, vir sover dit op die dryf van besigheid in kosware of drinkware wat nie op 'n vaste plek voorberei, vervaardig, verwerk, behandel of gehanteer is nie, betrekking het;
 - (v) item 1.S.1, vir sover dit op die dryf van besigheid in eet- of drinkware voorberei, vervaardig, verwerk, behandel of gehanteer by 'n vertoning, tentoonstelling, geleentheid, openbare byeenkoms of samekoms in daardie item bedoel, betrekking het;

- (s) sections 22 (a) and 22 (f), and any regulation made thereunder, in so far as they relate to the publication of an application for a licence;
- (t) items 5 and 27 of the First Schedule to the Ordinance, in so far as they relate to the carrying on of business in food or drink prepared, manufactured, canned, preserved, processed, smoked, cured, treated or handled in a private dwelling; and
- (u) item 33A of the First Schedule.

(2) The provisions of paragraph (1) of this Part shall not apply in respect of any business referred to in item 7, 25, 55 (2) (b), 56 (2) (h) or 56 (2) (l) of the First Schedule to the Licences Ordinance, 1981 (Cape of Good Hope).

(3) The following provisions of the Shop Hours Ordinance, 1976 (Ordinance No. 16 of 1976) (Cape of Good Hope), as amended, are suspended:

- (a) Section 4 (1) (a), except in so far as it relates to a Sunday or a religious public holiday as defined in that Ordinance;
- (b) sections 4 (1) (b), 4 (1) (c) and 4 (1) (d);
- (c) paragraph (b) of the proviso to section 4 (2);
- (d) section 5, and any order made thereunder;
- (e) section 6;
- (f) section 8, and any determination made thereunder;
- (g) sections 9, 10, 11 (3), 20 (2) and 20 (4).

Part 2

Natal

(1) The following provisions of the Licences and Business Hour Ordinance, 1973 (Ordinance No. 11 of 1973) (Natal), as amended, are, subject to paragraph (2) of this Part, suspended:

- (a) Section 11, except in so far as it relates to an application for a licence to carry on a business referred to in any of the following items of Schedule I to that Ordinance:
 - (i) Items 1.A.1 (1) (a) and 1.B.3;
 - (ii) item 1.C.1, in so far as it relates to the carrying on of business in meals or refreshments prepared, manufactured, processed, treated or handled on the business premises;
 - (iii) items 1.C.3 and 1.D.1;
 - (iv) item 1.H.2, in so far as it relates to the carrying on of business in food or drink prepared, manufactured, processed, treated or handled at no fixed place;
 - (v) item 1.S.1, in so far as it relates to the carrying on of business in food or drink prepared, manufactured, processed, treated or handled at an exhibition, show, event, public gathering or assembly referred to in that item;

(vi) item 1.V.1, vir sover dit op die dryf van besigheid deur middel van 'n verkoops-outomaat ontwerp om kos- of drinkware te bevat, betrekking het;

(vii) item 1.V.2, vir sover dit op die dryf van besigheid in kos- of drinkware voorberei, vervaardig, verwerk, behandel of gehanteer by 'n staanplek, stalletjie of struktuur in daardie item bedoel, betrekking het,

maar onderworpe aan subparagrafe (b) tot en met (d) van hierdie paragraaf;

(b) artikel 11 (1) vir sover dit op die indiening van 'n beswaar deur 'n ander persoon as die Staat of 'n plaaslike owerheid betrekking het;

(c) artikel 11 (2) (a);

(d) artikel 11 (6), behalwe vir sover dit op 'n in artikel 12 (1) (d) of 12 (1) (e) van daardie Ordonnansie beoogde aangeleentheid betrekking het;

(e) artikel 12 (1), behalwe vir sover dit op 'n in subparagraaf (a) van hierdie paragraaf vermelde aansoek om 'n lisensie betrekking het, maar onderworpe aan subparagrafe (f) tot en met (i) van hierdie paragraaf;

(f) artikels 12 (1) (a), 12 (1) (b) en 12 (1) (c);

(g) artikel 12 (1) (d), vir sover dit op die algemeenheid van sy bepalings betrekking het, maar onderworpe aan subparagrafe (h) en (i) van hierdie paragraaf;

(h) artikel 12 (1) (d) (i), vir sover dit op boukonstruksie betrekking het;

(i) artikels 12 (1) (d) (ii), 12 (1) (d) (vi) en 12 (1) (f);

(j) artikel 12 (2), vir sover dit op 'n smouslisensie betrekking het;

(k) artikels 12 (4) en 12 (5), behalwe vir sover hulle op die voorwaardelike verlening van 'n aansoek betrekking het, behalwe—

(i) 'n in subparagraaf (a) van hierdie paragraaf vermelde aansoek;

(ii) 'n voorwaarde betreffende nakoming van die bepalings van artikel 12 (1) (d) of 12 (1) (e) van daardie Ordonnansie.

(l) artikel 12 (6);

(m) artikel 13 (2), behalwe vir sover dit op 'n in subparagraaf (a) van hierdie paragraaf vermelde aansoek om 'n lisensie betrekking het;

(n) artikel 16, vir sover dit van toepassing is binne 'n streek soos omskryf in artikel 1 van die Wet op Streeksdiensterade, 1985 (Wet No. 109 van 1985), waarin die heffings in artikel 12 van daardie Wet bedoel ingestel is en met ingang van sodanige instelling waar sodanige heffings nog nie ingestel is nie, en in die mate dat genoemde artikel 16 op die verval van 'n ander lisensie as 'n lisensie bedoel in paragraaf (a) of (b) van genoemde artikel 16 betrekking het;

(vi) item 1.V.1, in so far as it relates to the carrying on of business by means of a vending machine designed to contain food or drink;

(vii) item 1.V.2, in so far as it relates to the carrying on of business in food or drink prepared, manufactured, processed, treated or handled at a stand, stall or structure referred to in that item,

but subject to subparagraphs (b) to (d), inclusive, of this paragraph;

(b) section 11 (1), in so far as it relates to the lodging of an objection by a person other than the State or a local authority;

(c) section 11 (2) (a);

(d) section 11 (6), except in so far as it relates to a matter contemplated in section 12 (1) (d) or 12 (1) (e) of that Ordinance;

(e) section 12 (1), except in so far as it relates to an application for a licence mentioned in subparagraph (a) of this paragraph, but subject to subparagraphs (f) to (i), inclusive, of this paragraph;

(f) sections 12 (1) (a), 12 (1) (b) and 12 (1) (c);

(g) section 12 (1) (d), in so far as it relates to the generality of its provisions, but subject to subparagraphs (h) and (i) of this paragraph;

(h) section 12 (1) (d) (i), in so far as it relates to building construction;

(i) sections 12 (1) (d) (ii), 12 (1) (d) (vi) and 12 (1) (f);

(j) section 12 (2), in so far as it relates to a hawk-er's licence;

(k) sections 12 (4) and 12 (5), in so far as they relate to the conditional grant of an application, except—

(i) an application mentioned in subparagraph (a) of this paragraph;

(ii) a condition concerning compliance with the provisions of section 12 (1) (d) or 12 (1) (e) of that Ordinance;

(l) section 12 (6);

(m) section 13 (2), except in so far as it relates to an application for a licence mentioned in subparagraph (a) of this paragraph;

(n) section 16, in so far as it applies in a region as defined in section 1 of the Regional Services Councils Act, 1985 (Act No. 109 of 1985), in which the levies referred to in section 12 of that Act have been introduced and with effect from such introduction where such levies have not yet been introduced, and to the extent that the said section 16 relates to the expiry of a licence other than a licence referred to in paragraph (a) or (b) of the said section 16;

- (o) artikel 17, vir sover dit van toepassing is binne 'n streek soos omskryf in artikel 1 van die Wet op Streeksdiensterade, 1985, waarin die heffings in artikel 12 van daardie Wet bedoel ingestel is;
 - (p) artikel 18, behalwe vir sover dit op 'n in subparagraaf (a) van hierdie paragraaf vermelde lisensie betrekking het, maar onderworpe aan subparagraaf (q) van hierdie paragraaf;
 - (q) artikel 18 (1), behalwe vir sover dit op 'n bedreiging van die openbare gesondheid of veiligheid voortspruitend uit 'n toestand beoog in artikel 12 (1) (d) van daardie Ordonnansie betrekking het;
 - (r) artikel 19, behalwe vir sover dit op 'n in subparagraaf (a) van hierdie paragraaf vermelde lisensie betrekking het, maar onderworpe aan subparagraawe (s) en (t) van hierdie paragraaf;
 - (s) artikels 19 (1) (b) (ii) en 19 (1) (b) (iii);
 - (t) artikels 19 (4) (b), 19 (4) (c) (ii), 19 (4) (d) en 19 (4) (e), behalwe vir sover hulle op 'n voorwaarde, intrekking of uitstel in verband met 'n in artikel 12 (1) (d) van daardie Ordonnansie beoogde aangeleentheid betrekking het;
 - (u) artikel 20, behalwe vir sover dit op 'n in subparagraaf (a) van hierdie paragraaf vermelde aansoek om 'n lisensie betrekking het;
 - (v) artikels 26 en 27, behalwe vir sover hulle op 'n in subparagraaf (a) van hierdie paragraaf vermelde aansoek betrekking het, maar onderworpe aan die voorwaarde uiteengesit in regulasie 1 in Bylae 2 van hierdie Proklamasie;
 - (w) artikel 28, onderworpe aan die voorwaarde uiteengesit in regulasie 2 in Bylae 2 van hierdie proklamasie;
 - (x) artikel 36 (1) (f), vir sover dit op enige voertuig, houer, verskuifbare struktuur, dier, goedere of ander ding as 'n dokument betrekking het;
 - (y) artikels 38 (2), 38 (3), 38 (4) en 39 (3);
 - (z) artikel 43 (1), vir sover dit op 'n delegasie behoudens sodanige voorwaardes wat bepaal mag word betrekking het, ten opsigte van die verlening van 'n aansoek om 'n lisensie, uitgesonderd 'n in subparagraaf (a) van hierdie paragraaf vermelde aansoek, en enige sodanige voorwaarde;
 - (aa) die voorbehoudsbepaling by artikel 43 (1), vir sover dit op die verlening van 'n aansoek om 'n lisensie betrekking het, uitgesonderd 'n in subparagraaf (a) van hierdie paragraaf vermelde aansoek;
 - (bb) artikels 45 (1) (b) en 45 (1) (j), en enige regulasie daarkragtens gemaak, vir sover hulle op die bekendmaking van 'n aansoek om 'n lisensie betrekking het.
- (2) Die bepalings van paragraaf (1) van hierdie Deel is nie van toepassing nie met betrekking tot 'n besigheid bedoel in item 1.E.1, 1.P.7 (2) (a) (ii), 1.P.7 (2) (a) (iii), 1.P.8 (g) of 1.P.8 (i) in Deel 1 van Bylae I van die Ordonnansie op Lisensies en Besigheidsure, 1973 (Natal).
- (o) section 17, in so far as it applies in a region as defined in section 1 of the Regional Services Councils Act, 1985, in which the levies referred to in section 12 of that Act have been introduced;
 - (p) section 18, except in so far as it relates to a licence mentioned in subparagraph (a) of this paragraph, but subject to subparagraph (q) of this paragraph;
 - (q) section 18 (1), except in so far as it relates to a threat to public health or safety arising out of a condition contemplated in section 12 (1) (d) of that Ordinance;
 - (r) section 19, except in so far as it relates to a licence mentioned in subparagraph (a) of this paragraph, but subject to subparagraphs (s) and (t) of this paragraph;
 - (s) sections 19 (1) (b) (ii) and 19 (1) (b) (iii);
 - (t) sections 19 (4) (b), 19 (4) (c) (ii), 19 (4) (d) and 19 (4) (e), except in so far as they relate to a condition, cancellation or postponement in connection with any matter contemplated in section 12 (1) (d) of that Ordinance;
 - (u) section 20, except in so far as it relates to an application for a licence mentioned in subparagraph (a) of this paragraph;
 - (v) sections 26 and 27, except in so far as they relate to a business contemplated in subparagraph (a) of this paragraph, but subject to the condition set out in regulation 1 in Schedule 2 to this Proclamation;
 - (w) section 28, subject to the condition set out in regulation 2 in Schedule 2 to this Proclamation;
 - (x) section 36 (1) (f), in so far as it relates to any vehicle, container, movable structure, animal, goods or thing other than a document;
 - (y) sections 38 (2), 38 (3), 38 (4) and 39 (3);
 - (z) section 43 (1), in so far as it relates to a delegation subject to such conditions as may be stipulated, in respect of the grant of an application for a licence, except an application mentioned in subparagraph (a) of this paragraph, and any such condition;
 - (aa) the proviso to section 43 (1), in so far as it relates to the grant of an application for a licence, except an application mentioned in subparagraph (a) of this paragraph;
 - (bb) sections 45 (1) (b) and 45 (1) (j), and any regulation made thereunder, in so far as they relate to the publication of an application for a licence.
- (2) The provisions of paragraph (1) of this Part shall not apply in respect of any business referred to in item 1.E.1, 1.P.7 (2) (a) (ii), 1.P.7 (2) (a) (iii), 1.P.8 (g) or 1.P.8 (i) in Part I of Schedule 1 to the Licences and Business Hours Ordinance, 1973 (Natal).

Deel 3*Oranje-Vrystaat*

(1) Die volgende bepalings van die Ordonnansie op Lisensies, 1972 (Ordonnansie No. 8 van 1972) (Oranje-Vrystaat), soos gewysig, word, behoudens paragraaf (2) van hierdie Deel, opgeskort:

- (a) Artikel 11, behalwe vir sover dit op 'n aansoek om 'n lisensie om 'n besigheid in die volgende items in Bylae 1 van daardie Ordonnansie te dryf, betrekking het:
 - (i) Items 5 en 8;
 - (ii) item 14, vir sover dit op die dryf van besigheid in drank gemeng op die besigheidsperseel betrekking het;
 - (iii) item 19, vir sover dit op die dryf van besigheid in voedsel of drinkware voorberei, vervaardig, verwerk, behandel of gehanteer op die besigheidsperseel betrekking het;
 - (iv) items 23, 26, 37 en 40;
 - (v) items 41 (1) (a), 41 (1) (b) en 41 (1) (d), vir sover hulle op die dryf van besigheid in eet- of drinkware voorberei, vervaardig, verwerk, behandel of gehanteer by 'n plek, straat, staanplek, struktuur of voertuig beoog in item 41 (2), gelees met item 41 (3) van daardie Bylae, betrekking het;
 - (vi) item 42, vir sover dit op die dryf van besigheid in eet- of drinkware voorberei, vervaardig, verwerk, behandel of gehanteer by 'n vertoning, tentoonstelling, openbare byeenkoms of samekoms in daardie item bedoel, betrekking het;
 - (vii) items 43 en 45 (1) (a);
 - (viii) item 47, vir sover dit op die dryf van besigheid deur middel van 'n verkoopsoutomaat ontwerp om eet- of drinkware te bevat, betrekking het;
 - (ix) items 49 en 50,
 maar onderworpe aan subparagraaf (b) van hierdie paragraaf;
- (b) artikel 11 (1), vir sover dit op die indiening van 'n beswaar deur 'n persoon anders as die Staat of 'n plaaslike owerheid, betrekking het;
- (c) artikel 12, behalwe vir sover dit op 'n in subparagraaf (a) van hierdie paragraaf vermelde aansoek betrekking het;
- (d) artikels 13 (1) (b), 13 (1) (c) en 13 (1) (d), behalwe vir sover hulle op—
 - (i) 'n voorwaarde, beperking of uitstel betreffende nakoming van die bepalings van artikel 13 (2) (a) (v), 13 (2) (a) (vi) of 13 (2) (b) (i) van daardie Ordonnansie betrekking het;
 - (ii) 'n in subparagraaf (a) van hierdie paragraaf vermelde aansoek, betrekking het;

Part 3*Orange Free State*

(1) The following provisions of the Licences Ordinance, 1972 (Ordinance No. 8 of 1972) (Orange Free State), as amended, are, subject to paragraph (2) of this Part, suspended:

- (a) Section 11, except in so far as it relates to an application for a licence to carry on a business referred to in any of the following items in Schedule 1 to that Ordinance:
 - (i) Items 5 and 8;
 - (ii) item 14, in so far as it relates to the carrying on of business in beverages mixed on the business premises;
 - (iii) item 19, in so far as it relates to the carrying on of business in meals or refreshments prepared, manufactured, processed, treated or handled on the business premises;
 - (iv) items 23, 26, 37 and 40;
 - (v) items 41 (1) (a), 41 (1) (b) and 41 (1) (d), in so far as they relate to the carrying on of business in food or drink prepared, manufactured, processed, treated or handled at a place, street, stand, structure or vehicle contemplated in item 41 (2), read with item 41 (3) of that Schedule;
 - (vi) item 42, in so far as it relates to the carrying on of business in food or drink prepared, manufactured, processed, treated or handled at an exhibition, show, public gathering or assembly referred to in that item;
 - (vii) items 43 and 45 (1) (a);
 - (viii) item 47, in so far as it relates to the carrying on of business by means of a vending machine designed to contain food or drink;
 - (ix) items 49 and 50,
 but subject to subparagraph (b) of this paragraph;
- (b) section 11 (1), in so far as it relates to the lodging of an objection by a person other than the State or a local authority;
- (c) section 12, except in so far as it relates to an application mentioned in subparagraph (a) of this paragraph;
- (d) sections 13 (1) (b), 13 (1) (c) and 13 (1) (d), except in so far as they relate to—
 - (i) a condition, restriction or postponement, as the case may be, concerning compliance with the provisions of section 13 (2) (a) (v), 13 (2) (a) (vi) or 13 (2) (b) (i) of that Ordinance;
 - (ii) an application for a licence mentioned in subparagraph (a) of this paragraph;

- (e) artikel 13 (2), behalwe vir sover dit op 'n in subparagraaf (a) van hierdie paragraaf vermelde aansoek om 'n lisensie betrekking het, maar onderworpe aan subparagrafe (f) tot en met (j) van hierdie paragraaf;
- (f) artikels 13 (2) (a) (i), 13 (2) (a) (ii), 13 (2) (a) (iii) en 13 (2) (a) (iv);
- (g) artikel 13 (2) (a) (v), vir sover dit op die grootte, aard, konstruksie, beligting, ventilasie of akkommodasie ten opsigte van die besigheidsperseel betrekking het;
- (h) artikel 13 (2) (a) (v) (ee);
- (i) artikel 13 (2) (a) (vi), vir sover dit op water of elektrisiteit betrekking het;
- (j) artikels 13 (2) (a) (vii), 13 (2) (a) (viii) en 13 (2) (b) (ii);
- (k) artikel 13 (3), vir sover dit op 'n ontsmetter of beroker betrekking het;
- (l) artikel 13 (4);
- (m) artikel 17, vir sover dit van toepassing is binne 'n streek soos omskryf in artikel 1 van die Wet op Streeksdiensterade, 1985 (Wet No. 109 van 1985), waarin die heffings in artikel 12 van daardie Wet bedoel ingestel is en met ingang van sodanige instelling waar sodanige heffings nog nie ingestel is nie, en in die mate dat genoemde artikel 17 op die verval van 'n lisensie betrekking het, behalwe 'n lisensie op 'n daaglikse of weeklikse grondslag uitgereik;
- (n) artikel 18, vir sover dit van toepassing is binne 'n streek soos omskryf in artikel 1 van die Wet op Streeksdiensterade, 1985, waarin die heffings in artikel 12 van daardie Wet bedoel ingestel is, maar onderworpe aan subparagraaf (o) van hierdie paragraaf;
- (o) voorbehoudsbepaling (b) by artikel 18 (1), behalwe vir sover dit op 'n in subparagraaf (a) van hierdie paragraaf vermelde lisensie betrekking het;
- (p) artikel 19, behalwe vir sover dit op 'n in subparagraaf (a) van hierdie paragraaf vermelde lisensie betrekking het;
- (q) artikel 19 (1), behalwe vir sover dit op 'n gevaar vir die openbare gesondheid of veiligheid voortspruitend uit 'n toestand in artikel 13 (2) (a) (v), 13 (2) (a) (vi) of 13 (2) (b) (ii) van daardie Ordonnansie bedoel, betrekking het;
- (r) artikel 20, behalwe vir sover dit op 'n in subparagraaf (a) van hierdie paragraaf vermelde lisensie betrekking het, maar onderworpe aan subparagrafe (s) tot en met (x) van hierdie paragraaf;
- (s) artikel 20 (2) (a), behalwe vir sover dit op 'n grond in artikel 13 (2) (a) (v) of 13 (2) (b) (i) bedoel, betrekking het;
- (t) artikels 20 (2) (b) en 20 (2) (c);
- (u) artikel 20 (2) (e), behalwe subparagraaf (i) (cc);
- (e) section 13 (2), except in so far as it relates to an application for a licence mentioned in subparagraph (a) of this paragraph, but subject to subparagraphs (f) to (j), inclusive, of this paragraph;
- (f) sections 13 (2) (a) (i), 13 (2) (a) (ii), 13 (2) (a) (iii) and 13 (2) (a) (iv);
- (g) section 13 (2) (a) (v), in so far as it relates to the size, nature, construction, lighting, ventilation or accommodation in respect of the business premises;
- (h) section 13 (2) (a) (v) (ee);
- (i) section 13 (2) (a) (vi), in so far as it relates to water or electricity;
- (j) sections 13 (2) (a) (vii), 13 (2) (a) (viii) and 13 (2) (b) (ii);
- (k) section 13 (3), in so far as it relates to a disinfectant or fumigator;
- (l) section 13 (4);
- (m) section 17, in so far as it applies in a region as defined in section 1 of the Regional Services Councils Act, 1985 (Act No. 109 of 1985), in which the levies referred to in section 12 of that Act have been introduced and with effect from such introduction where such levies have not yet been introduced, and to the extent that the said section 17 relates to the expiry of a licence, other than a licence issued on a daily or weekly basis;
- (n) section 18, in so far as it applies in a region as defined in section 1 of the Regional Services Councils Act, 1985, in which the levies referred to in section 12 of that Act have been introduced, but subject to subparagraph (o) of this paragraph;
- (o) proviso (b) to section 18 (1), except in so far as it relates to a licence mentioned in subparagraph (a) of this paragraph;
- (p) section 19, except in so far as it relates to a licence mentioned in subparagraph (a) of this paragraph;
- (q) section 19 (1), except in so far as it relates to a threat to public health or safety arising out of a condition contemplated in section 13 (2) (a) (v), 13 (2) (a) (vi) or 13 (2) (b) (ii) of that Ordinance;
- (r) section 20, except in so far as it relates to a licence mentioned in subparagraph (a) of this paragraph, but subject to subparagraphs (s) to (x), inclusive, of this paragraph;
- (s) section 20 (2) (a), except in so far as it relates to a ground set out in section 13 (2) (a) (v) or 13 (2) (b) (i);
- (t) sections 20 (2) (b) and 20 (2) (c);
- (u) section 20 (2) (e), except subparagraph (i) (cc);

- (v) artikel 20 (5) (a) (ii), behalwe vir sover dit op 'n voorwaarde of beperking betreffende 'n in artikel 13 (2) (a) (v), 13 (2) (a) (vi) of 13 (2) (b) (i) van daardie Ordonnansie beoogde aangeleentheid betrekking het;
- (w) artikel 20 (5) (b), behalwe vir sover dit op artikel 20 (2) (a), 20 (2) (d), 20 (2) (e) (i) (cc) betrekking het;
- (x) artikel 20 (5) (c), behalwe vir sover dit op 'n uitstel in verband met 'n in artikel 13 (2) (a) (v), 13 (2) (a) (vi) of 13 (2) (b) (i) van daardie Ordonnansie beoogde aangeleentheid betrekking het;
- (y) artikel 21, behalwe vir sover—
 - (i) dit op 'n in subparagraaf (a) van hierdie paragraaf vermelde lisensie betrekking het;
 - (ii) artikels 21 (2) tot (5) *mutatis mutandis* van toepassing is in verband met die verhoor van 'n appèl, soos in artikel 23 (2) van daardie Ordonnansie bepaal;
- (z) artikels 28 en 29, behalwe vir sover hulle op 'n in subparagraaf (a) van hierdie paragraaf beoogde besigheid betrekking het, maar onderworpe aan die voorwaarde uiteengesit in regulasie 1 van Bylae 2 van hierdie Proklamasie;
- (aa) artikel 30, onderworpe aan die voorwaarde uiteengesit in regulasie 2 in Bylae 2 van hierdie Proklamasie;
- (bb) artikels 33 (1) (b) en 33 (1) (d), vir sover hulle op enige goedere of ding behalwe 'n dokument betrekking het;
- (cc) artikels 33 (4) en 34 (3);
- (dd) artikel 38 (1) (a), en enige regulasie daarkragtens gemaak, vir sover hulle op—
 - (i) die bekendmaking van 'n aansoek om 'n lisensie betrekking het; of
 - (ii) 'n vereiste om 'n polisieverslag in verband met 'n aansoek te kry, betrekking het;
- (ee) artikel 38 (1) (b), en enige regulasie daarkragtens gemaak, behalwe vir sover hulle op 'n in subparagraaf (a) van hierdie paragraaf vermelde besigheid betrekking het;
- (ff) artikel 41, vir sover dit op die goedkeuring van die Administrateur vir 'n delegasie van die bevoegdheid om 'n aansoek om 'n lisensie toe te staan, betrekking het, uitgesonderd 'n in subparagraaf (a) van hierdie paragraaf vermelde aansoek;
- (gg) items 5 en 50 in Bylae 1 by die Ordonnansie, vir sover hulle op die dryf van besigheid in voedsel of drinkware voorberei, vervaardig, ingemaak, verwerk, of gehanteer in 'n privaat woning betrekking het.

(2) Die bepalinge van paragraaf (l) van hierdie Deel is nie van toepassing nie met betrekking tot 'n besigheid bedoel in item 9, 20, 21 (2) (b), 48 (h) of 48 (1) van Bylae 1 van die Ordonnansie op Lisensies, 1972 (Oranje-Vrystaat).

- (v) section 20 (5) (a) (ii), except in so far as it relates to a condition or restriction concerning a matter contemplated in section 13 (2) (a) (v), 13 (2) (a) (vi) or 13 (2) (b) (i) of that Ordinance;
- (w) section 20 (5) (b), except in so far as it relates to section 20 (2) (a), 20 (2) (d) or 20 (2) (e) (i) (cc);
- (x) section 20 (5) (c), except in so far as it relates to a postponement in connection with a matter contemplated in section 13 (2) (a) (v), 13 (2) (a) (vi) or 13 (2) (b) (i) of that Ordinance;
- (y) section 21, except in so far as—
 - (i) it relates to a licence mentioned in subparagraph (a) of this paragraph;
 - (ii) sections 21 (2) to (5) apply *mutatis mutandis* in connection with the hearing of an appeal, as provided in section 23 (2) of that Ordinance;
- (z) sections 28 and 29, except in so far as they relate to a business contemplated in subparagraph (a) of this paragraph, but subject to the condition set out in regulation 1 in Schedule 2 to this Proclamation;
- (aa) section 30, subject to the condition set out in regulation 2 in Schedule 2 to this Proclamation;
- (bb) sections 33 (1) (b) and 33 (1) (d), in so far as they relate to any goods or thing other than a document;
- (cc) sections 33 (4) and 34 (3);
- (dd) section 38 (1) (a), and any regulation made thereunder, in so far as they relate to—
 - (i) the publication of an application for a licence; or
 - (ii) any requirement to obtain a police report in connection with an application;
- (ee) section 38 (1) (b), and any regulation made thereunder, except in so far as they relate to a business mentioned in subparagraph (a) of this paragraph;
- (ff) section 41, in so far as it relates to the approval of the Administrator for a delegation of the power to grant an application for a licence, except an application mentioned in subparagraph (a) of this paragraph;
- (gg) items 5 and 50 in Schedule 1 to the Ordinance, in so far as they relate to the carrying on of business in food or drink prepared, manufactured, canned, preserved, processed, or treated in a private dwelling.

(2) The provisions of paragraph (1) of this Part shall not apply in respect of any business referred to in item 9, 20, 21 (2) (b), 48 (h), or 48 (1) of Schedule 1 to the Licences Ordinance, 1972 (Orange Free State).

(3) Die volgende bepalings van die Ordonnansie op Winkelure, 1952 (Ordonnansie No. 19 van 1952) (Oranje-Vrystaat), soos gewysig, word opgeskort:

- (a) Artikel 3, vir sover dit op 'n besigheidsdag soos omskryf in artikel 1 van die Ordonnansie betrekking het;
- (b) artikel 4, en enige regulasie daarkragtens gemaak.

Deel 4

Transvaal

(1) Die volgende bepalings van die Ordonnansie op Lisensies, 1974 (Ordonnansie No. 19 van 1974) (Transvaal), soos gewysig, word, behoudens paragraaf (2) van hierdie Deel, opgeskort:

- (a) Artikel 9, vir sover dit van toepassing is binne 'n streek soos omskryf in artikel 1 van die Wet op Streeksdiensterade, 1985 (Wet No. 109 van 1985), waarin die heffings in artikel 12 van daardie Wet bedoel ingestel is en met ingang van sodanige instelling waar sodanige heffings nog nie ingestel is nie, en in die mate dat genoemde artikel 9 op die ophou om van krag te wees van 'n lisensie en op die bekend staan van 'n lisensie as 'n jaarlikse lisensie betrekking het;
- (b) artikels 13 en 14 (1) (a);
- (c) artikel 14 (1) (b), vir sover dit op 'n in artikel 19 (2) (a), 19 (2) (b), 19 (2) (c), 19 (2) (d) of 19 (2) (j) bedoelde aangeleentheid betrekking het;
- (d) artikels 14 (1A) en 14 (2);
- (e) artikel 16, behalwe vir sover dit op 'n aansoek om die uitreiking van 'n lisensie vir 'n besigheid bedoel in enige van die volgende items van Bylae I van daardie Ordonnansie, betrekking het:
 - (i) Item 5;
 - (ii) item 15, vir sover dit op die dryf van besigheid in drank gemeng op die besigheidsperseel betrekking het;
 - (iii) item 20, vir sover dit op die dryf van besigheid in maaltye of verversings voorberei, vervaardig, verwerk, behandel of gehanteer op die besigheidsperseel betrekking het;
 - (iv) items 24, 27, 37 en 40;
 - (v) item 41, vir sover dit op die dryf van besigheid in eet- of drinkware voorberei, vervaardig, verwerk, behandel of gehanteer by 'n straat, staanplek, voertuig, struktuur of plek in daardie item bedoel, betrekking het;
 - (vi) item 42, vir sover dit op die dryf van besigheid in eet- of drinkware voorberei, vervaardig, verwerk, behandel of gehanteer by 'n vertoning, tentoonstelling of byeenkoms in daardie item bedoel, betrekking het;

(3) The following provisions of the Shop Hours Ordinance, 1952 (Ordinance No. 19 of 1952) (Orange Free State), as amended, are suspended;

- (a) Section 3, in so far as it relates to a business day as defined in section 1 of the Ordinance;
- (b) section 4, and any regulation made thereunder.

Part 4

Transvaal

(1) The following provisions of the Licences Ordinance, 1974 (Ordinance No. 19 of 1974) (Transvaal), as amended, are, subject to paragraph (2) of this Part, suspended:

- (a) Section 9, in so far as it applies in a region as defined in section 1 of the Regional Services Council Act, 1985 (Act No. 109 of 1985), in which the levies referred to in section 12 of that Act have been introduced and with effect from such introduction where such levies have not yet been introduced, and to the extent that the said section 9 relates to the cessation of the validity of a licence and to a licence being known as an annual licence;
- (b) sections 13 and 14 (1) (a);
- (c) section 14 (1) (b), in so far as it relates to a matter referred to in section 19 (2) (a), 19 (2) (b), 19 (2) (c), 19 (2) (d) or 19 (2) (j);
- (d) sections 14 (1A) and 14 (2);
- (e) section 16, except in so far as it relates to an application for the issue of a licence for a business referred to in any of the following items of Schedule I to that Ordinance:
 - (i) Item 5;
 - (ii) item 15, in so far as it relates to the carrying on of business in beverages mixed on the business premises;
 - (iii) item 20, in so far as it relates to the carrying on of business in meals or refreshments prepared, manufactured, processed, treated or handled on the business premises;
 - (iv) items 24, 27, 37 and 40;
 - (v) item 41, in so far as it relates to the carrying on of business in food or drink prepared, manufactured, processed, treated or handled at any street, stand, vehicle, structure or place contemplated in that item;
 - (vi) item 42, in so far as it relates to the carrying on of business in food or drink prepared, manufactured, processed, treated or handled at an exhibition, show or gathering contemplated in that item;

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| <p>(vii) items 43 en 45 (1) (b) (i);</p> <p>(viii) item 48, vir sover dit op die dryf van besigheid deur middel van 'n verkoops-outomaat ontwerp om eet- of drinkware te bevat, betrekking het;</p> <p>(ix) items 50 en 51,
maar onderworpe aan subparagraawe (f) tot en met (h) van hierdie paragraaf;</p> <p>(f) artikel 16 (1), vir sover dit op die indiening van 'n beswaar deur 'n ander persoon as die Staat of 'n plaaslike owerheid betrekking het;</p> <p>(g) artikel 16 (4), vir sover dit op 'n verslag of aanbeveling in artikel 14 (1) (a) of 14 (1A) bedoel, betrekking het;</p> <p>(h) artikel 16 (6), behalwe vir sover dit op 'n aan-geleentheid in artikel 19 (2) (e) tot en met 19 (2) (i) van daardie Ordonnansie bedoel, be-
trekking het;</p> <p>(i) artikel 17—</p> <p style="padding-left: 20px;">(i) behalwe vir sover dit op 'n in subpara-
graaf (e) van hierdie paragraaf ver-
melde aansoek betrekking het;</p> <p style="padding-left: 20px;">(ii) vir sover dit op 'n verslag of aanbeveling
in artikel 14 (1) (a) of 14 (1A) bedoel,
betrekking het,</p> <p>maar onderworpe aan subparagraaf (j) van
hierdie paragraaf;</p> <p>(j) artikel 17 (b) (iii), vir sover dit op die bevel-
voerende beampte of lid van die Suid-Afri-
kaanse Polisie betrekking het;</p> <p>(k) artikel 18, behalwe vir sover dit op 'n in sub-
paragraaf (e) van hierdie paragraaf vermelde
aansoek betrekking het, maar onderworpe aan
subparagraaf (l) van hierdie paragraaf;</p> <p>(1) artikel 18 (1) (iii), vir sover dit op—</p> <p style="padding-left: 20px;">(i) die bevelvoerende beampte of lid van
die Suid-Afrikaanse Polisie betrekking
het;</p> <p style="padding-left: 20px;">(ii) 'n verslag of aanbeveling in artikel 14
(1) (a) of 14 (1A) bedoel, betrekking
het;</p> <p>(m) artikel 19 (1) (b), behalwe vir sover dit op—</p> <p style="padding-left: 20px;">(i) 'n in subparagraaf (e) van hierdie para-
graaf vermelde aansoek betrekking het;</p> <p style="padding-left: 20px;">(ii) 'n voorwaarde, beperking of vereiste
ten opsigte van 'n in artikels 19 (2) (e)
tot en met 19 (2) (i) bedoelde aange-
leentheid betrekking het,</p> <p>maar onderworpe aan subparagraaf (n) van
hierdie paragraaf;</p> <p>(n) artikel 19 (1) (b) (iv);</p> <p>(o) artikels 19 (1) (c), 19 (1) (d) en 19 (1) (e),
behalwe vir sover hulle op 'n in subparagraaf
(e) van hierdie paragraaf vermelde aansoek be-
trekking het;</p> | <p>(vii) items 43 and 45 (1) (b) (i);</p> <p>(viii) item 48, in so far as it relates to the
carrying on of business by means of a
vending machine designed to contain
food or drink;</p> <p>(ix) items 50 and 51,
but subject to subparagraphs (f) to (h), inclu-
sive, of this paragraph;</p> <p>(f) section 16 (1), in so far as it relates to the lodg-
ing of objections by any person other than the
State or a local authority;</p> <p>(g) section 16 (4), in so far as it relates to a report
or recommendation referred to in section 14
(1) (a) or 14 (1A);</p> <p>(h) section 16 (6), except in so far as it relates to a
matter referred to in sections 19 (2) (e) to 19
(2) (i), inclusive of that Ordinance;</p> <p>(i) section 17—</p> <p style="padding-left: 20px;">(i) except in so far as it relates to an appli-
cation mentioned in subparagraph (e) of
this paragraph;</p> <p style="padding-left: 20px;">(ii) in so far as it relates to any report or
recommendation referred to in section
14 (1) (a) or 14 (1A),</p> <p>but subject to subparagraph (j) of this para-
graph;</p> <p>(j) section 17 (b) (iii), in so far as it relates to the
officer in charge or member of the South Afri-
can Police;</p> <p>(k) section 18, except in so far as it relates to an
application mentioned in subparagraph (e) of
this paragraph, but subject to subparagraph (l)
of this paragraph;</p> <p>(1) section 18 (1) (iii), in so far as it relates to—</p> <p style="padding-left: 20px;">(i) the officer in charge or member of the
South African Police;</p> <p style="padding-left: 20px;">(ii) a report or recommendation referred to
in section 14 (1) (a) or 14 (1A);</p> <p>(m) section 19 (1) (b), except in so far as it relates
to—</p> <p style="padding-left: 20px;">(i) an application mentioned in subpara-
graph (e) of this paragraph;</p> <p style="padding-left: 20px;">(ii) any condition, restriction or require-
ment in respect of a matter referred to
in sections 19 (2) (e) to 19 (2) (i), inclu-
sive,</p> <p>but subject to subparagraph (n) of this para-
graph;</p> <p>(n) section 19 (1) (b) (iv);</p> <p>(o) sections 19 (1) (c), 19 (1) (d) and 19 (1) (e),
except in so far as they relate to an application
mentioned in subparagraph (e) of this para-
graph;</p> |
|--|---|

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|---|---|
| <p>(p) artikels 19 (1) (f) en 19 (1) (g), behalwe vir sover hulle op —</p> <p style="padding-left: 40px;">(i) 'n in subparagraaf (e) van hierdie paragraaf vermelde aansoek betrekking het;</p> <p style="padding-left: 40px;">(ii) 'n in artikels 19 (2) (e) tot en met 19 (2) (i) van daardie Ordonnansie bedoelde aangeleentheid betrekking het;</p> <p>(q) artikel 19 (2), behalwe vir sover dit op 'n in subparagraaf (e) van hierdie paragraaf vermelde aansoek betrekking het, maar onderworpe aan subparagraawe (r) tot en met (u) van hierdie paragraaf;</p> <p>(r) artikels 19 (2) (a), 19 (2) (b), 19 (2) (c) en 19 (2) (d);</p> <p>(s) artikel 19 (2) (e), vir sover dit op die grootte, aard, konstruksie, beligting of akkommodasie ten opsigte van die bouverseel betrekking het;</p> <p>(t) artikel 19 (2) (g), vir sover dit op die veiligheid van die publiek en werknemers betrekking het;</p> <p>(u) artikel 19 (2) (j);</p> <p>(v) artikel 19 (3) (a), vir sover dit op 'n aansoek om 'n lisensie vir 'n besigheid bedoel in Items 41 en 44 van Bylae I by daardie Ordonnansie of sodanige ander besigheid as wat voorgeskryf mag word, soos in die artikel beoog, betrekking het;</p> <p>(w) artikel 19 (3) (b), vir sover dit op 'n aansoek om 'n lisensie vir 'n besigheid in Item 30 van Bylae I by daardie Ordonnansie of sodanige ander besigheid as wat voorgeskryf word soos in die artikel beoog, betrekking het;</p> <p>(x) artikel 19 (4) (a);</p> <p>(y) die voorbehoudsbepaling by artikel 20 (1), vir sover dit op artikel 14 (1A) (c) betrekking het;</p> <p>(z) artikel 23, vir sover dit van toepassing is binne 'n streek soos omskryf in artikel 1 van die Wet op Streeksdiensterade, 1985, waarin die heffings in artikel 12 van daardie Wet bedoel, ingestel is;</p> <p>(aa) die voorbehoudsbepaling by artikel 23 (2), en artikel 23 (3) (c);</p> <p>(bb) artikel 23 (5), vir sover dit op die houër van 'n lisensie beoog in artikel 23 (3) (c) betrekking het;</p> <p>(cc) artikels 25 en 26, behalwe vir sover hulle op 'n in subparagraaf (e) van hierdie paragraaf beoogde besigheid betrekking het, maar onderworpe aan die voorwaarde uiteengesit in regulasie 1 van Bylae 2 van hierdie Proklamasie;</p> <p>(dd) artikel 27, onderworpe aan die voorwaarde uiteengesit in regulasie 2 in Bylae 2 van hierdie Proklamasie;</p> <p>(ee) artikels 29 (2) en 29 (2A);</p> <p>(ff) artikel 29 (3), vir sover dit op 'n verslag bedoel in artikel 29 (2) of 29 (2A) betrekking het;</p> <p>(gg) artikel 30 (1) (b), vir sover dit op enige goedere betrekking het;</p> | <p>(p) sections 19 (1) (f) and 19 (1) (g), except in so far as they relate to —</p> <p style="padding-left: 40px;">(i) an application mentioned in subparagraph (e) of this paragraph;</p> <p style="padding-left: 40px;">(ii) any matter referred to in sections 19 (2) (e) to 19 (2) (i), inclusive, of that Ordinance;</p> <p>(q) section 19 (2), except in so far as it relates to an application mentioned in subparagraph (e) of this paragraph, but subject to subparagraphs (r) to (u), inclusive, of this paragraph;</p> <p>(r) sections 19 (2) (a), 19 (2) (b), 19 (2) (c) and 19 (2) (d);</p> <p>(s) section 19 (2) (e), in so far as it relates to the size, nature, construction, lighting, ventilation or accommodation in respect of the business premises;</p> <p>(t) section 19 (2) (g), in so far as it relates to the safety of the public and employees;</p> <p>(u) section 19 (2) (j);</p> <p>(v) section 19 (3) (a), in so far as it relates to an application for a licence for a business referred to in Items 41 and 44 of Schedule I to that Ordinance or such other business as may be prescribed as contemplated in that section;</p> <p>(w) section 19 (3) (b), in so far as it relates to an application for a licence for a business referred to in Item 30 of Schedule I or such other business as may be prescribed as contemplated in that section;</p> <p>(x) section 19 (4) (a);</p> <p>(y) the proviso to section 20 (1), in so far as it relates to section 14 (1A) (c);</p> <p>(z) section 23, in so far as it applies in a region as defined in section 1 of the Regional Services Councils Act, 1985, in which the levies referred to in section 12 of that Act have been introduced;</p> <p>(aa) the proviso to section 23 (2), and section 23 (3) (c);</p> <p>(bb) section 23 (5), in so far as it relates to the holder of a licence contemplated in section 23 (3) (c);</p> <p>(cc) sections 25 and 26, except in so far as they relate to a business contemplated in subparagraph (e) of this paragraph, but subject to the condition set out in regulation 1 in Schedule 2 to this Proclamation;</p> <p>(dd) section 27, subject to the condition set out in regulation 2 in Schedule 2 to this Proclamation;</p> <p>(ee) sections 29 (2) and 29 (2A);</p> <p>(ff) section 29 (3), in so far as it relates to a report referred to in section 29 (2) or 29 (2A);</p> <p>(gg) section 30 (1) (b), in so far as it relates to any goods;</p> |
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- (hh) artikels 30 (1) (d) en 30 (3);
- (ii) artikels 32 en 33, behalwe vir sover hulle op 'n in subparagraaf (e) van hierdie paragraaf vermelde lisensie betrekking het, maar onderworpe aan subparagraawe (jj) en (kk) van hierdie paragraaf;
- (jj) artikel 33 (1) (b), vir sover dit op 'n rede bedoel in artikel 19 (2) (a), 19 (2) (b), 19 (2) (c) of 19 (2) (d) betrekking het;
- (kk) artikel 33 (1) (c), behalwe vir sover dit op 'n in artikels 19 (2) (e) tot en met 19 (2) (h) van daardie Ordonnansie bedoelde aangeleentheid betrekking het;
- (ll) artikels 34 and 35, behalwe vir sover hulle op 'n in subparagraaf (e) van hierdie paragraaf vermelde lisensie of besigheid betrekking het, maar onderworpe aan subparagraaf (mm) van hierdie paragraaf;
- (mm) artikel 35 (1), behalwe vir sover dit op 'n gevaar of bedreiging vir openbare gesondheid, die openbare belang of openbare veiligheid voortspruitend uit 'n toestand soos beoog in artikels 19 (2) (e) tot en met 19 (2) (h) van daardie Ordonnansie betrekking het;
- (nn) artikel 36, behalwe vir sover dit op 'n in subparagraaf (e) van hierdie paragraaf vermelde lisensie betrekking het, maar onderworpe aan subparagraawe (oo) en (pp) van hierdie paragraaf;
- (oo) artikels 36 (1) (b) en 36 (1) (c), vir sover hulle op artikel 19 (2) (a), 19 (2) (b), 19 (2) (c) of 19 (2) (d) betrekking het;
- (pp) artikel 36 (3) (a);
- (qq) die eerste voorbehoudsbepaling by artikel 48 (1), vir sover dit op die verlening van 'n aansoek om die uitreiking van 'n lisensie betrekking het, uitgesonderd 'n in subparagraaf (e) van hierdie paragraaf vermelde aansoek, maar behoudens subparagraaf (rr) van hierdie paragraaf;
- (rr) paragraaf (a) (ii) van die eerste voorbehoudsbepaling by artikel 48 (1), vir sover dit op artikel 14 (1) (a) of 14 (1A) betrekking het;
- (ss) artikel 49;
- (tt) items 5 en 51 van Bylae I, vir sover hulle op die dryf van besigheid in voedsel of drinkware voorberei, vervaardig, ingemaak, verwerk, gerook, ingesout, behandel of gehanteer in 'n private woning betrekking het.
- (2) Die bepalings van paragraaf (1) van hierdie Deel is nie van toepassing nie met betrekking tot 'n besigheid bedoel in item 22 (2) (b), 22 (2) (c), 26A, 49 (2) (h) of 49 (2) (n) van Bylae I van die Ordonnansie op Lisensies, 1974 (Transvaal).
- (3) Die volgende bepalings van die Ordonnansie op Winkelure, 1986 (Ordonnansie No. 8 van 1986) (Transvaal), word opgeskort:
- (a) Artikel 3, vir sover dit op 'n weeksdag of openbare feesdag, soos omskryf in artikel 1 van die Ordonnansie, of 'n Saterdag betrekking het;
- (hh) sections 30 (1) (d) and 30 (3);
- (ii) sections 32 and 33, except in so far as they relate to a licence mentioned in subparagraph (e) of this paragraph, but subject to subparagraphs (jj) and (kk) of this paragraph;
- (jj) section 33 (1) (b), in so far as it relates to a reason referred to in sections 19 (2) (a), 19 (2) (b), 19 (2) (c) or 19 (2) (d);
- (kk) section 33 (1) (c), except in so far as it relates to a matter referred to in sections 19 (2) (e) to 19 (2) (h), inclusive, of that Ordinance;
- (ll) sections 34 and 35, except in so far as they relate to a licence or business mentioned in subparagraph (e) of this paragraph, but subject to subparagraph (mm) of this paragraph;
- (mm) section 35 (1), except in so far as it relates a danger or threat to public health, the public interest or public safety arising out of a condition contemplated in sections 19 (2) (e) to 19 (2) (h), inclusive, of that Ordinance;
- (nn) section 36, except in so far as it relates to a licence mentioned in subparagraph (e) of this paragraph, but subject to subparagraphs (oo) and (pp) of this paragraph;
- (oo) sections 36 (1) (b) and 36 (1) (c), in so far as they relate to section 19 (2) (a), 19 (2) (b), 19 (2) (c) or 19 (2) (d);
- (pp) section 36 (3) (a);
- (qq) the first proviso to section 48 (1), in so far as it relates to the grant of an application for the issue of a licence, except an application mentioned in subparagraph (e) of this paragraph, but subject to subparagraph (rr) of this paragraph;
- (rr) paragraph (a) (ii) of the first proviso to section 48 (1), in so far as it relates to section 14 (1) (a) or 14 (1A);
- (ss) section 49;
- (tt) items 5 and 51 of Schedule I, in so far as they relate to the carrying on of business in food or drink prepared, manufactured, preserved, processed, smoked, cured, treated or handled in a private dwelling.
- (2) The provisions of paragraph (1) of this Part shall not apply in respect of any business referred to in item 22 (2) (b), 22 (2) (c), 26A, 49 (2) (h) or 49 (2) (n) of Schedule I to the Licences Ordinance, 1974 (Transvaal).
- (3) The following provisions of the Shop Hours Ordinance, 1986 (Ordinance No. 8 of 1986) (Transvaal), are suspended:
- (a) Section 3, in so far as it relates to a weekday or public holiday as defined in section 1 of the Ordinance, or a Saturday;

- (b) artikels 6 (1) (b) en 6 (2) (b);
- (c) artikel 8, en enige verordening daarkragtens gemaak;
- (d) artikel 9 (2), vir sover dit op die normale handelstye soos ingekort ingevolge artikel 8, betrekking het.

BYLAE 2

REGULASIES BETREFFENDE VOORWAARDES VAN OPSKORTING

1. Die opskorting van die bepalings van—

- (a) artikel 3 (3) van die Lisensieordonnansie, 1981 (Ordonnansie No. 17 van 1981) (Kaap die Goeie Hoop);
- (b) artikels 26 en 27 van die Ordonnansie op Lisensies en Besigheidsure, 1973 (Ordonnansie No. 11 van 1973) (Natal);
- (c) artikels 28 en 29 van die Ordonnansie op Lisensies, 1972 (Ordonnansie No. 8 van 1972) (Oranje-Vrystaat);
- (d) artikels 25 en 26 van die Ordonnansie op Lisensies, 1974 (Ordonnansie No. 19 van 1974) (Transvaal),

vermeld in, onderskeidelik, Dele 1 (1) (a), 2 (1) (v), 3 (1) (z) en 4 (1) (cc) van Bylae 1 by hierdie Proklamasie, verval in die geval van 'n bepaalde lisensiehouer indien die betrokke houer van die lisensie nie skriftelike kennis van die betrokke verplasing, verandering of uitbreiding, na gelang van die geval, gegee het nie aan—

- (i) die betrokke raad, in die geval van die bepalings in paragraaf (a) vermeld;
- (ii) die betrokke uitreikingsowerheid, in die geval van die bepalings in paragraaf (b), (c) of (d) vermeld,

binne 14 dae vanaf die datum van sodanige verplasing, verandering of uitbreiding of binne die langer tydperk wat die betrokke raad of uitreikingsowerheid, na gelang van die geval, mag toelaat.

2. Die opskorting van die bepalings van—

- (a) artikel 16 (a) van die Lisensieordonnansie, 1981 (Kaap die Goeie Hoop);
- (b) artikel 28 van die Ordonnansie op Lisensies en Besigheidsure, 1973 (Natal);
- (c) artikel 30 van die Ordonnansie op Lisensies, 1972 (Oranje-Vrystaat);
- (d) artikel 27 van die Ordonnansie op Lisensies, 1974 (Transvaal),

vermeld in onderskeidelik Dele 1 (1) (o), 2 (1) (w), 3 (1) (aa) en 4 (1) (dd) van Bylae 1 by hierdie Proklamasie, verval in die geval van 'n bepaalde lisensie indien die nuwe eienaar van die besigheid waarop die lisensie betrekking het nie skriftelike kennis van 'n verandering van die eiendomsreg van die besigheid gegee het nie aan—

- (i) die betrokke raad, in die geval van die bepalings in paragraaf (a) vermeld;
- (ii) die betrokke uitreikingsowerheid, in die geval van die bepalings in paragraaf (b), (c) of (d) vermeld,

binne 14 dae vanaf die datum van sodanige verandering of binne die langer tydperk wat die betrokke raad of uitreikingsowerheid, na gelang van die geval, mag toelaat.

- (b) sections 6 (1) (b) and 6 (2) (b);
- (c) section 8, and any by-law made thereunder;
- (d) section 9 (2), in so far as it relates to the normal trading times as restricted in terms of section 8.

SCHEDULE 2

REGULATIONS RELATING TO CONDITIONS OF SUSPENSION

1. The suspension of the provisions of—

- (a) section 3 (3) of the Licences Ordinance, 1981 (Ordinance No. 17 of 1981) (Cape of Good Hope);
- (b) sections 26 and 27 of the Licences and Business Hours Ordinance, 1973 (Ordinance No. 11 of 1973) (Natal);
- (c) sections 28 and 29 of the Licences Ordinance, 1972 (Ordinance No. 8 of 1972) (Orange Free State);
- (d) sections 25 and 26 of the Licences Ordinance, 1974 (Ordinance No. 19 of 1974) (Transvaal),

mentioned in Parts 1 (1) (a), 2 (1) (v), 3 (1) (z) and 4 (1) (cc) respectively, of Schedule 1 to this Proclamation, shall, in the case of a particular licence holder, lapse if the licence holder concerned has not given written notice of the removal, alteration or extension concerned, as the case may be, to—

- (i) the council concerned, in the case of the provisions mentioned in paragraph (a);
- (ii) the issuing authority concerned, in the case of the provisions mentioned in paragraph (b), (c) or (d),

within 14 days from the date of such removal, alteration or extension or within such longer period as the council or issuing authority concerned, as the case may be, may allow.

2. The suspension of the provisions of—

- (a) section 16 (a) of the Licences Ordinance, 1981 (Cape of Good Hope);
- (b) section 28 of the Licences and Business Hours Ordinance, 1973 (Natal);
- (c) section 30 of the Licences Ordinance, 1972 (Orange Free State);
- (d) section 27 of the Licences Ordinance, 1974 (Transvaal),

mentioned in Parts 1 (1) (o), 2 (1) (w), 3 (1) (aa) and 4 (1) (dd), respectively, of Schedule 1 to this Proclamation, shall, in the case of any particular licence, lapse if any new owner of the business to which the licence relates, has not given written notice of a change of the ownership of the business concerned to—

- (i) the council concerned, in the case of the provisions mentioned in paragraph (a);
- (ii) the issuing authority concerned, in the case of the provisions mentioned in paragraph (b), (c) or (d),

within 14 days from the date of such change or within such longer period as the council or issuing authority concerned, as the case may be, may allow.

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