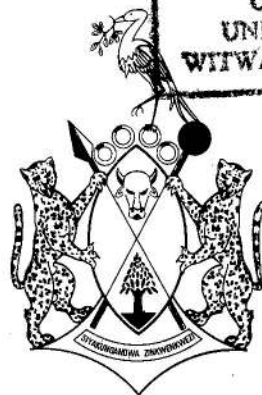


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DEPARTMENT OF THE COUNCIL OF STATE

GOVERNMENT NOTICE No. 103 OF 1990

IT IS HEREBY NOTIFIED THAT THE CHAIRMAN OF THE COUNCIL
OF STATE HAS ASSENTED TO THE FOLLOWING DECREE WHICH
IS HEREBY PUBLISHED FOR GENERAL INFORMATION:-

TOWNSHIP AMENDMENT DECREE, 1990

DECREE No. 44 OF 1990

DEPARTMENT OF THE COUNCIL OF STATE

TOWNSHIPS AMENDMENT DECREE, 1990

DECREE

To amend Proclamation R.293 of 1962 and to repeal the Townships Amendment Act, 1982, the Townships Amendment Act, 1984 and the Townships Amendment Act, 1987.

(English text signed by the Chairman of the Council of State. Assented to on 12 December 1990.)

BE IT DECREED by the Council of State of the Republic of Ciskei, as follows:-

1. Interpretation. - In this Decree, unless the context indicates otherwise —

(a) **"the Proclamation"** means Proclamation R.293 of 1962, as amended by Proclamation R.211 of 1969, R.161 of 1970, R.222 of 1971, R.150 of 1976, R.34 of 1977, R.178 of 1978, R.200 of 1978 and R.197 of 1979, by section 17 of Act 102 of 1978 and by section 5 of Act 29 of 1983; and

(b) any reference to a **"Chapter"** or a **"Schedule"** shall be construed as a reference to the specified Chapter or Schedule of the Proclamation.

2. Substitution of regulation 1 of Chapter 1. - The following regulation is hereby substituted for regulation 1 of Chapter 1:

"1. Definitions. - In these regulations unless the context indicates otherwise —

'acquire' in relation to land, means to acquire land by purchase, exchange or donation or to hire land, and

'acquisition' has a corresponding meaning;

'authorised employee' means any employee of the State or a council acting within the scope of his authority;

'certificate' means a certificate of occupation issued or deemed to have been issued in terms of regulation 8(1) of Chapter 2 in respect of a site for residential purposes;

'Chapter' means a chapter of these regulations;

'Ciskei' means the Republic of Ciskei;

'Ciskeian' means any person who is a citizen of Ciskei and, in relation to the acquisition of a site under these regulations, includes any other person (natural or juristic) who in terms of regulation 6 of Chapter 2 may lawfully acquire a site;

'commonage' means land in a township which has not been demarcated and beaconed as a site or set aside as a public place which is not a street, road or other public thoroughfare;

'corporation' means a corporation as defined in section 1 of the Ciskeian Corporations Act, 1981 (Act 16 of 1981);

'council' means a township council established or deemed to have been established in terms of regulation 1 Chapter 8;

'deed of grant' means a deed of grant issued or deemed to have been issued under these regulations in respect of an ownership unit;

'development corporation' means the Ciskei People's Development Bank Limited;

'Director-General' means the Director-General: Department of Internal Affairs and Land Tenure;

'dwelling' means and includes any house, room, shed, hut, tent, caravan, mobile home or other place or structure whatsoever in which any person dwells or sleeps or is able to dwell or sleep;

'engineer' means any engineer in the service of the State or a council and includes any person acting in his stead;

'family' in relation to any particular person, means and includes —

(a) the spouse (including a partner in a customary marriage) and any unmarried child of such person;

(b) any widowed daughter of such person and her unmarried children (if any) residing with her;

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- (c) any parent or grandparent of such person or the spouse of such person, who is ordinarily dependent upon such person; and
- (d) any other person who in the opinion of the manager is a *bona fide* dependant of such first-mentioned person;

'food' means and includes animal products, fish, fruit, vegetables, condiments, confectionery, beverages and any other article or thing (excluding medicines and water but including ice) in whatever form, state or stage of preparation, which is intended or ordinarily used for human consumption;

'grantee' means any person to whom a deed of grant has been issued in respect of a site in a township or who is otherwise the registered holder of such a deed of grant;

'head of family' means any person entitled to reside in a township who, under common law or customary law, is the head of a family and includes any female who has a family dependent upon her or who is the principal breadwinner of a family;

'holder' other than a registered holder means a person to whom a certificate has been issued in terms of these regulations;

'interest' in relation to land, means any interest in land, including any right under a lease, mortgage or servitude or other charge over land;

'lease' means the lease of a letting unit;

'letting unit' means a site in a township which has been demarcated or set aside for residential purposes and on which there is situated a building or buildings belonging to the State and intended solely for letting;

'livestock' includes cattle, horses, asses, mules, sheep, goats and pigs;

'magistrate' means the magistrate of the district in which the township concerned is situated and includes an additional magistrate and an assistant magistrate of that district;

'marriage' includes a customary marriage;

'medical officer' means any medical practitioner performing in or in relation to a township the duties of a medical officer of health;

'Minister' means the Councillor of State for Internal Affairs and Land Tenure;

'mortgage bond' means a mortgage bond specially hypothecating an ownership unit under these regulations;

'occupier' means any person other than a visitor, permitted under these regulations to reside in a township;

'officer in charge of a deeds registry' means the Registrar of Deeds;

'ownership unit' means a site in a township held under a deed of grant;

'police' means the Ciskeian Police;

'poultry' includes fowls, ducks, geese, turkeys and pigeons;

'proper authority' means the proper authority contemplated in regulation 7(2) of Chapter 2;

'Registrar of Deeds' means the registrar of deeds appointed under section 2 of the Deeds Registries Act, 1937 (Act 47 of 1937);

'returning officer' means the town clerk of the township concerned or any other officer of the State appointed as returning officer by the Minister;

'site' means any piece of land which has been demarcated or set aside for residential, business, church, mission or other lawful purposes, or the occupation of which for any of the said purposes is permitted, in terms of these regulations;

'structure' means any dwelling or other building or construction attached to the soil, whether permanently or temporarily;

'superintendent' means a superintendent contemplated in regulation 1(1)(b) of Chapter 2;

'town clerk' means a town clerk contemplated in regulation 1(1)(a) of Chapter 2;

'township' means a township established or deemed to have been established in terms of these regulations in terms of section 22 of the Land Use Regulation Act, 1987 (Act 15 of 1987) and includes any extension of any such township;

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'trade' includes any business, industry or occupation and 'trading' shall be construed accordingly;

'Treasury' means the Councillor of State for Finance and Economic Development or any officer of his department acting under his authority;

3. Substitution of regulation 3 of Chapter 1. - The following regulation is hereby substituted for regulation 3 of Chapter 1:

"3. Application of certain laws. - (1) The provisions of these regulations shall be in addition to and not in substitution for any other law in force in a township: Provided that, in the event of a conflict between these regulations and any other law in regard to any matter specially provided for herein, the provisions of these regulations shall prevail.

(2) Notwithstanding anything to the contrary in any other law contained —

(a) the Deeds Registries Act, 1937 shall not apply to the registration of any deed or registrable transmission affecting any land in a township except to the extent to which such application may be necessary for the purposes of the Sectional Titles Act, 1971 (Act 66 of 1971); and

(b) the provisions of the Land Survey Act, 1988 (Act 22 of 1988) shall apply in respect of the survey of land granted under these regulations only to the extent to which it is practicable to apply those provisions."

4. Amendment of regulation 4 of Chapter 1. - Regulation 4 of Chapter 1 is hereby amended —

(a) by the substitution for paragraph (a) of subregulation (1) of the following paragraph:

"(a) for the purposes of this proclamation establish a township on State land set aside for the purpose in terms of section 68 of the Republic of Ciskei Constitution Act, 1981 (Act 20 of 1981);";

(b) by the deletion of subregulation (2) and (3); and

(c) by the addition thereto of the following subregulation:

"(5) The boundaries of any township for which there is a general plan shall be the boundaries shown on such plan."

5. Repeal of regulations 5, 6, and 10 of Chapter 1. - Regulations 5, 6, and 10 of Chapter 1 are hereby repealed.

6. Substitution of regulation 7 of Chapter 1. - The following regulation is hereby substituted for regulation 7 of Chapter 1:

"7. Delegation of Powers of Minister. - The Minister may delegate to the Director-General or any other officer in the Department of Internal Affairs and Land Tenure any of the functions or powers conferred upon him by these regulations."

7. Substitution of regulations 1 of Chapter 2. - The following regulation is hereby substituted for regulation 1 of Chapter 2:

"1. Appointment of officers. - (1) Subject otherwise to the laws governing the public service, the Minister may appoint —

(a) for a township or part of any township, an officer to be known as a town clerk who shall exercise the powers and perform the duties conferred or imposed on a town clerk by these regulations;

(b) one or more officers to be known as superintendents who, subject to the direction and control of the town clerk concerned, shall administer any specified part of a township in accordance with the regulations;

(c) such other officers, including inspectors, as may be necessary for the due administration, management and control of a township or any specified part thereof.

(2) A town clerk may at anytime exercise any other powers of a superintendent and may review and alter or set aside any decision of a superintendent under these regulations.

(3) If circumstances so require the Director-General may at any time authorise a superintendent to act as town clerk of a township or any specified part of a township.

(4) Every officer appointed under subsection (1) shall, within the township in respect of which he has been appointed, be a peace officer for the purposes of the Criminal Procedure Act, 1977 (Act 51 of 1977)."

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8. Repeal of regulation 2 of Chapter 2. - Regulation 2 of Chapter 2 is hereby repealed.

9. Amendment of regulation 3 of Chapter 2. - Regulation 3 of Chapter 2 is hereby amended by the substitution for the words "Commissioner" and "Secretary" of the words "Director-General" and "Surveyor-General" respectively.

10. Amendment of regulation 4 of Chapter 2. - Regulation 4 of Chapter 2 is hereby amended —

(a) by the substitution in subregulation (2) for the word "Commissioner" of the word "Surveyor-General";

(b) by the substitution in the second proviso to subregulation (3) for the word "Trust", wherever it occurs, of the word "State"; and

(c) by the substitution for subregulation (4) of the following subregulation:

"(4) Any person convicted of an offence under regulation 50(1)(d) of this Chapter shall be liable to the penalties prescribed in section 29 of the Land Survey Act, 1988,"

11. Substitution of regulation 6 of Chapter 2. - The following regulation is hereby substituted for regulation 6 of Chapter 2:

"6. Lease or sale of site. - Subject to the provisions of these regulations and the laws regulating the alienation of State land, a site in the township may —

(a) if it is a letting unit for residential purposes —

(i) be leased to any person who is the head of a family; or

(ii) be sold to the head of the family by whom it is lawfully occupied or to any other member of such family lawfully residing on such site; or

(b) if it is not a letting unit for residential purposes but has otherwise been demarcated or set aside for residential purposes be leased or sold —

(i) to any natural person who is a Ciskeian; or

(ii) to the employer of any employee entitled to reside in the township (irrespective of whether such employer resides or carries on business inside or outside Ciskei) for the erection thereon of a dwelling for such employee; or

(iii) to any building society or banking institution registered or deemed to be registered in Ciskei or to any other body or person approved by the Chairman of the Council of State under the powers vested in him by section 68 of the Republic of Ciskei Constitution Act, 1981 (Act 20 of 1981), for the erection on such site of a dwelling to be sold or otherwise made available to a natural person who is a Ciskeian; or

(c) if it has been demarcated or set aside for professional purposes, be leased or sold to any person entitled to practice his profession in Ciskei; or

(d) if it has been demarcated or set aside for church or mission purposes, be leased or sold to any church or other religious body recognized by the Government; or

(e) if it has been demarcated or set aside for any purpose other than the abovementioned purposes and other than trading purposes, be leased or sold to any person or body entitled by law to pursue that purpose in Ciskei; or

(f) if it is a trading site, be sold —

(i) to any natural person who is a Ciskeian; or

(ii) to any partnership or other association of natural persons who are Ciskeians; or

(iii) to any company or other corporate body registered or deemed to be registered in Ciskei in which any natural person or persons who is or are Ciskeians or the development corporation has or have a controlling interest; or

(iv) to the development corporation or a corporation; or

(v) to any other body or person approved as contemplated in paragraph (b)(iii)."

12. Substitution of regulation 7 of Chapter 2. - The following regulation is hereby substituted for regulation 7 of Chapter 2:

"7. Application for site in township. - (1) Every application for a site in a township shall be made to the town clerk for submission —

(a) in the case of an application for a letting unit, to the proper authority for its recommendation thereon; and

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- (b) in the case of an application for an ownership unit, to the Director-General.
- (2) An application under subregulation (1) shall be substantially in the form prescribed —
 - (a) in respect of a letting unit, in Schedule A., and
 - (b) in respect of an ownership unit, in Schedule B.
- (3) The council shall be the proper authority for the purposes of subregulation (1)(a):
Provided that, in a township in which there is no council, the Director-General may for such purposes and if he deems fit, appoint one or more persons to be the proper authority.”.

13. Substitution of regulation 8 of Chapter 2. - The following regulation is hereby substituted for the regulation 8 of Chapter 2:

“8. **Letting units.** - (1) Any person, who is the head of a family and who wishes to lease a letting unit for occupation by such family, shall make application for such lease as provided in regulation 7 of this Chapter.

- (2) After due consideration of the application and on being satisfied —
 - (a) that a letting unit is available,
 - (b) that the letting unit will be occupied by such family, and
 - (c) that the applicant and the other members of his family may lawfully reside in the township,

the town clerk may grant the application and, if he does so, he shall allot the letting unit to the applicant and issue to him a certificate substantially in the form prescribed in schedule D.

(3) Any rent, fee or other charge payable in respect of a letting unit allotted under subregulation (2) shall be payable in advance on or before the seventh day of every month as from the date of issue of the aforesaid certificate or the date of first occupation, whichever is the earlier.”.

14. Amendment of regulation 9 of Chapter 2. - Regulation 9 of Chapter 2 is hereby amended —

- (a) by the substitution for subregulation (1) of the following subregulation:

“(1) Every application for the purchase of a residential site in a township shall be made to the town clerk in the manner prescribed in regulation 7 of this Chapter.”;
- (b) by the substitution for subregulation (2) of the following subregulation:

- “(2) On being satisfied —
 - (a) that the applicant may lawfully acquire the site,
 - (b) that arrangements have been made for the payment of the purchase price of the site and that a deed of sale acceptable to the Director-General or otherwise substantially in the form prescribed in Schedule E has been entered into,

the Director-General may issue to the applicant a deed of grant substantially in the form prescribed in Schedule F and in such deed impose such servitudes as he may deem fit.”;

- (c) by the substitution in subregulation (6) for the words “Secretary” and “manager” of the words “Director-General” and “town clerk”.

- (d) by the substitution for subregulation (7) of the following subregulation:

“(7) (a) A deed of sale shall not be cancelled under subregulation (6) otherwise than by order of the Minister and until the purchaser has been warned by the town clerk by notice in writing, served on him personally or sent by registered post to his last known address or displayed in a conspicuous place on the site in question, to appear before the magistrate on a date not earlier than 14 days after the date of such notice to show cause why the deed of sale should not be cancelled.

(b) On the appointed day the magistrate shall make due enquiry into the matter and, if the purchaser has not remedied his default, make an appropriate recommendation to the Minister.”;

- (e) by the substitution in subregulation (9) for the words “Trust or the township council” of the words “State or the Council”; and

- (f) by the substitution in the proviso to subregulation (9) for the word “Commissioner” of the word “Magistrate”.

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15. Amendment of regulation 10 of Chapter 2. - Regulation 10 of Chapter 2 is hereby amended by the substitution for the expression "50 cents" of the words "two rand".

16. Substitution of regulation 11 of Chapter 2. - The following regulation is hereby substituted for regulation 11 of Chapter 2:

"11. Subletting. - No person shall sublet a letting unit without the prior permission in writing of the town clerk."

17. Amendment of regulation 12 of Chapter 2. - Regulation 12 of Chapter 2 is hereby amended by the substitution for the word "Secretary" of the word "Director-General".

18. Amendment of regulation 13 of Chapter 2. - Regulation 13 of Chapter 2 is hereby amended —

(a) by the substitution for subregulation (1) of the following subregulation:

"(1) No certificate issued under this Chapter shall be transferred without the prior permission in writing of the town clerk."

(b) by the substitution for paragraph (a) of subregulation (2) of the following paragraph:

"(a) the transferee qualifies for a letting unit or an ownership unit, as the case may be, under the provisions of this Chapter;"

(c) by the substitution in the proviso to paragraph (b) of subregulation (2) for the word "Secretary" of the word "Director-General";

(d) by the substitution for subregulation (4) of the following subregulation:

"(4) For the purpose of the transfer of an ownership unit, the transferor, or if the transferor is a minor or otherwise under a legal disability his lawful guardian or representative, shall complete before a magistrate a declaration substantially in the form prescribed in Schedule H and lodge it, together with the fee prescribed in regulation 10 of Chapter 9, with the town clerk for transmission to the deeds registry."

19. Amendment of regulation 14 of Chapter 2. - Regulation 14 of Chapter 2 is hereby amended —

(a) by the substitution in subregulations (1), (2), (3), (4) and (6) for the word "Trust", wherever it occurs, of the word "State"; and

(b) by the deletion in subparagraph (ii) of subregulation (7) of the words "for domestic use only".

20. Amendment of regulation 15 of Chapter 2. - Regulation 15 of Chapter 2 is hereby amended —

(a) by the substitution for subregulation (1) of the following subregulation:

"(1) The town clerk shall —

(a) upon the death of a grantee, forthwith notify the magistrate of that fact and at the same time furnish particulars of the ownership unit which belonged to the deceased at the time of his death; or

(b) upon the death of a holder or the dissolution of marriage of a holder otherwise than by death, forthwith cancel the certificate issued to such holder but subject nevertheless to the provisions of subregulation (2).";

(c) by the substitution for that part of subregulation (2) preceding the proviso of the following:

"(2) In the circumstances contemplated in subregulation (1) —

(a) any certificate which has not been cancelled by the town clerk as prescribed in paragraph (b) of that subregulation, shall nevertheless be deemed to have been cancelled.

(b) the rights in an ownership unit held by a natural person shall devolve in accordance with the applicable law of succession;"

(c) by the substitution for subparagraph (i) of the proviso to subregulation (2) of the following subparagraph:

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"(i) the widow, heir or member of the family of the deceased holder or, where the marriage has been dissolved otherwise than by death, the spouse to whom the custody of the minor children of the marriage has been awarded or who, being a female, was the holder of the certificate in question at the time of marriage, shall have a preferential claim to the letting unit in question provided such claimant has the right to reside in the township:"

(d) by the deletion of subparagraph (ii) of the proviso to subregulation(2);

(e) by the deletion of subparagraph (iii) of the proviso to subregulation (2);

(f) by the substitution for subparagraph (2) of the following subparagraph:

"(vi) the widow, heir or member of the family who lawfully occupied a letting unit on the date of death of the holder of such unit, may, with the approval of the town clerk and subject to such conditions as he may determine, continue to occupy such unit until it is reallocated under these regulations."

(g) by the deletion of subregulation (3).

21. Amendment of regulation 16 of Chapter 2. - Regulation 16 of Chapter 2 is hereby amended by the substitution for the words "or any authorised employee" for the expression "any officer referred to in regulation 1(1)(c) or (d) of this Chapter and any other authorised employee".

22. Amendment of regulation 17 of Chapter 2. - Regulation 17 of Chapter 2 is hereby amended by the substitution for the word "manager" of the words "town clerk".

23. Repeal of regulations 18 and 19 of Chapter 2. - Regulations 18 and 19 of Chapter 2 are hereby repealed.

24. Amendment of regulation 20 of Chapter 2. - Regulation 20 of Chapter 2 is hereby amended —

(a) by the substitution for subregulation (1) of the following subregulation:

"(1) No person shall erect, alter or add to any structure in the township without a building permit from the town clerk authorising such work."

(b) by the substitution in subregulations (2) and (4) for the word "Trust", wherever it occurs and the word "Commissioner" of the word "State" and the word "magistrate" respectively;

(c) by the substitution in subregulations (3), (4), (5), (6), (8), (10), (11), (12), and (15) for the word "superintendent", wherever it occurs of the word "town clerk";

(d) by the substitution in subregulation (7) for the word "superintendent" of the word "town clerk";

(e) by the deletion of subregulation (9);

(f) by the substitution for subparagraph (ii) of subregulation (14) of the following subparagraph:

"(ii) if, after having been offered in writing a letting unit or an advance in terms of regulation 21 of this chapter for the erection of a suitable dwelling, such grantee fails within three months after such offer to occupy such letting unit or to obtain a building permit;" and

(g) by the substitution in subregulation (15) for the word "Trust" of the word "State".

25. Amendment of regulation 21 of Chapter 2. - Regulation 21 of Chapter 2 is hereby amended —

(a) by the substitution for subregulation (1) of the following subregulation:

"(1) The State may, out of moneys lawfully appropriated for the purpose and on such terms and conditions (including the rate of interest) as the Minister may determine in consultation with the Councillor of State for Finance and Economic Development, make advances to persons who are citizens of Ciskei for the purchase, improvement, development or fencing of any ownership unit for residential purposes or the redemption of any mortgage bond thereon."

(b) by the substitution in subregulation (2) for the word "Trust" of the word "State"; and

(c) by the addition thereto of the following subregulation:

"(4) Nothing in the foregoing subregulations contained shall be construed as prohibiting or preventing any person from obtaining a housing loan from any other person or body whatsoever and from securing the repayment of such loan by a mortgage bond especially hypothecating his ownership unit."

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26. Amendment of regulation 22 of Chapter 2. - Regulation 22 of Chapter 2 is hereby amended —

(a) by the substitution for the word "Secretary", wherever it occurs in subregulations (1), (4), (5) and (6) of the word "Director-General"; and

(b) by the substitution in subregulation (1) for the word "Trust", wherever it occurs, of the word "State".

27. Amendment of regulation 22A of Chapter 2. - Regulation 22A of Chapter 2 is hereby amended —

(a) by the substitution in subregulation (1) for the word "Secretary" of the word "Director-General";

(b) by the substitution in subregulation (1)(c) and (3) for the word "Black" of the word "person"; and

(c) by the substitution in subregulation (2) for the word "Trust" of the word "State".

28. Amendment of regulation 23 of Chapter 2. - Regulation 23 of Chapter 2 is hereby amended —

(a) by the substitution for subregulation (1) of the following subregulation:

"(1) Subject to the provisions of subregulation (3), a certificate may be cancelled —

(a) by the town clerk if the holder of such certificate —

(i) has failed to pay any sum for which he may be liable under any provision of this Chapter within one month after the date on which such sum became due and payable; or

(ii) has obtained such certificate by fraud or misrepresentation; or

(iii) has abandoned or failed to occupy the letting unit to which such certificate relates for longer than two months without first having obtained permission in writing from the town clerk so as to absent himself from such letting unit; or

(iv) has been convicted for the third or any subsequent time within a period of three years of a contravention of any provision of these regulations; or

(v) has become the occupier of other residential premises in the township or has become a lodger in the township; or

(vi) no longer has his family living with him on the letting unit in question; or

(b) by the magistrate, if the Minister has so ordered after due consideration of all the facts,

and on such cancellation the holder concerned shall without delay, surrender his certificate, and give quiet possession of the letting unit, to the town clerk: Provided that the cancellation of the certificate shall not affect the right of the State or of the council to recover any rent or other charges payable at the time of such cancellation: Provided further that, if the holder concerned has not, within a period of seven days after the date of cancellation of his certificate, vacated the letting unit in question, the magistrate may by warrant under his hand direct any person named in that warrant to enter, if necessary by force, upon and into such letting unit and to eject such holder and every other person on such premises and remove therefrom any property found thereon."

(b) by the substitution in subregulation (2) for the words "The Minister may" of the expression "Subject to the provisions of subregulation (3) the Minister may";

(c) by the substitution in that part of subregulation (2) preceding paragraph (a) for the word "Trust" of the word "State";

(d) by the deletion of paragraph (c) of subregulation (2);

(e) by the deletion of paragraph (e) of subregulation (2);

(f) by the substitution for subregulation (3) of the following subregulation:

"(3) Cancellation of a deed of grant in terms of subregulation (1) or (2) shall not take place until the holder of such deed shall have been warned by notice under the hand of the town clerk served on him personally or in his absence sent by registered post to his last known address or displayed in a conspicuous place on the site in question to appear before the magistrate on a date not less than fourteen days after the date of such notice to show cause why the deed of grant should not be cancelled. On the appointed day the magistrate shall make due enquiry into the matter and, if such holder has not remedied his default (if any), make an appropriate recommendation to the Minister."

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(g) by the substitution in subregulation (4) for the words "Chief Commissioner" and "Trust" of the words "Minister" and "State", respectively;

(h) by the substitution in subregulation (5) for the words "such improvements shall accrue to the Trust and no compensation shall be payable" of the words "such improvements shall be sold by public auction or public tender to the highest bidder who, in terms of these regulations, may acquire the site in question and the proceeds (after deduction of all expenses) paid to such ex-grantee.";

(i) by the substitution in subregulation (7) for the words "superintendent" and "Commissioner" of the words "town clerk" and "magistrate", respectively; and

(j) by the addition thereto of the following subregulation:

"(9) (a) No person shall, except under authority conveyed by a warrant issued or order made under these regulations or any other law, eject from any letting unit any person who is or was the holder of a certificate in respect of such letting unit.

(b) Any person who contravenes the provisions of paragraph (a) shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment."

29. Repeal of regulation 24 of Chapter 2. - Regulation 24 of Chapter 2 is hereby repealed.

30. Amendment of regulation 24A of Chapter 1. - Regulation 24A of Chapter 2 is hereby amended —

(a) by the substitution for the word "Trust", wherever it occurs in the regulation, of the words "State or the council";

(b) by the substitution in subregulation (6)(a) for the words "Black townships" of the word "township";

(c) by the substitution in subregulation (7)(a) for the words "Trust's mains" of the words "township mains";

(d) by the substitution in subregulation (8) for the word "Commissioner" wherever it occurs, of the word "town clerk";

(e) by the substitution in subregulation (8)(b) for the words "Black Township" of the words "township"; and

(f) by the deletion in subregulation (8)(b) of the expression "by notice published in terms of regulation 6 of Chapter 1 and regulation 49(3) of Chapter 2".

31. Substitution of regulation 25 of Chapter 2. - (1) No person shall in the township drive a vehicle (other than a bicycle) elsewhere than upon a public road or public street.

(2) (a) No person shall leave or abandon on any premises, or on any part of a public street or public thoroughfare adjoining such premises, any derelict, unroadworthy or unlicensed vehicle or any part of any vehicle.

(b) Any such vehicle or part of a vehicle so left or abandoned shall, for the purposes of regulation 4 of Chapter 4, be deemed to be a nuisance and, in the application of the provisions of the said regulation, any part of a public street or public thoroughfare adjoining any premises shall be deemed to be part of such premises."

32. Amendment of regulation 29 of Chapter 2. - Regulation 29 of Chapter 2 is hereby amended by the substitution for the word "manager", wherever it occurs, of the words "town clerk".

33. Amendment of regulation 30 of Chapter 2. - Regulation 30 of Chapter 2 is hereby amended by the substitution for the word "Trust", wherever it occurs, of the words "State or Council".

34. Repeal of regulation 31 of Chapter 2. - Regulation 31 of Chapter 2 is hereby repealed.

35. Amendment of regulation 32 and 33 of Chapter 2. - Regulations 32 and 33 of Chapter 2 are hereby amended by the substitution for the word "manager", wherever it occurs, of the words "town clerk".

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36. Amendment of regulation 34 of Chapter 2. - Regulation 34 of Chapter 2 is hereby amended by the substitution for the words "Trust" and "manager" of the words "council" and "town clerk".

37. Amendment of regulation 35 of Chapter 2. - Regulation 35 of Chapter 2 is hereby amended —

(a) by the substitution in subregulation (2) for the words "Trust" and "Secretary" of the words "council" and "Director-General", respectively; and

(b) by the substitution in subregulation (3) for the words "Trust" of the word "council".

38. Amendment of regulation 36 of Chapter 2. - Regulation 36 of Chapter 2 is hereby amended by the substitution for the word "manager" of the words "town clerk".

39. Amendment of regulation 39 of Chapter 2. - Regulation 39 of Chapter 2 is hereby amended —

(a) by the substitution for the word "superintendent", wherever it occurs in subregulations (1), (2), (3) and (8), of the word "town clerk";

(b) by the substitution in subregulation (8) for the expression "Animal Diseases and Parasites Act, 1956 (Act 13 of 1956)" of the expression "Animal Diseases Act, 1986 (Act 21 of 1986)";

(c) by the substitution for subregulation (9) of the following subregulation:

"(9) The Council may, after consultation with the State veterinarian, order the destruction and burial of any sick, diseased or injured animal abandoned by its owner. Any costs incurred by the council in such destruction and burial shall be a debt due by such owner to the council;" and

(d) by the substitution in subregulation (10) for the word "manager" of the word "council".

40. Repeal of regulation 40 of Chapter 2. - Regulation 40 of Chapter 2 is hereby repealed.

41. Amendment of regulation 41 of Chapter 2. - Regulation 41 of Chapter 2 is hereby amended by the substitution for the word "superintendent" of the words "town clerk".

42. Amendment of regulation 42 of Chapter 2. - Regulation 42 of Chapter 2 is hereby amended by the substitution in subregulation (1) for the word "Trust" of the words "State or the council".

43. Amendment of regulation 44 of Chapter 2. - Regulation 44 of chapter 2 is hereby amended by the substitution for the word "superintendent" of the words "town clerk".

44. Amendment of regulation 45 of Chapter 2. - Regulation 45 of Chapter 2 is hereby amended by the substitution in subregulation (2) for the expression "subsection (3) of section ten of the General Law Amendment Act, 1949 (Act 54 of 1949)" of the expression "section 1 of the Dangerous Weapons Act, 1968 (Act 17 of 1968)".

45. Amendment of regulation 46 of Chapter 2. - Regulation 46 of Chapter 2 is hereby amended —

(a) by the substitution in subregulation (1) for the words "Trust or township council" of the words "State or the council";

(b) by the substitution in subregulation (4) for the word "Trust" of the word "State";

(c) by the deletion in subregulation (4) of the word "township", wherever it occurs;

(d) by the substitution for subregulation (5) of the following subregulation:

"(5) The council may with the approval of the Minister remit in respect of any occupier the whole or any portion of any rental, fee or other charge payable by such occupier to the State or the council in terms of these regulations.";

(e) by the deletion of subregulations (6) and (7);

(f) by the substitution for subregulation (8) of the following subregulation:

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"(8) The provisions of section 8 of the Ciskeian Development Tax Act, 1978 (Act 6 of 1978) shall apply *mutatis mutandis* in respect of the recovery of any rental, fee, charge or other amount payable by any person under this regulation and which remains unpaid for a period of longer than seven days." and

(g) by the substitution in subregulation (9) for the words "the Black" of the words "his employee".

46. Repeal of regulation 47 of Chapter 2. - Regulation 47 of Chapter 2 is hereby repealed.

47. Repeal of regulation 48 of Chapter 2. - Regulation 48 of Chapter 2 is hereby repealed.

48. Amendment of regulation 49 of Chapter 2. - Regulation 49 is hereby amended —

(a) by the substitution for the heading thereof of the following heading:

"Regulation of certain matters";

(b) by the substitution in subregulation (1) for the word "Commissioner" of the word "council"; and

(c) by the substitution for subregulation (3) of the following subregulation:

"(3) No order, direction, notice or rule made, given or issued under subregulation (1) shall take effect until published on the notice board of the town clerk and at the office (if any) of every superintendent."

49. Amendment of regulation 50 of Chapter 2. - Regulation 50 of Chapter 2 is hereby amended —

(a) by the substitution for paragraph (a) of subregulation (1) of the following:

"(a) contravenes or fails to comply with the provisions of sub-regulation (2) of regulation 5, subregulation (1) of regulation 14, subregulation (1) of regulation 20, regulation 25, subregulation (1), (2) or (3) of regulation 26, regulation 27 or 28, subregulation (1) of regulation 29, regulations 30 or 31, subregulation (1) or (2) of regulation 32, regulations 33 or 34, subregulation (1) of regulation 35, regulations 36, 37 or 38, subregulation (1), (4), (5), (6) or (8) of regulation 39, regulation 41, subregulation (2) of regulation 42, subregulation (2) of regulation 43, all of this chapter;

(b) by the deletion of paragraph (b) of subregulation (1);

(c) by the substitution in paragraph (g) of subregulation (1) for the word "superintendent" of the words "town clerk";

(d) by the substitution in paragraph (h) of subregulation (1) for the word "superintendent" wherever it occurs, of the words "town clerk";

(e) by the deletion of paragraph (k) and (l) of subregulation (1); and

(f) by the substitution for subregulation (3) of the following subregulation:

"(3) Any fine recovered in respect of contravention of any provision of this Chapter shall accrue to the State."

50. Substitution of regulation 51 of Chapter 2. - The following regulation is hereby substituted for regulation 51 of Chapter 2:

"51. Allocation of site to development corporation. - Notwithstanding anything in this Chapter contained, the Minister may at his discretion authorise the allocation to the development corporation, for any purposes of the Ciskeian Corporations Act, 1981, of any number of letting units or ownership units."

51. Insertion of regulation 51A in Chapter 2. - The following regulation is hereby inserted in Chapter 2 after regulation 51:

"51A. Grant, transfer or hypothecation of sites other than residential or trading sites. - The provisions of regulations 4 and 20 of Chapter 3 shall apply *mutatis mutandis* in respect of the grant, transfer or hypothecation of any site alienated by the State for purposes other than residential or trading purposes. "

52. Repeal of regulation 2 of Chapter 3. - Regulation 2 of Chapter 3 is hereby repealed.

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53. Substitution of regulation 3 of Chapter 3. - The following regulation is hereby substituted for regulation 3 of Chapter 3:

"3. Trading sites to be advertised. - (1) Whenever any trading site in the township becomes available for alienation by the State the manager shall --

(a) by notice affixed to the notice board at his office and at the office of every superintendent and, if the Director-General so authorizes, by advertisement in a newspaper circulating in the district in which such site is situated, make known that such site is available for alienation and that application therefor may be lodged at the office of the manager within a period (not being less than one month) to be specified in such notice; and

(b) advise the development corporation of the fact.

(2) Nothing in subregulation (1) contained shall be so construed as to prohibit the alienation of any trading site without such advertisement as aforesaid."

54. Amendment of regulation 4 of Chapter 3. - Regulation 4 of Chapter 3 is hereby amended --

(a) by the substitution for subregulation (1) of the following subregulation:

"(1) An application for a trading site shall be made substantially in the form prescribed in part 2 of Schedule B.;"

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

"(2) (a) Upon being satisfied --

- (i) that the successful applicant may lawfully acquire a trading site in the township,
- (ii) that adequate arrangements have been made for the payment of the purchase price, and
- (iii) that a deed of sale in a form acceptable to him or otherwise substantially in the form prescribed in Schedule E has been entered into,

the Director-General may, if he has been duly authorized thereto, cause a deed of grant to be issued free of charge to such applicant substantially in the form prescribed in Schedule F, subject to the conditions specified in such grant and to any servitudes which he may deem necessary.

(b) For the purposes of paragraph (a) the Director-General shall cause to be lodged with the Registrar of Deeds --

- (i) the deed of grant (in duplicate), together with
- (ii) a certificate, signed by the Director-General or his authorized deputy, substantially in the form prescribed in Schedule U.

(c) The Director-General shall, after registration of the deed of grant by the Registrar of Deeds, cause such deed to be uplifted."

55. Repeal of regulations 5, 6 and 7 of Chapter 3. - Regulations 5, 6 and 7 of Chapter 3 are hereby repealed.

56. Substitution of regulation 8 of Chapter 3. - The following regulation is hereby substituted for regulation 8 of Chapter 3:

"8. Alteration of building. - No person shall make any structural alteration to any building on any trading site except with the prior permission in writing of the council."

57. Substitution of regulation 9 of Chapter 3. - The following regulation is hereby substituted for regulation 9 of Chapter 3:

"9. Erection of building on trading site. - (1) No person shall erect any building on any trading site except in accordance with plans and specifications approved by the council.

(2) (a) The council may cause any building or structure erected on a trading site otherwise than in accordance with the approved plans and specifications to be demolished or suitably altered and any expenditure incurred in such demolition or alteration may be recovered from the person concerned by warrant of execution issued under the hand of the magistrate.

(b) Such expenditure shall be deemed to include the costs of executing any such warrant.

(3) The occupier of a trading site shall keep the buildings thereon clean and in a good state of repair."

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58. Repeal of regulations 10 and 11 of Chapter 3. - Regulations 10 and 11 of Chapter 3 are hereby repealed.

59. Substitution of regulation 12 of Chapter 3. - The following regulation is hereby substituted for regulation 12 of Chapter 3:

"12. Enclosure of trading site. - The holder of a trading site shall, if the council so requires, enclose his trading site with a suitable fence or other enclosure but subject to any town planning scheme and to any requirement under the laws relating to the control of road traffic."

60. Substitution of regulation 13 of Chapter 3. - The following regulation is hereby substituted for regulation 13 of Chapter 3:

"13. Use of trading site. - No person shall, except with the prior permission in writing of the council, use any trading site for any purpose other than business."

61. Repeal of regulation 14 of Chapter 3. - Regulation 14 of Chapter 3 is hereby repealed.

62. Amendment of regulation 15 of Chapter 3. - Regulation 15 of Chapter 3 is hereby amended by the substitution for the word "manager" wherever it occurs, of the words "town clerk".

63. Repeal of regulations 16, 17, 18 and 19 of Chapter 3. - Regulations 16, 17, 18 and 19 of Chapter 3 are hereby repealed.

64. Substitution of regulation 20 of Chapter 3. - The following regulation is hereby substituted for regulation 20 of Chapter 3:

"20. Transfer of trading site. - (1) No trader shall dispose of his trading rights in the township to any person who does not qualify for a trading site under regulation 6(f) of Chapter 2.

(2) A deed of grant in respect of a trading site may be transferred only if —

(a) the transferor has paid all the fees and charges owing by him under these regulations;

(b) the transferor and transferee have made application for such transfer substantially in the form prescribed in Schedule O and have otherwise complied with the provisions of Chapter 9; and

(c) the prescribed fees have been paid.

(3) Transfer of a deed of grant shall be effected in the manner prescribed in Chapter 9.

(4) The provisions of subregulations (4), (5) and (6) of regulation 13 of Chapter 2 shall *mutatis mutandis* apply."

65. Amendment of regulation 21 of Chapter 3. - Regulation 21 of Chapter 3 is hereby amended —

(a) by the deletion of subregulation (1);

(b) by the substitution in that part of subregulation (2) preceding paragraph (1) for the word "Trust" of the word "State"; and

(c) by the deletion of paragraphs (c) and (d) of subregulation (2);

(d) by the substitution for subregulation (3) of the following subregulation:

"(3) Cancellation of a deed of grant in terms of subregulation (2) shall not take place until the holder of the deed shall have been warned by notice under the hand of the town clerk served on him personally or in his absence sent by registered post to his last known address or displayed in a conspicuous place on the site in question to appear before the magistrate on a date not less than fourteen days after the date of such notice to show cause why the deed of grant should not be cancelled. On the appointed day the magistrate shall make due enquiry into the matter and, if such holder has not remedied his default (if any), make an appropriate recommendation to the Minister."; and

(e) by the deletion of subregulation (5).

66. Repeal of regulations 22, 23 and 25 of Chapter 3. - Regulations 22, 23 and 25 of Chapter 3 are hereby repealed.

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67. Amendment of regulation 26 of Chapter 3. - Regulation 26 of Chapter 3 is hereby amended —

- (a) by the substitution for paragraph (a) of subregulation (1) of the following paragraph:
“(a) contravenes or fails to comply with the provisions of regulation 8, 9(3), 12, 13, 15(1), (2), (3), (4) or (5) of this Chapter;”
- (b) by the deletion of paragraphs (b), (c), (e), (f), (g), (j) or (k) of subregulation (1); and
- (c) by the substitution in subregulation (2) for the word “Trust” of the word “State”.

68. Repeal of regulation 27 of Chapter 3. - Regulation 27 of Chapter 3 is hereby repealed.

69. Amendment of regulation 3 of Chapter 4. - Regulation 3 of Chapter 4 is hereby amended by the substitution in sub-regulation (1) for the word “manager” of the words “town clerk” and in subregulation (2) for the word “Trust” of the word “Council”.

70. Substitution of regulation 4 of Chapter 4. - The following regulation is hereby substituted for regulation 4 of Chapter 4:

“4. Procedure for abatement of nuisance. - (1) Whenever a nuisance exists or has existed and is likely to recur on any premises, the medical officer, the town clerk, a superintendent or any other authorized employee may, by notice in writing served on or sent by certified post to the author of the nuisance or the owner or occupier of the premises on which the nuisance exists or has existed and is likely to recur, order that within a period specified in the notice (not being less than 14 days) he remove or abate the nuisance and do all such work (whether or not the nature of the work is specified in the notice) as may be necessary for the removal or abatement or the prevention of the recurrence of the nuisance: Provided that —

(a) where the nuisance arises from want or defect of a structural character or where the premises are unoccupied, the notice shall be served on the last known occupier;

(b) where the person causing the nuisance cannot be found and such nuisance does not exist by reason of the act, default or sufferance of the occupier or owner of the premises, the council may itself take such steps as may be necessary to abate or to remove the nuisance or to prevent the recurrence thereof.

(2) Where any person fails to comply with the terms of any notice under subregulation (1) any authorised employee may with his assistants enter upon the premises on which the nuisance exists or is likely to recur and carry out such work as may be necessary for the removal of abatement or the prevention of the recurrence of the nuisance, as the case may be, and the council shall thereafter recover from such forementioned person the cost of carrying out such work.”.

71. Amendment of regulation 13, 15 and 17 of Chapter 4. - Regulations 13, 15 and 17 of Chapter 4 are hereby amended by the substitution for the word “Trust” of the word “council”.

72. Amendment of regulation 8 of Chapter 4. - Regulation 8 of Chapter 4 is hereby amended by the substitution for the word “manager” of the words “town clerk”.

73. Amendment of regulation 18 of Chapter 4. - Regulation 18 of Chapter 4 is hereby amended —

(a) by the substitution in subregulation (2) for the word “Trust”, wherever it occurs, of the word “council”; and

(b) by the substitution in subregulation (4) for the words “Commissioner” and of the words “council” and “town clerk” respectively.

74. Amendment of regulation 22 of Chapter 4. - Regulation 22 of Chapter 4 is hereby amended by the substitution for the word “manager” of the words “town clerk”.

75. Amendment of regulation 23 of Chapter 4. - Regulation 23 of Chapter 4 is hereby amended by the substitution in subregulation (2) for the word “Trust” of the word “State”.

76. Repeal of regulation 1 of Chapter 5. - Regulation 1 of Chapter 5 is hereby repealed.

77. Amendment of regulation 2 of Chapter 5. - Regulation 2 of Chapter 5 is hereby amended by the substitution for the definition of “hall” of the following definition:

“hall” means any communal hall provided by lawful authority for the use of the residents of the township;”.

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78. Amendment of regulation 5 of Chapter 5. - Regulation 5 of Chapter 5 is hereby amended —

- (a) by the substitution in subregulation (1) for the word "Secretary" of the words "council with the concurrence of the Treasury";
- (b) by the deletion in subregulation (2) of the words "at the office of the superintendent";
- (c) by the substitution for subregulation (3) of the following subregulation:
"(3) Any person desiring to hire a hall shall deposit a sum fixed from time to time by the council, to indemnify the council against any breakage, loss or damage.";
- (d) by the substitution in subregulation (4) for the word "Trust" of the word "council"; and
- (e) by the substitution in subregulation (5) for the words "Chief Commissioner" of the word "Treasury".

79. Amendment of regulation 9 of Chapter 5. - Regulation 9 of Chapter 5 is hereby amended by the substitution for the word "Trust", wherever it occurs, of the words "the State, the council or other lawful authority".

80. Amendment of regulation 10 of Chapter 5. - Regulation 10 of Chapter 5 is hereby amended by the substitution for the word "Trust", wherever it occurs, of the words "State, council or other lawful authority".

81. Amendment of regulation 11 of Chapter 5. - Regulation 11 of Chapter 5 is hereby amended by the substitution for the word "manager" of the words "town clerk".

82. Amendment of regulation 12 of Chapter 5. - Regulation 12 of Chapter 5 is hereby amended by the substitution of the word "superintendent" of the word "council".

83. Amendment of regulation 13 of Chapter 5. - Regulation 13 of Chapter 5 is hereby amended by the substitution for the words "the superintendent or other official appointed by the Trust" of the words "a person authorised thereto by the council".

84. Amendment of regulation 14 of Chapter 5. - Regulation 14 of Chapter 5 is hereby amended by the substitution for the word "manager" wherever it occurs, of the words "town clerk".

85. Repeal of Chapter 6. - Chapter 6 is hereby repealed.

86. Amendment of regulation 1 of Chapter 7. - Regulation 1 of Chapter 7 is hereby amended in subregulation (1) by the substitution for the word "Commissioner" of the word "council" and the deletion of the word "Black".

87. Amendment of regulation 2 of Chapter 7. - Regulation 2 of Chapter 7 is hereby amended by the substitution in subsection (1) for the word "Secretary" after word "council".

88. Amendment of regulation 3 of Chapter 7. - Regulation 3 of Chapter 7 is hereby amended by the substitution for the words "Secretary" and "Commissioner" of the word "council" and "council", respectively.

89. Amendment of regulation 4 of Chapter 7. - Regulation 4 of Chapter 7 is hereby amended —

- (a) by the substitution in subregulation (1) for the word "Secretary" of the word "council";
- (b) by the substitution in subsection (2) for the word "Trust" of the word "council"; and
- (c) by the substitution for subregulation (3) of the following subregulation:
"(3) In deserving cases the council may remit the whole or any portion of the fees and charges payable in terms of this regulation. "

90. Amendment of regulation 5 of Chapter 7. - Regulation 5 of Chapter 7 is hereby amended —

- (a) by the substitution for the word "manager" wherever it occurs of the words "town clerk";

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(b) by the substitution for the proviso to subsection (2) of the following proviso:
"Provided that the council may at its discretion permit the interment in the cemetery of the body of any other person." and

(c) by the substitution in subregulation (5) for the word "Trust" of the word "council".

91. Amendment of regulation 6 of Chapter 7. - Regulation 6 of Chapter 7 is hereby amended by the substitution for the word "Secretary" of the words "town clerk".

92. Repeal of regulation 7 of Chapter 7. - Regulation 7 of Chapter 7 is hereby repealed.

93. Substitution for Chapter 8. - There shall be substituted for Chapter 8 the provisions of Chapter 5, 6, 7 and 8 of the Municipal Act, (Act No. 17 of 1987).

94. Repeal of regulations 1 and 2 of Chapter 9. - Regulations 1 and 2 of Chapter 9 are hereby repealed.

95. Amendment of regulation 3 of Chapter 9. - Regulation 3 of Chapter 9 is hereby amended —

(a) by the substitution for the word "Trust" of the words "the State, the council or other lawful authority".

(b) by the substitution in paragraphs (m) and (n) for the word "Secretary" of the words "Director-General: Department of Justice".

96. Amendment of regulation 4 of Chapter 9. - Regulation 4 of Chapter 9 is hereby amended by the substitution in subparagraph (ii) of paragraph (b) for the word "Secretary" of the word "Minister".

97. Amendment of regulation 5 of Chapter 9. - Regulation 5 of Chapter 9 is hereby amended by the substitution for the word "Secretary" of the words "Director-General: Department of Justice".

98. Amendment of regulation 6 of Chapter 9. - Regulation 6 of Chapter 9 is hereby amended by the substitution in paragraphs (a) and (b) of subregulation (1) for the word "Secretary" of the words "Director-General: Department of Justice".

99. Amendment of regulation 7 of Chapter 9. - Regulation 7 of Chapter 9 is hereby amended —

(a) by the substitution in that part of subregulation (1) preceding paragraph (a) for the word "Secretary" of the words "Director-General: Department of Justice";

(b) by the substitution for paragraph (a) of subregulation (1) of the following paragraph:

"(a) every deed of grant issued under these regulations;"

(c) by the substitution for paragraph (b) of subregulation (1) of the following paragraph:

"(b) every lawful transfer of a deed of grant;"

(d) by the substitution for paragraph (e) of subregulation (1) of the following paragraph:

"(e) by the substitution of land under these regulations;"

(e) by the substitution in paragraph (f) of subregulation (1) for the word "Secretary" of the word "Director-General";

(f) by the substitution in subregulation (2) for the word "Trust", wherever it occurs, and the word "Secretary" of the words "State" and "Director-General : Department of Justice", respectively.

100. Amendment of regulation 9 of Chapter 9. - Regulation 9 of Chapter 9 is hereby amended by the deletion in subregulation (1) of the words "with the approval of the Secretary"

101. Amendment of regulation 10 of Chapter 9. - Regulation 10 of Chapter 9 is hereby amended —

(a) by the substitution for the expression "Registration of Deeds Act, 1937 (Act 47 of 1937)" of the expression "Deeds Registries Act, 1937"; and

(b) by the substitution for the word "Trust" of the word "State".

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102. Amendment of regulation 11 of Chapter 9. - Regulation 11 of Chapter 9 is hereby amended by the deletion of the words "or Commissioner concerned".

103. Amendment of regulation 12 of Chapter 9. - Regulation 12 of Chapter 9 is hereby amended by the substitution in subregulation (1) for the word "Secretary" of the words "Director-General : Department of Justice".

104. Amendment of regulation 13 of Chapter 9. - Regulation 13 of Chapter 9 is hereby amended by the substitution in subregulation (5) for the word "Trust" of the word "State".

105. Repeal of Chapter 10. - Chapter 10 is hereby repealed.

106. Substitution of Schedule A. - The following Schedule is hereby substituted for Schedule A:

SCHEDULE A

APPLICATION FOR LETTING UNIT FOR RESIDENTIAL PURPOSES

Township District

The Town Clerk.....Township

I hereby apply for the allotment to me for residential purposes, subject to the provisions of Proclamation R.293 of 1962, of —

Letting Unit No.....Zone.....Township.....

Applicant.....
(Full names)

Identity No. Age.....Nationality

SexMarital Status(if married
state whether by Christian or civil rites or by custom and whether in or out of community of
property)

Other members of family who will occupy unit:

SpouseAge.....
(if applicable)

Children (five full names, ages and sex)

.....

.....

.....

.....

Employer's name and address (where applicable)

.....

.....

Facts in support of application.....

.....

Signature of applicant.....Place and date.....

.....

Decision of Town Clerk

Application approved/refused* on19.....

.....

TOWN CLERK

*Certificate of Occupation No.datedissued.

*Rent liability noted in register on.....

.....

Initials of responsible office

*Delete whichever is inapplicable.

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107. Substitution of Schedule B. - The following Schedule is hereby substituted for Schedule B:

SCHEDULE B

APPLICATION FOR DEED OF GRANT IN RESPECT OF OWNERSHIP UNIT

Township District

The Town Clerk Township

I apply in terms of regulation 7 of Chapter 2 of Proclamation R.293 of 1962 for a deed of grant in respect of:

Ownership Unit No. situate in Zone No.

in Township.

The unit is required by me for purposes.

Particulars of applicant:

Full names

Sex Age Marital Status

Identity No. Nationality

Purchase price: R Initial Deposit

Monthly instalment (if any) on balance

Further information in support of application

*If application is for business site state:

Name of business

Full names and nationality of partners (if any) or other persons having an interest in proposed business

*If application is for church or mission site, state:

Name of church/mission*

No. of adherents in township

Particulars of other church/mission sites in township already occupied by applicant church

N.B. Consent of head of church to application must accompany application

..... Date

APPLICANT

Address of Applicant

*Delete whichever is inapplicable."

108. Repeal of Schedule C. - Schedule C is hereby repealed.

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109. Substitution of Schedule D. - The following Schedule is hereby substituted for Schedule D:

SCHEDULE D

CERTIFICATE OF OCCUPATION OF LETTING UNIT FOR RESIDENTIAL PURPOSE

TownshipDistrict

Letting Unit No.....Zone.....

Permission is hereby granted to —

Name

Sex.....Age.....Identity No.to occupy for residential purposes —

Letting Unit No.on site No.in Zone

in.....township in the district of.....
subject to the regulations published under Proclamation R.293 of 1962.

The said letting unit consists of.....

The occupier shall pay monthly in advance as from.....for rent and services the
sum of.....or such other amount as may be fixed from time to time under the said
Proclamation.

Members of family permitted to reside on unit:

Spouse.....

Children (give full names, ages and sex)

.....
.....
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.....
.....
.....
.....

.....
SIGNATURE OF TOWN CLERK

.....
DATE

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110. Substitution of Schedule E. - The following Schedule is hereby substituted for Schedule E:

SCHEDULE E

DEED OF SALE

Memorandum of agreement entered into atbetween the Republic of Ciskei (hereinafter referred to as the State) and (hereinafter referred to as the purchaser)

Whereas the Purchaser has made application to purchase from the State —

Ownership Unit No.in Zonein the township of.....in the district of.....

And whereas the State will in the event of approval of the application by the Purchaser for a Deed of grant in respect of the said ownership unit, issue such deed of grant in favour of the Purchaser in terms of the regulations published under Proclamation No. R.293 of 1962, subject to the conditions prescribed in such Proclamation and subject to such servitudes as the State may deem fit:

Now, therefore, these present witness that the parties hereto have entered into the following Agreement, that is to say:

- (1) The State hereby agrees, should the said application by the Purchaser be approved, to sell to the Purchaser who agrees to purchase, the said ownership unit, for the sum ofrandcents (R.....)
- (2) The said purchase price shall be payable within a maximum period ofin equal monthly instalments ofrandcents (R.....) the first instalment being payable on or before the seventh day of the month succeeding that in which this Agreement is signed by the Purchaser and all instalments thereafter being payable on or before the seventh day of each succeeding month.
- (3) The purchaser further undertakes to pay, in addition to the instalments referred to in Clause (2), any other charges prescribed in the regulations governing the said township and at all times to comply with such regulations.
- (4) The purchaser shall have the right at any time to make payment in excess of the said monthly instalments in reduction of the purchase price and a rebate on the purchase price as a result of such excess payments shall be allowed and calculated at the end of the said redemption period. Such rebate shall vary in relation to the excess amounts so paid and the dates on which such payments were made.
- (5) All payments due in terms of this Agreement and the regulations shall be made to the Manager of the said township or to any other officer indicated by him.
- (6) Should the Deed of Grant issued to the Purchaser in respect of the said ownership unit be declared forfeited under any regulation governing the said township, this Agreement shall *ipso facto* lapse and the State shall, if such ownership unit was prior to the issue of the Deed of Grant a letting unit, have the right to retain any amount paid by the Purchaser in terms of this Agreement as though it were rental paid in respect of the said ownership unit.
- (7) The Purchaser agrees to the endorsement in terms of the said regulations of the said Deed of Grant, when issued, as a charge in favour of the State as security for the unpaid balance of the purchase price payable in respect of the said ownership unit.
- (8) The purchaser agrees to use the said ownership unit solely forpurposes.

Thus agreed and signed for and on behalf of the State aton the.....day of.....19.....in the presence of the subscribing witnesses.

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As witnesses:

(1)

(2) (Duly authorised by the Minister)

and at by the purchaser on the day of 19.....
in the presence of the subscribing witnesses.

As witnesses:

(1)

(2)

111. Substitution of Schedule F. - The following Schedule is hereby substituted for Schedule F:

SCHEDULE F

REPUBLIC OF CISKEI — DEED OF GRANT

WHEREAS it appears from certificate dated
that authority has been obtained for the issue of a Deed of Grant in favour of
.....*(born.....) in respect of
sitesituated inTownship in the
district of.....the property of
the Republic of Ciskei

NOW THEREFORE THESE PRESENT WITNESSES that, in terms of the provisions of Proclamation R.293 of 1962 and subject to the rights of the State, there is hereby granted, ceded and transferred by the Republic of Ciskei to the said.....
.....his heirs, executors or administrators:
Site.....situated inTownship in the
district of.....

SUBJECT TO the following conditions and reservations:

- (1) The site hereby granted shall be subject to all such rules and regulations governing the occupation of land as are either already or shall in future be in force in the township in which it is situated.
- (2) Except with the approval of the Head of state first obtained, the site hereby granted shall not—
 - (a) be used for any purpose other thanpurposes;
 - (b) be subdivided;
 - (c) be transferred, leased, sublet or otherwise disposed of to any person who is not entitled by law to acquire land in the Republic of Ciskei.
- (3) The State shall at all times have the right to make roads, railways, dams, aqueducts, drains and water furrows or to lay water mains or to conduct telegraph or telephone lines or power lines over the site hereby granted and to take material for these purposes on payment to the owner of such sum of money in compensation as may be agreed upon or failing agreement as may be determined by arbitration: Provided that the arbitrator may set off, against the loss or damage caused to the owner, the benefit, instant or prospective which shall or may derive in consequence of the construction of any of the said works.
- (4) The State shall at all times have the right to resume the whole or any portion of the land hereby granted if required for public purposes on payment to the owner of such sum of money in compensation as may be mutually agreed upon or failing such agreement as may be determined by arbitration.
- (5) All rights in gold, silver, precious stones and mineral oils found or discovered at any time on or in the land hereby granted shall be reserved to the State together with a right of ingress to and egress from any mines or works undertaken for mining or prospecting purposes by any person or persons but subject always to the provisions of any law for the time being regulating the prospecting and mining for precious stones, minerals and mineral oils.

TOWNSHIPS AMENDMENT DECREE, 1990

- (6) The land hereby granted is further subject to the following servitudes and reservations:

.....
.....
.....

- (7) Should the land hereby granted be sold in execution it shall not be acquired by any person who is not by law entitled to acquire land in the Republic of Ciskei.

THUS DONE AND SIGNED at.....
by the Director-General : Internal Affairs and Land Tenure on thisday
of 19.....duly authorised in terms of the aforesaid
Proclamation R.293 of 1962.

.....
Director-General of Internal Affairs
and Land Tenure

REGISTERED in the land register on.....

.....
Registrar of Deeds

*Insert date of birth and, in the case of a female, mention marital status."

112. Substitution of Schedule G. - The following Schedule is hereby substituted for Schedule G:

SCHEDULE G

**APPLICATION FOR TRANSFER OF OWNERSHIP UNIT/LETTING UNIT FOR
RESIDENTIAL PURPOSES***

TownshipDistrict
Ownership Unit/Letting Unit* No.....on site No.....
in Zone.....Township.....

I,.....
(full names)
holder of Deed of Grant/certificate of occupation* No.....in respect of the above-
mentioned unit, hereby apply for the transfer of the said unit to
Reason for transfer (State whether sale, donation etc.)

Certificate of occupation No.....is attached.

Place.....
Date.....
Signature of transferor

I,.....
(full names)
the proposed transferee, hereby make application for the aforesaid transfer.

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Particulars of transferee:

Sex.....Age.....NationalityIdentity

Particulars of family to occupy letting unit*

SpouseAge.....

Children (five full names, ages and sex)

.....

.....

.....

Any further particulars in support of application

.....

.....

.....

Place.....

Signature of transferee

Date.....

For completion by Town Clerk:

Application is approved/refused*/recommended/not recommended*

Other comments.....

.....

Date:.....

Signature of Town Clerk

*Certificate of Occupation No.cancelled and certificate No.issued.

Rent liability recorded.

.....
Initials of accountant

*Delete whatever is inapplicable".

113. Substitution of Schedule H. - The following Schedule is hereby substituted for Schedule H:

SCHEDULE H

DECLARATION BY TRANSFEROR OF OWNERSHIP UNIT

TownshipDistrict

Ownership Unit No.....

I,

hereby transfer to.....

all my right, title and interest in and to the land held by me under deed of grant No.....

TOWNSHIPS AMENDMENT DECREE, 1990

In witness whereof I have hereto subscribed my name at
on this.....day of 19.....

.....
Signature of transferor

Witnesses:

1.
2.

Before me

.....
Magistrate or Conveyancer

Address:.....
....."

114. Repeal of Schedule I. - Schedule I is hereby repealed.

115. Repeal of Schedule L, M, N and O. - Schedules L, M, N and O are hereby repealed.

116. Amendment of Schedules P, Q and R. - Schedules P, Q and R are hereby amended by the substitution for the word "Commissioner", wherever it occurs, of the words "Magistrate or Conveyancer".

117. Repeal of Schedule T. - Schedule T is hereby amended by the substitution for the word "Commissioner" of the words "Returning Officer".

118. Insertion of Schedule U. - The following Schedule is hereby inserted in the Proclamation after Schedule T:

SCHEDULE U

CERTIFICATE

I,.....in my capacity
as Director-General of Internal Affairs and Land Tenure, hereby certify that on
19.....the Councillor for Internal Affairs and Land Tenure (duly authorised thereto by the Head
of State of the Republic of Ciskei) approved of the grant in terms of regulation.....
of Chapter.....of Proclamation R.293 of 1962 to.....
.....
of.....in.....Township in the
District offor
purposes, subject to the conditions set out in Schedule F of the said proclamation and subject
further to the following servitudes and reservations

Place.....

Date....."

.....
Director-General : Internal Affairs and
Land Tenure

119. Repeal of Acts 16 of 1982, 39 of 1984, and 16 of 1987. - The Townships Amendment Act, 1982, the Townships Amendment Act, 1984 and the Townships Amendment Act, 1987 are hereby repealed.

120. Short title. - This Decree shall be called the Townships Amendment Decree, 1990.

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