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REPUBLIEK VAN SUID-AFRIKA

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STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 1143.

22 May 1991

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

No. 59 of 1991: Provincial Matters Amendment Act, 1991.

No. 1143.

22 Mei 1991

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

No. 59 van 1991: Wysigingswet op Provinsiale Aangeleenthede, 1991.

Wet No. 59, 1991

WYSIGINGSWET OP PROVINSIALE AANGELEENTHEDE, 1991

ALGEMENE VERDUIDELIKENDE NOTA:

Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordeninge aan.

WET

Tot wysiging van die Wet op Finansiële Verhoudings, 1976, ten einde die uitvoerende komitee van 'n provinsie te magtig om geboue vir sekere doeleindes te voorsien en sekere provinsiale bevoegdhede uit te brei; tot wysiging van die Wet op Provinsiale Regering, 1986, ten einde die verrigting van provinsiale werksaamhede buite 'n provinsie verder te reël; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 14 Mei 1991.)

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

Invoeging van artikel 19 in Wet 65 van 1976

1. Die volgende artikel word hierby in die Wet op Finansiële Verhoudings, 1976, na artikel 15A ingevoeg:

“Uitvoerende komitee van provinsie kan geboue verskaf vir bevordering van uitvoerende kunste

19. Die uitvoerende komitee van 'n provinsie kan uit fondse wat die Parlement vir dié doel beskikbaar gestel het—

(a) geboue vir die bevordering van opera, musiek, toneel of ballet oprig of verkry en in stand hou en ombou; of

(b) geboue in paragraaf (a) beoog na oorlegpleging met die betrokke plaaslike owerheid soos omskryf in artikel 1 van die Wet op die Bevordering van Plaaslike Owerheidsaangeleenthede, 1983 (Wet No. 91 van 1983), maar met uitsluiting van 'n plaaslike raad vermeld in paragraaf (e) van bedoelde omskrywing, beplan, oprig of verkry en in stand hou en ombou,

en kan die geboue in paragrafe (a) en (b) bedoel, verhuur of toelaat dat dit gebruik word, onderworpe aan die voorwaardes wat die uitvoerende komitee bepaal.”.

Wysiging van Bylae 2 by Wet 65 van 1976, soos gewysig deur artikel 1 van Wet 55 van 1978, artikel 1 van Wet 34 van 1980, artikel 3 van Wet 102 van 1981, artikel 2 van Wet 34 van 1982 en artikel 1 van Wet 3 van 1985

2. Bylae 2 by die Wet op Finansiële Verhoudings, 1976, word hierby gewysig deur paragraaf 12 deur die volgende paragraaf te vervang:

“12. Die beperking en reëling van en beheer oor perdewedrenne, die beheer oor die perdewedrenbedryf en die renperdetelersbedryf, die verbod, beperking en reëling van en beheer oor ander wedrenne, die beperking en reëling van en beheer oor weddenskappe (hetsy met betrekking tot omstandighede, plek of persele), die verbod en die reëling van en die beheer oor die verspreiding van inligting betreffende weddenskappe binne die provinsie, en die lisensiëring van

GENERAL EXPLANATORY NOTE:

Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Financial Relations Act, 1976, so as to authorize the executive committee of a province to provide buildings for certain purposes and to extend certain provincial powers; to amend the Provincial Government Act, 1986, so as to further regulate the performance of provincial functions outside a province; and to provide for matters connected therewith.

(English text signed by the State President.)

(Assented to 14 May 1991.)

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

Insertion of section 19 in Act 65 of 1976

1. The following section is hereby inserted in the Financial Relations Act, 1976, after section 15A:

“Executive committee of province may provide buildings for advancement of performing arts

19. The executive committee of a province may, out of funds appropriated by Parliament for the purpose—

- (a) erect or acquire and maintain and reconstruct buildings for the advancement of opera, music, the stage or ballet; or
- (b) plan, erect or acquire and maintain and reconstruct buildings contemplated in paragraph (a) after consultation with the local authority concerned as defined in section 1 of the Promotion of Local Government Affairs Act, 1983 (Act No. 91 of 1983), but excluding a local council mentioned in paragraph (e) of such definition,

and may let the buildings referred to in paragraphs (a) and (b) or permit them to be used subject to the conditions which the executive committee may determine.”.

Amendment of Schedule 2 to Act 65 of 1976, as amended by section 1 of Act 55 of 1978, section 1 of Act 34 of 1980, section 3 of Act 102 of 1981, section 2 of Act 34 of 1982 and section 1 of Act 3 of 1985

2. Schedule 2 to the Financial Relations Act, 1976, is hereby amended by the substitution for paragraph 12 of the following paragraph:

“12. The restriction, regulation and control of horse racing, the control of the horse racing industry and the racehorse breeding industry, the prohibition, restriction, regulation and control of other racing and the restriction, regulation and control of betting and wagering (whether as to circumstances, locality or premises), the prevention, control and regulation of the dissemination of

Wet No. 59, 1991

WYSIGINGSWET OP PROVINSIALE AANGELEENTHEDE, 1991

die instrument, masjien of toestel wat algemeen bekend is as 'n totalisator en die oplegging van 'n belasting aan die lisensiehouer ten opsigte van die ontvangste daarvan.”.

Wysiging van artikel 18 van Wet 69 van 1986

3. Artikel 18 van die Wet op Provinsiale Regering, 1986, word hierby gewysig deur die volgende subartikel by te voeg, terwyl die bestaande artikel subartikel (1) word:

“(2) Enige liggaam wat in 'n provinsie by wet ingestel is, of enigiemand wat deur die administrateur van die provinsie aangewys is, en wat in daardie provinsie enige werksaamheid ten opsigte van perdewedrenne of die perdewedrenbedryf kan verrig, kan met die toestemming van daardie administrateur wat met die goedkeuring van die Staatspresident verleen is, in 'n ander provinsie so 'n werksaamheid verrig ingevolge 'n ooreenkoms of reëling tussen die administrateur van eersgenoemde provinsie en die administrateur van genoemde ander provinsie, en vir die doel van die verrigting van sodanige werksaamheid word genoemde ander provinsie geag deel van eersgenoemde provinsie uit te maak.”.

Wysiging van Bylae by Wet 69 van 1986

4. Die Bylae by die Wet op Provinsiale Regering, 1986, word hierby gewysig deur in DEEL 2 die woorde wat in die derde kolom teenoor “Wet op Finansiële Verhoudings, 1976” voorkom, deur die volgende woorde te vervang:

“Die geheel, behalwe artikels 6 tot 8, 11 tot 13, 15A, 19, 20A, 24A, 26 tot 29 en 31 en Bylaes 1 en 2”.

Kort titel en inwerkingtreding

5. (1) Hierdie Wet heet die Wysigingswet op Provinsiale Aangeleenthede, 1991.
- (2) Artikel 2 word geag op 1 Januarie 1982 in werking te getree het.
- (3) Artikels 1 en 4 word geag op 1 April 1987 in werking te getree het.

PROVINCIAL MATTERS AMENDMENT ACT, 1991

Act No. 59, 1991

information as to betting within the province and the licensing of any instrument, machine or contrivance commonly known as a totalisator and the imposition of a duty in respect of the takings thereof, upon the licensees.”.

Amendment of section 18 of Act 69 of 1986

- 5 **3.** Section 18 of the Provincial Government Act, 1986, is hereby amended by the addition of the following subsection, the existing section becoming subsection (1):

10 “(2) Any body established by law in a province, or any person designated by the administrator of the province, that may perform any function in respect of horse races or the horse racing industry in that province, may, with the consent
15 of that administrator, granted with the approval of the State President, perform any such function in any other province in terms of an agreement or arrangement between the administrator of the former province and the administrator of the said other province, and for the purpose of the performance of such function the said other province shall be deemed to constitute part of the former
 province.”.

Amendment of Schedule to Act 69 of 1986

- 4.** The Schedule to the Provincial Government Act, 1986, is hereby amended by the substitution in PART 2 for the words occurring in the third column opposite “Financial Relations Act, 1976” of the following words:
20 “The whole, except sections 6 to 8, 11 to 13, 15A, 19, 20A, 24A, 26 to 29 and 31 and Schedules 1 and 2”.

Short title and commencement

- 5.** (1) This Act shall be called the Provincial Matters Amendment Act, 1991.
 (2) Section 2 shall be deemed to have come into operation on 1 January 1982.
25 (3) Sections 1 and 4 shall be deemed to have come into operation on 1 April 1987.

information as to betting within the province and the licensing of any instrument, machine or contrivance commonly known as a totalisator and the imposition of a duty in respect of the takings thereof upon the licensee."

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- (2) Any body established by law in a province, or any person designated by the administrator of the province, that may perform any function in respect of horse races or the horse racing industry in that province, may, with the consent of that administrator, granted with the approval of the State President, perform any such function in any other province in terms of an agreement or arrangement between the administrator of the former province and the administrator of the said other province, and for the purpose of the performance of such function the said other province shall be deemed to constitute part of the former province.

Amendment of Schedule to Act 69 of 1986

4. The Schedule to the Provincial Government Act, 1986, is hereby amended by the substitution in PART 2 for the words occurring in the third column opposite "Financial Relations Act, 1976" of the following words:
- "The whole, except sections 6 to 8, 11, 12, 13, 15A, 19, 20A, 24A, 26 to 29 and 31 and Schedules 1 and 2"

Short title and commencement

5. (1) This Act shall be called the Provincial Matters Amendment Act, 1991.
 (2) Section 2 shall be deemed to have come into operation on 1 January 1987.
 (3) Sections 1 and 4 shall be deemed to have come into operation on 1 April 1987.