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OFFICE OF THE PRESIDENT

No. 1543.

6 October 1995

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

No. 82 of 1995: Transport Second General Amendment Act, 1995.

KANTOOR VAN DIE PRESIDENT

No. 1543.

6 Oktober 1995

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

No. 82 van 1995: Tweede Algemene Wysigingswet op Vervoer, 1995.

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

 Words underlined with a solid line indicate insertions in existing enactments.

ACT

To amend the Railway Construction Act, 1985, and the Second Railway Construction Act, 1985, so as to provide for the payment of further moneys for certain expenses incurred; to amend the Maritime Zones Act, 1994, so as to substitute a definition; to empower the Minister to amend Schedule 2 by notice in the *Gazette*; and to amend the powers of the Minister to make regulations; and to validate certain registering authorities; and to provide for matters connected therewith.

(Afrikaans text signed by the President.)
(Assented to 28 September 1995.)

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

Amendment of section 1 of Act 75 of 1985

1. Section 1 of the Railway Construction Act, 1985, is hereby amended by the insertion after subsection (2) of the following subsection:

“(2A) Notwithstanding the provisions of subsection (1), a further amount of R27 000 may be paid for expenses incurred up to and including 31 March 1990 relating to the acquisition of rolling stock, and the construction and equipping of all sidings, stations, buildings and other appurtenances necessary for or incidental to the proper working of the line of railway contemplated in that subsection.”.

Amendment of section 1 of Act 94 of 1985

2. Section 1 of the Second Railway Construction Act, 1985, is hereby amended by the insertion after subsection (2) of the following subsection:

“(2A) Notwithstanding the provisions of subsection (1), a further amount of R13 million may be paid for expenses incurred up to and including 31 March 1990 relating to the acquisition of rolling stock, and the construction and equipping of all sidings, stations, buildings and other appurtenances necessary for or incidental to the proper working of the line of railway contemplated in that subsection.”.

Amendment of section 1 of Act 15 of 1994

3. Section 1 of the Maritime Zones Act, 1994, is hereby amended by the

ALGEMENE VERDUIDELIKENDE NÔTE:

[] Woorde in vet druk tussen vierkantige hake dui skappings uit bestaande verordenings aan.

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

WET

Tot wysiging van die Spoorwegaanlegwet, 1985, en die Tweede Spoorwegaanlegwet, 1985, ten einde voorsiening te maak vir die betaling van verdere gelde vir sekere onkoste aangegaan; tot wysiging van die Wet op Maritieme Sones, 1994, ten einde 'n omskrywing te vervang; die Minister te magtig om Bylae 2 by kennisgewing in die *Staatskoerant* te wysig; en die bevoegdheid van die Minister om regulasies uit te vaardig, te wysig; en om sekere registrasie-owerhede geldig te verklaar; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die President geteken.)
(Goedgekeur op 28 September 1995.)

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

Wysiging van artikel 1 van Wet 75 van 1985

1. Artikel 1 van die Spoorwegaanlegwet, 1985, word hierby gewysig deur die 5 volgende subartikel na subartikel (2) in te voeg:

“(2A) Ondanks die bepalings van subartikel (1) kan 'n verdere bedrag van R27 000 betaal word vir onkoste aangegaan tot en met 31 Maart 1990 ten aansien van die aankoop van rollende materiaal, en die aanlê en uitrus van alle sylyne, stasies, geboue en ander toebehore wat vir die behoorlike benutting van die 10 spoorlyn in daardie subartikel beoog nodig is of daarmee in verband staan.”.

Wysiging van artikel 1 van Wet 94 van 1985

2. Artikel 1 van die Tweede Spoorwegaanlegwet, 1985, word hierby gewysig deur die volgende subartikel na subartikel (2) in te voeg:

“(2A) Ondanks die bepalings van subartikel (1) kan 'n verdere bedrag van 15 R13 miljoen betaal word vir onkoste aangegaan tot en met 31 Maart 1990 ten aansien van die aankoop van rollende materiaal, en die aanlê en uitrus van alle sylyne, stasies, geboue en ander toebehore wat vir die behoorlike benutting van die spoorlyn in daardie subartikel beoog nodig is of daarmee in verband staan.”.

Wysiging van artikel 1 van Wet 15 van 1994

20 3. Artikel 1 van die Wet op Maritieme Sones, 1994, word hierby gewysig deur

substitution for paragraph (c) of the definition of "installation" of the following paragraph:

"(c) Any exploration or production vessel used in prospecting for or the mining of any substance.".

Amendment of section 12 of Act 15 of 1994

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4. The following section is hereby substituted for section 12 of the Maritime Zones Act, 1994:

"Amendment of Schedules

12. The Minister may by notice in the *Gazette* amend [Schedule] Schedules 2 and 3."

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Amendment of section 13 of Act 15 of 1994

5. Section 13 of the Maritime Zones Act, 1994, is hereby amended by the deletion of paragraph (b).

Validation of certain registering authorities

6. (1) If a local government body has been dissolved in terms of section 10(3)(f) of the Local Government Transition Act, 1993 (Act No. 209 of 1993), and the rights, powers and obligations of such local government body have been taken over by a transitional local council, a transitional metropolitan council or a transitional metropolitan substructure, and that local government body was appointed as a registering authority in terms of section 2(1) of the Road Traffic Act, 1989 (Act No. 29 of 1989), or deemed to be so appointed in terms of section 153(2) of that Act, such transitional local council, transitional metropolitan council or transitional metropolitan substructure shall be deemed to have been duly appointed as the registering authority for the area for which, and upon the conditions under which, the local government body concerned had been appointed as registering authority.

(2) Any power, duty or function exercised or performed, before the commencement of this Act, in terms of the Road Traffic Act, 1989, by a transitional council or a transitional substructure which is deemed to have been appointed as a registering authority in terms of subsection (1), shall be deemed to have been validly so exercised or performed.

Short title

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7. This Act shall be called the Transport Second General Amendment Act, 1995.

paragraaf (c) van die omskrywing van "installasie" deur die volgende paragraaf te vervang:

"(c) 'n Eksplorasië- of produksievaartuig wat gebruik word by die prospektering na of myn van enige stof."

5 Wysiging van artikel 12 van Wet 15 van 1994

4. Artikel 12 van die Wet op Maritieme Sones, 1994, word hierby deur die volgende artikel vervang:

"Wysiging van Bylaes

10 12. Die Minister kan [Bylae] Bylaes 2 en 3 by kennisgewing in die *Staatskoerant* wysig."

Wysiging van artikel 13 van Wet 15 van 1994

5. Artikel 13 van die Wet op Maritieme Sones, 1994, word hierby gewysig deur paragraaf (b) te skrap.

Geldigverklaring van sekere registrasie-owerhede

15 6. (1) Indien 'n plaaslike owerheidsliggaam ingevolge artikel 10(3)(f) van die Oorgangswet op Plaaslike Regering, 1993 (Wet No. 209 van 1993), ontbind is, en die rege, bevoegdheide en verpligtinge van sodanige plaaslike owerheidsliggaam deur 'n plaaslike oorgangsraad, 'n metropolitaanse oorgangsraad of 'n metropolitaanse oorgangsubstruktuur oorgeneem is, en daardie plaaslike owerheidsliggaam as 'n
20 registrasie-owerheid ingevolge artikel 2(1) van die Padverkeerswet, 1989 (Wet No. 29 van 1989), aangestel is, of ingevolge artikel 153(2) van daardie Wet geag word aldus aangestel te wees, word sodanige plaaslike oorgangsraad, metropolitaanse oorgangsraad of metropolitaanse oorgangsubstruktuur geag behoorlik as die registrasie-owerheid aangestel te wees vir die gebied waarvoor, en ooreenkomstig die voorwaardes
25 waarkragtens, die betrokke plaaslike owerheidsliggaam as registrasie-owerheid aangestel was.

(2) Enige bevoegdheid, plig of werksaamheid wat 'n oorgangsraad of oorgangsubstruktuur wat ingevolge subartikel (1) geag word om as registrasie-owerheid aangestel te wees, ingevolge die Padverkeerswet, 1989, uitgeoefen of verrig het voor die
30 inwerkingtreding van hierdie Wet, word geag geldig aldus uitgeoefen of verrig te wees.

Kort titel

7. Hierdie Wet heet die Tweede Algemene Wysigingswet op Vervoer, 1995.

