



REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Price 20c Prys

Overseas 30c Oorsee

POST FREE—POSVRY

CAPE TOWN, 2 JUNE 1978

KAAPSTAD, 2 JUNIE 1978

L. 156]

[No. 6040

DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

1155.

2 June 1978.

No. 1155.

2 Junie 1978.

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

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

70 of 1978: Cape Town Foreshore Amendment Act, 1978.

No. 70 van 1978: Wysigingswet op die Strandgebied, Kaapstad, 1978.

Wet No. 70, 1978

WYSIGINGSWET OP DIE STRANDGEBIED,
KAAPSTAD, 1978.

ALGEMENE VERDUIDELIKENDE NOTA:

[] 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 Wet op die Strandgebied, Kaapstad, 1950, om voorsiening te maak dat by die afskaffing van die Raad vir die Strandgebied, Kaapstad, sy bevoegdhede, pligte, bates en regte by die Staat berus en sy laste en verpligtings op die Staat oorgaan; dat na die afskaffing van bedoelde Raad sekere bedrae aan die Stadsraad van Kaapstad betaal kan word; vir die verstryking van die geldigheid van sekere bepalings van bedoelde Wet; dat by die toepassing van artikels 15 en 15bis van bedoelde Wet „raad” ook die Staat beteken; en vir bykomstige aangeleenthede.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 19 Mei 1978.)

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

Wysiging van
artikel 1 van
Wet 26 van 1950.

1. Artikel 1 van die Wet op die Strandgebied, Kaapstad, 1950 (hieronder die Hoofwet genoem), word hierby gewysig deur die omskrywing van „Minister” deur die volgende omskrywing te vervang: 5

„Minister’ die Minister van **[Lande]** Landbou;”.

Wysiging van
artikel 19 van
Wet 26 van 1950.

2. Artikel 19 van die Hoofwet word hierby gewysig—

(a) deur subartikel (2) deur die volgende subartikel te 10
vervang:

„(2) Behoudens die bepalings van artikel 19ter berus, vanaf die datum in 'n kragtens subartikel (1) uitgereikte proklamasie genoem, **[berus]** al die bevoegdhede, pligte, bates en regte van die raad by die **[Minister]** Staat, en gaan al die laste en verpligtings van die raad oor op die **[Minister]** Staat, en word enige verwysing in enige dokument na die raad, geag 'n verwysing na die **[Minister]** Staat te wees.”;

(b) deur die volgende subartikel na subartikel (2) in te voeg: 20
„(2A) (a) Grond wat kragtens subartikel (2) by die

Staat berus, is Staatsgrond waarop die bepalings van die Wet op die Beskikking oor Staatsgrond, 1961 (Wet No. 48 van 1961), van toepassing is.

(b) Grond wat voor die datum bedoel in subartikel (2) 25
deur die raad—

(i) verkoop, verruil of geskenk is maar ten opsigte waarvan transport nog nie op daardie datum gegee is nie; of

(ii) verhuur is, 30

word geag kragtens die bepalings van die Wet op die Beskikking oor Staatsgrond, 1961, verkoop, verruil, geskenk of verhuur te gewees het.

CAPE TOWN FORESHORE
AMENDMENT ACT, 1978.

Act No. 70, 1978

GENERAL EXPLANATORY NOTE:

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

 Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Cape Town Foreshore Act, 1950, so as to provide that on the abolition of the Cape Town Foreshore Board its powers, duties, assets and rights shall vest in and its liabilities and obligations shall devolve upon the State; that after the abolition of the said Board certain amounts may be paid to the City Council of Cape Town; for the lapse of the validity of certain provisions of the said Act; that for the purposes of sections 15 and 15bis of the said Act "board" shall include the State; and for incidental matters.

(Afrikaans text signed by the State President.)
(Assented to 19 May 1978.)

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

1. Section 1 of the Cape Town Foreshore Act, 1950 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of "Minister" of the following definition: Amendment of section 1 of Act 26 of 1950.

"'Minister' means the Minister of **[Lands]** Agriculture;"

2. Section 19 of the principal Act is hereby amended— Amendment of section 19 of Act 26 of 1950.
10 (a) by the substitution for subsection (2) of the following subsection:

"(2) Subject to the provisions of section 19ter, as from the date specified in any proclamation issued under subsection (1), all the powers, duties, assets and rights of the board shall vest in the **[Minister]** State and all the liabilities and obligations of the board shall devolve upon the **[Minister]** State, and any reference in any document to the board shall be deemed to be a reference to the **[Minister]** State;"

15 (b) by the insertion after subsection (2) of the following subsection:

"(2A) (a) Land vesting in the State under subsection (2), shall be State land to which the provisions of the State Land Disposal Act, 1961 (Act No. 48 of 1961), shall apply.

25 (b) Land which before the date referred to in subsection (2) has been—

(i) sold, exchanged or donated by the board but in respect of which title has not yet been given on that date; or

30 (ii) leased by the board, shall be deemed to have been sold, exchanged, donated or leased under the provisions of the State Land Disposal Act, 1961.

Wet No. 70, 1978

WYSIGINGSWET OP DIE STRANDGEBIED,
KAAPSTAD, 1978.

- (c) Die Minister kan van tyd tot tyd uit die opbrengs van die verkoop van grond bedoel in paragraaf (a) of (b) (i) aan die stadsraad die bedrae betaal wat die Minister in elke geval met die instemming van die Minister van Finansies bepaal."

5

Invoeging van
artikel 19ter in
Wet 26 van 1950.

3. Die volgende artikel word hierby in die Hoofwet na artikel 19bis ingevoeg:

„Verstryking
van regs-krag
van sekere
bepalings.

19ter. (1) Artikels 10 (1) en (3), 11, 12, 13, 14 en 16 hou op om van krag te wees op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

10

(2) Verskillende datums kan ingevolge subartikel (1) ten opsigte van verskillende artikels bedoel in daardie subartikel bepaal word."

Uitbreiding van
betekenis van
„raad”.

4. By die toepassing van artikels 15 en 15bis van die Hoofwet 15 beteken „raad” ook die Staat.

Kort titel.

5. Hierdie Wet heet die Wysigingswet op die Strandgebied, Kaapstad, 1978.

CAPE TOWN FORESHORE
AMENDMENT ACT, 1978.

Act No. 70, 1978

- 5 (c) The Minister may, from time to time out of the proceeds of the sale of land referred to in paragraph (a) or (b) (i), pay to the council such amounts as the Minister in each case may determine with the concurrence of the Minister of Finance.”.

3. The following section is hereby inserted in the principal Act after section 19bis:

Insertion of
section 19ter in
Act 26 of 1950.

- 10 “Lapse of validity of certain provisions. **19ter.** (1) Sections 10 (1) and (3), 11, 12, 13, 14 and 16 shall cease to be of force and effect as from a date to be fixed by the State President by proclamation in the *Gazette*.
(2) Different dates may be fixed in terms of subsection (1) in respect of different sections referred to in that subsection.”.

- 15 4. For the purposes of sections 15 and 15bis of the principal Act “board” shall include the State.

Extension of
meaning of “board”.

5. This Act shall be called the Cape Town Foreshore Amendment Act, 1978. Short title.

(c) The Minister may from time to time out of the proceeds of the sale of land referred to in paragraph (a) or (b) pay to the council such amount as the Minister in each case may determine with the concurrence of the Minister of Finance.

3. The following section is hereby inserted in the principal Act after section 190A:

190A. (1) Sections 10 (1) and (2), 11, 12, 13, 14 and 15 shall cease to be of force and effect as from the date to be fixed by the State President by Proclamation in the Gazette.

(2) Different dates may be fixed in terms of subsection (1) in respect of different sections referred to in that subsection.

4. For the purposes of sections 1 and 150A of the principal Act, "board" shall include the State

5. This Act shall be called the Cape Town Portshore Amendment Act, 1972.