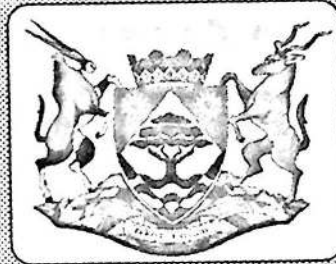


PROVINCE OF THE NORTHERN CAPE

PROFENSI YA KAPA-BOKONE



DIE PROVINSIE NOORD-KAAP

IPHONDO LOMNTLA-KAPA

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Which includes / Waarby ingesluit is— *Johannesburg*

**A**

PROCLAMATIONS  
PREMIER'S NOTICES  
OFFICIAL NOTICES  
GENERAL NOTICES

PROKLAMASIES  
PREMIERSKENNISGEWINGS  
OFFISIËLE KENNISGEWINGS  
ALGEMENE KENNISGEWINGS

**B**

MUNICIPAL NOTICES  
TENDERS

MUNISIPALE KENNISGEWINGS  
TENDERS

**We all have the power to prevent AIDS**

AIDS  
affects  
us all



A  
new  
struggle

Prevention is the cure

**AIDS  
HELPUNE**

**0800 012 322**

DEPARTMENT OF HEALTH

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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**NOTICE 74 OF 1999****KIMBERLEY STREET TRADING BY-LAW****PRE-AMBLE**

Whereas it is acknowledged that there is a need for the creation of an environment where informal street trading will be permitted, subject to the rights of all citizens, as described in the Constitution of the Republic of South Africa, 1996 (Act no 108 of 1996) and the Business Act, 1991 (Act no 71 of 1991);

And whereas all active participants in Kimberley are of the intention to make informal trade viable, and to contribute to the economic activity and growth in Northern Cape;

And whereas the Municipality will make provision in its budget for the creation of the necessary infrastructure and the provision of basic services in order to facilitate informal trade;

And whereas there is a reciprocal right on the informal trade to fully contribute towards the economic growth, as well as to contribute towards the tax base of Kimberley,

**NOW THEREFORE THE BY-LAW IS PROMULGATED TO PROVIDE FOR CARRYING ON OF THE INFORMAL TRADE AND MATTERS ANCILLARY THERETO:****INTERPRETATION**

1. (1) In these by-laws, unless the context otherwise indicates—

**"authorised official"** means an official of the Council authorised to enforce the provisions of these by-laws and "officer" shall have a corresponding meaning;

**"building"** means a normal brick structure and includes informal structures such as "shanties" and include movable structures;

**"Council"** means the Transitional Local Council of Kimberley;

**"designated area"** means an area demarcated by the Council for lawful informal trading and allocated to a qualifying street trader;

**"foodstuff"** means any article of substance (except a drug as defined in the Medicine and Related Substances Control Act, 1965 (Act No. 101 of 1965)), ordinarily eaten or drunk by persons or purporting to be suitable, or manufactured or sold, for human consumption, and includes any part of ingredient of any such article or substance, or any substance used or intended or destined to be used as a part or ingredient of any such article or substance;

**"garden or park"** means a garden or park to which the general public has a right to access;

**"goods"** means any transferable asset but excludes any living thing and hazardous substances;

**"local authority"** means a municipal institution and includes an institution or body with functions similar to those of a municipal institution, as defined in section 1 of the Local Government Transaction Act, 1993 (Act No. 209 of 1993);

**"litter"** means any waste materials and includes any container or other matter which has been discarded, left behind by a person trading or his customers;

**"national monument"** means a building declared to be a national monument under the National Monuments Act, 1969 (Act No. 28 of 1969);

**"nuisance"** means any action or behaviour by anyone which constitutes a disturbance or causes discomfort to anyone;

**"pavement"** means a sidewalk or that portion of a road reserved for the use of pedestrians;

**"perishables"** means milk, meat, fish, crustaceans, fruit and vegetables as well as products which require special storage facilities;

**"Premier"** means the Premier of the Northern Cape Province Member of the Executive Council who is charged with the responsibility of the administration of the Business Act, 1991 (Act No. 71 of 1991);

**"prohibited area"** means any place declared or to be declared under section 6A(2) of the Act by resolution of the Council to be an area in which street trading shall be prohibited;

**"property"** means with regard to a person carrying on the business of street trading, any article, receptacle, vehicle or structure used or intended to be used in connection with such business and includes goods in which he trades;

**"public building"** means a building occupied solely by the State or the Council or any organ of state;

**"public place"** means any square, park, recreation ground, sports ground, sanitary lane or open space which has—

- (a) in connection with any subdivision or layout of land into erven, lots or plots, been provided, reserved or set apart for use by the public or the owners or occupiers of such erven, lots or plots, whether or not it is shown on a general plan, plan of subdivision or diagram;
- (b) at any time allocated to the public;
- (c) been used without interruption by the public for a period at least 30 (thirty) years expiring after 30 December 1959; or
- (d) at any time been declared or rendered such by the council or other competent authority.

**"public road"** means any road, street or thoroughfare or any other place (whether a thoroughfare or not) which is commonly used by the general public or any section thereof or to which the general public or any section thereof has a right of access, and includes—

- (a) the verge of any such road, street or thoroughfare;
- (b) any bridge, pont of drift traversed by any such road, street or thoroughfare; and
- (c) any other work or object forming part of or connected with or belonging to such road, street or thoroughfare;

**"restricted area"** means any place declared under section 6A(2) of the Act by resolution of the Council to be in area in which street trading is restricted;

**"sell"** means alienation for value and includes supply to and also—

- (a) exchange or hire;
- (b) store, expose, offer or prepare for sale, and "sale" has a corresponding meaning;

**"street trader"** means a person or his spouse or child who is a legal resident of the Republic of South Africa and who owns property in the area of jurisdiction of the Council or who is liable to pay municipal services to the Council, that is mobile and sells goods for own profit whether such goods are the product of his own labour or not;

**"service"** includes any act for advantage or gain for consideration or reward;

**"the Act"** the Business Act, 1991 (Act No. 71 of 1991);

**"trade"** means the lawful sale of goods or service next to a public road or in a public place, and "trading" has a corresponding meaning;

**"verge"** means a verge as defined in section 1 of the Road Traffic Act, 1989 (Act No. 29 of 1989), and any word or expression to which a meaning has been assigned in the Business Act, 1991 (Act No. 71 of 1991).

(2) For the purpose of these by-laws a single act of selling next to a public road or in a public place shall constitute trading.

(3) Words importing the singular include the plural and vice versa, and a reference to the masculine includes the feminine and vice versa.

#### RIGHT TO TRADE

2. Subject to the provisions of sections 3 and 4 and any other legislation, street trading is permitted except in so far as such trading is restricted or prohibited by sections 5 to 13 inclusive, provided further that a person who does not comply with the interpretation of a street trader shall not be entitled to operate as a street trader.

#### GENERAL CONDUCT OF STREET TRADERS

3. No persons who is purports to be a street trader, shall—

- (a) place his property or goods on a verge or in a public place;
- (b) trade on any other place than a designated area;
- (c) ensure that his property or goods does not cover a larger area than the designated area;
- (d) place or stack his property or goods in such a manner that it constitutes a danger to any person or property or is likely to injure any person or damage property;
- (e) erect any structure for the purpose of providing shelter at the designated area without the prior written approval of the authorised official;
- (f) obstruct access to a fire hydrant or area demarcated solely for the use of emergency vehicles and/or services;
- (g) leave his property or goods on the designated area before or after trading hours as mentioned in Schedule A, excluding for any permanent structure as permitted by the authorised official;
- (h) on request by an employee or agent of the council or any supplier of telecommunication, electricity or other services, omit or neglects to move his property or goods so as to permit the carrying out of any work with regard to a public road, public place or any such service;
- (i) attach any object or goods by any means to any building structure, pavement, tree, parking metre, lamp post, electricity pole, telephone booth, post box, traffic sign, fence, bench or any other street furniture in or on a public road or public place.



- (j) make an open fire at the designated area or in circumstances where it could harm a person or damage a building or vehicle;
- (k) store his property or goods in a manhole, stormwater drain, bus shelter, public toilet or tree;
- (l) sell his property or goods in the designated area by using megaphones, radios, loudspeakers, constant shouting or singing in a manner which constitute a nuisance or disturbance;
- (m) sell any property or goods which are dangerous or hazardous to public health;
- (n) commence street trading unless he is registered with the Council and pay such fees or costs for services required including the costs of leasing the designated area and/or structure provided by the Council.

**CLEANLINESS****4. (1) A person who is or purports to be a street trader—**

- (a) keep his property or goods and the designated area in a clean and sanitary condition;
- (b) dispose of litter generated by his business in whatever receptacles provided therefor by the Council, including recycling and dumping sites, and not dispose of litter in a manhole, stormwater drain or other place not intended for the disposal of litter;
- (c) ensure that on completion of business for the day the designated area is free of litter;
- (d) take such precautions as may be necessary or prescribed by the Council to prevent the spilling onto a public road or public place of any fat, oil, grease or any hazardous substances which might arise in the course of conducting his business and to prevent that any smoke, fumes, odour or noise emanating from his activities from becoming a nuisance.

**(2) The Council shall—**

- (a) ensure that the receptacles on the designated areas are cleaned and sanitised on a regular basis;
- (b) provide receptacles on the designated areas in order to facilitate the disposal of litter by the street traders; and
- (c) ensure that the receptacles provided are emptied on a regular basis.

**OBSTRUCTION OF PEDESTRIANS****5. (1) No person shall trade at a place where such trading—**

- (a) obstructs access to or the use of a street facilities such as a bus stop, shelter or queuing line, refuse disposal bin or other facility intended for the use of the general public;
- (b) obstructs the visibility of a display window, signboard or premises;
- (c) obstructs access to a building, automatic bank teller machine and/or queuing line, pedestrian crossing of vehicle;
- (d) leaves less than 2 (two) metre in width of a sidewalk clear for pedestrian use, or in any other manner by which pedestrians are obstructed in their use of a sidewalk.
- (e) obscures or impedes the view of any user of the road.

**OBSTRUCTION OF VEHICULAR TRAFFIC****6. No person shall trade at a place where such trading—**

- (a) causes an obstruction on a roadway;
- (b) limits access to parking or loading bays or other facilities for vehicular traffic;
- (c) obscures any road traffic sign or any marking, notice or sign displayed or made in terms of these or any other by-laws; or
- (d) interferes in any way with any vehicle that may be parked alongside such place;

**TRADING RESTRICTED TO SPECIFIED HOURS IN CERTAIN PLACES****7. No person shall trade—**

- (a) on a verge contiguous to any place of worship, national monument or public building; or
- (b) in a restricted area, which is specified in Schedule C, compiled according to a process outlined in section 6A(2)(a) to (j) of the Act, outside the hours as indicated in Schedule A.

**TRADING RESTRICTED TO SPECIFIED GOODS OR SERVICES IN CERTAIN PLACES****8. No person shall trade—**

- (a) on a verge contiguous to any place of worship, national monument or public building;
- (b) in a restrictive area, which is specified in Schedule B, compiled according to a process outlined in section 6A(2)(a) to (j) of the Act, restricted to the goods or services so specified;
- (c) on a verge contiguous to that part of a building in which business is being carried on by another trader other than a department store, supermarket or wholesaler, where the goods or services that the street trade sells are of the same nature as or to a similar nature goods being sold by the other trader.

#### TRADING RESTRICTED TO DEMARCATED STANDS OR AREAS IN CERTAIN PLACES

9. No person shall trade—

- (a) on a verge contiguous to any place of worship, national monument or public building; or
- (b) in a restricted area, which is specified in Schedule C, compiled according to a process outlined in section 6A(2)(a) to (j) of the Act outside a designated area set apart for trading purposes as contemplated in section 6A(3)(b) of the Act.

#### NO TRADING IN DESIGNATED AREA OR AREAS WHICH HAVE BEEN LET EXCEPT BY THE LESSEE

10. If the Council has let or otherwise allocated any designated area or area set apart or otherwise established for street trading purposes, as contemplated in section 6A(3)(c) of the Act, no person may trade in such area if he is not in possession of proof that he has rented such designated area or area from the Council or that it has otherwise been allocated to him.

#### NO TRADING NEAR CERTAIN PUBLIC BUILDINGS, PLACES OF WORSHIP AND NATIONAL MONUMENTS

11. No person shall trade on verge contiguous to any place of worship, national monument or public building which is specified in Schedule D, compiled according to a process outlined in section 6A(2)(a) to (j) of the Act.

#### NO TRADING IN PROHIBITED AREA

12. No person shall trade in any prohibited area, prohibited for that purpose by the Council.

#### TRADING NEAR RESIDENTIAL BUILDINGS

13. No person shall, outside an area specified in Schedule E, compiled according to a process outlined in section 6A(2)(a) to (j) of the Act, trade on the verge to a building used exclusively for residential purposes if—

- (a) the owner, person in control or occupier of any part of the building facing onto such verge has objected thereto in writing; and
- (b) the fact that such objection was made has been made known in writing to the first-mentioned person by an authorised official.

#### SIGNS INDICATING RESTRICTIONS AND AREA

14. The Council may—

- (a) by resolution, after consultation with all interested parties, prescribed signs, markings or other devices to be approved by the Premier with regard to street trading, indicating—
  - (i) the restricted hours, places, goods or services;
  - (ii) the location or boundaries of a restricted area;
  - (iii) the boundaries of a designated area or area set apart for the purpose of carrying on the business of street trading section 6A (3) (b) of the Act;
  - (iv) any restrictions or prohibition against trading in terms of these by-laws;
  - (v) the location and boundaries of a prohibition and restricted area; and
- (b) display any such sign, marking or device in such a position and manner as will indicate the restrictions or the location or boundaries of the area or designated area concerned.

#### REMOVAL AND IMPOUNDMENT

15. (1) Any officer may remove and impound any goods, article, receptacle, vehicle or structure—

- (a) which he reasonably suspects is being used or has been used in connection with street trading; and
- (b) which he finds at a place where street trading is restricted or prohibited in terms of sections 5 to 13 inclusive and which, in his opinion, constitutes an infringement of any such section; or
- (c) which constitutes an infringement of section 3.

(2) Any officer acting in terms of this by-laws shall—

- (a) keep proper record of any property so removed and will inform the person, if any, apparently in control of such property, of the procedure for reclaiming such property and the venue where such property will be kept; and
- (b) forthwith deliver any such property to the pound mentioned in subsection (a) above.

(3) Any property removed and impounded as contemplated by section 6A of the Act—

- (a) may, in the case of perishable property, be sold or destroyed within a reasonable time after the impoundment thereof, provided that such property shall subject to the provisions of 15 (4) hereunder, at any time prior to the disposal or selling thereof, be returned on proof of ownership and provided that such perishables are still fit for human consumption;
- (b) shall, subject to the provisions of 15 (4) hereunder in the case of property other than perishable property, be returned on proof of ownership within a period of one month of the date of impoundment.

(4) The Council shall be entitled to keep the property concerned until all expenses have been paid, failing which the property may be sold by public auction upon 14 (fourteen) days notice: Provided that where the property attached are perishable or of a perishable nature the authorised official may reduce the period of 14 (fourteen) days to such an extent or conditions as he might think fit, or destroy such perishables whichever is the most cost effective.

(5) In the case of a sale of impounded property by Council, the proceeds of such sale less the reasonable expenses incurred by Council in connection with the removal, impoundment and/or disposal of such property, shall be paid to the person who was the owner of such property when such property was impounded. If such owner fails to claim the said proceeds within 3 (three) months of the date on which such property was sold, such proceeds shall be forfeited to the Council and shall be paid into a special fund created by the Council dedicated to the development of the informal sector and matters ancillary thereto.

(6) The owner of property which has been removed, impounded, sold and/or disposed of as contemplated herein shall be liable for all expenses incurred by the Council in connection with such removal, impoundment, sale and/or disposal.

#### OFFENCES

16. Any person who—

- (a) contravenes or fails to comply with any provision of this by-law;
- (b) ignores, disregards or disobeys any notice, sign or marking displayed or erected in terms of this by-law;
- (c) contravenes or fails to comply with any approval or conditions granted or imposed in terms of this by-law;
- (d) fails to comply with a written instruction to move or remove his property;
- (e) deliberately furnishes false or misleading information to an officer or an employee of the Council; or
- (f) threatens, resists, interferes with or obstructs an officer or employee of the Council in the performance of his powers, duties or functions under this by-law;

shall be guilty of an offence.

#### PENALTIES

17. Any person convicted of an offence under his by-law shall be liable to a fine not exceeding R1 000 (one thousand rand) or imprisonment for a period not exceeding 6 (six) months, or to such imprisonment without the option of a fine or to both such fine and such imprisonment.

#### VICARIOUS RESPONSIBILITY OF PERSONS CARRYING ON BUSINESS

18. (1) When an employee of a person conducting the business of street trading does or omits to do any act which would be an offence in terms of this by-law, that person shall be deemed himself to have done or omitted to do the act, unless he satisfies the court that—

- (a) he neither connived at nor permitted the act or omission by the employee concerned;
- (b) he took all reasonable steps to prevent the act or omission; and

(2) The fact that the said person alleges that he issued instructions whereby an act or omission is prohibited shall not in itself be sufficient proof that he took all reasonable steps to prevent the act or omission.

#### VICARIOUS RESPONSIBILITY OF EMPLOYEES

19. When a person carrying on the business of street trading by virtue of section 18 is liable for an act or omission by an employee, then that employee shall also be liable as if he were the person carrying on the business concerned.

#### APPEALS

20. (1) Any person who feels himself aggrieved by a decision of the Council may appeal against such decision to an appeal committee in accordance with the provisions set out hereunder.

(2) Any person who feels himself aggrieved by the decision of the Council shall notify the Council in writing of his intention and reasons of appeal within 10 (ten) days of date of the Council's decision.

#### CONSTITUTION OF AN APPEAL COMMITTEE

21. (1) The member of Executive Council of Trade and Economic Affairs may, with the concurrence of the Council and representatives of the formal and informal traders, designate persons as members and alternate members of the Appeal Committee.

(2) The Appeal Committee shall consist of a maximum of 7 (seven) members with at least 1 (one) member from each of the above mentioned.

(3) The members of the Appeal Committee shall appoint members to act as a chairperson and deputy chairperson respectively.

(4) When the chairperson is unable to perform the functions of chairperson, the deputy chairperson shall perform the functions of chairperson.

(5) If the chairperson is of the opinion that a particular person is able to assist the Appeal Committee, he may co-opt that person for the purpose.

(6) A person so co-opted shall not be entitled to vote at any meetings of the Appeal Committee.

(7) The chairperson shall notify the aggrieved person of the date, time and place of the meeting of the Appeal Committee and that his presence is required within 10 (ten) days of receipt of the Notice of Appeal.

(8) The aggrieved person who has received notice in terms of section 21 (7) shall personally appear before the Appeal Committee and/or appoint a legal representative and/or any other person to appear on his behalf.

(9) The Council may be represented by an authorised official and/or a legal representative.

#### PROCEDURE AT APPEAL MEETINGS

22. (1) The Chairperson shall determine the procedure of the meeting, provided—

(a) such procedures adhere to the *audi alteram partem* principle; and

(b) all parties are advised seven days prior to the hearing of the appeal and notified of the procedure to be observed.

(2) A quorum shall be at least 2/3 (two thirds) of all members of the Appeal Committee.

(3) The Appeal Committee may—

(a) call and hear witnesses;

(b) request and peruse documentation; and

(c) question witnesses.

(4) The Appeal Committee may review the decision of an authorised official and make a finding having regard to the following considerations:

(a) whether the decision of the authorised official was fair and equitable in the circumstances;

(b) the effect of the decision on the ability of the aggrieved person to trade; and

(c) alternative measures which can be adopted to facilitate the continuation of business by the aggrieved person.

(5) A decision of the Appeal Committee shall be taken by a majority of votes of the members present and in the event of an equality of votes, the Chairperson shall have a casting vote in addition to his deliberative vote.

(6) The Appeal Committee may after consideration by it of the evidence presented—

(a) refuse the appeal;

(b) uphold the appeal; or

(c) take such other steps as it may think fit.

(7) The Appeal Committee shall within 2 (two) days—

(a) notify the aggrieved person of its decision in writing; and

(b) furnish the aggrieved person with written reasons for its decision.

#### REPEAL OF BY-LAWS

23. All Street Trading By-laws are hereby repealed.

#### SCHEDULE A

##### Places with restricted trading hours

A.1 All areas in Schedule C where trading is allowed: Mondays to Saturdays: 08:00 to 18:00.

#### SCHEDULE B

##### Places where goods or services are restricted

B.1 Market Square trading area (Excluding Taxi Rank)

Trading only in goods and services which are orientated towards needs of tourists.

#### SCHEDULE C

##### Places where trading is restricted to demarcated stands and areas.

- C. 1. Market Square  
2. Diamond Parking area  
3. John Daka Street  
4. Royal Street  
5. Galeshewe Road  
6. Adam Namakola Street  
7. Dingaan Street  
8. Montshiwa Road  
9. Morgan Street  
10. Ramatshela Street



11. Seochoareng Street
12. Seleke Street
13. Nobengula Street
14. Thabo Modupe Street
15. Hulana Street
16. 19th Street
17. Dutch Reformed Street
18. Stockdale Taxi Rank
19. Market Square Taxi Rank
20. Craven Street Taxi Rank
21. Raven Street
22. Starling Street

#### SCHEDULE D

##### Verges where trading is prohibited

- D.1 All vacant areas or verges not mentioned in Schedule C.
- D.2 All verges mentioned in Schedule C, but which are contiguous to:
- public buildings
  - places of worship, and
  - National Monuments

#### SCHEDULE E

##### Areas excluded from restriction on trading near residential buildings

- E.1 All areas except those mentioned in Schedule C.

### KENNISGEWING 74 VAN 1999

#### KIMBERLEY STRAATHANDEL VERORDENING

#### VOORWOORD

Aangesien dit erken word dat daar behoefte is vir die skepping van 'n omgewing waar informele handel toegelaat sal word, onderhewig aan die regte van alle burgers, soos vervat in die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet 108 van 1996) en die voorskrifte van die Wet op Besighede, 1991 (Wet 71 van 1991);

En aangesien alle aktiewe deelnemers in Kimberley van voorneme is om informele handel kommersieel lewensvatbaar te maak, en om 'n bydrae te maak tot ekonomiese aktiwiteite en groei in die Noord-Kaap;

En aangesien die Munisipaliteit voorsiening in by begroting sal maak vir die skepping van die nodige infrastruktuur en die voorsiening van basiese dienste ten einde informele handel moontlik te maak;

En aangesien daar 'n wederkerige plig op die informele handel sal rus om volledig by te dra tot ekonomiese groei, asook bydrae te lewer tot die belastingbasis van Kimberley,

**DERHALWE WORD HIERDIE VERORDENING AFGEKONDIG OM VIR DIE BEDRYF VAN DIE INFORMELE HANDEL EN AANGELEENTHEDE BYKOMEND DAARTOE, VOORSIENING TE MAAK:**

#### WOORDOMSKRYWING

1. (1) In hierdie Verordening, tensy uit die samehang andersins blyk, beteken—

“aangewese area” ’n area aangedui deur die Raad vir wettige informele handel en toegewys aan ’n kwalifiserende straathandelaar;

“bederfbares” melk, vleis, vis, krustasee, vrugte en groente asook produkte wat spesiale bergfasiliteite vereis;

“beperkte area” enige plek aldus verklaar onder artikel 6A(2) van die Wet, deur die Raad om ’n plek te wees waar straathandel beperk word;

“diens” sluit in enige handeling tot voordeel of wins vir vergoeding of beloning;

“die Wet” die Wet op Besighede, 1991 (Wet 71 van 1991);

“eiendom” met betrekking tot ’n persoon wat handeldryf as ’n straathandelaar enige artikel, houer, voertuig of struktuur wat gebruik of beoog om gebruik te word in verband met sodanige besigheid en sluit in die goedere waarmee hy/sy handeldryf

“gebou” ’n normale baksteengebou en sluit informele strukture soos sinkstrukture in en sluit beweegbare strukture in;

“gemagtigde beampte” ’n beampte van die Raad gemagtig om die bepalinge van hierdie Verordening af te dwing en sal “Offisier” ’n ooreenstemmende betekenis dra;



**"goedere"** enige oordraagbare saak, maar sluit enige lewende ding en gevaarlike bestanddele uit;

**"handel"** die wettige verkoop van goedere of dienste langs 'n publieke pad of in 'n publieke area en "verhandel" het 'n ooreenstemmende betekenis;

**"nasionale monument"** 'n gebou wat as 'n nasionale monument verklaar is onder die Wet op Nasionale Gedenkwaardighede, 1969 (Wet 28 van 1969);

**"oorlas"** enige handeling of gedrag deur enige persoon wat 'n steurnis of ongerief aan enige persoon veroorsaak;

**"plaaslike owerheid"** 'n munisipale instelling en sluit in 'n instelling of liggaam met funksies soortgelyk aan die van 'n munisipale instelling, soos gedefinieer in artikel 1 van die Oorgangswet op Plaaslike Owerhede, 1993 (Wet 209 van 1993);

**"Premier"** die Premier van die Noord-Kaap Provinsie of 'n lid van die Uitvoerende Komitee wat belas is met die verantwoordelikheid van die administrasie van die Wet op Besighede, 1991 (Wet 71 van 1991);

**"publieke gebou"** 'n gebou wat alleenlik deur die Staat of die Raad of enige orgaan van die Staat geokkupeer word;

**"publieke pad"** enige pad, straat of deurgang of enige ander plek (nieteenstaande dit 'n deurgang is of nie) wat gewoonlik deur die algemene publiek of enige gedeelte daarvan gebruik word of waartoe die algemene publieke of enige gedeelte daarvan reg van toegang het, en sluit in—

(a) die rand van enige sodanige pad, straat of deurgang;

(b) enige brug, pont of drif wat gekruis word deur enige sodanige pad, straat of deurgang; en

(c) enige ander struktuur of objek wat deel vorm of verbind word of wat behoort aan sodanige pad, straat of deurgang;

**"publieke plek"** enige plein, park, ontspanningsterrein, sportgronde, nagvuillaan of oopruimte wat—

(a) ten opsigte van enige onderverdeling of uitleg van grond in erwe, persele of plote wat voorsien is, gereserveerd is of wat uitgelê is vir gebruik deur die publiek of die eienaars of okkupeerders van sodanige erwe, persele of plote, nieteenstaande dit op 'n algemene plan, onderverdelingsplan of diagram aangedui word of nie;

(b) op enige tyd aan die publiek toegewys word;

(c) wat sonder onderbreking gebruik word deur die publiek vir 'n tydperk van ten minste 30 (dertig) jaar en wat verval na 30 Desember 1959; of

(d) wat ter enige tyd so verklaar of oorgegee is deur die Raad of 'n ander bevoegde gesag.

**"Raad"** die Plaaslike Oorgangsraad van Kimberley;

**"soom"** 'n soom soos gedefinieer in artikel 1 van die Padverkeerswet, 1989 (Wet 29 of 1989), en enige woord of uitdrukking waaraan 'n betekenis toegedeel is in die Wet op Besighede, 1991 (Wet 71 van 1991);

**"straathandelaar"** 'n persoon of sy gade of kind wat 'n wettige inwoner van die Republiek van Suid-Afrika is wat die eiendom in die jurisdiksiegebied van die Raad besit of wat aanspreeklik is om munisipale dienste aan die Raad te betaal, wat mobiel is en goedere vir eie gewin verkoop nieteenstaande of sulke goedere die produk van sy eie arbeid is of nie.

**"sypaadjie"** 'n sypaadjie of daardie gedeelte van 'n pad wat gereserveer is vir gebruik deur voetgangers;

**"tuin of park"** 'n tuin of park waartoe die algemene publiek 'n reg van toegang het;

**"verbode area"** enige plek verklaar of verklaar te word in terme van artikel 6A(2) van die Wet kragtens 'n besluit van die Raad om 'n plek te wees waar straathandel verbode sal wees;

**"verkoop"** vervreemding vir waarde en sluit in voorsiening aan en ook—

(a) ruil of verhuur;

(b) opberg, blootstel, aanbied of voorberei vir verkoping, en het "verkoping" ooreenstemmende betekenis.

**"voedingstof"** enige artikel of substansie [uitgesonderd 'n dwelmiddel soos omskryf in die Wet op die Beheer van Medisyne en Verwante Stowwe, 1965 (Wet 101 van 1965)], wat normaalweg geëet of gedrink word deur persone of wat bedoel word om aanvaarbaar, vervaardig of verkoop te word vir menslike verbruik, en sluit in enige deel of bestanddeel van enige sodanige artikel of substansie, of enige substansie wat gebruik of bestem is vir gebruik as 'n gedeelte of bestanddeel van enige sodanige artikel of substansie;

**"vullis"** enige afvalmateriaal en sluit in enige houer of enige ander materiaal wat weggegooi is of agtergelaat is deur 'n handeldrywende persoon of sy kliënte;

(2) Vir doeleindes van hierdie Verordening sal 'n eenmalige handeling van verkoping langs 'n publieke pad of in 'n publieke area dui op handeldryf.

(3) Woorde wat op die enkelvoud dui sluit die meervoud in en omgekeerd en 'n verwysing na die manlike sluit die vroulike in en omgekeerd.

## REG OM HANDEL TE DRYF

2. Onderhewig aan die bepalings van artikel 3 en 4 en enige ander Wetgewing, is straathandel toelaatbaar, behalwe in soverre sodanige handel beperk of verbied word deur artikel 5 tot en met artikel 13 en verder onderhewig daaraan dat 'n persoon wat nie voldoen aan die woordskrywing van 'n straathandelaar, nie geregtig sal wees om as 'n straathandelaar op te tree nie.

## ALGEMENE GEDRAGSWYSE VAN STRAATHANDELAARS

3. Geen persoon wat 'n straathandelaar is of voordoën om 'n straathandelaar te wees, sal—

- (a) sy eiendom of goedere op 'n soom of publieke plek plaas nie;
- (b) handeldryf op enige ander plek dan 'n aangewese area nie;
- (c) seker maak dat sy eiendom of goedere nie die aangewese area oorskry nie;
- (d) sy eiendom of goedere op sodanige wyse plaas of stapel dat dit 'n gevaar vir enige persoon of eiendom daarstel of moontlik 'n persoon kan beseer of eiendom kan beskadig nie;
- (e) enige struktuur oprig vir die doel om skuiling te voorsien op die aangewese area sonder dat die vooraf skriftelik goedkeuring van die gemagtigde beampte verkry is nie;
- (f) toegang tot 'n brandkraan of 'n area aangewys vir die uitsluitlike gebruik van noodvoertuie en/of -dienste, belemmer nie;
- (g) sy eiendom of goedere op die aangewese area laat, voor of na die besigheidsure gemeld in Skedule A nie, uitgesluit enige permanente struktuur soos goedgekeur deur die gemagtigde beampte;
- (h) op versoek van 'n werknemer of agent van die Raad of enige voorsiener van telekommunikasie, elektrisiteits- of ander dienste, versuim of nalaat om sy eiendom of goedere te verwyder ten einde toe te laat dat enige werk met betrekking tot 'n publieke pad, publieke ruimte of enige sodanige diens uitgevoer word;
- (i) enige objek of goedere op enige wyse aan enige gebou, struktuur, sypaadjie, boom, paarkeermeter, lamppaal, elektrisiteitspaal, telefoonhokkie, posbus, verkeersteken, heining, bank of enige ander straatmeublement in of op 'n openbare pad of publieke ruimte, heg nie;
- (j) 'n oop vuur maak in die aangewese area of in omstandighede waar dit benadeling van 'n persoon of skade aan 'n gebou of voertuig kan veroorsaak nie;
- (k) sy eiendom of goedere in 'n luikgat, stormwaterdrein, busskuiling, publieke toilet of boom berg nie;
- (l) sy eiendom of goedere in die aangewese area verkoop deur gebruik te maak van megafone, radio's, luidspreker, gereelde geskreue of gesing op 'n manier wat 'n oorlas of steurnis veroorsaak nie;
- (m) enige eiendom of goedere verkoop wat gevaarlik of tot nadeel van publieke gesondheid is nie;
- (n) met straathandel begin nie behalwe waar hy by die Raad as sodanig registreer is en sodanige fooie en koste betaal vir dienste verlang, insluitende die koste van huur van die aangewese area en/of struktuur wat deur die Raad voorsien word.

## SINDELIKHEID

4. (1) 'n Straathandelaar of 'n persoon wat voorgee om 'n straathandelaar te wees, sal—

- (a) sy eiendom of goedere en die aangewese area in 'n skoon en sindelike toestand hou;
- (b) vullis wat deur sy besigheid genereer word, opruim en plaas in houe wat deur die Raad voorsien word, insluitende herwinnings en stortingsterreine en sal nie die vullis wegmaak in 'n luikgat, stormwaterdrein of enige ander plek wat nie bestem is vir die berg van vullis nie;
- (c) seker maak dat by sluiting van besigheid vir die dag die aangewese area vry van vullis is;
- (d) sodanige voorsorgmaatreëls tref as wat nodig mag wees of wat deur die Raad voorgeskryf word om stort van enige vet, olie, ghries of enige gevaarlike substansie op 'n publieke pad of publieke ruimte te voorkom wat mag ontstaan in die loop van sy besigheid en voorkom dat enige rook, damp, reuk of geraas wat afkomstig is van sy aktiwiteite 'n oorlas word.

(2) Die Raad sal—

- (a) verseker dat die houe op die aangewese area op 'n gereelde basis skoongemaak en ontsmet word;
- (b) houe voorsien op die aangewese areas ten einde die wegmaak van vullis deur, straathandelaars te vergemaklik; en
- (c) verseker dat die houe voorsien op 'n gereelde basis leeggemaak word.

## BELEMMERING VAN VOETGANGERS

5. (1) Geen persoon sal handeldryf op 'n plek waar sodanige handeldrywing—

- (a) toegang tot of die gebruik van straatfasiliteite soos 'n bushalte, busskuiling of tou, vullisdrom of ander fasiliteit wat bestem is vir gebruik deur die algemene publiek, belemmer nie;
- (b) die sigbaarheid van 'n vertoonvenster, advertensiebord of perseel belemmer nie;
- (c) toegang tot 'n gebou, outomatiese banktellermasjien en/of tou, voetoorgang of voertuig belemmer;
- (d) minder as 2 (twee) meter in breedte van 'n sypaadjie oop laat vir voetganger gebruik, of op enige wyse waardeur voetgangers in die gebruik van die sypaadjie belemmer word;
- (e) die sig van enige padgebruiker verberg of belemmer nie.

#### BELEMMERING VAN VOERTUIGVERKEER

6. Geen persoon sal handeldryf op 'n plek waar sodanige handel—

- (a) 'n hindernis op ryvlak veroorsaak;
- (b) die toegang tot parkering of laaisones of ander fasiliteite vir voertuigverkeer beperk;
- (c) die sig na enige verkeerstekens of ander merk, kennisgewing of ander teken wat vertoon of gemaak is in terme van hierdie of enige ander Verordening belemmer; of
- (d) op enige manier met enige voertuig wat geparkeer mag wees langs sodanige area, bemoei.

#### HANDEL BEPERK TOT GESPEKIFISEERDE URE IN SEKERE PLEKKE

7. Geen persoon sal handeldryf—

- (a) op 'n soom aanliggend tot enige plek van aanbidding, nasionale monument of publieke gebou; of
- (b) in 'n beperkte area, wat omskryf word in Skedule C en saamgestel is in ooreenstemming met die proses bedoel in artikel 6A(2)(a) tot (j) van die Wet buite die ure soos aangedui in Skedule A.

#### HANDEL BEPERK TOT SEKERE GOEDERE OF DIENSTE IN SEKERE AREAS

8. Geen persoon sal handeldryf—

- (a) op 'n soom aanliggend tot enige plek van aanbidding, nasionale monument of publieke gebou;
- (b) in 'n beperkte area, wat spesifiseer word in Skedule B en saamgestel is in ooreenstemming met 'n proses bedoel in artikel 6A(2)(a) tot (j) van die Wet, beperk tot die goedere en dienste aldus aangedui; of
- (c) op 'n soom aangrensend tot daardie gedeelte van 'n gebou waarin besigheid bedryf word deur 'n ander handelaar anders dan 'n afdelingswinkel, supermark of 'n groothandelaar, waar die goedere of dienste wat die straathandelaar verkoop van dieselfde aard of van 'n soortgelyke samestelling is as die goedere wat verkoop word deur daardie handelaar.

#### HANDEL BEPERK TOT AANGEWSE AREA OF STANDPLASE IN SEKERE PLEKKE

9. Geen persoon sal handeldryf—

- (a) op 'n soom aangrensend tot enige plek van aanbidding, nasionale monument of publieke gebou;
- (b) in 'n beperkte area, wat spesifiseer word in Skedule C en saamgestel is in ooreenstemming met 'n proses bedoel in artikel 6A(2)(a) tot (j) van die Wet buite 'n aangewese area wat uitgesit is vir handeldoeleindes soos bedoel in artikel 6A(3)(b) van die Wet.

#### GEEN HANDEL IN AANGEWSE AREA OF AREAS WAT VERHUUR WORD BEHALWE DEUR DIE HUURDER

10. Indien die Raad 'n aangewese area verhuur of andersins toegeken of uitgesit het of op enige ander manier daar gestel het vir straathandeldoeleindes, soos bedoel in artikel 6A(3)(c) van die Wet mag geen persoon in sodanige area handeldryf indien hy nie in besit is van bewys dat hy die aangewese area van die Raad huur of dat dit op 'n ander manier aan hom toegewys is.

#### GEEN HANDEL NABY SEKERE PUBLIEKE GEBOUE, AANBIDDINGS-PLEKKE EN NASIONALE MONUMENTE

11. Geen persoon sal handeldryf op 'n soom aangrensend tot enige plek van aanbidding, nasionale monument of publieke gebou wat omskryf is in Skedule D, en saamgestel is in ooreenstemming met 'n proses soos beoog in artikel 6A(2)(a) tot (j) van die Wet.

#### GEEN HANDEL IN 'N BEPERKTE AREA

12. Geen persoon sal handeldryf in 'n beperkte area, wat die Raad vir daardie doel as verbode verklaar nie.

#### HANDELDRYF NABY RESIDENSIËLE GEBOUE

13. Geen persoon sal, buite die area soos gespesifiseer in Skedule E, saamgestel in ooreenstemming met 'n proses soos beoog in artikel 6A(2)(a) tot (j) van die Wet, handeldryf op die soom aangrensend tot 'n gebou wat gebruik word uitsluitlik vir residensiële doeleindes, indien—

- (a) die eienaar, persoon in beheer of okkupeerder van enige gedeelte van die gebou wat front na sodanige soom skriftelik daarteen beswaar aangeteken het; en
- (b) die feit dat so 'n beswaar aangeteken is, skriftelik bekendgemaak is aan die eersgemelde persoon deur 'n gemagtigde beampte.

#### TEKENS AANDUIDEND VAN BEPERKINGS EN AREA

14. Die Raad mag—

- (a) by wyse van 'n raadsbesluit, na konsultasie met alle belanghebbende partye, tekens, merke en ander toestelle wat deur die Premier goedgekeur staan te word en met betrekking tot straathandel, aandui—
  - (i) die beperkte ure, plekke, goedere of dienste;
  - (ii) die ligging of grense van beperkte areas;



- (iii) die grense van 'n aangewese area of area uitgesit vir die doel van die bedryf van 'n besigheid van straathandel kragtens artikel 6A (3) (b) van die Wet;
  - (iv) enige beperking of verbod teen handel in terme van hierdie Verordening;
  - (v) die ligging en grense van 'n verbode en beperkte area; en
- (b) enige sodanige teken, merk of toestel op so 'n posisie en manier plaas sodat dit die beperkings op die ligging of die grense van die betrokke area of aangewese area aandui.

**VERWYDERING EN INBESLAGNEMING**

15. (1) Enige beamppte mag enige goed, artikel, houer, voertuig of struktuur verwyder en skut—
- (a) wat hy redelikerwys vermoed gebruik word of wat gebruik was met betrekking tot straathandel; en
  - (b) wat hy vind te 'n plek waar straathandel beperk of verbied word in terme van artikels 5 tot en met 13 en wat na sy mening 'n oortreding van enige sodanige artikel mag wees; of
  - (c) wat 'n oortreding van artikel 3 daarstel.
- (2) Enige beamppte handelende in terme van hierdie Verordening, moet—
- (a) behoorlik rekord hou van enige eiendom aldus verwyder en kennis gee aan die persoon, indien enige, skynbaar in beheer van sodanige eiendom, van die prosedure vir opeising van sodanige eiendom en die lokaal waar sodanige eiendom gehou sal word; en
  - (b) lewer onmiddellik sodanige eiendom aan die skut soos vermeld in subartikel (a) hierbo.
- (3) Enige eiendom verwyder en geskut soos voorsien in artikel 6A van die Wet—
- (a) mag, in die geval van bederfbare eiendom, verkoop of vernietig word binne 'n redelike tydperk na die skut daarvan, met dien verstande dat sodanige eiendom onderhewig aan die bepalings van 15 (4) hieronder te enige tyd, voor die vernietiging of verkoop daarvan, aan die eienaar teruggegee mag word nadat bewys van eienaarskap gelewer is en mits sodanige bederfbare steeds vir menslike gebruik geskik is;
  - (b) sal onderhewig aan die bepalings van artikel 15 (4) hieronder in die geval van eiendom anders dan bederfbare eiendom, teruggegee word na bewys van eienaarskap binne 'n tydperk van 1 (een) maand vanaf datum van skut.
- (4) Die Raad sal geregtig wees om die eiendom vermeld te behou totdat alle onkoste betaal is, by ontstentenis waarby die eiendom verkoop mag word per publieke verkoping met 14 (veertien) dae kennisgewing: Met dien verstande dat waar die eiendom bederfbare produkte of van 'n bederfbare aard is die gemagtigde beamppte die tydperk van 14 (veertien) dae in so 'n mate en op sodanige voorwaardes as wat hy goed ag kan verminder of sodanige bederfbare vernietig wat ook al die mees koste effektief is.
- (5) In die geval van 'n verkoping van geskutte eiendom deur 'n Raad, sal die opbrengs van sodanige verkoping min die redelike uitgawes aangegaan deur die Raad in verband met die verwydering, skut en/of wegmaak van sodanige eiendom oorbetal word aan die persoon wat die eienaar was van die eiendom toe dit geskut was. As sodanige eienaar nalaat om die gemelde opbrengs binne 3 (drie) maande van datum waarop sodanige eiendom verkoop was op te eis, sal sodanige opbrengs verbeur word aan die Raad en sal inbetaal word in 'n spesiale fonds wat deur die Raad in die lewe sal roep en wat aangewend sal word vir die ontwikkeling van die informele sektor en aanverwante aangeleenthede.
- (6) Die eienaar van eiendom wat verwyder, verkoop en/of geskut of weggemaak is soos hierbo na verwys, sal aanspreeklik wees vir alle uitgawes deur die Raad aangegaan met betrekking tot sodanige verwydering, skut, verkoop en/of wegmaak.

**OORTREDINGS**

16. Enige persoon wat—
- (a) enige bepaling van hierdie Verordening oortree of nalaat om na te kom;
  - (b) enige teken of merk wat vertoon word of aangebring is in terme van die Verordening ignoreer, verontagsaam of nie gehoorsaam nie;
  - (c) oortree of versuim om gehoor te gee aan enige goedkeuring of voorwaardes toegeken of opgelê in terme van hierdie Verordening;
  - (d) versuim om gehoor te gee aan 'n geskrewe instruksie om sy eiendom te verskuif of te verwyder;
  - (e) opsetlik valse of misleidende inligting aan 'n beamppte of werknemer van die Raad verstrek;
  - (f) 'n beamppte of werknemer van die Raad in die uitvoering van sy magte, pligte of funksies kragtens hierdie Verordening dreig, verset, inmeng of belemmer,
- sal skuldig wees aan 'n oortreding.

**BOETES**

17. Iedereen wat skuldig bevind word aan 'n oortreding in terme van hierdie Verordening is strafbaar met 'n boete van hoogstens R1 000 (eenduisend rand) of gevangenisstraf vir 'n tydperk van hoogstens ses maand of met sodanige gevangenisstraf sonder die keuse van 'n boete of met beide sodanige boete en sodanige gevangenisstraf.



#### MIDDELIKE AANSPREEKLIKHEID VAN PERSONE WAT 'N BESIGHEID BEDRYF

18. Indien 'n werknemer van 'n persoon wat 'n besigheid bedryf van straathandel, handel of nalaat om enige handeling te verrig wat 'n oortreding van hierdie Verordening sal meebring, sal daardie persoon geag word self die handeling verrig of nagelaat het om te verrig, tensy hy tot tevredenheid van die hof bewys het—

- (a) hy nog saamgespan not toegelaat het dat die betrokke werknemer die handeling of nalate verrig het;
- (b) hy alle redelike stappe geneem het om die handeling of nalate te voorkom; en
- (c) die feit dat die gemelde persoon beweer dat hy bevel gegee het dat die handeling of nalate verbode is, sal nie afdoende bewys wees dat hy alle redelike stappe geneem het om die handeling of nalate te voorkom nie.

#### MIDDELLIKE AANSPREEKLIKHEID VAN WERKNEMERS

19. Wanneer 'n persoon handeldryf as straathandelaar en aanspreeklik kragtens artikel 18 is vir 'n handeling of nalate van 'n werknemer dan sal daardie werknemer ook aanspreeklik wees asof hy die persoon is wat die besigheid gedryf het.

#### APPÈLLE

20. (1) Enige persoon wat homself benadeeld voel oor 'n besluit van die Raad, mag appèl aanteken teen sodanige besluit, na 'n komitee in ooreenstemming met die voorskrifte hieronder uiteengesit.

(2) Enige persoon wat homself benadeeld voel deur 'n besluit van die Raad, sal die Raad skriftelik in kennis stel van die voorneme en redes om te appèlleer binne 10 (tien) dae na datum van die Raad se besluit.

#### SAMESTELLING VAN 'N APPÈLKOMITEE

21. (1) Die lid van die Uitvoerende Raad vir Handel en Ekonomiese Sake mag, in samewerking met die Raad en verteenwoordigers van die formele en informele handelaars, persone aanwys as lede of alternatiewe lede van die Appèlkomitee.

(2) Die Appèlkomitee sal bestaan uit 'n maksimum van 7 (sewe) lede met ten minste 1 (een) lid van elk van die bogemelde.

(3) Die lede van die Appèlkomitee sal lede aanwys om onderskeidelik as voorsitter en ondervoorsitter op te tree.

(4) Wanneer die voorsitter nie in staat is om sy bevoegdhede as voorsitter na te kom nie, sal die ondervoorsitter die funksies van die voorsitter nakom.

(5) Indien die voorsitter van mening is dat 'n besondere persoon bevoeg is om die Appèlkomitee by te staan, kan hy daardie persoon vir daardie doel koöpteer.

(6) 'n Persoon aldus gekoöpteer sal nie geregtig wees om te stem by enige vergaderings van die Appèlkomitee nie.

(7) Die voorsitter sal die aldus benadeelde persoon in kennis stel van die datum, tyd en plek van die vergadering van die Appèlkomitee en dat sy teenwoordigheid verlang word, binne 10 (tien) dae vanaf ontvangs van die kennisgewing van appèl.

(8) Die aldus benadeelde persoon wat 'n kennisgewing in terme van die bepalings van artikel 21(7) ontvang het sal persoonlik voor die Appèlkomitee verskyn en/of 'n regsverteenwoordiger aanwys en/of 'n ander persoon wat ten behoeve van hom verskyn.

(9) Die Raad mag verteenwoordig word deur 'n gemagtigde beampte en/of 'n regsverteenwoordiger.

#### PROSEDURE TYDENS APPÈLVERRIGTINGE

22. (1) Die voorsitter sal die prosedure van die vergadering bepaal, mits—

(a) die prosedure voldoen aan die *audi alteram partem* beginsel; en

(b) alle patye in kennis gestel is 7 (sewe) dae voor die aanhoor van die appèl en van die prosedure wat gevolg gaan word.

(2) 'n Kworum sal ten minste 2/3 (twee derdes) van al die lede van die Appèlkomitee wees.

(3) Die Appèlkomitee mag—

(a) getuies roep en aanhoor;

(b) dokumentasie aanvra en nagaan; en

(c) getuies ondervra.

(4) Die Appèlkomitee kan 'n besluit van 'n gemagtigde beampte hersien en 'n bevinding maak met inagneming van die volgende oorwegings—

(a) of die besluit van die gemagtigde beampte billik en redelik was in die omstandighede;

(b) die effek van die besluit op die vermoë om handel te dryf van die aldus benadeelde persoon; en

(c) alternatiewe stappe wat geneem kan word om die voortsetting van die besigheid van die aldus benadeelde persoon te fasiliteer.

(5) 'n Besluit van die Appèlkomitee sal geneem word by wyse van 'n meerderheid van stemme van al die lede van die Appèlkomitee en in die geval van 'n staking van stemme, sal die voorsitter 'n beslissende stem hê tesame met sy beraadslagende stem.

- (6) Die Appèlkomitee mag nadat dit die gelewerde getuienis oorweeg het—
- (a) die appèl van die hand wys;
  - (b) die appèl handhaaf; of
  - (c) sodanige stappe neem as wat dit mag goed vind.
- (7) Die Appèlkomitee sal binne twee dae—
- (a) die aldus benadeelde persoon skriftelik in kennis stel van sy besluit; en
  - (b) die aldus benadeelde persoon van geskrewe redes vir die besluit voorsien.

**HERROEPING VAN VERORDENINGE**

23. Alle bestaande Straathandel Verordeninge word hiermee herroep.

**SKEDULE A****Plekke met beperkte besigheidsure**

- A.1 Alle areas in Skedule C waar handel toegelaat word: Maandae tot Saterdag: 08:00–18:00

**SKEDULE B****Plekke waar goedere of dienste beperk word**

- B.1 Markplein handelsgebied (Huurmotorstaanplek uitgesluit).  
Handeldryf uitsluitlik in goedere of dienste wat gemik is op die behoefte van toeriste

**SKEDULE C****Plekke waar handel beperk is tot aangewese standplase en areas.**

- C. 1. Markplein  
2. Diamant Parkeerarea  
3. John Dakastraat  
4. Royalstraat  
5. Galeshewestraat  
6. Adam Namakolastraat  
7. Dingaansstraat  
8. Montshiwastraat  
9. Morganstraat  
10. Ramatshelastraat  
11. Seochoarengstraat  
12. Selekestraat  
13. Nobengulastraat  
14. Thabo Modupestraat  
15. Hulanstraat  
16. 19de Straat  
17. Dutch Reformstraat  
18. Stockdale Huurmotorstaanplek  
19. Markplein Huurmotorstaanplek  
20. Cravenstraat Huurmotorstaanplek  
21. Ravenstraat  
22. Starlingstraat

**SKEDULE D****Skouer waar handel verbode is**

- D.1 Alle oop areas nie gemeld in Skedule C
- D.2 Alle skouers gemeld in Skedule C wat aangrensend is tot:
- (a) Publieke geboue;
  - (b) Plekke van aanbidding; en
  - (c) Nasionale monumente

**SKEDULE E**

**Areas uitgesluit van beperking op handel naby residensiële geboue**

E.1 Alle areas behalwe dié in Skedule C gemeld.

**NOTICE 75 OF 1999**

**PROVINCE OF THE NORTHERN CAPE**

**PUBLICATION OF THE DRAFT REGULATIONS FOR THE ESTABLISHMENT OF THE  
EDUCATION AND TRAINING COUNCIL**

The Member of the Executive Council for Education intends in terms of section 32 (7) of the Northern Cape School Education Act, 1996 (Act No. 6 of 1996), to make the regulations for the establishment for the Education and Training Council.

Any comments or remarks must be submitted to the Provincial Secretary, Northern Cape Legislature, Private Bag X5066, Kimberley, 8300, to reach him not later than 22 February 2000.

**G. M. MASHOPE**

Provincial Secretary: Northern Cape Legislature

**DRAFT**

**REGULATIONS FOR THE ESTABLISHMENT OF THE EDUCATION AND TRAINING COUNCIL**

**PREAMBLE**

The Member of the Executive Council for Education, Training, Arts and Culture has in terms of section 32 (7) of the Northern Cape School Education Act, 1996 (Act No. 6 of 1996, the Act) made these regulations for the establishment of the Education and Training Council.

**CHAPTER ONE: DEFINITIONS**

**1. Definitions**

- (a) Subject to subregulation (2) and unless the context indicates otherwise, a word as defined in the Act shall have the same meaning in these regulations.
- (b) In these regulations, unless the context indicates otherwise—
  - “**Council**” means the Education and Training Council established in terms of regulation 2;
  - “**department staff**” means employees of the department;
  - “**designated organisation**” means an organisation designated by the Member of the Executive Council in terms of regulation 3;
  - “**educational institution**” means any institution for the education of students;
  - “**head of institution**” means the Chief Executive Officer of any educational institution;
  - “**nominated member**” means a member of the council nominated in terms of regulation 2 (1), 2 (2) or 2 (3);
  - “**student**” means any person enrolled at any educational institution other than a school.

**CHAPTER TWO: EDUCATION AND TRAINING COUNCIL**

**2. Composition of Council**

The following persons shall be appointed by the Member of the Executive Council as members of the Education and Training Council:

- (1) One representative nominated by—
  - (a) Each Regional Council established in terms of section 39 of the Act; and
  - (b) Each Specialist Council established in terms of section 45 of the Act.
- (2) One representative nominated by each designated organisation representing the following constituencies in the province:
  - (a) Parents of learners enrolled at school;
  - (b) Educators;
  - (c) Learners enrolled at school;
  - (d) Students;
  - (e) Heads of institutions;
  - (f) Principals;

- (g) Departmental staff;
  - (h) Governing bodies of Public Schools;
  - (i) Private educational institutions;
  - (j) Independent schools;
  - (k) Non-governmental education organisations;
  - (l) Business;
  - (m) Labour.
- (3) One representative nominated by each training board in the province.
  - (4) One representative nominated by the Provincial culture of learning and teaching service oversight committee.
  - (5) Subject to subregulations (6) and (7) such persons as the Member of the Executive Council in his or her discretion may appoint as members of the Council.
  - (6) Persons appointed in terms of subregulation (5) shall be persons who are by virtue of their experiences or expertise, able to make a valuable contribution to education in the province.
  - (7) The total number of persons appointed in terms of subregulation (5) shall not be more than 20% of the total number of members of the Council at the time of the appointment of such persons.

### 3. DESIGNATION OF ORGANISATIONS FOR MEMBERSHIP OF COUNCIL

(1) The Member of the Executive Council may on written application by an organisation representing a constituency contemplated in regulation 2(2) or 2(3) declare it to be a designated organisation if—

- (a) it has a written Constitution of the Republic of South Africa which provides for the membership of the organisation in a manner which does not violate the provisions of Section 8 of the constitution and;
- (b) he or she is satisfied that the organisation represents a significant proportion of the relevant constituency in the province.

(2) If a Member of the Executive Council rejects an application by an organisation, to be declared a designated organisation, he or she shall provide that organisation with written reasons for the decision to reject the application.

(3) The designation of organisation shall be valid for a period of two years.

(4) On the expiry of the period of two years contemplated in subregulation (3) an organisation may re-apply for designation in terms of subregulation 1.

(5) After 1 January 2000 any decision by the Member of the Executive Council to declare an organisation to be a designated organisation shall be taken after consultation with the Council.

### 4. WITHDRAWAL OF DESIGNATION OF ORGANISATION

(1) The Member of the Executive Council may, after consultation with the Council, withdraw the designation of an organisation—

- (a) If the organisation so request;
- (b) If the organisation ceases to be qualified for designation in terms of regulation 3 (1); or
- (c) If a representative of the organisation has failed to attend three consecutive meetings of the Council and the Council has passed a resolution requesting the Members of the Executive Council to withdraw the designation of the organisation.

(2) The Member of the Executive Council may not withdraw the designation of an organisation unless he or she has given the organisation an opportunity to make representations relating to any decision to withdraw its designation.

(3) The Member of the Executive Council shall duly consider such representations referred to in subregulation (2) and furnish the organisation with reasons, in writing for his/her decision.

### 5. TERMS OF OFFICE OF MEMBERS OF COUNCIL

(1) Subject to these regulations, the term of office of a member of the Council shall be two years from the date upon which he or she is appointed by the Member of the Executive Council.

(2) A nominated member of the Council may, at any time, have his or her nomination withdrawn by the Regional Council, Specialists Council or designated organisation which nominated him or her.

(3) If the nomination of a nominated member of the Council is withdrawn, he or she shall immediately cease to be a member of the Council and relevant regional council, specialist council or designated organisation may nominate another representative to replace that person as a member of the Council.

(4) A person replacing a nominated member of the Council in terms of subregulation (3) shall be a member of the Council for the remainder of the term of office of the nominated member of the Council whom he or she replaces.

(5) A member of the Council who was nominated by an organisation whose designation has been withdrawn shall cease to be a Member of the Council on the date on which the member of the Executive Council withdraws the designation of the organisation.



(6) Notwithstanding the provisions of this regulation, the Member of the Executive Council may extend the term of office of any member of the Council for a period not exceeding one year.

(7) In the event of a vacancy occurring in the Council, other than as contemplated herein, such vacancy shall be filled in accordance with Regulation (2).

(8) When a vacancy is filled as contemplated in subregulation (7) the provisions contained in subregulation (4) shall apply *mutatis mutandis*.

#### 6. EXECUTIVE COMMITTEE

(1) At the first meeting of the Council it shall elect an executive committee consisting of the following members:

- (a) A Chairperson;
- (b) A Vice Chairperson;
- (c) A Treasurer;
- (d) A Public Relations Officer;
- (e) A Liaison Officer.

(2) The Head of Department shall preside over the election of a Chairperson of the Council, whereupon the Chairperson shall take over the chairing of the meeting to preside over the election of the rest of the Executive Committee members as contemplated in subregulation 9.

(3) The Head of Department shall appoint a person designated in terms of regulation 8 as administrative officer for the Council.

(4) The administrative officer shall be a non-voting member of the Council.

#### 7. ADMINISTRATION OF FINANCE

The Council shall—

- (1) Control in accordance with the directions of the Head of Department all money received by it;
- (2) Keep such books, records and statements as may be required by the Head of Department;
- (3) In respect of its member's who are not in the full-time employment of the State, pay to such members such allowance and reimbursement of expenses as may be determined from time to time by the Head of Department.
- (4) The books, records and statements referred to in subsection (2) shall be audited annually by the Auditor-General.

#### 8. DESIGNATION OF STAFF

The Head of Department shall designate such persons in the service of the department as he or she deems necessary to perform the work relating to the performance of the functions of the Council.

#### 9. MEETINGS

The Council and the Executive Committee shall each meet at least four times a year.

#### 10. MINUTES OF MEETINGS

The minutes of the proceedings of every meeting of the Council and the Executive Committee shall be kept, and shall at all reasonable times be open to inspection by members of the public, at the office of the administrative officer.

#### 11. CONSTITUTION OF COUNCIL

The council may, by a majority of two thirds of its members, adopt a constitution not inconsistent with the provisions of the act, and this Regulations.

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### NOTICE 76 OF 1999

#### APPLICATIONS FOR PUBLIC ROAD CARRIER PERMITS/AANSOEKE OM OPENBARE PADVERVOERPERMITTE

*Address to which representations must be submitted: The Secretary, Local Road Transportation Board, Private Bag X5019, Kimberley, 8300, and the respective applicant.*

*Adres waarheen vertoë gerig moet word: Die Sekretaris, Plaaslike Padvervoerraad, Privaat Sak X5019, Kimberley, 8300, en die betrokke applikant.*

Full particulars in respect of each application are open to inspection at the Local Road Transportation Board's Offices, c/o Knight- en Stead Streets, 9th Floor, Room 9.11, Kimberley, 8301.

Volle besonderhede ten opsigte van elke aansoek lê ter insae by die Plaaslike Padvervoerraad se Kantoor, Nuwe Publieke Kantore, h/v Knight- en Steadstrate, 9de Vloer, Kamer 9.11, Kimberley, 8301.

**OP.30941.** (2) Sebastian TT ID No 6802245130086. Postal address: 15 Riverton Road, Homestead, Kimberley, 8300. (4) Transfer of permit - BDW 851 NC, Permit No. 301190/5 from Sebastian R (15 x passengers, district: Kimberley). (7) Authority as in last mentioned permit(s).

**OP.309473.** (2) Oliphant PM ID No 3710275187087. (3) Distrik: Barkly West. Posadres: Posbus 314, Barkly-Wes, Barkly-Wes, 8375. (4) Bykomende magtiging - CAG 982. (5) 1 x 14 passasiers. (6) Die Vervoer van taxi passasiers. (7) Magtiging.

*Bestaande magtiging:*

Vanaf Munisipale goedgekeurde taxistaanplek Barkly-Wes na punte binne die Landdrosdistrik van Barkly-Wes en terug na munisipale goedgekeurde taxistaanplek te Barkly-Wes.

*Onderworpe aan die volgende voorwaardes:*

(a) Die voertuig moet in die naam van die applikant geregistreer wees.

(b) Die houer van hierdie permit word belet om 'n ooreenkoms aan te gaan waarkragtens enige ander party gemagtig word om vir eie gewin padvervoer te onderneem kragtens magtiging verleen deur hierdie permit.

*Bykomende magtiging:*

Vanaf Barkly-Wes na Koopmansfontein en terug na Barkly-Wes.

**OP. 309476.** (2) Khetshane MJT ID No. 5501205374087. (3) District: Kimberley. Postal address: PO Box 26161, Tlhageng, Kimberley, 8300. (4) New Application/vehicle to be purchased. (5) 1 x 15 passengers. (6) The conveyance of taxi passengers. (7) Authority: From Indian Taxi Rank, Kimberley to Galeshewe via:

(i) Pniel Road, Tyson Road, Galeshewe Road, Morgan Road, Hulana Road, Seochoareng Street, Nobengula Street, Magoda Street, Dingaan Street, Montshiwa Road and Moshoeshoe Street.

(ii) Barkly Road, Tshweni Street, Stamper Street and Adam Nomakola Street.

(iii) Green Street, Findlayson Road, John Daka Street, Leshogo Street and Royal Street and return to Indian Centre Taxi Rank, Kimberley.

**OP.309477.** (2) Williams WP ID No. 4708285015081. (3) Distrik: Barkly West. Posadres: Posbus 183, Barkley Wes, Barkley Wes, 8375. (4) Nuwe aansoek - BDZ 031 MP. (5) 1 x 15 passasiers. (6) Die vervoer van taxi passasiers. (7) Magtiging: Vanaf Gong-Gong oor Barkly-Wes na Kimberley en terug an Gong-Gong.

**OP.309478.** (2) Modipa TS ID. No. 7306165306089. (3) District: Kimberley. Postal address: 4258 Phajane Street, Mankurwane, Mankurwane, 8345. (4) New application - BBJ 945 NC. (5) 1 x 15 passengers. (6) The conveyance of taxi passengers. (7) Authority: From Indian taxi rank, Kimberley to Galeshewe, Kimberley, via:

(i) Pniel Road, Tyson Road, Galeshewe Road, Morgan Road, Hulana Street, Seochoareng Street, Nobengula Street, Magoda Street, Dingaan Street, Motshiwa Street and Moshoeshoe Street.

(ii) Barkly Road, Tshweni Street, Stamper Street and Adam Nomakola Street.

(iii) Green Street, Findlayson Road, John Daka Street, Leshogo Street and Royal Street and return to Indian Centre, Taxi Rank, Kimberley.

**OP.309479.** (2) Modipa TS ID No. 7306165306089. (3) District: Kimberley. Postal address: 4258 Phajane Street, Mankurwane, Mankurwane, 8345. (4) New application - BBN 709 NC. (5) 1 x 15 passengers. (6) The conveyance of taxi passengers. (7) Authority: From Indian Taxi Rank, Kimberley to Galeshewe, Kimberley, via:

(i) Pniel Road, Tyson Road, Galeshewe Road, Morgan Road, Hulana Street, Seochoareng Street, Nobengula Street, Mogoda Street, Dingaan Street, Montshiwa Street and Moshoeshoe Street.

(ii) Barkly Road, Tshweni Street, Stamper Street and Adam to Indian Centre Taxi Rank, Kimberley.

**OP.309488.** (2) Mpetsheni NL ID No. 4608070567082. Posadres: PO Box 406, Postmasburg, Postmasburg, 8420. (4) Oordrag van permit—BCT 439 NC, Permit No. 302940/1 van Williamson WD (10 X passasiers, Distrik: Postmasburg). (7) Magtiging soos in laasgenoemde permit(te).

**OP.309492.** (2) Hadebe MZ, ID No. 6104135351082. (3) District: Kimberley. Postal address: 17848 Tebogo Balepile Street, Kutlwanong, Kimberley, 8301. (4) New application—CC 14746. (5) 1 x 15 passengers. (6) The conveyance of taxi passengers. (7) Authority: (I) From Kimberley to Upington via Campbell, Griekwastad and Groblershoop and return to Kimberley. (II) From Kimberley to Hartswater via Warrenton and Jan Kempdorp and return to Kimberley.

**OP.309495.** (2) Matlhaba SS ID No. 5709085780089. (3) District: Kimberley. Postal address: PO Box 1173, Kimberley, Kimberley, 8300. (4) New application—CC 66792. (5) 1 x 15 passengers. (6) The conveyance of taxi passengers. (7) Authority: (I) From Kimberley to Upington via Campbell, Griekwastad and Groblershoop and return to Kimberley over the same route. (II) From Kimberley to Postmasburg via Barkly West, Koopmansfontein and Finsch Mine and return to Kimberley over the same route.

**OP.309505.** (2) Moeta OS ID No. 5302055232081. Postal address: 7815 Moshekantane Street, Mankurwane, Kimberley, 8301. (4) Transfer of permit/veh to be purchased, Permit No. 301318/1 from Kantani HT (5 x passengers, District: Kimberley). (7) Authority as in last mentioned permit(s).

**OP.309506.** (2) Sedibe JT ID No. 5905045390080. (3) District: Barkly West. Postal address: P.O. Box 2317, Barkly West, Barkly West, 8375. (4) New application/vehicle to be purchased. (5) 1 x 15 passengers. (6) The conveyance of taxi passengers. (7) Authority: From Barkly West to Kimberley and return to Barkly West, Nomakola Street. (III) Green Street, Findlayson Road, John Daka Street, Leshogo Street and Royal Street and return to Indian Centre, Taxi Rank, Kimberley.

**OP.309480.** (2) Mokuchwane RS ID No. 6909025411089. (3) District: Kimberley. Postal address: 4514 Letlhaku Street, Galeshewe, Kimberley, 8345. (4) New application/vehicle to be purchased. (5) 1 x 15 passengers. (6) The conveyance of taxi passengers. (7) Authority: From Indian Taxi Rank, Kimberley to Galeshewe, Kimberley via: (I) Pniel Road, Tyson Road, Galeshewe Road, Morgan Road, Hulana Street, Seochoareng Street, Nobengula Street, Magoda Street, Dingaen Street, Montshiwa Street and Moshoeshoe Street. (II) Barkly Road, Tshweni Street, Stamper Street and Adam Nomakola Street. (III) Green Street, Findlayson Road, John Daka Street, Leshogo Street and Royal Street and return to Indian Centre, Taxi Rank, Kimberley.

**OP.309481.** (2) Mokuchwane RS ID No. 6909025411089. (3) District: Kimberley. Postal address: 4514 Letlhaku Street, Galeshewe, Kimberley, 8345. (4) New application/vehicle to be purchased. (5) 1 x 15 passengers. (6) The conveyance of taxi passengers. (7) Authority: From Indian Taxi Rank, Kimberley to Galeshewe, Kimberley via: (I) Pniel Road, Tyson Road, Galeshewe Road, Morgan Road, Hulana Street, Seochoareng Street, Nobengula Street, Magoda Street, Dingaen Street, Montshiwa Street and Moshoeshoe Street. (II) Barkly Road, Tshweni Street, Stamper Street and Adam Nomakola Street. (III) Green Street, Findlayson Road, John Daka Street, Leshogo Street and Royal Street and return to Indian Centre, Taxi Rank, Kimberley.

**OP.309482.** (2) Lucas TE ID No. 6701255727080. (3) District: Kimberley. Postal address: 19516, Thabo Moyostreet, Galeshewe, 8300. (4) New application/vehicle to be purchased. (5) 1 x 15 passengers. (6) The conveyance of taxi passengers. (7) Authority: Between Kimberley and Galeshewe.

**OP.309483.** (2) Moenko TC ID No. 6805035946082. (3) District: Kimberley. Postal address: P.O. Box 14006, Kimberley, Kimberley, 8300. (4) New application/vehicle to be purchased. (5) 1 x 15 passengers. (6) The conveyance of taxi passengers. (7) Authority: From Indian Centre Taxi Rank, Kimberley to Galeshewe, Kimberley, via: (I) Pniel Road, Tyson Road, Galeshewe Road, Morgan Road, Hulana Street, Seochoareng Street, Nobengula Street, Montshiwa Road, Magoda Street, Dingaen Street and Moshoeshoe Street. (II) Barkly Road, Tshweni Street, Stamper Street and Adam Nomakola Street. (III) Green Street, Findlayson Road, John Daka Street, Leshogo Street, Royal Street, Phutanang, Club 2000, Ipopenng, Ipeleng, Thlageng and Kutlwanong and return to Indian Centre Taxi Rank, Kimberley.

**OP.309485.** (2) Mortintshupana MNM ID No. 6702255666088. (3) District: Kimberley. Postal address: 4223 Seochoreng, Galeshewe, Kimberley, 8300. (4) New application/vehicle to be purchased. (5) 1 x 15 passengers. (6) The conveyance of taxi passengers. (7) Authority: From Indian Centre Taxi Rank, Kimberley to Galeshewe, Kimberley, via: (I) Pniel Road, Tyson Road, Galeshewe Road, Morgan Road, Hulana Street, Seochoareng Street, Nobengula Street, Montshiwa Road, Magoda Street, Dingaen Street and Moshoeshoe Street. (II) Barkly Road, Tshweni Street, Stamper Street and Adam Nomakola Street. (III) Green Street, Findlayson Road, John Daka Street, Leshogo Street, Royal Street, Phutanang, Club 2000, Ipopenng, Ipeleng, Thlageng and Kutlwanong and return.

**OP.309456.** (2) Cementec P ID No. 5706066099083. (3) Distrik: Gordonia. Posadres: Randstraat 134, Langverwag, Kakamas, 8870. (4) Bykomende magtiging—BCG 311 NC. (5) 1 x 10 passasiers. (6) Die vervoer van taxi passasiers. (7) Magtiging: *Bestaande magtiging:* (I) Vanaf Langverwagwoonbuurt, Kakamas na Kakamas Dorp oor die kortste direkte roete en terug na Langverwagwoonbuurt, Kakamas oor die kortste direkte roete. (II) Vanaf Kakamas-Oos na Kakamas-Oos oor die kortste direkte roete en terug na Kakamas-Oos oor die kortste direkte roete. (III) Vanaf Neus na Koekoep, Neilersdrif en Keimoes oor die kortste direkte roetes en terug na Neus oor die kortste direkte roetes. (IV) Vanaf Kakamas na Kenhardt oor die kortste direkte roete en terug na Kakamas oor die kortste direkte roete.

*Onderworpe aan die volgende voorwaardes:* (A) Die voertuig moet in die naam van die applikant geregistreer wees. (B) Die houer van hierdie permit word belet om 'n ooreenkoms aan te gaan waarkragtens enige ander party gemagtig word om vir eie gewin padvervoer te onderneem kragtens magtiging verleen deur hierdie permit.

*Bykomende magtiging:* (I) Vanaf Kakamas en Upington na Kuruman oor die kortste direkte roete en terug na Kakamas. (II) Vanaf Kakamas na Alheit, Marchand, Augrabies en Blouputs oor die kortste direkte roete en terug oor dieselfde direkte roete na Kakamas.

**OP.309485.** (2) Modise MN ID No. 6702255666088. (3) District: Kimberley. Postal address: 4223 Seochoreng, Galeshewe, Kimberley, 8301. (4) New application/vehicle to be purchased. (5) 1 x 15 passengers. (6) The conveyance of taxi passengers. (7) Authority: From Indian Centre Taxi Rank, Kimberley to Galeshewe, Kimberley via: (I) Pniel Road, Tyson Road, Galeshewe Road, Morgan Road, Hulana Street, Seochoareng Street, Nobengula Street, Montshiwa Road, Magoda Street, Dingaen Street and Moshoeshoe Street. (II) Barkly Road, Tshweni Street, Stamper Street and Adam Nomakola Street. (III) Green Street, Findlayson Road, John Daka Street, Leshogo Street, Royal Street, Phutanang, Club 2000, Ipopenng, Ipeleng, Thlageng and Kutlwanong and return to Indian Centre Taxi Rank, Kimberley.



**NOTICE 77 OF 1999****MUNICIPAL NOTICE****BENEDE-ORANJE DISTRICT COUNCIL****REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84/1967)****GARDEN PLOT 117, ROOIRAND ERF 51 AND FRITZRAND ERF 49, CANON ISLAND  
SETTLEMENT CROWN GRANTS 5/1943, 190/1953 AND 90/1955**

Notice is hereby given in terms of section 3 (6) of the above-mentioned act that the undermentioned application was received by the MEC for the Housing and Local Government and is open to inspection at the office of the Benede-Oranje District Council. Any objections, with reasons for the objections, should be lodged in writing with the Chief Executive Officer, Benede-Oranje District Council, within 21 days of the date of this publication. Quoting the above-mentioned act and the objector's erf number. Objections must be lodged on or before 21 December 1999.

*Applicant:* Canon Island Settlement Management Board.

*Nature of application:* Removal of restrictive title conditions in respect of Garden Plot 117, Rooirand, Erf 51 and Fritzrand Erf 49, Canon Island Settlement, in order to facilitate its sale and rendering for security purposes.

**KENNISGEWING 77 VAN 1999****MUNISIPALE KENNISGEWING****BENEDE-ORANJE DISTRIKSRAAD****WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)****TUINPERSEEL 117, ROOIRAND ERF 51 EN FRITZRAND ERF 49, KANONEILAND NEDERSETTING  
KROONGRONDBRIEWE NOMMERS 5/1943, 190/1953 EN 90/1955**

Kragtens artikel 3 (6) van bostaande wet word hiermee kennis gegee dat onderstaande aansoek deur die LUR vir Behuising en Plaaslike Regering ontvang is en ter insae lê in die kantoor van die Benede-Oranje Distriksraad. Enige besware teen die voorstel. Met volledige redes daarvoor, moet asseblief skriftelik ingedien word by die Hoof Uitvoerende Beampste, Benede-Oranje Distriksraad, binne 21 dae vanaf die datum hiervan, met vermelding van bogenoemde wet en die beswaarmaker se ernommer. Besware moet ingedien word vòòr òf op 21 Desember 1999.

*Aansoeker:* Kanoneiland Nedersettingsbestuursraad.

*Aard van aansoek:* Opheffing van beperkende titelvoorwaardes van toepassing op Tuinperseel 117, Rooirand, Erf 51, en Fritzrand Erf 49, Kanoneiland Nedersetting, ten einde die verhandeling en aanbieding daarvan vir sekuriteit te fasiliteer.

**MUNICIPAL NOTICE • MUNISIPALE KENNISGEWING****MUNICIPAL NOTICE 63****COLESBERG MUNICIPALITY****CLOSURE OF A PORTION OF PUBLIC PLACE: ERF 1096, COLESBERG [REF 5/8101/53 (P56)]**

Notice is hereby given in terms of section 137 (1) of the Municipal Ordinance 1974 (Ord. 20 of 1974) that the Council has closed a portion of public place, known as Erf 1096, Colesberg, permanently.

Full details are available during normal office hours from the Town Clerk. [Tel. (051) 753-0777.]

**B. J. KAPP, Chief Executive/Town Clerk**

Municipal Offices, Private Bag X6, Colesberg, 9795

Notice No. 16/1999

10 November 1999



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**MUNISIPALE KENNISGEWING 63**

**MUNISIPALITEIT COLESBERG**

**SLUITING VAN 'N GEDEELTE VAN OPENBARE PLEK: ERF 1096, COLESBERG [VERWYSING 5/8101/53(P56)]**

Kennis geskied hiermee ingevolge artikel 137 (1) van die Munisipale Ordonnansie 1974 (Ord. 20 van 1974) dat die Raad 'n gedeelte van Openbare plek, bekend as Erf 1096, Colesberg, permanent gesluit het.

Nadere besonderhede is beskikbaar gedurende gewone kantoorure by die Stadsklerk. [Tel. (051) 753-0777.]

**B. J. KAPP, Uitvoerende Hoof/Stadsklerk**

Munisipale Kantore, Privaatsak X6, Colesberg, 9795

Kennisgewing No. 16/1999

10 November 1999

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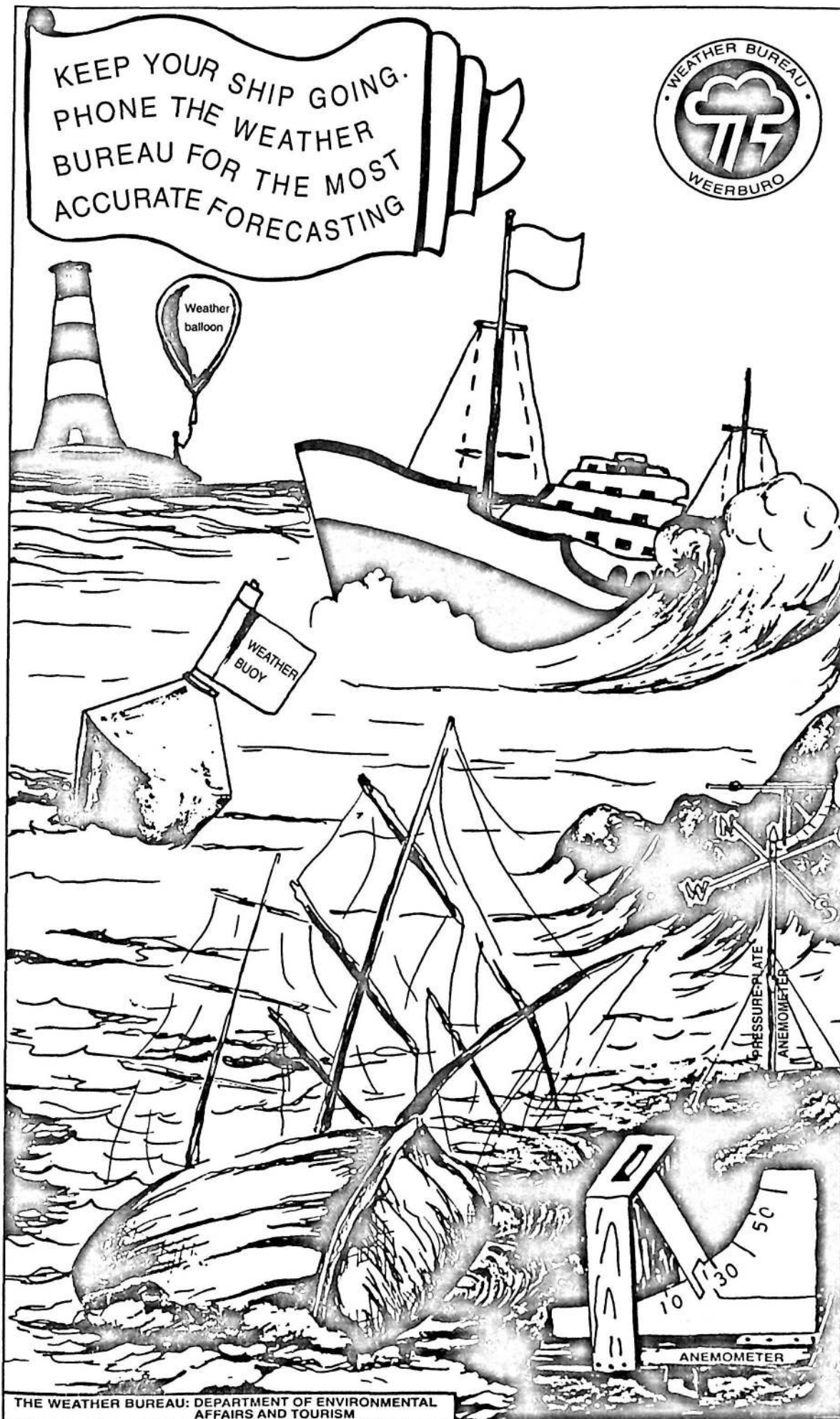
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