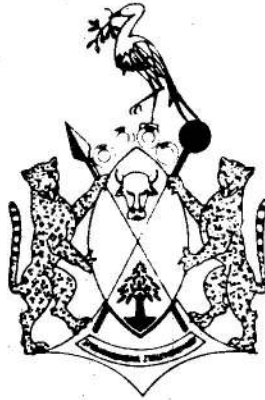


**IRIPHABLIKI  
YECISKEI**

**REPUBLIC OF  
CISKEI**

**IGAZETHI  
YOBURHULUMENTE**

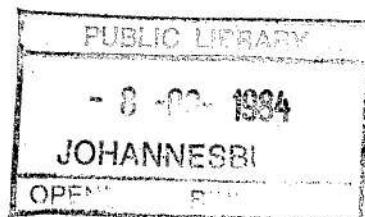


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<p><b>ISEBE LEMICIMBI YANGAPHAKATHI NOMIWO MIHLABA</b></p> <p><b>ISAZISO SIKARHULUMENTE SE-40</b></p> <p><b>NGOKWENJENJE KUYAZISWA UKUBA UMONGAMELI UWUVUMILE UMTHETHO OLANDELAYO NOBHENGE- ZWAYO APHA KUSAZISWA ULUNTU NGOKUBANZI:-</b></p> <p><b>UMTHETHO WOKUSUSWA KWEZITHINTELO EZITHILE, 1984</b></p> <p><b>UMTHETHO NOMBOLO 7 WOVE-1984</b></p>			<p><b>DEPARTMENT OF INTERNAL AFFAIRS AND LAND TENURE</b></p> <p><b>GOVERNMENT NOTICE No. 40</b></p> <p><b>IT IS HEREBY NOTIFIED THAT THE PRESIDENT HAS ASSENTED TO THE FOLLOWING ACT WHICH IS HEREBY PUBLISHED FOR GENERAL INFORMATION:-</b></p> <p><b><u>REMOVAL OF CERTAIN RESTRICTIONS</u> ACT, 1984</b></p> <p><b>ACT NO. 7 OF 1984</b></p>		



# REMOVAL OF CERTAIN RESTRICTIONS ACT, 1984

## ACT

To remove the restrictions on the acquisition of land or any interest in land in certain areas by certain persons and to provide for incidental matters.

(English text signed by the President. Assented to on 13 July 1984).

*BE IT ENACTED by the National Assembly of the Republic of Ciskei, as follows:—*

### *Definitions.*

1. In this Act, unless the context otherwise indicates —
  - “Ciskei” means the Republic of Ciskei;
  - “interest” in relation to land includes, in addition to other interests in land, any right which a person has under a lease or a mortgage of, or a servitude or a charge over, land;
  - “person” includes any company or other corporate body or association;
  - “released area” means any land in Ciskei which is a released area within the meaning of the Development Trust and Land Act, 1936 (Act 18 of 1936);
  - “reserved area” means any area or land referred to in the Schedule to Proclamation R.154 of 1974, R.115 of 1975, R.273 of 1975, or R.204 of 1981, as the case may be;
  - “restricting law” means —
    - (a) section 1 of the Black Land Act, 1913 (Act 27 of 1913);
    - (b) section 12 of the Development Trust and Land Act, 1936;
    - (c) section 3 or 6 of Proclamation R.154 of 1974, R.115 of 1975 or R.273 of 1975;and includes any other law whereby any person may be prohibited, on the grounds of race, descent or origin, from acquiring land or any interest in land in a township;
  - “restricted person” means any person whose right to acquire land or any interest in land in a township, or to change the use of any such land, is regulated by a restricting law;
  - “scheduled area” means any area in Ciskei described in the Schedule to the Black Land Act, 1913;
  - “township” means a township, as defined in section 102 of the Deeds Registries Act, 1937 (Act 47 of 1937), which is situated within a released area, reserved area or scheduled area.

### *Removal of certain restrictions.*

2. As from the commencement of this Act the restrictions imposed by a restricting law on a restricted person —
  - (a) to enter into any agreement or transaction for the purchase, hire or acquisition from any other person of any land, or any interest in land, in a township, or
  - (b) to purchase, hire or in any other manner whatsoever acquire land, or any interest in land, in a township, or
  - (c) to use any land in a township for any particular business, trade, calling or profession, shall cease to exist.

### *Short title.*

3. This Act shall be called the Removal of Certain Restrictions Act, 1984.

## UMTHETHO WOKUSUSWA KWEZITHINTELO EZITHILE, 1984

### UMTHETHO

Ukususa izithintelo ekufunyanweni komhlaba okanye nasiphina isahlulo somhlaba kwimimandla ethile ngabantu abathile nokubonelela iimeko ezizalwa koko.

(Okubhalwe ngesiNgesi kusayinwe nguMongameli. Kwavunywa ngomhla wama-13 Julayi 1984).

MAKWENZIWE UMTHETHO yiNdlu yeNdibano yeSizwe yeRiphabliki yeCiskei, ngolo hlobo lulandelayo:—

*linkcazo-magama.*

1. Kulo Mthetho, ngaphandle kokuba umxholo uthi unike enye intsingiselo —  
“iCiskei” kuthethwa iRiphabliki yeCiskei;  
“isahlulo” ngokumayela nomhlaba sibandakanya, ukongeza kwezinye izahlulo zomhlaba, naliphina ilungelo umntu analo phantsi kwengqesho okanye isibambiso ngawo, okanye elungelo lomnini-mhlaba womnye umntu okanye ukuphathiswa umhlaba;  
“umntu” ubandakanya nayiphina ikhampani okanye elinye iqumrhu okanye umbutho;  
“ummandla okhululelweyo” kuthethwa nawuphina umhlaba apha eCiskei ongummandla okhululelweyo ngokwentsingiselo yoMthetho weTrasti yeNkqubela noMhlaba, 1936 (uMthetho 18 wowe-1936);  
“ummandla ogciniweyo” kuthethwa nawuphina ummandla okanye umhlaba ekubhekiselelwe kuwo kwiShedyuli yesiHlokomiso R.154 sowe-1974, R.115 sowe-1975, R.273 sowe-1975, okanye R.204 sowe-1981, njengoko imeko inokuba njalo;  
“umthetho othintelayo” uthetha —  
(a) icandelo 1 loMthetho woMhlaba wabaMnyama, 1913 (uMthetho 27 wowe-1913);  
(b) icandelo 12 loMthetho weTrasti yeNkqubela noMhlaba, 1936;  
(c) icandelo 3 okanye 6 lesiHlokomiso R.154 sowe-1974, R.115 sowe-1975 okanye R.273 sowe-1975;  
kwaye ubandakanya nawuphina omnye umthetho ekuthi ngawo nawuphina umntu abe nokuthintelwa, ngenxa yobuhlanga, ukuzalwa okanye imveli, ekubeni azuze umhlaba okanye nasiphina isahlulo somhlaba kwidolophana;  
“umntu othintelweyo” kuthethwa nawuphina umntu olungelo lakhe lokufumana umhlaba okanye nasiphina isahlulo somhlaba okwidolophana, okanye ukutshintsha nakuphina ukusetyenziswa komhlaba onjalo, kulawulwa ngumthetho othintelayo;  
“ummandla okwishedyuli” uthetha nawuphina ummandla eCiskei ochazwe kwiShedyuli yoMthetho woMhlaba wabaMnyama, 1913;  
“idolophana” ithetha idolophana, njengokuchazwe kwicandelo 102 loMthetho wokuBhaliswa kweMihlaba, 1937 (uMthetho 47 wowe-1937) emiswe ngaphakathi kommandla okhululelweyo, kummandla ogciniweyo okanye kummandla okwishedyuli.

*Ukususwa kwezithintelo ezithile.*

2. Ukususela ekuqaliseni kwalo Mthetho izithintelo ezibekwe ngumthetho othintelayo kumntu othintelweyo —  
(a) ukuba angene kwimvumelwano okanye kwintengiselwano yokuthenga, ukuqesha okanye yokufumana nakowuphina omnye umntu nawuphina umhlaba, okanye nasiphina isahlulo somhlaba, kwidolophana, okanye  
(b) ukuthenga, ukuqesha okanye nangayiphina enye indlela ukufumana umhlaba, okanye nasiphina isahlulo somhlaba, okwidolophana, okanye  
(c) ukusebenzisa nawuphina umhlaba kwidolophana ngalo naliphina ishishini elithile, urhwebo, umsebenzi okanye umsebenzi wobungcali-mfundo ziya kupheliswa.

*Intloko emfutshane.*

3. Lo Mthetho uya kubizwa ngokuba nguMthetho wokuSuswa kweziThintelo Ezithile, 1984.

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