



# GOVERNMENT GAZETTE

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STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 677.

5 April 1991

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It is hereby notified that the State President has assented to the 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:—

No. 37 of 1991: Local Authorities Capital Development Fund Ordinance Amendment Act (Transvaal) (House of Assembly), 1991.

No. 37 van 1991: Wysigingswet op die Ordonnansie op die Kapitaalontwikkelingsfonds van Plaaslike Besture (Transvaal) (Volksraad), 1991.

Act No. 37, 1991

LOCAL AUTHORITIES CAPITAL DEVELOPMENT FUND  
ORDINANCE AMENDMENT ACT (TRANSSVAAL) (HOUSE OF  
ASSEMBLY), 1991

**GENERAL EXPLANATORY NOTE:**

- [**                    **]** Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with a solid line indicate insertions in existing enactments.

# ACT

To amend the Local Authorities Capital Development Fund Ordinance, 1978 (Transvaal) (in so far as it is applied as a law on own affairs of the White population group), so as to make it clear that a rate of interest not less than the lowest rate of interest applicable to loans from the Local Authorities Loans Fund shall apply to advances from the Capital Development Funds of certain town councils; and to rescind the power of the Minister of the Budget and Local Government to determine other rates of interest in that regard; and to provide for matters connected therewith.

*(English text signed by the State President.)*  
*(Assented to 19 March 1991.)*

**B**E IT ENACTED by the State President and the House of Assembly of the Republic of South Africa, as follows:—

**Definition**

1. In this Act, unless the context otherwise indicates, "the Ordinance" means the Local Authorities Capital Development Fund Ordinance, 1978 (Ordinance No. 9 of 1978) (Transvaal), in so far as and to the extent to which the provisions of Part IV of the Republic of South Africa Constitution Act, 1983 (Act No. 110 of 1983), have by paragraph (a) of Proclamation No. R. 36 of 1989 been declared to be applicable to the said Ordinance. 5

**Amendment of section 3 of Ordinance 9 of 1978, as amended by section 3 of Ordinance 18 of 1984, section 2 of Ordinance 14 of 1985 and section 3 of Act 54 of 1990** 10

2. Section 3 of the Ordinance is hereby amended by the substitution for paragraph (b) of subsection (3) of the following paragraph:

- (b) in the case of any other local authority at a rate which shall not be less than [— 15
- (i) the lowest rate of interest applicable on 1 January of the immediately preceding financial year to loans from the Local Authorities Loans Fund established in terms of section 2 of the Local Authorities Loans Fund Act, 1984 (Act 67 of 1984) **]; or**
- (ii) **such other rate of interest as the Minister may, either generally or 20 specifically, determine].**

**Short title and commencement**

3. This Act shall be called the Local Authorities Capital Development Fund Ordinance Amendment Act (Transvaal) (House of Assembly), 1991, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*. 25

WYSIGINGSWET OP DIE ORDONNANSIE OP DIE  
KAPITAALONTWIKKELINGSFONDS VAN PLAASLIKE BESTURE  
(TRANSVAAL) (VOLKSRAAD), 1991

Wet No. 37, 1991

## ALGEMENE VERDUIDELIKENDE NOTA:

- [ ] Woorde in vet druk tussen vierkantige hake dui skrapings uit bestaande verordenings aan.
- \_\_\_\_\_ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

## WET

Tot wysiging van die Ordonnansie op die Kapitaalontwikkelingsfonds van Plaaslike Besture, 1978 (Transvaal) (vir sover dit as 'n wet oor eie sake van die Blanke bevolkingsgroep toegepas word), ten einde dit duidelik te stel dat 'n rentekoers nie minder nie as die laagste rentekoers wat van toepassing is op lenings uit die Leningsfonds vir Plaaslike Besture, van toepassing is op voorskotte uit die Kapitaalontwikkelingsfondse van sekere stadsrade; en die bevoegdheid van die Minister van Begroting en Plaaslike Bestuur om ander rentekoerse in dié verband te bepaal, in te trek; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Staatspresident geteken.)  
(Goedgekeur op 19 Maart 1991.)

**D**AAR WORD BEPAAL deur die Staatspresident en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

### Woordomskeywing

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken “die Ordonnansie” die Ordonnansie op die Kapitaalontwikkelingsfonds van Plaaslike Besture, 1978 (Ordonnansie No. 9 van 1978) (Transvaal), vir sover en in die mate waarin die bepalinge van Deel IV van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet No. 110 van 1983), by paragraaf (a) van Proklamasie No. R. 36 van 1989 op genoemde Ordonnansie van toepassing verklaar is.
- 10 Wysiging van artikel 3 van Ordonnansie 9 van 1978, soos gewysig deur artikel 3 van Ordonnansie 18 van 1984, artikel 2 van Ordonnansie 14 van 1985 en artikel 3 van Wet 54 van 1990
2. Artikel 3 van die Ordonnansie word hierby gewysig deur paragraaf (b) van subartikel (3) deur die volgende paragraaf te vervang:
  - 15 (b) in die geval van enige ander plaaslike bestuur, nie minder nie as [—
    - (i)] die laagste rentekoers wat op 1 Januarie van die onmiddellik voorafgaande boekjaar van toepassing was op lenings uit die Leningsfonds vir Plaaslike Besture ingestel ingevolge artikel 2 van die Wet op die Leningsfonds vir Plaaslike Besture, 1984 (Wet 67 van 1984) [; of
    - 20 (ii) die ander rentekoerse wat die Minister, hetsy in die algemeen of in die besonder, bepaal].

### Kort titel en inwerkingtreding

3. Hierdie Wet heet die Wysigingswet op die Ordonnansie op die Kapitaalontwikkelingsfonds van Plaaslike Besture (Transvaal) (Volksraad), 1991, en tree in werking 25 op 'n datum deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal.