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STAATSKOERANT

GOVERNMENT GAZETTE

FOR THE REPUBLIC OF SOUTH AFRICA

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No. 14030

KANTOOR VAN DIE STAATSPRESIDENT

No. 1586.

12 Junie 1992

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

No. 62 van 1992: Wysigingswet op Ontwikkeling en Behuising (Volksraad), 1992.

STATE PRESIDENT'S OFFICE

No. 1586.

12 June 1992

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

No. 62 of 1992: Development and Housing Amendment Act (House of Assembly), 1992.

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 Ontwikkeling en Behuising, 1985, ten einde 'n uitgediende benaming te wysig; plaaslike besture te magtig om sekere strawwe voor te skryf; die tydperk in te kort waarbinne sekere eienaars teen sekere kennisgewings na die Minister van Behuising en Werke kan appelleer; en die oordrag van bevoegdthede deur plaaslike besture verder te reël; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die waarnemende Staatspresident geteken.)
(Goedgekeur op 3 Junie 1992.)

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

Wysiging van artikel 1 van Wet 103 van 1985, soos gewysig deur artikel 1 van Wet 43 van 1989

1. Artikel 1 van die Wet op Ontwikkeling en Behuising, 1985 (hieronder die Hoofwet genoem), word hierby gewysig deur die omskrywing van "Minister" 5 deur die volgende omskrywing te vervang:
" 'Minister' die Minister van **[Plaaslike Bestuur en]** Behuising en Werke van die Ministersraad;".

Wysiging van artikel 11B van Wet 103 van 1985, soos ingevoeg deur artikel 3 van Wet 43 van 1989

2. Artikel 11B van die Hoofwet word hierby gewysig deur die volgende paragraaf by subartikel (11) te voeg:
"(c) Regulasies uitgevaardig kragtens paragraaf (a) kan strawwe vir 'n oortreding daarvan of versuim om daaraan te voldoen, voorskryf wat 'n boete van R2 000 of gevangenisstraf vir 'n tydperk van ses maande nie te bowe gaan nie." 15

Wysiging van artikel 11C van Wet 103 van 1985, soos ingevoeg deur artikel 3 van Wet 43 van 1989

3. Artikel 11C van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:
"(1) 'n Eienaar wat hom veronreg voel deur 'n kennisgewing bedoel in artikel 11B(2), of soos verander **[ingevoelge]** kragtens artikel 11B(4), kan teen daardie kennisgewing na die Minister appelleer deur binne **[60] 21** dae van ontvangs van daardie kennisgewing, 'n kennisgewing van appèl by die 25 betrokke plaaslike bestuur in te dien."

DEVELOPMENT AND HOUSING AMENDMENT ACT
(HOUSE OF ASSEMBLY), 1992

Act No. 62, 1992

GENERAL EXPLANATORY NOTE:

- I** 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 Development and Housing Act, 1985, so as to alter an obsolete designation; to empower local authorities to prescribe certain penalties; to reduce the period within which certain owners may appeal to the Minister of Housing and Works against certain notices; and to further regulate the delegation of powers by local authorities; and to provide for matters connected therewith.

(English text signed by the Acting State President.)
(Assented to 3 June 1992.)

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

Amendment of section 1 of Act 103 of 1985, as amended by section 1 of Act 43 of 1989

- 5 1. Section 1 of the Development and Housing Act, 1985 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of "Minister" of the following definition:

 " 'Minister' means the Minister of **[Local Government and]** Housing and Works of the Ministers' Council;".

10 **Amendment of section 11B of Act 103 of 1985, as inserted by section 3 of Act 43 of 1989**

2. Section 11B of the principal Act is hereby amended by the addition of the following paragraph to subsection (1):

15 "(c) Regulations made under paragraph (a) may prescribe penalties for any contravention thereof or failure to comply therewith not exceeding a fine of R2 000 or imprisonment for a period of six months.".

Amendment of section 11C of Act 103 of 1985, as inserted by section 3 of Act 43 of 1989

- 20 3. Section 11C of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

 "(1) Any owner who feels aggrieved by a notice referred to in section 11B(2), or as varied **[in terms of]** under section 11B(4), may appeal against that notice to the Minister by lodging a notice of appeal with the local authority concerned within **[60]** 21 days of receipt of that notice."

Wysiging van artikel 52 van Wet 103 van 1985, soos gewysig deur artikel 11 van Wet 43 van 1989

4. Artikel 52 van die Hoofwet word hierby gewysig deur in subartikel (3) die woorde wat op paragraaf (b) volg deur die volgende woorde te vervang:

“soveel van sy bevoegdheide wat by hierdie Wet aan hom verleen is 5
[uitgesonderd die bevoegdheid by artikels 11B(2)(a) en 11B(4) aan hom verleen], delegeer as wat hy besluit, en enigiets wat deur so 'n komitee of amptenaar gedoen word kragtens en binne die bestek van die bevoegdheid wat aldus aan hom gedelegeer is, is net so geldig en bindend asof dit deur die plaaslike bestuur self gedoen is.”. 10

Kort titel

5. Hierdie Wet heet die Wysigingswet op Ontwikkeling en Behuising (Volksraad), 1992.

DEVELOPMENT AND HOUSING AMENDMENT ACT
(HOUSE OF ASSEMBLY), 1992

Act No. 62, 1992

Amendment of section 52 of Act 103 of 1985, as amended by section 11 of Act 43 of 1989

4. Section 52 of the principal Act is hereby amended by the substitution in subsection (3) for the words following upon paragraph (b) of the following
5 words:

“so much of the powers conferred upon it by this Act **[except the power conferred upon it by sections 11B(2)(a) and 11B(4)]** as it may decide, and anything done by such committee or official under and within the scope of the power so delegated to it or him shall be as valid and effective as if done
10 by the local authority itself.”

Short title

5. This Act shall be called the Development and Housing Amendment Act (House of Assembly), 1992.

