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GOVERNMENT GAZETTE

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OFFICE OF THE PRESIDENT

KANTOOR VAN DIE PRESIDENT

No. 635.

19 April 1996

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

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

No. 21 of 1996: Estate Agents Amendment Act, 1996.

No. 21 van 1996: Wysigingswet op Eiendomsagente, 1996.

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.
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ACT

To amend the Estate Agents Act, 1976, so as to amend the constitution of the Board; and to provide that the said Act shall also apply in the territories of the former Republics of Transkei, Bophuthatswana, Venda and Ciskei and the areas which comprised the territories declared under section 26 of the Self-governing Territories Constitution Act, 1971, to be self-governing territories; and to provide for matters connected therewith.

(Afrikaans text signed by the President.)
(Assented to 10 April 1996.)

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 3 of Act 112 of 1976, as amended by section 2 of Act 51 of 1984

1. Section 3 of the Estate Agents Act, 1976 (hereinafter referred to as the principal Act), is hereby amended— 5

(a) by the substitution for subsection (1) of the following subsection:

“(1) The Board shall consist of **[not fewer than nine and not more than fourteen]** fifteen members appointed under subsection (2) by the Minister.”; 10

(b) by the substitution for subsection (2) of the following subsection:

“(2) The Minister shall appoint as members of the Board—

- (a) five members from the estate agents' industry; 15
(b) five members from civil society, representing consumer interest; and
(c) five members from related professions and institutions such as the legal profession, financial institutions, property owners and developers.”; and

(c) by the substitution for paragraph (c) of subsection (6) of the following paragraph: 20

“(c) has been convicted of an offence involving an element of dishonesty **[or has been sentenced for any other offence to a period of imprisonment without the option of a fine]; or”.**

Extension of application of Act 112 of 1976

2. The Estate Agents Act, 1976 (Act No. 112 of 1976), shall from the date of commencement of this Act apply uniformly throughout the Republic.

Short title and commencement

3. This Act shall be called the Estate Agents Amendment Act, 1996, and shall 5
come into operation on a date fixed by the President by proclamation in the *Gazette*.