



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

As 'n Nuusblad by die Poskantoor Geregistreer

Registered at the Post Office as a Newspaper

PRYS (AVB ingesluit 30c PRICE (GST included)

BUITELANDS 40c ABROAD

POSVRY · POST FREE

Vol. 225

KAAPSTAD, 14 MAART 1984

No. 9119

CAPE TOWN, 14 MARCH 1984

KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 472.

14 Maart 1984

No. 472.

14 March 1984

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

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

No. 20 van 1984: Wysigingswet op Gemeenskapsontwikkeling, 1984.

No. 20 of 1984: Community Development Amendment Act, 1984.

GENERAL EXPLANATORY NOTE:

[Words in bold type in square brackets indicate omissions from existing enactments.

 Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Community Development Act, 1966, so as to apply the remedies of the Community Development Board against tenants who fail to meet their obligations, to other occupiers; to extend the Board's power of summary ejection of persons illegally occupying its immovable property; and to adapt the provisions of the Expropriation Act, 1975, in the case where a local authority acts on behalf of the Board; and to provide for incidental matters.

(Afrikaans text signed by the State President.)
(Assented to 24 February 1984.)

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

1. Section 18 of the Community Development Act, 1966 (hereinafter referred to as the principal Act), is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) If a tenant or other occupier of immovable property belonging to the board fails—

 - (a) to pay the rental or other amount, as the case may be, payable by him on the due date; or
 - (b) to vacate such property on or before the date on which he has lawfully been required by the board to do so, the board may, after having given seven days' notice (in the case of any such property occupied for residential purposes), or thirty days' notice (in the case of any such property occupied for any other purpose), by letter delivered either to such tenant or other occupier personally or to some adult person living on the property, or, if such letter cannot be so delivered, by letter affixed to the outer or principal door of any building erected on such property, or by registered letter addressed to such tenant or occupier at the address where the property is situated, without having obtained any judgment or order of court, by resolution declare that such property may be entered upon and taken possession of.”
- Amendment of section 18 of Act 3 of 1966, as amended by section 3 of Act 126 of 1977 and section 1 of Act 12 of 1980.
2. Section 18C of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) If any person moves into, lives in or on, occupies or uses any immovable property [erected or acquired with moneys from the fund] belonging to the board without the [permission] written consent of [a person authorized by] the Director-General or a person authorized by him, the Director-General or a person authorized by him may, notwithstanding anything to the contrary contained in any law,
- Amendment of section 18C of Act 3 of 1966, as inserted by section 4 of Act 126 of 1977.

COMMUNITY DEVELOPMENT AMENDMENT ACT, 1984

Act No. 20, 1984

5 or the common law, without having obtained any judgment or order of court, summarily enter upon and take possession of that property and employ such force as may be necessary to remove from the property that person with his dependants and their possessions.”.

3. Section 38 of the principal Act is hereby amended by the substitution for subsection (1B) of the following subsection:

Amendment of section 38 of Act 3 of 1966, as inserted by section 57 of Act 63 of 1975 and substituted by section 3 of Act 26 of 1982.

10 “(1B) Subject to the provisions of subsection (2) of this section, the provisions of sections 6 to 23 of the Expropriation Act, 1975, shall *mutatis mutandis* apply in respect of the acquisition of immovable property by expropriation in terms of this section, and in such application a reference—

15 (a) in the said sections of that Act to “Minister” and “State” shall, subject to the provisions of paragraph (b), be construed as a reference to the board or a local authority which, in an area designated by the Minister, acts on behalf of the board in the case of a redevelopment scheme;

20 (b) in section 12 (5) of that Act to “State” shall be construed as including a reference to the board or a local authority which, in an area designated by the Minister, acts on behalf of the board in the case of a redevelopment scheme; and

25 (c) in the said sections of that Act to “section 2” shall be construed as a reference to this section.”.

4. This Act shall be called the Community Development Short title. Amendment Act, 1984.