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KAAPSTAD, 23 MAART 1989

STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 519.

23 March 1989

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

No. 20 of 1989: Housing Development Schemes for Retired Persons Amendment Act, 1989.

No. 519.

23 Maart 1989

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

No. 20 van 1989: Wysigingswet op Behuisingsontwikkelingskemas vir Afgetrede Persone, 1989.

Act No. 20, 1989

HOUSING DEVELOPMENT SCHEMES FOR RETIRED PERSONS
AMENDMENT ACT, 1989

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 Housing Development Schemes for Retired Persons Act, 1988, so as to amend the definition of "housing development scheme"; to provide that land subject to a housing interest may be occupied only by a retired person or the spouse of a retired person; and to repeal section 10 of the Act; and to provide for incidental matters.

(Afrikaans text signed by the acting State President.)
(Assented to 14 March 1989.)

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

Amendment of section 1 of Act 65 of 1988

1. Section 1 of the Housing Development Schemes for Retired Persons Act, 1988 (hereinafter referred to as the principal Act), is hereby amended by the substitution for paragraph (a) of the definition of "housing development scheme" of the following paragraph: 5

"(a) in terms of which housing interests are alienated **[or are offered for alienation, only to retired persons or mainly to such persons]** for occupation contemplated in section 7, whether the scheme, arrangement or undertaking is operated pursuant to or in connection with a development scheme or a share block scheme or membership of or participation in any club, association, organization or other body, or the issuing of shares, or otherwise, but excluding a property time-sharing scheme; or". 10

Substitution of section 7 of Act 65 of 1988

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2. The following section is hereby substituted for section 7 of the principal Act:

"Limitation of occupation of land to which housing interest relates

(1) After a housing interest has been transferred to or has otherwise been vested in a **[retired]** person by virtue of a contract, no person **[shall alienate that interest to any person]** other than a retired person or the spouse of a retired person may occupy the land to which that housing interest relates, except with the written consent of all the holders of housing interests in the housing development scheme concerned. 20

(2) Any person who contravenes subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R1 000 or to 25

Act No. 20, 1989

HOUSING DEVELOPMENT SCHEMES FOR RETIRED PERSONS
AMENDMENT ACT, 1989

imprisonment for a period not exceeding six months or to both that fine and that imprisonment.”.

Repeal of section 10 of Act 65 of 1988

3. Section 10 of the principal Act is hereby repealed.

Short title

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4. This Act shall be called the Housing Development Schemes for Retired Persons Amendment Act, 1989.