



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 + 1c AVB 20c PRICE + 1c GST
BUITELANDS 30c ABROAD
POSVRY · POST FREE

Vol. 177]

KAAPSTAD, 28 MAART 1980

[No. 6906

CAPE TOWN, 28 MARCH 1980

DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

No. 565.

28 Maart 1980.

No. 565.

28 March 1980.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg 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. 3 van 1980: Wysigingswet op Wetgewing op Samewerking en Ontwikkeling, 1980.

No. 3 of 1980: Laws on Co-operation and Development Amendment Act, 1980.

LAWS ON CO-OPERATION AND DEVELOPMENT AMENDMENT
ACT, 1980

Act No. 3, 1980

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 Black Administration Act, 1927, regarding the use of the words "Black law"; and to extend the meaning of the word "Black"; to amend the Blacks (Urban Areas) Consolidation Act, 1945, so as to extend the meaning of the words "surveyed site"; to amend the Promotion of the Economic Development of Black States Act, 1968, so as to further regulate the lending power of the Development Corporations and the Corporations; to amend the Black States Constitution Act, 1971, so as to further regulate the reservation of certain land for occupation or acquisition by Black persons; and to provide for matters incidental thereto.

*(English text signed by the State President.)
(Assented to 18 March 1980.)*

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

1. The following section is hereby substituted for section 24 of the Black Administration Act, 1927:

5 24. **[(1)]** Notwithstanding the repeal of Natal Law
 "Operation of Code of Zulu Law. No. 19 of 1891 by section 1 of the Black Laws Amendment Act, 1976, the Schedule to that Act, as substituted by Proclamation R.195 of 1967, shall, subject to the provisions of section 7 (a) of the Alteration of Provincial Boundaries Act, 1978 (Act No. 36 of 1978), remain of full force as **[Black]** law for Blacks in Natal, and the State President may from time to time by proclamation in the *Gazette* amend, repeal or substitute the provisions of the said Schedule, which shall be known as the **[Natal]** Code of **[Black]** Zulu Law: Provided that no such proclamation shall have any force or effect until one month has elapsed from the date of its promulgation in the *Gazette*.

Substitution of section 24 of Act 38 of 1927, as amended by section 2 of Act 4 of 1976.

15 **[(2)]** The State President may, by proclamation in the *Gazette*, extend the operation of the Code of Black Law mentioned in subsection (1), and any amendment thereof, to Zululand in the Province of Natal".

2. Section 35 of the Black Administration Act, 1927, is hereby amended by the substitution for the second proviso in the definition of "Black" of the following proviso:

Amendment of section 35 of Act 38 of 1927, as amended by

LAWS ON CO-OPERATION AND DEVELOPMENT AMENDMENT ACT, 1980

Act No. 3, 1980

5 "Provided further that a juristic person in which no person other than a Black has an interest, a body of persons consisting of Blacks only, **[and]** a representative of the estate of a deceased Black and a receiver and liquidator of the assets in the joint estate of Blacks who were married in community of property and have been divorced, shall be regarded as a Black for the purposes of section 10;"

section 9 of Act 9 of 1929, section 3 of Act 9 of 1939, section 10 of Act 21 of 1943, section 17 of Act 67 of 1952, section 4 of Act 42 of 1956 and section 4 of Act 70 of 1974.

10 3. Section 1 of the Blacks (Urban Areas) Consolidation Act, 1945, is hereby amended by the substitution for the definition of "surveyed site" of the following definition:

Amendment of section 1 of Act 25 of 1945, as amended by section 1 of Act 16 of 1955, section 23 of Act 36 of 1957, section 20 of Act 63 of 1962, section 39 of Act 42 of 1964, section 8 of Act 70 of 1974, section 7 of Act 4 of 1976 and section 1 of Act 97 of 1978.

15 "surveyed site" means a site indicated on a general plan of a Black village or location or of any portion of such village or location, which plan has been prepared in the prescribed manner and approved by the Minister for the purposes of sections 6A and 6B;"

20 4. Section 6 of the Promotion of the Economic Development of Black States Act, 1968, is hereby amended by the substitution for subsection (2) of the following subsection:

Amendment of section 6 of Act 46 of 1968, as amended by section 6 of Act 80 of 1977.

25 "(2) For the purpose of attaining its objects, a development corporation may exercise such of the powers referred to in section 4 (1) as the Trustee may determine from time to time and, unless the Trustee otherwise determines, the Corporation for Economic Development, Limited, shall not exercise the said powers in those portions of the Black states in respect of which the development corporation concerned has been established: Provided that if a development corporation raises or borrows money from the Corporation for Economic Development, Limited, the Minister shall not determine any conditions on which such money is to be so raised or borrowed."

30 5. Section 7 of the Promotion of the Economic Development of Black States Act, 1968, is hereby amended by the substitution for subsection (2) of the following subsection:

Amendment of section 7 of Act 46 of 1968, as amended by section 7 of Act 80 of 1977.

35 "(2) For the purpose of attaining its objects, a corporation may exercise such of the powers referred to in section 4 (1) as the Trustee may determine from time to time and, unless the Trustee otherwise determines, the Corporation for Economic Development, Limited, or a development corporation shall not exercise the said powers in those portions of the Black states in respect of which such corporation has been established: Provided that if a corporation raises or borrows money from the Corporation for Economic Development, Limited, the Minister shall not determine any conditions on which such money is to be so raised or borrowed."

45 6. Section 36A of the Black States Constitution Act, 1971, is hereby amended—

Amendment of section 36A of Act 21 of 1971, as amended by section 14 of Act 7 of 1973.

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

55 "(1) The Minister of Co-operation and Development may at any time cause to be investigated by such person or persons as he may deem fit, the desirability of reserving any land within the area of jurisdiction of any municipal council, borough council, town council, village council, town board, village management board, local board, health board or health committee or other local government body or within any hamlet or town not situated within any such area of jurisdiction, and surrounded by or adjoining a released area or a

LAWS ON CO-OPERATION AND DEVELOPMENT AMENDMENT
ACT, 1980

Act No. 3, 1980

- scheduled Black area as defined in the Development Trust and Land Act, 1936 (Act No. 18 of 1936), as land which may be occupied or acquired by Black persons.”;
- 5 (b) by the substitution for subsection (2) of the following subsection:
- “(2) After consideration of a report by the person or persons appointed in terms of subsection (1) the State President may by proclamation in the *Gazette* reserve any land, **[within the area in question]** or any portion
- 10 thereof, referred to in subsection (1), as land which may be occupied or acquired by Black persons, and he may at any time thereafter by like proclamation so reserve any other such land [within the said area] or portion.”;
- 15 (c) by the substitution for the words preceding paragraph (a) of subsection (3) of the following words:
- “(3) Any such proclamation or any further proclamation may also—”;
- 20 (d) by the substitution for paragraph (a) of subsection (3) of the following paragraph:
- “(a) provide that any land which has been so reserved shall cease to form part of the area of jurisdiction of **[the] any institution or body [in question]** referred to in subsection (1);”;
- 25 (e) by the substitution for paragraph (d) of subsection (3) of the following paragraph:
- “(d) provide for the constitution, powers, duties and functions of any body which may be considered necessary for **[the administration]** specified
- 30 administrative and control powers and functions in respect of any such land or portion thereof or two or more such pieces of land or any portions thereof, or for the continued administration and control of such land or portion thereof, subject to such terms and conditions as may be specified in the proclamation, by such institution or body;”.
- 35

7. This Act shall be called the Laws on Co-operation and Short title, Development Amendment Act, 1980.