

Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.



GOVERNMENT GAZETTE

OF THE REPUBLIC OF SOUTH AFRICA

REPUBLIEK VAN SUID-AFRIKA

STAATSKOERANT

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Vol. 238

CAPE TOWN, 24 APRIL 1985

No. 9707

KAAPSTAD, 24 APRIL 1985

STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 903.

24 April 1985

No. 903

24 April 1985

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

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

—o. 43 of 1985: Advertising on Roads and Ribbon Development Amendment Act, 1985.

No. 43 van 1985: Wysigingswet op Adverteer Langs en Toebou van Paaie, 1985.

Act No. 43, 1985

ADVERTISING ON ROADS AND RIBBON DEVELOPMENT
AMENDMENT ACT, 1985**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 Advertising on Roads and Ribbon Development Act, 1940, so as to exclude certain open spaces from the definitions of "township" and "urban area" in respect of which certain provisions of the said Act are not applicable, so that those provisions shall be applicable in respect of such open spaces; to do away with the requirement that notices of the proclamation of a building restriction road shall be erected along such road; to make further provision in connection with the prohibition of the depositing or leaving of certain objects or substances near certain roads; and to provide for the imposition of imprisonment for offences in terms of the said Act; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 12 April 1985.)

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

1. Section 1 of the Advertising on Roads and Ribbon Development Act, 1940 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the substitution for the definition of "township" of the following definition:

"'township' means a group of erven or lots, **[and public places other than]** with or without public open spaces, excluding commonage land and land which consists of any other open space which has not been developed or reserved for public purposes, which has been established or recognized under any law as a township or village, if those erven or lots are used or are intended to be used mainly for purposes other than farming, horticulture or the keeping of animals, or any village not established or recognized under any law as a township, which has been recognized by the controlling authority concerned, for the purposes of this Act, as a township"; and

(b) by the substitution for the definition of "urban area" of the following definition:

"'urban area' means the area consisting of the erven or lots, **[and public open spaces other than]** with or without public open spaces, excluding commonage land and land which consists of any other open space which has not been developed or reserved for public purposes and of the streets bounded by erven or lots or such public open spaces in a city, borough, town, village or township which is under the jurisdiction of a city council, municipal council,

Amendment of section 1 of Act 21 of 1940, as amended by section 11 of Act 22 of 1944, section 1 of Act 28 of 1952, section 1 of Act 16 of 1962, section 29 of Act 54 of 1971 and section 1 of Act 2 of 1979.

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village council, town board, village management board, local board, local administration and health board, or health committee, and includes such an area as aforesaid under the jurisdiction of any other local authority which the Administrator concerned has, by notice in the *Provincial Gazette*, declared to be an urban area for the purposes of this Act.”.

Amendment of section 7 of Act 21 of 1940.

2. Section 7 of the principal Act is hereby amended by the deletion of subsection (2). 10

Amendment of section 8 of Act 21 of 1940, as substituted by section 1 of Act 16 of 1966 and amended by section 29 of Act 54 of 1971 and section 2 of Act 2 of 1979.

3. Section 8 of the principal Act is hereby amended—

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

“(1) No person shall, within a distance of 200 m of the centre line of a **[building restriction road or of a main road] public road**, deposit or leave, outside an urban area, so as to be visible from that road, a disused vehicle or machine or a disused part of a vehicle or machine or any rubbish or other refuse, except in accordance with the permission in writing granted by the controlling authority concerned.”;

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

“(2) The controlling authority may remove any object or substance referred to in subsection (1), found on a public road, and may recover the cost of the removal from the person who deposited or left such object or substance there.”; and

(c) by the substitution for subsection (3) of the following subsection: 30

“(3) When any person has deposited or has left **[or is deemed to have deposited or to have left]** any object or substance in contravention of subsection (1), but not on a public road as contemplated in subsection (2), the controlling authority concerned may direct the said person in writing to remove or destroy that object or substance within such period (which shall be not less than 14 days as from the date of the direction), as may be specified in the direction, and if he fails to comply with that direction, the controlling authority may cause the object or substance to be removed or destroyed and may recover from the said person the cost of the removal or destruction.”.

Amendment of section 15 of Act 21 of 1940, as amended by section 8 of Act 16 of 1962, section 29 of Act 54 of 1971 and section 4 of Act 6 of 1976.

4. Section 15 of the principal Act is hereby amended by the substitution for subsections (1) and (2) of the following subsections, respectively: 45

“(1) Any person who contravenes any provision of section 2, 8, 9 or 9A or who fails to comply with a lawful direction issued to him by a controlling authority under section 4 (1), 8 (3) or 9 (4) or by virtue of the provisions of section 50 9A (2), shall be guilty of an offence and liable to a fine not exceeding **[two hundred rand] R200** or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

(2) Any person who without the authority in writing of the controlling authority in question constructs any gate, bridge, stile or other passage to gain access to or exit from any land through, under or over a fence, wall, hedge, trench, ditch or similar obstacle along or near the edge of a building restriction road outside an urban area and outside a township, shall, unless such controlling authority was in terms of subsection (1) of section **[ten] 10** required not to 55 60

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withhold its authorization for the construction of such gate, bridge, stile or other passage, be guilty of an offence and liable to a fine not exceeding **[two hundred rand] R200** or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment." 5

Short title.

5. This Act shall be called the Advertising on Roads and Ribbon Development Amendment Act, 1985.