

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.



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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CAPE TOWN, 5 MAY 1982

KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 898.

5 Mei 1982.

No. 898.

5 May 1982.

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. 66 van 1982: Wysigingswet op die Beskikking oor Staatsgrond, 1982.

No. 66 of 1982: State Land Disposal Amendment Act, 1982.

STATE LAND DISPOSAL AMENDMENT ACT, 1982

Act No. 66, 1982

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 State Land Disposal Act, 1961, relating to definitions; so as to delete the requirement regarding the tabling of details of certain disposals of State land; to regulate the disposal of State land in the Cape Town Foreshore; to empower the State President to assign certain powers and duties to the Community Development Board established by section 2 of the Community Development Act, 1966, or to certain committees of that Board; and to delete the requirement regarding approval by the Senate and the House of Assembly of the assignment of certain powers by the Minister of Community Development; so as to amend the Cape Town Foreshore Act, 1950; and to provide for matters connected therewith.

*(Afrikaans text signed by the State President.)
(Assented to 26 April 1982.)*

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

1. Section 1 of the State Land Disposal Act, 1961 (hereinafter referred to as the principal Act), is hereby amended—
- 5 (a) by the substitution for the definition of "Minister" of the following definition—
- Amendment of
section 1 of
Act 48 of 1961,
as substituted by
section 1 of
Act 28 of 1968.
- 10 "Minister" means the Minister of **[Agriculture] Community Development**, but in relation to any land which in terms of any law falls under the control and management of the **[Administration as defined in section 1 of the Railways and Harbours Control and Management (Consolidation) Act, 1957 (Act No. 70 of 1957),]** South African Transport Services referred to in section 2 of the South African
- 15 Transport Services Act, 1981 (Act No. 65 of 1981), 'Minister' means the Minister of Transport Affairs;
- (b) by the insertion after the definition of "Minister" of the following definition:
- 20 "board" means the Community Development Board established by section 2 of the Community Development Act, 1966 (Act No. 3 of 1966), including a committee of that board appointed under section 7 or 8 of that Act; and
- 25 (c) by the substitution for the definition of "State land" of the following definition:
- "State land" includes any land over which the right of disposal by virtue of the provisions of section 3 (4) of the Agricultural Holdings (Transvaal) Registra-

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tion Act, 1919 (Act No. 22 of 1919), and section 78 (3) and (4) of the Townplanning and Townships Ordinance, 1965 (Ordinance No. 25 of 1965) (Transvaal), vests in the State President, and any right in respect of State land.”

2. Section 2 of the principal Act is hereby amended by the deletion of subsection (4).

Amendment of section 2 of Act 48 of 1961, as substituted by section 2 of Act 28 of 1968 and amended by section 1 of Act 26 of 1976.

3. The following section is hereby inserted after section 2A of the principal Act:

Insertion of section 2B in Act 48 of 1961.

10 “Disposal of State land in Foreshore, Cape Town. **2B. (1) Land vesting in the State under section 19 (2) of the Cape Town Foreshore Act, 1950 (Act No. 26 of 1950), as from 1 April 1979, shall be State land to which the provisions of this Act shall apply.**

15 (2) Land which before the date referred to in subsection (1) was—

(a) sold, exchanged or donated by the board but in respect of which title has not yet been given on that date; or

20 (b) leased by the board, shall be deemed to have been sold, exchanged, donated or leased under the provisions of this Act.

(3) The Minister may from time to time out of the proceeds of the sale or lease referred to in subsections (1) and (2) pay to the City Council of the City of Cape Town such amounts as the Minister may determine with the concurrence of the Minister of Finance.”

4. The following section is hereby substituted for section 6 of the principal Act:

Substitution of section 6 of Act 48 of 1961, as amended by section 5 of Act 28 of 1968.

30 “Assignment of powers and duties by State President. **6. (1) The State President may either generally or in regard to specified State land or in a specified case assign to the Minister or to the board any power or duty conferred or imposed upon him by section 2, 2A or 5 and any power or duty to issue deeds of grant which he may otherwise have.**

35 (2) If the State President assigns to the Minister or to the board any power conferred upon him by section 2, the Minister or the board, as the case may be, shall have the powers and be subject to the duties conferred or imposed upon the State President by section 5 in connection with the exercising of the power so assigned.

40 (3) Any moneys received by virtue of the exercising of a power assigned to the board in terms of subsection (1) and section 6A shall be paid into the State Revenue Fund, and in exercising a power thus assigned the board shall be subject to the directions of the Minister.”

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5. Section 7 of the principal Act is hereby amended by the substitution for paragraph (b) of subsection (1) of the following paragraph:

Amendment of section 7 of Act 48 of 1961, as amended by section 3 of Act 26 of 1976.

55 “(b) any power conferred upon him in terms of this Act to lease State Land, [with the approval by resolution of the Senate and the House of Assembly,] to any council or body instituted or appointed by or in terms of any law.”

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6. Section 19 of the Cape Town Foreshore Act, 1950 (Act No. 26 of 1950), is hereby amended by the deletion of subsection (2A). Amendment of section 19 of Act 26 of 1950, as amended by section 2 of Act 70 of 1978.
7. This Act shall be called the State Land Disposal Amendment Act, 1982, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*. Short title and commencement.