



# GOVERNMENT GAZETTE

OF THE REPUBLIC OF SOUTH AFRICA

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STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 2170. 30 September 1987

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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:—

No. 72 of 1987: Temporary Removal of Restrictions on Economic Activities Amendment Act, 1987.

No. 72 van 1987: Wysigingswet op die Tydelike Opheffing van Beperkings op Ekonomiese Bedrywighede, 1987.

Act No. 72, 1987

TEMPORARY REMOVAL OF RESTRICTIONS ON ECONOMIC  
ACTIVITIES AMENDMENT ACT, 1987

## 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.

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# ACT

To amend the Temporary Removal of Restrictions on Economic Activities Act, 1986, so as to further define the powers of the State President; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)*  
*(Assented to 18 September 1987.)*

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

Amendment of  
section 1 of  
Act 87 of 1986.

1. Section 1 of the Temporary Removal of Restrictions on Economic Activities Act, 1986 (hereinafter referred to as the principal Act), is hereby amended—

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

“(1) Subject to the provisions of subsections (2) and (3), the State President may, if he is of the opinion that circumstances exist under which the application of any law or compliance with any condition, limitation or obligation thereunder, **[relating to the carrying on or exercising of any undertaking, industry, trade or occupation]** unduly impedes **[the]** economic **[progress of the persons engaged in the carrying on or exercising of that undertaking, industry, trade or occupation]** development or competition in the **[fields in question]** economic field, or the creation of job opportunities, by proclamation in the *Gazette*—

(a) suspend that law, condition, limitation or obligation in whole or in part; or

(b) in whole or in part grant exemption, or provide for the granting of such exemption by a specific person or body, from the provisions of that law, condition, limitation or obligation, in general, or with regard to—

(i) a specific **[class of]** undertaking, industry, trade or occupation or a specific class thereof;

(ii) a specific area **[in which]**;

(iii) a specific person or class of persons **[by whom]**; **[or]**

(iv) specific circumstances under which any undertaking, industry, trade or occupation or class thereof is carried on or exercised.”; and

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ACTIVITIES AMENDMENT ACT, 1987

- (b) by the substitution for subsection (2) of the following subsection:
- “(2) (a) An Act of Parliament or any condition, limitation or obligation thereunder shall be so suspended or exemption from the provisions thereof granted, only—
- [(a)] (i) if and to the extent to which that Act relates to any matter mentioned in the Schedule;
- [(b)] (ii) on the advice of a standing committee of Parliament to which the suspension or exemption in question has been referred.
- (b) Paragraph (a) shall not be construed as including any condition, limitation or obligation under any proclamation, regulation or notice under such Act.”

Amendment of  
section 2 of  
Act 87 of 1986.

2. Section 2 of the principal Act is hereby amended by the substitution for paragraph (i) of the following paragraph:

- “(i) represents the persons [of]or class of persons concerned contemplated in section 1;”

Amendment of  
Schedule to  
Act 87 of 1986.

3. The Schedule to the principal Act is hereby amended by the substitution for Part I of the following Part:

## “PART I

Matters with regard to—

- (a) the requirements for the registration and licensing of businesses, undertakings, industries, trades and occupations; [and]
- (b) the employment or use of land, [and] premises and buildings [for the carrying on or exercising thereof];
- (c) the acquisition and occupation of land, premises and buildings in respect of which any town planning scheme under any law or a restriction under any condition of title is in operation or binding, excluding any land, premises and buildings which in terms of such scheme or condition of title may be occupied or used exclusively or partially for residential purposes;
- [(b)] (d) health requirements with which persons, premises and buildings [on or in which activities contemplated in paragraph (a) are carried on] must comply;
- [(c)] (e) the prohibition or regulation of, or restriction on, the erection of dwellings, buildings and other structures;
- [(d)] (f) the conveyance of persons and goods [within, from and to a specific area];
- [(e)] (g) the establishment of [towns] townships and town planning;
- [(f)] (h) the days on which and the times when business may be done.”

Substitution of  
long title of  
Act 87 of 1986.

4. The following long title is hereby substituted for the long title of the principal Act:

## “ACT

To empower the State President to suspend temporarily laws or conditions, limitations or obligations thereunder [with regard to certain undertakings, industries, trades and occupations] or to grant temporary exemp-

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tion from the provisions thereof, if in his opinion circumstances exist under which the application of or compliance with those laws, conditions, limitations or obligations unduly impedes **[the] economic [progress of the persons engaged in those undertakings, industries, 5 trades and occupations] development** or competition in the **[fields in question] economic field**, or the creation of job opportunities; and to provide for incidental matters.”.

Short title.

**5. This Act shall be called the Temporary Removal of Restric- 10  
tions on Economic Activities Amendment Act, 1987.**