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

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GOVERNMENT GAZETTE

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KAAPSTAD, 17 SEPTEMBER 1986 CAPE TOWN, 17 SEPTEMBER 1986

No. 1944.

No. 10441

KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 1944.

17 September 1986

17 September 1986

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

No. 96 van 1986: Wysigingswet op die Besoldiging van Stadsklerke, 1986.

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

No. 96 of 1986: Remuneration of Town Clerks Amendment Act, 1986.

REMUNERATION OF TOWN CLERKS AMENDMENT ACT, 1986

Act No. 96, 1986

GENERAL EXPLANATORY NOTE:

Words in bold type in square brackets indicate omissions from 1 existing enactments. Words underlined with solid line indicate insertions in existing enactments.

To amend the Remuneration of Town Clerks Act, 1984, so as to extend the definition of "local authority"; to provide for the exclusion from the definition of "housing scheme" or "motor-car scheme" of any benefit granted under a housing scheme or motor-car scheme; to further regulate the constitution of the Advisory Committee on Remuneration and Service Benefits of Town Clerks; to provide that an officer of the Department of Constitutional Development and Planning may be authorized by the Minister of Constitutional Development and Planning to amend the grade classification of local authorities; and to provide for the application of the Act to certain additional local authorities; and to provide for incidental matters.

> (English text signed by the State President.) (Assented to 8 September 1986.)

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

1. Section 1 of the Remuneration of Town Clerks Act, 1984 Amendment of (hereinafter referred to as the principal Act), is hereby 5 amended-

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(a) by the substitution in subsection (1) for the definition

of "local authority" of the following definition:
"local authority means any institution or body contemplated in section 84 (1) (f) of the Provincial Government Act, 1961 (Act No. 32 of 1961), [in connection with which a provincial council may make ordinances,] and also-

(a) a regional services council established under the Regional Services Councils Act, 1985 (Act No. 109) of 1985; and

(b) a local authority as defined in the Black Local Authorities Act, 1982 (Act No. 102 of 1982);"; and

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

"(2) The Minister may, after consultation with the advisory committee, by notice in the Gazette exclude from the definition of "remuneration" any payment, or from the definition of "housing scheme" or "motor-car scheme" any benefit, of a kind specified in the notice which is made to or on behalf of, or, as the case may be, granted to, an employee as a reward for his service.'

section 1 of Act 115 of 1984, as amended by section 17 of Act 109 of 1985.

' REMUNERATION OF TOWN CLERKS AMENDMENT ACT, 1986 Act No. 96, 1986 2. Section 3 of the principal Act is hereby amended— Amendment of section 3 of (a) by the insertion after paragraph (a) of subsection (1) of Act 115 of 1984. the following paragraph: "(aA) the Directors-General of the Administration: 5 House of Delegates, the Administration: House of Representatives and the Administration: House of Assembly, respectively, ex officio;"; (b) by the insertion after paragraph (e) of subsection (1) of the following paragraph: "(eA) one person as the representative of and desig-10 nated by the Urban Councils Association of South Africa;": (c) by the substitution for paragraph (j) of subsection (1) of the following paragraph: 15 two persons as the representatives of and designated by the [South African Association of Municipal Employees] Federation of Municipal Trade Unions: (d) by the substitution for paragraph (a) of subsection (2) 20 of the following paragraph: "(a) As often as the designation of a person as the representative in the advisory committee of an organization or organizations referred to in subsection (1) (e), (eA), (f), (g), (h), (i) or (j) becomes necessary, the Director-General shall request the 25 organization or organizations concerned in writing to designate a person as its or their representative, as the case may be, within a period determined by the Director-General." (e) by the insertion after paragraph (a) of subsection (3) of 30 the following paragraph: "(aA) a Director-General referred to in subsection (1) (aA), by the Director-General concerned;"; and (f) by the substitution for paragraph (d) of subsection (3) of the following paragraph: 35 "(d) a member referred to in subsection (1) (d), (e), (eA), (f), (g), (h), (i) or (j), by the Minister by whom or the organization or organizations by which such member was designated.". 3. Section 4 of the principal Act is hereby amended by the Amendment of substitution for paragraph (a) of subsection (1) of the following section 4 of Act 115 of 1984. paragraph: "(a) in the case of a member referred to in section (3) (1) (d), (e), (eA), (f), (g), (h), (i) or (j), at the pleasure of the Minister by whom or the organization or organiza-45 tions by which that member was designated;". 4. Section 8 of the principal Act is hereby amended— Amendment of (a) by the substitution for subsection (2) of the following section 8 of Act 115 of 1984. subsection: 50 "(2) (a) A notice in terms of subsection (1) may at any time by notice in the Gazette be amended by the Minister [after consultation with the advisory committee] or any officer of the Department of Constitutional Development and Planning author-55 ized thereto by him: Provided that a notice under this paragraph by which the grade classification of a local authority is amended according to a uniform basis of differentiation which differs from the basis of differentiation applied with respect to the

previous grade classification of such local author-

ity, shall be issued only by the Minister after con-

(aA) As soon as may be expedient after the

sultation with the advisory committee.

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REMUNERATION OF TOWN CLERKS AMENDMENT ACT, 1986

Act No. 96, 1986

commencement of the Remuneration of Town Clerks Amendment Act, 1986, the Minister shall by notice in the *Gazette* amend the notice issued under subsection (1) so as to classify the local authorities referred to in paragraph (b) of the definition of 'local authority' for the purposes of this Act according to grades.

- (b) An amendment under paragraph (a) or (aA) shall commence on a date [determined by the Minister] specified in the relevant notice, which may be a date prior to the date of publication of the relevant notice."; and
- (b) by the substitution for subsection (3) of the following subsection:
- 15 "(3) Whenever a notice issued in terms of subsection (1) is amended under subsection (2) (a) or (aA) so as to alter the grade classification of a local authority [is amended under subsection (2),] or to classify a local 20 authority under any grade, the general determination binding in terms of this Act on local authorities of the grade under which that local authority is classified after the amendment, shall, subject to sections 10 and 11, be binding on that local authority with effect from the date of commencement of such amendment, and if any indi-25 vidual determination is binding on that local authority immediately prior to such commencement, such individual determination shall lapse on the said commencement.".
- This Act shall be called the Remuneration of Town Clerks Short title. Amendment Act, 1986.