

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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DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

No. 432. 10 Maart 1978.

No. 432. 10 March 1978.

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 1978: Wysigingswet op Onteïening, 1978.

No. 3 of 1978: Expropriation Amendment Act, 1978.

EXPROPRIATION AMENDMENT ACT, 1978

Act No. 3, 1978

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 provisions of the Expropriation Act, 1975, relating to the determination of the amount to be added to the amount payable as market value in respect of expropriated land; to provide that certain rules applying in a provincial division of the Supreme Court in respect of the charging and taxation of advocates' fees shall apply also in connection with proceedings before a compensation court; and to provide for incidental matters.

(English text signed by the State President.)
(Assented to 3 March 1978.)

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

1. Section 12 of the Expropriation Act, 1975 (hereinafter referred to as the principal Act), is hereby amended by the substitution for subsection (2) of the following subsection: Amendment of section 12 of Act 63 of 1975.

“(2) Notwithstanding anything to the contrary contained in this Act there shall be added to the total amount payable in accordance with subsection (1) (a) (i) in **the case** respect of all **immovable property** land, including any portion of a piece of land, expropriated in terms of the notice of expropriation in question, an amount equal to ten per cent **thereof** of such total amount, but not exceeding ten thousand rand.”

2. Section 16 of the principal Act is hereby amended by the addition of the following subsection: Amendment of section 16 of Act 63 of 1975, as amended by section 2 of Act 19 of 1977.

“(7) The rules which apply from time to time in a provincial division referred to in subsection (1) or, in the case of a compensation court referred to in subsection (2), in a provincial division determined by the Minister of Justice, relating to the amounts which may be charged as advocates' fees in connection with civil matters, and the taxation of such amounts, shall *mutatis mutandis* apply in connection with proceedings before the compensation court in question.”

3. Section 25 of the principal Act is hereby amended by the substitution for paragraph (c) of subsection (1) of the following paragraph: Amendment of section 25 of Act 63 of 1975.

“(c) the tariff of court and other fees (excluding advocates' fees) and orders as to costs in connection with proceedings before a compensation court;”

4. This Act shall be called the Expropriation Amendment Act, 1978, and shall be deemed to have come into operation on 1 January 1977. Short title and commencement.