

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.



REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

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## STAATSKOERANT

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CAPE TOWN, 2 JUNE 1978

[No. 6040

KAAPSTAD, 2 JUNIE 1978

DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1155.

2 June 1978.

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

No. 70 of 1978: Cape Town Foreshore Amendment Act, 1978.

No. 1155.

2 Junie 1978.

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

No. 70 van 1978: Wysigingswet op die Strandgebied, Kaapstad, 1978.

CAPE TOWN FORESHORE  
AMENDMENT ACT, 1978.

Act No. 70, 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.

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# ACT

To amend the Cape Town Foreshore Act, 1950, so as to provide that on the abolition of the Cape Town Foreshore Board its powers, duties, assets and rights shall vest in and its liabilities and obligations shall devolve upon the State; that after the abolition of the said Board certain amounts may be paid to the City Council of Cape Town; for the lapse of the validity of certain provisions of the said Act; that for the purposes of sections 15 and 15bis of the said Act "board" shall include the State; and for incidental matters.

*(Afrikaans text signed by the State President.)  
(Assented to 19 May 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 1 of the Cape Town Foreshore Act, 1950 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of "Minister" of the following definition: Amendment of section 1 of Act 26 of 1950.

"'Minister' means the Minister of **[Lands] Agriculture**;"

2. Section 19 of the principal Act is hereby amended— Amendment of section 19 of Act 26 of 1950.

10 (a) by the substitution for subsection (2) of the following subsection:

15                    "(2) Subject to the provisions of section 19ter, as from the date specified in any proclamation issued under subsection (1), all the powers, duties, assets and rights of the board shall vest in the **[Minister] State** and all the liabilities and obligations of the board shall devolve upon the **[Minister] State**, and any reference in any document to the board shall be deemed to be a reference to the **[Minister] State**;"

20 (b) by the insertion after subsection (2) of the following subsection:

25                    "(2A) (a) Land vesting in the State under subsection (2), shall be State land to which the provisions of the State Land Disposal Act, 1961 (Act No. 48 of 1961), shall apply.

(b) Land which before the date referred to in subsection (2) has been—

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

(ii) leased by the board, shall be deemed to have been sold, exchanged, donated or leased under the provisions of the State Land Disposal Act, 1961.

CAPE TOWN FORESHORE  
AMENDMENT ACT, 1978.

Act No. 70, 1978

5 (c) The Minister may, from time to time out of the proceeds of the sale of land referred to in paragraph (a) or (b) (i), pay to the council such amounts as the Minister in each case may determine with the concurrence of the Minister of Finance.”

3. The following section is hereby inserted in the principal Act after section 19bis:

Insertion of section 19ter in Act 26 of 1950.

10 “Lapse of validity of certain provisions.

19ter. (1) Sections 10 (1) and (3), 11, 12, 13, 14 and 16 shall cease to be of force and effect as from a date to be fixed by the State President by proclamation in the *Gazette*.

(2) Different dates may be fixed in terms of subsection (1) in respect of different sections referred to in that subsection.”

15 4. For the purposes of sections 15 and 15bis of the principal Act “board” shall include the State.

Extension of meaning of “board”.

5. This Act shall be called the Cape Town Foreshore Amendment Act, 1978.

Short title.