

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.



GOVERNMENT GAZETTE

OF THE REPUBLIC OF SOUTH AFRICA

REPUBLIEK VAN SUID-AFRIKA

STAATSKOERANT

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Selling price • Verkoopprijs
(GST excluded/AVB uitgesluit)

Local **45c** Plaaslik
Other countries 60c Buitelands
Post free • Posvry

Vol. 241

CAPE TOWN, 24 JULY 1985

No. 9854

KAAPSTAD, 24 JULIE 1985

STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 1622.

24 July 1985

No. 1622.

24 Julie 1985

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:—

⚔. 93 of 1985: Water Research Amendment Act, 1985.

No. 93 van 1985: Waternavorsingswysigingswet, 1985.

Act No. 93, 1985

WATER RESEARCH AMENDMENT ACT, 1985

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 Water Research Act, 1971, so as to provide for the establishment of the office of executive director of the Water Research Commission, and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 10 July 1985.)

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

Substitution of section 4 of Act 34 of 1971, as amended by section 3 of Act 16 of 1974.

1. The following section is hereby substituted for section 4 of the Water Research Act, 1971 (hereinafter referred to as the principal Act):

“Constitution of commission, and period of office of its members.

4. (1) The commission shall consist of the [secretary] director-general, the executive director mentioned in section 10 and seven other members appointed by the [State President] Minister on grounds of their special knowledge or experience in regard to any aspect of the commission's functions.

(2) The Minister shall designate one of the members of the commission as chairman and one as vice-chairman of the commission for such period as he may in each case determine, and if the office of chairman or vice-chairman becomes vacant for any reason the Minister shall designate another member of the commission as chairman or vice-chairman, as the case may be, for the remainder of the period for which his predecessor was so designated, or as acting chairman or vice-chairman, as the case may be, for such period as he may determine: Provided that the executive director shall not be so designated.

(3) A member of the commission, with the exception of the [secretary] director-general and the executive director, shall hold office for such period and subject to such conditions as the [State President] Minister may determine at the time of his appointment, but shall be eligible for reappointment at the expiry of such period: Provided that if in his opinion there are good reasons for doing so, the [State President] Minister may at any time terminate the period of office of any member of the commission other than the [secretary] director-general and the executive director.

5

10

15

20

25

30

35

Act No. 93, 1985

WATER RESEARCH AMENDMENT ACT, 1985

(4) The **[chairman of the commission shall hold office as such on a full-time basis]** executive director shall be the chief executive officer of the commission and manage and control the work authorized by the commission, and shall be responsible to the commission for the carrying out of their duties by the officers and employees of the commission. 5

(5) **[If the chairman of the commission was, immediately prior to his designation as such, a member of a pension or provident fund established by law and administered by the State, he shall, as long as he occupies the office of chairman of the commission, retain all the rights and privileges and remain subject to all the obligations acquired or incurred by him in respect of such pension or provident fund]** In addition to the duties devolving upon the chairman in terms of this Act and such duties as the commission may assign to him, it shall be the duty of the chairman, after consultation with the executive director, to formulate policy proposals for consideration by the commission, and from time to time to submit reports to the commission on the progress of the work authorized by the commission. 10 15 20

[(6) Any contribution (other than a contribution by the said chairman himself) to such pension or provident fund which would have been payable in respect of such chairman had he not been designated as chairman of the commission, shall as from the date of his designation as such be paid by the commission as long as he occupies office as such]". 25 30

Amendment of section 6 of Act 34 of 1971.

2. Section 6 of the principal Act is hereby amended by the addition of the following proviso:

"Provided that the remuneration and allowances payable to the chairman shall not exceed one-third of the pensionable salary and allowances payable to the executive director.". 35

Substitution of section 10 of Act 34 of 1971, as amended by section 4 of Act 16 of 1974.

3. The following section is hereby substituted for section 10 of the principal Act:

"Executive director and officers and employees of commission.

10. (1) (a) The establishment of the commission shall consist of the post of executive director and such other posts as the commission may determine. 40

(b) The executive director shall be appointed by the Minister after consultation with the commission, and the other officers and employees of the commission shall be appointed by the commission. 45

(2) The conditions of service of the executive director and the other officers and employees of the commission shall be determined by the commission, subject to the approval of the Minister granted with the concurrence of the Minister of Finance. 50

(3) The commission may at any time terminate the services of any officer or employee if in its opinion there are sound reasons for doing so, but the services of the executive director may only be terminated by the Minister after consultation with the commission. 55

(4) If the executive director or an officer or employee wants to address a request or communication concerning any complaint or grievance or any official act or omission to the commission, he may lodge that

Act No. 93, 1985

WATER RESEARCH AMENDMENT ACT, 1985

request or communication in writing with the chairman, who shall submit it to the commission within such period as the commission may determine in general for that purpose.”

Insertion of section 10C in Act 34 of 1971.

4. The following section is hereby inserted in the principal Act after section 10B: 5

“Delegation of powers by executive director. 10C. The executive director may with the approval of the commission delegate any power conferred upon him by or under this Act to any other officer or employee of the commission.” 10

Interpretation of certain designations.

5. A reference in the principal Act to the “secretary” or the “director-general” shall be interpreted as a reference to the “Director-General: Water Affairs”.

Short title.

6. This Act is called the Water Research Amendment Act, 1985. 15