



REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Registered at the Post Office as a Newspaper

As 'n Nuisblad by die Poskantoor Geregistreer

Price 20c Prys
Overseas 30c Oorsee
POST FREE—POSVRY

Vol. 118]

CAPE TOWN, 11 APRIL 1975

KAAPSTAD, 11 APRIL 1975

[No. 4656

DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 714.

11 April 1975.

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

No. 19 of 1975: Community Development Amendment Act, 1975.

No. 714.

11 April 1975.

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

No. 19 van 1975: Wysigingswet op Gemeenskapsontwikkeling, 1975.

ACT

To amend the Community Development Act, 1966, so as to empower the Community Development Board to determine which public places in townships or portions of townships, within which the said Board has acquired all the lots or erven, shall vest in the Board, and from which date; to redefine certain licences in respect of the issuing of which certain restrictions apply; to empower a court convicting a person of an offence under section 50 (1) (i) to issue certain orders against the convicted person regarding the building or portion of a building in respect of which the offence was committed; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 24 March 1975.)*

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

Amendment of section 16 of Act 3 of 1966, as amended by section 2 of Act 93 of 1972.

1. Section 16 of the Community Development Act, 1966 (hereinafter referred to as the principal Act), is hereby amended—

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

“(a) Whenever the board has acquired all the lots or erven (other than public places) within any township or portion of a township, the public places determined by the board in that township or portion thereof shall, notwithstanding anything to the contrary contained in any law, vest in the board on a date so determined, and shall be deemed to be closed as from that date, and the board shall be entitled to obtain transfer in respect of the land comprising such lots or erven and public places as if that land had become vested in the board under circumstances contemplated in section 31 (1) of the Deeds Registries Act, 1937 (Act No. 47 of 1937).”;

and

(b) by the substitution for paragraph (c) of the said subsection of the following paragraph:

“(c) Upon the registration of the transfer of land referred to in paragraph (a), the registrar of deeds concerned shall cancel every title deed held by the board in respect of any lot or erf in the township or portion of a township in question and make the necessary consequential endorsements in his registers.”.

Act No. 19, 1975 COMMUNITY DEVELOPMENT AMENDMENT ACT, 1975.

Amendment of section 43A of Act 3 of 1966, as inserted by section 6 of Act 58 of 1968.

2. (1) Section 43A of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) No licence which in terms of any ordinance of a province is required for the carrying on of any trade or occupation shall be issued by the authority concerned to any person for the first time in respect of any premises or land situated in any group area as defined in section 1 of the Group Areas Act, 1966 (Act No. 36 of 1966), if the occupation or use by such person of such premises or land is unlawful in terms of or by virtue of the provisions of the Group Areas Act, 1966, except when it is occupied or used by him by virtue of a permit issued under that Act, unless such person produces a certificate issued by the Minister or a person authorized thereto by the Minister, stating that such a permit has been issued to the applicant for the licence in terms of which he may occupy or use such premises or land.”

(2) In the application of subsection (1) in any province of the Republic the provisions thereof shall be deemed to have come into operation in the province in question on the date on which the repeal, by an ordinance of that province, of the provisions of the Licences Act, 1962 (Act No. 44 of 1962), to the extent authorized by section 8 of the Financial Relations Further Amendment Act, 1968 (Act No. 69 of 1968), became operative in that province.

Amendment of section 50 of Act 3 of 1966, as substituted by section 14 of Act 42 of 1967.

3. Section 50 of the principal Act is hereby amended by the substitution in subsection (1) for all the words following paragraph (i) of the following words:

“shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand rand or to imprisonment for a period not exceeding two years, or to both such fine and such imprisonment, and, in addition, the court convicting a person of an offence under paragraph (i) may order such person to demolish the alteration, extension or addition to a building in question, or the new building in question, as the case may be, within a period fixed by the court, or order that person to vacate, within a period fixed by the court that portion of such building which has been altered, extended or added, or such new building, as the case may be, and, if that person fails to comply with the lastmentioned order, further order that he be ejected from that portion or such building.”

Short title.

4. This Act shall be called the Community Development Amendment Act, 1975.