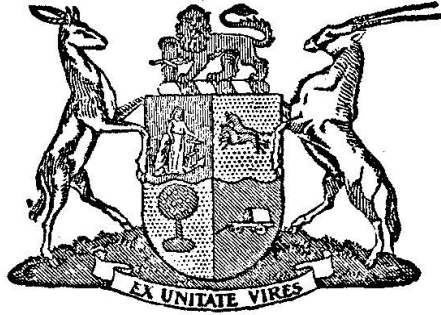


Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.

EXTRAORDINARY



BUITENGEWONE

THE REPUBLIC OF SOUTH AFRICA

Government Gazette

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CAPE TOWN, 26TH OCTOBER, 1966.
KAAPSTAD, 26 OKTOBER 1966.

[No. 1576.]

DEPARTMENT OF THE PRIME MINISTER.

No. 1688.] [26th October, 1966.]

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

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No. 44 of 1966: Bethelsdorp Settlement Amendment Act, 1966 69

No. 44, 1966.]

ACT

To amend the Bethelsdorp Settlement Act, 1921, for the purpose of investing the Board, to which the Bethelsdorp saltpan has been granted, with the power of leasing the right to collect salt from this saltpan, and to cancel certain conditions of title.

*(Afrikaans text signed by the State President.)
(Assented to 13th October, 1966.)*

WHEREAS the collection of salt from the Bethelsdorp saltpan by the owners of erven in Bethelsdorp, as provided for in the Bethelsdorp Settlement Act, 1921, is on economic grounds no longer feasible:

AND WHEREAS it is expedient to modify the operation of the resolution set out in the Schedule to the said Act so as to invest with effect from the fifth day of April, 1963, the Board to which the saltpan has in terms of the said Act been granted with the power of leasing the right to collect salt from the saltpan:

AND WHEREAS it is therefore expedient to amend the said Act:

AND WHEREAS certain land situate at Bethelsdorp has been granted to the Divisional Council of Port Elizabeth by Crown Grant No. 148/1949 dated 15th August, 1949, subject to *inter alia* the following conditions:

“B. The provisions of Section 4 of Part I of the Schedule to Act No. 34 of 1921, in so far as applicable to the disposal of erven and the purposes to which the proceeds of such disposal shall be devoted, shall be binding on the grantee or any other Local Authority which may at any time have the control of the Bethelsdorp Area.

C. No alienation of the land or any part thereof shall be permitted without the prior approval of the Minister of Lands; the proceeds of any disposal which may be permitted by the Minister shall be used exclusively for the benefit of the Bethelsdorp community.”:

AND WHEREAS portions of the said land are required by the City Council of Port Elizabeth and the Community Development Board for the erection of housing for Coloureds:

AND WHEREAS the said conditions are incompatible with the proposed housing schemes in so far as they are applicable to the disposal of erven and the purposes to which the proceeds of such disposal shall be devoted:

AND WHEREAS it is therefore expedient to cancel the said conditions:

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

1. The following section is hereby substituted, with effect from the fifth day of April, 1963, for section 1 of the Bethelsdorp Settlement Act, 1921 (hereinafter referred to as the principal Act):

“Power to give effect to a resolution of Parliament dealing with matters in dispute at Bethelsdorp.

1. Subject to the provisions of section 1A, the resolution passed by the House of Assembly on the thirtieth day of July, 1920, and by the Senate on the ninth day of August, 1920, dealing with the matters in dispute at Bethelsdorp in the Province of the Cape of Good Hope (which resolution is set out in the Schedule to this Act), shall be of full force and effect in law: Provided that Clause (6) of the said resolution shall be amended to read as shown in Part II of the said Schedule, and all necessary

Substitution of section 1 of Act 34 of 1921.

powers and authority are hereby conferred upon the State President for giving and enforcing full and complete effect to the terms of the said resolution as so amended, anything to the contrary notwithstanding in any law contained.”.

2. The following section is hereby inserted, with effect from the fifth day of April, 1963, in the principal Act after section 1: Insertion of section 1A in Act 34 of 1921.

“Construction of Clause (2) of the resolution of Parliament. 1A. Clause (2) of the said resolution shall be construed as if it read as follows:

“(2) The grant of the saltpan together with such surrounding ground as may be necessary for the proper working thereof (the limits of which shall be decided by the Government in consultation with the Board to be constituted as hereafter stated), shall be issued in favour of a Board to consist of the Magistrate for the time being of Port Elizabeth as Chairman, three members nominated by the Congregational Union and three members elected by the registered owners or lessees of erven or fixed property in Bethelsdorp. The Board to be constituted may enter into any agreement with any person or company for the lease for such period and at such rental as it may think fit, of the sole right to win, collect and remove salt from the saltpan and to do anything necessary in the opinion of the Board for the purposes of the lease. In the absence of any such agreement, the owners of erven in Bethelsdorp shall have the right to collect salt upon the conditions laid down in Regulation No. 33 of the Board of Supervisors, dated the 18th May, 1905, as modified by the said Board to be constituted, in so far as it may deem necessary for the proper working of the saltpan. The said Board to be constituted shall apply all revenue from the saltpan in the following manner:

- (a) R300 to the Bethelsdorp Congregational Church.
- (b) R100 for school purposes at Bethelsdorp.

If the saltpan shall at any time in the future bring in more than R400 the Board shall be entitled, subject to the approval of the Minister of Agricultural Credit and Land Tenure, to devote such further sum either to assist the Church or the school at Bethelsdorp, or for other public purposes for the benefit of the inhabitants of Bethelsdorp.’”

3. The Registrar of Deeds at Cape Town shall, upon lodgment with him of Crown Grant No. 148/1949 dated 15th August, 1949, cancel conditions B and C of paragraph 1 thereof, and thereafter the provisions of section 4 of Part I of the Schedule to the Bethelsdorp Settlement Act, 1921 (Act No. 34 of 1921), shall cease to apply to the land held under the said Crown Grant. Cancellation of conditions of title.

4. This Act shall be called the Bethelsdorp Settlement Short title. Amendment Act, 1966.