

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 uneven numbered pages as the other language is printed on even numbered pages.



# STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

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KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 1048.

1 Junie 1988

No. 1048.

1 June 1988

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring gegee 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. 53 van 1988: Wysigingswet op Ontwikkelingshulpwettiging, 1988.

No. 53 of 1988: Development Aid Laws Amendment Act, 1988.

## 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 Black Administration Act, 1927, so as to extend certain powers of the Minister; to amend the Development Trust and Land Act, 1936, so as to deregulate the procedure for licence applications of Black dealers; to amend the Promotion of the Economic Development of National States Act, 1968, so as to extend the powers of the South African Development Trust Corporation Limited; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)*  
*(Assented to 23 May 1988.)*

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

Amendment of section 30 of Act 38 of 1927, as substituted by section 2 of Act 83 of 1984 and amended by section 2 of Act 57 of 1986

- 5 1. Section 30 of the Black Administration Act, 1927, is hereby amended—
- (a) by the substitution for subsection (1) of the following subsection:
- “(1) The Minister of Education and Development Aid may, notwithstanding anything to the contrary in any law contained, by notice in the *Gazette*—
- 10 (a) set apart land which in terms of sections 2 and 49, respectively, of the Development Trust and Land Act, 1936 (Act No. 18 of 1936), is a released area or a scheduled area, or which belongs to the South African Development Trust, or which is situated in any area determined by Parliament by resolution as a town for occupation by or for
- 15 the residential or business purposes of Black persons, and land which is so set aside may include land which at the time of the setting aside is already occupied by such persons or is already utilized by them for such other purposes; and
- 20 (b) extend, redefine or otherwise modify a town referred to in paragraph (a).”;
- (b) by the substitution for paragraph (a) of subsection (2) of the following paragraph:
- “(a) the establishment of a local government body or bodies for the control and management of **[that] a town or towns;**”;
- 25 (c) by the addition of the following subsection:
- “(3) The Minister may by notice in the *Gazette*, after consultation with the local government body or bodies concerned established in terms of subsection (2)—
- 30 (a) dissolve that local government body or bodies and establish under a name mentioned in the notice a local government body for the area for which that local government body or bodies were established;

## DEVELOPMENT AID LAWS AMENDMENT ACT, 1988 Act No. 53, 1988

- (b) alter the name of that local government body;  
 (c) dissolve that local government body if, in the opinion of the Minister, the need for it no longer exists."

**Amendment of section 11 of Act 18 of 1936, as amended by section 35 of Act 46 of 1937 and section 3 of Act 16 of 1979**

2. Section 11 of the Development Trust and Land Act, 1936, is hereby amended by the deletion of subsection (2).

**Amendment of section 24 of Act 18 of 1936, as amended by section 3 of Act 63 of 1966 and section 6 of Act 54 of 1985**

10 3. Section 24 of the Development Trust and Land Act, 1936, is hereby amended—

- (a) by the deletion of subsections (3), (4) and (5); and  
 (b) by the substitution for subsection (6) of the following subsection:

15 “(6) (a) Subsections (1) and (2) [and (3)] shall *mutatis mutandis* apply with reference to any territory which by an Act of Parliament has been or is declared a self-governing territory within the Republic, and also with reference to any person who is not a citizen of that territory.

- (b) Any right acquired under subsection (1) [or (3)] in respect of land  
 20 which has been or is declared a self-governing territory or which forms part of such territory and which had been exercised and was of force when the said land was declared a self-governing territory or became part of such a territory or which has been exercised and is of force when the said land is declared a self-governing territory or becomes part of such a territory, as the case may be, shall be deemed to have been acquired under this subsection.”

25 **Amendment of section 1A of Act 46 of 1968, as inserted by section 1 of Act 105 of 1986**

4. Section 1A of the Promotion of the Economic Development of National States Act, 1968, is hereby amended—

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

30 “(2) The objects of the South African Development Trust Corporation Limited shall be to plan, finance, co-ordinate, promote and carry out the development of—

(a) the national states; [and]

(b) the Black population of [such] the national states; and

35 (c) notwithstanding the provisions of any other law to the contrary, any other community, person or institution within or outside the national states, at the request of that community, person or institution, but subject to the consent of and on the conditions prescribed by the Trustee,

40 in the fields of industry, commerce, finance, mining and other businesses.”; and

- (b) by the addition of the following subsection:

45 “(7) Any one or more of the powers conferred upon the South African Development Trust Corporation Limited in terms of section 4 (1) may, notwithstanding the provisions of any other law to the contrary, and subject to the approval of and on the conditions prescribed by the Trustee, in terms of a written agreement with any central, provincial, regional or local government institution, development institution or organization, be performed outside the self-governing territories referred to in subsection 5 (a), or the national states, in respect of the community, person or institution  
 50 referred to in subsection (2) (c).”

**Substitution of long title of Act 46 of 1968**

5. The following long title is hereby substituted for the long title of the Promotion of the Economic Development of National States Act, 1968:

## DEVELOPMENT AID LAWS AMENDMENT ACT, 1988

Act No. 53, 1988

## "ACT

5 To provide for the continued existence of the Black Investment Corporation of  
South Africa, Limited, and the Xhosa Development Corporation, Limited, and  
for the establishment of further development corporations and other corpora-  
tions so as to promote and carry out under the control of the Trustee of the  
South African Development Trust the economic development of the national  
states and the Black population of such states and the development of any other  
10 community, person or institution within or outside a national state at the request  
of that community, person or institution, by establishing, inaugurating, plan-  
ning, financing, co-ordinating, promoting, carrying on and carrying out indus-  
trial, commercial, financial, mining and other business undertakings and  
projects; and for matters incidental thereto."

**Short title**

6. This Act shall be called the Development Aid Laws Amendment Act, 1988.