

No. 9, 1941.]

ACT

To make better provision for attaining the object of certain enactments by virtue of which certain lands adjoining False Bay are vested in the Council of the City of Cape Town.

(Signed by the Governor-General in English.)
(Assented to 29th March, 1941.)

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Issue of grant of lands vested in Council of City of Cape Town by virtue of section 1 of Act 26 of 1897 (Cape).

1. The Governor-General may issue in favour of the Council of the City of Cape Town a grant of the lands which by virtue of section *one* of the Kalk Bay Municipal Improvement Act, 1897, of the Cape of Good Hope, are vested in the said Council, and which are not registered in a deeds registry as the property of the said Council, and may include therein conditions having the effect of the provisions of section *five* of that Act: Provided that—

- (a) the expressions "the sea" and "ordinary high-water mark", where they occur in the said section *five*, shall be interpreted to mean the highest line reached by the sea during ordinary storms occurring during the most stormy period of the year, excluding exceptional or abnormal floods; and
- (b) the reference in the said section *five* to block G shall be construed as a reference to block F.

Amendment of section 1 of Act 17 of 1925.

2A (1) The following sub-section is hereby substituted for sub-section (3) of section *one* of the City of Cape Town (Muizenberg Beach) Improvement Act, 1925:

"(3) In this Act—
'high-water mark' means the highest line reached by the sea during ordinary storms occurring during the most stormy period of the year, excluding exceptional or abnormal floods; and
'lowest water mark' means the lowest line to which the sea recedes during periods of ordinary spring tides".

(2) Sub-section (1) shall be deemed to have come into operation on the sixteenth day of July, 1925.

Short title.

3. This Act shall be called the Municipal Lands (Muizenberg) Act, 1941.