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.



REPUBLIEK VAN SUID-AFRIKA

STAATSKOERANT

GOVERNMENT GAZETTE

FOR THE REPUBLIC OF SOUTH AFRICA

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KAAPSTAD, 26 JUNIE 1992

CAPE TOWN, 26 JUNE 1992

No. 14073

KANTOOR VAN DIE STAATSPRESIDENT

No. 1766.

26 Junie 1992

No. 1766.

26 June 1992

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

No. 77 van 1992: Wysigingswet op die Beroep van Stadsklerke, 1992.

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

STATE PRESIDENT'S OFFICE

No. 77 of 1992: Profession of Town Clerks Amendment Act, 1992.

PROFESSION OF TOWN CLERKS AMENDMENT ACT, 1992

Act No. 77, 1992

GENERAL EXPLANATORY NOTE:

Ĺ]	Words in bold type in square brackets indicate omissions from existing enactments.
	_	Words underlined with a solid line indicate insertions in existing enactments.

ACT

To amend the Profession of Town Clerks Act, 1988, so as to regulate the procuring and inspection of audited statements of account and balance sheets by persons registered in terms of the Act; to further regulate the appointment of town clerks; to provide for the cancellation of registration; and to provide that any person registered in terms of the Act, shall be guilty of improper conduct if he fails to pay his annual fee; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.) (Assented to 18 June 1992.)

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

Amendment of section 12 of Act 75 of 1988

1. Section 12 of the Profession of Town Clerks Act, 1988 (hereinafter referred 5 to as the principal Act), is hereby amended by the substitution for subsection (4) of the following subsection:

"(4) [Copies of] The council shall cause such documents so audited [shall be dispatched] to be open for inspection at the office of the registrar, and shall dispatch copies thereof to every person who is registered in terms of this Act, at his request and on payment of the fee determined by the council."

Amendment of section 20 of Act 75 of 1988

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2. Section 20 of the principal Act is hereby amended by the addition of the following subsection:

"(5) Any appointment of a person to the office of town clerk contrary to the provisions of this Act shall be null and void.".

Insertion of section 22A in Act 75 of 1988

3. The following section is hereby inserted in the principal Act after section 22:

"Cancellation of registration

22A. (1) The council shall at the written request of any person registered in terms of this Act, cancel his registration, but the cancellation shall not affect any liability incurred by such person prior to the date of such request.

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Act No. 77, 1992

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- (2) Upon the cancellation of the registration of a person under subsection (1), the registrar shall forthwith in writing notify the employer of the person concerned of such cancellation.
- (3) If the council cancels the registration of a person under subsection (1)-
- (a) and such person is a town clerk, the local authority shall, notwithstanding the provisions of any other law, within 21 days of the date of the notification referred to in subsection (2) remove such person from the office of town clerk;
- (b) he shall within seven days return to the registrar the registration certificate issued to him in terms of section 22(2).
- (4) Any person who fails to comply with the provisions of subsection (3)(b), shall be guilty of an offence and on conviction liable to a fine or to imprisonment for a period not exceeding three months.
- (5) The provisions of subsection (3) shall not be so construed as to terminate the service of the person concerned with the local authority in any capacity other than that of town clerk.".

Amendment of section 23 of Act 75 of 1988

- 20 4. Section 23 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:
 - "(2) If a local authority appoints a person to the office of town clerk it shall [forthwith] within 30 days in writing notify the registrar of the appointment, the qualifications of the person appointed and, if such appointment has been made conditionally, full details of the conditions, and the registrar shall make the necessary entry in the appropriate register.".

Amendment of section 24 of Act 75 of 1988

5. Section 24 of the principal Act is hereby amended by the addition of the following paragraph:

f(g) fails to pay any annual fee determined by the council under section 8(b)(iii) before the due date for such payment.".

Short title

6. This Act shall be called the Profession of Town Clerks Amendment Act, 1992.