

UITENGEWONE

SIËLE KOERANT

VAN SUIDWES-AFRIKA

OFFICIAL GAZETTE

EXTRAORDINARY
OF SOUTH WEST AFRICA



UITGAWE OP GESAG.

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Goewermentskennisgewing.

Government Notice.

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer. The following Government Notice is published for general information.

J. J. KLOPPER,
Sekretaris van Suidwes-Afrika

J. J. KLOPPER,
Secretary for South West Africa

Kantoor van die Administrateur, Windhoek. Administrator's Office, Windhoek.

No. 101.] [16 Junie 1972. No. 101.] [16 June 1972.

ORDONNANSIE 1972: UITVAARDIGING VAN

ORDINANCE, 1972: PROMULGATION OF

Dit behaag die Administrateur om sy goedkeuring te heg, ooreenkomstig artikel 27 van die Wet op die Konstitusie van Suidwes-Afrika 1968 (Wet 39 van 1968) aan die volgende Ordonnansie wat hierby vir algemene inligting gepubliseer word ooreenkomstig artikel 29 van gemelde Wet.

The Administrator has been pleased to assent, in terms of section 27 of the South West Africa Constitution Act, 1968 (Act 39 of 1968) to the following Ordinance which is hereby published for general information in terms of section 29 of the said Act.

No.	Titel	Bladsy	No.	Title	Page
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No. 10 of 1972.]

PERI-URBAN DEVELOPMENT BOARD AMENDMENT
ORDINANCE, 1972.

(Assented to 14 June 1972.)

(English text signed by the Administrator.)

(Date of commencement 16 June 1972.)

ORDINANCE

To amend the Peri-Urban Development Board Ordinance, 1970, so as to substitute the expression "Executive Committee" for the word "Administrator"; to define the words "financial year" and "secretary" and the expression "Executive Committee"; to provide that the board shall be deemed to be a local authority in respect of every peri-urban area for the purposes of any act referring to all forms of local authority existing in the Territory; to provide that the board may establish a pension fund for its officers and employees; to provide that the board shall every year draw up and submit for approval by the Executive Committee specified estimates of the revenue and expenditure of the board for the ensuing financial year; to provide that the board shall establish a Fixed Property Fund and a Betterment Fund for every peri-urban area and to determine which moneys shall be paid therein and how the money therein may be used; to provide that the board may establish and carry out housing schemes in peri-urban areas and to provide that the board shall establish a Housing Fund for every peri-urban area in which a housing scheme is so carried out and to determine which moneys shall be paid therein and how the moneys therein may be used; to give further powers to the board; to add to the matters in respect of which the Executive Committee may make regulations and to empower the Executive Committee to make regulations with retrospective effect; and to provide for incidental matters.

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa, as follows: —

1. The Peri-Urban Development Board Ordinance, 1970 (Ordinance 19 of 1970) — hereinafter referred to as the principal Ordinance — is hereby amended by the substitution for the word "Administrator" wherever it appears of the expression "Executive Committee".

Amendment of Ordinance 19 of 1970 to substitute the expression "Executive Committee" for the word "Administrator".

2. Section 1 of the principal Ordinance is hereby amended —

Amendment of section 1 of Ordinance 19 of 1970.

(a) by the insertion before the definition of "peri-urban area" of the following definition:

""financial year" means the twelve months ending on and including the thirty-first day of March in every calendar year;"

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- (b) deur na die woordbepaling van „regulasie” die volgende woordbepaling in te voeg:

„„sekretaris” die beampte wat ingevolge artikel 12 (1) as sekretaris van die raad aangestel is;”;
en

- (c) deur na die woordbepaling van „soom” die volgende woordbepaling in te voeg:

„„Uitvoerende Komitee” die Administrateur-in-Uitvoerende Komitee bedoel in artikel 6 van die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet 39 van 1968).”.

Wysiging van
artikel 10 van
Ordonnansie 19
van 1970.

3. Artikel 10 van die Hoofordonnansie word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

„(3) Vir die doeleindes van enige wet word die raad as ’n plaaslike bestuur ten opsigte van elke buitestedelike gebied beskou vir sover sodanige wet betrekking het op alle vorms van plaaslike besture wat in die Gebied bestaan.”.

Wysiging van
artikel 12 van
Ordonnansie 19
van 1970.

4. Artikel 12 van die Hoofordonnansie word hierby gewysig deur subartikel (2) deur die volgende subartikels te vervang:

„(2) Behoudens die bepalings van die Wet op Pensioenfondse, 1956 (Wet 24 van 1956), kan die raad met die goedkeuring van die Uitvoerende Komitee —

- (a) enige pensioen-, ondersteunings-, liefdadigheids- of siektefonds instel en uit die inkomste van die raad tot sodanige fondse bydra met die doel om toekennings te betaal of pensioene te verskaf aan sy beamptes en werknemers by aftreding, hul weduwees, weeskinders en ander afhanklikes, en die raad kan met enige ander plaaslike bestuur of ander plaaslike besture ooreenkom om ’n verenigde pensioen-, ondersteunings-, liefdadigheids- of siektefonds in te stel ten voordele van die beamptes en werknemers van enige van daardie plaaslike besture;
- (b) ’n ooreenkoms met ’n versekeringsmaatskappy aangaan vir die betaling van pensioene, gratifikasies of voordele aan sodanige beamptes en werknemers;
- (c) uit enige sodanige pensioen-, ondersteunings-, liefdadigheids- of siektefonds gratifikasies by wyse van maandelikse betalings of andersins aan sodanige beamptes en werknemers toeken.

(3) Die raad kan, onderhewig aan die goedkeuring van die Uitvoerende Komitee, uit die inkomste van die raad gratifikasies of pensioene

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- (b) by the insertion after the definition of "regulation" of the following definition:

"“secretary” means the officer appointed in terms of section 12 (1) as secretary to the board;” and

- (c) by the insertion after the definition of “verge” of the following definition:

““Executive Committee” means the Administrator-in-Executive Committee referred to in section 6 of the South West Africa Constitution Act, 1968 (Act 39 of 1968).”.

3. Section 10 of the principal Ordinance is hereby amended by the substitution for subsection (3) of the following subsection:

Amendment of
section 10 of
Ordinance 19 of
1970.

“(3) The board shall be deemed to be a local authority in respect of every peri-urban area for the purposes of any act in so far as such act applies to all forms of local authority existing in the Territory.”.

4. Section 12 of the principal Ordinance is hereby amended by the substitution for subsection (2) of the following subsections:

Amendment of
section 12 of
Ordinance 19 of
1970.

“(2) Subject to the provisions of the Pension Funds Act, 1956 (Act 24 of 1956), the board may with the approval of the Executive Committee —

- (a) establish any pension, provident, benevolent or sick fund and out of the revenues of the board contribute to such fund for the purpose of making grants to or providing pensions for its officers and employees upon retirement, their widows, orphans and other dependants, and the board may agree with any other local authority or other local authorities to establish a united pension, provident, benevolent or sick fund for the benefit of the officers and employees of any of those local authorities;

- (b) enter into an agreement with an insurance company for the payment of pensions, gratuities or benefits to such officers and employees;

- (c) grant gratuities by way of monthly payments or otherwise to such officers and employees out of any such pension, provident, benevolent or sick fund.

(3) The board may, subject to the approval of the Executive Committee, grant gratuities or pensions out of the revenues of the board to

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toeken aan sodanige van sy beamptes en werknemers soos op die datum van die instelling van enige pensioen-, ondersteunings- of liefdadigheidsfonds bedoel in subartikel (2) die ouderdom van veertig jaar bereik het en minstens tien jaar ononderbroke diens by die raad voltooi het, of aan die weduwees, weeskinders of ander afhanklikes van sodanige beamptes en werknemers, bo en behalwe enige gratifikasie of pensioen waarop sodanige bedoelde beamptes en werknemers uit kragte van enige van die voormelde fondse geregtig is.

(4) By die toepassing van subartikel (3) word die datum van die instelling van enige pensioen-, ondersteunings- of liefdadigheidsfonds beskou as die datum waarop die raad en sy beamptes en werknemers begin het om by te dra tot enige sodanige fonds, ongeag of sodanige datum voor of na die publikasie van enige regulasies gemaak ingevolge subartikel (5) val of nie.

(5) Die Uitvoerende Komitee kan sodanige regulasies soos hy nodig of dienstig ag vir die uitvoering van die bepalings van subartikel (2) maak, wysig en intrek.”

Wysiging van
artikel 13 van
Ordonnansie 19
van 1970.

5. Artikel 13 van die Hoofordonnansie word hierby gewysig deur die volgende subartikels by te voeg:

„(3) (a) Die raad moet gedurende Augustus elke jaar 'n gespesifiseerde begroting van die inkomste en uitgawes van die raad vir die daaropvolgende boekjaar opstel en die bedoelde begroting moet deur die voorsitter, die sekretaris en die tesourier van die raad onderteken word.

(b) Die begroting van die inkomste en uitgawes van die raad ten opsigte van elke buitestedelike gebied moet afsonderlik in die bedoelde begroting gespesifiseer word.

(c) Die bedoelde begroting moet minstens veertien dae lank by elke kantoor van die raad ter insae van enige belastingbetaler lê.

(d) Nadat die bedoelde begroting ooreenkomstig paragraaf (c) ter insae gelê het, moet 'n afskrif daarvan wat deur die voorsitter gesertifiseer is aan die Uitvoerende Komitee gestuur word wat dit dan kan goedkeur of weier om dit goed te keur en kan vereis dat enige verdere dokumente, bewysstukke en inligting wat hy nodig of wenslik ag aan hom verskaf moet word.

(e) Die raad mag geen aanspreeklikheid of uitgawe aangaan of betaling maak buiten ooreenkomstig die goedgekeurde begroting of ooreenkomstig spesiale bykomende finansiële voorsiening goedgekeur deur die Uitvoerende Komitee nie.

(4) Nieteenstaande andersluidende bepalings in hierdie ordonnansie kan die raad op enige departementele pos van sy gespesifiseerde begroting van inkomste en uitgawes, enige onderhoof van daardie pos oorskry met hoogstens twintig persent mits daar by ander onderhoofde van dieselfde pos besparings beskikbaar is om sodanige oorskrydende uitgawe te dek.

(5) Die raad kan die reserves uit surplusskep wat hy goetvind en kan ooreenkomstig erkende sakepraktyk reëlings tref vir die inbetaling van gelde in banke, die betaling van rekenings en die veilige bewaring van bates.”

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such of its officers and employees, who, at the date of the establishment of any pension, provident or benevolent fund referred to in subsection (2) has reached the age of forty years and has completed not less than ten years of unbroken service with the board or to the widows, orphans or other dependants of such officers and employees, in addition to any gratuity or pension to which such officers and employees as aforesaid may be entitled, under any of the aforesaid funds.

(4) For the purpose of subsection (3) the date of the establishment of any pension, provident or benevolent fund shall be deemed to be the date on which the board and its officers and employees commenced to contribute to any such fund whether or not such date be before or after the publication of any regulations made in terms of subsection (5).

(5) The Executive Committee may make, amend and revoke such regulations as it considers necessary or expedient for carrying into effect the provisions of subsection (2).

5. Section 13 of the principal Ordinance is hereby amended by the addition of the following subsections:

Amendment of
section 13 of
Ordinance 19 of
1970.

“(3) (a) The board shall during August of every year draw up detailed estimates of the revenue and expenditure of the board for the ensuing financial year and the said estimates shall be signed by the chairman, the secretary and the treasurer of the board.

(b) The estimates of the revenue and expenditure of the board in respect of every peri-urban area shall be specified separately in the said estimates.

(c) The said estimates shall lie at every office of the board for inspection by any ratepayer for a period of not less than fourteen days.

(d) After the said estimates have lain for inspection in accordance with paragraph (c), a copy thereof, certified by the chairman, shall be forwarded to the Executive Committee which may approve of the same or refuse to approve of the same and may require to be furnished with any further documents, vouchers and information which it may consider necessary or desirable.

(e) The board shall not incur any liability or expenditure or make any payment otherwise than in accordance with the approved estimates or in accordance with special additional financial provision approved by the Executive Committee.

(4) Notwithstanding anything to the contrary in this ordinance contained the board may, on any departmental vote of the detailed estimates of revenue and expenditure exceed any subhead of that vote by not more than twenty per cent, provided that savings are available on other subheads of the same vote to cover such excess expenditure.

(5) The board may create such reserves out of surpluses as it deems fit and may make arrangements for the banking of moneys, the payment of accounts and the safekeeping of assets in accordance with accepted business practice.”

**WYSIGINGSORDONNANSIE OP DIE RAAD VIR
BUITESTEDELIKE ONTWIKKELING, 10 VAN 1972.**

Wysiging van
artikel 14 van
Ordonnansie 19
van 1970.

6. Artikel 14 van die Hoofordonnansie word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

„(2) By die toepassing van hierdie ordonnansie beteken:

- (a) „erkende bank” ’n bank behoorlik as sodanig geregistreer ooreenkomstig die Bankwet, 1965 (Wet 23 van 1965); en
- (b) „erkende bouvereniging” ’n bouvereniging behoorlik as sodanig geregistreer ooreenkomstig die Bouverenigingswet, 1965 (Wet 24 van 1965).”.

Wysiging van
artikel 34 van
Ordonnansie 19
van 1970.

7. Artikel 34 van die Hoofordonnansie word hierby gewysig deur die volgende subartikels by te voeg:

„(7) Met ingang van die bepaalde datum moet die raad vir elke buitestedelike gebied ’n fonds instel wat heet die Vaste Eiendomsfonds en ’n fonds wat heet die Verbeteringsfonds.

(8) (a) Behoudens die bepalings van artikel 34A moet die raad, uitgesonderd soos bepaal in paragraaf (b), alle gelde wat nie andersins regtens toegeëien word nie en wat hy ontvang het uit die verkoop van onroerende eiendom in ’n buitestedelike gebied insluitende rente op onbetaalde paalemente waar die koopprys van sodanige onroerende eiendom paalementsgewys afbetaal word, rente op beleggings van gelde in daardie Vaste Eiendomsfonds en enige sodanige gelde soos volgens lasgewing van die Uitvoerende Komitee aldus inbetaal moet word, met ingang van die bepaalde datum in die Vaste Eiendomsfonds ingestel vir daardie buitestedelike gebied inbetaal.

(b) (i) Wanneer ook al onroerende eiendom bestaande uit onontwikkelde grond binne enige buitestedelike gebied deur die raad verkoop gaan word en die waarde van sodanige eiendom verhoog is weens die verskaffing van enige nie-winsgewende diens, kan die raad die werklike koste van sodanige nie-winsgewende diens spesifiseer en gelyk toebedeel onder die betrokke eiendomme en onderhewig aan die bepalings van subartikel (9) (b) sodanige koste aftrek van die bedrag wat die verkoop van sodanige eiendom oplewer, en die aldus afgetrekte geld moet in die Verbeteringsfonds ingestel vir daardie buitestedelike gebied inbetaal word, en as dit uit enige ander fonds of rekening van die raad aangewend is, in sodanige fonds of rekening inbetaal word, en as dit uit ’n lening wat die raad aangegaan het, aangewend is, op sodanige lening afbetaal word.

(ii) Wanneer ook al die raad die Uitvoerende Komitee oortuig dat dit onmoontlik was om enige nie-winsgewende dienste te verskaf voordat enige onroerende eiendom bestaande uit on-

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6. Section 14 of the principal Ordinance is hereby amended by the substitution for subsection (2) of the following subsection:

Amendment of
section 14 of
Ordinance 19 of
1970.

“(2) For the purpose of this ordinance —

- (a) “recognised bank” means a bank duly registered as such in terms of the Banks Act, 1965 (Act 23 of 1965); and
- (b) “recognised building society” means a building society duly registered as such in terms of the Building Societies Act, 1965 (Act 24 of 1965).”.

7. Section 34 of the principal Ordinance is hereby amended by the addition of the following subsections:

Amendment of
section 34 of
Ordinance 19 of
1970.

“(7) As from the fixed date the board shall for every peri-urban area establish a fund to be known as the Fixed Property Fund and a fund to be known as the Betterment Fund.

(8) (a) Subject to the provisions of section 34A, the board shall, except as provided in paragraph (b), and as from the fixed date pay into the Fixed Property Fund established for a peri-urban area all moneys, not otherwise appropriated by law, received by the board from the sale of immovable property in that peri-urban area, including interest on unpaid instalments where the purchase price of such immovable property is being paid in instalments, interest on the investment of moneys in that Fixed Property Fund and any such moneys which the Executive Committee directs to be so paid.

(b) (i) Whenever immovable property comprising undeveloped land within any peri-urban area is to be sold by the board and the value of such property has been enhanced as a result of the provision of any non-remunerative service, the board may specify and apportion the actual cost of such non-remunerative service equally among the properties concerned and subject to the provisions of subsection 9 (b), deduct such cost from the amount realized from the sale of such property and the moneys so deducted shall be paid into the Betterment Fund established for that peri-urban area and if used from any other fund or account of the board, be paid into such fund or account and, if used from a loan by the board, be paid against such loan.

(ii) Whenever the board has satisfied the Executive Committee that it has not been possible to provide any non-remunerative services before any immovable property comprising undevelop-

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ontwikkelde grond binne enige buitestedelike gebied deur die raad verkoop is, kan die Uitvoerende Komitee die raad magtig om onderhewig aan die bepalings van subartikel (9) (b) 'n gespesifiseerde bedrag af te trek van die bedrag wat die verkoop van sodanige eiendom opgelewer het, wat die beraamde koste van sodanige niwingsgewende dienste soos die Uitvoerende Komitee nodig ag, weerspieël, en die aldus afgetrekte bedrag moet in die Verbeteringsfonds ingestel vir daardie buitestedelike gebied inbetaal word.

(9) (a) Die raad kan, onderhewig aan die goedkeuring van die Uitvoerende Komitee en aan die bepalings en voorwaardes wat hy oplaas insluitende die rentekoers (as daar is) en die tydperk waarbinne terugbetaling moet geskied, enige gelde in die Vaste Eiendomsfonds ingestel vir 'n buitestedelike gebied leen vir —

- (i) die oprigting, verbetering of uitbreiding van enige permanente werke wat die raad gemagtig is om in of ten opsigte van daardie buitestedelike gebied in te stel;
- (ii) die aanskaffing van roerende bates insluitende toerusting en masjinerie in verband met enige onderneming wat die raad gemagtig is om in of ten opsigte van daardie buitestedelike gebied in te stel;
- (iii) die aankoop of onteining van onroerende eiendom in daardie buitestedelike gebied wat herverkoop kan word, insluitende enige koste hoegenaamd wat met die aanskaffing van sodanige onroerende eiendom gepaard gaan;
- (iv) dorpsbeplanning in daardie buitestedelike gebied;
- (v) die terugbetaling van enige ander lening aangegaan in verband met enigeen van die sake genoem in subparagrafe (i) tot en met (iv);
- (vi) die finansiering van enige lening ingevolge artikel 34A vir die doeleindes van daardie buitestedelike gebied;

Met dien verstande dat tensy die Uitvoerende Komitee anders bepaal die geld wat aldus geleen word, terugbetaal moet word in gelyke jaarlikse paaieimente wat strek oor 'n tydperk van hoogstens vyftig jaar met inagneming van die duursaamheid van die bate wat met so 'n lening aangeskaf is.

(b) Die raad kan, onderhewig aan die goedkeuring van die Uitvoerende Komitee, enige gelde in die Vaste Eiendomsfonds ingestel vir 'n buitestedelike gebied sonder terugbetaling gebruik vir die aankoop of onteining van enige grond in daardie buitestedelike gebied insluitende enige koste hoegenaamd wat met die aanskaffing van sodanige grond gepaard gaan, of vir die terugbetaling van enige lening wat aangegaan is om die koste van sodanige grond te betaal: Met dien verstande dat as sodanige grond herverkoop word, die volle bedrag wat

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ed land within any peri-urban area has been sold by the board, the Executive Committee may authorise the board to deduct, subject to the provisions of subsection (9) (b), a specified amount from the amount realized from the sale of such property, representing the estimated cost of such non-remunerative services as the Executive Committee deems necessary and the amount so deducted shall be paid into the Betterment Fund established for that peri-urban area.

(9) (a) The board may, subject to the approval of the Executive Committee and subject to such terms and conditions as it may impose, including the rate of interest (if any) and the period within which repayment is to be made, borrow any moneys standing to the credit of the Fixed Property Fund established for a peri-urban area for —

- (i) the construction, improvement or extension of any permanent works which the board is empowered to establish in or in respect of that peri-urban area;
- (ii) the acquisition of movable assets, including plant and machinery in respect of any undertaking which the board is empowered to establish in or in respect of that peri-urban area;
- (iii) the purchase or expropriation of immovable property in that peri-urban area which is capable of being resold including any cost whatsoever incidental to the acquisition of such immovable property;
- (iv) town planning in that peri-urban area;
- (v) the repayment of any other loan raised in respect of any of the matters mentioned in subparagraphs (i) to (iv) inclusive;
- (vi) the financing of any loan in terms of section 34A for the purposes of that peri-urban area;

Provided that the money so borrowed shall, unless the Executive Committee determines otherwise, be repaid in equal annual instalments extending over a period not exceeding fifty years, regard being had to the durability of the asset acquired under any such loan.

(b) Subject to the approval of the Executive Committee, the board may use, without repayment, any moneys standing to the credit of the Fixed Property Fund established for a peri-urban area for the purchase or expropriation of any land in that peri-urban including any cost whatsoever incidental to the acquisition of such land or for the repayment of any loan raised to pay the cost of such land: Provided that if such land is resold, the full amount used to

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gebruik is om sodanige grond aan te skaf aan die Vaste Eiendomsfonds ingestel vir daardie buitestedelike gebied terugbetaal moet word voordat enige geld ingevolge die bepalings van subartikel (8) (b) afgetrek word.

(10) (a) Die raad kan, onderhewig aan die goedkeuring van die Uitvoerende Komitee en aan sodanige bepalings en voorwaardes soos hy oplê, enige gelde in die Verbeteringsfonds ingestel vir 'n buitestedelike gebied, sonder terugbetaling gebruik, buiten soos hierna bepaal, vir —

- (i) die oprigting, verbetering of uitbreiding van enige permanente werke wat die raad gemagtig is om in of ten opsigte van daardie buitestedelike gebied in te stel;
- (ii) die aankoop of onteining van enige onroerende eiendom in daardie buitestedelike gebied of belang daarin;
- (iii) die ontwikkeling van grond in daardie buitestedelike gebied vir woondoeleindes;
- (iv) die verskaffing van nie-winsgewende dienste in daardie buitestedelike gebied;
- (v) sodanige beplanning soos die Uitvoerende Komitee as voordelig vir al die inwoners van daardie buitestedelike gebied beskou: Met dien verstande dat die aldus beplande skema nie winsgewend mag wees nie: En met dien verstande voorts dat as die aldus beplande skema nie verwerklik word nie binne tien jaar na die datum van sodanige goedkeuring of binne sodanige verlenging van tyd, maar hoogstens vyf jaar, soos die Uitvoerende Komitee toestaan as die raad hom oortuig dat die vertraging by die verwerkliking daarvan geregverdig is, die aldus bestede geld aan die Verbeteringsfonds ingestel vir daardie buitestedelike gebied terugbetaal moet word op die voorwaardes wat die Uitvoerende Komitee stel.

(b) Die Uitvoerende Komitee kan, as daar te min geld in die Vaste Eiendomsfonds ingestel vir 'n buitestedelike gebied is, 'n lening uit die Verbeteringsfonds ingestel vir daardie buitestedelike gebied goedkeur vir enige van die doeleindes genoem in subartikel (9) (g) en die bepalings van daardie paragraaf is ten opsigte van sodanige lening van toepassing.

(11) By die toepassing van hierdie artikel beteken —

„bepaalde datum” 'n datum wat deur die Uitvoerende Komitee bepaal en by proklamasie in die *Offisiële Koerant* afgekondig word: Met dien verstande dat die Uitvoerende Komitee ten opsigte van verskillende buitestedelike gebiede verskillende sodanige datums kan bepaal en afkondig; en

„nie-winsgewende diens” die aanleg van strate en van vloedwaterdreinerings binne die gebied van 'n buitestedelike gebied of die verskaffing van sodanige dienste soos nodig blyk vir die ontwikkeling van sodanige gebied en ten opsigte waarvan die raad geen gelde hef nie.”.

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acquire such land shall be repaid to the Fixed Property Fund established for that peri-urban area before any moneys are deducted as provided in subsection (8) (b).

(10) (a) Subject to the approval of the Executive Committee and subject to such terms and conditions as it may impose, the board may use, without repayment, except as hereinafter provided, any moneys standing to the credit of the Betterment Fund established for a peri-urban area for —

- (i) the construction, improvement or extension of any permanent works which the board is empowered to establish in or in respect of that peri-urban area;
- (ii) the purchase or expropriation of any immovable property in that peri-urban area or interest therein;
- (iii) the development of land in that peri-urban area for residential purposes;
- (iv) the provision of non-remunerative services in that peri-urban area;
- (v) such planning as the Executive Committee deems to be for the benefit of all the inhabitants of that peri-urban area: Provided that the scheme so planned shall not be remunerative: And provided further that if the scheme thus planned does not materialize within ten years of the date of such approval or within such extension of time not exceeding five years which the Executive Committee may grant if the board can satisfy it as to the delay in materialization, the money thus used shall be repaid to the Betterment Fund established for that peri-urban area on such terms as the Executive Committee may determine.

(b) The Executive Committee may, if there be insufficient moneys to the credit of the Fixed Property Fund established for a peri-urban area, approve a loan from the Betterment Fund established for that peri-urban area for any of the purposes mentioned in subsection (9) (a) and the provisions of that paragraph shall apply in respect of such loan.

(11) For the purpose of this section —

“fixed date” shall mean a date fixed by the Executive Committee and published by proclamation in the *Official Gazette*: Provided that the Executive Committee may fix and publish different such dates in respect of different peri-urban areas; and

“non-remunerative services” shall mean the construction of streets and of stormwater drainage within the area of a peri-urban area or the provision of such services as may be necessary for the development of such area and in respect of which no charge is to be made by the board.”

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Invoeging van
artikel 34A in
Ordonnansie 19
van 1970.

8. Die volgende artikel word hierby in die Hoofordonnansie na artikel 34 ingevoeg:

„Behuising-
skemas.

34A. (1) Die raad kan, onderhewig aan die goedkeuring van die Uitvoerende Komitee, 'n behuising-skema in enige buitestedelike gebied instel en uitvoer en te dien einde kan die raad —

- (a) enige woning in daardie buitestedelike gebied oprig of aankoop en sodanige woning verkoop of verhuur;
- (b) geld op eerste verband (wat ten gunste van die raad gepasseer moet word) op grond in daardie buitestedelike gebied waarop 'n woning opgerig is of opgerig staan te word, aan iemand leen om hom in staat te stel om daardie woning vir die huisvesting van homself en sy afhanklikes te koop of op te rig;
- (c) enige erkende bouvereniging soos bepaal by artikel 14 help om 'n lening toe te staan aan iemand om hom in staat te stel om 'n woning in daardie buitestedelike gebied te koop of op te rig; en

(d) sodanige gelde leen soos nodig is.

(2) Geen lening mag ingevolge subartikel (1) toegestaan word nie aan iemand wat die eienaar is van 'n gebou wat geskik is om deur mense bewoon te word of wie se gade die eienaar is van so 'n gebou, tensy die goedkeuring van die Uitvoerende Komitee vooraf daartoe verkry is.

(3) Behoudens die bepalings van subartikels (4) en (5) kan die raad met die goedkeuring van die Uitvoerende Komitee aan iemand aan wie 'n lening ingevolge subartikel (1) (b) (hierna 'n behuising-lening genoem) toegestaan is, 'n verdere lening toestaan om hom in staat te stel om die woning ten opsigte waarvan sodanige behuising-lening toegestaan is, te herbou, te verander, te vergroot, te verbou of te herstel.

(4) Waar die bedrag wat werklik deur iemand aan wie 'n behuising-lening toegestaan is (hierna die lener genoem) verskuldig is uit hoofde van 'n verband wat 'n behuising-lening verseker, minder is as die bedrag van die verband, moet die bedrag van 'n verdere lening ingevolge subartikel (3) nie die verskil tussen die bedrag aldus verskuldig en die bedrag van die verband oorskry nie, en so 'n verdere lening word dan ook geag deur sodanige verband versekureer te wees asof dit 'n gedeelte van die oorspronklike behuising-lening was.

(5) Waar 'n behuising-lening wat aan 'n lener toegestaan is minder is as die le-

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8. The following section is hereby inserted in the principal Ordinance after section 34:

Insertion of section
34A in Ordinance
19 of 1970.

"Housing
schemes.

34A. (1) The board may, subject to the approval of the Executive Committee, establish and carry out a housing scheme within any peri-urban area and for the purpose of such scheme the board may —

(a) construct or purchase any dwelling in that peri-urban area and sell or let such dwelling;

(b) lend money on first mortgage (to be passed in favour of the board) over the land in that peri-urban area on which a dwelling has been or is to be constructed to any person to enable him to purchase or construct that dwelling for the accommodation of himself and his dependants;

(c) assist any recognised building society as defined in section 14 to grant a loan to any person to enable him to purchase or construct a dwelling in that peri-urban area; and

(d) borrow such moneys as are necessary.

(2) No loan shall be granted in terms of subsection (1) to any person who is the owner of a building which is fit for human occupation or whose spouse is the owner of any such building, unless the prior approval of the Executive Committee has been obtained thereto.

(3) Save as is provided in subsections (4) and (5) the board may, with the approval of the Executive Committee, grant any person to whom a loan was granted in terms of subsection (1) (b) (hereinafter called a housing loan) a further loan to enable him to reconstruct, alter, enlarge, adapt or repair the dwelling in respect of which such housing loan was granted.

(4) Where the amount actually owing by any person to whom a housing loan was granted (hereinafter called the borrower) under a mortgage bond securing a housing loan, is less than the amount of the bond, the amount of a further loan in terms of subsection (3) shall not exceed the difference between the amount so owing and the amount of the bond, and any such further loan shall also be deemed to be secured by such bond as if it were a portion of the original housing loan.

(5) Where a housing loan granted to a borrower is less than the loan which could

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ning wat aan hom toegestaan kon gewees het, moet die bedrag van enige verdere lening ingevolge subartikel (3) nie die verskil tussen die behuisingslening toegestaan en die lening wat toegestaan kon gewees het, oorskry nie en moet sodanige verdere lening deur 'n verdere verband ten gunste van die raad op die grond waarop die betrokke woning gebou is, verseker word en sodanige verdere verband geniet dieselfde voorrang as die eerste verband oor bedoelde grond.

(6) Indien iemand voldoen aan die vereistes waaraan enige besondere lener moes voldoen het om die betrokke behuisingslening te verkry, kan die raad met die goedkeuring van die Uitvoerende Komitee toestemming verleen vir die oorname deur so iemand van die belange en verpligtings van die lener ten opsigte van bedoelde lening en ten einde daaraan gevolg te gee, kan die raad toestem dat so iemand in die plek van die lener as verbandgewer ten opsigte van die bestaande verband gestel word, en die bepalinge van hierdie artikel met betrekking tot behuisingslenings is van toepassing ten opsigte van iemand wat aldus die belange en verpligtings van die lener oorgeneem het asof die lening oorspronklik aan hom toegestaan was.

(7) Indien die huurder van 'n woning wat deur die raad ingevolge subartikel (1) (a) verhuur word, versuim om die huurgeld wat deur hom betaalbaar is op die vervaldag te betaal, kan die raad —

(a) stappe doen om die bedrag van die verskuldigde huurgeld te verhaal deur aksie in 'n bevoegde hof;

(b) nadat sewe dae kennis gegee is per brief gelewer of aan die huurder persoonlik of aan 'n volwasse inwoner van die woning of per vooruitbetaalde aangetekende brief gerig aan die huurder by die plek waar die woning geleë is, deur middel van 'n beamppte wat skriftelik deur die raad gemagtig is en sonder dat 'n vonnis of bevel van die hof verkry is, die woning ten opsigte waarvan die huurgeld verskuldig is, betree en in besit neem.

(8) (a) Dit is 'n voorwaarde van elke lening wat ingevolge subartikel (1) aan iemand toegestaan word dat, al is die totale bedrag van die lening tesame met al die rente daarop terugbetaal en die verband wat bedoelde lening verseker het weens die terugbetaling gekanselleer, so iemand of sy regsopvolgers geen woning wat deur middel van sodanige lening opgerig of aangekoop is binne 'n tydperk bepaal ingevolge paragraaf (c) mag verkoop of andersins mag vervreem nie tensy die woning eers aan die raad te koop

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have been granted to him, the amount of any further loan in terms of subsection (3) shall not exceed the difference between the housing loan granted and the loan which could have been granted, and such further loan shall be secured by a further mortgage bond in favour of the board over the land on which the dwelling concerned is constructed, and such further mortgage bond shall rank with the first bond over such land.

(6) If any person complies with the requirements with which any particular borrower would have had to comply to obtain the housing loan concerned the board may, with the approval of the Executive Committee, consent to the taking over by such person of the interests and liabilities of the borrower in respect of such loan and, in order to give effect thereto, may consent to the substitution for the borrower of such person as mortgagor in respect of the existing mortgage bond and the provisions of this section relating to housing loans shall apply in respect of any person who has so taken over the interests and liabilities of the borrower as if the loan had originally been granted to him.

(7) If the tenant of a dwelling leased by the board under subsection (1) (a) fails to pay the rental payable by him on the due date, the board may —

- (a) take steps to recover the amount of the rental due by action in a competent court;
- (b) after giving seven days' notice by letter delivered either to the tenant personally or to some adult inmate of the dwelling or by prepaid registered letter addressed to the tenant at the place where the dwelling is situated, by an officer authorized in writing by the board and without having obtained any judgement or order of the court, enter upon and take possession of the dwelling in respect of which the rental is owing.

(8) (a) It shall be a condition of every loan granted to in terms of subsection (1) to any person, that, notwithstanding the fact that the total amount of the loan, together with all interest thereon, has been repaid and that the mortgage bond which secured such loan has been cancelled by reason of such repayment, such person or his successors in title shall not sell or otherwise alienate any dwelling constructed or purchased by means of such loan within a period fixed in terms of paragraph (c) unless such dwelling has first been offered for sale to the

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aangebied is teen 'n prys bepaal ooreenkomstig die bepalings van paragraaf (d).

(b) So 'n aanbod moet skriftelik geskied en die raad moet dit binne sestig dae na ontvangs aanneem of verwerp.

(c) Die tydperk bedoel in paragraaf (a) begin op die datum van die registrasie van die betrokke verband en word bereken op die basis van een kwart van die tydperk waarin die lening toegestaan ingevolge subartikel (1) terugbetaal moet word: Met dien verstande dat 'n kwart van 'n jaar beskou word as drie kalendermaande: Met dien verstande voorts dat as die tydperk waarin die betrokke lening terugbetaal moet word ingevolge die voorwaardes van 'n behuisingskema verleng of verkort word, die tydperk bedoel in paragraaf (a) ingevolge genoemde basis verleng of verkort moet word.

(d) Die prys bedoel in paragraaf (a) word bepaal alvorens enige bedrag van die lening aan die verbandskuldenaar uitbetaal word en moet wees die werklike koste van die grond wat sodanige verband verseker en 'n bedrag, soos deur die raad en die verbandskuldenaar ooreengekom, wat die waarde verteenwoordig van die permanente verbeterings wat op sodanige grond opgerig is of opgerig staan te word: Met dien verstande dat as daar enige permanente verbeterings aangebring word wat nie ten tye van die bepaling van sodanige prys in berekening gebring is nie, die waarde van sodanige verbeterings soos bepaal deur 'n waardeerder van die raad, min sodanige waardevermindering van hoogstens vyf persent per jaar soos deur bedoelde waardeerder bepaal, bygevoeg moet word by die oorspronklike bepaalde prys en sodanige nuwe prys is die prys soos bedoel in paragraaf (a).

(e) Die raad moet enige woning wat hy ingevolge hierdie subartikel aangekoop het, ooreenkomstig subartikel (1) verhuur of verkoop, tensy die Uitvoerende Komitee anders bepaal.

(f) Die Uitvoerende Komitee kan te eniger tyd in oorleg met die raad vrystelling van die bepalings van paragraaf (a) verleen ten opsigte van enige woning waarop die bepalings van daardie paragraaf van toepassing is.

(g) Die Registrateur van Aktes moet op versoek van die raad —

(i) die endossemente op die titelbewys van 'n woning maak en die inskrywings in sy registers maak wat nodig is om aan te dui dat die bepalings van paragraaf (a) ten opsigte van sodanige woning van toepassing is; en

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board at a price determined in accordance with the provisions of paragraph (d).

(b) Any such offer shall be made in writing and shall be accepted or rejected by the board within sixty days after receipt thereof.

(c) The period referred to in paragraph (a) shall commence on the date of registration of the mortgage bond concerned and shall be calculated on the basis of one quarter of the period within which the loan granted in terms of subsection (1) is to be repaid: Provided that a quarter of a year shall be regarded as three calendar months: Provided further that if the period within which the loan in question is to be repaid is increased or decreased in terms of the conditions of any housing scheme, the period referred to in paragraph (a) shall be increased or decreased in terms of the said basis.

(d) The price referred to in paragraph (a) shall be determined before any amount of the loan is paid out to the mortgagor and shall be the actual cost of the land which secures such bond and an amount, agreed upon between the board and the mortgagor, representing the value of the permanent improvements erected or to be erected on such land: Provided that if any permanent improvements are effected which were not taken into account at the time of the determination of such price, the value of such improvements as determined by a valuer of the board less such depreciation of value not exceeding five per cent per year as determined by the said valuer, shall be added to the price determined originally and such new price shall be the price referred to in paragraph (a).

(e) Any dwelling purchased by the board in terms of this subsection shall be let or sold by the board in terms of subsection (1) unless the Executive Committee determines otherwise.

(f) The Executive Committee may at any time in consultation with the board, grant exemption from the provisions of paragraph (a) in respect of any dwelling to which the provisions of that paragraph apply.

(g) The Registrar of Deeds shall, at the request of the board —

(i) make such endorsements on the title deeds of any dwelling and such entries in his registers as may be necessary to indicate that the provisions of paragraph (a) apply in respect of such dwelling; and

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- (ii) enige sodanige endossemente en in-skrywings kanselleer waar vrystelling ingevolge paragraaf (f) ten opsigte van 'n woning verleen is, of waar die sekretaris 'n sertifikaat ingedien het dat 'n woning ingevolge paragraaf (a) te koop aangebied is en dat die aanbod verwerp is.
- (h) 'n Woning waarvoor die voorwaarde genoem in paragraaf (a) geld, mag net aan die raad oorgedra word tensy die sekretaris 'n sertifikaat by die Registrateur van Aktes indien dat sodanige woning ingevolge die genoemde paragraaf te koop aangebied is en dat die aanbod verwerp is.
- (9) (a) Indien die raad 'n behuisingskema ingevolge hierdie artikel in 'n buitestedelike gebied instel en uitvoer moet hy vir daardie buitestedelike gebied 'n fonds instel wat heet die eBhuisingsfonds.
- (b) Die raad moet die onderstaande gelde in die rekening van die Behuisingsfonds ingestel vir 'n buitestedelike gebied inbetaal: —
 - (i) enige lening wat die raad na die datum van inwerkingtreding van hierdie artikel aangegaan het vir die doel van 'n behuisingskema in daardie buitestedelike gebied ingevolge hierdie artikel;
 - (ii) die huurgeld en rente daarop, as daar is, van enige woning in daardie buitestedelike gebied wat ingevolge hierdie artikel verhuur word;
 - (iii) die paaielemente ten opsigte van die terugbetaling van enige lening wat toegestaan is vir die oprigting in daardie buitestedelike gebied van enige woning ingevolge hierdie artikel en enige rente daarop;
 - (iv) enige betaling bo enige paaielemente bedoel in subparagraaf (iii) insluitende die volopbetaling van enige balans op enige lening wat soos voormeld toegestaan is tesame met rente daarop;
 - (v) die bedrag verkry uit die verkoop van enige woning in daardie buitestedelike gebied ingevolge subartikel (8) (e);
 - (vi) die rente op die belegging van enige gelde in die Behuisingsfonds ingestel vir daardie buitestedelike gebied.
- (c) Die raad kan die gelde in die Behuisingsfonds ingestel vir 'n buitestedelike gebied gebruik vir —

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(ii) cancel any such endorsements and entries where an exemption has been granted in terms of paragraph (f) in respect of a dwelling, or where the secretary has submitted a certificate that a dwelling has been offered for sale in terms of paragraph (a) and that the offer had been rejected.

(h) A dwelling to which the condition mentioned in paragraph (a) applies, shall be transferred only to the board, unless the secretary submits to the Registrar of Deeds a certificate that such dwelling has in terms of the said paragraph been offered for sale and that the offer had been rejected.

(9) (a) If the board establishes and carries out a housing scheme in a peri-urban area in terms of this section he shall establish a fund to be known as the Housing Fund for that peri-urban area.

(b) The board shall pay the following moneys into the account of the Housing Fund established for a peri-urban area —

(i) any loan raised by the board after the date of commencement of this section, for the purposes of a housing scheme in that peri-urban area in terms of this section;

(ii) the rental and interest, if any, thereon, of any dwelling in that peri-urban area let in terms of this section;

(iii) the instalments in respect of the repayment of any loan granted for the purpose of the construction in that peri-urban area of any dwelling in terms of this section and any interest thereon;

(iv) any payment in excess of any instalment referred to in subparagraph (iii) including the payment in full of any balance on any loan granted as aforesaid together with interest thereon;

(v) the amount realized from the sale of any dwelling in that peri-urban area in terms of subsection (8) (e);

(vi) the interest on the investment of any moneys in the Housing Fund established for that peri-urban area.

(c) The board may use the moneys in the Housing Fund established for a peri-urban area for —

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- (i) die oprigting in daardie buitestedelike gebied van enige woning ingevolge hierdie artikel;
 - (ii) enige lening vir die oprigting of aankoop van 'n woning in daardie buitestedelike gebied ingevolge hierdie artikel;
 - (iii) die aankoop van enige woning in daardie buitestedelike gebied ingevolge subartikel (1) (a) of subartikel (8);
 - (iv) die delging van enige lening aangegaan vir die doel van enige behuisingskema wat ingevolge hierdie artikel in daardie buitestedelike gebied uitgevoer word en die rente daarop;
 - (v) die instandhouding van enige woning wat ingevolge hierdie artikel in daardie buitestedelike gebied verhuur word;
 - (vi) met die goedkeuring van die Uitvoerende Komitee, enige koste aangegaan in verband met enige behuisingskema wat ingevolge hierdie artikel in daardie buitestedelike gebied uitgevoer word.
- (d) Enige gelde in die Behuisingsfonds ingestel vir 'n buitestedelike gebied, wat nie vir onmiddellike gebruik nodig is nie, kan belê word soos bepaal in artikel 14.
- (10) In hierdie artikel, tensy uit die samehang anders blyk —
- omvat „oprig” verander, vergroot, herbou, herstel of ombou en het „oprigting” 'n ooreenstemmende betekenis;
- beteken „woning” 'n gebou wat, nadat dit opgerig, omgebou of vergroot is, hoogstens vyf woonkamers het met 'n kombuis en die gewone bybehore, buitegeboue, heinings en permanente voorsiening vir verligting, watertoevoer, dreinerings en riolering, en sluit dit die terrein van sodanige woning in.
- (11) (a) Die Uitvoerende Komitee kan enige regulasies wat hy nodig of dienstig ag, maak ter bereiking van die doelstellings van hierdie artikel.
- (b) Enige regulasie gemaak ingevolge paragraaf (a) kan vir enige oortreding daarvan of versuim om daaraan te voldoen strawwe voorskryf wat nie 'n boete van tweehonderd rand of gevangenisstraf vir 'n tydperk van ses maande oorskry nie.”

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- (i) the construction in that peri-urban area of any dwelling in terms of this section;
- (ii) any loan for the construction or purchase in that peri-urban area of a dwelling in terms of this section;
- (iii) the purchase of any dwelling in that peri-urban area in terms of subsection (1) (a) or subsection (8);
- (iv) the redemption of any loan raised for the purpose of any housing scheme carried on in that peri-urban area in terms of this section and the interest thereon;
- (v) the maintenance of any dwelling let in that peri-urban area in terms of this section;
- (vi) with the approval of the Executive Committee, any costs incurred in connection with any housing scheme carried out in that peri-urban area in terms of this section.

(d) Any moneys in the Housing Fund established for a peri-urban area which are not required for immediate use may be invested as provided in section 14.

(10) In this section, unless inconsistent with the context —

“construct” includes alter, enlarge, reconstruct, repair or adapt and “construction” has a corresponding meaning;

“dwelling” means a building which after construction, adaptation or enlargement contains not more than five living rooms with a kitchen and the usual appurtenances, out-buildings, fences and permanent provisions for lighting, water supply, drainage and sewerage and includes the site of such dwelling.

(11) (a) The Executive Committee may make any regulations which it deems necessary or expedient in order to achieve the objects of this section.

(b) Any regulation made under paragraph (a) may prescribe penalties for any contravention thereof or failure to comply therewith, not exceeding a fine of two hundred rand or imprisonment for a period of six months.”.

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Wysiging van
artikel 39 van
Ordonnansie 19 van
1970.

9. Artikel 39 (1) van die Hoofordonnansie word hier-
by gewysig deur die volgende paragrawe by te voeg:

„(j) uit die inkomste of geld wat aan hom toe-
gewys is, uitgawes aangaan in verband met —

- (i) verteenwoordiging van die raad by enige konferensie oor sake betreffende plaaslike bestuur;
- (ii) enige afvaardiging in verband met die raad se werksaamhede wat deur die raad aange-
stel is of waarin die raad verteenwoordig
is;
- (iii) die verskaffing van 'n krans by die be-
grafnis van iemand wat ten tyde van sy
dood 'n lid van die raad of 'n beampte of
werknemer van die raad was;
- (iv) ledegelde aan verenigings waarvan die raad
lid is of waarby die raad geaffilieer is;
- (k) uit die inkomste of geld wat aan hom toege-
wys is, toekennings of skenkings maak
aan —
 - (i) enige liefdadigheidsinrigting of organisasie
van 'n nie-sektariese aard, hetsy binne of
buite enige buitestedelike gebied maar wel
in die Gebied;
 - (ii) enige persoon, vereniging of groep persone
wat in enige buitestedelike gebied liefdadig-
heidsbelange, openbare belange, volkswel-
syn, sport en sportbelange, opvoedkundige
bedrywighede en vierings van 'n nasionale
aard bevorder of daarmee behulpzaam is;
 - (iii) enige inrigting buite enige buitestedelike
gebied maar binne die Gebied of die Repu-
bliek van Suid-Afrika vir opvoedkundige
doeleindes;
 - (iv) enige nasionale of openbare organisasie of
inrigting of vir enige nasionale of openbare
doel hetsy binne of buite enige buitestede-
like gebied, maar in die Gebied;
 - (v) enige openbare biblioteek, openbare mu-
seum, openbare kunsgalery, diere- of bota-
niese tuin, of landbouvereniging binne enige
buitestedelike gebied;
 - (vi) enige organisasie met die doel om perma-
nente verbeterings aan te bring aan on-
roerende eiendom wat die raad aan sodanige
organisasie verhuur of wat aan sodanige
organisasie behoort ooreenkomstig 'n terug-
valbepaling waaringevolge die eiendomsreg
daarop aan die raad terugval as en wanneer
sodanige eiendom nie meer vir die doel-
eindes van sodanige organisasie gebruik
word nie;
 - (vii) enige ander organisasie of liggaam wat
vooraf deur die Uitvoerende Komitee goed-
gekeur is;
- (l) onderhewig aan die goedkeuring van die Uit-
voerende Komitee, uit die inkomste of geld wat
aan hom toegewys is voorskotte of lenings toe-
ken aan —

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9. Section 39 (1) of the principal Ordinance is hereby amended by the addition of the following paragraphs:

Amendment of
section 39 of
Ordinance 19 of
1970.

“(j) incur expenditure from revenue or moneys allocated to it, in connection with —

- (i) the representation of the board at any conference relating to local government matters;
- (ii) any deputation in connection with the activities of the board, appointed by the board or on which the board is represented;
- (iii) a wreath at the funeral of a person who at the time of his death was a member of the board or an officer or employee of the board;
- (iv) subscriptions to associations of which the board is a member or to which the board is affiliated;
- (k) from revenue or moneys allocated to it, make grants or donations to —

- (i) any benevolent institution or organisation of an undenominational character, whether within or without any peri-urban area but in the Territory;
- (ii) any person, society or group of persons who, within any peri-urban area promotes or assists in promoting charitable interests, public interests, public welfare, sport and sporting interests, educational activities and celebrations of a national character;
- (iii) any institution outside any peri-urban area but within the Territory or the Republic of South Africa, for educational purposes;
- (iv) any national or public organisation or institution or for any national or public purpose whether within or outside any peri-urban area but in the Territory;
- (v) any public library, public museum, public art gallery, zoological or botanical garden or agricultural society within any peri-urban area;
- (vi) any organisation for the purpose of effecting permanent improvements to immovable property let by the board to such organisation or owned by such organisation under a reversionary clause providing that ownership thereof shall revert to the board if and when such property is no longer used for the purposes of such organisation;
- (vii) any other organisation or body previously approved by the Executive Committee;

(l) Subject to the approval of the Executive Committee, from revenue or moneys allocated to it, grant advances or loans to —

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- (i) enige organisasie met die doel om permanente verbeterings aan te bring aan onroerende eiendom wat die raad aan sodanige organisasie verhuur of wat aan sodanige organisasie behoort ooreenkomstig 'n terugvalbepaling waaringevolge die eiendomsreg daarop aan die raad terugval as en wanneer sodanige eiendom nie meer vir die doeleindes van sodanige organisasie gebruik word nie;
- (ii) enige kerkdenominasie vir die bou van 'n kerk as die bestaande kerk na 'n goedgekeurde woongebied verskuif word;
- (iii) enige beampte of werknemer van die raad om spesiale gereedskap of spesiale instrumente aan te skaf vir gebruik deur sodanige beampte of werknemer in die uitvoering van sy pligte, hetsy geheel of deels;
- (m) onderhewig aan die goedkeuring van die Uitvoerende Komitee, uit die inkomste of geld wat aan hom toegewys is, aan enige beampte of werknemer van die raad wat sy eie motorvoertuig gebruik ter nakoming van sy pligte, 'n vervoertoelae teen 'n tarief soos van tyd tot tyd deur die raad met die goedkeuring van die Uitvoerende Komitee bepaal, betaal ten opsigte van die afstand wat die bedoelde voertuig aldus gebruik is;
- (n) onderhewig aan die goedkeuring van die Uitvoerende Komitee uit die inkomste of geld wat aan hom toegewys is lenings toeken aan enige beampte of werknemer van die raad om hom in staat te stel om grond aan te skaf en 'n woning daarop op te rig of om 'n woning aan te skaf of om 'n bedrag terug te betaal wat op 'n reeds aangeskafte woning verskuldig is of om verbeterings aan enige so 'n woning aan te bring: Met dien verstande dat die bepalinge van artikel 34A (2), (3), (4), (5), (6), (8), (10) en (11) *mutatis mutandis* van toepassing is waar 'n lening ingevolge hierdie paragraaf toegestaan is;
- (o) enige enkele bedrag van hoogstens twintig rand wat aan die raad verskuldig is, en, met die goedkeuring van die Uitvoerende Komitee enige bedrag groter as twintig rand wat aldus verskuldig is, afskryf."

Wysiging van
artikel 40 van
Ordonnansie 19
van 1970.

10. Artikel 40 van die Hoofordonnansie word hierby gewysig —

- (a) deur al die woorde wat subartikel (1) voorafgaan deur die volgende woorde te vervang:

„Die Uitvoerende Komitee kan regulasies maak, wysig en intrek vir enige doeleindes in hierdie ordonnansie vermeld en ten opsigte van enige van of al die aangeleenthede hieronder genoem en enige sodanige regulasies kan met terugwerkende krag vanaf 'n datum wat nie vroeër is nie as die datum van inwerkingtreding van hierdie ordonnansie gemaak, gewysig of ingetrek word:";

- (b) deur subartikel (28) deur die volgende subartikel te vervang:

„Krematoriums. (28) die reëling van die funksionering van krematoriums onder bestuur en beheer van die raad, verrassings daarin en die voorskrywing van gelde wat in ver-

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- (i) any organisation for the purpose of effecting permanent improvements to immovable property let by the board to such organisation or owned by such organisation under a reversionary clause providing that ownership thereof shall revert to the board if and when such property is no longer used for the purposes of such organisation;
- (ii) any church denomination for the building of a church if the existing church is moved to an approved residential area;
- (iii) any officer or employee of the board to acquire special tools or special instruments for use by such official or employee in the discharge, whether wholly or in part, of his duties;
- (m) subject to the approval of the Executive Committee, from the revenue or moneys allocated to it, pay a locomotion allowance at a tariff determined from time to time by the board with the approval of the Executive Committee, to any officer or employee of the board who uses his own motor vehicle in the discharge of his duties, in respect of the mileage that vehicle is so used;
- (n) subject to the approval of the Executive Committee, from revenue or moneys allocated to it grant loans to any officer or employee of the board to enable him to acquire land and to erect a dwelling thereon or to acquire a dwelling or to repay an amount owing on a dwelling already acquired or to effect improvements to any such dwelling: Provided that the provisions of section 34A (2), (3), (4), (5), (6), (8), (10) and (11) shall *mutatis mutandis* be applicable where a loan has been granted in terms of this paragraph;
- (o) write off any one amount not exceeding twenty rand owing to the board and, with the approval of the Executive Committee, any amount exceeding twenty rand so owing."

10. Section 40 of the principal Ordinance is hereby amended —

Amendment of
section 40 of
Ordinance 19 of
1970.

- (a) by the substitution for all the words preceding subsection (1) of the following words:

"The Executive Committee may make, amend and revoke regulations for any purpose mentioned in this ordinance and in respect of any or all the matters mentioned hereunder and any such regulations may be made, amended or revoked with retrospective effect from a date not earlier than the date of coming into operation of this ordinance:"

- (b) by the substitution for subsection (28) of the following subsection:

"Crematoria.

(28) regulating the functioning of crematoria under the management and control of the board, cremations performed therein and the prescribing of charges to

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band daarmee gehêf moet word: Met dien verstande dat sodanige regulasies nie strydig of onbestaanbaar met die bepalings van die Ordonnansie op Krematoriums, 1971 (Ordonnansie 6 van 1971), of enige regulasies daarkragtens uitgevaardig en van krag, mag wees nie;"

(c) deur subartikel (29) te skrap;

(d) deur die volgende subartikel na subartikel (31) in te voeg:

„Onroerende
eiendom.

(31) A. die inkorting van, of beperking op, die gebruik van enige onroerende eiendom geleë in enige buitestedelike gebied vir die doeleindes wat bepaal word: Met dien verstande dat geen sodanige inkortings of beperkings strydig mag wees met enige voorwaardes, inkortings of beperkings ingevolge die Dorpe-Ordonnansie 1928 (Ordonnansie 11 van 1928) en die Ordonnansie op Dorpe en Grondverdeling 1963 (Ordonnansie 11 van 1963) opgelê nie;"

(e) deur paragraaf (b) van subartikel (51) deur die volgende paragraaf te vervang:

„(b) die reëling van, beheer oor, registrasie en lisensiëring van fietse —

(i) wat nie deur meganiese krag voortbeweeg word nie;

(ii) wat twee of meer wiele het; en

(iii) wat 'n raamgrootte van meer as vyf-en-veertig sentimeter het of waarvan enige wiel, met die buiteband 'n wieldeursnee van meer as dertig sentimeter het;" en

(f) deur subartikel (54) deur die volgende subartikels te vervang:

„Wyse waarop
invorderings
en betalings
gemaak word.

(54) die wyse waarop belastings, gelde, aanslae, heffings, deposito's, lisensiegelde, rente op laat betalings en ander inkomste deur die raad ingevorder moet word en die wyse waarop hulle betaal moet word, en wat die pligte en maatreëls bepaal wat die raad in verband daarmee moet nakom en tref;

Algemeen.

(55) oor die algemeen, en benewens die aangeleenthede en dinge in hierdie artikel vermeld, enige ander aangeleentheid of ding wat na die mening van die Uitvoerende Komitee nodig of dienstig is sodat die raad die bevoegdhede of pligte wat by hierdie ordonnansie of die regulasies aan hom verleen of op hom gelê is, behoorlik kan uitoefen of vervul."

Herroeping van
artikel 45 van
Ordonnansie 19
van 1970.

11. Artikel 45 van die Hoofordonnansie word hierby herroep.

Kort titel.

12. Hierdie Ordonnansie heet die Wysigingsordonnansie op die Raad vir Buitestedelike Ontwikkeling, 1972.

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be levied in connection therewith: Provided that such regulations shall not be in conflict with or repugnant to the provisions of the Crematorium Ordinance, 1971 (Ordinance 6 of 1971), or any regulations made and in force thereunder;";

(c) by the deletion of subsection (29);

(d) by the insertion of the following subsection after subsection (31):

"Immovable
property.

(31)A. restricting or limiting the use of any immovable property situate within any peri-urban area for the purposes specified: Provided that no such restrictions or limitations shall be in conflict with any conditions, restrictions or limitations imposed in terms of the Townships Ordinance, 1928 (Ordinance 11 of 1928), or the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963);";

(e) by the substitution for paragraph (b) of subsection (51) of the following paragraph:

"(b) regulating, controlling, registering and licensing cycles —

(i) not being propelled by mechanical power;

(ii) having two or more wheels; and

(iii) having a frame size exceeding forty-five centimetres or any wheel of which has, with the tyre, a wheel diameter exceeding thirty centimetres;"; and

(f) by the substitution for subsection (54) of the following subsections:

"Manner in
which collections
and payments
shall be made.

(54) the manner of collection and payment of rates, fees, charges, and taxes, deposits, licence fees, interests on late payments and other revenue by the board and the manner in which the same shall be paid and defining the duties of and measures to be observed and taken by the board in regard thereto;

General.

(55) generally and in addition to the matters and things mentioned in this section, any other matter or thing which in the opinion of the Executive Committee is necessary or expedient for the proper exercise or performance by the board of the powers or duties conferred or imposed upon it by this ordinance or the regulations."

11. Section 45 of the principal Ordinance is hereby repealed.

Repeal of section
45 of Ordinance 19
of 1970.

12. This Ordinance shall be called the Peri-Urban Development Board Amendment Ordinance, 1972.

Short title.