

BUITENGEWONE

OFFISIËLE KOERANT

VAN SUIDWES-AFRIKA

OFFICIAL GAZETTE

EXTRAORDINARY

OF SOUTH WEST AFRICA

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Kantoor van die ADMINISTRATEUR-GENERAAL VIR DIE GEBIED SUIDWES-AFRIKA DEPARTEMENT VAN DIE MINISTERSRAAD	Office of the ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH WEST AFRICA DEPARTMENT OF THE COUNCIL OF MINISTERS
No. AG. 55 1982 AFKONDIGING VAN WET VAN NASIO- NALE VERGADERING	No. AG. 55 1982 PROMULGATION OF ACT OF NATIONAL ASSEMBLY

Die volgende Wet, wat ingevolge die Proklamasie op die Nasionale Vergadering, 1979 (Proklamasie AG. 21 van 1979), deur die Nasionale Vergadering van Suidwes-Afrika aangeneem en deur die Administrateur-generaal onderteken is, word hierby afgekondig ingevolge artikel 19 van daardie Proklamasie:—

The following Act, which has been adopted by the National Assembly of South West Africa and signed by the Administrator-General in terms of the National Assembly Proclamation, 1979 (Proclamation AG. 21 of 1979), is hereby published in terms of section 19 of that Proclamation:—

No. 4 van 1982 : Waterwysigingswet, 1982

No. 4 of 1982 : Water Amendment Act, 1982

Wet No. 4, 1982

WATERWYSIGINGSWET, 1982

*(Engelse teks deur die Administrateur-generaal
onderteken op 30 Maart 1982)*

WET

Tot wysiging van die Waterwet, 1956, ten einde die Ministersraad die bevoegdheid te verleen om sekere tydelike werknemers in diens te neem om sekere dienste van die Departement van Waterwese te verrig; tot wysiging van die Regeringsdienswet, 1980, ten einde voorsiening te maak dat sekere persone wat kragtens artikel 3(2) van genoemde Waterwet, 1956, voor die inwerking-treding van hierdie Wet aangestel is met ingang van 21 Maart 1982 werknemers van die Departement van Waterwese word; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

DAAR WORD BEPAAL deur die Nasionale Vergadering van Suidwes-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 56 van 1954, soos gewysig by artikel 1 van Wet 56 van 1961, artikel 57 van Wet 28 van 1966, artikel 1 van Wet 79 van 1967 en artikel 1 van Wet 36 van 1971.

1. Artikel 1 van die Waterwet, 1956 (hieronder die Hoofwet genoem), word hierby gewysig deur die omskrywing van "departement" deur die volgende omskrywing te vervang:

" 'departement' die Besproeiingsdepartement ingestel by artikel 3 van die 'Besproeiings- en Waterbewarings Wet, 1912' (Wet No. 8 van 1912), wat vanaf die inwerking-treding van hierdie Wet as die Departement van Waterwese bekend staan of, by die toepassing van die een of ander bepaling van hierdie Wet wat kragtens artikel 180 in die gebied Suidwes-Afrika van toepassing is en wat deur of onder die gesag van die Administrateur-generaal of die Ministersraad geadministreer word, die Departement van Waterwese kragtens artikel 3 van die Regeringsdienswet, 1980 (Wet 2 van 1980) ingestel;"

WATER AMENDMENT ACT, 1982

Act No. 4, 1982

*(English text signed by the Administrator-General on
30 March 1982)*

ACT

To amend the Water Act, 1956, so as to empower the Council of Ministers to employ certain temporary employers to perform certain duties of the Department of Water Affairs; to amend the Government Service Act, 1980, so as to make provision that certain persons appointed before the commencement of this Act under section 3(2) of the said Water Act, 1956, become employees of the Department of Water Affairs with effect from 21 March 1982, and to provide for matters connected therewith.

BE IT ENACTED by the National Assembly of South West Africa, as follows:—

1. Section 1 of the Water Act, 1956 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of "department" of the following definition:

" 'department' means the Irrigation Department established by section 3 of the Irrigation and Conservation of Waters Act, 1912 (Act No. 8 of 1912), which shall as from the commencement of this Act be known as the Department of Water Affairs, or, in the application of any provision of this Act which applies in the territory of South West Africa under section 180 and which is administered by or under the authority of the Administrator-General of the Council of Ministers, the Department of Water Affairs established under section 3 of the Government Service Act, 1980 (Act 2 of 1980);".

Amendment of section 1 of Act 56 of 1954, as amended by section 1 of Act 56 of 1961, section 57 of Act 28 of 1966, section 1 of Act 79 of 1967 and section 1 of Act 36 of 1971.

Wet No. 4, 1982

WATERWYSIGINGSWET, 1982

Vervanging van artikel 3 van Wet 54 van 1956, soos gewysig by artikel 2 van Wet 56 van 1961.

2. Artikel 3 van die Hoofwet word hierby deur die volgende artikel vervang:

"Aanstelling van sekere tydelike werknemers.

3. (1) Ondanks die bepalings van artikel 9 van die Regeringsdienswet, 1980 (Wet 2 van 1980), kan die Ministersraad of iemand in diens by die departement wat deur die Ministersraad gemagtig is, te eniger tyd, teen die besoldiging en op die ander diensvoorwaardes wat kragtens genoemde Regeringsdienswet, 1980, bepaal word, dié ingenieurs, landmeters, klerke of ander werknemers tydelik in diens neem wat nodig is om dienste te verrig op 'n terrein waar die departement met werklike konstruksie- of ondersoekwerk besig is of wat regstreeks in verband staan met bepaalde planne of skemas wat in aanbou is of ondersoek word.

(2) By die toepassing van die bepalings van die Wet op Pensioene vir Statutêre Instellings, 1980 (Wet 3 van 1980), word iemand wat kragtens subartikel (1) in diens geneem is, geag in diens van 'n statutêre instelling, soos in daardie Wet bedoel, te wees."

Wysiging van artikel 33 van Wet 2 van 1980.

3. Artikel 33 van die Regeringsdienswet, 1980, word hierby gewysig deur die uitdrukking "en artikel 3(2) van die Waterwet, 1956 (Wet 54 van 1956)" te skrap.

Wysiging van artikel 34 van Wet 2 van 1980.

4. (1) Artikel 34 van die Regeringsdienswet, 1980, word hierby gewysig —

(a) deur in subartikel (1) die uitdrukking "(2) en (3)" deur die uitdrukking "(2), (3) en (4)" te vervang; en

(b) deur die volgende subartikel by te voeg:

"(4) Die bepalings van artikel 32(1) en (3)(a) tree met betrekking tot persone wat kragtens artikel 3(2) van die Waterwet, 1956 (Wet 54 van 1956), voor die datum van inwerkingtreding van die Waterwysigingswet, 1982, aangestel is, op 21 Maart 1982 in werking."

(2) Subartikel (1) word geag op 1 Julie 1980 in werking te getree het.

Kort titel en inwerking-treding.

5. Hierdie Wet heet die Waterwysigingswet, 1982, en word geag op 21 Maart 1982 in werking te getree het.

WATER AMENDMENT ACT, 1982.

Act No. 4, 1982

2. The following section is hereby substituted for section 3 of the principal Act:

Substitution of section 3 of Act 54 of 1956, as amended by section 2 of Act 56 of 1961.

"Appointment of certain temporary employees.

3. (1) Notwithstanding the provisions of section 9 of the Government Service Act, 1980 (Act 2 of 1980), the Council of Ministers or any person employed by the department which has been authorised by the Council of Ministers, may at any time employ temporarily, at such remuneration and on such other conditions of service as may be determined under the said Government Service Act, 1980, such engineers, surveyors, clerks or other employees as may be necessary to perform duties at any site where the department is engaged in actual construction or investigational work or which bear a direct relationship to specific projects or schemes under construction or under investigation.

(2) In the application of the provisions of the Statutory Institutions Pensions Act, 1980 (Act 3 of 1980), any person employed under subsection (1) shall be deemed to be in the service of a statutory institution, as referred to in that Act."

3. Section 33 of the Government Service Act, 1980, is hereby amended by the deletion of the expression "and section 3(2) of the Water Act, 1956 (Act 54 of 1956)".

Amendment of section 33 of Act 2 of 1980.

4. (1) Section 34 of the Government Service Act, 1980, is hereby amended —

Amendment of section 34 of Act 2 of 1980.

(a) by the substitution in subsection (1) for the expression "(2) and (3)" of the expression "(2), (3) and (4)"; and

(b) by the addition of the following subsection:

"(4) The provisions of section 32(1) and (3)(a) shall in relation to persons appointed before the date of commencement of the Water Amendment Act, 1982, under section 3(2) of the Water Act, 1956 (Act 54 of 1956), come into operation on 21 March 1982."

(2) Subsection (1) shall be deemed to have come into operation on 1 July 1980.

5. This Act shall be called the Water Amendment Act, 1982, and shall be deemed to have come into operation on 21 March 1982.

Short title and commencement.