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Government Notice

Goewermentskennisgewing

**DEPARTMENT OF
GOVERNMENTAL AFFAIRS**

DEPARTEMENT VAN OWERHEIDSAKE

No. 124

1987

No. 124

1987

**PROMULGATION OF ACT OF
NATIONAL ASSEMBLY**

**AFKONDIGING VAN WET VAN
NASIONALE VERGADERING**

The following Act, which has been adopted by the National Assembly and signed by the Administrator-General in terms of the South West Africa Legislative and Executive Authority Establishment Proclamation, 1985 (Proclamation R.101 of 1985), is hereby published in terms of section 18 of that Proclamation: —

Die volgende Wet, wat ingevolge die Proklamasie op die Instelling van Wetgewende en Uitvoerende Gesag vir Suidwes-Afrika, 1985 (Proklamasie R.101 van 1985), deur die Nasionale Vergadering aangeneem en deur die Administrateur-generaal onderteken is, word hierby afgekondig ingevolge artikel 18 van daardie Proklamasie: —

No. 13 of 1987: Municipal Amendment Act, 1987.

No. 13 van 1987: Munisipale Wysigingswet, 1987.

Act No. 13, 1987

MUNICIPAL AMENDMENT ACT, 1987

EXPLANATORY NOTE:

_____ Words underlined with solid line indicate insertions proposed.

[] Words in bold typing in square brackets indicate omissions proposed.

ACT

To amend the Municipal Ordinance, 1963, so as to empower a council to levy a basic charge, fee or rate for the supply of water, electricity, gas or sanitary services; to rectify the number of certain provision; and to provide for incidental matters.

(Afrikaans text signed by the Administrator-General on 24 July 1987)

BE IT ENACTED by the National Assembly, as follows:-

Amendment of section 166 of Ordinance 13 of 1963, as amended by section 18 of Ordinance 13 of 1967, section 2 of Ordinance 7 of 1971, section 1 of Ordinance 15 of 1972, section 4 of Ordinance 9 of 1974 and section 3 of Ordinance 8 of 1976.

1. Section 166 of the Municipal Ordinance, 1963, is hereby amended by the substitution for paragraph (a) of subsection (3) of the following paragraph:

“(a) Subject to the approval of the **[Executive Committee]** Cabinet, the council may, in addition to the charges that it may under this Ordinance levy for water, electricity, gas or sanitary services supplied, levy a **[minimum]** basic charge, fee or rate for the supply of water, electricity, gas **[and]** or sanitary services with power to levy such **[minimum]** basic charge, fee or rate in cases where such supply is available but not made use of or where any property, with or without improvements, can reasonably be connected to the council’s main water supply line, main or connection cables, wires and lines or public sewerage system for the supply of water, electricity, gas or sanitary services, as the case may be.”.

Amendment of section 241 of Ordinance 13 of 1963, as amended by section 10 of Ordinance 29 of 1965, section 7 of Ordinance 17 of 1970, section 1 of Ordinance 15 of 1972, section 6 of Ordinance 9 of 1974, section 11 of Ordinance 8 of 1976, section 6 of Ordinance 11 of 1977 and section 4 of Act 18 of 1985.

2. Section 241 of the Municipal Ordinance, 1963, is hereby amended by the renumbering of subparagraph (viii) of paragraph (1)(e), as added by section 4(a) of the Municipal Amendment Act, 1985 (Act 18 of 1985), to read subparagraph “(ix)”.

Short title.

3. This Act shall be called the Municipal Amendment Act, 1987.

MUNISIPALE WYSIGINGSWET, 1987

Wet No. 13, 1987

VERDUIDELIKENDE NOTA:

_____ Woorde met 'n volstreep daaronder dui aan invoegings voorgestel.

[] Woorde in vet druk tussen vierkantige hake dui aan skrappings voorgestel.

WET

Tot wysiging van die Munisipale Ordonnansie 1963 ten einde 'n raad die bevoegdheid te verleen om 'n basiese heffing, geld of belasting op te lê vir die lewering van water, elektrisiteit, gas of sanitêre dienste; om die nommer van 'n sekere bepaling reg te stel; en om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Administrateur-generaal onderteken op 24 Julie 1987)

DAAR WORD BEPAAL deur die Nasionale Vergadering, soos volg:-

1. Artikel 166 van die Munisipale Ordonnansie 1963 word hierby gewysig deur paragraaf (a) van subartikel (3) deur die volgende paragraaf te vervang:

“(a) Die Raad kan, onderhewig aan die toestemming van die **[Uitvoerende Komitee] Kabinet, benewens die gelde wat hy kragtens hierdie Ordonnansie kan oplê vir water, elektrisiteit, gas of sanitêre dienste gelewer, 'n [minimum] basiese heffing, geld of belasting oplê vir die lewering van water, elektrisiteit, gas [en] of sanitêre dienste, met die bevoegdheid om sodanige [minimum] basiese heffing geld of belasting op te lê waar sodanige lewering beskikbaar is maar nie gebruik word nie of waar 'n eiendom, met of sonder verbeterings daarop, by die raad se hoofwatergeleiding, hoof- of verbindingkabels, -drade en -lyne of openbare riool vir die voorsiening van water, elektrisiteit, gas of sanitêre dienste, na gelang van die geval, redelikerwys aangesluit kan word.”.**

2. Artikel 241 van die Munisipale Ordonnansie 1963 word hierby gewysig deur subparagraaf (viii) van paragraaf (1)(e), soos bygevoeg deur artikel 4(a) van die Munisipale Wysigingswet, 1985 (Wet 18 van 1985), te hernoem om subparagraaf “(ix)” te lees.

3. Hierdie Wet heet die Munisipale Wysigingswet, 1987.

Wysiging van artikel 166 van Ordonnansie 13 van 1963, soos gewysig deur artikel 18 van Ordonnansie 13 van 1967, artikel 2 van Ordonnansie 7 van 1971, artikel 1 van Ordonnansie 15 van 1972, artikel 4 van Ordonnansie 9 van 1974 en artikel 3 van Ordonnansie 8 van 1976.

Wysiging van artikel 241 van Ordonnansie 13 van 1963, soos gewysig deur artikel 10 van Ordonnansie 29 van 1965, artikel 7 van Ordonnansie 17 van 1970, artikel 1 van Ordonnansie 15 van 1972, artikel 6 van Ordonnansie 9 van 1974, artikel 11 van Ordonnansie 8 van 1976, artikel 6 van Ordonnansie 11 van 1977 en artikel 4 van Wet 18 van 1985.

Kort titel.