



## BYLAE

## SCHEDULE

*Wysiging van artikel 32 van Proklamasie 56 van 1951, soos gewysig deur artikel 12 van Proklamasie AG. 5 van 1977 en artikel 1 van Wet 22 van 1988*

1. Artikel 32 van die Proklamasie op Inboorlinge in Stedelike Gebiede 1951, word hierby gewysig deur die volgende subartikel na subartikel (4) in te voeg:

“(4)*bis* (a) Ondanks andersluidende bepalings in hierdie Proklamasie vervat, kan ’n stedelike plaaslike bestuur enige skale van aanslaggelde vervat in ’n regulasie ingevolge subartikel (2) afgekondig of oorgeneem, maar behoudens die bepalings van hierdie subartikel, sonder die goedkeuring van die Administrateur-generaal wysig of intrek slegs vir sover daardie wysiging of intrekking die verandering of intrekking van die bedrag van sodanige aanslaggelde behels.

(b) Wanneer ’n stedelike plaaslike bestuur enige skale van aanslaggelde ingevolge paragraaf (a) wysig of intrek, moet hy ’n kennisgewing in Afrikaans en Engels in ’n nuusblad laat publiseer en daardie kennisgewing in Afrikaans en Engels by die kantoor van die stedelike plaaslike bestuur laat aanbring en vir ’n tydperk van veertien dae vanaf datum van die publikasie daarvan in die nuusblad, in stand hou, waarin –

- (i) die algemene strekking van sodanige wysiging of intrekking uiteengesit word;
- (ii) verklaar word dat besonderhede van die wysiging of intrekking gedurende kantoorure by die kantoor van die stedelike plaaslike bestuur vir ’n tydperk van veertien dae vanaf datum van die publikasie van die kennisgewing ter insae lê; en
- (iii) verklaar word dat enige persoon wat beswaar teen die wysiging of intrekking wil maak, die beswaar tesame

*Amendment of section 32 of Proclamation 56 of 1951, as amended by section 12 of Proclamation AG. 5 of 1977 and section 1 of Act 22 of 1988*

1. Section 32 of the Natives (Urban Areas) Proclamation, 1951, is hereby amended by the insertion after subsection (4) of the following subsection:

“(4)*bis* (a) Notwithstanding anything to the contrary contained in this Proclamation, an urban local authority may, without the approval of the Administrator-General, but subject to the provisions of this subsection, amend or revoke any tariffs of fees and charges contained in any regulation made or adopted in terms of subsection (2) only in so far as that amendment or revocation amounts to the alteration or revocation of the amount of such fees and charges.

(b) Where any urban local authority amends or revokes any tariffs of fees and charges in terms of paragraph (a), it shall cause a notice in Afrikaans and English to be published in a newspaper and cause that notice to be exhibited in Afrikaans and English at the office of the urban local authority and maintain it for a period of at least fourteen days from the date of publication thereof in the newspaper, in which –

- (i) the general purport of such amendment or revocation shall be set out;
- (ii) shall be declared that particulars of the amendment or revocation shall lie for inspection at the office of the urban local authority during office hours for a period of fourteen days from the date of publication of the notice; and
- (iii) shall be declared that any person who desires to object to the amendment or revocation shall lodge the objection

met sy redes daarvoor skriftelik by die kantoor van die stedelike plaaslike bestuur moet indien binne veertien dae na die datum van die publikasie van die kennisgewing in die nuusblad.

- (c) Wanneer geen besware binne die tydperk in subparagraaf (iii) van paragraaf (b) bedoel ontvang word nie, moet die stedelike plaaslike bestuur sodanige wysiging of intrekking so spoedig moontlik in die *Offisiële Koerant* laat afkondig.
- (d) Wanneer die stedelike plaaslike bestuur enige besware ontvang, mag die stedelike plaaslike bestuur nie die wysiging of intrekking van die aanslaggelde in die *Offisiële Koerant* afkondig en in werking stel nie, maar moet hy sodanige besware en sy kommentaar op sodanige besware ter oorweging aan die Administrateur-generaal voorlê waarna die bepalings van subartikel (4) van hierdie artikel *mutatis mutandis* van toepassing is.
- (e) Die regulasies wat ingevolge paragraaf (c) in die *Offisiële Koerant* afgekondig is, het na sodanige afkondiging regs krag.
- (f) Die bepalings van hierdie subartikel is *mutatis mutandis* van toepassing op enige verdere wysiging van enige skale van aanslaggelde wat ingevolge paragraaf (c) van hierdie subartikel gewysig is.
- (g) In hierdie subartikel beteken –
- (i) “kantoor van die stedelike bestuur” die kantoor van die stedelike plaaslike bestuur in die stedelike gebied waar die wysiging of intrekking van krag sal wees; en
- (ii) “nuusblad” ’n nuusblad wat ook in die stedelike gebied waar die wysiging of intrekking van die aanslaggelde van krag sal wees, in omloop is.”.

together with his reasons therefor in writing at the office of the urban local authority within fourteen days after the date of publication of the notice in the newspaper.

- (c) Where no objections have been received within the period referred to in subparagraph (iii) of paragraph (b), the urban local authority shall cause such amendment or revocation to be promulgated in the *Official Gazette* as soon as possible.
- (d) Where the urban local authority receives any objections, the urban local authority shall not promulgate the amendment or revocation of the fees and charges in the *Official Gazette* and put it into operation, but it shall submit such objections and its comments on such objections to the Administrator-General for his consideration whereupon the provisions of subsection (4) of this section shall *mutatis mutandis* apply.
- (e) The regulations promulgated in the *Official Gazette* in terms of paragraph (c), shall, after their promulgation, have the force of law.
- (f) The provisions of this subsection shall *mutatis mutandis* apply to any further amendment of any tariffs of fees and charges amended in terms of paragraph (c) of this subsection.
- (g) In this subsection –
- (i) “office of the urban local authority” means the office of the urban local authority in the urban area where the amendment or revocation is to be of force and effect; and
- (ii) “newspaper” means a newspaper which also circulates in the urban area where the amendment or revocation of the fees and charges is to be of force and effect.”.

*Wysiging van artikel 243 van Ordonnansie 13 van 1963, soos gewysig deur artikel 1 van Proklamasie AG. 3 van 1982*

2. Artikel 243 van die Munisipale Ordonnansie 1963 word hierby gewysig –

- (a) deur in subartikel (2) na die woord “regulasies”, waar dit die eerste keer voorkom, die woorde “behoudens die bepalings van subartikel (2)*bis*” in te voeg;
- (b) deur die volgende subartikel na subartikel (2) in te voeg:

“(2)*bis* As daar by die verstryking van die tydperk bedoel in subartikel (1) geen besware deur die stadsklerk ontvang is nie met betrekking tot voorgestelde regulasies uit hoofde waarvan enige gelde of heffings in artikel 242 bedoel, gewysig of ingetrek staan te word en wat slegs die verandering of intrekking van die bedrag van sodanige gelde of heffings behels, kan die raad sodanige regulasies in die *Offisiële Koerant* afkondig sonder dat dit aan die Administrateur-generaal voorgelê word.”;

- (c) deur subartikel (4) deur die volgende subartikel te vervang:

“(4) Die regulasies wat ingevolge –

(a) subartikel (2)*bis* afgekondig is; of

(b) subartikel (3) goedgekeur is,

het na die afkondiging daarvan in die *Offisiële Koerant* regsrag.”; en

- (d) deur die volgende subartikel by te voeg:

“(5) Die bepalings van hierdie artikel is *mutatis mutandis* van toepassing op enige verdere wysiging van enige gelde of heffings wat ingevolge subartikel (2)*bis* gewysig is.”.

*Amendment of section 243 of Ordinance 13 of 1963, as amended by section 1 of Proclamation AG. 3 of 1982*

2. Section 243 of the Municipal Ordinance, 1963, is hereby amended –

- (a) by the insertion in subsection (2) after the word “shall”, where it occurs for the first time, of the words “subject to the provisions of subsection (2)*bis*”;
- (b) by the insertion of the following subsection after subsection (2):

“(2)*bis* The board may, if, at the expiration of the period referred to in subsection (1), no objections have been received by the town clerk in relation to proposed regulations by virtue of which any fees or charges referred to in subsection 242 are about to be amended or revoked and which amounts only to the alteration or revocation of the amount of such fees or charges, promulgate such regulations in the *Official Gazette* without submitting it to the Administrator-General.”;

- (c) by the substitution for subsection (4) of the following subsection:

“(4) The regulations –

(a) promulgated in terms of subsection (2)*bis*; or

(b) approved in terms of subsection (3),

shall, after their promulgation in the *Official Gazette* have the force of law.”; and

- (d) by the addition of the following subsection:

“(5) The provisions of this section shall *mutatis mutandis* apply to any further amendment of any fees or charges amended in terms of subsection (2)*bis*.”.

*Wysiging van Ordonnansie 19 van 1970*

3. Die Ordonnansie op die Raad vir Buitestedelike Ontwikkeling, 1970, word hierby gewysig deur die volgende artikel na artikel 40 in te voeg:

“Bevoegdheid van raad om sekere regulasies te wysig of in te trek.

*40bis.* (1) Ondanks andersluidende bepalings in hierdie Ordonnansie vervat, kan die raad, behoudens die bepalings van hierdie artikel, regulasies maak ten einde enige gelde uit hoofde van artikel 40 voorgeskryf, te wysig of in te trek slegs vir sover daardie wysiging of intrekking die verandering of intrekking van die bedrag van sodanige gelde behels.

(2) Wanneer die raad besluit om enige gelde in subartikel (1) bedoel, te wysig of in te trek, moet hy 'n kennisgewing in Afrikaans en Engels in 'n nuusblad laat publiseer en daardie kennisgewing in Afrikaans en Engels by die kantoor van die raad laat aanbring en vir 'n tydperk van minstens veertien dae vanaf datum van die publikasie daarvan in die nuusblad, in stand hou, waarin –

- (a) die algemene strekking van sodanige besluit uiteengesit word;
- (b) die datum waarop die wysiging of intrekking in werking tree, vermeld word, welke datum nie vroeër mag wees as die datum van die betrokke besluit van die raad nie;
- (c) verklaar word dat 'n afskrif van sodanige besluit en besonderhede van die wysiging of intrekking gedurende kantoorure by die kantoor van die raad

*Amendment of Ordinance 19 of 1970*

3. The Peri-Urban Development Board Ordinance, 1970, is hereby amended by the insertion of the following section after section 40:

“Power of board to amend or revoke certain regulations.

*40bis.* (1) Notwithstanding anything to the contrary contained in this Ordinance, the board may, subject to the provisions of this section, make regulations so as to amend or revoke any fees prescribed by virtue of section 40 only in so far as that amendment or revocation amounts to the alteration or revocation of the amount of such fees.

(2) Where the board decides to amend or revoke any fees referred to in subsection (1), it shall cause a notice in Afrikaans and English to be published in a newspaper and cause that notice to be exhibited in Afrikaans and English at the office of the board and maintain it for a period of at least fourteen days from the date of publication thereof in the newspaper, in which –

- (a) the general purport of such resolution shall be set out;
- (b) the date upon which the amendment or revocation comes into operation shall be stated, which date shall not be earlier than the date of the board's resolution concerned;
- (c) shall be declared that the copy of such resolution and details of the amendment or revocation shall lie for inspection during office hours at the office

vir 'n tydperk van veertien dae vanaf datum van die publikasie van die kennisgewing ter insae lê; en

- (d) verklaar word dat enige persoon wat beswaar teen die wysiging of intrekking wil maak, die beswaar tesame met sy redes daarvoor skriftelik by die kantoor van die raad moet indien binne veertien dae na die datum van die publikasie van die kennisgewing in die nuusblad.

(3) Wanneer geen besware binne die tydperk in paragraaf (d) van subartikel (2) bedoel ontvang word nie, moet die raad sodanige wysiging of intrekking so spoedig moontlik by kennisgewing in die *Offisiële Koerant* laat afkondig met vermelding in sodanige kennisgewing van die datum in paragraaf (b) van subartikel (2) bedoel as die datum van inwerkingtreeding van sodanige wysiging of intrekking.

(4) Wanneer die raad enige besware ontvang, mag die raad nie die wysiging of intrekking van die gelde in die *Offisiële Koerant* afkondig en in werking stel nie, maar moet hy sodanige besware en sy kommentaar op sodanige besware ter oorweging aan die Administrateur-generaal voorlê.

(5) Die Administrateur-generaal moet na ontvangs van die besware en kommentaar in subartikel (4) bedoel, die wysiging of intrekking goedkeur of wysig of afkeur, en indien hy die wysiging of intrekking aldus goedkeur of wysig, moet hy dit so spoedig moontlik by kennisgewing in die *Offisiële Koerant* laat afkondig, en kan hy in

of the board for a period of fourteen days from the date of publication of the notice; and

- (d) shall be declared that any person who desires to object to the amendment or revocation shall lodge the objection together with his reasons therefor in writing at the office of the board within fourteen days after the date of publication of the notice in the newspaper.

(3) Where no objections have been received within the period referred to in paragraph (d) of subsection (2), the board shall cause such amendment or revocation to be promulgated in the *Official Gazette* as soon as possible, mentioning in such notice the date referred to in paragraph (b) of subsection (2) as the date of coming into operation of such amendment or revocation.

(4) Where the board receives any objections, the board shall not promulgate the amendment or revocation of the fees in the *Official Gazette* and put it into operation, but it shall submit such objections and its comments on such objections to the Administrator-General for his consideration.

(5) The Administrator-General shall, after receipt of the objections and comments referred to in subsection (4), approve or amend or refuse the amendment or revocation and if he so approves or amends the amendment or revocation, he shall cause it to be published by notice in the *Official Gazette* as soon as possible, and he may

sodanige kennisgewing die datum bedoel in paragraaf (b) van subartikel (2) wysig.

(6) Die bepalings van hierdie artikel is *mutatis mutandis* van toepassing op enige verdere wysiging van enige gelde wat ingevolge subartikel (3) of (5) gewysig is.

(7) In hierdie artikel beteken

(a) "gelde" ook enige aanslae, belastinge, heffings, vorderings of kostetariewe;

(b) "kantoor van die raad" die kantoor van die raad in die buitestedelike gebied waar die wysiging of intrekking van die gelde van krag sal wees; en

(c) "nuusblad" 'n nuusblad wat ook in die buitestedelike gebied waar die wysiging of intrekking van die gelde van krag sal wees, in omloop is."

amend in such notice the date referred to in paragraph (b) of subsection (2).

(6) The provisions of this section shall *mutatis mutandis* apply to any further amendment of any fees amended in terms of subsection (3) or (5).

(7) In this section –

(a) "fees" include any assessments, rates, charges or tariffs of charges;

(b) "office of the board" means the office of the board in the peri-urban area where the amendment or revocation of the fees is to be of force and effect; and

(c) "newspaper" means a newspaper which also circulates in the peri-urban area where the amendment or revocation of the fees is to be of force and effect."

#### Kort titel

4. Hierdie Proklamasie heet die Wysigingsproklamasie op Plaaslike Owerhede, 1990.

#### Short title

4. This Proclamation shall be called the Local Authorities Amendment Proclamation, 1990.

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