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REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

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No. 8868

OFFICE OF THE PRIME MINISTER

No. 1886. 26 August 1983

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

No. 102 of 1983: Laws on Co-operation and Development Amendment Act, 1983.

KANTOOR VAN DIE EERSTE MINISTER

No. 1886. 26 Augustus 1983

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

No. 102 van 1983: Wysigingswet op Wetgewing op Samewerking en Ontwikkeling, 1983.

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Act No. 102, 1983 LAWS ON CO-OPERATION AND DEVELOPMENT AMENDMENT ACT, 1983

GENERAL EXPLANATORY NOTE:

[ ] Words in bold type in square brackets indicate omissions from existing enactments.

Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Black Land Act, 1913, so as to do away with restrictions on the Small Business Development Corporation, Limited, entering into certain transactions in connection with land in certain Black areas; to amend the Development Trust and Land Act, 1936, so as to extend the definition of "Black" for certain purposes in relation to the Small Business Development Corporation, Limited; to amend the Blacks (Urban Areas) Consolidation Act, 1945, so as to extend the definition of "Black" for certain purposes in relation to the Small Business Development Corporation, Limited; to define the word "resides" for the purposes of the application of section 10 (1) *(c)* of the said Act; and to provide that certain provisions of the said Act shall not apply in relation to certain persons attending certain sports functions in any capacity in any urban area, prescribed area or Black residential area; to amend the Promotion of Black Self-government Act, 1959, so as to make certain necessary adjustments in relation to the national units out of which the Black population consists for the purposes of that Act; to amend the Sorghum Beer Act, 1962, so as to empower the Minister of Co-operation and Development to authorize any general dealer within a certain portion of the area of jurisdiction of the Transvaal Board for the Development of Peri-Urban Areas to sell and supply packaged sorghum beer and sorghum beer powder; and to further regulate the utilization of amounts in the Sorghum Beer Industry Development Fund; to amend the Promotion of the Economic Development of National States Act, 1968, so as to empower the State President to amend, in relation to that portion of a national state in respect of which a development corporation has been established, any proclamation by which any such development corporation has been established; and to delete a certain obsolete provision in section 5 of the said Act; to amend the Black Local Authorities Act, 1982, so as to make further provision in relation to the election and periods of office of a mayor and deputy mayor and the calling of meetings of a local authority; to further regulate matters in connection with the dissolution of a community council and the establishment of a local authority in the area of such community council; to authorize the said Minister to make by-laws; and to provide for the designation of a person to perform the functions of a chief executive officer of a local authority in the absence or inability or the chief executive officer or if the office of chief executive officer is vacant; to amend Proclamation R.156 of 1971 and the Lebowa Constitution Proclamation, 1972, so as to amend the area for which the Lebowa

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WYSIGINGSWET OP WETGEWING OP SAMEWERKING EN ONTWIKKELING, 1983 **Wet No. 102, 1983**

ALGEMENE VERDUIDELIKENDE NOTA:

[ ] Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Swart Grond Wet, 1913, ten einde beperkings op die Kleinsake-ontwikkelingskorporasie, Beperk, om sekere transaksies in verband met grond in sekere Swart gebiede aan te gaan, uit die weg te ruim; tot wysiging van die Ontwikkelingstrust en Grond Wet, 1936, ten einde die omskrywing van ,,Swarte'' vir sekere doeleindes met betrekking tot die Kleinsake-ontwikkelingskorporasie, Beperk, uit te brei; tot wysiging van die Swartes (Stadsgebiede) Konsolidasiewet, 1945, ten einde die omskrywing van ,,Swarte'' vir sekere doeleindes met betrekking tot die Kleinsake-ontwikkelingskorporasie, Beperk, uit te brei; die woord ,,woon'' vir die doeleindes van die toepassing van artikel 10 (1) *(c)* van genoemde Wet te omskryf; en te bepaal dat sekere bepalings van genoemde Wet nie van toepassing is nie met betrekking tot sekere persone wat sekere sportgeleenthede in die een of ander hoedanigheid in 'n stadsgebied, voorgeskrewe gebied of Swart woongebied bywoon; tot wysiging van die Wet op die Bevordering van Swart Selfbestuur, 1959, ten einde sekere noodsaaklike aanpassings te maak met betrekking tot die volkseenhede waaruit die Swart bevolking vir die doeleindes van daardie Wet bestaan; tot wysiging van die Wet op Sorghumbier, 1962, ten einde aan die Minister van Samewerking en Ontwikkeling die bevoegdheid te verleen om 'n algemene handelaar binne 'n sekere gedeelte van die regsgebied van die Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede te magtig om verpakte sorghumbier en sorghumbierpoeier te verkoop en te verskaf; en die aanwending van bedrae in die Fonds vir die Ontwikkeling van die Sorghumbierbedryf verder te reël; tot wysiging van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Nasionale State, 1968, ten einde aan die Staatspresident die bevoegdheid te verleen om, met betrekking tot daardie gedeelte van 'n nasionale staat ten opsigte waarvan 'n ontwikkelingskorporasie ingestel is, 'n proklamasie waarby so 'n ontwikkelingskorporasie ingestel is, te wysig; en 'n sekere verouderde bepaling in artikel 5 van genoemde Wet te skrap; tot wysiging van die Wet op Swart Plaaslike Besture, 1982, ten einde verdere voorsiening te maak met betrekking tot die verkiesing en ampstermyne van 'n burgemeester en onderburgemeester en die byeenroeping van vergaderings van 'n plaaslike bestuur; aangeleenthede in verband met die ontbinding van 'n gemeenskapsraad en die instelling van 'n plaaslike bestuur in die gebied van dié gemeenskapsraad verder te reël; genoemde Minister te magtig om verordeninge uit te vaardig; en voorsiening te maak vir die aanwysing van iemand om die werksaamhede van 'n hoof- uitvoerende beampte van 'n plaaslike bestuur in die afwesigheid of onvermoë van die hoof- uitvoerende beampte of as die amp van hoof- uitvoerende beampte vakant is, te verrig; tot wysi-

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Act No. 102, 1983

LAWS ON CO-OPERATION AND DEVELOPMENT AMENDMENT ACT, 1983

Legislative Assembly has been established and to alter the constitution of that Assembly; and to provide for incidental matters.

(English text signed by the State President.)
(Assented to 18 August 1983.)

BE IT ENACTED by the State President and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 27 of 1913, as amended by section 50 of Act 18 of 1936 and section 1 of Act 16 of 1979.

1. Section 1 of the Black Land Act, 1913, is hereby amended by the insertion after subsection (2) of the following subsection:

"(3) For the purposes of subsection (1) *(b)* or (2) 'Black' shall include the Small Business Development Corporation, Limited, contemplated in the Small Business Development Act, 1981 (Act No. 112 of 1981).".

Amendment of section 49 of Act 18 of 1936, as amended by section 14 of Act 18 of 1954, section 10 of Act 73 of 1956, section 7 of Act 79 of 1957, section 36 of Act 42 of 1964, section 6 of Act 70 of 1974 and section 5 of Act 16 of 1979.

2. Section 49 of the Development Trust and Land Act, 1936, is hereby amended by the substitution for subparagraph *(f)* of paragraph (3) of the definition of "Black" of the following subparagraph:

"*(f)* a company or other corporate body or association in which a Black has or Blacks have a controlling interest or, in relation to section 12 (1) *(a)* or *(a)bis*, 18 (2), 21, 22 or 23, the Small Business Development Corporation, Limited, contemplated in the Small Business Development Act, 1981 (Act No. 112 of 1981);".

Amendment of section 1 of Act 25 of 1945, as amended by section 1 of Act 16 of 1955, section 23 of Act 36 of 1957, section 20 of Act 63 of 1962, section 39 of Act 42 of 1964, section 8 of Act 70 of 1974, section 7 of Act 4 of 1976, section 1 of Act 97 of 1978, section 1 of Act 102 of 1978, section 3 of Act 3 of 1980 and section 1 of Act 111 of 1981.

3. Section 1 of the Blacks (Urban Areas) Consolidation Act, 1945, is hereby amended by the substitution for the definition of "Black" of the following definition:

"'Black'—

(a) means a Black as defined in section 1 of the Population Registration Act, 1950 (Act No. 30 of 1950), and a person who in appearance obviously is a member of an aboriginal race or tribe in Africa, shall for the purposes of this Act and the regulations be presumed to be a Black, unless it is proved that he is not in fact and is not generally accepted as such a member;

(b) for the purposes of section 5, 8 or 37, includes the Small Business Development Corporation, Limited, contemplated in the Small Business Development Act, 1981 (Act No. 112 of 1981);".

Amendment of section 10 of Act 25 of 1945, as substituted by section 27 of Act 54 of 1952 and amended by section 5 of Act 16 of 1955, section 30 of Act 36 of 1957, section 47 of Act 42 of 1964, section 3 of Act 119 of 1977, section 3 of Act 97 of 1978 and section 6 of Act 16 of 1979.

4. Section 10 of the Blacks (Urban Areas) Consolidation Act, 1945, is hereby amended by the insertion after subsection (1) of the following subsection:

"(1A) For the purposes of paragraph *(c)* of subsection (1) 'resides', in relation to the wife, the unmarried daughter, or the son under the age of 18 years of any Black referred to in paragraph *(b)* of the said subsection who did not ordinarily reside with that Black in a prescribed area as contemplated in the said paragraph *(c)* at any time before the commencement of the Laws on Co-operation and Development Amendment Act, 1983, means to reside in a prescribed area—

(a) in any building erected on any site in respect of which a right of leasehold for residential purposes has been granted or disposed of to that Black in terms of section 6A; or

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WYSIGINGSWET OP WETGEWING OP SAMEWERKING EN ONTWIKKELING, 1983 Wet No. 102, 1983

ging van Proklamasie R.156 van 1971 en van die Lebowa-grondwetproklamasie, 1972, ten einde die gebied waarvoor die Lebowa- Wetgewende Vergadering ingestel is, te wysig en die samestelling van daardie Vergadering te verander; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 18 Augustus 1983.)

DAAR WORD BEPAAL deur die Staatspresident en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Artikel 1 van die Swart Grond Wet, 1913, word hierby gewysig deur na subartikel (2) die volgende subartikel in te voeg: Wysiging van artikel 1 van Wet 27 van 1913, soos gewysig deur artikel 50 van Wet 18 van 1936 en artikel 1 van Wet 16 van 1979.

„(3) Bij de toepassing van subartikel (1) *(b)* of (2) beteken ‚Swarte' ook de Kleinsake-ontwikkelingskorporasie, Beperk, in de Kleinsake-ontwikkelingswet, 1981 (Wet No. 112 van 1981), beoogd.".

2. Artikel 49 van die Ontwikkelingstrust en Grond Wet, 1936, word hierby gewysig deur subparagraaf *(f)* van paragraaf (3) van die omskrywing van „Swarte" deur die volgende subparagraaf te vervang: Wysiging van artikel 49 van Wet 18 van 1936, soos gewysig deur artikel 14 van Wet 18 van 1954, artikel 10 van Wet 73 van 1956, artikel 7 van Wet 79 van 1957, artikel 36 van Wet 42 van 1964, artikel 6 van Wet 70 van 1974 en artikel 5 van Wet 16 van 1979.

„*(f)* 'n maatskappy of ander liggaam met regspersoonlikheid of 'n vereniging waarin 'n Swarte of Swartes 'n beherende belang het of, met betrekking tot artikel 12 (1) *(a)* of *(a)bis*, 18 (2), 21, 22 of 23, die Kleinsake-ontwikkelingskorporasie, Beperk, in die Kleinsake-ontwikkelingswet, 1981 (Wet No. 112 van 1981), beoog;".

3. Artikel 1 van die Swartes (Stadsgebiede) Konsolidasiewet, 1945, word hierby gewysig deur die omskrywing van „Swarte" deur die volgende omskrywing te vervang: Wysiging van artikel 1 van Wet 25 van 1945, soos gewysig deur artikel 1 van Wet 16 van 1955, artikel 23 van Wet 36 van 1957, artikel 20 van Wet 63 van 1962, artikel 39 van Wet 42 van 1964, artikel 8 van Wet 70 van 1974, artikel 7 van Wet 4 van 1976, artikel 1 van Wet 97 van 1978, artikel 1 van Wet 102 van 1978, artikel 3 van Wet 3 van 1980 en artikel 1 van Wet 111 van 1981.

„'Swarte' beteken—

(a) 'n Swarte soos in artikel 1 van die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950), omskryf, en iemand wat volgens voorkoms klaarblyklik 'n lid van 'n inboorlingras of -stam van Afrika is, word by die toepassing van hierdie Wet en die regulasies vermoed 'n Swarte te wees, tensy bewys word dat hy nie so 'n lid is nie en nie gewoonlik daarvoor deurgaan nie;

(b) by die toepassing van artikel 5, 8 of 37, ook die Kleinsake-ontwikkelingskorporasie, Beperk, in die Kleinsake-ontwikkelingswet, 1981 (Wet No. 112 van 1981), beoog;".

4. Artikel 10 van die Swartes (Stadsgebiede) Konsolidasiewet, 1945, word hierby gewysig deur die volgende subartikel na subartikel (1) in te voeg: Wysiging van artikel 10 van Wet 25 van 1945, soos vervang deur artikel 27 van Wet 54 van 1952 en gewysig deur artikel 5 van Wet 16 van 1955, artikel 30 van Wet 36 van 1957, artikel 47 van Wet 42 van 1964, artikel 3 van Wet 119 van 1977, artikel 3 van Wet 97 van 1978 en artikel 6 van Wet 16 van 1979.

„(1A) By die toepassing van paragraaf *(c)* van subartikel (1) beteken ‚woon', met betrekking tot die vrou, die ongetroude dogter, of die seun onder die ouderdom van 18 jaar van 'n Swarte in paragraaf *(b)* van genoemde subartikel bedoel wat nie te eniger tyd voor die inwerkingtreding van die Wysigingsgwet op Wetgewing op Samewerking en Ontwikkeling, 1983, gewoonlik by daardie Swarte in 'n voorgeskrewe gebied gewoon het nie soos in genoemde paragraaf *(c)* beoog, om in 'n voorgeskrewe gebied te woon—

(a) in 'n gebou wat opgerig is op 'n perseel ten opsigte waarvan 'n reg van huurpag vir woondoeleindes aan daardie Swarte ingevolge artikel 6A toegeken of vervreem is; of

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(b) in any dwelling erected, for the purposes of occupation by himself and his dependants, by that Black on any residential site allocated to that Black for such purposes of occupation in terms of the provisions of this Act or any regulation, or in any dwelling on any such site let to that Black for such purposes in terms of such provisions; or

(c) in any dwelling allocated or let as a whole to that Black for the purposes of occupation by himself and his dependants in terms of such provisions; or

(d) in any married quarters referred to in section 9 (2) *(f)* made available by his employer to that Black for the purposes of occupation by himself and his dependants.".

Insertion of section 43 in Act 25 of 1945.

5. The following section is hereby inserted in the Blacks (Urban Areas) Consolidation Act, 1945, after section 42:

"Application of certain provisions in relation to the attendance of certain sports functions by certain persons.

43. (1) The provisions of this Act or any regulation made thereunder or of a proclamation contemplated in section 31 prohibiting any person, on the ground thereof that he is a Black or is a person other than a Black, from entering or remaining in any urban area or any other prescribed area or any Black residential area or to be therein at any specified time at any specified place, shall not apply to any Black or any person other than a Black, as the case may be, who attends in any capacity any sports function in any such area or enters the area concerned or remains therein or is therein at such specified place at a time or for so long as is reasonably necessary for the purpose of attending such sports function.

(2) The onus of proving in any criminal proceedings in terms of the provisions referred to in subsection (1) that an accused attended a sports function or entered an area referred to therein or remained therein or had been therein for the purpose of attending a sports function, shall be upon the accused.

(3) For the purposes of this section 'sports function' shall mean any meeting organized by or on behalf of any sports club or other sports body for the purpose of practising any kind or kinds of sport and held on any premises—

(a) which are intended or are otherwise suitable for practising the kind or kinds of sport concerned;

(b) which are the property or under the direct control of the sports club or body concerned or in which such sports club or body has an interest; and

(c) to which the public or members of the sports club or body concerned or their guests have access,

and shall include any meeting, assembly or gathering, including any social gathering, organized by or on behalf of any sports club or other sports body in connection with any meeting held or about to be held by or on behalf of such sports club or body for the purpose of practising any kind or kinds of sport.".

Amendment of section 2 of Act 46 of 1959, as amended by section 9 of Act 12 of 1978 and section 10 of Act 16 of 1979.

6. Section 2 of the Promotion of Black Self-government Act, 1959, is hereby amended by the deletion of paragraphs *(f)* and *(g)* of subsection (1).

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(b) in 'n woning wat deur daardie Swarte, vir die doeleindes van bewoning deur homself en sy afhanklikes, opgerig is op 'n woonperseel wat aan daardie Swarte vir bedoelde doeleindes van bewoning ingevolge die bepalings van hierdie Wet of 'n regulasie toegeken is, of in 'n woning op so 'n perseel wat aan daardie Swarte vir bedoelde doeleindes ingevolge bedoelde bepalings verhuur is; of

(c) in 'n woning wat as geheel aan daardie Swarte vir die doeleindes van bewoning deur homself en sy afhanklikes ingevolge bedoelde bepalings toegeken of verhuur is; of

(d) in enige gesinshuisvesting in artikel 9 (2) *(f)* bedoel wat aan daardie Swarte vir die doeleindes van bewoning deur homself en sy afhanklikes deur sy werkgewer beskikbaar gestel is.".

5. Die volgende artikel word hierby in die Swartes (Stadsgebiede) Konsolidasiewet, 1945, na artikel 42 ingevoeg: Invoeging van artikel 43 in Wet 25 van 1945.

..Toepassing van sekere bepalings met betrekking tot die bywoning van sekere sportgeleenthede deur sekere persone.

43. (1) Die bepalings van hierdie Wet of 'n regulasie daarkragtens uitgevaardig of van 'n proklamasie in artikel 31 beoog wat 'n persoon verbied, op grond daarvan dat hy 'n Swarte is of 'n ander persoon as 'n Swarte is, om 'n stadsgebied of 'n ander voorgeskrewe gebied of 'n Swart woongebied binne te gaan of daarin te vertoef of op 'n bepaalde tyd op 'n bepaalde plek daarin te wees, is nie van toepassing nie op 'n Swarte of 'n ander persoon as 'n Swarte, na gelang van die geval, wat 'n sportgeleentheid in so 'n gebied in die een of ander hoedanigheid bywoon of wat op 'n tyd of vir so lank as wat redelikerwys vir die doel van die bywoning van sodanige sportgeleentheid nodig is, die betrokke gebied binnegaan of daarin vertoef of op die bepaalde plek daarin is.

(2) Die las in enige strafregtelike verrigtinge ingevolge die bepalings in subartikel (1) bedoel, om te bewys dat 'n beskuldigde 'n sportgeleentheid bygewoon het of 'n daarin bedoelde gebied binnegegaan het of daarin vertoef het of daarin was vir die doel van die bywoning van 'n sportgeleentheid, rus op die beskuldigde.

(3) By die toepassing van hierdie artikel beteken ‚sportgeleentheid' 'n byeenkoms wat vir die doel van die beoefening van die een of ander sportsoort of -soorte deur of ten behoewe van 'n sportklub of ander sportliggaam georganiseer is en wat gehou word op 'n perseel—

(a) wat bestem is of andersins geskik is vir die beoefening van die betrokke sportsoort of -soorte;

(b) wat die eiendom is of onder die regstreekse beheer staan van die betrokke sportklub of -liggaam of waarin bedoelde sportklub of -liggaam 'n belang het; en

(c) waartoe die publiek of lede van die betrokke sportklub of -liggaam of hul gaste toegang het,

en ook 'n vergadering, byeenkoms of samekoms, met inbegrip van 'n sosiale samekoms, wat deur of ten behoewe van 'n sportklub of ander sportliggaam georganiseer is in verband met 'n byeenkoms wat vir die doel van die beoefening van die een of ander sportsoort of -soorte deur of ten behoewe van bedoelde sportklub of -liggaam gehou is of gehou staan te word.".

6. Artikel 2 van die Wet op die Bevordering van Swart Selfbestuur, 1959, word hierby gewysig deur paragrawe *(f)* en *(g)* van subartikel (1) te skrap. Wysiging van artikel 2 van Wet 46 van 1959, soos gewysig deur artikel 9 van Wet 12 van 1978 en artikel 10 van Wet 16 van 1979.

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Act No. 102, 1983 LAWS ON CO-OPERATION AND DEVELOPMENT AMENDMENT ACT, 1983

Amendment of section 5 of Act 63 of 1962, as amended by section 2 of Act 30 of 1972, section 11 of Act 70 of 1974, section 10 of Act 4 of 1976 and section 2 of Act 115 of 1977.

7. Section 5 of the Sorghum Beer Act, 1962, is hereby amended by the substitution for subsection (1A) of the following subsection:

"(1A) Any general dealer, **[except]** excluding a general dealer within that portion of the area of jurisdiction of a municipal council, borough council, town council, village council, town board, village management board, local board, health board or health committee which is not a Black residential area as defined in section 1 of the Blacks (Urban Areas) Consolidation Act, 1945 (Act No. 25 of 1945), or an area which has, under section 23 of the Group Areas Act, 1966 (Act No. 36 of 1966), been declared to be a group area for occupation by members of the coloured group but including any general dealer within the portion of the area of jurisdiction so referred to of the Transvaal Board for the Development of Peri-Urban Areas, who has been authorized by the Minister in writing under this section to do so, may, with due regard to the provisions of this section and subject to such conditions as the Minister may determine, sell and supply packaged sorghum beer and sorghum beer powder, provided such packaged sorghum beer is acquired from a local authority, the **[Black Investment Corporation]** Corporation for Economic Development, Limited, or any development corporation as defined in section 1 of the Promotion of the Economic Development of National States Act, 1968 (Act No. 46 of 1968).".

Substitution of section 19*bis* of Act 63 of 1962, as inserted by section 95 of Act 42 of 1964.

8. The following section is hereby substituted for section 19*bis* of the Sorghum Beer Act, 1962:

"Establishment of Sorghum Beer Industry Development Fund.

19*bis*. (1) The Minister shall establish a fund, to be known as the **[sorghum beer research fund]** Sorghum Beer Industry Development Fund (hereinafter referred to as the fund), which shall be controlled by the **[Secretary for Plural Relations]** Director-General: Co-operation and Development and into which shall be paid—

(a) an amount equal to the total amount paid during a financial year to the **[Consolidated]** State Revenue Fund under paragraph *(d)* of subsection (3) of section 19 of the Blacks (Urban Areas) Consolidation Act, 1945 (Act No. 25 of 1945);

(b) interest obtained on investments;

(c) any money which may accrue to the fund from any other source.

(2) Money standing to the credit of the fund shall be utilized—

(a) for the purpose of research into the composition, manufacture and marketing of sorghum beer; **[and]**

(b) for the payment of the administration costs of the fund as determined from time to time by the Minister in consultation with the Minister of Finance; and

(c) for the payment of expenses incurred in connection with—

(i) the instruction and training of persons involved in the manufacture or supply of sorghum beer;

(ii) the promotion of any matter concerning the manufacture and marketing of sorghum beer,

which in the opinion of the Minister are necessary for the better carrying out of the objects and purposes of this Act.

(3) Any moneys credited to the fund and not required for immediate use, shall be deemed to be 'de-

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7. Artikel 5 van die Wet op Sorghumbier, 1962, word hierby gewysig deur subartikel (1A) deur die volgende subartikel te vervang: Wysiging van artikel 5 van Wet 63 van 1962, soos gewysig deur artikel 2 van Wet 30 van 1972, artikel 11 van Wet 70 van 1974, artikel 10 van Wet 4 van 1976 en artikel 2 van Wet 115 van 1977.

"(1A) 'n Algemene handelaar, uitgesonderd 'n algemene handelaar binne daardie gedeelte van die regsgebied van 'n munisipale raad, stadsraad, dorpsraad, stadsbestuur, dorpsbestuursraad, plaaslike raad, gesondheidsraad of gesondheidskomitee wat nie 'n Swart woongebied soos omskryf in artikel 1 van die Swartes (Stadsgebiede) Konsolidasiewet, 1945 (Wet No. 25 van 1945), of 'n gebied wat kragtens artikel 23 van die Wet of Groepsgebiede, 1966 (Wet No. 36 van 1966), tot 'n groepsgebied vir okkupasie van lede van die gekleurde groep verkaar is, is nie, maar met inbegrip van 'n algemene handelaar binne die aldus bedoelde gedeelte van die regsgebied van die Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede, wat kragtens hierdie artikel skriftelik daartoe deur die Minister gemagtig is, kan, met behoorlike inagneming van die bepalings van hierdie artikel en onderworpe aan die voorwaardes wat die Minister bepaal, verpakte sorghumbier en sorghumbierpoeier verkoop en verskaf, mits sodanige verpakte sorghumbier van 'n plaaslike bestuur, die **[Swart Beleggingskorporasie]** Ekonomiese Ontwikkelingskorporasie, Beperk, of 'n ontwikkelingskorporasie soos omskryf in artikel 1 van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Nasionale State, 1968 (Wet No. 46 van 1968), verkry word.".

8. Artikel 19*bis* van die Wet op Sorghumbier, 1962, word hierby deur die volgende artikel vervang: Vervanging van artikel 19*bis* van Wet 63 van 1962, soos ingevoeg deur artikel 95 van Wet 42 van 1964.

"Instelling van Fonds vir die Ontwikkeling van die Sorghumbierbedryf.

19*bis*. (1) Die Minister stel 'n fonds, wat bekend staan as die **[sorghumbiernavorsingsfonds]** Fonds vir die Ontwikkeling van die Sorghumbierbedryf (hieronder die fonds genoem), in, wat deur die **[Sekretaris van Plurale Betrekkinge]** Direkteur-generaal: Samewerking en Ontwikkeling beheer word en waarin gestort word—

(a) 'n bedrag gelyk aan die totale bedrag gedurende 'n boekjaar ingevolge paragraaf *(d)* van subartikel (3) van artikel 19 van die Swartes (Stadsgebiede) Konsolidasiewet, 1945 (Wet No. 25 van 1945), aan die **[Gekonsolideerde Inkomstefonds]** Staatsinkomstefonds betaal;

(b) rente verkry op beleggings;

(c) enige gelde wat die fonds uit enige ander bron toeval.

(2) Die gelde wat tot krediet van die fonds staan, word aangewend—

(a) vir die doel van navorsing na die samestelling, maak en bemarking van sorghumbier; **[en]**

(b) vir die betaling van die administrasiekoste van die fonds soos van tyd tot tyd deur die Minister in oorleg met die Minister van Finansies bepaal; en

(c) vir die betaling van uitgawes wat aangegaan is in verband met—

(i) die onderrig en opleiding van persone wat by die maak of verskaffing van sorghumbier betrokke is;

(ii) die bevordering van enige aangeleentheid rakende die maak en bemarking van sorghumbier,

en wat na die oordeel van die Minister nodig is vir die doelmatiger verwesenliking van die oogmerke en doeleindes van hierdie Wet.

(3) Enige gelde waarmee die fonds gekrediteer is en wat nie vir onmiddellike gebruik benodig word

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posits' for the purposes of the Public Debt Commissioners Act, **[1911 (Act No. 18 of 1911)]** 1969 (Act No. 2 of 1969).".

Amendment of section 5 of Act 46 of 1968.

9. Section 5 of the Promotion of the Economic Development of National States Act, 1968, is hereby amended—

(a) by the substitution for paragraph *(a)* of subsection (1) of the following paragraph:

"*(a)* establish a development corporation in respect of those portions of the national states occupied by a national unit referred to in section 2 (1) of the Promotion of Black Self-government Act, 1959 (Act No. 46 of 1959), or of parts of such portions defined in such proclamation;";

(b) by the insertion after the said subsection (1) of the following subsection:

"(1A) The State President may, in relation to that portion of a national state or part of such portion in respect of which a development corporation has been established, from time to time amend by like proclamation any proclamation referred to in subsection (1) and may regulate in any such proclamation any matter relating to the assets, liabilities, rights and obligations of the development corporation or the Corporation for Economic Development, Limited, in or in connection with any such portion of a national state affected by the amendment contemplated in this subsection."; and

(c) by the deletion of subsection (5).

Amendment of section 1 of Act 102 of 1982.

10. Section 1 of the Black Local Authorities Act, 1982, is hereby amended by the addition of the following subsection, the existing section becoming subsection (1):

"(2) For the purposes of—

(a) section 10 (3) and of section 11, read with section 10 (3), in relation to the election of a mayor and a deputy mayor of a local authority after the first election of the members thereof; and

(b) section 14 (2), (4) *(b)* and (8) in relation to the first ordinary meeting of a local authority after the first election of the members thereof,

any reference to the chief executive officer shall be construed as a reference to the Director-General or any officer in the Department designated by him.".

Substitution of section 4 of Act 102 of 1982.

11. The following section is hereby substituted for section 4 of the Black Local Authorities Act, 1982:

"Dissolution of community council on establishment of local authority.

4. (1) When a local authority is established under section 2 for an area for which a community council has been established under the Community Councils Act, 1977 (Act No. 125 of 1977), or which includes the area of such a community council, the Minister shall dissolve the community council concerned by notice in the *Gazette* as from the date of the first ordinary meeting of the local authority.

(2) A notice contemplated in subsection (1) may in addition provide that—

(a) anything done under the Community Councils Act, 1977, or any other law by or in respect of the community council to which such notice relates and which may be done by or in respect of a local authority under this Act or such other law, shall as from the date on which the com-

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nie, word geag ‚deposito's' vir die doeleindes van die **[‚Openbare Schuld Kommissarissen Wet, 1911' (Wet No. 18 van 1911)]** Wet op die Staatskuldkommissarisse, 1969 (Wet No. 2 van 1969), te wees.".

Wysiging van artikel 5 van Wet 46 van 1968.

9. Artikel 5 van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Nasionale State, 1968, word hierby gewysig—

(a) deur paragraaf *(a)* van subartikel (1) deur die volgende paragraaf te vervang:

..*(a)* 'n ontwikkelingskorporasie instel ten opsigte van daardie gedeeltes van die nasionale state wat deur 'n volkseenheid bedoel in artikel 2 (1) van die Wet op die Bevordering van Swart Selfbestuur, 1959 (Wet No. 46 van 1959), bewoon word of van dele van bedoelde gedeeltes wat in bedoelde proklamasie omskryf word;";

(b) deur na genoemde subartikel (1) die volgende subartikel in te voeg:

..(1A) Die Staatspresident kan, met betrekking tot daardie gedeelte van 'n nasionale staat of deel van bedoelde gedeelte ten opsigte waarvan 'n ontwikkelingskorporasie ingestel is, 'n proklamasie in subartikel (1) bedoel van tyd tot tyd by dergelike proklamasie wysig en kan in so 'n proklamasie enige aangeleentheid reël betreffende die bates, laste, regte en verpligtinge van die ontwikkelingskorporasie of die Ekonomiese Ontwikkelingskorporasie, Beperk, in of in verband met so 'n gedeelte van 'n nasionale staat wat deur 'n wysiging beoog in hierdie subartikel geraak word."; en

(c) deur subartikel (5) te skrap.

Wysiging van artikel 1 van Wet 102 van 1982.

10. Artikel 1 van die Wet op Swart Plaaslike Besture, 1982, word hierby gewysig deur die volgende subartikel by te voeg, terwyl die bestaande artikel subartikel (1) word:

..(2) By die toepassing van—

(a) artikel 10 (3) en van artikel 11, saamgelees met artikel 10 (3), met betrekking tot die verkiesing van 'n burgemeester en 'n onderburgemeester van 'n plaaslike bestuur na die eerste verkiesing van die lede daarvan; en

(b) artikel 14 (2), (4) *(b)* en (8) met betrekking tot die eerste gewone vergadering van 'n plaaslike bestuur na die eerste verkiesing van die lede daarvan,

word 'n verwysing na die hoof- uitvoerende beampte uitgelê as 'n verwysing na die Direkteur-generaal of 'n beampte in die Departement deur hom aangewys.".

Vervanging van artikel 4 van Wet 102 van 1982.

11. Artikel 4 van die Wet op Swart Plaaslike Besture, 1982, word hierby deur die volgende artikel vervang:

..Ontbinding van gemeenskapsraad by instelling van plaaslike bestuur.

4. (1) Wanneer 'n plaaslike bestuur kragtens artikel 2 ingestel word vir 'n gebied waarvoor 'n gemeenskapsraad kragtens die Wet op Gemeenskapsrade, 1977 (Wet No. 125 van 1977), ingestel is of wat die gebied van so 'n gemeenskapsraad insluit, moet die Minister die betrokke gemeenskapsraad by kennisgewing in die *Staatskoerant* ontbind met ingang van die datum van die eerste gewone vergadering van die plaaslike bestuur.

(2) 'n Kennisgewing in subartikel (1) bedoel, kan voorts bepaal dat—

(a) iets wat kragtens die Wet op Gemeenskapsrade, 1977, of 'n ander wet deur of ten opsigte van die gemeenskapsraad waarop die kennisgewing betrekking het, gedoen is en wat deur of ten opsigte van bedoelde plaaslike bestuur kragtens hierdie Wet of so 'n ander Wet gedoen kan

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munity council is dissolved and subject to such limitations, qualifications or conditions as may be specified in the notice, be deemed to have been done by or in respect of that local authority;

[*(a)***]** *(b)* the assets, liabilities, rights and obligations of the community council **[to which it relates]** shall as from the date on which the **[local authority is established]** community council is dissolved, devolve upon that local authority;

[*(b)***]** *(c)* any person who immediately before the dissolution of that community council held an appointment as an employee of that council shall as from the date on which **[that local authority is established]** the council is dissolved and subject to such conditions and in accordance with such directives as may be specified in that notice, be appointed by the local authority to a post on its establishment.".

Amendment of section 10 of Act 102 of 1982.

12. Section 10 of the Black Local Authorities Act, 1982, is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

"(1) *(a)* A local authority shall as soon as may be expedient after an election was held in terms of section 7 (1) and thereafter as often as it may become necessary elect a member as the mayor of the local authority.

(b) The election of a mayor shall be by absolute majority of the members present at the meeting at which the election takes place."; and

(b) by the substitution for subsection (2) of the following subsection:

"(2) The mayor shall forthwith enter upon his office and, unless his office is sooner vacated, continue therein **[until his successor is elected in terms of subsection (1)]** for the period terminating on the first ordinary meeting of the local authority held subsequent to the expiry of one year after his election as mayor or on the day on which his period of office as a member expires, whichever period is the shorter, and he shall be eligible for re-election.".

Amendment of section 11 of Act 102 of 1982.

13. Section 11 of the Black Local Authorities Act, 1982, is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

"(1) A local authority shall as soon as may be expedient after an election was held in terms of section 7 (1) and thereafter as often as it may become necessary elect a member as the deputy mayor of the local authority, and the provisions of section 10 (1) *(b)* and (3) shall apply *mutatis mutandis* to the election.";

(b) by the substitution for subsection (2) of the following subsection:

"(2) The provisions of section 10 (2) shall apply *mutatis mutandis* in respect of a deputy mayor."; and

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

"(4) The provisions of section 10 (5), (6) and (7) shall apply *mutatis mutandis* in respect of the election of a deputy mayor in terms of subsection (3) of this section.".

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word, vanaf die datum waarop die gemeenskapsraad ontbind word en behoudens die beperkings, kwalifikasies en voorwaardes in die kennisgewing vermeld, geag word deur of ten opsigte van daardie plaaslike bestuur gedoen te wees;

[(a)] *(b)* die bates, laste, regte en verpligtinge van die gemeenskapsraad **[waarop dit betrekking het]** vanaf die datum waarop die **[plaaslike bestuur ingestel]** gemeenskapsraad ontbind word, op daardie plaaslike bestuur oorgaan;

[(b)] *(c)* iemand wat onmiddellik voor die ontbinding van daardie gemeenskapsraad 'n aanstelling as 'n werknemer van daardie raad gehou het, vanaf die datum waarop **[daardie plaaslike bestuur ingestel]** die raad ontbind word en behoudens die voorwaardes en ooreenkomstig die voorskrifte in die kennisgewing vermeld, deur die plaaslike bestuur in 'n pos op sy diensstaat aangestel moet word.".

12. Artikel 10 van die Wet op Swart Plaaslike Besture, 1982, word hierby gewysig: Wysiging van artikel 10 van Wet 102 van 1982.

(a) deur subartikel (1) deur die volgende subartikel te vervang:

,,(1) *(a)* 'n Plaaslike bestuur kies so gou doenlik nadat 'n verkiesing ingevolge artikel 7 (1) gehou is en daarna so dikwels as wat dit nodig word 'n lid as die burgemeester van die plaaslike bestuur.

(b) Die verkiesing van 'n burgemeester geskied by volstrekte meerderheid van die lede wat teenwoordig is op die vergadering waarop die verkiesing plaasvind."; en

(b) deur subartikel (2) deur die volgende subartikel te vervang:

,,(2) Die burgemeester aanvaar onverwyld sy amp en bly, tensy sy amp vroeër vakant raak, in sy amp aan **[totdat sy opvolger ingevolge subartikel (1) verkies word]** vir die tydperk wat eindig op die eerste gewone vergadering van die plaaslike bestuur gehou na verstryking van een jaar na sy verkiesing as burgemeester of op die dag waarop sy ampstermyn as lid verstryk, watter tydperk ook al die kortste is, en is herkiesbaar.".

13. Artikel 11 van die Wet op Swart Plaaslike Besture, 1982, word hierby gewysig— Wysiging van artikel 11 van Wet 102 van 1982.

(a) deur subartikel (1) deur die volgende subartikel te vervang:

,,(1) 'n Plaaslike bestuur kies so gou doenlik nadat 'n verkiesing ingevolge artikel 7 (1) gehou is en daarna so dikwels as wat dit nodig word 'n lid as die onderburgemeester van die plaaslike bestuur, en die bepalings van artikel 10 (1) *(b)* en (3) is *mutatis mutandis* op die verkiesing van toepassing.";

(b) deur subartikel (2) deur die volgende subartikel te vervang:

,,(2) Die bepalings van artikel 10 (2) is *mutatis mutandis* ten opsigte van 'n onderburgemeester van toepassing."; en

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

,,(4) Die bepalings van artikel 10 (5), (6) en (7) is *mutatis mutandis* van toepassing op die verkiesing van 'n onderburgemeester ingevolge subartikel (3) van hierdie artikel.".

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Act No. 102, 1983 LAWS ON CO-OPERATION AND DEVELOPMENT AMENDMENT ACT, 1983

Amendment of section 27 of Act 102 of 1982.

14. Section 27 of the Black Local Authorities Act, 1982, is hereby amended by the insertion after subsection (2) of the following subsection:

"(2A) The Minister may make by-laws on any matter on which a local authority may make by-laws, and such by-laws shall apply in the area of each local authority in so far as they are applicable or not excluded by or inconsistent with the by-laws of the local authority of an area concerned.".

Amendment of section 30 of Act 102 of 1982.

15. Section 30 of the Black Local Authorities Act, 1982, is hereby amended by the addition of the following subsection:

"(5) Whenever the chief executive officer of a local authority is absent or is unable to perform his functions, or the office of chief executive officer is vacant, the functions of the chief executive officer shall be performed by an employee of the local authority or any person seconded to its service under section 35 (2) designated for such purpose by the local authority, or if the local authority has for whatever reason failed to designate such an employee or a person and is not in session at the time when the said functions are to be performed, designated for the said purpose by the mayor.".

Amendment of Schedule to Proclamation R.156 of 1971, as substituted by Proclamation R.224 of 1972 and amended by Proclamations R.126 of 1977, R.217 of 1978 and R.247 of 1979, and repeal of Proclamation R.210 of 1980.

16. (1) The Schedule to Proclamation No. R.156 of 1971 is hereby amended by the deletion of paragraph (2).

(2) Proclamation No. R.210 of 1980 is hereby repealed.

(3) Subsections (1) and (2) shall be deemed to have come into operation on 1 November 1980.

Amendment of section 3 of Proclamation R.225 of 1972.

17. Section 3 of the Lebowa Constitution Proclamation, 1972, is hereby amended—

(a) by the substitution in subsection (1) for the expression "100" of the expression "96";

(b) by the substitution in paragraph *(a)* of subsection (1) for the expression "fifty-nine" of the expression "fifty-seven"; and

(c) by the substitution in paragraph *(c)* of the said subsection for the expression "forty" of the expression "thirty-eight".

Amendment of Schedule to Proclamation R.225 of 1972.

18. The Schedule to the Lebowa Constitution Proclamation, 1972, is hereby amended by the deletion in column A of the words "The area of the District of Moutse, excluding the following farms: (i) Tribal farm: Weltevreden 158 JR; (ii) Trust farm: Matjesgoedkuil 3 JS; (iii) Trust farm: Vrieskraal 4 JS; (iv) Trust farm: Kameelrivier 160 JR; (v) Waterval 34 JS; (vi) Pieterskraal 190 JR; (vii) Wolvenkraal 192 JR; (viii) Klipplaatdrift 193 JR, excluding Portions 7 and 8; and (ix) Valschfontein 33 JS", in column B of the word "Moutse" and in columns C and D of the expression "2", wherever it occurs opposite the word "Moutse" in column B.

Short title and commencement.

19. (1) This Act shall be called the Laws on Co-operation and Development Amendment Act, 1983.

(2) Sections 17 and 18 shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

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14. Artikel 27 van die Wet op Swart Plaaslike Besture, 1982, word hierby gewysig deur na subartikel (2) die volgende subartikel in te voeg: Wysiging van artikel 27 van Wet 102 van 1982.

,,(2A) Die Minister kan verordeninge maak oor 'n aangeleentheid waaroor 'n plaaslike bestuur verordeninge kan maak, en sodanige verordeninge geld in die gebied van elke plaaslike bestuur vir sover hulle toepaslik is of nie onbestaanbaar is met of uitgesluit is deur die verordeninge van die plaaslike bestuur van 'n betrokke gebied nie.".

15. Artikel 30 van die Wet op Swart Plaaslike Besture, 1982, word hierby gewysig deur die volgende subartikel by te voeg: Wysiging van artikel 30 van Wet 102 van 1982.

,,(5) Wanneer die hoof- uitvoerende beampte van 'n plaaslike bestuur afwesig is of nie in staat is om sy werksaamhede te verrig nie, of die amp van hoof- uitvoerende beampte vakant is, word die werksaamhede van die hoof-uitvoerende beampte verrig deur 'n werknemer van die plaaslike bestuur of iemand kragtens artikel 35 (2) aan sy diens afgestaan wat vir dié doel deur die plaaslike bestuur aangewys is, of indien die plaaslike bestuur om watter rede ook al nie so 'n werknemer of iemand aangewys het nie en op die tydstip waarop genoemde werksaamhede verrig moet word, nie in sitting is nie, deur die burgemeester aangewys is.".

16. (1) Die Bylae by Proklamasie No. R.156 van 1971 word hierby gewysig deur paragraaf (2) te skrap. Wysiging van Bylae by Proklamasie R.156 van 1971, soos vervang deur Proklamasie R.224 van 1972 en gewysig deur Proklamasies R.126 van 1977, R.217 van 1978 en R.247 van 1979, en herroeping van Proklamasie R.210 van 1980.

(2) Proklamasie No. R.210 van 1980 word hierby herroep.

(3) Subartikels (1) en (2) word geag op 1 November 1980 in werking te getree het.

17. Artikel 3 van die Lebowa-grondwetproklamasie, 1972, word hierby gewysig— Wysiging van artikel 3 van Proklamasie R.225 van 1972.

(a) deur in subartikel (1) die uitdrukking ,,100" deur die uitdrukking ,,96" te vervang;

(b) deur in paragraaf *(a)* van subartikel (1) die uitdrukking ,,nege-en-vyftig" deur die uitdrukking ,,sewe-en-vyftig" te vervang; en

(c) deur in paragraaf *(c)* van genoemde subartikel die uitdrukking ,,veertig" deur die uitdrukking ,,agt-en-dertig" te vervang.

18. Die Bylae by die Lebowa-grondwetproklamasie, 1972, word hierby gewysig deur in kolom A die woorde ,,Die gebied van die distrik Moutse, met uitsluiting van die volgende plase: (i) Stamplaas: Weltevreden 158 JR; (ii) Trustplaas: Matjesgoedkuil 3 JS; (iii) Trustplaas: Vrieskaal 4 JS; (iv) Trustplaas: Kameelrivier 160 JR; (v) Waterval 34 JS; (vi) Pieterskraal 190 JR; (vii) Wolvenkraal 192 JR; (viii) Klipplaatdrift 193 JR, met uitsluiting van Gedeeltes 7 en 8; en (ix) Valschfontein 33 JS", in kolom B die woord ,,Moutse" en in kolomme C en D die uitdrukking ,,2", oral waar dit teenoor die woord ,,Moutse" in kolom B voorkom, te skrap. Wysiging van Bylae by Proklamasie R.225 van 1972.

19. (1) Hierdie Wet heet die Wysigingswet op Wetgewing op Samewerking en Ontwikkeling, 1983. Kort titel en inwerkingtreding.

(2) Artikels 17 en 18 tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.