

# PROVINSIALE KOERANT

PROVINSIE VRYSTAAT

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FREE STATE PROVINCE

# PROVINCIAL GAZETTE

*Uitgegee op Gesag*

*Published by Authority*

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No. 81

BLOEMFONTEIN, 12 DESEMBER 1997

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KANTOOR VAN DIE PREMIER

OFFICE OF THE PREMIER

No. 7 12 Desember 1997

No. 7 12 December 1997

Hierby word bekend gemaak dat die Premier die onderstaande Wet bekragtig het, wat hierby ter algemene inligting gepubliseer word:-

It is hereby notified that the Premier has assented to the following Act which is hereby published for general information:-

No. 6 van 1997: Wet op die Rasionalisering van Wette Betreffende Besighede, 1997

No. 6 of 1997: Free State Businesses Laws Rationalisation Act, 1997.

# ACT

To consolidate and amend certain laws in force in the Province regarding the licensing and carrying on of business, to repeal other laws regarding licensing and carrying on of business, and to provide for matters connected therewith.

**BE IT ENACTED** by the Provincial Legislature of Free State Province as follows :-

5 *(Afrikaans text signed by the Premier.)*  
*(Assented to 10 December 1997.)*

## Extension of application of the Businesses Act, 1991

10 1. The Businesses Act, 1991 (Act No 71 of 1991) (hereinafter referred to as the Principal Act), shall apply throughout the Province.

## Repeal and Amendment of laws

- 15 2. (1) The Principal Act is amended to the extent set out in Schedule 1.
- (2) Subject to the provision of subsection 3, the laws mentioned in Schedule 2 are hereby repealed.
- 20 (3) Anything done under a law mentioned in Schedule 2 and which is capable of being done under a provision of the Principal Act, shall be deemed to have been done in terms of the Principal Act.

## Short title

25 3. This Act shall be called the Businesses Laws Rationalisation Act, 1997.

## SCHEDULE 1

- 30 1. The amendment of section 1 -
- (a) by the deletion of the definition of "Administrator" and "Minister";
- (b) by the substitution for the definition of "local authority" of the following
- 35 definition:

“ ‘local authority’ means any “local government body” as defined in section 1 of the Local Government Transition Act, 1993 (Act No 209 of 1993) and any “Transitional Council” established under that Act which exercises local government functions to the exclusion of any such local government body”;

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(c) by the substitution for the definition of “officer” of the following definition:

“ ‘officer’ means -

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(i) a traffic officer appointed under section 3 of the Road Traffic Act;

(ii) a member of the South African Police Service;

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(iii) a peace officer contemplated in section 334 of the Criminal Procedure Act, 1977 (Act No 51 of 1977)”;

(d) by the substitution for the definition of “public road” of the following definition:

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“ ‘public road’ means a public road as defined in section 1 of the Road Traffic Act”;

(e) by the insertion after the definition of “regulation” of the following definition:

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“ ‘responsible Member’ means the Member of the Executive Council responsible for Economic Affairs”;

(f) by the insertion after the definition “responsible Member” of the following definition:

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“ ‘Road Traffic Act’ means the Road Traffic Act, 1989 (Act No 29 of 1989), the Road Traffic Act, 1973 (Act No 7 of 1973), Bophuthatswana or the Qwaqwa Traffic Act, 1980 (Act No 8 of 1980), whichever is still in force in the area concerned.

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2. The amendment of the Principal Act by the substitution for the expressions “Administrator” or “Minister” as the case may be, wherever it occurs of the expression “responsible Member”.

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3. The amendment of the Principal Act by the substitution for the expression “Government Gazette”, wherever it occurs of the expression “Provincial Gazette”.

## SCHEDULE 2

## LAWS REPEALED

5	No and Year	Title
10	Act No 3 of 1976	Qwaqwa Business and Trading Undertakings Act, 1976
	Act No 26 of 1979 (Bophuthatswana)	Business and Trading Undertakings Act, 1979
15	Act No 50 of 1980 (Bophuthatswana)	Business and Trading Undertakings Amendment Act, 1980
20	Act No 10 of 1981	Qwaqwa Business and Trading Undertakings Amendment Act, 1981
25	Act No 7 of 1982	Qwaqwa Business and Trading Undertakings Amendment Act, 1982
30	Act No 9 of 1983 (Bophuthatswana)	Business and Trading Undertakings Amendment Act, 1983
35	Act No 9 of 1986	Qwaqwa Business and Trading Undertakings Amendment Act, 1986
	Act No 23 of 1988 (Bophuthatswana)	Business and Trading Undertakings Amendment Act, 1988
40	Act No 7 of 1993 (Bophuthatswana)	Business and Trading Undertakings Amendment Act, 1993