

FREE STATE PROVINCE

PROVINCIAL GAZETTE

PROVINSIALE KOERANT

PROVINSIE VRYSTAAT

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BLOEMFONTEIN, 30 JULY 1997

BLOEMFONTEIN, 30 JULIE 1997

OFFICE OF THE PREMIER

No. 5 30 July 1997

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

No. 3 of 1997: Local Government Ordinance Amendment Act, 1997.

KANTOOR VAN DIE PREMIER

No. 5 30 Julie 1997

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

No. 3 van 1997: Wysigingswet op die Ordonnansie op Plaaslike Bestuur, 1997.

GENERAL EXPLANATORY NOTE:

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

_____ Words underlined with a solid line indicate insertions in existing enactments.

ACT

To amend the Local Government Ordinance, 1962, so as to exempt certain persons from the requirement that a clearance certificate be lodged before transfer of ratable property shall be passed by a Registrar of Deeds; to extend the application of the said Ordinance to the whole Province; to repeal certain laws dealing with local government; and to provide for matters connected therewith.

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

*(English text signed by the Premier
(Assented to 28 July 1997)*

Amendment of section 119 of Ordinance 8 of 1962, as amended by section 3 of Ordinance 13 of 1963, section 3 of Ordinance 6 of 1967, section 13 of Ordinance 6 of 1972, section 8 of Ordinance 2 of 1979, section 1 of Ordinance 7 of 1982, section 1 of Ordinance 10 of 1984, section 1 of Ordinance 6 of 1985, section 43 of Proclamation 18 of 25 February 1988 and section 25 of Proclamation 136 of 7 February 1994

1. Section 119 of the Local Government Ordinance, 1962 (hereinafter referred to as the Ordinance), is amended by the addition of the following proviso to subsection (1):

"Provided that such certificate shall not be required in the case of a first transfer of property to a person to whom a subsidy in respect of such property has been allocated by the Provincial Housing Board referred to in the Housing Arrangements Act, 1993 (Act No 155 of 1993), if the town clerk or other officer authorised thereto by the council has issued a certificate confirming this fact."

Insertion of section 182A in Ordinance 8 of 1962

2. The following section is inserted in the Ordinance after section 182:

"Application of this Ordinance.

182A. This Ordinance shall apply throughout the Province."

Repeal of laws and savings

3. (1) Subject to the provisions of subsection (2), the laws mentioned in the Schedule are hereby repealed.
- (2) Anything done under a law mentioned in the Schedule and which is capable of being done under a provision of the Local Government Ordinance, 1962 (Ordinance No 8 of 1962), shall be deemed to have been done under such provision of the said Ordinance.

Short title

4. This Act shall be called the Local Government Ordinance Amendment Act, 1996.

SCHEDULE

LAWS REPEALED

(Section 3)

Title, No and Year of Law	Extent of repeal
Laws of the former Qwa Qwa	
1. Qwa Qwa Local Authorities Act, 1988 (Act No 18 of 1988)	The whole in so far as it applies in the Province.
Laws of the former Bophuthatswana	
1. Application of Municipal Laws Act, 1978 (Act No 24 of 1978)	The whole in so far as it applies in the Province.
2. Municipal Laws Amendment Act, 1980 (Act No 54 of 1980)	The whole in so far as it applies in the Province.
3. Promotion of Local Government Act, 1984 (Act No 24 of 1984)	The whole in so far as it applies in the Province.
4. Municipal Laws Amendment Act, 1985 (Act No 5 of 1985)	The whole in so far as it applies in the Province.
5. Municipal Councillors (Thaba Nchu) Term of Office Extension Act, 1990 (Act No 7 of 1990)	The whole in so far as it applies in the Province.
6. Municipal Laws Amendment Act, 1990 (Act No 8 of 1990)	The whole in so far as it applies in the Province.