



ORDONNANSIES

VAN

DIE PROVINSIE TRANSVAAL

1932

GEPUBLISEER OP GESAG

En gedruk onder toesig van die Staatsdrukker

PRYS 5s.

DIE STAATSDRUKKER
PRETORIA
1932

9943—16/9/32—1,300

INHOUD.
(Alfabeties.)

| NOMMER VAN ORDONNANSIE. | TITTEL. | BLADSY. |
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'N ORDONNANSIEOrd. No.
van 1932.

Tot aanwending van 'n som van hoogstens £600,000 op Rekening vir die dienste van die Provinsie Transvaal gedurende die jaar wat eindig op die 31ste dag van Maart 1933.

(Goedgekeur 30 Maart 1932.)

(Datum van inwerktrading, 31 Maart 1932.)

(Engelse kopie deur Goewerneur-Generaal geteken.)

DIT WORD deur die Provinsiale Raad van Transvaal as volg BEPAAL:—

1. Op en na die eerste dag van April 1932 mag uit die Prowinsiale Inkomstefonds sulke somme geld verstrekk word, by mekaar geneem nie meer te bedra dan die som van ses honderd duisend pond nie, soos van tyd tot tyd mag nodig wees vir die diens van die Provinsie vir die jaar wat eindig op die 31ste dag van Maart 1933, tot sulke tyd as die Raad daarvoor voorsiening gemaak het in 'n Toeëienings-ordonnansie.

£600,000 mag verstrekk word uit die Prowinsiale Inkomstefonds.

2. Alle somme wat uitgekeer word kragtens die bepalinge van hierdie Ordonnansie, sal aangemerk word as voorskotte op rekening van toelae wat sal verleen word in 'n Toeëienings-ordonnansie vir die jaar wat eindig op die een-en-dertigste dag van Maart 1933, en dadelik by die aanvang van sulke Toeëienings-ordonnansie sal hierdie Ordonnansie ophou van krag te wees, en uitkerings wat hieronder al gemaak is sal geag word uitkerings te wees gemaak kragtens die Toeëienings-ordonnansie en sal verantwoord word ooreenkomstig met die bepalinge daarvan; mits dat geen dienste waarop geen uitgawe was beloop nie gedurende die finansiële jaar wat eindig op die een-en-dertigste dag van Maart 1932, of waarvoor geen wettige magtiging bestaan nie, sal geag word onder hierdie Ordonnansie, gemagtig te wees.

Uitkerings onder hierdie Ordonnansie aangemerk te word as voorlopige voorskotte.

3. Hierby word sodanige somme geld as wat nodig is, in totaal hoogstens vyf-en-dertig duisend pond, op die Weëfonds Rekening geboek tot tyd en wyl die Raad daarvoor voorsiening maak in 'n Toeëienings-ordonnansie.

£35,000 kan van Weëfonds uitgerek word.

4. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Toeëienings (Deel 1932-1933) Ordonnansie, 1932.

Korte titel.

Ord. No. 2
van 1932.

'N ORDONNANSIE

Tot aanwending van 'n verdere som geld van hoogstens £108,758 vir die diens van die Provinsie Transvaal vir die tydperk van die 1ste dag van April 1931 tot die 31ste dag van Maart 1932.

(Goedgekeur 30 Maart 1932.)

(Datum van inwerktrading, 31 Maart 1932.)

(Engelse kopie deur Goewerneur-Generaal geteken.)

DIT WORD deur die Provinsiale Raad van Transvaal as volg **BEPAAAL**:—

Provin-
siale
Inkomste-
fonds
belas met
£108,758.

1. Die Provinsiale Inkomstefonds van Transvaal word hierby belas vir die dienste van die genoemde Provinsie, vir die tydperk van die 1ste dag van April 1931 tot die 31ste Maart 1932, albei dae inbegrepe, met 'n verdere som van hoogstens een honderd en ag duisend sewehonderd ag-en-vyftig pond bowe die somme waarin voorsien is deur die Toeëienings (1931-1932) Ordonnansie, 1931.

Hoe geld
sal
aangewend
word.

2. Die geld deur hierdie Ordonnansie toegestaan sal aangewend word vir die doeleindes en vir die dienste wat genoem is in die skedule wat hierby gevoeg is, in ooreenstemming met die poste en subhoofde, besonderlik uiteengesit en genoem in die Begroting van Addisionele Toeëiening vir die genoemde tydperk, soas deur die Provinsiale Raad goedgekeur.

Korte
tietel.

3. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Addisionele Toeëienings (1931-1932) Ordonnansie, 1932.

Skedule.

| Nommer van Pos. | Diens. | Bedrag. |
|-----------------|---|----------|
| 3 | Hospitale en Liefdadige Instellings..... | £ 1,850 |
| 4 | Weë, Brûe en Plaaslike Werke..... | 43,175 |
| 7 | Kapitaal Uitgawe— | |
| | Spesiale Toelae van Unie Regering vir Weë- aanleg..... | 60,433 |
| | Hulptoelae en Lenings, Warmbad Raad van Kuratore..... | 3,300 |
| | | £108,758 |

'N ORDONNANSIEOrd. No. 3
van 1932.

Tot Konsolidasie en Wysiging van die Wet betreffende die
Kontrolle op die uitreiking van sekere Handels- en
Bedryfslisensies.

(Aangeneem deur Provinsiale Raad, 6 Mei 1931.)

(Goedgekeur 4 Junie 1932.)*

(Datum van inwerkingtreding, 8 Junie 1932.)

(Engelse kopie deur Goewerneur-Generaal geteken.)

DIT WORD deur die Provinsiale Raad van Trans-
vaal as volg BEPAAL:—

1. Die Wette in die eerste skedule van hierdie Ordonnansie genoem, word hierby her-
roep. Herroeping
van Wette.

2. Tensy uit die verband blyk dat 'n ander betekenis daaraan geheg moet word, beteken
in hierdie Ordonnansie:— Definisies.

- „Administrateur” die amptenaar benoem
kragtens artikel *agt-en-sestig* van die
„Suid-Afrika Wet” 1909, of enige
wysiging daarvan, handelende op die
gesag van die Uitvoerende Komitee;
- „gemagtigde amptenaar”, enige ampte-
naar behoorlik gemagtig deur 'n Plaas-
like Bestuur of deur 'n Raad na gelang
van die geval, om sertifikate ingevolge
hierdie Ordonnansie deur hulle uitge-
reik namens hulle, te onderteken;
- „Raad”, die Landelike Lisensieraad inge-
stel ingevolge artikel *drie* van hierdie
Ordonnansie;
- „verordening”, 'n verordening gemaak
deur 'n Plaaslike Bestuur ingevolge die
bepalings van Deel II van Hoofstuk
VII van die Plaaslike Bestuur Ordon-
nansie, 1926 of enige wysiging daar-
van;
- „sertifikaat”, die dokument in die voorge-
skrewe vorm toegestaan deur 'n Plaas-
like Bestuur of Raad, na gelang van
die geval, ingevolge artikel *sewe* mag-
tigende die uitreiking van 'n Lisensie
ten opsigte van die bedrywe en besig-
hede uiteengesit in die Twede Skedule
van hierdie Ordonnansie;

* Proklamasie No. 79, *Buitengewone Staatskoerant* No.
2043, van 4 Junie 1932.

**Ord. No. 3
van 1932.**

- „ offisiële koerant ’’, die Offisiële Koerant van die Provinsie Transvaal;
- „ algemene handelaar ’’, ook enige persoon wat een of meer van die bedrywe of besighede, vermeld in die Tweede Skedule van hierdie Ordonnansie, uitoefen, uitgesonder die besigheid van Venter of Marskramer;
- „ plaaslike bestuur ’’, ’n stads- of dorpsraad, ingestel ingevolge die Plaaslike Bestuur Ordonnansie, 1926, of enige wysiging daarvan;
- „ magistraat ’’, ’n magistraat, assistent-magistraat of ’n amptenaar wat volgens Wet as sodanig fungeer;
- „ Munisipaliteit ’’, die gebied of distrik wat onder die kontrole en regsmag van ’n Plaaslike Bestuur gestel is;
- „ persoon ’’, ook ’n firma, deelgenootskap of maatskappy;
- „ perseel ’’, enige plek of gebou gebruik of bedoel vir gebruik vir die uitoefening van enige van die bedrywe of besighede vermeld in die Tweede Skedule van hierdie Ordonnansie;
- „ voorgeskrewe ’’, by regulasie kragtens hierdie Ordonnansie voorgeskrewe;
- „ landelike gebied ’’, die gebied of distrik onder die regsmag van die raad geplaas.

Samestelling van Landelike Lisensierade.

3. (1) Die Administrateur kan van tyd tot tyd by Proklamasie in die Offisiële Koerant:—

- (a) vir enige gebied buite ’n munisipaliteit ’n Raad samestel, Landelike Lisensieraad genoem, bestaande uit ’n Magistraat as Voorsitter en minstens twee of hoogstens vier persone, met dien verstande dat geen algemene handelaar, soos in artikel twee hiervan omskrewe, nòg Venter, nòg Marskramer op ’n Raad benoem mag word of as lid van ’n Raad kan fungeer nie,
- (b) die regsgebied van bedoelde Raad uitbrei, wysig of beperk en te eniger tyd met gegronde rede bedoelde raad ophef of ontbind.

(2) Die Landelike Lisensierade, wat voor die aanvang van hierdie Ordonnansie kragtens die Algemene Handelaars (Kontrole) Ordonnansie 1926, ingestel en in die Derde Skedule hiervan genoem is, moet beskou word as Landelike Lisensierade volgens hierdie Ordonnansie ingestel.

4. (1) Behoudens die bepalings van artikel *tien* mag geen lisensie vir die bedrywe en besighede, uiteengesit in die Tweede Skedule hiervan, deur 'n Ontvanger van Inkomste aan iemand uitgereik word nie, tensy die bedoelde persoon met sy aansoek vir lisensie 'n sertifikaat vertoon.

Aansoek vir lisensie moet vergesel gaan van sertifikate, ook die uitgereik voor afkondiging van hierdie Ordonnansie.

Ord. No. 3 van 1932.

(2) 'n Sertifikaat, deur 'n Plaaslike Bestuur of Raad uitgereik ingevolge enige wet wat by hierdie Ordonnansie herroep word, is van nul en gener waarde, as op of voor die datum van afkondiging van hierdie Ordonnansie nog geen lisensie op sodanige sertifikaat toegestaan is nie.

5. (1) Iemand, wat 'n lisensie verlang soos omskrewe in subartikel (1) van artikel *vier* van hierdie Ordonnansie moet vir 'n sertifikaat aansoek doen—

Aansoek vir sertifikate prosedure

(a) by die Plaaslike Bestuur, ingeval van 'n bedryf of besigheid geleë binne 'n munisipaliteit; en

(b) by die raad, ingeval van 'n bedryf of besigheid geleë in 'n landelike gebied.

(2) Alvorens aansoek gedoen word moet applikant op 'n in-die-oogvallende plek op die perseel waarop hy van plan is die besigheid te dryf, in die voorgeskrewe vorm en gedurende die voorgeskrewe tydperk, 'n kennisgewing vertoon betreffende sy voorneme om vir genoemde sertifikaat aansoek te doen. Die bepalings van hierdie subartikel is nie van toepassing nie op iemand wat 'n lisensie verlang vir die uitoefening van die bedryf van venter of marskramer.

(3) Elke applikant vir 'n sertifikaat moet by sy aansoek daarvoor—

(a) die voorgeskrewe vorm in soverre die van toepassing is, behoorlik invul en die voorgeskrewe fooi betaal, en

(b) indien vereis deur die betrokke plaaslike bestuur of raad, volgens die voorgeskrewe voorwaardes 'n plan indien van die perseel waar hy voornemens is sy bedryf of besigheid uit te oefen.

6. (1) Die plaaslike bestuur of die raad, na gelang van die geval, moet nie later as twee maande na ontvangs van 'n aansoek, soos voornoemd, 'n sertifikaat ingevolge die bepalings van artikel *sewe* van hierdie Ordonnansie toestaan of weier.

Uitreiking van sertifikate.

**Ord. No. 3
van 1932.**

(2) 'n Sertifikaat, uitgereik na aanleiding van 'n aansoek ingevolge subartikel (3) van die voorafgaande artikel, moet—

- (a) die persele en die handelsnaam, firma of styl en die aard van die bedryf of besigheid ten opsigte waarvan die sertifikaat uitgereik is, beskrywe, met vermelding van die naam van die persoon wat werklik die bedryf of besigheid sal bestuur en beheer;
- (b) sodanige ewentuele voorwaardes bevat as ingevolge artikel *veertien* van hierdie Ordonnansie gestel kan word;
- (c) deur 'n gemagtigde amptenaar geteken word.

Omstandig-
hede waar-
onder
sertifikate
toegestaan
of geweler
kan word.

7. (1) Die plaaslike bestuur of raad kan binne die munisipaliteit of landelike gebied, na gelang van die geval, na goedvinde 'n sertifikaat toestaan of weier.

(2) Wanneer by 'n plaaslike bestuur aansoek vir 'n sertifikaat gedoen word deur of namens iemand, wie se naam, perseel en besonderhede van die lisensies waarvoor aansoek gedoen word nie op die lys van die munisipaliteit, vermeld in artikel *tien* van hierdie Ordonnansie, voorkom, dan mag bedoelde aansoek nie oorweeg word nie, tensy—

- (a) die mediese gesondheidsbeampte van die plaaslike bestuur of 'n geneesheer, deur die plaaslike bestuur aangewys, gerapporteer het dat die perseel doelmatig en geskik is vir die uitoefening daarop van die voorgenome besigheid, en dat aan hom geen rede bekend is waarom die bedoelde sertifikaat uit 'n volksgesondheidsoogpunt geweier sou word, of anders
- (b) die plaaslike bestuur by die hoofpolisiebeampte in die munisipaliteit navraag gedoen het of daar iets teen die applikant of teen die persoon wat werklik die bedryf of besigheid sal bestuur of beheer, bekend is, wat onder die aandag van die genoemde plaaslike bestuur behoort gebring te word.

(3) Wanneer by 'n raad aansoek gedoen word vir 'n sertifikaat vir 'n lisensie deur of namens 'n persoon wie se naam, perseel en besonderhede van die aangevraagde lisensie nie voorkom op die lys van die landelike gebied nie, vermeld in artikel *tien* van hierdie

Ordonnansie mag bedoelde aansoek nie oorweeg word nie, tensy die raad by die hoofpoliesiebeampte vir die gebied navraag gedoen het of daar iets teen die applikant of teen die persoon wat werklik die besigheid sal bestuur of beheer bekend is wat onder die aandag van genoemde raad behoort gebring te word.

Ord. No. 3
van 1932.

(4) Wanneer by 'n raad aansoek vir 'n sertifikaat gedoen word deur of namens enige persoon hoegenaamd, kan die raad, alvorens bedoelde aansoek te oorweeg of nader te oorweeg, van die applikant verlang om op sy eie rekening 'n sertifikaat te verskaf van 'n geneesheer, deur die raad erken, verklarende dat aan hom geen rede bekend is nie waarom bedoelde sertifikaat uit 'n volksgesondheidsop-punt geweier sou word.

(5) Ongeag enige teenstrydige bepaling in hierdie artikel vervat, besit die Administrateur die reg om, onder handtekening van die Provinsiale Sekretaris 'n sertifikaat aan die applikant uit te reik, indien hy oortuig is dat 'n aansoek ingevolge hierdie artikel alleen van die hand gewys is om rede dat daar reeds 'n voldoende aantal bedrywe of besighede van dieselfde aard binne die besondere gebied of plek is ten opsigte waarvan die sertifikaat aangevra word, en sodanige sertifikaat sal vir alle doeleindes beskou word as 'n sertifikaat deur die Plaaslike Bestuur of Raad uitgereik.

8. Binne drie maande vanaf die datum van toekenning van 'n sertifikaat moet 'n lisensie uitgeneem word, tensy genoemde tydperk van drie maande op skriftelike aansoek van die applikant en na betaling van 'n fooi van vyf shillings, vir 'n verdere tydperk van hoogstens drie maande, deur die betrokke plaaslike bestuur of raad verleng is. As die lisensie by afloop van genoemde tydperk of enige verlenging daarvan nie uitgeneem is nie, soos in hierdie subartikel bepaal, dan verval so'n sertifikaat.

Lisensie moet binne sekere tyd uitgeneem word.

9. (1) Die bepalings van subartikel (1) van artikel *een-en-veertig* van die Plaaslike Bestuur Ordonnansie, 1926, of enige wysiging daarvan is *mutatis mutandis* van toepassing op die verrigtinge van 'n plaaslike bestuur betreffende aansoeke vir sertifikate of verplasing-sertifikate in verband met hierdie Ordonnansie.

Belanghebbende Raadslede mag nie stem nie.

Ord. No. 3
van 1932.

(2) As te eniger tyd weens die bepalings van subartikel (1) van hierdie artikel 'n kworum van lede van 'n plaaslike bestuur of van die komitee van so'n plaaslike bestuur, waaraan die bevoegdhede en pligte aan die plaaslike bestuur verleen en opgedra ingevolge artikel *agt-en-twintig* (1) van die Plaaslike Bestuur Ordonnansie, 1926, of enige wysiging daarvan, oorgedra is nie, verkry kan word om die aansoek te oorweeg nie, dan is die orige lede van bedoelde plaaslike bestuur of komitee geregtig om sodanige aansoek te behandel, met dien verstande dat die orige lede minstens drie in aantal moet wees. As die orige lede minder as drie is, kan die Administrateur enige gekwalifiseerde persoon of persone benoem om die vereiste aantal op te maak.

Opmaking
en aan-
houding
van lys.

10. (1) Na die afkondiging van hierdie Ordonnansie is elke plaaslike bestuur of raad verplig om 'n lys van die name van alle persone (met inbegrip van die name van alle lede van firmas of deelgenootskappe) op te maak, by te hou en aan te hou of te laat opmaak, te laat byhou en te laat aanhou, wat dan regmatig (met wettig-uitgereikte lisensies) handeldryf as algemene handelaars (soos in artikel *twee* van hierdie Ordonnansie omskrywe), binne die munisipaliteit of landelike gebied, na gelang van die geval; met 'n volledige beskrywing vir identifikasie-doeleindes van die verskillende persele waarop bedoelde persone hulle bedryf uitoefen en van die aard van die bedryf of besigheid.

(2) Daarna is elke plaaslike bestuur of raad verplig om aan genoemde lys die name toe te voeg van elke wettig-gelisensieerde persoon (met inbegrip, ingeval van 'n firma of deelgenootskap, van die name van alle lede daarvan) wat na verkryging van 'n sertifikaat ingevolge hierdie Ordonnansie—

- (a) as algemene handelaars (soos omskrywe in artikel *twee* van hierdie Ordonnansie) binne die munisipaliteit of die landelike gebied, na gelang van die geval, begin te handel; en
- (b) aan die plaaslike bestuur of raad ingevolge artikel *elf* (1) van hierdie Ordonnansie daarvan kennis gegee het;

saam met 'n beskrywing, voldoende vir identifikasiedoeleindes, van die persele waarop bedoelde persone met die uitoefening van hulle bedryf 'n aanvang gemaak het, en die aard van die bedryf of besigheid.

**Ord. No. 3
van 1932.**

(3) Iemand, wie se naam op bedoelde lys geplaas is, behoef geen sertifikaat uit te neem nie soos hierbo omskrywe, tensy—

- (a) hy te eniger tyd, weens enige rede hoe-genaamd, ophou persoonlik sy bedryf op die perseel uit te oefen; of
- (b) daar 'n verandering in die personeel of eienaars of bestuur van die besigheid of in die lede van die firma of deelgenootskap gekom het of in die styl of naam waaronder die besigheid gedryf word; of
- (c) hy sy besigheid na 'n ander perseel verplaas het; of
- (d) hy die aard van sy besigheid verander het; of
- (e) hy onder enige ander omstandigheid verplig is volgens bestaande wetgewing om 'n nuwe lisensie uit te neem in verband met die uitoefening of bestuur van enige bedryf of besigheid, vermeld in die tweede skedule van hierdie Ordonnansie;

met dien verstande dat die tydelike sluiting van besighede deur siekte of afwesigheid van die eenaar of bestuurder daarvan, deur brand, oorstroming of ander ongeval, nie as 'n staking van die bedryf beskou sal word nie, indien die lisensiehouer nog die eenaar of huurder van die perseel is, en die bedryfsgoedere en voorrade nie voor bedoelde sluiting van die perseel verwyder is nie.

(4) Elke lys moet op alle redelike tye ter insage lê van magistrate; belastingsamptenare; winkelinspekteurs, benoem ingevolge die Winkelure-Ordonnansie van 1923 of enige wysiging daarvan; of polisie beamptes.

(5) Elke plaaslike bestuur of raad is verplig om van tyd tot tyd die nodige wysiginge in bedoelde lys aan te bring of te laat aanbring.

(6) Die bepalinge van hierdie artikel is nie van toepassing op venters of marskramers nie, wat jaarliks by die betrokke plaaslike bestuur of raad 'n sertifikaat vir 'n lisensie, of hernuwing daarvan, moet aanvra.

11. (1) Elkeen aan wie 'n sertifikaat ingevolge hierdie Ordonnansie deur 'n plaaslike bestuur of raad uitgereik is, moet onmiddellik aan bedoelde plaaslike bestuur of raad, na gelang van die geval, kennis gee dat hy met die uitoefening van die bedryf of besigheid ten opsigte waarvan 'n lisensie op die bedoelde sertifikaat toegestaan is aangevang het.

Kennis-
gewing
van aan-
vang van
bedryf.

**Ord. No. 3
van 1932.**

(2) Iemand wat in gebreke bly om aan die bepalings van hierdie artikel te voldoen, is skuldig aan 'n oortreding.

Sertifikaat
vir
verplasing
kan toe-
gestaan
word.

12. (1) Wanneer 'n persoon, wie se naam op 'n lys voorkom, wat ingevolge die bepalings van die voorafgaande artikel opgemaak is, sy besigheid wil verplaas en op 'n ander perseel wens voort te sit, dan kan hy teen betaling van 'n fooi van vyf shillings by die plaaslike bestuur of raad, na gelang van die geval, aansoek doen vir 'n sertifikaat waarby die verplasing van die besigheid na 'n ander plek binne die munisipaliteit of die landelike gebied gemagtig word, en bedoelde sertifikaat moet dan toegestaan of geweier word, met dien verstande dat wanneer 'n plaaslike bestuur of raad 'n aansoek vir 'n verplasing-sertifikaat weens afloop van huurkontrak, brand of ander ongeval, weier, die applikant, na onmiddellike kennisgewing aan die betrokke plaaslike bestuur of raad van sy voorneme om 'n ander perseel te soek vir die voortsetting van sy besigheid, geregtig is om sy naam op die lys, genoem in die voorafgaande artikel, te hou, vir 'n tydperk van vier maande, gereken vanaf die datum van die afloop van die bo-bedoelde huurkontrak, of van die brand of ander ongeval; en gedurende die genoemde tydperk van vier maande is hy geregtig om sy aansoek vir 'n verplasing-sertifikaat, ooreenkomstig die bepalings van hierdie artikel, te hernuwe.

(2) 'n Sertifikaat deur die plaaslike bestuur of raad in so'n geval toegestaan, moet deur 'n gemagtigde beampte geteken word.

(3) Wanneer aansoek vir 'n sertifikaat ingevolge die bepalings van hierdie artikel by 'n plaaslike bestuur gedoen word, mag 'n sodanige sertifikaat nie toegestaan word nie, tensy die mediese gesondheidsbeampte vir die munisipaliteit of 'n geneesheer wat deur die plaaslike bestuur aangewys is, rapporteer dat die perseel vir die uitoefening daarop van die voorgestelde besigheid doelmatig en geskik is, en dat aan hom geen rede bekend is nie waarom genoemde sertifikaat uit 'n volksge-sondheidsoogpunt of weens ander gegronde en voldoende rede geweier sou word.

(4) Wanneer aansoek vir 'n sertifikaat ooreenkomstig die bepalings van hierdie artikel by 'n raad gedoen word, kan die raad van die

applikant verlang om op sy eie rekening 'n sertifikaat te lewer van 'n geneesheer wat deur die raad aangewys is.

Ord. No. 3
van 1932.

(5) Iemand wat miskien benadeel is deur die weiering om 'n sertifikaat ingevolge die bepalings van hierdie Ordonnansie uit te reik kan 'n beroep doen op die Administrateur en as die Administrateur na inwinning van die sienswyse van die plaaslike bestuur of raad, of, indien die sertifikaat uit 'n volksgesondheidsoogpunt geweier is, na raadpleging vir rekening van die applikant, van minstens twee onpartydige geneeshere, oortuig is dat bedoelde sertifikaat sonder redelike grond geweier is, kan hy onder handtekening van die Provinsiale Sekretaris 'n sertifikaat aan die applikant doen uitreik, en sodanige sertifikaat sal vir alle doeleindes beskou word as 'n sertifikaat deur die plaaslike bestuur of raad uitgereik.

13. Iemand (in die geval van 'n deelgenootskap ook ieder lid daarvan) wat sonder 'n sertifikaat, soos hierbo omskrywe met die uitoefening van 'n besigheid of bedryf aanvang of dit voortsit, is skuldig aan 'n oortreding.

Oortreding
ingeval
iemand
handel dryf
voordat 'n
sertifikaat
uitgeneem
is.

14. (1) Ongeag enige teenstrydige bepaling in hierdie Ordonnansie vervat, kan 'n plaaslike bestuur of raad by die uitreiking van 'n sertifikaat vir 'n lisensie, voorwaardes daarin opneem waarby die klas van besigheid wat op die perseel uitgeoefen sal word, omskrywe en beperk word, of voorwaardes ten opsigte van die persele, of sodanige ander voorwaardes as by verordening of regulasie ten opsigte van die voorgenome bedryf of besigheid voorgeskrywe kan word.

Voor-
waardes
kan op
sertifikaat
gestel word.

(2) Niemand aan wie 'n sertifikaat vir 'n lisensie uitgereik is, hetsy daarin voorwaardes opgeneem is in terme van subartikkel (1) van hierdie artikel of nie, mag sonder voorafgaande skriftelike goedkeuring van die betrokke plaaslike bestuur of raad, na gelang van die geval, enige verandering aan sy gebou laat aanbring.

(3) Iemand, handelende in stryd met die bepalings van subartikkel (2) van hierdie artikel, of in stryd met die voorwaardes ingevolge subartikkel (1) gestel is skuldig aan 'n oortreding.

**Ord. No. 3
van 1932.**

ALGEMEEN.

Foote en
boetes.

15. (1) Behoudens die bepalings van sub-artikel (5) van hierdie artikel word 'n plaaslike bestuur hierby gemagtig om verordeninge te maak, waarin die fooie vir sertifikate deur die bestuur ingevolge hierdie Ordonnansie uitgereik, vasgestel word.

(2) Subartikel (121) van artikel *tagtig* van die Plaaslike Bestuur Ordonnansie, 1926, soos gewysig deur artikel *ses* (9) van Ordonnansie No. 4 van 1928 (hierna genoem die genoemde Ordonnansie) word hierby gewysig deur die woorde „ of kragtens enige ander wet ” daarin, te skrap.

(3) Ongeag die bepalings in subartikel (2) van hierdie artikel vervat, bly enige verordening wat ingevolge artikel *tagtig* (121) van genoemde Ordonnansie gemaak is en waarby fooie vir sertifikate, uitgereik ingevolge enige wet deur hierdie Ordonnansie herroep, vasgestel word, van krag totdat hulle deur verordeninge ooreenkomstig hierdie artikel gemaak, vervang word.

(4) Alle boetes, in verband met oortredings van hierdie Ordonnansie verhaal, is die eendom van die plaaslike bestuur van die munisipaliteit waarin die oortreding begaan is. Wanneer oortredings in 'n landelike gebied plaasvind, moet sodanige boetes in die Provinsiale Inkomstefonds gestort word.

(5) Die fooi vir 'n sertifikaat vir 'n lisensie ten opsigte van 'n bedryf of besigheid mag nie meer wees nie as die bedrag in die Tweede Skedule van hierdie Ordonnansie vasgestel met betrekking tot sodanige bedryf of besigheid.

Boete vir
valse ver-
klarings,
ens.

16. As iemand, wanneer hy ingevolge hierdie Ordonnansie aansoek vir 'n sertifikaat doen met voorbedagte rade 'n valse verklaring maak, of deur valse voorstellings, bedrog, daad of lis, van watter aard ook, 'n sodanige sertifikaat verkry of probeer te verkry, is hy skuldig aan 'n oortreding en strafbaar met 'n boete van hoogstens £50; by nie-betaling te vervang deur gevangenisstraf vir 'n tydperk van hoogstens ses maande, en behalwe die boete hierby vasgestel, kan 'n sertifikaat wat aan so'n persoon uitgereik is na goedvinde van die hof ingetrek word; en deur sodanige intrekking word bedoelde persoon daarna vir twaalf maande die reg op 'n nuwe sertifikaat ontê. Wanneer 'n sertifikaat ingevolge hier-

die artikel ingetrek word, moet die Hof die Ontvanger van Inkomste daarmee in kennis stel en dan mag die Ontvanger van Inkomste die lisensie nie hernuwe nie tensy op vertoon van 'n nuwe sertifikaat.

**Ord. No. 3
van 1932.**

17. Iemand wat hom skuldig maak aan 'n oortreding van die bepalinge van hierdie Ordonnansie of van enige verordening of regulasie daaronder gemaak waarvoor geen ander boete vasgestel is nie, is onderhewig aan 'n boete van hoogstens £50, by nie-betaling te vervang deur gevangenisstraf vir 'n tydperk van hoogstens ses maande, of aan beide genoemde boete en gevangenisstraf.

Boete vir oortreding van Ordonnansie, verordeninge of regulasies.

18. Die Administrateur kan regulasies maak betreffende—

Regulasies.

- (1) die omskrywing van alles wat omskrywe moet word;
- (2) die vasstelling van die ampsduur van raadslede, die metode van aanvulling van vakatures, die prosedure wat deur rade gevolg moet word, die aantal lede wat 'n kworum uitmaak, en toelaes wat aan lede betaal moet word;
- (3) 'n deeglike uitvoering in die algemeen van die oogmerke en doeleindes van hierdie Ordonnansie.

19. Behoudens wat uitsonderlik in hierdie Ordonnansie bepaal is, word die bepalinge daarvan beskou as 'n aanvulling, maar nie ter vervanging van enige bepalinge van enige ander Provinsiale Ordonnansie wat nie in stryd of onbestaanbaar is met hierdie Ordonnansie nie. As die bepalinge van enige ander Provinsiale Ordonnansie in stryd of onbestaanbaar is met hierdie Ordonnansie, dan is die bepalinge van hierdie Ordonnansie regsgeldig.

Bepalinge van hierdie Ordonnansie met betrekking tot ander Ordonnansies.

20. Alle proklamasies en regulasies uitgevaardig ingevolge die bepalinge van enige wet wat by hierdie Ordonnansie herroep word, en wat van krag is by die inwerkingtreding hiervan, sal nieteenstaande bedoelde herroeping, van krag bly totdat hulle ooreenkomstig die wet herroep of gewysig word.

Proklamasies, ens., wat van krag bly.

21. Hierdie Ordonnansie kan aangehaal word as die Lisensie (Kontrole) Ordonnansie 1931.

Kort tittel.

Ord. No. 3
van 1932.

EERSTE SKEDULE

WETTE HERROEP.

| <i>Jaar en No. van Wet.</i> | <i>Kort tiitel.</i> | <i>Omvang van Herroeping.</i> |
|-----------------------------|---|---------------------------------|
| Ordonnansie No. 23 van 1905 | Revenue Licences Ord. 1905, Inkomste Lisensie Ord. | Subartikel (1) van artikel elf. |
| Ordonnansie No. 12 van 1926 | Algemene Handelaars (Kontrole) Ord., 1926 | Geheel. |
| Ord. No. 10 van 1927.. | Algemene Handelaars (Kontrole) Wysigings Ord., 1927 | Geheel. |
| Ord. No. 14 van 1930.. | Algemene Handelaars (Kontrole) Wysigings Ord., 1930 | Geheel. |

TWEDE SKEDULE.

1. Vir die doeleindes van hierdie Ordonnansie het die woorde—

- „fabrikant van spuit- of minerale waters ”,
- „handelaar in spuit- of minerale waters ”,
- „apteker ”,
- „bakker ”,
- „slagter ”,
- „eethuisher ”,
- „handelaar in vars produkte ”,
- „algemene handelaar ”,
- „marskramer ”,
- „wassery-bestuurder ”,
- „meulenaar ”,
- „motorgarage-bestuurder ”,
- „pandhuisher ”,
- „venter ”,
- „restaurant, verversings of teekamerhouer ”,

die betekenis wat daaraan toegeken word in Deel Een van die Tweede Bylae tot die „Licenties Konsolidatie Wet, No. 32 van 1925 ” (soos gewysig) onderworpe aan die vrystellings daarin genoem.

2. Die respektiewe fooie ten opsigte van aansoeke vir onderstaande lisensiesertifikate bedra hoogstens:--

| | s. d. |
|--|-------|
| Fabrikant van spuit- of minerale waters ... | 5 0 |
| Handelaar in spuit- of minerale waters ... | 5 0 |
| Apteker ... | 5 0 |
| Bakker ... | 5 0 |
| Slagter ... | 5 0 |
| Eethuisher ... | 5 0 |
| Handelaar in vars produkte ... | 5 0 |
| Algemene handelaar ... | 5 0 |
| Marskramer ... | 2 0 |
| Wassery-bestuurder ... | 5 0 |
| Meulenaar ... | 5 0 |
| Motorgarage-bestuurder ... | 5 0 |
| Pandhuisher ... | 5 0 |
| Venter ... | 2 0 |
| Restaurant, verversings en teekamerhouer ... | 5 0 |

DERDE SKEDULE.

Ord. No. 3
van 1932.

LANDELIKE LISENSIERADE INGESTEL INGEVOLGE
DIE ALGEMENE HANDELAARS (KONTROLE)
ORDONNANSIE, 1926, WAT INGEVOLGE HIERDIE
ORDONNANSIE AS LANDELIKE LISENSIERADE
INGEGSTEL WORD.

| | |
|--------------------------------|-------------------|
| Die Landelike Lisensieraad van | Barberton. |
| ” | Benoni. |
| ” | Belfast. |
| ” | Bethal. |
| ” | Bloemhof. |
| ” | Boksburg. |
| ” | Brakpan. |
| ” | Brits. |
| ” | Carolina. |
| ” | Christiana. |
| ” | Ermelo. |
| ” | Germiston. |
| ” | Heidelberg. |
| ” | Johannesburg. |
| ” | Klerksdorp. |
| ” | Krugersdorp. |
| ” | Letaba. |
| ” | Lichtenburg. |
| ” | Lydenburg. |
| ” | Marico. |
| ” | Middelburg. |
| ” | Nelspruit. |
| ” | Pietersburg. |
| ” | Piet Retief. |
| ” | Pelgrimsrust. |
| ” | Pretoria. |
| ” | Potchefstroom. |
| ” | Potgietersrust. |
| ” | Rustenburg. |
| ” | Schweizer Reneke. |
| ” | Springs. |
| ” | Standerton. |
| ” | Vereeniging. |
| ” | Ventersdorp. |
| ” | Wakkerstroom. |
| ” | Waterberg. |
| ” | Witbank. |
| ” | Wolmaransstad. |
| ” | Zoutpansberg. |

Ord. No. 4
van 1932.

'N ORDONNANSIE

Om die „Schutten Ordonantie 1913” in sekere opsigte te wysig.

(Goedgekeur 23 Junie 1932.)

(Datum van inwerkingtreding, 6 Julie 1932.)

(Engelse kopie deur Goewerneur-Generaal geteken.)

DIT WORD deur die Provinsiale Raad van Transvaal as volg **BEPAAAL**:—

Wysiging van artikel 18 van die hoofwet. **1.** Artikel *agtien* van die „Schutten Ordonantie 1913” (hierin verder die hoofwet genoem) word hierby gewysig deur na die woord „magistraat” onderstaande woorde in te voeg:—

„'n Ontvanger van Inkomsten, enig persoon behoorlik daartoe door de Provinciale Sekretaris of Magistraat geautoriseerd.”

Wysiging van artikel 23 van die hoofwet. **2.** Artikel *drie-en-twintig* van die hoofwet word hierby gewysig deur na die woord „treden” onderstaande woorde in te voeg:—

„De schutmeester is verantwoordelik voor het gedrag van zodanig persoon in het nakomen van de plichten van schutmeester, en aansprakelik alsof hij in persoon tegenwoordig ware.”

Wysiging van artikel 24 van die hoofwet. **3.** Artikel *vier-en-twintig* van die hoofwet word hierby gewysig deur na die woord „overtreedt” die woorde „op dat tijdstip” in te voeg.

Wysiging van artikel 26 van die hoofwet. **4.** Artikel *ses-en-twintig* van die hoofwet word hierby gewysig deur na die woord „vasthouden” in te voeg: „Voor het doel van dit artikel wordt iedereen die vee opvangt en/of vasthoudt geacht dat hij zodanige vee vastgehouden heeft met het voornemen om het te schutten.”

Wysiging van artikel 27 van die hoofwet. **5.** Subartikel (4) van artikel *sewe-en-twintig* van die hoofwet soos gewysig deur artikel *een* (2) van Ordonnansie No. 10 van 1926 word hierby gewysig deur daarin die woorde „hierin bepaald” te skrap en die deur die woorde „zoals in dit artikel voorgeschreven” te vervang.

6. Subartikel (1) van artikel *dertig* van die hoofwet word hierby gewysig deur na die woorde „ in artikel *vier-en-dertig* ” die woorde „ plus de additionele overtredingsfoeien overeenkomstig de schaal voorgescreven in subartikel (4) van artikel *zeven-en-twintig* ” in te voeg.

Wysiging
van artikel
30 van die
hoofwet.

Ord. No. 4
van 1932.

7. Artikel *een-en-dertig* van die hoofwet word hierby gewysig deur toevoeging daaraan van onderstaande nuwe subartiekels; die genoemde artikel, soos oorspronklik verorden word dan subartikel (1) daarvan:—

Wysiging
van artikel
31 van die
hoofwet.

„ (2) Iedereen die met opzet en wederrechtelik vee in beslag neemt met de bedoeling om het te schutten, of vee opzettelik en wederrechtelik schut, wordt bij schuldigbevinding gestraft met 'n boete van ten hoogste twintig ponden sterling en bij gebreke van betaling met gevangenisstraf met of zonder harde arbeid voor een tydperk van ten hoogste zes maanden.

(3) Indien 'n dier wederrechtelik in beslag wordt genomen of wederrechtelik geskut wordt, stelt de persoon die het aldus wederrechtelik in beslag neemt of schut, zich bloot aan 'n kriminele vervolging en is bovendien aan de eigeenaar aansprakelik voor de betaling of vergoeding van alle schade en kosten welke mogen voortvloeien uit zodanige wederrechtelike inbeslagneming of schutten, benevens nog voor het dubbele bedrag van de schutgelden voor zodanig dier.”

8. Artikel *vier-en-dertig* van die hoofwet word hierby in die volgende opsigte gewysig:—

Wysiging
van artikel
34 van die
hoofwet.

(1) Deur in paragraaf (a) die item “ voor hoornvee, per stuk 6d.” te skrap en dit te vervang deur onderstaande nuwe items:—

„ Voor hoornvee, uitgezonderd
bullen, per stuk 0 6
Voor bullen, per stuk 2 6.”

(2) Deur in paragraaf (b) die item „ voor ieder stuk grootvee en voor iedere struisvogel, per dag 3d.” te skrap, en dit te vervang deur onderstaande nuwe items:—

„ Voor elke stuks grootvee,
uitgezonderd bullen, en
ieder struisvogel, per dag 0 3
Voor elke bul per dag 1 6.”

**Ord. No. 4
van 1932.**

(3) Deur in paragraaf (c) aan subparagraaf (1) onderstaande woorde daaraan toe te voeg—

„ en behalwe in het geval van bullen wanneer niet saamgejaagd met ander hoornvee waarvoor ls. per mijl of gedeelte ervan zal betaald worden.”

Wysiging
van artikel
37 van die
hoofwet.

9. Artikel *sewe-en-dertig* van die hoofwet soos gewysig deur artikel *drie* van Ordonnansie No. 10 van 1926 word hierby as volg gewysig:—

(1) Deur in subartikel (3) die woorde „ één uur namiddag ” te skrap en die deur die woorde „ elf uur voormiddag ” te vervang;

(2) deur subartikel (4) te herroep.

Wysiging
van artikel
89 van die
hoofwet.

10. Artikel *nege-en-dertig* van die hoofwet word hierby herroep en vervang deur onderstaande nuwe artikel:—

„ 39. De schutmeester mag niet persoonlik, of door bemiddeling van enige andere persoon, direkt of indirekt, aankopen doen, op 'n verkoping gehouden ingevolge de bepalingen van deze Ordonantie.”

Wysiging
van artikel
40 van die
hoofwet.

11. Artikel *veertig* van die hoofwet word hierby gewysig deur daaraan onderstaande woorde toe te voeg:—

„ De Magistraat word ook hierbij gemagtigd om op aanzoek van de schutmeester zodanig order te geven als hem goeddunkt in verband met de beskikking over of afmaking van een gevaarlik boosaardig dier, of dier dat door hem waardeloos en nietswaardig geacht word vanwege een of ander ernstig en ongeneeslik gebrek, ongeschiktheid of siekte.”

Wysiging
van artikel
44 van die
hoofwet.

12. Paragraaf (b) van subartikel (2) van artikel *vier-en-veertig* van die hoofwet word hierby as volg gewysig:—

(1) Deur na die woorde „ de verkoop van zulk vee ” die woorde „ hetzij bij het schut of ” in te voeg.

(2) Deur toevoeging aan die end daarvan van die woorde:—

„ Indien de magistraat besluit dat de verkoping op de genoemde plaats zal worden gehouden, heeft de schutmeester het recht uit de opbrengst van de verkoping zodanig

redelik bedrag voor zijn reiskosten af te trekken als voor ieder geval door de magistraat zal worden bepaald."

Ord. No. 4
van 1932.

13. Artikel *ses-en-veertig* van die hoofwet word hierby gewysig deur na die woord „zijn ” waar dit vir die twedemaal voorkom, die woord „ direkt ” in te voeg.

Wysiging
van artikel
46 van die
hoofwet.

14. Hierdie Ordonnansie kan vir alle doel- indes aangehaal word as die Skutte Wysigings Ordonnansie 1932.

Kort titel.

'N ORDONNANSIE

Ord. No. 5
van 1932.

Met die doel om die Visbeskermings Ordonnansie, 1921, in sekere opsigte te wysig.

(Goedgekeur 23 Junie 1932.)

(Datum van inwerkingtreding, 6 Julie 1932.)

(Engelse kopie deur Goewerneur-Generaal geteken.)

DIT WORD deur die Provinsiale Raad van Transvaal as volg BEPAAL:—

1. Die uitdrukking „ die Hoofwet ” beteken in hierdie Ordonnansie die Visbeskermings Ordonnansie, 1921.

Vertolking.

2. Artikel *vier* van die Hoofwet word hierby gewysig deur onderstaande nuwe sub-artikels daaraan toe te voeg:—

Wysiging
van artikel
4 van
hoofwet.

- (g) waarby die verkoop van varswatervis beheer en beperk word;
- (h) waarby elkeen belet word om enige soort stof of vloeistof, wat vir die lewe van visse nadelig is of kan word, in 'n rivier, spruit, pan, dam, kuil of ander water te werp, plaas of te gooi, of toe te laat dit daarin gewerp, geplaas of gegooi word;
- (i) waarby elkeen belet word om enige soort vis in 'n rivier, spruit, pan, dam, kuil of ander water los te laat;

Ord. No. 5
van 1932.

(j) waarby een of meer ere-visvangsbeampies en/of 'n toesigvoerende visvangsbeampie vir die Provinsie of 'n distrik daarvan aangestel word met die doel om behulpsaam te wees by die toepassing van hierdie Ordonnansie.

Kort tiitel. 3. Hierdie Ordonnansie kan vir alle doeleindes aangehaal word as die Visbeskerming-wysigingsordonnansie, 1932.

Ord. No. 6
van 1932.

'N ORDONNANSIE

Om die Perdewedrenne en Weddensappe Ordonnansie
1927, te wysig.

(Goedgekeur 23 Junie 1932.)

(Datum van inwerktrading, 6 Julie 1932.)

(Engelse kopie deur Goewerneur-Generaal geteken.)

DIT WORD deur die Provinsiale Raad van Transvaal as volg BEPAAL:—

Wysiging
van artikel
20 (2) van
Ordonnansie
No. 9 van
1927.

1. Subartikel (2) van artikel *twintig* van die „Perdewedrenne en Weddensappe Ordonnansie”, 1927, soos gewysig by artikel *twee* van Ordonnansie No. 21 van 1930, word hierby gewysig deur onderstaande woorde daaraan toe te voeg:—

„ en nie belet is nie om lid te word ingevolge 'n besluit deur die komitee geneem kragtens die bevoegdhede verleen by regulasie uitgevaardig ingevolge paragraaf (j) van artikel *drie-en-twintig*.”

Kort tiitel. 2. Hierdie Ordonnansie kan vir alle doeleindes aangehaal word as die „Perdewedrenne en Weddensappe Wysigingsordonnansie” 1932.

'N ORDONNANSIE

Ord. No. 7
van 1932.

Tot aanwending van 'n verdere som van hoogstens £360,000 op Rekening vir die dienste van die Provinsie Transvaal gedurende die jaar wat eindig op die 31ste dag van Maart 1933

(Goedgekeur 27 Junie 1932.)

(Datum van inwerkingtreding, 13 Julie 1932.)

(Afrikaanse kopie deur Goewerneur-Generaal geteken.)

DIT WORD deur die Provinsiale Raad van Transvaal as volg BEPAAL: --

1. Op en na die eerste dag van April 1932 mag uit die Provinsiale Inkomstefonds sulke somme geld verstrek word, by mekaar geneem nie meer te bedra dan die som van driehonderd en vyftigduisend pond nie, soos van tyd tot tyd mag nodig wees vir die diens van die Provinsie, vir die jaar wat eindig op die 31ste dag van Maart 1933, tot sulke tyd as die Raad daarvoor voorsiening gemaak het in 'n Toeëienings-ordonnansie.

2. Alle somme wat uitgekeer word kragtens die bepalinge van hierdie Ordonnansie, sal aangemerkt word as voorskotte op rekening van toelae wat sal verleen word in 'n Toeëienings-ordonnansie vir die jaar wat eindig op die een-en-dertigste dag van Maart 1933, en dadelik by die aanvang van sulke Toeëienings-ordonnansie sal hierdie Ordonnansie ophou van krag te wees, en uitkerings wat hieronder al gemaak is sal geag word uitkerings te wees gemaak kragtens die Toeëienings-ordonnansie en sal verantwoord word ooreenkomstig met die bepalinge daarvan; mits dat geen dienste waarop geen uitgawe was beloop nie gedurende die finansiële jaar wat eindig op die een-en-dertigste dag van Maart 1932, of waarvoor geen wettige magtiging bestaan nie, sal geag word onder hierdie Ordonnansie gemagtigt te wees.

3. Hierby word sodanige somme geld as wat nodig is, in totaal hoogstens tienduise pond, op die Weëfonds Rekening geboek tot tyd en wyl die Raad daarvoor voorsiening maak in 'n Toeëienings-ordonnansie.

4. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Tweede Toeëienings (Deel 1932-1933) Ordonnansie, 1932.

£350,000 mag verstrek word uit die Provinsiale Inkomstefonds.

Uitkerings onder hierdie Ordonnansie aangemerkt te word as voorlopige voorskotte.

£10,000 kan van Weëfonds uitgerek word.

Korte tietyl.

Ord. No. 8
van 1932.

'N ORDONNANSIE

Vir die instelling van Komitees vir Begraafplase geleë buite Munisipaliteite en vir die beheer, toesig en reëling daarvan.

(Goedgekeur 12 Julie 1932.)

(Datum van inwerkingtreding, 27 Julie 1932.)

(Engelse kopie deur Goewerneur-Generaal geteken.)

DIT WORD deur die Provinsiale Raad van Transvaal as volg BEPAAL:—

Definisies. 1. Tensy dit duidelik blyk dat 'n ander betekenis daaraan geheg moet word, beteken in hierdie Ordonnansie:—

- „Administrateur”, die amptenaar benoem kragtens subartikel (1) van artikel *agt-en-sestig* van die „Zuid-Afrika Wet, 1909” of enige wysiging daarvan, handelende op gesag van die Uitvoerende Komitee van die Provinsie;
- „begraafplaas”, enige stuk grond wat kragtens artikel *drie* (1) van hierdie Ordonnansie tot begraafplaas verklaar is;
- „komitee”, 'n begraafplaaskomitee ingestel kragtens artikel *twee* (1) van hierdie Ordonnansie;
- „plaaslike bestuur”, 'n Stadsraad, Dorpsraad of Gesondheidskomitee ingestel kragtens die „Plaaslike Bestuur Ordonnansie 1926” of enige wysiging daarvan;
- „munisipaliteit”, die gebied of distrik wat onder die regsbevoegdheid van 'n Plaaslike Bestuur gestel is.

Instelling
van
begraaf-
plaas-
komitee.

2. (1) Die Administrateur kan van tyd tot tyd by Proklamasie in die *Offisiële Koerant* van die Provinsie op so'n wyse as hy goed dink, 'n komitee, 'n begraafplaaskomitee genoem, vir enige begraafplaas instel, en sodanige komitee word belas met die onderhoud van enige begraafplaas wat ingevolge artikel *drie* (1) (b) van hierdie Ordonnansie onder sy beheer en toesig geplaas word.

(2) Die Administrateur kan te eniger tyd vir gegronde redes sodanige komitee ophef en ontbind.

**Ord. No. 8
van 1932.**

3. Die Administrateur kan van tyd tot tyd by kennisgewing in die *Offisiële Koerant* van die Provinsie— Bevoegd-
hede van
die Admint-
strateur.

(1) afkondig dat—

(a) enige stuk grond geleë buite 'n munisipaliteit, vir die doeleindes van hierdie Ordonnansie, 'n begraafplaas is as bedoelde grond vir dié doel of verkry gereserveer of uitgehou is kragtens—

(i) artikel *twaalf* (10) van die „Crown Lands Disposal Ordinance” No. 57 van 1903 of wysigings daarvan; of

(ii) die „Edele en Onedele Metalen Wet No. 35 van 1908” (Transvaal) of wysigings daarvan; of

(iii) enige wet betreffende die aanleg en stigting van dorpe; of

(iv) enige ander wet;

(b) sodanige begraafplaas word geplaas onder beheer en toesig van 'n begraafplaaskomitee ingestel ingevolge artikel *twee* van hierdie Ordonnansie;

(2) regulasies maak betreffende—

(a) die toesig oor, en die reëling en onderhoud van enige begraafplaas;

(b) magtiging van die komitee om gelde te hef in verband met enige begraafplaas;

(c) die beheer oor alle inkomste deur 'n komitee ontvang;

(d) reëling van die geldsake van die komitee en vir die benoeming van auditeurs met die bevoegdhede en verpligtinge aan auditeurs verleen in artikels *nege-en-vyftig* en *sestig* van die „Plaaslike Bestuur Ordonnansie 1926”, of enige wysiging daarvan;

**Ord. No. 8
van 1932.**

- (e) magtiging van 'n komitee om bepaalde gedeeltes van 'n begraafplaas af te sonder vir begraving daarin respektiewelik van blankes of naturelle of Asiate of ander kleurlinge;
- (f) die vasstelling van boetes of ander strawwe vir oortreding van die regulasies.

Hoe 'n begraafplaaskomitee dagvaar en gedagvaar word.

4. In enige regsordering, wat deur of teen 'n komitee ingestel word, is dit voldoende om sodanige komitee te omskryf as die Begraafplaaskomitee, sonder vermelding van die name van enige van die lede waaruit bedoelde komitee bestaan.

Inkomste van die komitee.

5. Die inkomste van die komitee bestaan uit alle gelde wat volgens die regulasies deur die Administrateur kragtens subartikkel (2) van artikkel drie van hierdie Ordonnansie, gehef word, benewens alle boetes deur 'n bevoegde hof opgelê en verbeurde borgstellinge in verband met die oortreding van bedoelde regulasies.

Ontbinding van komitee by instelling van 'n plaaslike bestuur.

6. Wanneer die Administrateur kragtens die bepalinge van die „Plaaslike Bestuur Ordonnansie 1926”, 'n plaaslike bestuur instel vir of die grense van 'n munisipaliteit verander deur opname daaronder enige gebied waarin 'n begraafplaas geleë is, word die komitee van sodanige begraafplase *ipso-facto* ontbind en die beheer en toesig oor bedoelde begraafplaas en alle bate en vorderinge waartoe daardie begraafplaaskomitee geregtig was, gaan daarna oor op en berus by die aldus ingestelde plaaslike bestuur of binne wie se regsgebied sodanige gebied val.

Ordonnansie nie van toepassing op buitengebiede van plaaslike bestuure nie.

7. Die bepalinge van hierdie Ordonnansie is nie van toepassing nie op enige buitengebied onder die regsbevoegdheid van 'n plaaslike bestuur vir die doeleindes vermeld in artikkel sewe (b) van die „Plaaslike Bestuur Ordonnansie 1926” of enige wysiging daarvan.

Kort titel:

8. Hierdie Ordonnansie kan vir alle doeleindes aangehaal word as die Begraafplaas-ordonnansie, 1932.

'N ORDONNANSIEOrd. No. 9
van 1932.

Tot aanwending van 'n som van hoogstens £4,061,144 vir die diens van die Provinsie Transvaal gedurende die jaar wat eindig op die 31ste dag van Maart 1933.

(Goedgekeur 16 Julie 1932.)

(Datum van inwerktrading, 27 Julie 1932.)

(Afrikaanse kopie deur Goewerneur-Generaal geteken.)

DIT WORD deur die Provinsiale Raad van Transvaal as volg **BEPAAAL**:—

1. Die Provinsiale Inkomstefonds word hierby belas met sulke geldsomme as mag nodig wees vir die diens van die Provinsie gedurende die jaar wat eindig op die 31ste dag van Maart 1933, in die geheel die som van viermiljoen een-en-sestig duisend eenhonderd vier-en-veertig pond nie te bowegaande, as volg:—

Provinsiale
Inkomste-
fonds belas
met
£4,061,144.

Vir bestryding van gewone of wederkerende uitgawe £3,890,207

Vir bestryding van kapitaal of onwederkerende uitgawe 170,937

2. Die geld deur hierdie Ordonnansie toegeëien sal aangewend word vir die dienste wat omskryf is in bygevoegde skedule en meer in die besonder gespesifiseer in die Begroting van Uitgawe (Nos. T.P. 3 en 4 van 1932) soos deur die Provinsiale Raad goedgekeur en onderwerp aan artikel *drie* hiervan en vir geen ander doel nie.

Aanwen-
ding van
gelde.

3. Met die goedkeuring van die Administrateur, wat handel met die toestemming van die Uitvoerende Komitee, kan 'n besparing op enige subhoof van 'n pos aangewend word tot dekking van meerdere uitgawe onder enige andere subhoof van uitgawe onder 'n nuwe subhoof van dieselfde pos mits dat geen meerdere uitgawe sal gemaak word op die somme wat voorkom in kolom 2 van bygevoegde skedule nie, ewenmin sal besparings daarop beskikbaar wees vir enige doel ander as daardie waarvoor die geld hierby toegestaan word.

Adminis-
trateur mag
wysigings
magtig.

4. Die Weëfondsrekening word hierby belas met sulke geldsomme as mag nodig wees vir die finansiële jaar wat eindig op die 31ste dag van Maart 1933, in die geheel die som van eenhonderd vyf-en-vyftig duisend vyfhonderd pond nie te bowegaande nie.

Weëfonds-
rekening
belas met
£155,500.

Ord. No. 9 ^{Korte}
van 1932. ^{Titel.}

5. Hierdie Ordonnansie mag vir alle doeleindes aangehaal word as die Toeëienings (1932-1933) Ordonnansie, 1932.

SKEDULE.

| No. van Pos. | Diens. | Kolom 1. | Kolom 2. |
|--------------|---|-----------|----------|
| | | £ | £ |
| 1 | Algemene Administrasie..... | 81,034 | — |
| 2 | Onderwys..... | 2,823,756 | — |
| | Insluitende :— | | |
| | Toelae aan Ondersteunde Plaas- skole..... | — | 4,141 |
| | Toelae aan Private Skole..... | — | 4,027 |
| | Toelae vir Onderwys aan Eur- afrikaanse en Asiatische Kin- ders..... | — | 398 |
| | Onderwys aan Naturellekinders | — | 104,659 |
| | Toelae aan Isipingo Kus Red- dingshuis..... | — | 500 |
| | Toelae aan Junior Rooikruis Vereniging..... | — | 50 |
| 3 | Hospitale en Liefdadige Instellings. | 412,368 | — |
| | Insluitende die volgende Toelae :— | | |
| | Hospitale wat onder die bepa- lings van die Publieke Hospi- tale Ordonnansie, 1928, val.. | — | 305,782 |
| | Hospitale wat nie onder die bepalings van die Publieke Hospitale Ordonnansie, 1928, val nie..... | — | 7,667 |
| | Liefdadige Instellings..... | — | 30,268 |
| 4 | Weë, Brûe en Plaaslike Werke.... | 240,812 | — |
| | Insluitende :— | | |
| | Toelae aan Plaaslike Autoriteite | — | 800 |
| | Betalings aan Weëfonds..... | — | 73,000 |
| 5 | Gemengde Dienste..... | 4,030 | — |
| | Insluitende die volgende Toelae :— | | |
| | Toelae aan Vissers Vereniginge | — | 30 |
| | Nasionale Park..... | — | 3,000 |
| 6 | Rente en Aflossing..... | 328,207 | — |
| 7 | Kapitaaluitgawe..... | 170,937 | — |
| | Insluitende :— | | |
| | Spesiale Toelae van Unie Rege- ring vir Padaanleg..... | — | 16,261 |
| | Heraanleg van Hoofrifpad.... | — | 587 |
| | Toelae en Lenings, Warmbad Raad van Kuratore..... | — | 600 |
| | £ | 4,061,144 | |
| | Weëfondsrekening.....£ | 155,500 | |

'N ORDONNANSIE

Ord. No.
10 van
1932.

Om die gedeeltelike opskorting van betaling van geld uit die Provinsiale Inkomstefonds in die Weëfonds te reël ten opsigte van die boekjaar 1932-1933, en om die Weëfonds Ordonnansie, No. 19 van 1927, in 'n sekere opsig te wysig.

(Goedgekeur 12 Augustus 1932.)

(Datum van inwerkingtreding, 31 Augustus 1932.)

(Afrikaanse kopie deur Goewerneur-Generaal geteken.)

DIT WORD deur die Provinsiale Raad van Transvaal as volg BEPAAL:—

1. Nietenstaande andersluidende bepalings van die „Weëfonds Ordonnansie”, No. 19 van 1927 (hierin verder die hoofwet genoem), moet daar uit die Provinsiale Inkomstefonds in die Weëfonds ten opsigte van die boekjaar 1932-1933 betaal word sodanige bedrag as gedurende genoemde tydperk nodig is vir die instandhouding van Provinsiale weë soos in subartikel (b) van artikel twee van die „Weëfonds Wysigings Ordonnansie”, No. 14 van 1928, voorgeskryf; met dien verstande dat die Administrateur na goedvinde verdere bedrae ten opsigte van genoemde tydperk vir die aanleg van Provinsiale paaie in sodanige fonds kan inbetaal.

Opskorting
van
betaling.

2. Subartikel (1) van artikel drie van die hoofwet word hierby gewysig deur die woorde „Gedurende die boekjaar wat eindig op 31 Maart 1936” te skrap en hulle te vervang deur die woorde „Gedurende die finansiële jare 1935-36 en 1936-37”.

Wysiging
van
artikel drie
van die
hoofwet.

3. Hierdie Ordonnansie kan vir alle doeleindes aangehaal word as die Weëfonds (Opskorting van Betaling 1932-1933) Ordonnansie, 1932.

Kort tiitel.

Ord. No.
11 van
1932.

'N ORDONNANSIE

Om die Plaaslike Bestuur Ordonnansie, 1926, in sekere opsigte te Wysig.

(Goedgekeur 18 Augustus 1932.)

(Datum van inwerktrading, 31 Augustus 1932.)

(Engelse kopie deur Goewerneur-Generaal geteken.)

DIT WORD deur die Provinsiale Raad van Transvaal as volg BEPAAL:—

Wysiging
van
artikel 9
van
hoofwet.

1. Subartikel (4) van artikel *nege* van die Plaaslike Bestuur Ordonnansie, 1926 (hierin verder „die hoofwet” genoem), word hierby gewysig met ingang van die veertiende dag van Oktober 1931, deur onderstaande woorde aan die einde daarvan toe te voeg:—

„ en enige kwessies wat uit sodanige vereniging ontstaan, vasstel, en enige order uitvaardig wat nodig is om gevolg te gee aan enige ooreenkoms tussen betrokke plaaslike outoriteite wat betref die voorwaardes volgens welke so'n vereniging ten uitvoer gebring moet word.”

Wysiging
van
artikel 79
van
hoofwet

2. Artikel *nege-en-sewentig* van die hoofwet word hierby gewysig deur—

(a) in paragraaf (a) (iii) van subartikel (15) na die woord „verenigings” die woorde „opera-, orkes-, en dramatiese verenigings” in te voeg.

(b) onderstaande nuwe subartikel daaraan toe te voeg:—

„ (52) steengroewe, klei- en gruisgate binne of buite die munisipaliteit maak, instel, verkry, bestuur, in stand hou, bewerk en voortsit en die voortbringsels van sodanige gate en steengroewe verkoop vir gebruik binne die munisipaliteit teen sodanige pryse en tarief as die raad van tyd tot tyd by besluit bepaal en vasstel.

3. Artikel *tagtig* van die hoofwet word hierby gewysig:

Wysiging
van
artikel 80
van
hoofwet.

Ord. No.
11 van
1932.

- (1) Deur onderstaande nuwe paragraaf aan subartikel (20) toe te voeg: die oorspronklik vasgestelde subartikel word paragraaf (a) daarvan:—
 „ (b) om die bedekking met geskikte materiaal van vloere agter toonbanke in winkels voorsien van ondeurdringbare vloere in belang van die openbare gesondheid verpligtend te maak.”
- (2) Deur die invoeging in subartikel (80) na die woorde „ private voertuie ” van die woorde „ behorende aan persone wat binne die munisipaliteit woon ”.
- (3) Deur die woorde „ insluitende bottels, sakke, bene, paraffien- en ander blikke ” in subartikel (104) te skrap en hulle te vervang deur onderstaande woorde:—, en ou-metaal met inbegrip van bottels, sakke, bene, paraffien- en ander blikke en handelaars in ou-metaal te dwing om boek te hou aantoonende alle aankopinge van ou-metaal, en om sodanige aankopinge onder ’n vasgestelde gewig te verbied, tensy sodanige handelaars oortuig is dat verkopers *bona fide* eienaars van sodanige metaal is.”

4. Artikel *honderd-drie-en-tagtig* van die hoofwet word hierby gewysig met ingang van die veertiende dag van Oktober 1931, deur onderstaande nuwe subartikel daaraan toe te voeg; genoemde artikel soos oorspronklik vasgestel word subartikel (a) daarvan:—

Wysiging
van
artikel 183
van
hoofwet.

- „ (b) Nieteenstaande andersluidende wetsbepalings, kan die Administrateur by die uitoefening van die bevoegdhede hom verleen by subartikel (4) van artikel *nege* van hierdie Ordonnansie aangaande die vereniging van enige twee of meer stede, dorpe, munisipaliteite of gebiede onder die jurisdiksie van verskillende klasse van plaaslike outoriteite waardeur een munisipaliteit gevorm word—
- (1) by Proklamasie in die *Offisiële Koerant* die plaaslike outoriteit aanwys en vasstel onder wie se

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jurisdiksie die verenigde munisipaliteit geplaas moet word (in hierdie subartikkel verder die vernaamste plaaslike outoriteit genoem) en daarna word die vernaamste plaaslike outoriteit die opvolger vir die doeleindes van elke ander plaaslike outoriteit wie se gebied onder die jurisdiksie van die vernaamste plaaslike outoriteit geplaas is en is onderstaande bepalings van toepassing:—

- (i) alle krediteure van 'n plaaslike outoriteit het dieselfde regte en regsmiddels teen die vernaamste plaaslike outoriteit as hulle voor die datum van genoemde vereniging besit het of waartoe hulle geregtig was;
- (ii) die vernaamste plaaslike outoriteit moet vanaf genoemde datum alle werke en ondernemings, vir die uitvoering waarvan magtiging verleen is, uitvoer, alle bestaande regte, verpligtings en verbintenisse oorneem en alle aksies, regsgedinge en regsvorderings of vervolgings op sodanige datum aanhangig ten opsigte van enige plaaslike outoriteit, voortsit of aanvaar, en uit hoofde van genoemde vereniging mag geen sodanige aksie, regsgeding of regsvordering of vervolging verval of opgegee of benadeel word nie;
- (iii) alle belastings, gelde en skulde op genoemde datum uitstaande, verskuldig of betaalbaar aan of invorderbaar deur 'n plaaslike outoriteit, moet berus by, betaal word aan en ingevorder word deur die vernaamste plaaslike outoriteit en alle waardeerings- of aanslaglyste wat 'n

plaaslike outoriteit wettig samegestel het ingevolge die bepalings van die „Plaaslike Bestuur Belasting Ordonnansie ” 1928, of enige wysiging daarvan, en in werking op genoemde datum, bly van krag en in gebruik in die onderskeie gebiede binne die regsgebied van die vernaamste plaaslike outoriteit waarop hulle respektiewelik van toepassing is, totdat hulle wetlik gewysig word of die vernaamste plaaslike outoriteit nuwe lyste wettig samestel binne die tydperk voorgeskryf kragtens die bepalings van genoemde „Plaaslike Bestuur Belasting Ordonnansie ” ten opsigte van die lyste van die gebied van die vernaamste plaaslike outoriteit voor genoemde datum;

- (iv) alle roerende en onroerende eiendom wat by 'n plaaslike outoriteit berus of daaraan behoort of waartoe sodanige plaaslike outoriteit op genoemde tydstip geregtig was, moet vanaf sodanige datum by die vernaamste plaaslike outoriteit berus, en daaraan behoort, en die Registrateur van Aktes en enige ander amptenaar, belas met die registrasie van dokumente, wat betrekking het op eiendomsbewys, moet op aansoek van die stads- klerk van die vernaamste plaaslike outoriteit en op vertoon van die vereiste transportaktes of ander dokumente, die naam van die ander plaaslike outoriteit in alle registers onder sy beheer, vervang deur die naam van die vernaamste plaaslike outoriteit en die betroke oordrag en eiendomsreg onderskryf, op alle transportaktes

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1932.**

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of ander dokumente wat betrekking het op eiendomsbewys en op alle verbandaktes en ander hipoteke in sy argief, en alles verrig wat nodig is vir registrasie en om uitvoering te gee aan die voorskrifte van hierdie subartikel;

(v) alle voorregte, bevoegdhede, jurisdiksie en pligte 'n plaaslike outoriteit toegeken of opgelê by wet, regulasie of verordening van krag binne die regsgebied van sodanige plaaslike outoriteit, moet vanaf genoemde datum totdat voornoemde wet, regulasie of verordening, kragtens die bepalings van enige ander wet of hierdie Ordonansie wetlik herroep, gewysig of verander is, deur die vernaamste plaaslike outoriteit behou, toegepas, gehandhaaf, uitgevoer en verrig word maar behoudens die voorskrifte van enige order wat die Administrateur kragtens hierdie subartikel uitgevaardig het.

(2) 'n Order uitvaardig in verband met een of meer van onderstaande aangeleenthede:—

(i) die onafgebroke toepassing, behoudens sodanige voorwaardes as hy raadsaam ag, van een of meer van die verordeninge of regulasies van krag in enige gespesifiseerde gebied of gebiede, op sodanige gebied of gebiede onmiddellik voor inlywing in die verenigde munisipaliteit vir 'n bepaalde tydperk of totdat die vernaamste plaaslike outoriteit hulle herroep, verander of wysig;

(ii) die heffing van differensiële eiendomsbelastings in die onderskeie gebiede of die

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toepassing van sulke belastinge, met beperkings, op sodanige gebiede of enige besonder gebied gedurende 'n tydperk van hoogstens drie jaar vanaf die datum van die vereniging van sodanige onderskeie gebiede ten einde;

(iii) die aanwending van inkomste ingesamel in 'n besondere gebied alleen ten voordele, ten doel en ten dienste van sodanige gebied;

(iv) die uitvoering van die voorwaardes van enige ooreenkoms aangegaan in verband met die oornam van die beamptes deur die vernaamste plaaslike outoriteit;

(v) oor die algemeen enige ander saak of aangeleentheid wat hy na goeddunke goedkeur as nodig of dienstig om die vereniging van gebiede teweeg te bring ten einde een munisipaliteit te vorm."

5. Dit word hierby vernaamlik as volg bepaal:

(1) Die bepalings van Proklamasie No. 117 (Administrateurs) van 1931 en van Proklamasie No. 118 (Administrateurs) van 1931 word goedgekeur en bekragtig.

(2) Die Stadsraad van Pretoria word, met ingang van die veertiende dag van Oktober 1931, vir alle doeleindes tot opvolger van die gewese Dorpsraad van Innesdale verklaar, en die bepalings van subartikel (b) van artikel *honderd drie-en-tagtig* van die hoofwet soos gewysig by artikel *vier* van hierdie Ordonnansie, is, vanaf bedoelde datum, *mutatis mutandis* van toepassing op die vereniging van die munisipaliteite Innesdale en Pretoria onder die jurisdiksie van die Stadsraad van Pretoria. Enige order deur die Administrateur gemaak ingevolge die bepalings van subartikel (b) (2) van artikel *een honderd drie-en-tagtig* van die Hoofwet soos gewysig deur artikel *vier* van

Vereniging
van munisipaliteite
Innesdale
en Pretoria
goedgekeur
en bekragtig
en sekere
bepalings
toegepas.

**Ord. No.
11 van
1932.**

hierdie Ordonnansie in verband met sulke aaneensluiting mag daarin verklaar word van terugwerkende ingang te wees as vanaf die veertiende dag van Oktober 1931.

- (3) Alle verordenings en regulasies gemaak deur of vir die gewese Dorpsraad van Innesdale en wetlik van krag op die dertiende dag van Oktober 1931 in die gebied wat op daardie datum voorheen bekend was as die munisipaliteit Innesdale, bly van krag en in werking in genoemde gebied vir 'n tydperk van drie jaar of totdat hulle herroep, gewysig of verander is deur die Stadsraad van Pretoria, ooreenkomstig die bepalinge van Deel II van Hoofstuk VII van die hoofwet welke ookal die vroeër datum sal wees.

Kort titel.

6. Hierdie Ordonnansie kan vir alle doeleindes aangehaal word as die Plaaslike Bestuur Wysigingsordonnansie, 1932.

from the fourteenth day of October, 1931, continue to be of full force and effect within that area for a period of three years or until the same shall have been repealed, amended or altered by the City Council of Pretoria in accordance with the provisions of Part II of Chapter VII of the principal law, whichever shall be the earlier date.

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11 of 1932.

6. This Ordinance may be cited for all purposes as the Local Government Amendment Ordinance, 1932. Short title.

Ord. No.
11 of 1932.

- (iii) the expenditure of revenues raised in any particular area for the benefit, purposes and services of that area only;
- (iv) the carrying out of the terms of any agreement entered into in regard to the taking over of employees by the principal local authority;
- (v) generally any other matter or thing which he may, in his discretion, approve as being necessary or expedient for bringing about the uniting of any areas so as to form one municipality."

Uniting of the municipalities of Innesdale and Pretoria ratified and confirmed and certain provisions applied.

5. It is hereby specially enacted as follows:—

- (1) The provisions of Proclamation No. 117 (Administrator's) of 1931 and of Proclamation No. 118 (Administrator's) of 1931 are ratified and confirmed.
- (2) The City Council of Pretoria is declared to be the successor for all purposes of the late Village Council of Innesdale with effect from the fourteenth day of October, 1931, and the provisions of sub-section (b) of section *one hundred and eighty-three* of the principal law as amended by section *four* of this Ordinance shall apply *mutatis mutandis* as from that date to the uniting of the municipalities of Innesdale and Pretoria under the jurisdiction of the City Council of Pretoria. Any order made by the Administrator under the provisions of sub-section (b) (2) of section *one hundred and eighty-three* of the principal law as amended by section *four* of this Ordinance in connection with such uniting may be declared therein to have retrospective effect as from the said fourteenth day of October, 1931.
- (3) All by-laws and regulations made by or for the late Innesdale Village Council and lawfully in force on the thirteenth day of October, 1931, within the area formerly known as the Municipality of Innesdale on that date shall, as and

to record and give full effect to the provisions of this sub-section ;

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11 of 1932.**

- (v) all privileges, powers, jurisdiction and duties conferred or imposed on any local authority by any law, regulation or by-law in force within the area of jurisdiction of such local authority shall as from the said date and until the said law, regulation or by-law be lawfully repealed, amended or altered under the provisions of any other law or of this Ordinance be retained, attached to, enforced, carried out and performed by the principal local authority subject always, however, to the provisions of any Order issued by the Administrator in terms of this sub-section.
- (2) Make an order on any or all of the following matters:—
- (i) subject to such conditions as he may deem fit to impose the continued operation within any specified area or areas of any or all of the by-laws or regulations in force in any such area or areas immediately prior to incorporation within the united municipality for any specified period or until repealed, altered or amended by the principal local authority ;
- (ii) during any period not exceeding three years from the date of the uniting of such several areas so as to form one municipality the levying of differential assessment rates in the several areas or the application of such rates to such areas or any particular area subject to limitations ;

**Ord. No.
11 of 1932.**

or any amendment thereof and in force at the said date shall continue in force and use in the respective areas within the area of jurisdiction of the principal local authority to which the same respectively apply until such time as the same shall be lawfully amended or new rolls shall be lawfully compiled by the principal local authority within the period prescribed under the provisions of the said Rating Ordinance in respect of the rolls of the area of the principal local authority prior to the said date;

- (iv) all property movable and immovable vested in or belonging to any local authority or to which such local authority was entitled at the said date and all claims to which such local authority was entitled at the said date shall as and from such date be vested in and belong to the principal local authority and the Registrar of Deeds and any other official charged with the registration of documents affecting title to property shall upon the application of the town clerk of the principal local authority and production of the necessary title deeds or other documents insert the name of the principal local authority in place of the name of the other local authority in all registers under his control and endorse the transfer and vesting hereby effected on all title deeds, or other documents affecting title to property and on all bonds and other hypothecations filed of record in his office and do all things necessary

jurisdiction the united municipality shall be placed (hereinafter in this sub-section referred to as the principal local authority) and thereupon the principal local authority shall be and become the successor for all purposes of every other local authority whose area has been placed under the jurisdiction of the principal local authority and the following provisions shall apply:—

**Ord. No.
11 of 1932.**

- (i) all creditors of any local authority shall have the same rights and remedies against the principal local authority as they possessed or were entitled to prior to the date of the said uniting;
- (ii) all works and undertakings authorized to be executed, all rights, liabilities and engagements existing, and all actions, suits and legal proceedings or prosecutions pending by or against or in respect of any local authority as at the said date shall as and from such date be executed, vested in, attached to and be enforced, carried on and prosecuted by or against the principal local authority and no such action, suit, proceeding or prosecution shall abate or be discontinued or be prejudicially affected by reason of the said uniting;
- (iii) all rates, charges and debts whatsoever owing, due or payable to or recoverable by any local authority as at the said date shall be vested in, payable to and recoverable by the principal local authority and all valuation or assessment rolls lawfully compiled by any local authority under the provisions of the Local Authorities Rating Ordinance, 1928,

Ord. No. 11 of 1932. Amendment of section 80 of principal law.

3. Section *eighty* of the principal law is hereby amended:

(1) by the addition to sub-section (20) of the following new paragraph, the said sub-section as originally enacted to become paragraph (a) thereof:—

“(b) for compelling, in the interests of public health, the covering with suitable material of floors behind counters in shops having impervious floors.”

(2) by the insertion in sub-section (80) after the words “private vehicles” of the words “belonging to persons residing within the municipality.”

(3) by the deletion from sub-section (104) of the words “including bottles, sacks, bones, paraffin and other tins” and by the substitution therefor of the following words:—“and scrap metals including bottles, sacks, bones, paraffin and other tins and compelling dealers in scrap metals to keep books showing all purchases of such metals and prohibiting such purchases under a fixed weight and unless such dealers are satisfied that sellers are *bona-fide* owners of such metals.”

Amendment of section 133 of principal law.

4. Section *one hundred and eighty-three* of the principal law is hereby amended with effect from the fourteenth day of October, 1931, by the addition thereto of the following new sub-sections: the said section as originally enacted to be sub-section (a) thereof:—

“(b) Notwithstanding anything to the contrary in any law contained the Administrator whenever he shall exercise the powers conferred upon him by sub-section (4) of section *nine* of this Ordinance of uniting any two or more townships, villages, municipalities or areas under the jurisdiction of different classes of local authorities so as to form one municipality may—

(1) by Proclamation in the *Provincial Gazette* name and determine the local authority under whose

AN ORDINANCE

Ord. No.
11 of 1932.

To Amend the Local Government Ordinance, 1926, in certain respects.

(Assented to 18th August, 1932.)

(Date of operation, 31st August, 1932.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

1. Sub-section (4) of section *nine* of the Local Government Ordinance, 1926 (hereinafter referred to as the principal law) is hereby amended with effect from the fourteenth day of October, 1931, by the addition thereto at the end thereof of the following words:—

Amend-
ment of
section 9
of principal
law.

“and determine any questions arising out of such uniting and make any order necessary to give effect to any agreement between any local authorities concerned as to the conditions under which such uniting shall be effected.”

2. Section *seventy-nine* of the principal law is hereby amended by—

Amend-
ment of
section 79
of principal
law.

(a) the insertion in paragraph (a) (iii) of sub-section (15) after the word “societies” of the words “operatic, orchestral and dramatic societies”;

(b) the addition thereto of the following new sub-section:—

“(52) make, establish, acquire, conduct, maintain, work and carry on stone, clay and gravel pits and quarries within or outside the municipality and dispose of the products of such pits and quarries for use within the municipality at such prices and charges as the council may by resolution from time to time fix and determine.”

Ord. No.
10 of 1932.

AN ORDINANCE

To provide for the partial suspension of payment of monies from the Provincial Revenue Fund into the Roads Fund in respect of the financial year 1932-1933, and to amend the Roads Fund Ordinance No. 19 of 1927 in a certain respect.

(Assented to 12th August, 1932.)

(Date of operation, 31st August, 1932.)

(Afrikaans copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

Suspension of payment. **1.** Notwithstanding anything contained in the Roads Fund Ordinance, No. 19 of 1927 (hereinafter referred to as the principal law) there shall be paid from the Provincial Revenue Fund into the Roads Fund in respect of the financial year 1932-1933 such sum as shall be required during the said period for the maintenance of Provincial roads as provided in sub-section (*b*) of section *two* of the Roads Fund Amendment Ordinance, No. 14 of 1928; provided that the Administrator may in his discretion pay any further sum into such fund in respect of the said period for the construction of Provincial roads.

Amendment of section *three* of principal law. **2.** Sub-section (1) of section *three* of the principal law is hereby amended by the deletion of the words "During the financial year ending the 31st March, 1936," and the substitution therefor of the words "During the financial years 1935-36 and 1936-37".

Short Title. **3.** This Ordinance may be cited for all purposes as the Roads Fund (Suspension of Payment 1932-1933) Ordinance, 1932.

5. This Ordinance may be cited for all purposes as the Appropriation (1932-1933) Ordinance, 1932. Short title **Ord. No. 9** of 1932.

SCHEDULE.

| No. of Vote. | Service. | Column 1. | Column 2. |
|-----------------|---|-----------|-----------------|
| | | £ | £ |
| 1 | General Administration..... | 81,034 | — |
| 2 | Education..... | 2,823,756 | — |
| | Including :— | | |
| | Grants to Aided Farm Schools | — | 4,141 |
| | Grants to Private Schools.... | — | 4,027 |
| | Grants for Education of Eurafri- can and Asiatic children.... | — | 398 |
| | Education of Native Children. | — | 104,659 |
| | Grant to Isipingo Beach Home of Recovery..... | — | 500 |
| | Grant to Junior Red Cross Society..... | — | 50 |
| 3 | Hospitals and Charitable Institutions | 412,368 | — |
| | Including the following Grants :— | | |
| | Hospitals falling under the provisions of the Public Hos- pitals Ordinance, 1928..... | — | 305,782 |
| | Hospitals not falling under the provisions of the Public Hospitals Ordinance, 1928... Charitable Institutions..... | — | 7,667 30,268 |
| 4 | Roads, Bridges, and Local Works.. | 240,812 | — |
| | Including :— | | |
| | Grants to Local Authorities... | — | 800 |
| | Payment to Roads Fund..... | — | 73,000 |
| 5 | Miscellaneous Services..... | 4,030 | — |
| | Including the following Grants :— | | |
| | Grants to Angling Societies.... | — | 30 |
| | National Park..... | — | 3,000 |
| 6 | Interest and Redemption..... | 328,207 | — |
| 7 | Capital Expenditure..... | 170,937 | — |
| | Including :— | | |
| | Special Grant from Union Government for Road Con- struction..... | — | 16,261 |
| | Reconstruction of Main Reef Road..... | — | 587 |
| | Grants and Loans, Warmbaths Board of Trustees..... | — | 600 |
| | £ | 4,061,144 | |
| | Roads Fund Account.....£ | 155,500 | |

Ord. No. 9
of 1932.

AN ORDINANCE

To apply a sum [not exceeding £4,061,144 towards the Service of the Province of Transvaal during the year ending on the 31st day of March, 1933.

(Assented to 16th July, 1932.)

(Date of operation, 27th July, 1932.)

(Afrikaans copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

Provincial
Revenue
Fund
charged
with
£4,061,144.

1. The Provincial Revenue Fund is hereby charged with such sums of money as may be required for the service of the Province during the year ending the 31st day of March, 1933, not exceeding in the aggregate the sum of four million and sixty-one thousand one hundred and forty-four pounds as follows:—

| | |
|--|------------|
| To defray normal or recurrent expenditure | £3,890,207 |
| To defray capital or non-re-current expenditure | 170,937 |

How money
to be
applied.

2. The money appropriated by this Ordinance shall be applied to the services detailed in the Schedule hereto, and more particularly specified in the Estimates of Expenditure (No. T.P. 3 and 4 of 1932) as approved by the Provincial Council, and subject to section three hereof and to no other purpose.

Adminis-
trator may
authorize
variations.

3. With the approval of the Administrator, acting with the consent of the Executive Committee, a saving on any sub-head of a vote may be made available to meet excess expenditure on any other sub-head or expenditure on a new sub-head of the same vote, provided that no excess shall be incurred on the sums appearing in column 2 of the Schedule hereto, nor shall savings thereon be available for any purpose other than that for which the money is hereby granted.

Roads
Fund
Account
charged
with
£155,500.

4. The Roads Fund Account is hereby charged with such sums of money as may be required for the financial year ending the 31st day of March, 1932, not exceeding in the aggregate the sum of one hundred and fifty-five thousand five hundred pounds.

- (e) for authorizing the committee to set apart separate portions of a cemetery for the burial therein respectively of white persons or natives or Asiatics or other coloured persons;
- (f) for prescribing fines or other penalties for the breach of any regulations.

**Ord. No. 8
of 1932.**

4. In any legal proceeding which may be instituted by or against a committee it shall be sufficient to describe such committee as the Cemetery Committee without mentioning the names of any of the members comprising such committee.

How cemetery committee to sue and be sued.

5. The revenues of the committee shall consist of all charges under the regulations made by the Administrator under sub-section (2) of section *three* hereof and all fines imposed by a competent court and forfeited bail bonds for the contravention of such regulations.

Revenues of committee.

6. Whenever the Administrator shall, under the provisions of the Local Government Ordinance, 1926, constitute a local authority for or alter the boundaries of any municipality so as to include any area within which a cemetery is situate the cemetery committee of such cemetery shall be *ipso facto* disestablished and the control and management of such cemetery and all assets and claims to which such cemetery committee was entitled shall thereupon be vested in and belong to the local authority constituted as aforesaid or within whose jurisdiction such area falls.

Dis-establishment of committee when local authority constituted.

7. The provisions of this Ordinance shall not apply to any outside area held by a local authority for the purposes set forth in section *seven (b)* of the Local Government Ordinance, 1926, or any amendment thereof.

Ordinance not to apply to outside areas held by local authorities.

8. This Ordinance may be cited for all purposes as the Cemetery Ordinance, 1932.

Short title.

**Ord. No. 8
of 1932.**

(2) The Administrator may at any time on due cause being shown abolish and disestablish such committee.

**Powers of
Admini-
strator.**

3. The Administrator may from time to time by notice published in the *Provincial Gazette*—

(1) declare that—

(a) any area of land situate outside a municipality shall be a cemetery for the purposes of this Ordinance if such area has been reserved or set apart for the purpose or acquired under—

(i) section *twelve* (10) of the Crown Lands Disposal Ordinance No. 57 of 1903 or any amendment thereof; or

(ii) the Precious and Base Metals Act No. 35 of 1908 (Transvaal) or any amendment thereof; or

(iii) any law relating to the establishment of townships; or

(iv) any other law;

(b) such cemetery shall be placed under the control and management of a cemetery committee constituted under section *two* hereof;

(2) make regulations—

(a) for the control, regulation and maintenance of any cemetery;

(b) for authorizing the committee to make charges in connection with any cemetery;

(c) for the administration of any revenue received by a committee;

(d) for regulating the finances of the committee and for the appointment by the Administrator of auditors with the powers and duties given to auditors under sections *fifty-nine* and *sixty* of the Local Government Ordinance, 1926, or any amendment thereof;

AN ORDINANCE

Ord. No. 8
of 1932.

To make provision for the Establishment of Cemetery Authorities for Cemeteries situate outside Municipalities and for the control, management and regulation of such cemeteries.

(Assented to 12th July, 1932.)

(Date of operation, 27th July, 1932.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

1. In this Ordinance, unless some other meaning is clearly intended—

Interpretation of terms.

“Administrator” means the officer appointed under sub-section (1) of section *sixty-eight* of the South Africa Act 1909 and any amendment thereof acting on the authority of the Executive Committee of the Province;

“cemetery” means any area of land declared to be a cemetery under section *three* (1) of this Ordinance;

“committee” means a cemetery committee constituted under section *two* (1) of this Ordinance;

“local authority” means a city council, a town council, a village council or a health committee constituted under the Local Government Ordinance, 1926, or any amendment thereof;

“municipality” means the area or district placed under the jurisdiction of a local authority.

2. (1) The Administrator may from time to time by Proclamation in the *Provincial Gazette* constitute in such manner as he shall think fit for any cemetery a committee to be called a cemetery committee; and such committee shall be charged with the duty of maintaining any cemetery that may be placed under its control and management in terms of section *three* (1) (b) of this Ordinance.

Constitution of cemetery committee.

Ord. No. 7
of 1932.

AN ORDINANCE

To apply a further sum not exceeding £360,000 on Account for the service of the Province of Transvaal during the Year ending on the 31st day of March, 1933.

(Assented to 27th June, 1932.)

(Date of operation, 13th July, 1932.)

(Afrikaans copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

£350,000
may be
issued
out of the
Provincial
Revenue
Fund.

1. On and after the 1st day of April, 1932, there may be issued out of the Provincial Revenue Fund such sums of money not exceeding in the aggregate the sum of three hundred and fifty thousand pounds as may from time to time be required for the service of the Province in respect of the year ending on the 31st day of March, 1933, until such time as provision is made therefor by the Council in an Appropriation Ordinance.

Issues
under this
Ordinance
to be
deemed
advances
in
antici-
pation.

2. All sums issued under the provisions of this Ordinance shall be deemed to be advances on account of grants to be made in an Appropriation Ordinance for the year ending the thirty-first day of March, 1933, and immediately on the commencement of such Appropriation Ordinance, this Ordinance shall cease to have effect and issues already made hereunder shall be deemed to be issues under that Appropriation Ordinance, and shall be accounted for in accordance with the provisions thereof; provided that no services upon which expenditure has not been incurred during the financial year ending the thirty-first day of March, 1932, or for which there is no statutory authority shall be deemed to be authorized under this Ordinance.

£10,000
may be
issued
from Roads
Fund.

3. The Road Fund Account is hereby charged with such sums of money as may be required not exceeding in the aggregate the sum of ten thousand pounds until such time as provision is made therefor by the Council in an Appropriation Ordinance.

Short title.

4. This Ordinance may be cited for all purposes as the Second Appropriation (Part 1932-1933) Ordinance, 1932.

- (h) prohibiting any person from dumping, depositing, or discharging or permitting to be dumped, deposited, or discharged into any river, stream, lake, dam, pool, or other water, of any substance or liquid which may be or become injurious to fish life;
- (i) prohibiting the release by any person of any variety of fish in any river, stream, lake, dam, pool, or other water;
- (j) appointing one or more honorary fisheries officers or/and a supervising fisheries officer for the Province or any district thereof to assist in the administration of this Ordinance.

**Ord. No. 5
of 1932.**

3. This Ordinance may be cited for all purposes as the Fish Preservation Amendment Ordinance, 1932. Short title.

AN ORDINANCE

To amend the Horse Racing and Betting Ordinance, 1927.

**Ord. No. 6
of 1932.**

(Assented to 23rd June, 1932.)

(Date of operation, 6th July, 1932.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

1. Sub-section (2) of section *twenty* of the Horse Racing and Betting Ordinance, 1927, as amended by section *two* of Ordinance No. 21 of 1930, is hereby amended by the addition thereto of the following words:—

“and has not been excluded from membership by resolution passed by the committee under powers conferred by regulation made under paragraph (j) of section *twenty-three*.”

2. This Ordinance may be cited for all purposes as the Horse Racing and Betting Amendment Ordinance, 1932. Short title.

Ord. No. 4
of 1932.

regard to the disposal or destruction of any dangerously vicious animal or animal which is considered by him to be worthless and valueless owing to some serious and incurable defect, disablement or disease."

Amendment
of section
44 of
principal
law.

12. Paragraph (b) of sub-section (2) of section *forty-four* of the principal law is hereby amended as follows:—

- (1) by the insertion after the words "the sale of such stock" of the words "either at the pound or;"
- (2) by the addition at the end thereof of the words:—

"If the magistrate shall decide that such sale shall take place at the said farm the poundmaster shall be entitled to deduct from the proceeds of the sale such amount to cover his reasonable travelling expenses as may be determined in each case by the magistrate."

Amendment
of section
46 of
principal
law.

13. Section *forty-six* of the principal law is hereby amended by the insertion after the word "recover" of the word "direct."

Short
title.

14. This Ordinance may be cited for all purposes as the Pounds Amendment Ordinance 1932.

Ord. No. 5
of 1932.

AN ORDINANCE

To amend the Fish Preservation Ordinance, 1921, in certain respects.

(Assented to 23rd June, 1932.)

(Date of operation, 6th July, 1932.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

Interpre-
tation.

1. In this Ordinance the expression "the principal law" means the Fish Preservation Ordinance, 1921.

Amend-
ment of
section 4 of
principal
law.

2. Section *four* of the principal law is hereby amended by the addition of the following new sub-sections:—

- (g) regulating or restricting the sale of fresh water fish;

8. Section *thirty-four* of the principal law is hereby amended in the following respects:— Amendment of section 34 of principal law. **Ord. No. 4 of 1932.**

- (1) In paragraph (a) delete the item “for horned cattle per head 6d.” and substitute therefor the following new items:—

“ For horned cattle other than
 bulls per head 0 6
 For bulls per head 2 6.”

- (2) In paragraph (b) delete the item “for every head of large stock and every ostrich per diem 3d.” and substitute therefor the following new items:—

“ For every head of large stock
 other than bulls and every
 ostrich per diem 0 3
 For every bull per diem ... 1 6.”

- (3) In paragraph (c) add to sub-paragraph (1) the following words:—

“ and except in the case of bulls when not driven along with other horned cattle when 1s. per mile or portion thereof shall be paid.”

9. Section *thirty-seven* of the principal law as amended by section *three* of Ordinance No. 10 of 1926 is hereby amended as follows:— Amendment of section 37 of principal law.

- (1) By the deletion of the words “one o'clock in the afternoon” in sub-section (3) and by the substitution therefor of the words “eleven o'clock in the morning”;
- (2) by the repeal of sub-section (4).

10. Section *thirty-nine* of the principal law is hereby repealed and there shall be substituted therefor the following new section:— Amendment of section 39 of principal law.

“ 39. The poundmaster shall neither personally, nor by any other person, either directly or indirectly, purchase at any sale held under the provisions of this Ordinance.”

11. Section *forty* of the principal law is hereby amended by the addition thereto of the following words:— Amendment of section 40 of principal law.

“ The magistrate is also hereby empowered upon application by the poundmaster to make such order as he shall see fit in

Ord. No. 4
of 1932.

Amendment
of section
26 of
principal
law.

4. Section *twenty-six* of the principal law is hereby amended by the insertion after the word "impoundment" of the words "For the purposes of this section any person who seizes and/or detains stock shall be deemed to have taken such stock for the purposes of impoundment."

Amendment
of section
27 of
principal
law.

5. Sub-section (4) of section *twenty-seven* of the principal law as amended by section *one* (2) of Ordinance No. 10 of 1926 is hereby amended by the deletion therefrom of the words "herein provided for" and by the substitution therefor of the words "provided for in this section."

Amendment
of section
27 of
principal
law.

6. Sub-section (1) of section *thirty* of the principal law is hereby amended by the insertion after the words "in section *thirty-four*" of the words "plus the additional trespassing fees according to the scale prescribed in sub-section (4) of section *twenty-seven*."

Amendment
of section
30 of
principal
law.

7. Section *thirty-one* of the principal law is hereby amended by the addition thereto of the following new sub-sections: the said section as originally enacted to become sub-section (1) thereof:—

"(2) Any person who shall wilfully and illegally seize any stock for the purpose of impounding the same or who shall wilfully and illegally impound any stock, shall upon conviction be liable to a fine not exceeding twenty pounds sterling, and in default to be imprisoned with or without hard labour for any term not exceeding six months.

(3) If any animal shall be illegally seized or illegally placed in the pound the person so illegally seizing or impounding shall, in addition to any criminal prosecution which he may incur, be liable to the owner to repay or make good all damages, costs and charges arising out of such illegal seizure or impounding, together with an additional sum of double the amount of the pound fees paid for such animal."

The Pretoria Rural Licensing Board.
The Potchefstroom Rural Licensing Board.
The Potgietersrust Rural Licensing Board.
The Rustenburg Rural Licensing Board.
The Schweizer Reneke Rural Licensing Board.
The Springs Rural Licensing Board.
The Standerton Rural Licensing Board.
The Vereeniging Rural Licensing Board.
The Ventersdorp Rural Licensing Board.
The Wakkerstroom Rural Licensing Board.
The Waterberg Rural Licensing Board.
The Witbank Rural Licensing Board.
The Wolmaransstad Rural Licensing Board.
The Zoutpansberg Rural Licensing Board.

Ord. No. 3
of 1932.

AN ORDINANCE

Ord. No. 4
of 1932.

To amend the Pounds Ordinance, 1913, in certain respects.

(Assented to 23rd June, 1932.)

(Date of operation, 6th July, 1932.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

1. Section *eighteen* of the Pounds Ordinance 1913 (hereinafter referred to as the principal law) is hereby amended by the insertion after the word “magistrate” of the following words:—

Amendment
of section
18 of
principal
law.

“ a receiver of revenue, any person duly authorized thereto by the Provincial Secretary or the Magistrate.”

2. Section *twenty-three* of the principal law is hereby amended by the insertion after the word “absence” of the following words:—

Amendment
of section
23 of
principal
law.

“ The poundmaster shall be responsible for the conduct of such person in the observance of the duties of a poundmaster and liable as if he had been present in person.”

3. Section *twenty-four* of the principal law is hereby amended by the insertion after the words “on his land” of the words “at the time.”

Amendment
of section
24 of
principal
law.

Ord. No. 3
of 1932.

“ general dealer ”,
“ hawker ”,
“ laundry ”,
“ miller ”,
“ motor garage ”,
“ pawnbroker ”,
“ pedlar ”,
“ restaurant, refreshment or tea room keeper ”

shall bear the meaning assigned to them in Part One of the Second Schedule to the Licences Consolidation Act, No. 32 of 1925 (as amended) subject to any exemptions therein provided.

2. The fees payable in respect of applications for certificates for licences shall not exceed the amounts herein stated:—

| | s. | d. |
|--|----|----|
| Aerated or mineral water manufacturer | 5 | 0 |
| Aerated or mineral water dealer | 5 | 0 |
| Apothecary | 5 | 0 |
| Baker | 5 | 0 |
| Butcher | 5 | 0 |
| Eating-house keeper | 5 | 0 |
| Fresh produce dealer | 5 | 0 |
| General dealer | 5 | 0 |
| Hawker | 2 | 0 |
| Laundry | 5 | 0 |
| Miller | 5 | 0 |
| Motor Garage | 5 | 0 |
| Pawnbroker | 5 | 0 |
| Pedlar | 2 | 0 |
| Restaurant, refreshment or tearoom keeper | 5 | 0 |

THIRD SCHEDULE.

RURAL LICENSING BOARDS CONSTITUTED UNDER
THE GENERAL DEALERS (CONTROL) ORDINANCE,
1926, WHICH SHALL BE RURAL LICENSING
BOARDS CONSTITUTED UNDER THIS ORDINANCE.

The Barberton Rural Licensing Board.
The Benoni Rural Licensing Board.
The Belfast Rural Licensing Board.
The Bethal Rural Licensing Board.
The Bloemhof Rural Licensing Board.
The Boksburg Rural Licensing Board.
The Brakpan Rural Licensing Board.
The Brits Rural Licensing Board.
The Carolina Rural Licensing Board.
The Christiana Rural Licensing Board.
The Ermelo Rural Licensing Board.
The Germiston Rural Licensing Board.
The Heidelberg Rural Licensing Board.
The Johannesburg Rural Licensing Board.
The Klerksdorp Rural Licensing Board.
The Krugersdorp Rural Licensing Board.
The Letaba Rural Licensing Board.
The Lichtenburg Rural Licensing Board.
The Lydenburg Rural Licensing Board.
The Marico Rural Licensing Board.
The Middelburg Rural Licensing Board.
The Nelspruit Rural Licensing Board.
The Pietersburg Rural Licensing Board.
The Piet Retief Rural Licensing Board.
The Pilgrims Rest Rural Licensing Board.

- (2) fixing the period of office of members of boards, the method of filling vacancies, the procedure to be followed by such boards, the number of members which shall constitute a quorum and the allowances to be paid to such members;
- (3) generally the better carrying out of the objects and purposes of this Ordinance.

**Ord. No. 3
of 1932.**

19. Save as is specially provided in this Ordinance the provisions of this Ordinance shall be deemed to be in addition to and not in substitution for any provisions of any other Provincial Ordinance which are not in conflict or inconsistent with this Ordinance. If the provisions of any other Provincial Ordinance are in conflict or inconsistent with this Ordinance the provisions of this Ordinance shall prevail.

Provisions
of this
Ordinance
in relation
to other
Ordinances.

20. All proclamations and regulations issued under the provisions of any law repealed by this Ordinance and in force at the commencement thereof shall notwithstanding such repeal remain in force until repealed or altered in accordance with law.

Saving as
to pro-
clamations,
etc.

21. This Ordinance may be cited as the Licences (Control) Ordinance, 1931.

Short title.

FIRST SCHEDULE.

LAWS REPEALED.

| <i>Year and No. of Law.</i> | <i>Short title.</i> | <i>Extent of Repeal.</i> |
|-----------------------------|---|---|
| Ordinance No. 23 of 1905 | Revenue Licences Ordinance, 1905 | Subsection (1) of Section <i>eleven</i> . |
| Ordinance No. 12 of 1926 | General Dealers (Control) Ordinance, 1926 | The whole. |
| Ordinance No. 10 of 1927 | General Dealers (Control) Amendment Ordinance, 1927 | The whole. |
| Ordinance No. 14 of 1930 | General Dealers (Control) Amendment Ordinance, 1930 | The whole. |

SECOND SCHEDULE.

1. For the purposes of this Ordinance the words—
- “ aerated or mineral water manufacturer ”,
 - “ aerated or mineral water dealer ”,
 - “ apothecary ”,
 - “ baker ”,
 - “ butcher ”,
 - “ eating-house keeper ”,
 - “ fresh produce dealer ”,

**Ord. No. 3
of 1932.**

(3) Notwithstanding the provisions of subsection (2) of this section any bylaw made under section *eighty* (121) of the said Ordinance prescribing fees for certificates issued under any law repealed by this Ordinance shall remain in force until superseded by bylaws made under this section.

(4) All fines recovered for any offences under this Ordinance shall be the property of the local authority having control of the municipality in which the offence was committed. Where offences are committed in a rural area such fines shall be paid into the Provincial Revenue Fund.

(5) The fee for a certificate for a licence in respect of any trade or business shall not exceed the amount specified in the Second Schedule to this Ordinance against such trade or business.

Penalty for
false
statement,
etc.

16. If any person in making application for a certificate under this Ordinance knowingly makes any false statement, or by any falsehood, fraud, act or contrivance whatever obtains or endeavours to obtain such a certificate he shall be guilty of an offence and liable on conviction to a fine not exceeding £50, or, failing payment thereof, to imprisonment for a period not exceeding six months, and in addition to the penalty hereby provided any certificate issued to such person may, in the discretion of the Court, be cancelled, and such cancellation shall debar the said person from obtaining a fresh certificate for twelve months hereafter. Wherever a certificate is cancelled hereunder the Court shall notify the receiver of revenue of such cancellation whereupon such receiver shall not renew the licence except upon production of a fresh certificate.

Penalty for
contra-
vention of
Ordinance
or bylaws
or regu-
lations.

17. Every person guilty of a contravention of any provision of this Ordinance or of any by-law or regulation framed thereunder for which no other penalty has been provided shall be liable to a fine not exceeding £50, or, in default of payment, to imprisonment for a period not exceeding six months, or to both such fine and imprisonment.

Regulations.

18. The Administrator may make regulations for—

- (1) prescribing anything that is to be prescribed;

Administrator who, if he is satisfied, after obtaining the views of the local authority or board or if the certificate has been refused on the ground of public health after obtaining at the expense of the applicant the views of not less than two impartial medical practitioners, that any such certificate has been refused without reasonable cause, may issue a certificate under the hand of the Provincial Secretary to the applicant therefor, and such certificate shall be regarded for all purposes as a certificate issued by the local authority or board.

**Ord. No. 3
of 1932.**

13. If any person (including in the case of a partnership each individual member thereof) commences or continues to carry on any trade or business without first having obtained a certificate in the manner hereinbefore prescribed, he shall be guilty of an offence.

Offence for person to trade before taking out a certificate.

14. (1) Notwithstanding anything contained in this Ordinance a local authority or board may, when issuing a certificate endorse thereon conditions defining and limiting the class of business to be carried on in the premises or conditions in respect of the premises or such other conditions as may be prescribed by bylaw or by regulation in respect of the trade or business to be carried on.

Conditions may be endorsed on certificate.

(2) No person to whom a certificate for a licence has been issued, whether such certificate has been endorsed or not in terms of subsection (1) of this section shall make or cause to be made any alterations to his premises without the approval in writing first had and obtained of the local authority or board concerned as the case may be.

(3) Any person who acts in contravention of the provisions of subsection (2) of this section or of any conditions endorsed as provided in subsection (1) shall be guilty of an offence.

GENERAL.

15. (1) Subject to the provisions of subsection (5) of this section a local authority is hereby empowered to make bylaws prescribing the fees to be paid for certificates issued by it under this Ordinance.

Fees and fines.

(2) Subsection (121) of section *eighty* of the Local Government Ordinance, 1926, as amended by section *six* (9) of Ordinance No. 4 of 1928 (hereinafter referred to as the said Ordinance) shall be and is hereby amended by the deletion therefrom of the words "or under any other."

**Ord. No. 3
of 1932.**

(2) Any person who fails to comply with the provisions of this section shall be guilty of an offence.

Removal
certificates
may be
granted.

12. (1) In case any person, whose name shall have been placed upon any list framed under the provisions of the preceding section, shall wish to change the place at which his business shall in future be carried on, such person shall apply (upon payment of a fee of five shillings) to the local authority or board, as the case may be, for a certificate authorising the removal of the business to some other place within the municipality or the rural area and such certificate shall then be either granted or refused: provided that where a local authority or board has refused an application for a removal certificate made owing to termination of a lease or on account of fire or other disaster the applicant thereof shall be entitled, if he shall forthwith notify the local authority or board concerned that he intends to seek other premises to which to remove his business, to have his name retained upon the list mentioned in the preceding section for a period of four months, reckoned from the date of the determination of the lease aforesaid or of the fire or other disaster, and during the said period of four months he shall be entitled to renew his application for a removal certificate under the provisions of this section.

(2) Any certificate so granted by the local authority or board shall be signed by an authorised officer.

(3) Where application for a certificate under the provisions of this section is made to any local authority no such certificate shall be granted unless the medical officer of health for the municipality or other medical practitioner approved by the local authority shall report that the premises are fit and suitable for the business proposed to be carried on thereat, and that he knows of no reason why the said certificate should be refused on the ground of public health or for any other good and sufficient reason.

(4) Where application for a certificate under the provisions of this section is made to any board the board may require the applicant to furnish, at his own expense, a certificate by a medical practitioner appointed by the board.

(5) Any person who may be aggrieved at a refusal to issue a certificate under the provisions of this section may appeal to the

**Ord. No. 3
of 1932.**

(3) Every person, whose name shall have been placed upon any such list, shall be exempt from the necessity of obtaining the certificate hereinbefore referred to unless—

- (a) he shall at any time for any reason whatsoever personally cease to trade at such premises; or
- (b) there has been a change in the personnel of the ownership or management of the business, or in the membership of the firm or partnership, or in the style or name under which the business is carried on; or
- (c) he has removed his business to other premises; or
- (d) he has changed the nature of his business; or
- (e) in any other circumstances he is required under any law to take out a new licence in respect of the carrying on or conduct of any trade or business referred to in the Second Schedule hereto;

provided that the temporary closing of the premises through illness or absence of the proprietor or manager thereof, fire, flood or other disaster, shall not be deemed ceasing to trade if the premises are still owned or hired by the licence-holder and the stock-in-trade has not previous to such closing, been removed from such premises.

(4) Any such list shall at all reasonable times be open to inspection by any magistrate, revenue officer, shop inspector appointed under the Shop Hours Ordinance, 1923, or any amendment thereof, or officer of police.

(5) It shall be the duty of every local authority or board from time to time to make or cause to be made any necessary alterations in such list.

(6) The provisions of this section shall not apply in the case of hawkers or pedlars who shall be required to apply annually for a certificate for a licence or the renewal of a licence to the local authority or board concerned

11. (1) It shall be the duty of every person to whom a certificate has been issued under this Ordinance by a local authority or board, as the case may be, forthwith to notify such authority or board when he has commenced to carry on the trade or business in respect of which a licence has been granted upon any such certificate.

Notification
of
com-
mencing to
trade.

**Ord. No. 3
of 1932.**

(2) If at any time owing to the provisions of sub-section (1) of this section a quorum of members of a local authority or the committee of such local authority to which the powers and duties conferred or imposed upon a local authority by this Ordinance have been delegated in terms of section *twenty-eight* (1) of the Local Government Ordinance, 1926, or any amendment thereof, cannot be obtained to consider any application for a certificate, it shall be lawful for the remaining members of such local authority or committee to deal with such application provided that such remaining members shall consist of not less than three. If the remaining members are less than three, the Administrator may appoint any qualified person or persons to make up such number.

Framing
and keeping
of a list.

10. (1) Upon the promulgation of this Ordinance it shall be the duty of every local authority or board to frame, keep and maintain or cause to be framed, kept and maintained a list containing the names of all persons (including in the case of a firm or partnership the names of all the members thereof) then lawfully trading (under licences duly issued) as general dealers (as defined in section *two* hereof) within the municipality or rural area, as the case may be, and a description sufficient for the purpose of identification of the various premises at which such persons are so trading and the nature of the trade or business.

(2) Thereafter it shall be the duty of every local authority or board to add to the said list the name of every duly licensed person (including in the case of a firm or partnership the names of all the members thereof) who, having obtained a certificate under this Ordinance—

(a) shall commence to trade as a general dealer (as defined in section *two* hereof) within the municipality or the rural area as the case may be, and

(b) shall have notified the local authority or board in terms of section *eleven* (1) hereof,

together with a description, sufficient for the purpose of identification, of the premises at which such person has so commenced to trade and the nature of the trade or business.

officer of police for the area whether anything is known against the applicant or against the person who will be in actual control of the trade or business which should be brought to the notice of the said board.

**Ord. No. 3
of 1932.**

(4) Where application for a certificate is made to any board by or on behalf of any person whatsoever, the said board may require the applicant to furnish at his own expense a certificate by a medical practitioner approved by the board to the effect that he knows of no reason why a certificate should be refused on the ground of public health, before such application is considered or further considered.

(5) Anything to the contrary in this section contained notwithstanding it shall be lawful for the Administrator, if he is satisfied that any application as in this section mentioned has been refused solely on the ground that there are already a sufficient number of trades or businesses of the class in respect of which the certificate is sought within a particular area, to issue a certificate under the hand of the Provincial Secretary to the applicant therefor, and such certificate shall be regarded for all purposes as a certificate issued by the local authority or board.

8. Any licence in respect of which a certificate has been obtained in terms of this Ordinance shall be taken out within three months of the date of the granting of the said certificate, unless the said period of three months shall have been extended, on the written application of the applicant, and upon payment of a fee of five shillings, for a further period not exceeding three months, by the local authority or board concerned. If the licence shall not have been taken out on the expiration of the said period or of any extension thereof, as provided in this sub-section, the said certificate shall lapse.

Licence to
be taken
out within
certain
period.

9. (1) The provisions of sub-section (1) of section *forty-one* of the Local Government Ordinance, 1926, or any amendment thereof shall apply *mutatis mutandis* to any proceedings of a local authority relating to applications for certificates or removal certificates under this Ordinance.

Councillors
interested
may not
vote.

**Ord. No. 3
of 1932.**

(2) Any certificate issued in respect of any application under sub-section (3) of the preceding section shall—

- (a) specify the premises and the trade name, designation or style and the nature of the trade or business in respect of which it has been issued and the name of the person who will be in actual control of the trade or business;
- (b) contain such conditions (if any) as may be endorsed thereon in terms of section *fourteen* hereof;
- (c) be signed by an authorized officer.

Circum-
stances
under
which
certificate
may be
granted or
refused.

7. (1) The local authority or board shall within the municipality or the rural area, as the case may be, have a discretion to grant or refuse a certificate.

(2) Where application for a certificate is made to a local authority by or on behalf of any person whose name, premises and particulars of the licences applied for do not appear upon the list for the municipality referred to in section *ten* hereof, no such application shall be considered unless—

- (a) the medical officer of health of the local authority or any medical practitioner, approved by the local authority, shall have reported that the premises are fit and suitable for the business proposed to be carried on thereat, and that he knows of no reason why the said certificate should be refused on the ground of public health or otherwise;
- (b) the local authority shall have inquired from the senior officer of police for the municipality whether anything is known against the applicant or against the person who will be in actual control of the trade or business which should be brought to the notice of the said local authority.

(3) Where application for a certificate for a licence is made to any board by or on behalf of any person whose name, premises and particulars of the licence applied for do not appear upon the list for the rural area referred to in section *ten* hereof, no such application shall be considered unless the board shall have inquired from the senior

4. (1) Save as in section *ten* provided no licence for any of the trades or businesses specified in the Second Schedule hereto shall be issued by a receiver of revenue to any person unless such person produces with his application for such licence a certificate.

Application for licences to be accompanied by certificates and certificates issued prior to promulgation of this Ordinance.

Ord. No. 3 of 1932.

(2) Any certificate issued by any local authority or board under any law repealed by this Ordinance shall have no force and effect if a licence was not granted upon such certificate on or before the date of the promulgation of this Ordinance.

5. (1) Any person desiring to obtain any licence as specified in sub-section (1) of section *four* hereof shall apply for a certificate—

Application for certificates procedure.

- (a) in the case of a trade or business situate within a municipality to the local authority; and
- (b) in the case of a trade or business situate within a rural area to the board.

(2) Before an application is made such person shall exhibit in a prominent place on the premises in which the business is proposed to be carried on a notice in the prescribed form and during the prescribed period of his intention to apply for such a certificate. The provisions of this sub-section shall not apply to any person desirous of obtaining a licence to trade as a hawker or as a pedlar.

(3) Every applicant for a certificate shall in making application therefor—

- (a) complete the prescribed form of application so far as it is applicable and pay the prescribed fee; and
- (b) if so required by the local authority or by the board concerned furnish a plan, prepared in accordance with prescribed conditions, of the premises at which he proposes to carry on his trade or business.

6. (1) The local authority or the board, as the case may be shall, not later than two months after the receipt of any application as aforesaid grant or refuse a certificate under the provisions of section *seven* hereof.

Issue of certificate

**Ord. No. 3
of 1932.**

- “ general dealer ” means and includes any person who carries on any one or more of the trades or businesses enumerated in the Second Schedule to this Ordinance excepting the business of a hawker or of a pedlar;
- “ local authority ” means a city council, or a town council or a village council constituted under the Local Government Ordinance, 1926, or any amendment thereof;
- “ magistrate ” means a magistrate, assistant magistrate or any officer lawfully acting in such capacity;
- “ municipality ” means the area or district placed under the control and jurisdiction of a local authority;
- “ person ” includes a firm, partnership or company;
- “ premises ” means any premises used or intended to be used for carrying on any of the trades or businesses referred to in the Second Schedule to this Ordinance;
- “ prescribed ” means prescribed by regulation under this Ordinance;
- “ rural area ” means the area or district placed under the jurisdiction of a board.

Constitution of Rural Licensing Boards.

3. (1) The Administrator may from time to time by proclamation in the *Gazette*—

- (a) constitute for any area outside a municipality a board, to be called a rural licensing board, consisting of a magistrate, who shall be the chairman, and not less than two nor more than four persons provided that no general dealer, as defined in section *two* hereof, or hawker or pedlar shall be appointed to or shall be capable of continuing as a member of any board;
- (b) increase, alter or diminish the area of jurisdiction of such board and at any time, on due cause being shown, abolish or disestablish such board.

(2) The rural licensing boards lawfully constituted under the General Dealers (Control) Ordinance, 1926, prior to the commencement of this Ordinance and mentioned in the Third Schedule hereto shall be deemed to be rural licensing boards constituted under this Ordinance.

AN ORDINANCE

Ord. No. 3
of 1932.

To Consolidate and amend the Law relating to the control
of the issue of certain Trade and Business Licences.

(Passed by Provincial Council, 6th May, 1931.)

(Assented to 4th June, 1932.)*

(Date of operation, 8th June, 1932.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of
Transvaal as follows:—

1. The laws mentioned in the First Schedule ^{Repeal of laws.} to this Ordinance are hereby repealed.

2. In this Ordinance unless some other ^{Definitions.} meaning is clearly intended—

“ Administrator ” means the officer appointed under section *sixty-eight* of the South Africa Act 1909, or any amendment thereof, acting on the authority of the Executive Committee of the Province;

“ authorized officer ” means any officer duly authorized by a local authority or by a board, as the case may be, to sign on its behalf certificates issued by it under this Ordinance;

„ board ” means the rural licensing board constituted under section *three* of this Ordinance;

“ by-law ” means a by-law made by a local authority in accordance with the provisions of Part II of Chapter VII of the Local Government Ordinance, 1926, or any amendment thereof;

“ certificate ” means the document in the prescribed form granted by a local authority or board, as the case may be, under section *seven* authorizing the issue of a licence in respect of any of the trades or businesses specified in the Second Schedule to this Ordinance;

“ Gazette ” means the *Provincial Gazette of the Province of Transvaal*;

* Proclamation No. 79, *Gazette Extraordinary* No. 2043, dated 4th June, 1932.

Ord. No. 2
of 1932.

AN ORDINANCE

To apply a further sum of money not exceeding £108,758 for the service of the Province of Transvaal for the period from the 1st day of April, 1931, to the 31st day of March, 1932.

(Assented to 30th March, 1932.)

(Date of operation, 31st March, 1932.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

Provincial
Revenue
Fund
charged
with
£108,758.

1. The Provincial Revenue Fund of Transvaal is hereby charged towards the services of the said Province for the period from the 1st day of April, 1931, to the 31st March, 1932, both days inclusive, with a further sum not exceeding one hundred and eight thousand seven hundred and fifty-eight pounds in addition to the sums provided for by the Appropriation (1931-1932) Ordinance, 1931.

How
money
is to be
applied

2. The money granted by this Ordinance shall be applied to the purposes and for the services expressed in the schedule annexed hereto according to the Votes and Sub-heads particularly specified and set forth in the Estimates of Additional Appropriation for the said period as approved of by the Provincial Council.

Short title.

3. This Ordinance may be cited for all purposes as the Additional Appropriation (1931-1932) Ordinance, 1932.

Schedule.

| Number of Vote. | Service. | Amount. |
|-----------------|--|----------|
| 3 | Hospitals and Charitable Institutions..... | £ 1,850 |
| 4 | Roads, Bridges, and Local Works..... | 43,175 |
| 7 | Capital Expenditure— | |
| | Special Grant from Union Government for Road Construction..... | 60,433 |
| | Grant-in-aid and Loans, Warmbaths Board of Trustees..... | 3,300 |
| | | £108,758 |

AN ORDINANCE

Ord. No. 1
of 1932.

To apply a sum not exceeding £600,000 on Account for the service of the Province of Transvaal during the Year ending on the 31st day of March, 1933.

(Assented to 30th March, 1932.)

(Date of operation, 31st March, 1932.)

(English copy signed by Governor-General.)

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

1. On and after the 1st day of April, 1932, there may be issued out of the Provincial Revenue Fund such sums of money not exceeding in the aggregate the sum of six hundred thousand pounds as may from time to time be required for the service of the Province in respect of the year ending on the 31st day of March, 1933, until such time as provision is made therefor by the Council in an Appropriation Ordinance.

£600,000
may be
issued
out of the
Provincial
Revenue
Fund.

2. All sums issued under the provisions of this Ordinance shall be deemed to be advances on account of grants to be made in an Appropriation Ordinance for the year ending the thirty-first day of March, 1933, and immediately on the commencement of such Appropriation Ordinance, this Ordinance shall cease to have effect and issues already made hereunder shall be deemed to be issues under that Appropriation Ordinance, and shall be accounted for in accordance with the provisions thereof; provided that no services upon which expenditure has not been incurred during the financial year ending the thirty-first day of March, 1932, or for which there is no statutory authority shall be deemed to be authorized under this Ordinance.

Issues
under this
Ordinance
to be
deemed
advances
in anticipa-
tion.

3. The Road Fund Account is hereby charged with such sums of money as may be required not exceeding in the aggregate the sum of thirty-five thousand pounds until such time as provision is made therefor by the Council in an Appropriation Ordinance.

£35,000
may be
issued
from Roads
Fund.

4. This Ordinance may be cited for all purposes as the Appropriation (Part 1932-1933) Ordinance, 1932.

Short title.

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(Alphabetical.)

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ORDINANCES

OF

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