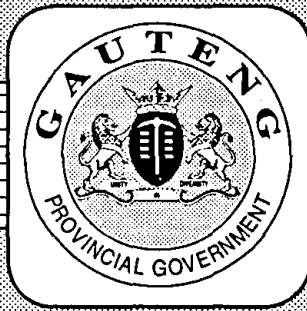


THE PROVINCE OF  
GAUTENG



DIE PROVINSIE  
GAUTENG

# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

Selling price: R2,00 ◇ Other countries: R2,25  
Verkoopprijs: R2,00 ◇ Buitelands: R2,25

Vol. 3

PRETORIA, 17 OCTOBER 1997  
OKTOBER

No. 403

## GENERAL NOTICE

### NOTICE 3194 OF 1997

#### GAUTENG LAND ADMINISTRATION BILL

In terms of Rule 130(1) of the Standing Rules of the Provincial Legislature, the Amendment to the Gauteng Land Administration Bill, 1997, as well as memorandum in terms of Rule 132, is hereby published for general information.

Any person or organisation wishing to comment on the said Bill may lodge his or her written comment with me before **31 October 1997**.

(a) *By posting it to the following address:*

MEC for Housing and Land Affairs  
Private Bag X79  
MARSHALLTOWN  
2107

(b) *by handing it in at:*

Fifth Floor  
37 Sauer Street  
JOHANNESBURG

(c) *by fax:*

(011) 838-2904  
(011) 838-8971.

**D. MOFOKENG**

**MEC: Department of Housing and Land Affairs**

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Tikmeesters voorsien deur Gautengse Regering.

**PROPOSED AMENDMENT OF THE GAUTENG LAND  
ADMINISTRATION ACT, NO 11 OF 1996**

**ACT**

**To provide the Premier with the power to expropriate property for a public purpose or in the public interest; to provide for the registration of land availability agreements; and to preclude provincial property from acquisitive prescription; and to provide for matters connected therewith**

1. The Gauteng Land Administration Act is hereby amended by-

(a) the insertion in section 1, Definitions, in the correct alphabetical position, of the following definitions:

“expropriation” means expropriation as provided in the Expropriation Act, 1975, (Act No 63 of 1975);

“date of expropriation” means the date of expropriation as contemplated in section 2E;

“compensation” means market-related compensation;

“notice of expropriation” means a notice contemplated in section 2B;

“ for a public purpose or in the public interest” has the meaning contemplated in section 25(2) of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996);

(b) the insertion of the following sections after section 2 :

**“2A Power of the Premier to expropriate property for a public purpose.**  
Subject to payment of market-related compensation, the Premier may expropriate any property or a real right in property for a public purpose or in the public interest.

**2B Notification that property is to be expropriated**

(1) When the Premier decides to expropriate property or a real right in property in terms of section 2A, he or she shall serve the owner in question with an appropriate notice in accordance with section 2C.

- (2) The notice of expropriation shall-
  - (a) contain a clear and full description of the property affected;
  - (b) state the date of expropriation;
  - (c) offer market-related compensation.
  
- (3) Where the proposed expropriation affects only a portion of property or a real right in a portion of property-
  - (a) the notice of expropriation shall contain a sketch plan indicating the approximate location and extent of the area affected;
  - (b) the owner may request the Premier to furnish further particulars of the portion within 30 days from the date appearing on the notice so as to enable the owner to determine the position or extent of the portion affected.
  
- (4) For the purposes of this Act, the date on which the Premier furnishes the particulars shall be the effective date of notice.

## **2C Service of notice of expropriation**

The Premier shall-

- (a) serve the original or a true copy of the notice of expropriation and all other notices and documents on the owner by delivery or registered mail;
- (b) if the whereabouts of the owner of the affected property are unknown or not readily ascertainable, publish the notice of expropriation once in the *Provincial Gazette* and once for two consecutive weeks in a newspaper circulating in the area in which the property is situated.

## **2D Passing of ownership in expropriated property**

- (1) On the date of expropriation ownership of the property shall vest in the Gauteng Province.
  
- (2) All risk, costs, rates and taxes relating to the expropriated property shall pass to the Gauteng Province on the date of the expropriation.

**2E Non acceptance of compensation**

Within 60 days from the date of the notice, an owner whose property has been expropriated under this Act and who finds the compensation inadequate may provide the Premier with a written statement-

- (a) to the effect that the compensation is unacceptable;
- (b) containing the grounds on which the compensation has been rejected.

**2F Disputes in regard to compensation**

- (1) Disputes in regard to the amount of compensation paid will be referred for mediation or arbitration in terms of the Arbitration Act, 1965 (Act No. 42 of 1965).
- (2) Only if arbitration fails may the parties approach the provincial or local High Court in the area in which the property is situated by means of an application to determine the compensation to be paid for a property expropriated by the Premier.
- (3) An application referred to in subsection (2) shall not for the purposes of determining compensation, affect the rights of the Premier as the owner of the expropriated property.

**2G Withdrawal of expropriation**

- (1) If the Premier is of the opinion that it is in the public interest to withdraw an expropriation of property, he or she may withdraw the expropriation at any time before registration of the property in terms of section 16 of the Deeds Registries Act, 1937 (Act 47 of 1937), has taken place.
- (2) The withdrawal of the expropriation shall be done in the manner contemplated in section 2B, and ownership of the property shall vest in the owner from whom the property was expropriated from the date of the withdrawal notice.
- (3) Compensation paid to the owner shall be refunded to the Province by the owner of the expropriated property.
- (4) The owner shall be entitled to claim damages which he or she has directly or indirectly sustained owing to such expropriation.

**2H Registrar of Deeds to note land availability agreements**

If the Premier disposes of provincial property by means of a land availability agreement, the Registrar of Deeds shall:

- (a) register the existence and cancellation of such an agreement against the title deed of the property concerned;
- (b) keep the original or a certified copy of the land availability agreement at the offices of the Registrar of Deeds for record purposes.

**2I Provincial land not subject to acquisitive prescription**

Notwithstanding any rule of law to the contrary provincial land shall, from the date of commencement of this Act, not be subject to acquisition by any person by prescription.”,

(c) the amendment of section 5 (1), by the insertion in line three after the words “section 2” of the expression: “,2A”;

(d) the amendment of section 6 by the substitution for subsection (9) of the following subsection:

“(9) Surplus moneys in the Fund which cannot be readily utilized for the acquisition of Provincial land shall [be invested in such manner as may be determined by the Member of the Executive Council responsible for finance] at the discretion of the provincial treasury be surrendered to provincial income”.

(e) **Short Title and commencement**

This act shall be called the Gauteng Land Administration Amendment Act, 1997 and will come into operation on the date of publication of the amended Act.

## EXPLANATORY MEMORANDUM

### 1. BACKGROUND

- 1.1 The enactment of the Gauteng Land Administration Act enabled the Gauteng Provincial Government to manage provincially-owned assets in an effective, accountable and transparent manner. It empowered the Premier to acquire, administer and dispose of provincial properties.
- 1.2 However, these powers did not include the power to expropriate property for a public purpose or in the public interest as contemplated in section 25 (2) of the Constitution Act of 1996 (Act No. 108 of 1996). The power to expropriate is essential for the Provincial Government to attain its goals in terms of housing delivery and land reform. Hence the inclusion of these powers in the proposed amendment.
- 1.3 These powers will be exercised strictly in accordance with the provisions of the Constitution Act of 1996 in regard to compensation, tenure security and for the public interest or a public purpose.
- 1.4 Another problem experienced in administering provincial properties is land availability agreements. In the previous dispensation these contracts were entered into with developers for a period of time and no proper records were kept of the existence of these contracts except on the actual property file. If a property file got lost in the system there was no way to ascertain whether or not there were any contracts, even though these contracts constitute an encumbrance on the property. Naturally, this gives rise to problems when the Provincial Government decides to dispose of property or enter into any other agreement. Action is then instituted against the Provincial Government by developers with whom these contracts were entered into for breach of contract while the Provincial Government is not even aware of the existence of such a contract. In order to remedy this situation the proposed amendment provides for the registration of these agreements against the title deed of the property and for keeping the original or a certified copy of the actual agreement in the Deeds Office for record purposes.
- 1.5 The amendment in regard to acquisitive prescription was included to prevent the acquisition of provincial property by the route of acquisitive prescription. This is because the province manages large tracts of land and cannot always determine whether a property is unlawfully occupied.
- 1.6 The amendment to the existing section 6(9) was included because the current wording is not strictly in keeping with Treasury regulations and the clause has been amended to reflect the correct status of funds to be invested.

## **2. CLAUSE-BY- CLAUSE ANALYSIS**

### **2.1 Section 1 - Definitions**

This section provides for the inclusion of a number of new definitions in section 1 of the Gauteng Land Administration Act, Act No.11 of 1996.

### **2.2 Section 2A - Power to expropriate**

This section makes provision for the Premier to expropriate property or a real right in property for public purposes or in the public interest.

### **2.3 Section 2B - Notification**

This section makes provision for procedures also as to the format in regard to notification of expropriation to the owner of the affected property.

### **2.4 Section 2C - Service of notice**

This section makes provision for the service of an expropriation notice on the owner of the affected property and procedures in regard to service on absentee landowners.

### **2.5. Section 2D - Passing of ownership**

This section makes provision for the passing of the ownership of a property on the date of notification of the expropriation.

### **2.6 Section 2E - Non-acceptance of compensation**

This section provides for the non-acceptance of the offered compensation by the owner and the procedures relating thereto.

### **2.7 Section 2F - Disputes**

This section provides for dispute resolution procedures in the event of a dispute in regard to compensation.

### **2.8 Section 2G - Withdrawal of expropriation**

This section provides for the possible withdrawal of an expropriation if it is in the public interest to do so.

**2.9 Section 2H - Registration of land availability agreement**

This section makes provision for the registration of land availability agreements against the title deeds of property and the keeping of records in this regard.

**2.10 Section 2 I - Acquisitive prescription**

This section provides that provincial land cannot be acquired by any person by the route of acquisitive prescription.

**2.11 Amendment of section 6 (9) - Investment of funds**

This section makes provision for the amendment of the existing section 6(9). The current wording of the paragraph grants the MEC for Finance the discretion regarding the investment of funds in the Gauteng Land Fund. This is not strictly in accordance with Treasury regulations and the clause has been amended accordingly.

**2.12 Short Title**

This section provides for a short title to the Act and the date of commencement of the Act.



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## ALGEMENE KENNISGEWING

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### KENNISGEWING 3194 VAN 1997

#### VOORGESTELDE WYSIGING VAN DIE GAUTENG WET OP GRONDADMINISTRASIE, NO. 11 VAN 1996

Om die Premier die bevoegdheid te verleen om eiendom vir openbare doeleindes te onteien; om grondbesikbaarheidsooreenkomste aan te teken; om provinsiale grond te vrywaar van verkrygende verjaring; en om voorsiening te maak vir aangeleenthede met betrekking daarmee

1. Die Gauteng Wet op Grondadministrasie word hierby gewysig deur -
  - (a) die invoeging in artikel 1, Woordomskrywing, in die korrekte alfabetiese posisie, van die volgende omskrywings:

"onteiening' onteiening soos bepaal in die Onteieningswet, 1975 (Wet No. 63 van 1975);";

"datum van onteiening' die datum van onteiening soos beoog in artikel 2E;";

"vergoeding' markverwante vergoeding;";

"kennisgewing van onteiening' 'n kennisgewing beoog in artikel 2B;"; en

"vir 'n openbare doel of in die openbare belang' dieselfde as in artikel 25(2) van die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No. 108 van 1996);";
  - (b) die invoeging van die volgende artikels na artikel 2:

**"2A Bevoegdheid van die Premier om eiendom vir openbare doeleindes te onteien**

Behoudens die betaling van markverwante vergoeding kan die Premier enige eiendom of 'n saaklike reg op eiendom onteien vir 'n openbare doel of in die openbare belang.

**2B Kennisgewing dat eiendom onteien staan te word**

    - (1) Wanneer die Premier besluit om eiendom of 'n saaklike reg op eiendom ingevolge artikel 2A te onteien, moet hy of sy 'n gepaste kennisgewing aan die betrokke eienaar beteken ooreenkomstig artikel 2C.

- (2) Die kennisgewing van onteiening moet -
  - (a) 'n duidelike en volledige beskrywing van die geaffekteerde eiendom bevat;
  - (b) die datum van onteiening meld; en
  - (c) markverwante vergoeding aanbied.
- (3) Waar die voorgestelde onteiening net 'n gedeelte van 'n eiendom of 'n saaklike reg op 'n gedeelte van 'n eiendom raak -
  - (a) moet die kennisgewing van onteiening 'n sketsplan bevat wat die benaderde ligging en omvang van die geaffekteerde gebied aandui;
  - (b) kan die eienaar die Premier versoek om nadere besonderhede van die gedeelte te verskaf binne 30 dae na die datum wat op die kennisgewing verskyn, ten einde die eienaar in staat te stel om die ligging of omvang van die geaffekteerde gedeelte vas te stel.
- (4) Vir doeleindes van hierdie Wet is die datum waarop die Premier die besonderhede verstrek, die effektiewe datum van kennisgewing.

## **2C Betekening van kennisgewing van onteiening**

Die Premier moet -

- (a) die oorspronklike of 'n ware afskrif van die kennisgewing van onteiening en alle ander kennisgewings en dokumente aan die eienaar beteken, deur aflewering of per geregistreerde pos;
- (b) indien die verblyfplek van die eienaar van die geaffekteerde eiendom onbekend is of nie geredelik vasgestel kan word nie, die kennisgewing van onteiening een keer in die *Provinsiale Koerant* en een keer vir twee opeenvolgende weke in 'n koerant wat sirkuleer in die gebied waar die eiendom geleë is, publiseer.

**2D Oordrag van eienaarskap van onteiene eiendom**

- (1) Op die datum van onteiening setel die eiendom in die provinsie Gauteng.
- (2) Alle risiko's, koste en munisipale belasting rakende die onteiene eiendom gaan op die datum van onteiening oor op die provinsie Gauteng.

**2E Nie-aanvaarding van vergoeding**

'n Eienaar wie se eiendom ingevolge hierdie Wet onteien is en wat die vergoeding ontoereikend vind, kan die Premier binne 60 dae na die datum van kennisgewing voorsien van 'n skriftelike staat -

- (a) ten effekte dat die vergoeding onaanvaarbaar is; en
- (b) wat die gronde bevat waarop die vergoeding verwerp word.

**2F Geskille met betrekking tot vergoeding**

- (1) Geskille rakende die bedrag aan vergoeding wat betaal is, word verwys vir bemiddeling of arbitrasie ingevolge die Wet op Arbitrasie, 1965 (Wet No 42 van 1965).
- (2) Slegs indien arbitrasie misluk, kan die partye die provinsiale of plaaslike Hoë Hof in die gebied waarin die eiendom geleë is, nader deur middel van 'n aansoek om die vergoeding te bepaal wat betaal moet word vir 'n eiendom wat deur die Premier onteien is.
- (3) 'n Aansoek bedoel in subartikel (2) raak nie, vir doeleindes van die bepaling van vergoeding, die regte van die Premier as die eienaar van onteiene eiendom nie.

**2G Terugtrekking van onteiening**

- (1) Indien die Premier van mening is dat dit in die openbare belang is om 'n onteiening van eiendom terug te trek, kan hy of sy die onteiening terugtrek te eniger tyd voordat registrasie van die eiendom

ingevolge artikel 16 van die Registrasie van Aktes Wet, 1937 (Wet No. 47 van 1937), plaasvind.

- (2) Die terugtrekking van die onteiening moet gedoen word op die wyse in artikel 2B beoog, en eienaarskap van die eiendom setel op die datum van die kennisgewing van terugtrekking in die eienaar van wie die eiendom onteien is.
- (3) Vergoeding wat aan die eienaar betaal is, moet aan die Provinsie terugbetaal word deur die eienaar van die onteiene eiendom.
- (4) Die eienaar is geregtig om vergoeding te eis vir skade wat hy of sy regstreeks of onregstreeks as gevolg van sodanige onteiening gely het.

## **2H Registrateur moet grondbeskikbaarheidsooreenkomste aanteken**

Indien die Premier deur middel van 'n grondbeskikbaarheidsooreenkoms oor provinsiale eiendom beskik, moet die Registrateur -

- (a) die bestaan en rojering van so 'n ooreenkoms teen die titelbewys van die betrokke eiendom registreer;
- (b) die oorspronklike of 'n gewaarmerkte afskrif van die grondbeskikbaarheidsooreenkoms by die kantoor van die Registrateur hou vir rekorddoeleindes.

## **2I Provinsiale grond nie aan verkrygende verjaring onderworpe**

Ondanks enige andersluidende regsreël is provinsiale grond vanaf die datum van inwerkingtreding van hierdie Wet nie aan verkryging deur enige persoon deur verjaring onderworpe nie.;

- (c) die wysiging van artikel 5(1) deur die invoeging in reël drie na die woorde "artikel 2" van die uitdrukking ", 2A, "; en
- (d) die wysiging van artikel 6 deur die vervanging van subartikel (9) deur die volgende subartikel:  
"(9) Oorskotfondse in die Fonds wat nie geredelik vir die verkryging van Provinsiale grond gebruik kan word nie, moet

[belê word op die wyse wat die Lid van die Uitvoerende Raad verantwoordelik vir finansies bepaal] na goeddunke van die provinsiale tesourie in provinsiale inkomste teruggestort word."

## VERKLARENDE MEMORANDUM

### 1. AGTERGROND

- 1.1 Die verordening van die Gauteng Wet op Grondadministrasie het die Gauteng Provinsiale Regering in staat gestel om bates in sy besit op 'n doeltreffende, verantwoordbare en deursigtige wyse te bestuur. Dit het aan die Premier die bevoegdheid verleen om provinsiale eiendomme te verkry, te administreer en daarvoor te beskik.
- 1.2 Hierdie bevoegdhede het egter nie die bevoegdheid ingesluit om eiendom vir 'n openbare doel of in die openbare belang soos beoog in artikel 25(2) van die Grondwet van 1996 (Wet No. 108 van 1996), te onteien nie. Hierdie bevoegdheid om te onteien is noodsaaklik vir die Provinsiale Regering ten einde sy oogmerke betreffende die lewering van behuising en grondhervorming te verwesenlik. Derhalwe word hierdie bevoegdheid in die voorgestelde wysiging ingesluit.
- 1.3 Hierdie bevoegdheid sal streng ooreenkomstig die bepalings van die Grondwet van 1996 uitgeoefen word met betrekking tot vergoeding, sekerheid van behoud en die openbare belang of 'n openbare doel.
- 1.4 Nog 'n probleem wat by die administrasie van provinsiale eiendomme ondervind word, is grondbeskikbaarheidsooreenkomste. Onder die vorige bedeling is hierdie ooreenkomste vir 'n tydperk aangegaan met ontwikkelaars en is daar geen behoorlike rekords gehou van die bestaan van hierdie kontrakte nie behalwe in die eiendomsleër self. Indien 'n eiendomsleër in die stelsel verlore geraak het, was daar geen manier om vas te stel of daar enige kontrakte is nie, selfs al vorm hierdie kontrakte 'n beswaring op die eiendom. Vanselfsprekend skep hierdie situasie probleme wanneer die Provinsiale Regering besluit om oor die eiendom te beskik of 'n ander ooreenkoms aan te gaan. Daar word dan 'n geding vir kontrakbreuk teen die Provinsiale Regering aanhangig gemaak deur ontwikkelaars met wie hierdie kontrakte aangegaan is, hoewel die Provinsiale Regering nie eers van die bestaan van so 'n kontrak bewus is nie. Ten einde hierdie situasie reg te stel, maak die voorgestelde wysiging voorsiening vir die registrasie van hierdie ooreenkomste teen die titelbewys van die eiendom en vir die hou van die oorspronklike of 'n gewaarmerkte afskrif van die ooreenkoms self in die Aktekantoor vir rekorddoeleindes.

1.5 Die wysiging met betrekking tot verkrygende verjaring word ingesluit om die verkryging van provinsiale eiendom deur middel van verkrygende verjaring te voorkom. Dit word gedoen aangesien die Provinsie groot stukke grond bestuur en hy nie altyd kan bepaal of 'n eiendom wettig geokkupeer word nie.

1.6 Die wysiging aan die bestaande artikel 6(9) word ingesluit aangesien die huidige bewoording nie streng in ooreenstemming met Tesourie-regulasies is nie, en die klousule word gewysig om die korrekte status van fondse wat belê moet word, te weerspieël.

## **2. ONTLEDING PER KLOUSULE**

### **2.1 Artikel 1 - Woordomskrywing**

Hierdie artikel maak voorsiening vir die insluiting van 'n aantal nuwe omskrywings in artikel 1 van die Gauteng Wet op Grondadministrasie, No. 11 van 1996.

### **2.2 Artikel 2A - Bevoegdheid om te onteien**

Hierdie artikel maak daarvoor voorsiening dat die Premier eiendom of 'n saaklike reg op eiendom vir 'n openbare doel of in die openbare belang kan onteien.

### **2.3 Artikel 2B - Kennisgewing**

Hierdie artikel maak voorsiening vir prosedures (ook wat formaat betref) met betrekking tot kennisgewing van onteiening aan die eienaar van die geaffekteerde eiendom.

### **2.4 Artikel 2C - Betekening van kennisgewing**

Hierdie artikel maak voorsiening vir die betekening van 'n kennisgewing van onteiening aan die eienaar van die geaffekteerde eiendom en prosedures met betrekking tot betekening aan afwesige grondeienaars.

### **2.5 Artikel 2D - Oordrag van eienaarskap**

Hierdie artikel maak voorsiening vir die oordrag van die eienaarskap van 'n eiendom op die datum van kennisgewing van die onteiening.

### **2.6 Artikel 2E - Nie-aanvaarding van vergoeding**

Hierdie artikel maak voorsiening vir die nie-aanvaarding van die aangebode vergoeding deur die eienaar en die prosedures in dié verband.

**2.7 Artikel 2F - Geskille**

Hierdie artikel maak voorsiening vir geskilbeslegtingsprosedures in die geval van 'n geskil met betrekking tot vergoeding.

**2.8 Artikel 2G - Terugtrekking van onteiening**

Hierdie artikel maak voorsiening vir die moontlike terugtrekking van 'n onteiening indien dit in die openbare belang is om dit te doen.

**2.9 Artikel 2H - Registrasie van grondbeskikbaarheidsooreenkomste**

Hierdie artikel maak voorsiening vir die registrasie van grondbeskikbaarheidsooreenkomste teen die titelbewyse van eiendom en die hou van rekords in dié verband.

**2.10 Artikel 2I - Verkrygende verjaring**

Hierdie artikel bepaal dat provinsiale grond nie deur enigiemand deur middel van verkrygende verjaring verkry kan word nie.

**2.11 Wysiging van artikel 6(9) - Belegging van fondse**

Hierdie artikel maak voorsiening vir die wysiging van die bestaande artikel 6(9). Die huidige bewoording verleen aan die LUR vir Finansies die diskresie oor die belegging van fondse in die Gauteng Grondfonds. Dit is nie streng in ooreenstemming met Tesourie-regulasies nie en die klousule word dienooreenkomstig gewysig.

**2.12 Kort Titel**

Hierdie klousule bevat die kort titel van die Wet, en die aanvangsdatum van die Wet.



## INOTHISI KAWONKE-WONKE

### INOTHISI 3194 WA 1997

INGUQUKO EHLONGOZWAYO YOMTHETHO WOKUPHATHWA KOMHLABA ESIFUNDENI SASEGAUTENG, UMTHETHO Namba 11 KA-1996

1. Umthetho wokuphathwa komhlaba esifundeni saseGauteng uguquka ngalokhu okulandelayo:

(a) ngokufakwa esigabeni 1, Izincazelo zezincazelo ezilandelayo:

"ukuthatha umhlaba ngokomthetho" kuchaza ukuthatha umhlaba ngokomthetho njengoba kunikeziwe eMthethweni wokuthatha umhlaba ngokomthetho, uMthetho Namba 63 ka-1975.

"usuku lokuthatha umhlaba ngokomthetho" kuchaza usuku lokuthatha umhlaba ngokomthetho njengoba kuhleliwe esigabeni 2E.

"inkokhelo" kuchaza inkokhelo ehambisana nezimakethe.

"isaziso sokuthatha umhlaba ngokomthetho" kuchaza isaziso njengoba kuhleliwe esigabeni 2B.

"ngokwenhloso yomphakathi noma ngokubonelela umphakathi" njengoba kuhleliwe esigabeni 25 (2) kuMthethosisekelo waseNingizimu Afrika, uMthetho 108 ka-1996.

(b) ngokufakwa kwesigaba esilandelayo ngemuva kwesigaba 2:

"2A Amandla kaNdunankulu wesifunda okuthatha umhlaba ngokomthetho ngokwenhloso yomphakathi.

(1) Kubekwe ngaphansi kwenkokhelo ehambisana nenkokhelo yezimakethe, uNdunankulu wesifunda angathatha ngokomthetho noma yimuphi umhlaba noma ilungelo eliyilo lomhlaba ngokwenhloso yomphakathi noma ngokubonelela umphakathi.

"2B Isaziso sokuthi umhlaba uzothathwa ngokomthetho.

(1) Lapho uNdunankulu wesifunda enquma ukuthatha umhlaba noma ilungelo eliyilo lomhlaba mayelana nesidingo sesigaba 2A, kumele ukuba anikeze lowo ongumninimhlaba isaziso esifanele ngokwesidingo sesigaba 2(C).

(2) Isaziso sokuthatha umhlaba ngokomthetho kumele ukuba:

(i) sibe nencazelo ecacile negcwele ngomhlaba othintekayo;

(ii) siveze nosuku lokuthathwa komhlaba ngokomthetho;

(iii) sinikeze inkokhelo ehambisana nezimakethe.

(3) Lapha inguquko ehlongozwayo ithinta kuphela ingxenye yomhlaba noma ilungelo eliyilo engxenyeni yomhlaba;

(i) isaziso sokuthatha umhlaba ngokomthetho kumele ukuba nomdwebo weplani okhombisa isilinganiso sendawo nobukhulu nendawo ethintekayo,

(ii) umninimhlaba angacela uNdunankulu wesifunda ukuba anikeze eminye imininingwane ngaleyo ngxenye ezinsukwini ezingama-30 ukusukela ngalolo suku oluvela esazisweni, ukuze umninimhlaba akwazi ukutholisisa indawo noma ubukhulu baleyo ngxenye ethintekayo.

(4) Ngokwalo Mthetho, usuku uNdunankulu wesifunda azonikeza ngalo imininingwane wusuku okugala ngalo isaziso.

2C Ukusetshenziswa kwesaziso sokuthatha umhlaba ngokomthetho

(1) UNdunankulu wesifunda kumele ukuba:

(i) anikeze umninimhlaba ikhophi yangempela yesaziso sokuthatha umhlaba ngokomthetho kanye nazo zonke ezinye izaziso nezincwadi, ngeposi noma ngenchwadi erejistiwe;

(ii) uma indawo lapho kuhlala khona umninimhlaba wendawo ethintekayo ingaziwa noma kungelula ukufinyelela kuyo, faka lesi saziso sokuthatha umhlaba ngokomthetho kanye ephephandabeni likahulumeni wesifunda nakanye futhi emasontweni amabili alandelanayo ephephandabeni elifundwa ngabantu lapho leyo ndawo ethintekayo ikhona.

2D Ukwedluliswa kobumnini bomhlaba othethwe ngokomthetho

(1) Ngosuku lokuthathwa komhlaba ngokomthetho, ubumnini bomhlaba buwela ngaphansi kwesifunda saseGauteng.

(2) Zonke izingozi, izindleko, izintela ezihambisana nokuthathwa komhlaba ngokomthetho zedluliselwa kusifunda saseGauteng ngosuku okuthathwa ngalo umhlaba ngokomthetho.

2E Ukungemukelwa kwenkokhelo

(1) Ezinsukwini ezingama-60 ukusukela ngosuku lwesaziso, umninimhlaba omhlaba wakhe uthethwe ngokomthetho mayelana nalo Mthetho, lapho ethola ukuthi inkokhelo ayanele, anganikeza uNdunankulu wesifunda isitatimende esibhaliwe:

(i) esivezayo ukuthi inkokhelo ayamukeleki;

(ii) esiveza nezizathu ezishoyo ukuthi inkokhelo ayamukeleki ngani.

**2F Izingxabano mayelana nenkokhelo**

- (1) Izingxabano mayelana nenani lemali eyinkokhelo, zizokwedluliselwa kubalamuli mayelana noMthetho wokulamula ka-1965 (UMthetho Namba 42 ka-1965).
- (2) Kuzoba kuphela lapho kwehluleka khona ukulamula, lapho amagembu axabene angaya khona enkantolo ephakeme yesifunda noma yendawo, lapho leyo ndawo ikhona, ukuyokwenza isicelo, sokuba kutholisiswe ukuthi yimalini inkokhelo okumele ikhokhelwe leyo ndawo ethethwe ngokomthetho nguNdunankulu wesifunda.
- (3) Isicelo njengoba sivezwe esigatshaneni 2F(2), sokutholisisa ukuthi yimalini okufanele ikhokhelwe umhlaba, singeke sathinta ngendlela engafanele amalungelo kaNdunankulu wesifunda njengomninimhlaba othethwe ngokomthetho.

**2G Ukuhoxiswa kokuthathwa komhlaba ngokomthetho**

- (1) Uma uNdunankulu wesifunda enomcabango wokuthi kuwukubonelela umphakathi ukuhoxisa ukuthathwa komhlaba ngokomthetho, angakuhoxisa ukuthatha lowo mhlaba noma nini ngaphambi kokubhaliswa kwalowo mhlaba mayelana nesigaba 16 somthetho wokubhaliswa kwamatayitela (Deeds Registration ACT), uMthetho 47 ka-1937.
- (2) Ukuhoxiswa kokuthathwa komhlaba ngokomthetho kumele ukuba kwenziwe ngendlela efanayo njengoba kuhleliwe esigabeni 2B, ubumnini bomhlaba buwela ngaphansi komninimhlaba, lowo okuthathwe kuye lowo mhlaba ngokomthetho ukusukela ngosuku lokuhoxisa isaziso.
- (3) Umninimhlaba lowo othethwe uzobuyisela kusifunda leyo mali ebizokhokhelwa yena.
- (4) Umninimhlaba unelungelo lokubiza imali yomonakalo owenzekile ngendlela eqondile nengaqondile ngenxa yokuthathwa komhlaba ngokomthetho.

**2H Umbhalisi wamatayitela (Registrar of Deeds) kumele ukuba aqaphelisise izivumelwano zokuba khona komhlaba**

- (1) Uma uNdunankulu wesifunda eveza umhlaba wesifunda ngendlela yesivumelwano sokuba khona komhlaba, umbhalisi wamatayitela kumele ukuba:
  - (i) abhalise ubukhona nokukhanselwa kwesivumelwano esinjengaleso, kutayitela yalowo mhlaba.

(ii) agcine ikhophi engaphezulu noma engaphansi yesivumelwano sokuba khona komhlaba emahhovisi okubhaliswa kwamatayitela ukuze abe ngamarekhodi agciniwe.

**21 Umhlaba wesifunda awungeni ngaphansi komthetho onxanela ukuzuza**

(1) Kunganakwa noma yimuphi umthetho ophikisana nomhlaba wesifunda, ukusukela ekuqaleni kwalo Mthetho, ungeke ubekwe ngaphansi kokutholwa yinoma ngubani ngokomthetho.

(b) ngokuguguka kwesigaba 5(2), nokufakwa emggeni wesithahu ngemuva kwamagama athi, "isigaba 2" okulandekayo: "2A".

(c) ngokuguguka kwesigaba 6(9), ngokususwa kwamagama alandelayo emggeni wesibili: "kungalondolozwa ngendlela ezonqunywa yiLungu Lomkhandlu Wesigungu obhekene neZimali." bese esikhundleni sawo kufakwa alandelayo: ngokubona komnyango wezezimali zikaHulumeni wesifunda ziyekelwe imali yesifunda etholakalayo."

## INDABAMBIKO ECHAZAYO

### 1. OKUZA NGAPHAMBILI

- 1.1 Ukumiswa komthetho wokuphathwa komhlaba esifundeni saseGauteng kwenza ukuba uHulumeni wesifunda saseGauteng akwazi ukuphatha izindawo ezinenzuzo ezingezesifunda ngendlela enempumelelo, enozinikela, nenokubonwa yinoma ngubani. Lokhu kunikeza uNdunankulu amandla okuba athole, apha the futhi aveze umhlaba wesifunda.
- 1.2 Lawa mandla awafaki amandla okuthatha umhlaba ngokomthetho ngokwenhloso yomphakathi noma ngokubonelela umphakathi njengoba kuhleliwe esigabeni 25(2) soMthethosisekelo ka-1966, (UMthetho Namba 108 ka-1966).
- 1.3 Lawa mandla azosetshenziswa kuphela ngokwezidingo zoMthethosisekelo ka-1966, (UMthethosisekelo Namba 108 ka-1966) mayelana nenkokhelo, ukuphepha kwesikhathi sokuba lapho, nokuthokozisa umphakathi noma inhloso.
- 1.4 Enye inkinga eyaziwayo ekuphathweni komhlaba wesifunda izivumelwano zokuba khona komhlaba. Ngesikhathi sobandlululo lezi zivumelwano zazenziwa nabathuthikisi bezindawo ngesikhathini esithile, okwakwenza ukuba kungabibikho amarekhodi afanele agcinwayo aveza ukuba khona kwalezi zivumelwano ngaphandle kwamafayili ezindawo lezo. Uma ifayili yendawo ilahlekile bekungekho okwakungatholwa ngayo, ukuthi zazikhona yini izivumelwano noma lezi zivumelwano zaziysisijiyezo kulezo zindawo. Lesi simo sidala izinkinga lapho uHulumeni wesifunda enguma ukuveza lezi zindawo noma efuna ukungena kwezinye izivumelwano. Abathuthukisi bezindawo labo okwakwenziwe nabo izivumelwano bese bethathela uHulumeni wesifunda izinyathelo zokwephula izivumelwano, ngesikhathi lapho uHulumeni engazi nokwazi ukuthi izivumelwano ezinjengaleso zikhona. Ukuze kupheliswe izimo ezinjengalezi, inguquko ehlongozwayo inikeza ukubhaliswa kwalezi zivumelwano kumatayitela alezo zindawo nokugcinwa kwekhophi engaphezulu noma engaphansi yesivumelwano sangempela emahhovisi okukhishwa kuwo amatayitela ukuze igcinwe njengarekhodi.
- 1.5 Ukuguquka mayelana nomthetho onxanela inzuzo kuyafakwa ukuvimbela ukutholakala kwomhlaba wesifunda ngendlela yomthetho onxanela inzuzo. Lokhu kungenxa yesizathu sokuthi isifunda siphethe umhlaba omkhulu futhi akwaziwa ukuba kulokhu kutholisiswa ukuthi umhlaba ngabe uthethwe ngokungemthetho noma cha.
- 1.6 Ukuguquka kwengxenye kwesigaba 6(9) kuyafakwa nakho ngoba amagama asetshenzisiwe okumanje awahambisani nemithetho yomnyango weZezimali kanti nesigaba

somthetho siyaguquka ukuveza isimo esiyiso sezimali okufanele zilondolozwe.

## 2 UKUHLAZIYA ISIGABA NGESIGABA

### 2.1 Isigaba 1 - Izincazelo

Lesi sigaba sifaka izincazelo ezintsha eziningana esigabeni 1 esikhona somthetho wokuphathwa komhlaba esifundeni saseGauteng, umthetho Namba 11 ka-1996.

### 2.2 Isigaba 2A - Amandla okuthatha umhlaba ngokomthetho

Lesi sigaba senza amalungiselelo okuba uNdunankulu wesifunda athathe umhlaba noma ilungelo eliyilo lomhlaba ngokwenhloso yomphakathi noma ngokubonelela umphakathi.

### 2.3 Isigaba 2B - Ukwazisa

Lesi sigaba senza amalungiselelo ezindlela ezisetshenziswayo mayelana nokwaziswa komninimhlaba ngokuthathwa komhlaba othintekayo.

### 2.4 Isigaba 2C - Ukusetshenziswa kwesaziso

Lesi sigaba senza amalungiselelo okusetshenziswa kwesaziso sokuthathwa komhlaba kumnimhlaba othintekayo kanye nezindlela ezisetshenziswayo zokukwenza lokhu mayelana nokusetshenziswa kwalokhu kumnimhlaba ongatholakali.

### 2.5 Isigaba 2D - Okwedluliswa kobumnini

Lesi sigaba senza amalungiselelo okwedluliswa kobumnini bomhlaba ngosuku lwesaziso sokuthathwa komhlaba.

### 2.6 Isigaba 2E - Ukungemukelwa kwenkokhelo

Lesi sigaba sinikeza ukungemukeleki kwenkokhelo enikezwa kumnimhlaba kanye nezindlela ezisetshenziswayo ukukwenza lokhu.

### 2.7 Isigaba 2F - Izingxabano

Lesi sigaba sinikeza izindlela zokuxazulula izingxabano uma kwenzeka kuba khona ingxabano mayelana nenkokhelo.

### 2.8 Isigaba 2G - Ukuhoxiswa kokuthathwa komhlaba

Lesi sigaba senza amalungiselelo okuhoxiswa okungenzeka kokuthathwa komhlaba uma ukwenza lokhu kungukubonelela umphakathi.

### 2.9 Isigaba 2H - Isivumelwano sokubhaliswa kokuba khona komhlaba

Lesi sigaba senza amalungiselelo okubhaliswa kwesivumelwano sokuba khona komhlaba kutayitela yomhlaba kanye nokugcinwa kwamarekhodi alokhu.

**2.10 Isigaba 2I - Umthetho onxanela inzuzo**

Lesi sigaba senza amalungiselelo okuthi umhlaba wesifunda awukwazi ukutholwa yinoma ngubani ngendlela enxanela inzuzo.

**2.11 Ukuguquka kwesigaba 6(9) - Ukulondolozwa kwezimali**

Lesi sigaba senza amalungiselelo okuguqula isigaba 6(9) esikhona. Amagama asetshenziswe manje kule pharagrafu anikeza ilungu lomkhandlu wesigungu elibhekene nezimali igunya lokwenza ngokubona kwalo ngokulondoloza izimali zeSikhwama Sezimali Zomhlaba esifundeni saseGauteng. Lokhu akuhambisani nemithetho yomnyango weZezimali, lesi sigaba siguqulwa ngendlela efanele.

# TSEBIŠO-KAKARETŠO

## TSEBIŠO 3194 YA 1997

### SISINYO YA PHETOLO YA MOLAO GAUTENG WA TAOLO YA NAGA WA 11 WA 1996.

#### 1. Molao wa Gauteng wa Taolo ya Naga ka gona o fetolwa:

##### (a) ka go akaretsa mo karolwaneng ya 1, dihlahthollo tse di latelago:

"kamogo" e ra gore kamogo bjalo ka ge e hlaloswa go Molao wa Kamogo wa 63 wa 1975. "tsatsikgwedi ya kamogo" e ra gore tsatsikgwedi ya kamogo bjalo ka ge e akantswe karolong ya 2E.

"pusetso" e ra pusetso yeo e sepedisanago le mmaraka.

"tsebiso ya kamogo" e ra gore tsebiso bjalo ka ge e akantswe karolong ya 2B.

"go morero wa setshaba goba go phetha kgahlego ya setshaba" bjalo ka ge e akantswe Molaotheong wa Repabliki ya Afrika Borwa, 108 ya 1996.

##### (b) ka tsenyo ya karolo ye e latelago morago ga karolo ya 2:

#### "2A Matla a Tonakgolo go amoga thoto morerong wa setshaba.

- (1) go ya ka tefelo yeo e tswalanago le mmaraka, tonakgolo a ka amoga thoto efe kapa efe goba tokelo ya thoto go morero wa setshaba goba go phetha dikgahlego tsa setshaba.

#### "2B Tsebiso ya gore thoto e tlo amogwa.

- (1) Ge Tonakgolo a tsea sepheto sa go amoga thoto goba tokelo ya thoto bjalo ka ge e hlaloswa karolong ya 2A, o swanetse a supetse mong yoo ka tsebiso ye e nepagetsego bjalo ka ge go hlaloswa karolong ya 2 (C)

##### (2) Tsebiso ya kamogo e swanetse-

- (i) e tswelletse hlaloso yeo e kwesisegago ka botlalo ya thoto yeo e amegago;
- (ii) e bontshe tsatsikgwedi ya kamogo;
- (iii) e fe pusetso yeo e tswalanago le mmaraka.

- (3) Moo kamogo yeo e akantswego e amago fela karolo ya thoto goba tokelo ya karolo ya thoto:

- (i) Tsebiso ya kamogo e swanetse go tswelletsa kakanyo ya ya sethalwa yeo e supetsago tekanyetso ya lefelo le monabo wa lefelo leo le amegago,



(ii) mong a ka kgopela Tonakhgolo gore a mo fane gape ka dihlahosiso tsa karolo mo matsatsing a 30 go tlogatsatsikgweding yeo e tswelelelago mo tsebisong, ka gorealo o tla kgontsha mong go kgonthisisa seemo sa monabo wa karolo yeo e amegago.

(4) Mabakeng a molawo wo, tsatsikgwedi yeo Tonakgo a fanagao ka dihlahosiso ke yona tsatsikgwedi yeo e phethagetsego ya tsebiso.

**2C Tirelo ya tsebiso ya kamogo**

(1) Tonakgolo o swanetse:

(i) a hlankete mong ka kopiso ya kgonthe ya tsebisoya kamogo le ditsebiso tse dingwe le ditokomane, ka go neela goba ka poso ye e ngwadisitswego;

(ii) ga e ba bodulo bja mong wa thoto ye e amegago ga bo tsebjwe go ba ga bo hwetsege, a phatlalatse tsebiso yakamogo ga tee kgatisobakeng ya profinsi le ga tee dibekeng tse pedi tsa go latellanakuranteng ya tikologo yeo thoto e hwetsagalago gona.

**2D Phetiso ya bong thotong yeo e amogilwego**

(1) Mo tsatsikgweding ya kamogo bong bja thoto bo wela tlasega Profinsi ya Gauteng.

(2) Tsohle dikotsi, ditshenyagalelo, ditekanyo le motshelo tseo di amanago le thoto yeo e amogilwego di fetisetswa go Profinsi ya Gauteng ka tsatsikgwedi ya kamogo.

**2E Go se amogele pusetso**

(1) Mo matsatsing a masometshela go tloga ka letsatsi la tsebiso, yoo a amogilwego thoto go ya ka molao wo yoo a hwetsago pusetso e sa kgotsofatse, a ka neela Tonakgolo ka taodiso ka mokgwa wa go ngwalwa:

(i) go hlalosa gore pusetso ga e amogelwe;

(ii) yeo go yona e nago le mabaka ao pusetso e ganwago.

**2F Dikgakgano malbana le pusetso**

- (1) Dikgakgano malebana le tekanyo ya tefelo ya pusetso e tla supetswa go balamoledi goba bakgaolakgangeng go ya ka molao wa Bolamoledi, 1965 (Molao wa 42 wa 1965.)
- (2) Ga fela bolamoledi bo sitilwe ke gona makoko a ka lebago go kgorokgolo ya selete goba ya profinsi, ya lefelo leo thoto e hwetsagalago gona, ka mokgwa wa kgopelo, go phetha pusetso yeo tlo lefelwago thoto yeo e amogilwego ke Tonakgolo.
- (3) Kgopelo bjalo ka ge e hlaloswa karolwaneng ya 2F(2), phethong ya pusetso, e ka se ame ditokelo tsa tonakgolo bjalo mong wa thoto yeo e amogilwego.

**2G Go gomiswa gwa kamogo**

- (1) Ga Tonakolo e ka bona gore e tla be e le go phethagatsa kgahlego ya setshaba go gomiseng ga kamogo ya thoto, yene a ka gomisa kamogo nako efe kapa efe pele ga ngwadiso ya thoto go ya ka karolo ya 16 ya Molao wa 47 wa Boingwadiso bja Bong wa 1937 e e phethagaditswe.
- (2) Go gomiswa ga kamogo e swanetse go dirwa ka mokgwa o tee leka fao e hlalowsago karolong ya 2B, gape bong bja thoto e wela matsogong a mong yoo a amogilwego thoto go tloga ka ksatsikgwedi ya tsebiso ya go gomiswa.
- (3) Tefelo ya pusetso go mong e tla busetswa go profinsi, ke mong wa thoto yeo e amogilwego.
- (4) Mong o na le tokelo ya go seka ditshenyagalelo tseo yena a ilego a di hwetsa ka lebaka la kamogo ya thoto.

**2H Boingwadiso bja Bong go tsebisa Ditumellano tsa hwetsagalo ya Naga**

- (1) Ga Tonakgolo a ka fana ka thoto ya profinsi ka mokgwa watumellano ya hwetsagalo ya naga. Mongwadidi wa Bong o swantse:

- (i) a ngwadise go ba gona le go khansela ga tumellano yeo kgahlanong ya bong bja thoto yeo.
- (ii) a sware kopiso ya kgonthe yeo e tiisitswego ya tumellano ya hwetsagalo ya naga kantorong ya Mongwadisi wa Bong ka mabaka a go e lota.

**2I Naga ya Profinsi yeo e sa kgethelwago thuo**

- (1) Le ga e ka ba go na le molao o mongwe woo o lego kgahlanong naga ya profinsi go tloga ka tsatsikgwedi ya go thoma go soma gamolao wo e ka se bewe thuong ka mokgwa wa kgethelo ke motho ofe kapa ofe.
- (b) ka go fetolwa ga karolo 5 (2), le go tsenywa mothalading wa boraro morago ga mantswe a "karolo 2" ye e latelago: ",2A".
- (c) ka go fetolwa ga karolo 6(9), le go forohlwa ga mantswe a a latelago mothalading wa 2 : "e beelestwe ka tsela yeo e tla bego e phethilwe ke Leloko Khansela Phetisi yoo maikarabelo a gagwe e lego tsa ditshelete." gomme sebakeng sa wona: "ka tthaologanyo ya ramatlotlo wa profinsi e tsenywe sekhwameng sa profinsi."

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**MEMORANDAMO WA TLHALOSO**

**1. BOITHEKGO**

- 1.1 Go bewa molaong gwa Molao wa Gauteng wa Taolo ya Naga go kgontshitse Mmuso wa Profinsi ya Gauteng go laola dithoto tseo di welaga ka tlase ga taolo ya profinsi ka mokgwa wo o phethagetsego, o ikanyago le go hloka sephiri. E file Tonakgolo matla a go hwetasa, go laola le go aba ka thoto ya profinsi.

- 1.2 Matla a le ga go le bjalo ga a ka a akaretsa le matla a go amoga thoto morerong wa setshaba goba go phetheng kgahlego ya setshaba bjalo ka ge e hlalosewa karolong 25 (2) ya Molaotheo wa 1996, (Molao wa nomoro 108 wa 1996.) Matla a go amoga a a bohlokwa go mmuso wa profinsi go fihlela maikemisetso a yona malebana le kago ya dintlo le mpshafatsong ya merero ya tsa naga gomme ka gorealo go a hlokega go ka tsenya maatla a molaokakanyweng.
- 1.3 Maatla a a tla somiswa ka tlhoko go ya ka Molaotheo wa 1996, (Molao wa 108 wa 1996) mabapi le pusetso, tlhabetso ya thuo gammogo le go phetha kgahlego goba morero wa setshaba.
- 1.4 Bothata bjo bongwe bjoo bo lemogilwego taolong ya thoto ya profinsi ke ditumellano tsahwetsagalo ya naga. Mmusong wo o sa tswago go feta dikonteraka tse di be di tsenelwa gammogo le batswetsapele lebaka le le itseng ntle le go lotwa gwa difaele ka moo go napagetsego gwa go ba gona gwa dikonteraka tse ntle le go difaele thoto. Ge faele ya thoto e timetse go be go se na ka moo go ka kgonthisiswago ga e ba go na le dikonterakale ga e be e le gore dikonteraka tse ke morwalo thotong. Seemo se se hlolamathata ge Mmuso wa Profinsi o tesa sephetho sa go aba thoto goba go tsenela ditumellano. Ka gorealo magato a tsewa kgahlanong le Mmuso wa Profinsi ke batswetsapele bao mmuso o tsenetsego dikonteraka tse go tsheleng konteraka mola Mmuso wa Profinsi o be o sa tsebe le gore dikonteraka tse di gona le go ba gona. Go ka rarabolla bothata bjo phetosokakanyo ye e dumella go ngwadiswa ga ditumellano tse kgahlanong le bong bja thoto le go swara kopiso ya kgonthe ye e tiisitswego ya tumellano Kantorong ya Bong moo, e tla lotwago.
- 1.5 Phetoso mabapi le hwetsagalo ye e beetswego e a akaretswa go ka thibela go hwetsagala ga thoto ya profinsi ka mokgwa wa hwetsagalo ye e beetswego. Se ke ka lebaka la gore profinsi e laola dilete tse dikgolo tsa naga ka gorealo e ka se kgone go kgonthisisa ka mehla gore thoto e dirisiwa mo go sego molaong.
- 1.6 Phetoso mo karolong 6(9) e akareditswe ka ge tshomiso ya mafoko ga ya elwa ka hloko go ya ka molawana wa Ramatlotlo le gona temana e fetotswe go sepedisana le seemo sannete sa ditshelete steo di tlo beeletswago.

## 2. PHETLEKO YA TEMENA KA TEMANA

### 2.1 Karolo 1 - Ditlhathollo

Karolo ye e tshwere go akaretswa ga ditlhathollo tse mpsha tse mmalwa karolong 1 ya Molao wa Gauteng wa Taolo ya Naga, Molao 11 wa 1996.

**2.2 Karolo 2A - Maatla a go amoga**

Karolo ye e dumella Tonakgolo go amoga thoto goba tokelo ya bong thotong morerong wa setshaba goba go phetha kgahlego ya setshaba.

**2.3 Karolo 2B - Tsebiso**

Karolo ye e dumella lenaneo mabapi le tsebiso ya kamogo go mong wa thoto ye e amegago.

**2.4 Karolo 2C - Tirelo ya tsebiso**

Karolo ye e dumella tirelo ya tsebiso ya kamogo go mong wa thoto ye e amegago le lenaneo malebana le mongthoto yo e sa hwetsagalego.

**2.5 Karolo 2D - Phetiso ya bong**

Karolo ye e dumella phetiso ya bong bja thoto ka tsatsikgwedi ya tsebiso ya kamogo.

**2.6 Karolo 2E - Go se amogele gwa pusetso**

Karolo ye e dumella go se amogele ya pusetso ye e fiwago go mong le mananeo ao a e amago.

**2.7 Karolo 2F - Dikgakangano**

Karolo ye e dumella mananeo a tharabollo ya dikgakangano ga e ba go na le dikgakanganomalebana le pusetso.

**2.8 Karolo 2G - Go gomiswa gwa kamogo**

Karolo ye e dumella kgonagalo ya go gomiswa gwa kamogo ga e ba go dira bjalo go tla phetha kgahlego ya setshaba.

**2.9 Karolo 2H - Ngwadiso ya tumellano ya hwetsagalo ya naga**

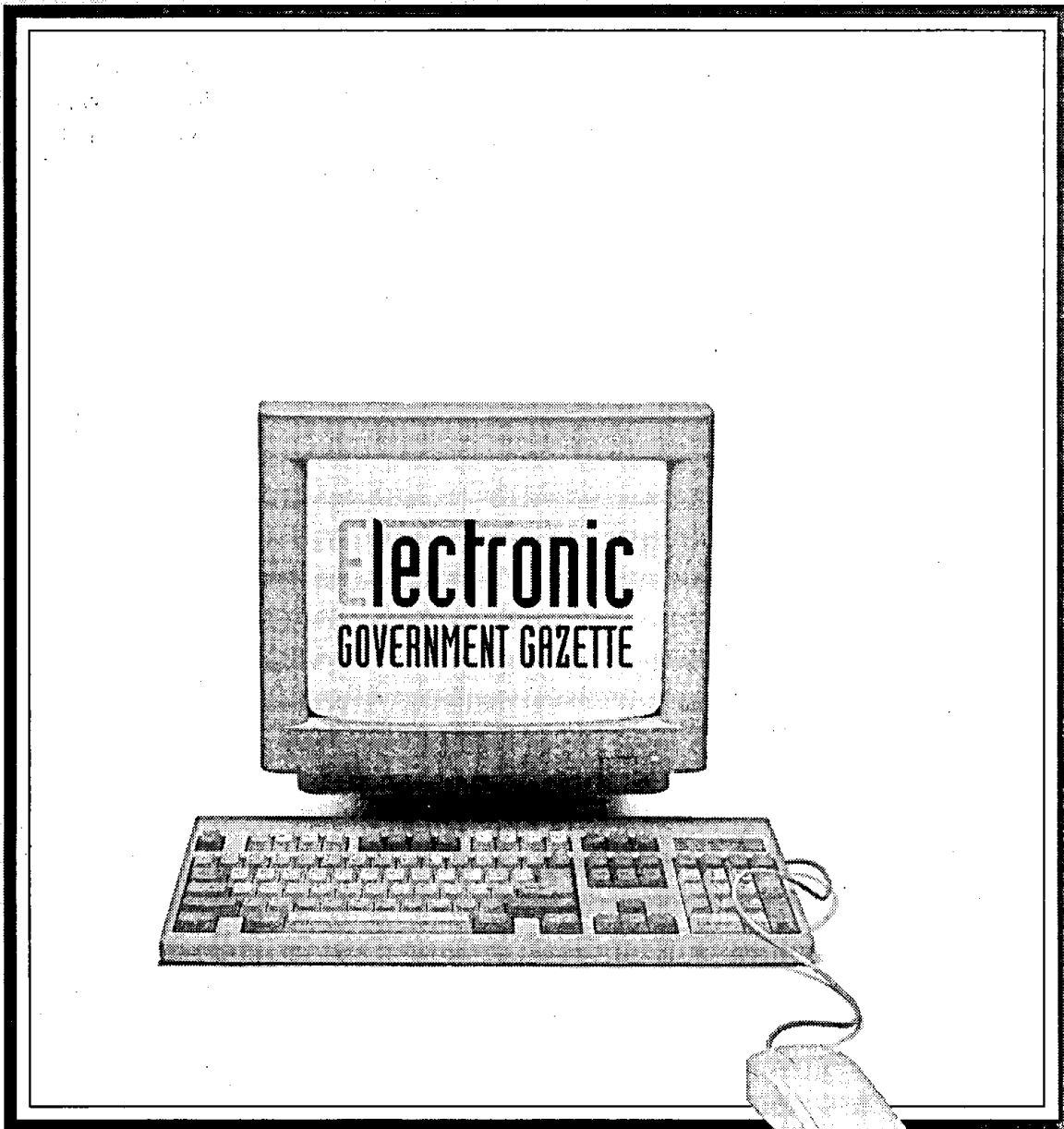
Karolo ye e dumella ngwadiso ya tumellano ya hwetsagalo ya nagakgahlanong le bong bja thoto e fetsisa go lotwa ga direkhoto.

**2.10 Karolo 2I - Khwetso ye e beetswego**

Karolo ye e dumella gore naga ya profinsi e se hwetsegale ke motho ofe ka mokgwa wa khwetso ye e beetswego.

**2.11 Phetoso ya Karolo 6(9) - Peeletso ya sekhwama**

Karolo ye e dumella phetoso ya karolo 6(9). Tshomiso ya mantswe ya tema e dumella Leloko la Lekgotlaphetisi la merero ya ditshetele kelello peeletsong ya sekhwama sekhwameng sa naga sa profinsi ya Gauteng. Se ga se ga se e le hloko melawana ya Ramatlotlo gape temana ye e fetotswe ka tshwanelo.



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