

LIMPOPO PROVINCE
LIMPOPO PROVINSIE
XIFUNDZANKULU XA LIMPOPO
PROFENSE YA LIMPOPO
VUNDU LA LIMPOPO
IPHROVINSI YELIMPOPO

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GENERAL NOTICE

NOTICE 362 OF 2008

LIMPOPO PROVINCIAL ADMINISTRATION

DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENT AND TOURISM

LIMPOPO BUSINESS REGISTRATION AMENDMENT BILL, 2008

The Memorandum on the Objects of the Limpopo Business Registration Amendment Bill, 2008 is hereby advertised for information. This Notice is in addition to Notice No. 483 that was published in Provincial Gazette 1408 on 26 October 2007, in conjunction with Gazette No. 1555 that was published on 27 October 2008 wherein the Limpopo Business Registration Amendment Bill, 2007 was published for comments.

The Head
Department of Economic Development,
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0700

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MEMORANDUM ON OBJECTS OF THE LIMPOPO BUSINESS REGISTRATION AMENDMENT BILL, 2008

1. PURPOSE

To seek approval to amend the schedule of the Limpopo Business Registration Act, 2003 (Act No.5 of 2003) [Hereinafter referred to as "the Limpopo Business Registration Act"].

2. BACKGROUND

2.1 The Businesses Act, 1991 (Act No. 71 of 1991) was assigned to the province by the President. The Limpopo Business Registration Act, 2003 repealed the business registration legislation of Lebowa, Gazankulu and Venda but there was an omission to repeal the Businesses Act, 1991 (Act No. 71 of 1991). The Department of Economic Development, Environment and Tourism approached the State Law Advisers in the Office of the Premier for a legal opinion regarding the possibility of repealing the Businesses Act, 1991 (Act No. 71 of 1991) that was assigned to the province.

2.2 The State Law Advisers advised the Department that the Limpopo Business Registration Act, 2003 provides for the registration of business in Limpopo and will replace the Businesses Act, 1991 (Act No.71 of 1991) that was assigned to the province. It is therefore necessary to repeal the Businesses Act, 1991 (Act No.71 of 1991) in order to have one Act that deals with business registration in the province.

2.3 This Amendment Bill will repeal the Businesses Act, 1991 (Act No.71 of 1991).

3. CLAUSE BY CLAUSE ANALYSIS**3.1 CLAUSE 1**

Clause 1 provides for the amendment of the Schedule in order to provide for the repeal of the Businesses Act, 1991 (Act No.71 of 1991).

3.2 CLAUSE 2

Clause 2 is the short title.

4. FINANCIAL IMPLICATIONS

None.

5. ORGANISATIONAL IMPLICATIONS

None.

6. CONSTITUTIONAL IMPLICATIONS

The President assigned the Businesses Act, 1991 (Act No.71 of 1991) to the province and the province therefore has the Constitutional mandate to rationalise the legislation.

7. CONSULTATION PROCESS

There was consultation between the Department of Economic Development, Environment and Tourism and the State Law Advisers.

8. RECOMMENDATION

It is recommended that this Amendment Bill be approved. A copy of the Bill is attached hereto for reference.

.....

Ohm Collins Chabane

Member of Executive Council

Economic Development, Environment and Tourism