



KWAZULU-NATAL PROVINCE  
KWAZULU-NATAL PROVINSIE  
ISIFUNDAZWE SAKWAZULU-NATALI

**Provincial Gazette • Provinsiale Koerant • Igazethi Yesifundazwe**

*(Registered at the post office as a newspaper) • (As 'n nuusblad by die poskantoor geregistreer)  
(Irejistiwee njengephephandaba eposihhovisi)*

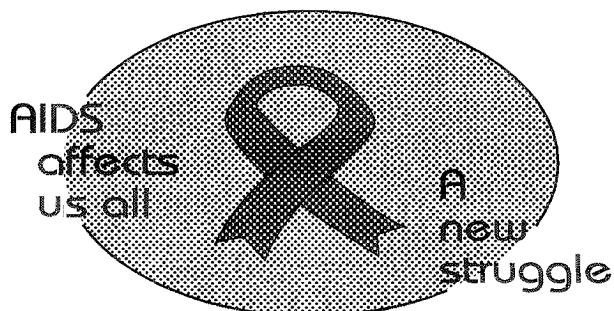
**Vol. 7**

**PIETERMARITZBURG,**

15 AUGUST 2013  
15 AUGUSTUS 2013  
15 kuNCWABA 2013

**No. 1004**

**We all have the power to prevent AIDS**



**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

**Prevention is the cure**

*N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes*



### IMPORTANT NOTICE

The Government Printing Works will not be held responsible for faxed documents not received due to errors on the fax machine or faxes received which are unclear or incomplete. Please be advised that an "OK" slip, received from a fax machine, will not be accepted as proof that documents were received by the GPW for printing. If documents are faxed to the GPW it will be the sender's responsibility to phone and confirm that the documents were received in good order.

Furthermore the Government Printing Works will also not be held responsible for cancellations and amendments which have not been done on original documents received from clients.

## CONTENTS

<i>No.</i>		<i>Page</i>
<b>PROVINCIAL NOTICES</b>		
131	Housing Act (107/1997): Notice of expropriation .....	9
132	do.: do .....	12
133	do.: do .....	15

# IMPORTANT NOTICE

The  
**KwaZulu-Natal Provincial Gazette** Function  
will be transferred to the  
**Government Printer** in Pretoria  
as from 26 April 2007

**NEW PARTICULARS ARE AS FOLLOWS:**

**Physical address:**

Government Printing Works  
149 Bosman Street  
Pretoria

**Postal address:**

Private Bag X85  
Pretoria  
0001

**New contact persons:** Gladys Shaku Tel.: (012) 334-4673  
Mrs H. Wolmarans Tel.: (012) 334-4591

**Fax number:** (012) 323-8805

**E-mail addresses:** Gladys.Shaku@gpw.gov.za  
Hester.Wolmarans@gpw.gov.za

**Contact persons for subscribers:**

Mrs J. Wehmeyer Tel.: (012) 334-4734  
Tel.: (012) 334-4753  
Fax.: (012) 323-9574

This phase-in period is to commence from **26 April 2007**, which is the closing date for all adverts to be received for the publication date of **3 May 2007**.

Subscribers and all other stakeholders are advised to send their advertisements directly to the **Government Printing Works**, one week (five working days) before the date of printing, which will be a Thursday.

**Payment:**

- (i) Departments/Municipalities: Notices must be accompanied by an order and official letterhead, including financial codes, contact person and address of Department.
- (ii) Private persons: Must pay in advance before printing.

Advertising Manager

IT IS THE CLIENTS RESPONSIBILITY TO ENSURE THAT THE CORRECT AMOUNT IS PAID AT THE CASHIER OR DEPOSITED INTO THE GOVERNMENT PRINTING WORKS BANK ACCOUNT AND ALSO THAT THE REQUISITION/COVERING LETTER TOGETHER WITH THE ADVERTISEMENTS AND THE PROOF OF DEPOSIT REACHES THE GOVERNMENT PRINTING WORKS IN TIME FOR INSERTION IN THE PROVINCIAL GAZETTE.

**No ADVERTISEMENTS WILL BE PLACED WITHOUT PRIOR PROOF OF PRE-PAYMENT.**

$\frac{1}{4}$  page **R 257.15**

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt

**TAKE NOTE OF  
THE NEW TARIFFS  
WHICH ARE  
APPLICABLE  
FROM THE 1ST OF  
MAY 2013**

$\frac{1}{2}$  page **R 514.30**

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt

$\frac{3}{4}$  page **R 771.45**

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt

Full page **R 1 028,50**

Letter Type: Arial Size: 10

Line Spacing: At:  
Exactly 11pt

SUBSCRIPTION: R 212,00 PER YEAR / R 1 028,50 PER PAGE = 25CM



REPUBLIC  
OF  
SOUTH AFRICA

## LIST OF FIXED TARIFF RATES AND CONDITIONS

FOR PUBLICATION OF LEGAL NOTICES  
IN THE *KwaZulu-Natal PROVINCE*  
*PROVINCIAL GAZETTE*

**COMMENCEMENT: 1 MAY 2013**

### CONDITIONS FOR PUBLICATION OF NOTICES

#### CLOSING TIMES FOR THE ACCEPTANCE OF NOTICES

1. (1) The *KwaZulu-Natal Provincial Gazette* is published every week on Thursday, and the closing time for the acceptance of notices which have to appear in the *KwaZulu-Natal Provincial Gazette* on any particular Thursday, is **15:00 one week prior to the publication date**. Should any Thursday coincide with a public holiday, the publication date remains unchanged. However, the closing date for acceptance of advertisements moves backwards accordingly, in order to allow for 5 working days prior to the publication date.
- (2) The date for the publication of an **Extraordinary** *KwaZulu-Natal Province Provincial Gazette* is negotiable.
2. (1) Notices received **after closing time** will be held over for publication in the next *KwaZulu-Natal Provincial Gazette*.
- (2) Amendments or changes in notices cannot be undertaken unless instructions are received **before 10:00 on Fridays**.
- (3) Notices for publication or amendments of original copy can not be accepted over the telephone and must be brought about by letter, by fax or by hand. The Government Printer will not be liable for any amendments done erroneously.
- (4) In the case of cancellations a refund of the cost of a notice will be considered only if the instruction to cancel has been received on or before the stipulated closing time as indicated in paragraph 2(2).

#### APPROVAL OF NOTICES (This only applies to Private Companies)

3. In the event where a cheque, submitted by an advertiser to the Government Printer as payment, is dishonoured, then the Government Printer reserves the right to refuse such client further access to the *KwaZulu-Natal Provincial Gazette* until any outstanding debts to the Government Printer is settled in full.

#### THE GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

4. The Government Printer will assume no liability in respect of—
  - (1) any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
  - (2) erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;

- (3) any editing, revision, omission, typographical errors, amendments to copies or errors resulting from faint or indistinct copy.

#### **LIABILITY OF ADVERTISER**

5. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

#### **COPY**

6. Notices must be typed on one side of the paper only and may not constitute part of any covering letter or document.

7. At the top of any copy, and set well apart from the notice, the following must be stated:

Where applicable

- (1) The heading under which the notice is to appear.  
(2) The cost of publication applicable to the notice, in accordance with the "Word Count Table".

#### **PAYMENT OF COST (This only applies to Private Companies)**

9. **With effect from 26 April 2007 no notice will be accepted for publication unless the cost of the insertion(s) is prepaid in CASH or by CHEQUE or POSTAL ORDERS. It can be arranged that money can be paid into the banking account of the Government Printer, in which case the deposit slip accompanies the advertisement before publication thereof.**
10. (1) The cost of a notice must be calculated by the advertiser in accordance with the word count table.  
(2) Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the **Advertising Section, Government Printing Works, Private Bag X85, Pretoria, 0001 [Fax: (012) 323-8805], before publication.**
11. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and the notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or by cheque or postal orders, or into the banking account.

12. *In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the Government Printing Works.*
13. The Government Printer reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the Word Count Table, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

#### **PROOF OF PUBLICATION**

14. **Copies of the *KwaZulu-Natal Provincial Gazette* which may be required as proof of publication, may be ordered from the Government Printer at the ruling price.** The Government Printer will assume no liability for any failure to post such *KwaZulu-Natal Provincial Gazette(s)* or for any delay in despatching it/them.

## **GOVERNMENT PRINTERS BANK ACCOUNT PARTICULARS**

Bank:	ABSA
	BOSMAN STREET
Account No.:	4057114016
Branch code:	632-005
Reference No.:	00000006
Fax No.:	(012) 323 8805

#### ***Enquiries:***

Mrs. L. Fourie	Tel.: (012) 334-4686
Mrs. H. Wolmarans	Tel.: (012) 334-4591

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**PROVINCIAL NOTICES—PROVINSIALE KENNISGEWINGS—IZAZISO ZESIFUNDAZWE**

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The following notices are published for general information.

Onderstaande kennisgewings word vir algemene inligting gepubliseer.

300 Langalibalele Street  
Pietermaritzburg  
15 August 2013

MR N.V.E. NGIDI  
Director-General

Langalibalelestraat 300  
Pietermaritzburg  
15 Augustus 2013

MNR. N.V.E. NGIDI  
Direkteur-generaal

Izaziso ezilandelayo zikhishelwe ulwazi lukawonkewonke.

300 Langalibalele Street  
Pietermaritzburg  
15 kuNcwaba 2013

MNU. N.V.E. NGIDI  
Umqondisi-Jikelele



### NOTICE OF EXPROPRIATION

Issued by the Kwa-Dukuza Municipality (hereinafter referred to as "the Municipality") in terms of the Housing Act, No 107 of 1997, as amended, (hereinafter referred to as "the Housing Act") and the Expropriation Act, No 63 of 1975, as amended (hereinafter referred to as "the Expropriation Act").

TO: The Owner(s) (within the meaning of that term as defined in Section 1 of the Expropriation Act) of the properties (all of Stanger, Registration Division FU, Province of KwaZulu-Natal) described in the schedule hereto, and which expression includes, but is not limited to the Trustee or Liquidator in the insolvent estate of the owner, the executor in the estate of a deceased owner, or if the owner of the property is under legal disability, his/her legal representative and includes the authorised representative of the owner in the Republic of South Africa.

AND TO: All other persons claiming any right to or interest in the properties (all of Stanger, Registration Division FU, Province of KwaZulu-Natal) described in the schedule hereto, whether by virtue of registration or otherwise, and particularly any lessee, buyer or builder contemplated in terms of Section 9(1)(d) of the Expropriation Act.

#### Expropriation of Land and Servitude Rights

1. PLEASE TAKE NOTE that the Municipality in terms of the powers vested in it by Section 156(1)(b) of the Constitution of the Republic of South Africa, 1996, Section 9(3)(a) of the Housing Act read with and in terms of Sections 1, 6 to 15 and 18 to 23 of the Expropriation Act and in terms of the powers vested in it in terms of the provisions of Section 190 (1) of the Local Authorities Ordinance Number 25 of 1974, hereby expropriates, for public purposes in general with the specific purpose of providing and delivering housing, the land and/or right(s) described in the schedule hereto together with all improvements.
2. The date of expropriation shall be 16 August 2013, from which date ownership of the said land will pass to the Municipality and/or the said rights will vest in the Municipality
3. The date on which the Municipality shall take possession of the said land shall be 16 August 2013 or such other date as may be agreed upon between the Owner(s) and the Municipality in terms of Section 8(3) of the Expropriation Act, or a date determined in terms of the provisions of Section 8(5) of the Expropriation Act, as the case may be.
4. Where land is expropriated, with effect from the date of possession of the land by the Municipality, but not before such date, the Owner(s) will be relieved of the obligation to take care of and maintain the land and to pay taxes and other charges thereon, and will no longer be entitled to the use of any income from the land.
5. Your attention is directed to the provisions of Section 9(1), 12(3)(a)(ii), 12(4) and 13(3) of the Expropriation Act, which read as follows:

"9. Duties of owner of property expropriated or which is to be used by (the Municipality).

(1) An owner whose property has been expropriated in terms of this Act, shall, within sixty days from the date of notice....., deliver or cause to be delivered to the (Municipality) a written statement indicating -

if any compensation was in the notice of expropriation offered for such property, whether or not he accepts the compensation and, if he does not accept it, the amount claimed by him as compensation and how much of that amount represents each of the respective amounts contemplated in section 12(1)(a)(i) and (ii) or (b) and full particulars as to how such amounts are made up;

if no such compensation was so offered, the amount claimed as compensation by him and how much of the amount represents each of the respective amounts contemplated in section 12(1)(a)(i) and (ii) or (b) and full particulars as to how such amounts are made up;

if the property expropriated is land and any amount is claimed in terms of paragraph (a) or (b), full particulars of all improvements thereon which, in the opinion of the owner, affect the values of such land;

if the property being expropriated is land -

(i) which prior to the date of notice was leased as a whole or in part by unregistered lease, the name and writing or full particulars of the lease, the name and address of the lessee, and accompanied by the lease or a certified copy hereof, if it is not in writing:

(ii) which, prior to the date of notice, was sold by the owner, the name and address of the buyer, and accompanied by the contract of purchase ad sale or a certified copy thereof.

on which building has been erected which is subject to a builder's lien by virtue of a written building contract, the name and address of the builder, and accompanied by the building contract or a certified copy thereof.

the address to or at which the owner desires that further documents in connection with the expropriation may be posted or delivered or tendered.

Provided that the (Municipality) may at (its) discretion extend the said period of sixty days, and that, if the owner requests the (Municipality) in writing within thirty days as from the date of notice to extend the said period of sixty days, the (Municipality) shall extend such period by a further sixty days."

"12. Basis on which compensation is to be determined -

(a) Interest at the standard interest rate determined in terms of Section 28(1) of the Exchequer and Audit Act, 1975 (Act No 56 of 1975), shall, subject to the provisions of subsection (4), be payable from the date on which the Municipality takes possession of the property in question in terms of Section 8(3) or (5) on any outstanding portion of the amount of compensation payable in accordance with subsection (1):

Provided that -

(i).....

(ii) If the owner fails to comply with the provisions of Section 9(1) within the appropriate period referred to in the said section, the amount so payable shall during the period of such failure and for the purpose of the payment of interest be deemed not to be

an outstanding amount.

If the owner of property which has been expropriated occupies or utilised or any portion thereof, no interest shall, in respect of the period during which he so occupies or utilises it, be paid in terms of subsection (3) on so much of the outstanding amount as, in the opinion of the (Municipality), relates to the property so occupied or utilised."

"13. Payment of compensation in respect of rights of unregistered leases in respect of property expropriated –

If the owner of expropriated property fails to comply with the provisions of Section 9(1) (d)(1) and the (Municipality) did not prior to the payment of any compensation money to the owner become aware of the existence of the lease in respect of such property the (Municipality) shall not be obliged to pay compensation to the lessee concerned in respect of the termination of his rights, but such owner shall be liable to any such lessee for damages sustained by him in consequence of the termination of his rights."

6. Your attention is directed to the provisions of Section 20 of the Expropriation Act, which read as follows:

"20. Payment of certain taxes and other moneys out of compensation monies –

If any land which has been expropriated is situated within the area of jurisdiction of a local authority, such local authority shall upon receipt or publication of a relevant notice in terms of section 7, forthwith inform the (Municipality) in writing of any outstanding tax or other moneys in respect of the payment of which the production of a receipt or certificate is in terms of any law prerequisite for the passing of a transfer of such land by a registrar of deeds.

The (Municipality) may utilise so much of the compensation money in question as is necessary for the payment on behalf of the owner of such land of any tax or other moneys mentioned in subsection (1)".

If the title deed to the land is not in the possession or under the control of the Owner(s), you are further requested in terms of Section 9(3)(a) of the Expropriation Act to provide within sixty days of the date of this notice written particulars of the name and address of the person in whose possession or under whose control is.

All responses in terms of this notice of expropriation must be addressed to the Municipal Manager at the address indicated hereunder:

NJ Mdakane  
Municipal Manager  
KwaDukuza Municipality  
PO Box 72, Stanger 4450  
Municipal Offices, Chief Albert Luthuli Street, Stanger

Notice Number: MN178/2013

Schedule of Properties to Notice of Expropriation in terms of the Housing Act, No 107 of 1997, as amended, the Expropriation Act, 63 of 1975, as amended and other Applicable Legislation (all of Stanger, Registration Division Fu, Province of KwaZulu-Natal)

## Steve Biko Phase 2

	Erf No	Extent in Hectares	Compensation Offered
1.	4367	3.6871	R121 143.00
2.	4368	3.8324	R125 720.00
3.	4369	3.7313	R122 535.00
4.	5100	0.8089	R26 627.00
5.	5465	3.8445	R126 101.00
6.	5521 (Rem)	29.4097	R923 759.00
7.	5528 (Rem)	2.7473	R90 660.00
8.	5532	1.7062	R56 304.00
9.	5533	2.0234	R66 772.00
10.	5550	6.0703	R196 214.00
11.	5551	4.4515	R145 222.00
12.	5553	2.0234	R66 772.00
13.	Proposed Portion of Erf 9065	2.4472	R80 758.00
14.	5555	4.0469	R132 477.00
15.	5556	4.0469	R132 921.00
16.	5593	1.9453	R64 194.00
17.	5567	5.1648	R167 684.00
18.	5564	2.0703	R66 904.00
19.	5574	2.0744	R68 455.00
20.	5576	4.448	R145 017.00
21.	5577	2.0234	R66 772.00
22.	5578	6.6783	R215 366.00
23.	5579	8.4123	R269 987.00
24.	5581	2.4282	R80 130.00
25.	5583	2.0218	R66 719.00
26.	5584	4.0446	R132 404.00
27.	5585	3.0697	R101 890.00
28.	5592	2.0196	R66 646.00
29.	5604	2.0234	R66 772.00
30.	5525	1.936	R63 888.00
31.	5524	2.8399	R93 716.00

No. 132

15 August 2013

**NOTICE OF EXPROPRIATION**

**Issued by the Kwa-Dukuza Municipality (hereinafter referred to as "the Municipality") in terms of the Housing Act No. 107 of 1997, as amended (hereinafter referred to as "the Housing Act") and the Expropriation Act, No. 63 of 1975, as amended (hereinafter referred to as "the Expropriation Act").**

**To** the Owner(s) (within the meaning of that term as defined in Section 1 of the Expropriation Act) of the properties (all of the **FARM PROSPECT NO 3295, Registration FU, Province of Kwazulu-Natal**) described in the schedule hereto, and which expression includes, but is not limited to the Trustee or Liquidator in the insolvent estate of the owner, the executor in the estate of a deceased owner, or if the owner of the property is under legal disability, his / her legal representative and includes the authorized representative of the owner in the Republic of South Africa.

**AND TO:** All other persons claiming any right to or interest in the properties (all of the **FARM PROSPECT NO 3295, Registration FU, Province of Kwazulu-Natal**) described in the schedule hereto, whether by virtue of registration or otherwise, and particularly any lessee, buyer or builder contemplated in terms of Section 9(1)(d) of the Expropriation Act.

**EXPROPRIATION OF LAND AND SERVITUDE RIGHTS**

1. PLEASE TAKE NOTICE that the Municipality in terms of the powers vested in it by Section 156 (1) (b) of the Constitution of the Republic of South Africa, 1996, Section 9(3)(a) of the Housing Act read with and in terms of Sections 1, 6 to 15 and 18 to 23 of the Expropriation Act and in terms of the powers vested in it in terms of the provisions of Section 190 (1) of the Local Authorities Ordinance Number 25 of 1974, hereby expropriates, for public purposes in general with the specific purpose of providing and delivering housing, the land and/or right(s) described in the schedule hereto together with all improvements.

2. The date of expropriation shall be 16 August 2013 from which date, ownership of the said land will pass to the Municipality and/or the said rights will vest in the Municipality

3. The date on which Municipality shall take possession of the said land shall be 16 August 2013 or such other date as may be agreed upon between the Owner(s) and the Municipality in terms of Section 8(3) of the Expropriation Act, or a date determined in terms of the provisions of Section 8(5) of the Expropriation Act, as the case may be.

4. Where land is expropriated, with effect from the date of possession of the land by the Municipality, but not before such date, the Owner(s) will be relieved of the obligation to take care of and maintain the land and to pay taxes and other charges thereon, and will no longer be entitled to the use of any income from the land.

5. Your attention is directed to the provisions of Section 9(1), 12(3)(a)(ii), 12(4) and 13(3) of the Expropriation Act, which read as follows:

- "9. Duties of owner of property expropriated or which is to be used by (the Municipality). – (1)** An owner whose property has been expropriated in terms of this Act, shall, within sixty days from the date of notice...., deliver or cause to be delivered to the (Municipality) a written statement indicating-
- (a) if any compensation was in the notice of expropriation offered for such property, whether or not he accepts the compensation and, if he does not accept it, the amount claimed by him as compensation and how much of that amount represents each of the respective amounts contemplated in section 12(1)(a)(i) and (ii) or (b) and full particulars as to how such amounts are made up;
  - (b) if no such compensation was so offered, the amount claimed as compensation by him and how much of the amount represents each of the respective amounts contemplated in section 12(1)(a)(i) and (ii) or (b) and full particulars as to how such amounts are made up;
  - (c) if the property expropriated is land and any amount is claimed in terms of paragraph (a) or (b), full particulars of all improvements thereon which, in the opinion of the owner, affect the values of such land;
  - (d) if the property being expropriated is land-
    - (i) which prior to the date of notice was leased as a whole or in part by unregistered lease, the name and writing or full particulars of the lease, the name and address of the lessee, and accompanied by the lease or a certified copy hereof, if it is not in writing;
    - (ii) which, prior to the date of notice, was sold by the owner, the name and address of the buyer, and accompanied by the contract of purchase ad sale or a certified copy thereof.
  - (ii) on which building has been erected which is subject to a builder's lien by virtue of a written building contract, the name and address of the builder, and accompanied by the building contract or a certified copy thereof.

- (e) the address to or at which the owner desires that further documents in connection with the expropriation may be posted or delivered or tendered.  
 Provided that the (Municipality) may at (its)discretion extend the said period of sixty days, and that, if the owner requests the (Municipality) in writing within thirty days as from the date of notice to extend the said period of sixty days, the (Municipality) shall extend such period by a further sixty days."

"12. Basis on which compensation is to be determined-

- (1) .....  
 (2) .....  
 (3) (a) Interest at the standard interest rate determined in terms of Section 28(1) of the Exchequer and Audit Act, 1975 (Act No. 56 of 1975), shall, subject to the provisions of subsection (4), be payable from the date on which the Municipality takes possession of the property in question in terms of Section 8(3) or (5) on any outstanding portion of the amount of compensation payable in accordance with subsection (1):

Provided that –

- (i) .....  
 (ii) If the owner fails to comply with the provisions of Section 9(1) within the appropriate period referred to in the said section, the amount so payable shall during the period of such failure and for the purpose of the payment of interest be deemed not to be an outstanding amount.  
 (4) If the owner of property which has been expropriated occupies or utilizes or any portion thereof, no interest shall, in respect of the period during which he so occupies or utilizes it, be paid in terms of subsection (3) on so much of the outstanding amount as, in the opinion of the (Municipality), relates to the property so occupied or utilized."

**"13. Payment of compensation in respect of rights of unregistered leases in respect of property expropriated –**

- (3) If the owner of expropriated property fails to comply with a the provisions of Section 9(1) (d)(1) and the (Municipality) did not prior to the payment of any compensation money to the owner become aware of the existence of the lease in respect of such property the (Municipality) shall not be obliged to pay compensation to the lessee concerned in respect of the termination of his rights, but such owner shall be liable to any such lessee for damages sustained by him in consequence of the termination of his rights."

6. Your attention is directed to the provisions of Section 20 of the Expropriation Act, which read as follows:

- "20. Payment of certain taxes and other moneys out of compensation monies –  
 (1) If any land which has been expropriated is situated within the area of jurisdiction of a local authority, such local authority shall upon receipt or publication of a relevant notice in terms of section 7, forthwith inform the (Municipality) in writing) of any outstanding tax or other moneys in respect of the payment of which the production of a receipt or certificate is in terms of any law prerequisite for the passing of a transfer of such land by a registrar of deeds.  
 (2) The (Municipality) may utilise so much of the compensation money in question as is necessary for the payment on behalf of the owner of such land of any tax or other moneys mentioned in subsection (1) ."

7. If the title deed to the land is not in the possession or under the control of the Owner(s), you are further requested in terms of Section 9(3)(a) of the Expropriation Act to provide within sixty days of the date of this notice written particulars of the name and address of the person in whose possession or under whose control is.

8. All responses in terms of this notice of expropriation must be addressed to the Municipal Manager at the address indicated hereunder:

**N J MDAKANE**

**The Municipal Manager  
 Kwa-Dukuza Municipality  
 Municipal Offices  
 Chief Albert Luthuli Street, STANGER**

**P.O. BOX 72  
 STANGER  
 4450**

**MN 173/2013**

**SCHEDULE OF PROPERTIES TO NOTICE OF EXPROPRIATION IN  
TERMS OF THE HOUSING ACT, NO 107 OF 1997, AS AMENDED,  
THE EXPROPRIATION ACT 63 OF 1975, AS AMENDED AND OTHER  
APPLICABLE LEGISLATION**

<b>PORTION / REM NO. (All OF THE FARM PROSPECT NO. 3295 REGISTRATION DIVISION FU, PROVINCE OF KWA ZULU NATAL)</b>	<b>EXTENT IN HECTARES</b>	<b>COMPENSATION</b>
1. Rem of Portion 2	55.3217	R168 000,00
2. Rem of Portion 3	80.1704	R1 250 000,00
3. Portion 4 (of 2)	27.2105	R460 000,00
4. Portion 5 (of 2)	27.2101	R485 000,00
5. Portion 12 (of 2)	2.6621	R34 000,00
6. Portion 13 (of 2)	5.3248	R62 000,00
7. Portion 14 (of 2)	5.3244	R65 000,00
8. Portion 15 (of 2)	3.9978	R35 000,00
9. Portion 16 (of 2)	3.9887	R34 000,00
10. Portion 18 (of 2)	3.9939	R31 000,00
11. Portion 19 (of 2)	3.9940	R24 000,00
12. Portion 41 (of 3)	0.8094	R60 000,00
13. Portion 42	18.2109	R367 000,00
14. Portion 43	18.2109	R443 000,00
15. Portion 45	18.2109	R383 000,00

No. 133

15 August 2013

**NOTICE OF EXPROPRIATION**

Issued by the Kwa-Dukuza Municipality (hereinafter referred to as "the Municipality") in terms of the Housing Act No. 107 of 1997, as amended (hereinafter referred to as "the Housing Act") and the Expropriation Act, No. 63 of 1975, as amended (hereinafter referred to as "the Expropriation Act").

To the Owner(s) (within the meaning of that term as defined in Section 1 of the Expropriation Act) of the properties (all of the **FARM CHAKAS KRAAL NO 865, Registration FU, Province of Kwazulu-Natal**) described in the schedule hereto, and which expression includes, but is not limited to the Trustee or Liquidator in the insolvent estate of the owner, the executor in the estate of a deceased owner, or if the owner of the property is under legal disability, his / her legal representative and includes the authorized representative of the owner in the Republic of South Africa.

**AND TO:** All other persons claiming any right to or interest in the properties (all of the **FARM CHAKAS KRAAL NO 865, Registration FU, Province of Kwazulu-Natal**) described in the schedule hereto, whether by virtue of registration or otherwise, and particularly any lessee, buyer or builder contemplated in terms of Section 9(1)(d) of the Expropriation Act.

**EXPROPRIATION OF LAND AND SERVITUDE RIGHTS**

1. PLEASE TAKE NOTICE that the Municipality in terms of the powers vested in it by Section 156 (1) (b) of the Constitution of the Republic of South Africa, 1996, Section 9(3)(a) of the Housing Act read with and in terms of Sections 1, 6 to 15 and 18 to 23 of the Expropriation Act and in terms of the powers vested in it in terms of the provisions of Section 190 (1) of the Local Authorities Ordinance Number 25 of 1974, hereby expropriates, for public purposes in general with the specific purpose of providing and delivering housing, the land and/or right(s) described in the schedule hereto together with all improvements.

2. The date of expropriation shall be 16 August 2013 from which date, ownership of the said land will pass to the Municipality and/or the said rights will vest in the Municipality.

3. The date on which Municipality shall take possession of the said land shall be 16 August 2013 or such other date as may be agreed upon between the Owner(s) and the Municipality in terms of Section 8(3) of the Expropriation Act, or a date determined in terms of the provisions of Section 8(5) of the Expropriation Act, as the case may be.

4. Where land is expropriated, with effect from the date of possession of the land by the Municipality, but not before such date, the Owner(s) will be relieved of the obligation to take care of and maintain the land and to pay taxes and other charges thereon, and will no longer be entitled to the use of any income from the land.

5. Your attention is directed to the provisions of Section 9(1), 12(3)(a)(ii), 12(4) and 13(3) of the Expropriation Act, which read as follows:

- "9. Duties of owner of property expropriated or which is to be used by (the Municipality). – (1)** An owner whose property has been expropriated in terms of this Act, shall, within sixty days from the date of notice...., deliver or cause to be delivered to the (Municipality) a written statement indicating-
- (a) if any compensation was in the notice of expropriation offered for such property, whether or not he accepts the compensation and, if he does not accept it, the amount claimed by him as compensation and how much of that amount represents each of the respective amounts contemplated in section 12(1)(a)(i) and (ii) or (b) and full particulars as to how such amounts are made up;
  - (b) if no such compensation was so offered, the amount claimed as compensation by him and how much of the amount represents each of the respective amounts contemplated in section 12(1)(a)(i) and (ii) or (b) and full particulars as to how such amounts are made up;
  - (c) if the property expropriated is land and any amount is claimed in terms of paragraph (a) or (b), full particulars of all improvements thereon which, in the opinion of the owner, affect the values of such land;
  - (d) if the property being expropriated is land-
    - (i) which prior to the date of notice was leased as a whole or in part by unregistered lease, the name and writing or full particulars of the lease, the name and address of the lessee, and accompanied by the lease or a certified copy hereof, if it is not in writing;
    - (ii) which, prior to the date of notice, was sold by the owner, the name and address of the buyer, and accompanied by the contract of purchase ad sale or a certified copy thereof.
  - (ii) on which building has been erected which is subject to a builder's lien by virtue of a written building contract, the name and address of the builder, and accompanied by the building contract or a certified copy thereof.

- (e) the address to or at which the owner desires that further documents in connection with the expropriation may be posted or delivered or tendered.  
 Provided that the (Municipality) may at (its) discretion extend the said period of sixty days, and that, if the owner requests the (Municipality) in writing within thirty days as from the date of notice to extend the said period of sixty days, the (Municipality) shall extend such period by a further sixty days."

"12. Basis on which compensation is to be determined-

- (1) .....  
 (2) .....  
 (3) (a) Interest at the standard interest rate determined in terms of Section 28(1) of the Exchequer and Audit Act, 1975 (Act No. 56 of 1975), shall, subject to the provisions of subsection (4), be payable from the date on which the Municipality takes possession of the property in question in terms of Section 8(3) or (5) on any outstanding portion of the amount of compensation payable in accordance with subsection (1):

Provided that –

- (i) .....  
 (ii) If the owner fails to comply with the provisions of Section 9(1) within the appropriate period referred to in the said section, the amount so payable shall during the period of such failure and for the purpose of the payment of interest be deemed not to be an outstanding amount.  
 (4) If the owner of property which has been expropriated occupies or utilizes or any portion thereof, no interest shall, in respect of the period during which he so occupies or utilizes it, be paid in terms of subsection (3) on so much of the outstanding amount as, in the opinion of the (Municipality), relates to the property so occupied or utilized."

"13. Payment of compensation in respect of rights of unregistered leases in respect of property expropriated –

- (3) If the owner of expropriated property fails to comply with a the provisions of Section 9(1) (d)(1) and the (Municipality) did not prior to the payment of any compensation money to the owner become aware of the existence of the lease in respect of such property the (Municipality) shall not be obliged to pay compensation to the lessee concerned in respect of the termination of his rights, but such owner shall be liable to any such lessee for damages sustained by him in consequence of the termination of his rights."

6. Your attention is directed to the provisions of Section 20 of the Expropriation Act, which read as follows:

"20. Payment of certain taxes and other moneys out of compensation monies –

- (1) If any land which has been expropriated is situated within the area of jurisdiction of a local authority, such local authority shall upon receipt or publication of a relevant notice in terms of section 7, forthwith inform the (Municipality) in writing) of any outstanding tax or other moneys in respect of the payment of which the production of a receipt or certificate is in terms of any law prerequisite for the passing of a transfer of such land by a registrar of deeds.  
 (2) The (Municipality) may utilise so much of the compensation money in question as is necessary for the payment on behalf of the owner of such land of any tax or other moneys mentioned in subsection (1) ."

7. If the title deed to the land is not in the possession or under the control of the Owner(s), you are further requested in terms of Section 9(3)(a) of the Expropriation Act to provide within sixty days of the date of this notice written particulars of the name and address of the person in whose possession or under whose control is.

8. All responses in terms of this notice of expropriation must be addressed to the Municipal Manager at the address indicated hereunder:

**N J MDAKANE**

**The Municipal Manager  
 Kwa-Dukuza Municipality  
 Municipal Offices  
 Chief Albert Luthuli Street, STANGER**

**P.O. BOX 72  
 STANGER  
 4450**

**MN170/2013**



**SCHEDULE OF PROPERTIES TO NOTICE OF EXPROPRIATION IN  
TERMS OF THE HOUSING ACT, NO 107 OF 1997, AS AMENDED,  
THE EXPROPRIATION ACT 63 OF 1975, AS AMENDED AND OTHER  
APPLICABLE LEGISLATION**

<b>PORTION / REM NO. (all of THE FARM CHAKAS KRAAL NO. 865 REGISTRATION DIVISION FU, PROVINCE OF KWA ZULU NATAL)</b>	<b>EXTENT IN HECTARES</b>	<b>COMPENSATION (INCLUSIVE OF SOLATIUM)</b>
1. PORTION 8	0.4047	R14 960
2. REM 87 (OF 57)	0.5160	R19 030
3. PORTION 317 (OF 57)	0.8094	R29 810
4. REM OF PORTION 57	6.0703	R218 570
5. PORTION OF REM OF PORTION 31 (OF 3)	4.3000	R156 305
6. REM OF PORTION 408	1.9249	R70 950
7. PORTION 409 (of 408)	0.4813	R17 710
8. PORTION 171 (of 32)	1.2027	R44 330
9. PORTION 172 (of 32)	0.3345	R12 320
10. REM OF PORTION 3	5.7528	R207 335
11. REM OF PORTION 90	3.8923	R141 920
12. PORTION 194 (of 90)	0.2240	R8 250
13. PORTION 166 (of 99)	4.0469	R147 380
14. PORTION 116	19.0321	R671 728
15. REM OF PORTION 99	14.9660	R531 442
16. PORTION 179	8.5428	R305 510
17. REM OF PORTION 76	7.3575	R187 910
18. REM OF PORTION 77	7.3858	R233 690
19. REM OF PORTION 20	7.6122	R187 910
20. REM OF PORTION 326 (of 20)	7.0323	R166 805





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