

OVERVAAL RESORTS LIMITED ACT

NO. 127 OF 1993
[ASSENTED TO 9 JULY, 1993]
[DATE OF COMMENCEMENT: 1 SEPTEMBER, 1993]
(English text signed by the State President)

ACT

To provide for the incorporation of the Board for Public Resorts as a public company; for the transfer of certain public resorts to the said company; and for matters in connection therewith.

ARRANGEMENT OF SECTIONS

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1. Definitions.—

In this Act, unless the context otherwise indicates—

“board” means the Board for Public Resorts referred to in section 5 of the Public Resorts Ordinance, 1969 (Ordinance No. 18 of 1969) (Transvaal);

“Companies Act” means the Companies Act, 1973 (Act No. 61 of 1973);

“company” means the company contemplated in section 2;

“Minister” means the Minister for Public Enterprises; and

“resorts” means the resorts as defined in Schedule 1, including Remainder of Erf 536, Groenkloof, Pretoria.

2. Incorporation of board as public company.—

(1) The board may request the registrar of companies in writing to incorporate the board as a public company in terms of the Companies Act, under the name Overvaal Resorts Limited.

(2) The request shall be accompanied by the memorandum of association and the articles of association of the proposed company, signed by the members of the board and approved by the Minister.

(3) If the memorandum of association and the articles of association referred to in subsection (2) have been so signed and approved they shall, as far as the signing thereof is concerned, be deemed to comply with the requirements of the Companies Act for the registration, in terms of the said Act, of such memorandum and articles.

(4) (a) On receipt of the said request and the memorandum and articles so signed and approved, the registrar of companies shall register the memorandum and articles in accordance with section 63 (1) of the Companies Act and he shall in accordance with section 64 (1) of that Act endorse thereon a certificate that the company is incorporated.

(b) No fees shall be payable in terms of the Companies Act in respect of the registration of the said memorandum and articles.

(c) The registrar of companies may, in order to comply with the provisions of this subsection, issue such directives and authorize such departures from the regulations promulgated under the Companies Act and the forms prescribed by that Act, as he may deem necessary.

3. Consequences of incorporation of board as company.—

(1) From the date of incorporation of the board as a company contemplated in section 2 (4) (a) and subject to subsections (2) and (3)—

(a) the ownership and control of the resorts and all movable property in relation thereto which immediately prior to that date vested in the State and the board, respectively, shall devolve upon the company;

(b) all liabilities, rights and obligations in relation to the resorts and the said movable property which immediately prior to that date vested in the State or the board, shall devolve upon the company;

(c) anything done prior to that date by or on behalf or in respect of the board shall be deemed to have been done by or on behalf or in respect of the company.

(2) The State shall, in respect of the resorts Willem Pretorius, Loskopdam and Hendrik Verwoerd, acquire servitudes of storage as defined in section 139 of the Water Act, 1956 (Act No. 54 of 1956), the physical extent of which shall be determined by the Minister of Water Affairs with due consideration of the Government water works concerned and any future works which in his opinion may become necessary, without any obligation for compensation by the State.

(3) The company shall not, for as long as the State is the holder of more than 50% of the shares referred to in section 4 (1), alienate or let for a period of longer than 10 years the resorts or any part thereof without the approval of the Minister of Public Works granted with the concurrence of the Minister of Finance.

(4) The ownership of the resorts which devolves upon the company in terms of subsection (1) (a) shall be transferred to the company without payment of transfer duty, stamp duty or any other moneys or costs, but subject to any existing right, encumbrance, duty or trust on or over the resorts.

(5) The officer in charge of a deeds office or other office where the resorts are registered, shall, on submission to him of the title deeds concerned, make such endorsements on the title deeds and such entries in his registers as may be required to effect the transfer concerned.

(6) Notwithstanding section 285 of the Companies Act and notwithstanding the date of incorporation of the board as a company, the first financial year of the company shall be deemed to be the year commencing on 1 April preceding the date of incorporation of the company.

4. Share capital of company.—(1) The share capital of the company shall be R60 000 000, divided into 60 000 000 shares, each with a nominal value of one rand.

(2) The share capital of the company may from time to time and with the approval of the Minister be increased by the issue of additional shares with a nominal value of one rand each.

(3) (a) Notwithstanding the provisions of sections 66 and 344 (d) of the Companies Act and subject to the provisions of paragraph (b), the State shall be the holder of the shares in the company.

(b) The Minister may, with the concurrence of the Minister of Finance and the approval by resolution of Parliament, sell or otherwise alienate to any person shares which are held by the State: Provided that a requirement that the total shareholding of foreign shareholders shall not exceed 20% of the issued share capital of the company shall be incorporated in the memorandum and articles of association of the company.

(c) The rights attached to the shares of which the State is the holder shall be exercised by the Minister.

(d) The proceeds of the alienation of shares under paragraph (b) shall be paid into the State Revenue Fund referred to in the Exchequer Act, 1975 (Act No. 66 of 1975).

(4) No stamp duty shall in terms of the Stamp Duties Act, 1968 (Act No. 77 of 1968), be payable in respect of the issue of any shares mentioned in subsection (1).

(5) If the share capital of the company is increased as contemplated in subsection (2), no stamp duty referred to in subsection (4) or moneys in terms of section 75 (3) of the Companies Act shall be payable for so long as the State is the holder of all the shares in the company.

5. Conversion of certain exemptions to licences.—

(1) Any exemption referred to in section 4 (1) (d) of the Liquor Act, 1989 (Act No. 27 of 1989), mentioned in the first column of Schedule 2 and in force immediately prior to the date of incorporation contemplated in section 2 (4) (a), shall from that date be deemed to be a licence referred to in section 20 of the Liquor Act, 1989, of the kind mentioned in the second column of the said Schedule.

(2) For the purposes of subsection (1) the applicable fees prescribed under section 182 (1) (I) of the Liquor Act, 1989, in respect of a licence mentioned in the second column of Schedule 2 to this Act shall be deemed to have been paid for the year in which this section comes into operation.

6. Repeal or amendment of laws.—

(1) The laws mentioned in Schedule 3 are hereby repealed or amended in so far as indicated in the third column thereof.

(2) Subsection (1) shall come into operation on the date of incorporation contemplated in section 2 (4) (a).

7. Short title and commencement.—

(1) This Act shall be called the Overvaal Resorts Limited Act, 1993, and shall, subject to section 6 (2), come into operation on a date fixed by the State President by proclamation in the Gazette.

(2) Different dates may in terms of subsection (1) be fixed in respect of different provisions of this Act.

Schedule 1

DEFINITION OF RESORTS

Name of resort Description of area

Badplaas

(a) The following portions of the farm Doornpoort No. 724, Registration Division J.T., district of Carolina:

- (i) Portion 11 (a portion of Portion 2), in extent 0,4281 hectare;
- (ii) Portion 23 (a portion of Portion 5), in extent 22,2698 hectares;
- (iii) Remaining Portion of Portion 14, in extent 1 546,0845 hectares; and
- (iv) Portion 50 (a portion of Portion 5), in extent 1,9484 hectares.

(b) Portion 7 (a portion of Portion A) of the farm Alexandria No. 707, Registration Division J.T., district of Carolina, in extent 555,8893 hectares.

(c) Portion 44 (a portion of Portion 5) of the farm Doornpoort No. 724, Registration Division J.T., in extent 27,0705 hectares, as shown on the Surveyor-General's Diagram S.G. No. A5512/69.

Blydepoort

(a) Remainder of the farm Clermont No. 414-K.T. and Portion 2 of the farm Elandsfontein No. 435-K.T., district of Pilgrim's Rest, in extent 294,7300 hectares, as shown on the Surveyor-General's Diagram S.G. No. A2684/74.

(b) The portions of the farm Blydepoort No. 595-K.T. respectively in extent approximately—

(i) 100,6400 hectares, as shown by the letters A, B, C, D, E and F, beginning at the point marked A along the centre line of the Blyde River in a generally easterly direction up to the point marked B, thence in a south-westerly direction up to the point marked C, thence along the northern boundary of the road marked 2189 in a generally westerly direction up to the point marked D, thence in a southerly direction up to the point marked E, thence in a westerly direction up to the point marked F, thence in a north-westerly direction up to the point marked A, the starting point; and

(ii) 9,2400 hectares, as shown by the letters G, H, I, J and G, on a diagram numbered 8119/101/1, a copy whereof is preserved in and is available for inspection in the office of the Director-General: Provincial Administration of the Transvaal, Pretoria (File T.W. 7-6-4). Eiland Portion 3 of the farm Eiland No. 725, Registration Division L.T., district of Letaba, in extent 96,0673 morgen.

Heidelbergkloof

(a) Portion 64 of the farm Langlaagte No. 186-I.R., district of Heidelberg (Transvaal), in extent 104,4977 hectares, as shown on the Surveyor-General's Diagram S.G. No. A6337/73.

(b) Portion 85 (a portion of Portion 5) of the farm Langlaagte No. 186-I.R., district of Heidelberg (Transvaal), in extent 19,5937 hectares, as shown on Surveyor-General's Diagram S.G. No. A2981/78.

Hendrik Verwoerd

The area falling within the following boundaries:

Beginning at the point A, approximately co-ordinated as $y -48\ 230,0\ x +87\ 490,0$; proceeding thence in a westerly direction up to point B known as point X of the farm H F Verwoerd Dam No. 523 (Diagram S.G. 52/1987 of the Orange Free State); proceeding thence in a northerly direction along the eastern boundary of the last-mentioned farm up to point O, with co-ordinates $y -47\ 779,82\ x +85\ 087,63$ on Diagram S.G. 52/1987, in order that the following points on the said Diagram be included: C, D, E, F, G, H, J, K, L, M and N; proceeding thence in a general north-easterly direction along the boundary of the last-mentioned farm up to point Q, co-ordinated as $y\ 49\ 077,49\ x +84\ 562,58$; proceeding thence in a north-westerly direction along the boundary of the last-mentioned farm up to point R, approximately co-ordinated as $y -49\ 040,0\ x +84\ 485,0$; proceeding thence in a south-easterly direction up to point S, approximately co-ordinated as $y -49\ 605,0\ x +84\ 770,0$; proceeding thence in a southerly direction up to point U, approximately co-ordinated as $y -49\ 600,0\ x +84\ 785,0$; proceeding thence in a south-easterly direction up to point V, approximately co-ordinated as $y -49\ 675,0\ x +84\ 845,0$; proceeding thence in a south-easterly direction up to point W, approximately co-ordinated as $y -50\ 175,0\ x +85\ 005,0$; proceeding thence in a south-easterly direction up to point X, approximately co-ordinated as $y -50\ 185,0\ x +85\ 010,0$; proceeding thence in a southeasterly direction up to point Z, approximately co-ordinated as $y -50\ 380,0\ x +85\ 145,0$; proceeding thence in a south-easterly direction up to point A1, approximately co-ordinated as $y -50\ 520,0\ x +85\ 285,0$; proceeding thence in a south-easterly direction up to point B1, approximately co-ordinated as $y -50\ 730,0\ x +85\ 785,0$; proceeding thence in a southwesterly direction up to point C1, approximately co-ordinated as $y -50\ 710,0\ x +85\ 820,0$; proceeding thence on the line B1, C1 extended up to the full supply level of the Hendrik Verwoerd Dam; proceeding thence in a general westerly direction along the full supply level of the said dam up to the extended point on the full supply level on the extended line between the starting point A and the point X of the farm H F Verwoerd Dam No. 523.

Kareekloof

Remaining Portion of Portion 13 of the farm Schoongezicht No. 378, Registration Division I.R., district of Vereeniging, in extent 1243 morgen, 236 square roods.

Keurboomsrivier

The area falling within the following boundaries:

Beginning at the point A, co-ordinated as $y -37\ 217,2\ x +3\ 762\ 642,6$ according to the survey for the purposes of proclamation of the Keurboomsrivier Public Resort, surveyed by Melville, Barry and Van Waart during January 1972, which is filed as Diagram No. ANO/16/10/3/1 on file ANO/6/3/2 in the office of the Director of Nature and Environment Conservation, Cape Town; proceeding thence in a general southerly direction along the high-water line of the Keurbooms

River up to point B, co-ordinated as $y -37\ 173,5\ x +3\ 763\ 536,2$; proceeding thence in an easterly direction up to point C, co-ordinated as $y -37\ 405,1\ x +3\ 763\ 492,7$; proceeding thence in a southerly direction up to point D, co-ordinated as $y -37\ 414,6\ x +3\ 763\ 510,0$; proceeding thence in a south-westerly direction up to point E, co-ordinated as $y -37\ 285,5\ x +3\ 763\ 614,3$; proceeding thence in a southerly direction up to point F, co-ordinated as $y -37\ 316,0\ x +3\ 763\ 676,8$; proceeding thence in a south-westerly direction along the northern boundary of Portion 30 of the farm Matjiesfontein No. 304 up to where the boundary of the main road between Humansdorp and Knysna intersects the said Portion; proceeding thence in a general westerly direction along the northern boundary of the last-mentioned road up to point J, co-ordinated as $y -36\ 802,0\ x +3\ 763\ 729,3$; proceeding thence in a north-westerly direction up to point K, co-ordinated as $y -36\ 644,9\ x +3\ 763\ 418,3$; proceeding thence in a north-easterly direction up to point L, co-ordinated as $y -36\ 676,2\ x +3\ 763\ 377,0$; proceeding thence in an easterly direction up to point M, co-ordinated as $y -36\ 890,2\ x +3\ 763\ 421,8$; proceeding thence in a northerly direction up to point N, co-ordinated as $y -36\ 918,9\ x +3\ 763\ 024,7$; proceeding thence in a north-easterly direction up to point O, co-ordinated as $y -37\ 082,4\ x +3\ 762\ 649,4$; proceeding thence in an easterly direction up to the starting point A.

Loskopdam

That portion of the farm Vergelegen No. 80 JS, district of Middelburg (Transvaal), falling within the following boundaries:

Beginning at the north-eastern beacon of Portion A (Diagram S.G. A3406/24) of the farm Vergelegen No. 80 JS; proceeding thence south-eastwards along the north-eastern boundary of the said farm Vergelegen No. 80 JS, up to the north-eastern beacon thereof; thence southwards along the eastern boundary of the farm Vergelegen No. 80 JS, up to the point where the said eastern boundary is intersected by the prolongation eastwards of the southern boundary of Portion B (Diagram S.G. A4297/37) of the farm Vergelegen No. 80 JS; thence westwards along the said prolongation, the said southern boundary and the prolongation westwards thereof up to the point where the last-mentioned prolongation is intersected by the full supply level of Loskop Dam; thence generally north-eastwards, northwards and north-westwards along the full supply level of Loskop Dam, the eastern boundary of the farm Vergelegen No. 80 JS, and the full supply level of Loskop Dam up to the point where the said full supply level is intersected by the south-eastern boundary of Portion A (Diagram S.G. A3406/24); thence north-eastwards along the south-eastern boundary of the said Portion A up to the north-eastern beacon thereof, the starting point.

Maselspoort

The area comprising the following areas:

Remainder of the farm Waterworks Lot B No. 1531, Remainder of the farm Waterworks Lot A No. 1536, Sub-division 5 of the farm Klipdrift No. 10 and a portion of approximately 115 square metres in extent of Sub-division 2 of the farm Waterworks Lot A No. 1536, all in the administrative district of Bloemfontein.

Rob Ferreira

(a) Portion 25 (a portion of Portion 1) of the farm Christiana Town and Townlands No. 325 HO, district of Christiana, in extent 809,7942 morgen.

(b) Remaining Portion of the farm Kromellenboog No. 320 HO, district of Christiana, in extent 1 415,1838 morgen.

Tshipise

The farm Honnet No. 1190, district of Soutpansberg, in extent 2 220 morgen, 520 square roods.

Warmbaths

(a) The following portions of the farm Het Bad No. 832, district of Waterberg:

- (i) Portion H, in extent 26 morgen 64,897 square feet;
- (ii) Portion J, in extent 93 morgen 74,177 square feet; and
- (iii) certain Portion M, in extent 678,5208 morgen.

(b) The following lots and stands in the township of Warmbaths:

- (i) Lot 261, in extent 10 morgen 234 square roods 20 square feet;
- (ii) Lot 262, in extent 11 morgen 457 square roods 123 square feet;
- (iii) certain Stand 206, in extent 103 square roods;
- (iv) certain Stand 293, in extent 83 square roods 23 Cape square feet;

- (v) certain Stand 555, in extent 2 974 square metres;
- (vi) Portion 1 of Lot 1146, in extent 1,2560 hectares, as shown on the Surveyor-General's Diagram S.G. No. A6251/78;
- (vii) Lot 1176 (formerly a portion of Sutter Road), situated in the town Warmbaths, Registration Division K.R. Transvaal, in extent 1 902 square metres as shown on the Surveyor-General's Diagram S.G. A5301/83; and
- (viii) Lot 1177 (formerly a portion of Potgieter Road), situated in the town Warmbaths, Registration Division K.R. Transvaal, in extent 1 902 square metres as shown on the Surveyor-General's Diagram S.G. A5302/83.

Willem Pretorius

The area falling within the following boundaries:

Beginning at the point A1, approximately co-ordinated as y -15 010,0 x +29 595,0 which is situated on the full supply level of the Allemanskraal Dam; proceeding thence in a northeasterly direction up to point A, co-ordinated as y -15 035,0 x +29 560,0; proceeding thence in an easterly direction up to point C, approximately co-ordinated as y -15 320,0 x +29 480,0; proceeding thence in a northerly direction up to the northern point of the main gate which is point D, approximately co-ordinated as y -15 330,0 x +29 415,0; proceeding thence in a westerly direction up to point G, approximately co-ordinated as y -14 510,0 x +29 505,0; proceeding thence in a north-westerly direction up to point H, approximately co-ordinated as y -14 375,0 x +29 400,0; line G, H is thence extended up to the middle of the Sand River; proceeding thence in a northerly direction along the middle line of the Sand River up to where the eastern boundary of the farm Kleinhoek No. 437 crosses the Sand River; proceeding thence in a north-easterly direction along the eastern boundary of the last-mentioned farm up to the point where the farm Prinslooskraal No. 205 and the farm Kleinhoek No. 437 meet; proceeding thence in a north-easterly direction along the boundary of the farm Prinslooskraal No. 205 up to the northernmost beacon of the original farm Allemanskraal No. 46; proceeding thence in a south-easterly direction up to where the last-mentioned farm meets the original farm Welgelegen No. 201; proceeding thence in an easterly direction up to the point N, approximately co-ordinated as y -16 960,0 x +27 995,0; proceeding thence in an easterly direction up to the southwestern corner of Remainder of the farm Cornelia No. 2202; proceeding thence in a southeasterly direction up to point P, approximately co-ordinated as y -17 805,0 x +28 740,0; proceeding thence in a general westerly direction along the full supply level of the Allemanskraal Dam up to point A1, the starting point.

Schedule 2

CONVERSION OF EXEMPTIONS TO LICENCES

Exemption Licence

Badplaas:

On-consumption (Hotel) A hotel liquor licence.

On-consumption (Restaurant) A special licence referred to in section 20 (a) (vii) of the Liquor Act, 1989 (Act No. 27 of 1989) (Eating House).

Off-consumption (Liquor store) A liquor store licence.

Blydepoort:

On-consumption (Restaurant) A special licence referred to in section 20 (a) (vii) of the Liquor Act, 1989 (Eating House).

Off-consumption (Liquor store) A liquor store licence.

(Sybrand van Niekerk camp):

On-consumption (Restaurant) A special licence referred to in section 20 (a) (vii) of the Liquor Act, 1989 (Eating House).

Off-consumption (Liquor store) A liquor store licence.

Eiland:

Off-consumption (Liquor store) A liquor store licence.

On-consumption (Restaurant) A special licence referred to in section 20 (a) (vii) of the Liquor Act, 1989 (Eating House).

Hendrik Verwoerd:

On-consumption (Restaurant) A special licence referred to in section 20 (a) (vii) of the Liquor Act, 1989 (Eating House).

Loskopdam:

On-consumption (Restaurant) A special licence referred to in section 20 (a) (vii) of the Liquor Act, 1989 (Eating House).

Off-consumption (Liquor store) A liquor store licence.

Rob Ferreira:

On-consumption (Restaurant) A special licence referred to in section 20 (a) (vii) of the Liquor Act, 1989 (Eating House).

Tshipise:

On-consumption (Restaurant) A special licence referred to in section 20 (a) (vii) of the Liquor Act, 1989 (Eating House).

Off-consumption (Liquor store) A liquor store licence.

Warmbaths:

On-consumption (Restaurant) A special licence referred to in section 20 (a) (vii) of the Liquor Act, 1989 (Eating House).

Willem Pretorius:

On-consumption (Restaurant) A special licence referred to in section 20 (a) (vii) of the Liquor Act, 1989 (Eating House).

Schedule 3

LAWS REPEALED OR AMENDED

No. and year of law Title Extent of repeal or amendment

Ordinance No. 18 of 1969 (Transvaal) Public Resorts Ordinance, 1969 (b)

(a) Amendment of section 1—

(i) by the substitution for the definition of “Administrator” of the following definition:

“ ‘Administrator’ means the Administrator as defined in the Provincial Government Act, 1986 (Act No. 69 of 1986);”;

(ii) by the deletion of the definitions of “Board”, “Chief Director” and “Peri-Urban Board”; and

(iii) by the substitution for the definition of “local authority” of the following definition:

“(ivA) ‘local authority’ means a local authority as defined in section 2 of the Local Government Ordinance, 1939; (viA)”.

(b) Amendment of the said Ordinance by the deletion of the heading to Chapter II.

(c) Amendment of the said Ordinance by the repeal of sections 5 to 27, inclusive.

(d) Amendment of the said Ordinance by the substitution for the heading to Chapter III of the following heading:

“CHAPTER III PUBLIC RESORTS UNDER THE JURISDICTION OF THE ADMINISTRATOR”.

(e) Amendment of section 28—

(i) by the substitution for the expressions preceding paragraph (a) of subsection (1) and paragraph (a) of the following expressions and paragraph:

“28. The Administrator may in or in respect of a public resort or portion thereof—

(a) construct a road, bridge, pont, building, dam, boathouse, landing stage, mooring place or aerodrome and construct and carry out such other buildings and works as he may consider necessary for the control, management, development or maintenance of a public resort;”;

(ii) by the substitution for paragraphs (g) and (h) of subsection (1) of the following paragraphs:

“(g) establish, erect, equip and maintain any building, structure, depot or premises required in connection with any matter referred to in paragraph (b), (c), (d), (e) or (f) or let any such building, structure, depot or premises on such conditions as he may determine;

(h) establish and maintain mineral or other baths and in connection therewith establish and maintain sanatoria and other similar institutions and may manage such institutions or let them on such conditions and terms as he may deem fit;”;

(iii) by the substitution for paragraph (u) of subsection (1) of the following paragraph:

“(u) cause any service or works which he may render or carry out, to be rendered or carried out on contract or authorize any person, subject to the conditions and the payment of such fees as the Administrator may deem fit, to render or carry out such service or works;”;

(iv) by the deletion of subsections (2) and (3).

(b) (f) Amendment of section 29—

(i) by the substitution for paragraph (a) of subsection (1) of the following paragraph:

“(a) without the permission of the Administrator or an officer or employee who is authorized by the Administrator to grant such permission, enter any public resort or reside therein;”;

(ii) by the substitution for paragraph (b) of subsection (2) of the following paragraph:

“(b) with the permission of the Administrator or an officer or employee who is authorized by the Administrator to grant such leave, to introduce into or to take through that resort any animal required in connection with lawful travel or transport in or through a public resort.”; and

(iii) by the substitution for subsection (3) of the following subsection:

“(3) The provisions of subsection (1) (a) shall not apply to any police, customs or excise officer or any other officer or employee of the State (including the Administration) entering a public resort in the execution of his official duties, and the provisions of subsection (1) (b) shall not apply to such officer or employee if he is performing an act referred to in subsection (1) (b) in the exercise of his official duties.”.

(b) (g) Amendment of section 30—

(i) by the substitution for the words preceding paragraph (a) of subsection (1) of the following words:

“Subject to the provisions of subsection (2), an officer or employee of the Administration may—”; and

(ii) by the substitution for subsection (2) of the following subsection:

“(2) No officer or employee shall exercise any power or function or perform any duty conferred in terms of subsection (1) unless he is authorized to do so either generally or specifically by the Administrator.”.

(b) (h) Amendment of section 32—

(i) by the deletion of paragraph (a);

(ii) by the substitution for paragraph (c) of the following paragraph:

“(c) falsely pretends that he is an officer or employee of the Administration or the interpreter of such officer or employee or unlawfully exercises the powers of such officer, employee or interpreter, well knowing that he is not such an officer, employee or interpreter;”; and

(iii) by the substitution for paragraph (e) and the words following thereon of the following paragraph and words:

“(e) refuses or fails to comply forthwith with any order, direction or requirement given or made by any officer or employee of the Administration or the interpreter of any such officer or employee in the exercise of any power under this Ordinance, or whenever he complies with such order, direction or requirement, furnishes false or misleading information, shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding six months.”.

(i) Amendment of the said Ordinance by the substitution for section 33 of the following section:

“Damage caused by animal in public resort 33. No action shall be instituted against the Administration for the recovery of any damage caused to any person by any animal in a public resort.”.

(j) Amendment of the said Ordinance by the substitution for section 34 of the following section:

“Exemption from obligation to obtain trading licences 34. The Administrator shall be exempt from the obligation to obtain any licence which is required in terms of any law in relation to licences, for the carrying on of any trade within any public resort, and to pay any licence duty or fee in respect of the carrying on of any such trade.”.

(k) Amendment of the said Ordinance by the deletion of paragraph (n) of subsection (1) of section 37.

(l) Amendment of the said Ordinance by the substitution for section 37A of the following section:

“Delegation of powers and assignment of duties 37A. The Administrator may, subject to such conditions as he may determine, delegate any power conferred

on him by this Ordinance, excluding any power referred to in section 3 or 37, or assign any duty so assigned to him to any officer employed by the Administration.”.

(m) Amendment of the said Ordinance by the substitution for Schedule 1 of the following Schedule:

“SCHEDULE 1

Name of public resort Description of area

Pilgrim’s Rest

(a) The following portions of land shown as stands on a plan marked ‘generaal plan van het Standsdorp Pilgrimsrust gelegen op de Plaats Ponies Krantz, Lydenburg Goudvelden’ as surveyed in September and October 1896, a copy whereof is preserved in and is available for inspection at the office of the Director-General: Provincial Administration of the Transvaal, Pretoria (File T.W. 7/6/10):

- (i) Stand 9, in extent 478 m²;
- (ii) Stand 18, in extent 382 m²;
- (iii) Stand 19, in extent 509 m²;
- (iv) Stand 22, in extent 497 m²;
- (v) Stand 24, in extent 814 m²;
- (vi) Portion of Stand 25 adjacent to Stand 24, in extent

350 m²;

- (vii) Stand 34, in extent 515 m²;
- (viii) Stand 52, in extent 595 m²;
- (ix) Stand 53, in extent 595 m²;
- (x) Stand 67, in extent 743 m²;
- (xi) Stand 68, in extent 743 m²; and
- (xii) Stand 189, in extent 486 m².

(b) Certain Portion L6 of the farm Ponies Krantz No. 543-K.T., district of Pilgrim’s Rest, in extent 3 084 m², as shown on the Surveyor General’s Diagram S.G. No. A1136/35.

(c) Certain Portion of the farm Ponies Krantz No. 543-K.T., district of Pilgrim’s Rest, in extent 486 m², as shown more fully by the letters A, B, C and D and marked H.12 on a Diagram, a copy whereof is preserved in and is available for inspection at the office of the Director-General: Provincial Administration of the Transvaal, Pretoria (File T.W. 7/6/10).

(d) (i) Portion 38 of the farm Ponies Krantz No. 543-K.T., in extent 151,4389 ha, as shown on the Surveyor-General’s Diagram S.G. No. A163/75;

(ii) Portion 12 of the farm Ponies Krantz No. 543-K.T., in extent 496 m², as shown on the Surveyor-General’s Diagram S.G. No. A163/75;

(iii) Portion 13 of the farm Ponies Krantz No. 543-K.T., in extent 991 m², as shown on the Surveyor-General’s Diagram S.G. No. A163/75;

(iv) Portion 17 of the farm Ponies Krantz No. 543-K.T., in extent 1 198 m², as shown on the Surveyor-General’s Diagram S.G. No. A163/75;

(v) Portion 37 of the farm Ponies Krantz No. 543-K.T., in extent 3,1483 ha, as shown on the Surveyor-General’s Diagram S.G. No. A163/75;

(vi) Portion 15 of the farm Ponies Krantz No. 543-K.T., in extent 1 304 m², as

shown on the Surveyor-General's Diagram S.G. No. A163/75;
(vii) Portion 9 of the farm Ponies Krantz No. 543-K.T., in extent 1 627 m², as shown on the Surveyor-General's Diagram S.G. No. A163/75;
(viii) Portion 16 of the farm Ponies Krantz No. 543-K.T., in extent 958 m², as shown on the Surveyor-General's Diagram S.G. No. A163/75;
(ix) Portion 39 of the farm Ponies Krantz No. 543-K.T., in extent 47,1138 ha, as shown on a Diagram numbered B, a copy whereof is preserved in and available for inspection at the office of the Director-General: Provincial Administration of the Transvaal, Pretoria (File T.W. 7-6-4); and
(x) Portion of Remainder of the farm Ponies Krantz No. 543-K.T., in extent plus minus 1 637 ha, as shown on a Diagram numbered B, a copy whereof is preserved in and is available for inspection at the office of the Director-General: Provincial Administration of the Transvaal, Pretoria (File T.W. 7-6-4).

Roodeplaatsdam

Portion 55 of the farm Roodeplaatsdam No. 293, Registration Division J.R., district of Pretoria, as shown on the Surveyor-General's Diagram S.G. No. A7909/56, excluding that portion of Portion 55 which lies west of the full supply level of the eastern bank of the Roodeplaatsdam; Portion 58 of the farm Roodeplaatsdam No. 293, Registration Division J.R., district of Pretoria, in extent 51,1866 ha, as shown on the Surveyor-General's Diagram S.G. No. A128/74; Portion 59 of the farm Roodeplaatsdam No. 293, Registration Division J.R., district of Pretoria, in extent 15,9141 ha, as shown on the Surveyor-General's Diagram S.G. No. A129/74; Remainder of Portion 7 of the farm Zeekoegat No. 296, Registration Division J.R., district of Pretoria, as shown on the Surveyor-General's Diagram S.G. No. A1520/33, excluding that portion of Remainder of Portion 7 which lies west of the full supply level of the eastern bank of the Roodeplaatsdam; Portion 117 of the farm Zeekoegat No. 296, Registration Division J.R., district of Pretoria, as shown on the Surveyor-General's Diagram S.G. No. A4198/54, excluding that portion of Portion 117 which lies west of the full supply level of the eastern bank of the Roodeplaatsdam; Remainder of the farm Zeekoegat No. 296, Registration Division J.R., district of Pretoria, as shown on the Surveyor-General's Diagram S.G. No. 728/94, excluding that portion of the Remainder which lies west of the full supply level of the eastern bank of the Roodeplaatsdam; and Portion 79 of the farm Leeuwfontein No. 299, Registration Division J.R., district of Pretoria, as shown on the Surveyor-General's Diagram S.G. No. A876/56, excluding that portion of Portion 79 which lies west of the full supply level of the eastern bank of the Roodeplaatsdam."

(n) Amendment of the said Ordinance by the substitution for the long title of the following long title:

"AN ORDINANCE 3TO provide for the establishment of public resorts and the control over and management, development and maintenance of such resorts; and to provide for matters incidental thereto."

Proclamation No. 180 of 1989 Repeal of the whole.

Act No. 105 of 1990 Extension of the Public Resorts Ordinance Act (Transvaal) (House of Assembly), 1990 Repeal of the whole.

Act No. 78 of 1992 Finance Acts Consolidation Act, 1992 Repeal of section 1.