

GN. R. 28
GG16346
7 April 1995

ASSIGNMENT OF THE MOUNTAIN CATCHMENT AREAS ACT, 1970, TO THE PROVINCES UNDER SECTION 235 (8) OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1993

Under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), I hereby-

- (a) assign the administration of the Mountain Catchment Areas Act, 1970 (Act No. 63 of 1970), excluding those provisions (if any) of the said Act which fall outside the functional areas specified in Schedule 6 to the Constitution or which relate to matters referred to in paragraphs (a) to (e) of section 126 (3) of the Constitution, to a competent authority within the jurisdiction of the government of a province mentioned in section 124 (1) of the Constitution, designated by the Premier of the province concerned;
- (b) determine that the said Act is assigned to the extent specified in the first column of Part 1 of the Schedule in so far as that Act is applicable in, or in a part of, the province concerned;
- (c) amend the said Act to the extent set out in the second column of Part 1 of the Schedule; and
- (d) regulate the matters as set out in Part 2 of the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Twenty-seventh day of March, One thousand Nine hundred and Ninety-five.

N. R. MANDELA,
President.

By Order of the President-in-Cabinet:

A. M. OMAR
Minister of the Cabinet.

Part 1:
Extent of assignment (Para b)

The whole, excluding the proviso to section 8 (2).

Amendments (Para c)

Amendments have been included in the Act.

- a) Amendments to definitions of 'Director-General', 'local authority' and 'Minister' (section 1).
- b) Insertion of definitions for 'Gazette', 'Minister of Finance' and 'province' (section 1).
- c) Amendments to sections 5, 10 and 12.
- d) Repeal of section 19.

Part 2:**Regulation of matters as a result of assignment: The Area Swartberg-Oos (Para d)**

The area Swartberg-Oos as it has been declared to be a mountain catchment area by Government Notice No. 1938 of 29 September 1978, is-

- (a) in so far as it is situated in the province Eastern Cape, hereby deemed to be declared a mountain catchment area under section 2 of the Mountain Catchment Areas Act, 1970 (Act No. 63 of 1970), to be known as the area Swartberg-Oos: Eastern Cape;
- (b) in so far as it is situated in the province Western Cape, hereby deemed to be declared a mountain catchment area under section 2 of the Mountain Catchment Areas Act, 1970, to be known as the area Swartberg-Oos: Western Cape.