

REPUBLIC OF SOUTH AFRICA

**SELECT COMMITTEE AMENDMENTS
TO
SECTIONAL TITLES
AMENDMENT BILL**

[B 9B—97]

*(As agreed to by the Select Committee on Land, Agriculture and Environmental Affairs
(National Council of Provinces))*

[B 9C—97]

REPUBLIEK VAN SUID-AFRIKA

**GEKOSE KOMITEE-AMENDEMENTE
OP
WYSIGINGSWETSONTWERP
OP DEELTITELS**

[W 9B—97]

*(Soos goedgekeur deur die Gekose Komitee oor Landbou, Grond en Omgewingsake
(Nasionale Raad van Provinsies))*

[W 9C—97]

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AMENDMENTS AGREED TO
 SECTIONAL TITLES AMENDMENT BILL
 [B 9B—97]

CLAUSE 1

1. On page 4, after line 39, to add the following paragraphs:
 - (h) by the insertion in subsection (1) after the definition of “notary” of the following definition:

“ ‘operative town planning scheme’ means a town planning scheme map and accompanying town planning scheme clauses prepared in terms of any law;”; and
 - (i) by the insertion in subsection (1) after the definition of “special resolution” of the following definition:

“ ‘statutory plan’ means a land development objective prepared in terms of Chapter IV of the Development Facilitation Act, 1995 (Act No. 67 of 1995), an integrated development plan prepared in terms of section 10D(4)(b) or section 2 of Schedule 2A to the Local Government Transition Act, 1993 (Act No. 209 of 1993), or any other integrated plan, layout plan or package of plans in force in the area and which has or have been approved by a competent authority in terms of any law;

CLAUSE 2

1. On page 6, in lines 37 and 38, to omit “A developer may” and to substitute:

An architect or a land surveyor acting on behalf of a developer shall inspect the property, and
2. On page 6, in line 46, after “scheme” to insert:

, statutory plan or conditions subject to which a development was approved in terms of any law
3. On page 6, in line 49, after “**with]**” to insert:

, statutory plan or conditions subject to which a development was approved in terms of any law

CLAUSE 3

1. On page 8, from line 29, to omit subparagraph (i) and to substitute:
 - (i) the proposed division into sections and common property is not contrary to—
 - (aa) any operative town planning scheme, statutory plan or conditions subject to which a development was approved in terms of any law; or
 - (bb) any other current planning or development initiatives initiated by any authority with jurisdiction over the area,
that may affect the development;

2. On page 8, in line 33, after “scheme” to insert:
 , statutory plan or conditions subject to which a development was approved in terms of any law
3. On page 8, in line 35, after “scheme” to insert:
 , statutory plan or conditions subject to which a development was approved in terms of any law
4. In the English text, on page 8, in lines 42 and 43, to omit “in which the person concerned is authorised” and to substitute “authorising such person”.
5. In the English text, on page 8, in line 47, to omit “to the effect” and to substitute “certifying”.

CLAUSE 11

1. On page 14, in lines 53 and 54, to omit “deed of transfer of” and to substitute “title to”.

CLAUSE 28

1. On page 26, in line 42, to omit “consent” and to substitute “approval”.

NEW CLAUSE

1. That the following be a new Clause to follow Clause 29:

Substitution of the expression “operative town planning scheme” in Act 95 of 1986

30. The principal Act is hereby amended by the substitution for the expression “operative town planning scheme”, wherever it occurs, of the expression “operative town planning scheme, statutory plan or conditions subject to which a development was approved in terms of any law.