

TOWN AND REGIONAL PLANNERS AMENDMENT ACT

OFFICE OF THE PRESIDENT

No. 510 6 April 1995

NO. 3 OF 1995: TOWN AND REGIONAL PLANNERS AMENDMENT ACT, 1995.

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:

GENERAL EXPLANATORY NOTE:

Words in *bold italics* indicate omissions from existing enactments.

Words in *italics* indicate insertions in existing enactments.

ACT

To amend the Town and Regional Planners Act, 1984, to make further provision for the appointment of members of the South African Council for Town and Regional Planners; to further provide for the registration of town and regional planners, town and regional planners in training and town and regional planning technicians; to amend the Council's ability to make rules regarding a tariff of fees; and to provide for matters incidental thereto.

(Afrikaans text signed by the President.) (Assented to 27 March 1995.)

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:-

Amendment of section 1 of Act 19 of 1984, as amended by section 1 of Act 48 of 1987, section 1 of Act 20 of 1988 and section 1 of Act 28 of 1993

1. Section 1 of the Town and Regional Planners Act, 1984 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of "Minister" of the following definition:

" 'Minister' means the Minister of *Regional and* Land Affairs;"

Amendment of section 3 of Act 19 of 1984, as amended by section 2 of Act 28 of 1993

2. Section 3 of the principal Act is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph:

(a) eight town and regional planners selected by the Minister, from a list of the names of at least 10 town and regional planners nominated by town and regional planners' institutes, with due regard to the number of members of every such institute *so that there is at least one member of the council resident in every province of the Republic and to the geographical distribution of town and regional planners in the Republic*;"

Amendment of section 15 of Act 19 of 1984, as amended by section 7 of Act 28 of 1993

3. Section 15 of the principal Act is hereby amended by the substitution for paragraph (b) of subsection (1) of the following paragraph:

"(b) two persons nominated by the Minister of *National* Education;"

Amendment of section 20 of Act 19 of 1984, as amended by section 3 of Act 20 of 1988, section 1 of Act 37 of 1990 and section 9 of Act 28 of 1993

4. Section 20 of the principal Act is hereby amended-

(a) by the deletion of paragraph (d) of subsection (2); and

(b) by the substitution for subparagraph (i) of paragraph (b) of subsection (3) of the following subparagraph:

"(i) a professional land surveyor in terms of the Professional *Land Surveyors* and Technical Surveyors' Act, 1984 (Act No. 40 of 1984);"

Amendment of section 21A of Act 19 of 1984, as inserted by section 10 of Act 28 of 1993

5. Section 21A of the principal Act is hereby amended by the deletion of paragraph (d) of subsection (2).

Amendment of section 23 of Act 19 of 1984, as amended by section 4 of Act 20 of 1988 and section 12 of Act 28 of 1993

6. Section 23 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection:

"(3) Nothing in this Act contained shall be construed as prohibiting any professional land surveyor registered as such in terms of the Professional *Land Surveyors*' and Technical Surveyors' Act, 1984 (Act No. 40 of 1984)-

(a) from using the title 'township planner', on condition that the South African Council for Professional *Land Surveyors* and Technical Surveyors established by section 2 of the said Act authorizes him to use that title; and

(b) from performing the kind of work which he in the opinion of the South African Council for Professional *Land Surveyors* and Technical Surveyors is by virtue of his educational qualifications, training and experience competent to perform and which the said Council authorizes him to perform: Provided that such work has not been reserved for town and regional planners, town and regional planners in training or town and regional planning technicians in terms of section 10(1) of this Act."

Amendment of section 28 of Act 19 of 1984, as amended by section 3 of Act 48 of 1987 and section 16 of Act 28 of 1993

7. Section 28 of the principal Act is hereby amended-

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

"(g) prescribing *subject to the provisions of subsection (2)* the *recommended* tariff of fees to which a town and regional planner or town and regional planning technician shall be entitled for services rendered by

him in that capacity, in the absence of an agreement between such town and regional planner or town and regional planning technician and a particular client in terms of which he shall be entitled in respect of such services to fees according to any other tariff;"

(b) by the deletion of subsection (2); and

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

"(3) The council shall *cause any rules made under this section to be published* give notice in the Gazette of any rules made or amended under this section."

Substitution of section 34 of Act 19 of 1984, as substituted by section 18 of Act 28 of 1993

8. The following section is hereby substituted for section 34 of the principal Act:

"Application of Act 34. *This Act shall apply throughout the national territory of the Republic.*"

Short title

9. This Act shall be called the Town and Regional Planners Amendment Act, 1995.