

(13 September 1985 - to date)

NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT 103 OF 1977

Government Notice 1211 in Government Gazette 5640, dated 6 July 1977. Commencement date: 1 September 1985 [Proc. No. 14, Gazette No. 9605, dated 1 March 1985]

SERVITUDES OR RESTRICTIVE CONDITIONS OVER LAND

Government Notice 2076 in Government Gazette 9927 dated 13 September 1985. Commencement date: 13 September 1985.

I, Kent Diederich Skelton Durr, Deputy Minister of Finance and of Trade and Industry, acting on behalf of the Minister of Trade and Industry, has *[sic]*, in terms of section 20 read with section 17(5)(a) of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), promulgated the regulations set out in the Schedule.

SCHEDULE

1. In these regulations any word to which a meaning has been assigned in the Act shall bear that meaning and unless the context otherwise indicates –

"the Act" shall mean the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977).

2. The Minister may –
 - (a) cause a notice to be published in the *Gazette* and in one English and one Afrikaans newspaper circulating in the area in which the land in respect of which a notice in the *Gazette* in terms of section 17(5)(a) of the Act is to be published, is situated, containing –
 - (i) the import of the notice;
 - (ii) an exposition of the nature of the applicable servitude, restrictive condition or other provisions;
 - (iii) a description of the land and its extent; and
 - (iv) an invitation to any interested person to submit representations or objections within a period stated in the notice, which shall be not less than 30 days;

- (b) simultaneously with the publication of the notice referred to in paragraph (a), cause a copy of the said notice to be sent by registered post to –
- (i) every owner of such land;
 - (ii) the holder of any mortgage bond or deed of hypothecation registered over such land;
 - (iii) every owner of other land which may be directly affected by the proposed removal or amendment;
 - (iv) the persons in whose favour the servitude, restrictive conditions or other provision is registered, should the names and permanent residential or business addresses of such persons be known;
 - (v) the Registrar of Deeds concerned;
 - (vi) the Administrator of the province concerned;
 - (vii) the local authority within whose jurisdiction such land is situated.