

**SECTION 53-THE TOWN AND COUNTRY PLANNING
(ENFORCEMENT NOTICES) REGULATIONS**
Regulations by the Minister

*Government
Notice
361 of 1962
Statutory
Instrument
65 of 1965*

1. These Regulations may be cited as the Town and Country Planning (Enforcement Notices) Regulations.

Title

2. These Regulations shall apply to any enforcement notice served under the provisions of section *thirty-one* of the Act.

Application

3. In these Regulations, unless the context otherwise requires-

Interpretation

"enforcement notice" means an enforcement notice served under the provisions of section *thirty-one* of the Act;

"planning authority" means a planning authority to which functions have been delegated under the provisions of section *twenty-four* of the Act.

(As amended by No. 65 of 1965)

4. An enforcement notice shall be in the form set out in Part I or Part II of the Schedule.

Form of enforcement
notice

5. (1) The Minister or planning authority, as the case may be, shall keep a register containing the following information in respect of every enforcement notice he or it serves, namely:

Register

(a) the name and address of the person on whom the enforcement notice is served, the stand, plot, lot or farm number of the property affected and the road, district and the town in which it is situate, the number of the enforcement notice, the date of any approval by the Minister of the enforcement notice, the date of service of the enforcement notice and brief particulars of the nature of the enforcement notice;

(b) the date the enforcement notice is to take effect;

(c) the date and effect of any determination of the Tribunal in respect of an appeal against the enforcement notice;

(d) the date and effect of any decision of the High Court in respect of an appeal against the determination of the Tribunal;

(e) the date and brief particulars of any action taken by the person on whom the enforcement notice is served to satisfy the conditions therein and whether or not he has complied with the enforcement notice;

(f) the date and effect of any action taken by the planning authority to enforce the notice.

(2) Every enforcement notice in respect of which an entry is made in the register shall be numbered and such numbers shall run consecutively.

6. Every register shall contain an index in the form of cards, each card to contain the stand, plot, lot or farm number of the property affected and the road, district and town in which it is situate, the name and address of the person on whom the enforcement notice is served and the registered number of the enforcement notice, and to be filed by townships in numerical sequence according to the stand or plot number and by lots or farms in numerical sequence according to the lot number or farm number.

Index to register

7. Every entry in the register shall be made within seven days of the happening of the event in respect of which an entry is required to be made.

Entry in register

8. The register shall be kept at the office of the Minister or planning authority, as the case may be, and made available for inspection by the public during normal hours of official business.

Inspection of register

SCHEDULE

(Regulation 4)

PRESCRIBED FORMS

PART I

ENFORCEMENT NOTICE THE TOWN AND COUNTRY PLANNING ACT

(Section 31 (1))

To

1. *It appears that the development/subdivision of land as described hereunder has been carried out after the 16th November, 1962, without the grant of permission required in that behalf under Part V of the Town and Country Planning Act.

1. *It appears that the following condition/s

subject to which permission for the development\subdivision of land as described hereunder was granted in respect thereof under Part V of the Town and Country Planning Act has/have not been complied with.

2. (Description of development or subdivision of land)

3. You are hereby required to (describe the steps to be taken)

within a period of from the
date of this notice or such extended period as the
Planning Authority/Natural Resources Board/Minister of Provincial and Local Govern-
ment may in writing allow, failing which the
Planning Authority/Natural Resources Board/Minister of Provincial and Local
Government may enter on the land and do those things and may recover as a civil debt in
any court of competent jurisdiction from the person who is then the owner of the land to
which this

notice relates any expenses reasonably incurred by the said

Planning Authority/Natural Resources Board/Minister of Provincial and Local
Government in that behalf.

4. If any person uses or causes or permits to be used the land to which this notice relates or carries out or causes or permits to be carried out operations on the said land in contravention of this notice without the grant of permission in that behalf under Part V of the Town and Country Planning Act, he shall be guilty of an offence.

5. This notice shall take effect on the day of 19.....

6. If you are aggrieved by this notice you may appeal to the Town and Country Planning Tribunal in accordance with the Town and Country Planning (Appeals) Regulations before the aforesaid.....day of19.... in which case the operation of this notice shall be suspended pending the final determination or withdrawal of the appeal.

Dated thisday of (Signed)
..... 19....

*Delete whichever is inapplicable.

PART II

ENFORCEMENT NOTICE

THE TOWN AND COUNTRY PLANNING ACT (*Section 31 (2)*)

To

1. You are hereby required to
(describe steps to be taken and the description of the property)

within a period of from the date of this
notice or such extended period as the Planning
Authority/Natural Resources Board/Minister of Provincial and Local Government may in
writing allow.

2. If any person uses or causes or permits to be used the land to which this notice relates
or carries out or causes or permits to be carried out operations on the said land in
contravention of this notice without the grant of permission in that behalf under Part V of
the Town and Country Planning Act, he shall be guilty of an offence.

3. This notice shall take effect on the day of
19.....

4. If you are aggrieved by this notice you may appeal to the Town and Country Planning
Tribunal in accordance with the Town and Country Planning (Appeals) Regulations before
the aforesaid day of.....19.....
in which case the operation of this notice shall be suspended pending the final
determination or withdrawal of the appeal.

5. In certain circumstances a claim for compensation may arise as a result of this notice and
the circumstances in which such compensation is payable are set out in Part VI of the Town
and Country Planning Act.

Dated this day of (Signed)
..... 19....