

- (vi) such persons as being appointed by the registered owner or holder thereof to be in charge of the property; and whether or not such person undertakes or at any time undertook the management, maintenance or collection of rentals or other moneys in respect of such property or who is or was responsible thereof;
- (d) a trustee in an insolvent estate which is the registered owner, registered holder or person in charge of property;
- (e) the representative appointed by a court of law of any registered owner or of a person in charge of the property who is a minor or of unsound mind or is otherwise under disability; and
- (f) where the local authority is unable to determine the identity of such person as mentioned in sub sections (a) to (e) above, any person who accepts or is entitled to or who have accepted or were entitled to the benefit of the use of such property or who enjoys or enjoyed such benefit.

## **2. Principles, objectives and application**

(1) The Nelson Mandela Bay Metropolitan Municipality adopts this by-law to provide for the identification, control and management of dilapidated and problem buildings and land in its area of jurisdiction with the aim of protecting and promoting the interests of all people in the Nelson Mandela Bay Metropolitan area by providing, in conjunction with applicable laws, a legal and administrative framework within which the local authority can develop and manage its constitutional and other legislative obligations, including but not limited to its obligations to promote a safe and healthy environment.

(2) In the development and management of its obligations and the implementation of this by-law, the local authority also recognises the infrastructural, social and economical disparities and inequalities resulting from previous local government dispensations and shall strive to overcome such disparities and inequalities by supporting the goals for local government as laid down in section 152 of the Constitution.

(3) In the implementation and enforcement of this by-law, the local authority may take into consideration the realities of the Nelson Mandela Bay Metropolitan area, the different customs, cultures, circumstances, geographical areas, kinds of premises, levels of development and conventions and the local authority may from time to time determine the areas in which the by-law will be applicable.

(4) This By-law applies to all problem buildings situated within the area of jurisdiction of the local authority, except those situated in areas exempted from the application of the National Building Regulation and Building Standards Act, 1977 (Act 103 of 1977), any amendments thereto or substitutions thereof.

## **3. Appointment, identification and entry by authorised officials of buildings and land**

(1) The Municipal Manager or any other person with the relevant authority delegated to him or her by the local authority, may appoint authorised officials to implement and enforce the provisions of this By-law.