

Regulation Gazette

No. 8131

Regulasiekoerant

Vol. 475

Pretoria, 14 January 2005

Januarie

No. 27157

CONTENTS

No.		Page No.	Gazette No.
PROCLAMATION			
R. 2	Constitution of the Republic of South Africa (108/1996): Transfer of the administration of the Co-operatives Act, 1981 (Act No. 91 of 1981), from the Minister of Agriculture to the Minister of Trade and Industry	3	27157

GOVERNMENT NOTICES**Agriculture, Department of***Government Notices*

R. 20	Conservation of Agricultural Resources Act (43/1983): Disaster drought assistance scheme for agricultural water supply to stock/game farmers element: Emergency water supply	4	27157
R. 21	do.: Drought Disaster Relief Scheme of 2004/05 for fodder supply and fodder transportation	11	27157

CONTENTS

No.		Page No.	Gazette No.
PROKLAMASIE			
R. 2	Grondwet van die Republiek van Suid-Afrika (108/1996): Oordrag van die administrasie van die Koöperasiewet, 1981 (Wet No. 91 van 1981), vanaf die Minister van Landbou aan die Minister van Handel en Nywerheid.....	3	27157

GOEWERMENTSKENNISGEWINGS**Landbou, Departement van***Goewermentskennisgewings*

R. 20	Conservation of Agricultural Resources Act (43/1983): Disaster drought assistance scheme for agricultural water supply to stock/game farmers element: Emergency water supply	4	27157
R. 21	do.: Drought Disaster Relief Scheme of 2004/05 for fodder supply and fodder transportation	11	27157

PROCLAMATION*by the**President of the Republic of South Africa***No. R. 2, 2005****TRANSFER OF THE ADMINISTRATION OF THE CO-OPERATIVES ACT, 1981 (ACT No. 91 OF 1981), FROM THE MINISTER OF AGRICULTURE TO THE MINISTER OF TRADE AND INDUSTRY IN TERMS OF SECTION 97 OF THE CONSTITUTION**

In terms of section 97 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), I hereby transfer the administration of the Co-operatives Act, 1981 (Act No. 91 of 1981), and powers and function entrusted by this Act from the Minister of Agriculture to the Minister of Trade and Industry with effect from the date of signature.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this Eighteenth day of December, Two thousand and Four.

T. M. MBEKI**President****By Order of the President-in-Cabinet:****A. T. DIDIZA****Minister of the Cabinet****PROKLAMASIE***van die**President van die Republiek van Suid-Afrika***No. R. 2, 2005****OORDRAG VAN DIE ADMINISTRASIE VAN DIE KOÖPERASIEWET, 1981 (WET No. 91 VAN 1981), VANAF DIE MINISTER VAN LANDBOU AAN DIE MINISTER VAN HANDEL EN NYWERHEID**

Kragtens artikel 97 van die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No. 108 van 1996), dra ek hiermee die administrasie van die Koöperasiewet, 1981 (Wet No. 91 van 1981), en die bevoegdhede en werksaamhede wat deur hierdie Wet toevertrou vanaf die Minister van Landbou, oor aan die Minister van Handel en Nywerheid met ingang van die datum van ondertekening.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op die Agtiende dag van Desember Tweeëduisend en vier.

T. M. MBEKI**President****Op las van die President-in-Kabinet:****A. T. DIDIZA****Minister van die Kabinet**

GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURE

No. R. 20

14 January 2005

CONSERVATION OF AGRICULTURAL RESOURCES ACT, 1983 (ACT No. 43 OF 1983)

DISASTER DROUGHT ASSISTANCE SCHEME FOR AGRICULTURAL WATER SUPPLY TO STOCK/GAME FARMERS ELEMENT: EMERGENCY WATER SUPPLY

1. INTRODUCTION

- 1.1 The below average and late rain received in the 2003/2004 season resulted in certain districts in 8 Provinces being subjected to critical low levels of water availability. The aspect of a drinking water supply for stock/game and human consumption in agricultural areas experiencing critical water shortage are addressed through this scheme.

2. QUALIFICATION

- 2.1 Only agricultural land qualifies for assistance
- 2.2 Both commercial and communal farmers qualify for assistance.
- 2.3 A critical water shortage for the purpose of this scheme is defined as a position where water availability for stock watering purposes is less than that required by the animals representing 33% of the official carrying capacity of the natural veld area on the farm and the minimum daily consumption of the people living permanently on that land.
- 2.4 The daily provision of emergency water is calculated at:
- 50 litres per day per large stock unit;
 - 5 litres per day per small stock unit;
 - 20 litres per day per human.

3. ASSISTANCE MEASURES TO SECURE DRINKING WATER ON COMMERCIAL LAND

- 3.1** The cleaning and recovering of existing boreholes qualifies for assistance. Cleaning of existing boreholes is considered the first attempt to satisfy the requirements. The replacement of a pump on an existing borehole however does not qualify for assistance.
- 3.2** The drilling of new boreholes will qualify for assistance.
- 3.3** The fitting of appropriate pumping equipment on the borehole drilled for emergency purposes will qualify for assistance
- 3.4** The purchase of a 5000 litre plastic tank will qualify for assistance if the nearest reservoir is further than 500 meters away from the borehole drilled for emergency purposes.
- 3.5** Priority will be given to farms without any access to drinking water for stock/game and human needs.
- 3.6** The 1st drilling attempt will qualify for a rebate of 75% on the determined drilling tariff as stated in table 1. The first 150 meters will qualify for a rebate and thereafter no rebate will apply.
- 3.7** If the 1st attempt at the drilling of a new borehole was unsuccessful, application for a second drilling attempt may be made. A rebate of 50% for the 2nd attempt will be applicable. The first 150 meters will qualify for rebate and thereafter no rebate will apply.
- 3.8** An unsuccessful borehole is defined as a borehole with a tested yield of 450 litres per hour or less, or when the water quality is too poor for animal consumption.
- 3.9** If the 1st attempt to recover a borehole fails, a rebate of 50% for the drilling of a new borehole or the recovery of a 2nd borehole will be applicable. The first 150 meters will qualify for rebate and thereafter no rebate will apply.
- 3.10** No rebate will be payable on the 3rd attempt. These applications will not be seen as priority.
- 3.11** These assistance measures will only be available until 31 March 2005. To qualify for rebate, infrastructure should be installed and operational by 28 February 2005.

3.12 A rebate of 75% with a maximum of R15 000 will be payable for pumping equipment.

3.13 The maximum rebate payable to any landowner irrespective of the number of farming units owned will be R 30 000.

4. ASSISTANCE MEASURES TO SECURE DRINKING WATER ON COMMUNAL LAND

4.1 The cleaning and refurbishment of existing boreholes qualifies for assistance. Cleaning and refurbishment of existing boreholes is considered the first attempt to satisfy the requirements.

4.2 The drilling of new boreholes will qualify for assistance if the existing and refurbished boreholes do not satisfy the requirements.

4.3 The fitting of appropriate pumping equipment on the borehole drilled for emergency purposes will qualify for assistance.

4.4 The installation of pipelines and other infrastructure to connect the water to existing stock watering systems will qualify for assistance

4.5 Priority will be given to communities without any access to drinking water for stock/game and human needs.

4.6 A request for each drilling attempt must be authorised appropriately.

4.7 Provinces can claim 100% of the costs for the supply of emergency water to communal areas from the fund established for this purpose.

5. CONDITIONS PERTAINING TO THE DRILLING SCHEME

5.1 The Scheme will make provision for stock/game drinking water and human needs.

5.2 No drilling will be done prior to obtaining written permission from the Provincial Department of Agriculture concerned.

5.3 Private drilling contractors will have to be used for purposes of the scheme.

5.4 Applications will only be considered if supported by a water inventory that includes all water sources on the farm.

- 5.5 Applications will only be considered after a local extension officer or delegate has carried out an on-site inspection.
- 5.6 A consent that the request has been approved and that a drilling contractor can be appointed has to be issued by the scheme manager before any work commences.
- 5.7 Only boreholes sited by personnel of the Directorate: WUID or qualified geologists will be approved. Fees of geologists are payable by the applicant.
- 5.8 Testing of boreholes for delivery and water quality must be done. The Directorate Water Use and Irrigation Development will assist provinces in this regard to enable effective monitoring of water levels and delivery rates.
- 5.9 A control inspection of the work done by private drilling contractors is required and a report must be submitted before any rebates can be claimed. The land user is responsible for payment of the contractor and the rebate will be paid directly to the land user.
- 5.10 In the case of communal land the province must pay the contractor
- 5.11 Only equipment for new boreholes and work on existing rehabilitated boreholes will qualify for rebates. Therefore no rebates will be payable without drilling and testing reports.
- 5.12 Only new pumping equipment will qualify for rebates.

6. APPLICATION PROCEDURES

6.1 Who qualifies?

- Any stock farmer/game farmer, either full time or part time, who is experiencing critical water shortages, may apply.
- Provincial Departments of Agriculture may apply on behalf of farmers in traditional tenure areas.
- Employees of farmers are included in the number of humans living permanently on a farm.

6.2 Application forms

Application forms will be available from the local extension officers based in the district offices of the Provincial Departments of Agriculture or any other office as determined by the Province.

6.3 Application procedures

- Completed application forms must be submitted to the nearest district offices of the Provincial Departments of Agriculture.
- Extension officers or officers from support directorates in the Provincial Departments of Agriculture, will then visit the farm/farming enterprise to verify the need for stock/game drinking water and human consumption requirements.
- The completed form will then be sent to the Provincial Department of Agriculture's Head Office for approval and processed if a private contractor is to be used and a copy will be sent to D:WUID for registration of the borehole on the geo-hydrology database.
- Farmers will be notified in writing whether their applications have been approved or rejected.
- The proposed borehole must be sited by a Geologist or the D:WUID.
- A private, drilling contractor must be appointed by the applicant, after approval and the borehole has been sited.
- Private Contractors can only be utilized once permission has been granted.

6.3.1 Payment procedures when a private contractor is utilized

- Payments of rebates will be based on the scheme as described in paragraph 2 and drilling tariffs as depicted in table 1.
- The farmer will be responsible for appointing the private contractor and paying him in full, after written permission has been granted.
- Receipts must be handed in for verification purposes.
- Drilling and testing reports must be submitted to the Directorate: WUID in Silverton, Pretoria.

- The farmer will be paid the rebate as determined in section 2.
- Payment method will be via electronic bank transfers. Thus all the banking details, account no. etc, must be stated on the claim forms.

6.3.2 Payments for rebate on pumping equipment

- The farmer will be responsible for the procurement and installation of equipment according to test results.
- The farmer will then be paid a rebate by the Provincial Department of Agriculture as determined in section 2 after being inspected by a Technician.
- Payment method will be via electronic bank transfers. Thus all the banking details, account no. etc, must be stated on the claim forms.
- Tax invoices and receipts, attached to a completed *Request for Payment* form, must be submitted to Department of Agriculture's Head Office.
- A copy of the farm map indicating boundaries, camps, fountains, streams and dwellings must accompany the application and completed by a PDA official. The proposed drilling sites and proposed equipment must be indicated on the sketched map.

7. CONTROL / TESTING

- 7.1 The Directorate: WUID will test boreholes and submit test results to the Chief Engineer: Construction. (WUID)
- 7.2 Where the capacity is lacking, D: WUID will appoint private contractors to test the boreholes in consultation with the Provincial Departments of Agriculture.
- 7.3 Technicians from the Provincial Department of Agriculture will be responsible for verifying that pumping equipment has been installed.
- 7.4 Spot checks will be executed by D: WUID to ensure the appropriateness of claims

TABLE 1 – Drilling costs (Department of Agriculture)

Action	Type of work	Drilling cost
Drilling cost	Ordinary drilling	R132-00/meter
Work on existing boreholes	Pneumatic Percussion	R132-00/hour R220-00/hour
Casing	165 mm dia 165 mm dia perforated	R132-00/meter R179-00/meter

No. R. 21

14 January 2005

**CONSERVATION OF AGRICULTURAL RESOURCES ACT, 1983
(ACT No. 43 OF 1983)**

DROUGHT DISASTER RELIEF SCHEME OF 2004/05

FOR

FODDER SUPPLY AND FODDER TRANSPORTATION

1. *Name of the Scheme*

The Scheme shall be known as the Drought Disaster Relief Scheme of 2004/05, hereinafter known as the Scheme.

2. *Objective of the Scheme*

The objective of the Scheme shall be to assist farmers out of monies appropriated by parliament in the transportation of fodder and provision of same to their livestock.

3. *Period for which the Scheme shall apply*

The Scheme shall apply to those farmers who are unable to feed their livestock due to the drought of 2004.

Only assessments that were made by the Provincial Departments of Agriculture and their assigned agents will qualify for assistance.

4. *Assistance*

The Scheme will only be applicable in respect of livestock i.e. cattle, sheep and goats.

The Scheme will only apply provided there is proof of ownership (Branding and Livestock cards) to the subsidisation of the costs of fodder and the costs of fodder transportation:

- to the value of 90% or in kind for farmers with the total number of less than 30 livestock;
- 80% or in kind for farmers with livestock of between 30 and 50;
- and 70% for farmers with more than 50 livestock.

No other costs including road toll fees shall be subsidized. The subsidy shall apply to the feeding of a maximum of the first 30 livestock of each

farmer and livestock shall be expressed in terms of the universally accepted cow units. Government departments and other stakeholders are requested to assist with the transportation of fodder. The subsidies will be paid until the monies appropriated for the Scheme are exhausted or until the fodder is no longer required.

The subsidy shall be paid by the provincial government to the suppliers of fodder and cartage contractors and not to the farmers.

5. Areas to which the Scheme applies

The Scheme shall apply to the following areas:

LIMPOPO PROVINCE

AREAS
Capricorn
Sekhukhune
Waterberg
Vhembe
Bohlabela

NORTHERN CAPE PROVINCE

AREAS
Postmasburg
Kalahari & Mier
Kuruman
Calvinia
Sutherland
Williston
Fraserburg
Carmarvon

KWAZULU-NATAL PROVINCE

Ugu
Umgungundlovu
Uthukela
Umzinyathi
Amajuba
Zululand
Umkhanyakude
Uthungulu
Ilembe
Sisonke

NORTH – WEST PROVINCE

Kagisano
Moshaweng
Naledi
Molopo
Greater Taung

FREE STATE PROVINCE

Xhariep
Motheo
Lejweleputswa
Thabo Mofutsanyane
Northern Free State

WESTERN CAPE PROVINCE

Clanwilliam
Laingsburg
Vredendal
Beaufort-Wes
Ceres Karoo
Weskus
Swartland
Weskus

MPUMALANGA PROVINCE

Enhlanzeni
J.S. Moroka
Gert Sibande

EASTERN CAPE PROVINCE

Gariep
Tsolwana
Inxuba Yethemba
Cadembo
Ikwezi
ECDMA 10
Baviaans
Blue Crane

The allocation of drought assistance will either exclude the listed areas or include the areas not listed due to the improvement or deterioration of the veld conditions respectively.

6. Method of Assistance

- Funds will be transferred to the Provincial Treasury of the above-mentioned provinces, on a monthly basis subject to the acceptance of the conditions contained herein.
- Each Province may appoint an agent of its own choice to distribute the funds at its own cost.

7. Administration of the Scheme

The Scheme will be administered by the Provinces and the appointed agencies of their choice. The funds allocated to the province will be paid on a monthly basis on receipt of proof that the previous month's transfer was expended.

8. Assessment process

Assessments have to be signed by the farmer and verified by the Extension Officer and a senior agricultural officer and one of the following:

- Local Authority
- Induna/ Inkosi

Natural persona must submit an official identity document and legal persona must submit a certificate of registration when claiming the funds.
