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EXTRAORDINARY

Staatskoerant

VAN DIE UNIE VAN SUID-AFRIKA

THE UNION OF SOUTH AFRICA

Government Gazette

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DEPARTEMENT VAN DIE EERSTE MINISTER.

DEPARTMENT OF THE PRIME MINISTER.

No. 573.] [22 April 1960.

No. 573.] [22nd April, 1960.

Hierby word bekend gemaak dat dit Sy Eksellensie die Goewerneur-generaal behaag het om sy goedkeuring te heg aan onderstaande Wette, wat hierby ter algemene inligting gepubliseer word:—

It is hereby notified that His Excellency the Governor-General has been pleased to assent to the following Acts, which are hereby published for general information:—

	BLADSY
No. 35 van 1960: Wolkommissie- en Wolwysigingswet, 1960	2
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DEPARTEMENT VAN VERDEDIGING.

DEPARTMENT OF DEFENCE.

Onderstaande Goewermenskennisgewing word vir algemene inligting gepubliseer:—

The undermentioned Government Notice is published for general information:—

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No. 35, 1960.]

WET

Om vir die instelling van 'n Suid-Afrikaanse Wolkommissie voorsiening te maak; om die doelstellinge waarvoor hy ingestel word, te omskryf; om sy bevoegdhede en die wyse waarop hy bestuur en beheer moet word, voor te skryf; om vir die oplegging van 'n heffing op wol en ander bykomstige aangeleenthede voorsiening te maak; en om die Wolwet, 1946, te wysig.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 11 April 1960.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

Woord-
omskrywing.

1. In hierdie Wet beteken die uitdrukking „die Hoofwet” die Wolwet, 1946 (Wet No. 19 van 1946), en in artikels *een* tot en met *vier-en-twintig* tensy uit die samehang anders blyk, het elke uitdrukking waaraan in daardie Wet 'n betekenis toegeskryf is, behalwe die uitdrukkings „heffing” en „Minister”, die betekenis aldus daaraan toegeskryf, en beteken—

- (i) „heffing” die heffing wat ingevolge artikel *vier-entertig bis* van die Hoofwet of artikel *elf* van hierdie Wet op wol gelê is; (iii)
- (ii) „kommissie” die kragtens artikel *twee* van hierdie Wet ingestelde kommissie; (ii)
- (iii) „Minister” die Minister van Landbou-ekonomie en -bemerkings; (iv)
- (iv) „veiling” 'n wolveiling deur die kommissie erken. (i)

Instelling van
Suid-Afrikaanse
Wolkommissie.

2. Daar word hierby 'n kommissie met die naam van die Suid-Afrikaanse Wolkommissie ingestel wat met regs persoonlikheid bekleed is en bevoeg is om in sy naam as regs persoon as eiser en verweerder in regte op te tree en om die handelinge te verrig wat nodig mag wees vir of in verband staan met die uitvoering van sy doelstellinge, die verrigting van sy werksaamhede en die uitoefening van sy bevoegdhede.

Doelstelling
van kommissie.

3. Die doelstelling van die kommissie is om die wolmark van die Unie op 'n deur die Minister goedgekeurde wyse te stabiliseer.

Bevoegdhede van
kommissie.

4. Die kommissie kan ter bereiking van sy doelstelling—
- (a) van tyd tot tyd 'n tabel van minimum pryse vir alle tipes wol opstel wat in die Unie geproduseer is;
 - (b) ooreenkomstig 'n in paragraaf (a) bedoelde tabel, reserwe-pryse ten opsigte van individuele hoeveelhede wol vasstel;
 - (c) op enige veiling in die Unie of die Verenigde Koninkryk wol aankoop, teen die in paragraaf (a) bedoelde minimum prys wat met betrekking tot daardie wol van toepassing is, en daardie wol op enige wyse verkoop wat hy goedvind;
 - (d) uit sy fondse die verkoopprijs van wol in die mate aanvul wat nodig is om dit te verhoog na die in paragraaf (a) bedoelde minimum prys wat met betrekking tot daardie wol van toepassing is;
 - (e) wol was, opdoen of andersins bewerk;
 - (f) die personeel wat nodig is in diens neem teen die vergoeding en op die voorwaardes wat hy bepaal;
 - (g) met die goedkeuring van die Minister geld leen;
 - (h) sy gelde belê;
 - (i) roerende of onroerende goed aankoop of andersins verkry, hou, vervreem, verhuur of huur: Met dien verstande dat die kommissie geen onroerende goed verkry of vervreem nie behalwe met die voorafgaande toestemming van die Minister wat sy toestemming kan verleen op die voorwaardes wat hy goedvind;
 - (j) fasiliteite daarstel en beheer vir die insameling en verspreiding van inligting betreffende wol of die wolmark;

No. 35, 1960.]

ACT

To provide for the establishment of a South African Wool Commission; to define the objects for which it is established; to prescribe its powers and the manner in which it shall be managed and controlled; to provide for the imposition of a levy on wool and for other incidental matters; and to amend the Wool Act, 1946.

(Afrikaans text signed by the Governor-General.)
(Assented to 11th April, 1960.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

1. In this Act the expression "the principal Act" means the Wool Act, 1946 (Act No. 19 of 1946), and in sections *one* to *twenty-four*, inclusive, unless the context otherwise indicates, any expression to which in that Act a meaning has been assigned, other than the expressions "levy" and "Minister", bears the meaning so assigned thereto, and—

- (i) "auction sale" means an auction sale of wool recognized by the commission; (iv)
- (ii) "commission" means the commission established under section *two* of this Act; (ii)
- (iii) "levy" means the levy imposed on wool in terms of section *thirty-four bis* of the principal Act or section *eleven* of this Act; (i)
- (iv) "Minister" means the Minister of Agricultural Economics and Marketing. (iii)

2. There is hereby established a commission to be known as the South African Wool Commission which shall be a body corporate, capable of suing and being sued in its corporate name and of performing such acts as are necessary for or incidental to the carrying out of its objects, the performance of its functions and the exercise of its powers.

Establishment
of South
African Wool
Commission.

3. The object of the commission shall be to stabilize the wool market of the Union in any manner approved by the Minister.

Object of
commission.

4. The commission may for the purpose of achieving its object—

Powers of
commission.

- (a) from time to time prepare a table of minimum prices for all types of wool produced in the Union;
- (b) assess in accordance with any table referred to in paragraph (a) reserve prices in respect of individual lots of wool;
- (c) purchase at any auction sale in the Union or the United Kingdom any wool at the minimum price referred to in paragraph (a) which is applicable with reference to such wool, and sell any such wool in any manner it may deem fit;
- (d) out of its funds supplement the sale price of wool to such an extent as may be necessary to increase it to the minimum price referred to in paragraph (a) which is applicable with reference to such wool;
- (e) scour, re-condition or otherwise process wool;
- (f) engage at the remuneration and on the conditions it determines, such staff as may be necessary;
- (g) borrow money with the approval of the Minister;
- (h) invest its funds;
- (i) purchase or otherwise acquire, hold, alienate, let or hire movable or immovable property: Provided that the commission shall not acquire or alienate immovable property except with the prior consent of the Minister who may give his consent on the conditions he deems fit;
- (j) establish and control facilities for the collection and dissemination of information relating to wool or the wool market;

- (k) met enigeen saamwerk in die verrigting van 'n handeling wat die kommissie wettiglik kan verrig, enigiemand, met inbegrip van 'n beherende raad soos in artikel een van die Bemarkingswet, 1937 (Wet No. 26 van 1937), omskryf, as sy agent aanstel (en vir hierdie doel word bedoelde raad, ondanks andersluidende wetsbepalings, geag behoorlik gemagtig te wees om as so 'n agent op te tree), of as agent van so 'n raad enige handeling verrig wat daardie raad wettiglik kan verrig;
- (l) enigiemand, hetsy in die algemeen of in 'n bepaalde geval, magtig om op alle redelike tye 'n pakhuis, bergplek of ander perseel waarin of waarop daar wol is of vermoed word te wees, te betree en om sodanige wol te inspekteer en vir statistiese doeleindes te waardeer en daaromtrent aan die kommissie verslag te doen; en
- (m) die dinge doen wat hy nodig ag ten einde stabiliteit in die wolmark te bevorder, en in besonder om met die goedkeuring van die Minister enige ander skema in die lewe te roep, hetsy ter aanvulling of wysiging of vervanging van enige in hierdie artikel bedoelde bevoegdheid, wat die stabilisasie van die Wolmark van die Unie ten doel het.

Werkzaamhede
en pligte van
kommissie.

5. (1) Die kommissie adviseer die Minister aangaande—
 - (a) die voorwaardes wat betref grade, kwaliteit-standaarde, metodes van verpakking en die merk van wol of 'n houer wat dit bevat, onderworpe waaraan sodanige wol verkoop mag word;
 - (b) die verbod op of beheer of reëling van die uitvoer van wol; en
 - (c) alle aangeleenthede betreffende die bemaking van wol.
- (2) Die kommissie moet een maal in elke jaar, binne ses maande na die einde van sy boekjaar, 'n verslag oor sy werkzaamhede gedurende sy onmiddellik voorafgaande boekjaar aan die Minister voorlê.
- (3) Die Minister moet afskrifte van elke verslag ingevolge sub-artikel (2) aan hom voorgelê, in beide Huise van die Parlement ter Tafel lê binne veertien dae na ontvangs daarvan as die Parlement dan in gewone sitting is, of as die Parlement dan nie in gewone sitting is nie, binne veertien dae na die aanvang van sy eersvolgende gewone sitting.

Samestelling
van
kommissie.

6. (1) Die kommissie bestaan uit vyf lede wat deur die Goewerneur-generaal aangestel word en van wie—
 - (a) drie wolkwekers moet wees deur die raad benoem, een van wie die voorsitter van die raad moet wees;
 - (b) een 'n wolmakelaar moet wees deur die Suid-Afrikaanse Wol- en Bokhaarmakelaarsvereniging benoem; en
 - (c) een, benoem deur die Departement van Landbou-ekonomie en -bemarking, die Unieregering verteenwoordig.
- (2) Indien 'n lid kragtens paragraaf (a) van sub-artikel (1) aangestel, ophou om 'n wolkwerker te wees, of as enige ander lid ophou om die amp te beklee uit hoofde waarvan hy aangestel is, verval sy aanstelling as lid van die kommissie, en die Goewerneur-generaal stel 'n nuwe lid in sy plek aan.
- (3) (a) Die kommissie kan hoogstens een persoon as 'n adviserende lid van die kommissie koöpteer.
- (b) So 'n lid kan aan die verrigtinge van enige vergadering van die kommissie deelneem maar kan nie by so 'n vergadering 'n stem uitbring nie.
- (4) Behoudens die bepalinge van sub-artikels (2), (5) en (7), beklee 'n lid van die kommissie sy amp vir 'n tydperk van drie jaar en is hy vir heraanstelling by die verstryking van sy ampstermyn verkiesbaar: Met dien verstande dat die Goewerneur-generaal 'n aanstelling te eniger tyd kan beëindig op 'n grond wat na sy oordeel voldoende is.
- (5) (a) Die lede kragtens paragraaf (a) van sub-artikel (1) deur die raad benoem, word by hul eerste aanstelling onderskeidelik vir een, twee en drie jaar aangestel, en volg mekaar dan in dieselfde orde op.
- (b) Die orde van opvolging word deur die trek van die loot bepaal.
- (6) 'n Toevallige vakature in die kommissie word gevul deur die aanstelling van 'n nuwe lid op die wyse waarop en vir die onverstreke gedeelte van die tydperk waarvoor die lid wie se amp vakant geraak het, aangestel was.

- (k) co-operate with any person in the performance of any act which it may lawfully perform, appoint as its agent any person, including any regulatory board as defined in section one of the Marketing Act, 1937 (Act No. 26 of 1937), (and for this purpose the said board shall, notwithstanding anything to the contrary contained in any law, be deemed to be duly empowered to act as such an agent), or as the agent of such a board perform any act which such board may lawfully perform;
- (l) authorize any person either generally or in any particular case at all reasonable times to enter any warehouse, store or other premises in or upon which there is or is suspected to be any wool, and to inspect and appraise such wool for statistical purposes and to report thereon to the commission; and
- (m) do all such things as it may deem necessary to promote stability in the wool market, and in particular to devise, with the approval of the Minister, either in addition to or in modification or substitution of any power referred to in this section, any scheme which has as its object the stabilization of the wool market of the Union.

5. (1) The commission shall advise the Minister as to— Functions and duties of commission.
- (a) the conditions regarding grades, standards of quality, methods of packing and the marking of wool or any receptacle containing it, subject to which such wool may be sold;
 - (b) the prohibition, control or regulation of the exportation of wool; and
 - (c) all matters relating to the marketing of wool.

(2) The commission shall once in every year, within six months after the end of its financial year, submit to the Minister a report on its activities during its immediately preceding financial year.

(3) The Minister shall lay copies of every report submitted to him in terms of sub-section (2) upon the Tables of both Houses of Parliament within fourteen days of receipt thereof if Parliament is then in ordinary session, or if Parliament is not then in ordinary session, within fourteen days of the commencement of its next ensuing ordinary session.

6. (1) The commission shall consist of five members who shall be appointed by the Governor-General, and of whom— Constitution of commission.
- (a) three shall be producers of wool nominated by the board, one of whom shall be the chairman of the board;
 - (b) one shall be a wool broker nominated by the South African Wool and Mohair Brokers Association; and
 - (c) one, nominated by the Department of Agricultural Economics and Marketing, shall represent the Union Government.

(2) If any member appointed under paragraph (a) of sub-section (1) ceases to be a producer of wool, or if any other member ceases to hold the office from which his appointment is derived, he shall cease to hold his appointment as a member of the commission, and the Governor-General shall appoint a new member in his place.

(3) (a) The commission may co-opt not more than one person as an advisory member of the commission.

(b) Such member may take part in the proceedings at any meeting of the commission but shall not be entitled to vote at such meeting.

(4) Subject to the provisions of sub-sections (2), (5) and (7), any member of the commission shall hold office for a period of three years and shall be eligible for re-appointment at the expiration of his period of office: Provided that the Governor-General may on any ground which he considers sufficient, terminate any appointment at any time.

(5) (a) The members nominated by the board under paragraph (a) of sub-section (1) shall on their first appointment be appointed respectively for one, two and three years, and shall then rotate in the same order.

(b) The rotation shall be determined by the drawing of lots.

(6) A casual vacancy on the commission shall be filled by the appointment of a new member in the manner in which and for the unexpired portion of the period for which the member whose office has become vacant had been appointed.

(7) 'n Lid ontruim sy amp indien hy sonder verlof van die voorsitter van drie agtereenvolgende vergaderings van die kommissie afwesig is.

(8) 'n Lid van die kommissie, met inbegrip van 'n adviserende lid kragtens sub-artikel (3) aangestel en 'n lid van 'n komitee kragtens artikel *nege* ingestel maar nie 'n lid kragtens paragraaf (c) van sub-artikel (1) van hierdie artikel aangestel wat 'n beampte van die staatsdiens soos omskryf in artikel *een* van die Staatsdienswet, 1957 (Wet No. 54 van 1957), is nie, word uit die gelde van die kommissie die toelae betaal wat die kommissie met die goedkeuring van die Minister bepaal.

Voorsitter van kommissie.

7. (1) Die kommissie kies op sy eerste vergadering en daarna so dikwels dit nodig word, een van sy lede as voorsitter van die kommissie.

(2) (a) Die voorsitter van die kommissie beklee sy amp as sodanig vir 'n tydperk van een jaar of tot die verstryking van die tydperk waarvoor hy sy amp as lid van die kommissie beklee, watter tydperk ook al die kortste is.

(b) 'n Uittredende voorsitter is herkiesbaar.

(3) Wanneer die voorsitter van 'n vergadering van die kommissie afwesig is, kan die lede wat aanwesig is uit hul midde 'n voorsitter kies om by daardie vergadering voor te sit.

Vergaderings en besluite van kommissie.

8. (1) Die eerste vergadering van die kommissie word gehou op 'n plek en tyd wat die Minister bepaal, en elke daaropvolgende vergadering word gehou op 'n plek en tyd deur die kommissie bepaal.

(2) (a) Die voorsitter van die kommissie kan te eniger tyd, en moet op versoek van enige twee lede van die kommissie, 'n spesiale vergadering van die kommissie byeenroep om op 'n deur die voorsitter bepaalde plek en tyd gehou te word.

(b) 'n Spesiale vergadering wat op versoek van twee lede van die kommissie byeengeroep word, word gehou binne drie weke vanaf die datum waarop die versoek aan die voorsitter gerig word.

(3) 'n Besluit by enige vergadering van die kommissie geskied by meerderheid van stemme van die aanwesige lede, en by staking van stemme oor enige aangeleentheid het die voorsitter by daardie vergadering 'n beslissende stem benewens sy beraadslagende stem as lid van die kommissie.

(4) (a) Wanneer om een of ander rede dit nie doenlik is om 'n vergadering van die kommissie vir die behandeling van 'n saak van dringende aard te hou nie, is die toestemming van al die lede, skriftelik of telegrafies verleen vir die verrigting van 'n handeling of saak of die verlening van 'n bevel, lasgewing, instruksie, toestemming of goedkeuring of die uitoefening van 'n daad van gesag, ewe geldig as 'n beslissing van die kommissie en word as sodanig geag.

(b) 'n Aantekening van elke toestemming kragtens paragraaf (a) verleen, word in die notule van die volgende vergadering van die kommissie gemaak.

(5) Drie lede op enige vergadering van die kommissie maak 'n kworum uit.

Komitees van kommissie.

9. (1) Die kommissie kan met goedkeuring van die Minister en onderhewig aan die voorwaardes wat die kommissie opla, een of meer komitees instel wat saamgestel word op die wyse wat die kommissie met die Minister se goedkeuring bepaal, om die kommissie met die verrigting van sy werksaamhede behulpsaam te wees.

(2) Die kommissie kan aan 'n aldus ingestelde komitee sodanige van sy bevoegdhede en werksaamhede toewys as wat hy goetvind, maar word nie onthef van 'n bevoegdheid wat hy aan 'n komitee toegewys het nie, en kan 'n besluit van 'n komitee wysig of intrek.

(3) Die voorsitter van die kommissie is *ex officio* voorsitter van enige komitee kragtens hierdie artikel ingestel, en kan te eniger tyd 'n vergadering van enige komitee byeenroep om gehou te word op die tyd en plek wat hy gelas.

(4) 'n Besluit by enige vergadering van 'n komitee geskied by meerderheid van stemme van die aanwesige lede.

Reglement van kommissie.

10. Die kommissie kan, behoudens die bepalings van hierdie Wet, reëls uitvaardig betreffende—

(a) die prosedure wat by 'n vergadering van die kommissie gevolg moet word;

(b) die prosedure wat by enige vergadering van 'n komitee van die kommissie gevolg moet word, asook die prosedure wat by staking van stemme gevolg moet word; en

(7) A member shall vacate his office if he is absent without the permission of the chairman from three consecutive meetings of the commission.

(8) A member of the commission, including an advisory member appointed under sub-section (3) of this section and a member of any committee established in terms of section *nine*, but excluding a member appointed under paragraph (c) of sub-section (1) of this section who is an officer of the public service as defined in section *one* of the Public Service Act, 1957 (Act No. 54 of 1957), shall be paid such allowances from the funds of the commission as the commission may with the approval of the Minister determine.

7. (1) The commission shall at its first meeting and thereafter whenever it becomes necessary, elect one of its members to be the chairman of the commission. Chairman of commission.

(2) (a) The chairman of the commission shall hold office as such for a period of one year or until the expiration of the period for which he holds office as a member of the commission, whichever period is the shorter.

(b) A retiring chairman shall be eligible for re-election.

(3) Whenever the chairman is absent from any meeting of the commission, the members who are present may elect from amongst themselves a chairman to preside at that meeting.

8. (1) The first meeting of the commission shall be held at the place and time determined by the Minister, and any subsequent meeting shall be held at the place and time determined by the commission. Meetings and decisions of commission.

(2) (a) The chairman of the commission may at any time, and shall at the request of any two members of the commission, call a special meeting of the commission to be held at the place and time determined by the chairman.

(b) A special meeting called at the request of two members of the commission shall be held within three weeks of the date on which the request is made to the chairman.

(3) Any decision at any meeting of the commission shall be by resolution by majority vote of the members present thereat, and in the event of an equality of votes on any matter, the chairman at that meeting shall have a casting vote in addition to his deliberative vote as a member of the commission.

(4) (a) When for any reason it is not practicable to hold a meeting of the commission for the transaction of any business of an urgent nature, the assent of all the members signified in writing or by telegram to the doing of any act or thing or the giving of any order, direction, instruction, consent or approval or the exercise of any act of authority shall be as effective as, and shall be deemed to be a decision of the commission.

(b) A record of every assent given in terms of paragraph (a) shall be entered in the minutes of the next meeting of the commission.

(5) Three members at any meeting of the commission shall form a quorum.

9. (1) The commission may with the approval of the Minister and subject to such conditions as the commission may impose, establish one or more committees, to be constituted in the manner determined by the commission with the approval of the Minister, for the purpose of assisting it in the performance of its functions. Committees of commission.

(2) The commission may assign to a committee so established such of its powers and functions as it may deem fit, but shall not be divested of any power which it may have assigned to a committee, and may amend or withdraw any decision by a committee.

(3) The chairman of the commission shall *ex officio* be chairman of any committee established under this section, and may at any time call a meeting of any committee to be held at the time and place that he directs.

(4) Any decision at any meeting of a committee shall be by resolution by majority vote of the members present thereat.

10. The commission may, subject to the provisions of this Act, make rules as to— Rules of commission.

(a) the procedure to be followed at any meeting of the commission;

(b) the procedure to be followed at any meeting of any committee of the commission, including the procedure to be followed in the event of an equality of votes; and

Oplegging van
heffing op
wol.

- (c) enige ander aangeleentheid wat nodig of dienstig is vir die behoorlike uitvoering van die pligte van die kommissie of 'n komitee daarvan.
11. (1) (a) Die kommissie kan van tyd tot tyd met goedkeuring van die Minister 'n heffing van hoogstens 'n halfpennie per pond, wat aan die kommissie betaalbaar is deur die persone, op die wyse en op die tye wat voorgeskryf mag word, opleë op alle wol wat in die Unie geproduseer, verkoop of bewerk of daaruit uitgevoer word, welke heffing ten opsigte van karakoelwol kan verskil van so 'n heffing ten opsigte van enige ander soort wol.
- (b) Die kommissie kan met goedkeuring van die Minister—
- (i) betaling van so 'n heffing verskuldig ten opsigte van wol wat in die Unie ingevoer is, geheel of ten dele kwytstel;
 - (ii) so 'n heffing wat ten opsigte van sodanige wol betaal is, geheel of ten dele terugbetaal.
- (2) 'n Heffing kragtens sub-artikel (1) opgelê, word deur die Minister by kennisgewing in die *Staatskoerant* bekend gemaak en word van krag op die datum in daardie kennisgewing vermeld.
- (3) Iemand wat so 'n heffing betaal het, en iemand op wie die bedrag van so 'n heffing kragtens die bepalings van paragraaf (a) of (b) van hierdie sub-artikel verhaal is, kan, as hy nie die produsent is van die wol ten opsigte waarvan daardie heffing betaal is nie—
- (a) die bedrag van die aldus betaalde heffing verhaal op die persoon van wie hy daardie wol verkry of ten behoeve van wie hy dit verkoop of bewerk het; of
 - (b) 'n bedrag gelyk aan die bedrag van die aldus betaalde heffing aftrek van enige bedrag wat aan die persoon van wie hy daardie wol verkry of ten behoeve van wie hy dit verkoop het, betaalbaar is of mag word.
- Met dien verstande dat geen heffing kragtens paragraaf (a) of (b) verhaal kan word nie op 'n produsent of ander persoon wat op die datum met ingang waarvan 'n heffing ingevolge hierdie artikel vir die eerste maal betaalbaar word, nie meer die eienaar is van die wol ten opsigte waarvan daardie heffing betaalbaar is nie.
- (4) Wanneer die heffing ten opsigte van enige wol betaal is, moet die kommissie of 'n deur hom behoorlik daartoe gemagtigde persoon aan die persoon wat daardie heffing betaal het 'n sertifikaat in die voorgeskrewe vorm te dien effekte uitreik.
- (5) Die bepalings van paragraaf (b) van sub-artikel (1), en van sub-artikel (4) is van toepassing ook met betrekking tot enige heffing wat kragtens artikel vier-en-dertig *bis* van die Hoofwet aan die kommissie betaal of betaalbaar is.

Sekere gelde aan
raad betaal te
word.

12. Die kommissie moet aan die raad die bedrag betaal van enige heffing wat aan hom kragtens die bepalings van artikel vier-en-dertig *bis* van die Hoofwet betaal is, min 'n bedrag by wyse van kommissie waarop ooreengekom mag word tussen die kommissie en die raad of, by gebrek aan ooreenkoms, soos deur die Minister bepaal.

Finansies van
kommissie.

13. (1) Die kommissie stel 'n fonds in waarin gestort word—
- (a) alle gelde aan die kommissie betaal ten opsigte van enige heffing kragtens artikel elf opgelê;
 - (b) alle gelde aan die kommissie ingevolge die bepalings van sub-artikel (2) betaalbaar;
 - (c) die kommissie wat ingevolge die bepalings van artikel twaalf aan hom verskuldig is;
 - (d) alle gelde deur hom geleen; en
 - (e) alle skenkings en ander inkomstes wat aan die kommissie mag toeval.
- (2) Die bates en laste ten tyde van die inwerkingtreding van hierdie Wet van die Wolstabilisasiefonds kragtens artikel vyf-en-dertig *bis* van die Hoofwet ingestel, word aan die kommissie oorgedra.
- (3) Die kommissie kan van enige persoon skenkings of bydraes ontvang en wend geld wat aldus ontvang is aan vir die doel wat die skenker of bydraer aanwys en ooreenkomstig die voorwaardes wat hy voorskryf of, as geen doel aldus aangewys of geen voorwaardes aldus voorgeskryf is nie, daardie gelde ter bevordering van sy doelstelling aanwend.

Oordrag van
sekere eiendom
aan kommissie.

14. (1) Die in artikel sewe van die Finansiewet, 1953 (Wet No. 45 van 1953), bedoelde wolpakhuse en grond word hierby van die raad aan die kommissie oorgedra.

- (c) any other matter that may be necessary or expedient for the proper functioning of the commission or of any committee thereof.

11. (1) (a) The commission may from time to time with the approval of the Minister impose a levy not exceeding one halfpenny per pound, which shall be payable to the commission by such persons, in such manner and at such times as may be prescribed, on all wool produced, sold or processed in or exported from the Union which levy may, in respect of karakul wool, differ from any such levy in respect of any other wool.

Imposition of a levy on wool.

- (b) The commission may with the approval of the Minister—

(i) remit the whole or any portion of such levy payable in respect of wool which has been imported into the Union;

(ii) refund the whole or any portion of such levy paid in respect of any such wool.

(2) Any levy imposed in terms of sub-section (1) shall be made known by the Minister by notice in the *Gazette* and shall come into operation on the date specified in that notice.

(3) Any person who has paid any such levy, and any person from whom the amount of any such levy paid has been recovered under the provisions of paragraph (a) or (b) of this sub-section, may, if he is not the producer of the wool in respect of which such levy has been paid—

(a) recover from the person from whom he acquired or on whose behalf he sold or processed that wool, the amount of the levy so paid; or

(b) deduct from any amount which is or may become payable to the person from whom he acquired or on whose behalf he sold that wool, an amount equal to the amount of the levy so paid:

Provided that no levy shall be recoverable in terms of paragraph (a) or (b) from a producer or other person who on the date with effect from which a levy under this section becomes payable for the first time, is no longer the owner of the wool in respect of which that levy is payable.

(4) Whenever the levy in respect of any wool has been paid, the commission or a person duly authorized thereto by it, shall issue a certificate to that effect in the form prescribed to the person who paid that levy.

(5) The provisions of paragraph (b) of sub-section (1), and of sub-section (4) shall apply also with reference to any levy payable or paid to the commission under section *thirty-four bis* of the principal Act.

12. The commission shall pay to the board the amount of any levy paid to it under the provisions of section *thirty-four bis* of the principal Act, less an amount by way of commission that may be agreed upon between the commission and the board or, failing agreement, as determined by the Minister.

Certain moneys to be paid to board.

13. (1) The commission shall establish a fund to the credit of which shall be placed—

Finances of commission.

(a) all moneys paid to the commission in respect of any levy imposed under section *eleven*;

(b) all moneys due to the commission under the provisions of sub-section (2);

(c) the commission due to it under the provisions of section *twelve*;

(d) all moneys borrowed by it; and

(e) all donations and other revenues that may accrue to it.

(2) The assets and liabilities as at the commencement of this Act of the Wool Stabilization Fund established under section *thirty-five bis* of the principal Act shall be transferred to the commission.

(3) The commission may receive donations or contributions from any person, and shall use any moneys so acquired for the purpose designated and in accordance with the conditions imposed by the donor or contributor, or, if no purpose has been so designated or no conditions have been so imposed, utilize such moneys in furtherance of its object.

14. (1) The wool stores and land referred to in section *seven* of the Finance Act, 1953 (Act No. 45 of 1953), are hereby transferred from the board to the commission.

Transfer of certain property to commission.

(2) Die beampte in beheer van 'n aktes- of ander kantoor waarin enige onroerende eiendom geregistreer is wat kragtens sub-artikel (1) oorgedra is, moet by voorlegging aan hom deur die kommissie van die titelbewyse van daardie eiendom, die endossemente op daardie titelbewyse en die veranderinge in sy registers aanbring wat uit hoofde van bedoelde oordrag nodig is, en geen betaling van hereregte of seëlregte of registrasiegelde of koste word ten opsigte van daardie oordrag vereis nie.

Ouditering van rekenings.

15. Die rekenings van die kommissie word deur die Kontroleur en Ouditeur-generaal geouditeer.

Boekjaar van kommissie.

16. Die boekjaar van die kommissie is die tydperk vanaf die eerste dag van Julie in iedere jaar tot en met die dertigste dag van Junie in die daaropvolgende jaar.

Toesighoudende bevoegdhede van bemarkingsraad.

17. Die kragtens artikel twee van die Bemarkingswet, 1937 (Wet No. 26 van 1937), ingestelde bemarkingsraad kan van tyd tot tyd—

- (a) die sake van die kommissie ondersoek en daarvoor aan die Minister verslag doen, en in verband met so 'n ondersoek kan hy die boeke, aantekenings en ander stukke wat op die sake van die raad betrekking het, inspekteer of deur 'n persoon wat hy aanwys, laat inspekteer;
- (b) van die kommissie eis om aan hom sodanige inligting betreffende die kommissie se sake as wat die bemarkingsraad goedgevind, te verstrek; en
- (c) een of meer van sy lede afvaardig om enige vergadering van die kommissie of 'n komitee daarvan by te woon ten einde in 'n adviserende hoedanigheid aan die verrigtinge van so 'n vergadering deel te neem, en vir daardie doel van die kommissie vereis om hom in kennis te stel van die datum waarop enige vergadering van die kommissie of van 'n komitee daarvan gehou sal word.

Verbod op gebruik van sekere stowwe vir merk van wol.

18. (1) Die Minister kan, op aanbeveling van die kommissie, by kennisgewing in die *Staatskoerant*—

- (a) enigiemand verbied om op wol, of enige houer daarvan, enige merk te plaas behalwe 'n merk in die kennisgewing vermeld;
- (b) hetsy 'n verbod kragtens paragraaf (a) opgelê is al dan nie, enigiemand verbied om—
 - (i) enige stof (met inbegrip van 'n stof van 'n besondere klas of soort) aldus vermeld of enige sodanige stof behalwe 'n aldus vermelde stof, vir die merk van wol of enige houer daarvan te gebruik; of
 - (ii) enige wol wat deur so 'n stof bevlek is of op die houer waarvan deur middel van so 'n stof enige merk geplaas is, te verkoop of vir verkoop aan te bied of uit te stal.

(2) Enige verbod kragtens sub-paragraaf (i) van paragraaf (b) van sub-artikel (1) word uitgelê ook as 'n verbod op die gebruik van die betrokke stof om 'n merk op die wol van 'n skaap te plaas voordat dit afgeskeer is, behalwe vir sover in die betrokke kennisgewing anders bepaal word.

Bevoegdhede van persone deur kommissie gemagtig om ondersoek te doen.

19. Ten einde betaling van die heffing af te dwing, kan die kommissie enige persoon magtig om op alle redelike tye—

- (a) enige plek te betree waar enige hoeveelheid wol deur iemand gehou of opgeberg word of is of vermoedelik gehou of opgeberg word of is;
- (b) wol wat op so 'n plek gevind word, te inspekteer, te weeg en te merk, en alle boeke en dokumente daarin te ondersoek wat na redelike vermoede op sodanige wol betrekking het;
- (c) van die eienaar of bewaarder van sodanige wol die naam en adres van die produsent daarvan en enige ander inligting in verband daarmee te eis;
- (d) van die eienaar of bewaarder van so 'n boek of dokument 'n verduideliking van enige inskrywing daarin te eis; en
- (e) beslag te lê op boeke of dokumente wat bewys van wanbetaling van die heffing mag lewer.

Produsente van wol en andere moet aantekeninge hou en aan kommissie inligting verstrek.

20. Iemand wat in die Unie betrokke is by die produksie, bemarking, aankoop, verkoop, uitvoer, invoer of bewerking van wol moet—

- (a) met betrekking tot wol deur hom geproduseer, bemark, aangekoop, verkoop, uitgevoer, ingevoer of bewerk, die aantekeninge hou wat voorgeskryf mag word;
- (b) op die tye en op die wyse wat voorgeskryf mag word, aan die kommissie die inligting verstrek met betrek-

(2) The officer in charge of a deeds registry or other office in which is registered any immovable property transferred under sub-section (1) shall, upon production to him by the commission of the title deeds of that property, make such endorsements upon such title deeds and such alterations in his registers as are necessary by reason of such transfer, and no payment of transfer duty or stamp fees or registration fees or charges shall be required in respect of such transfer.

15. The accounts of the commission shall be audited by the Controller and Auditor-General. Audit of accounts.

16. The financial year of the commission shall be the period from the first day of July each year to the thirtieth day of June of the year following, both dates included. Financial year of commission.

17. The marketing council established under section *two* of the Marketing Act, 1937 (Act No. 26 of 1937), may from time to time— Supervisory powers of marketing council.

- (a) enquire into the affairs of the commission and report thereon to the Minister, and in connection with such enquiry may inspect or cause to be inspected by a person designated by it, the books, records and other documents relating to the affairs of the commission;
- (b) require the commission to furnish it with such information relating to the affairs of the commission as the marketing council may deem fit; and
- (c) delegate one or more of its members to attend any meeting of the commission or of any committee thereof for the purpose of participating in the proceedings of such meeting in an advisory capacity, and may for that purpose require the commission to notify it of the date upon which any meeting of the commission or a committee thereof is to be held.

18. (1) The Minister may, on the recommendation of the commission, by notice in the *Gazette*— Prohibition on use of certain substances in marking wool.

- (a) prohibit any person from placing on wool, or any container thereof, any mark other than a mark specified in the notice;
- (b) whether or not any prohibition has been imposed under paragraph (a), prohibit any person from—
 - (i) using in the marking of wool, or any container thereof, any substance (including any substance of a particular class or kind) so specified or any such substance other than a substance so specified; or
 - (ii) selling or offering or exposing for sale any wool which has been contaminated by any such substance or on the container whereof any mark has been placed by means of any such substance.

(2) Any prohibition under sub-paragraph (i) of paragraph (b) of sub-section (1) shall be construed as a prohibition also on the use of the substance in question in placing any mark on the wool of a sheep before it has been shorn, except in so far as may be otherwise provided in the relevant notice.

19. For the purpose of enforcing the payment of the levy, the commission may authorize any person at all reasonable times— Powers of persons authorized by commission to carry out investigations.

- (a) to enter any place where any quantity of wool is or has been, or is suspected to be or to have been kept or stored by any person;
- (b) to inspect, weigh and mark any wool found in such place and examine all books and documents thereat which are reasonably believed to relate to such wool;
- (c) to demand from the owner or custodian of such wool the name and address of the producer thereof and any other information relating thereto;
- (d) to demand from the owner or custodian of any such book or document an explanation of any entry therein; and
- (e) to seize any books or documents which may afford evidence of the non-payment of the levy.

20. Any person engaged in the Union in the production, marketing, purchase, sale, exportation, importation or processing of wool shall— Producers of wool and others to keep records and to furnish information to commission.

- (a) keep such records relating to wool produced, marketed, purchased, sold, exported, imported or processed by him, as may be prescribed;
- (b) at such times and in such manner as may be prescribed, furnish to the commission such information relating

king tot wol deur hom geproduseer, bemark, aangekoop, verkoop, uitgevoer, ingevoer of bewerk, wat voorgeskryf mag word.

Regulasies.

21. (1) Die Goewerneur-generaal kan regulasies uitvaardig betreffende—

- (a) die wyse en tye waarop en die persoon deur wie die heffing aan die kommissie betaal moet word;
- (b) die betaling van rente op die bedrag van enige onbetaalde heffing;
- (c) die vorm van die in sub-artikel (4) van artikel *elf* bedoelde sertifikaat;
- (d) die aantekeninge wat gehou en die inligting wat aan die kommissie verstrekk moet word deur iemand wat in die Unie betrokke is by die produksie, bemarking, aankoop, verkoop, uitvoer, invoer of bewerking van wol, en die vorm waarin en die wyse waarop sodanige aantekeninge gehou moet word en die tye wanneer en die vorm waarin en wyse waarop sodanige inligting verstrekk moet word; en
- (e) in die algemeen alle aangeleenthede wat hy nodig of raadsaam ag om vir die behoorlike invordering van die heffing voor te skryf.

(2) Verskillende regulasies kan ingevolge paragraaf (d) van sub-artikel (1) uitgevaardig word ten opsigte van die verskillende kategorieë persone in artikel *twintig* bedoel.

(3) 'n Regulasie kragtens sub-artikel (1) uitgevaardig, kan vir enige oortreding daarvan of versuim om daaraan te voldoen strawwe voorskryf van 'n boete van hoogstens honderd pond of gevangenisstraf vir 'n tydperk van hoogstens ses maande.

Strafbepalings.

22. (1) Iemand wat—

- (a) in gebreke bly of weier om die heffing binne die voorgeskrewe tydperk te betaal;
- (b) 'n handeling verrig of nalaat om 'n handeling te verrig met die opset om betaling van die heffing of gedeelte daarvan te ontduik of om enige ander persoon te help om bedoelde betaling te ontduik;
- (c) 'n persoon in die verrigting van sy werksaamhede kragtens paragraaf (1) van artikel *vier* belemmer of hinder;
- (d) 'n verbod oortree wat kragtens artikel *agtien* opgelê is;
- (e) met betrekking tot 'n persoon wat deur die kommissie gemagtig is soos bepaal by artikel *negentien* en wat ter vervulling van sy werksaamhede optree—
 - (i) wetens in 'n wesenlike opsig 'n valse verklaring aan daardie persoon maak,
 - (ii) weier of in gebreke bly om na die beste van sy wete enige vraag te beantwoord wat deur daardie persoon aan hom gestel word,
 - (iii) weier of in gebreke bly om gevolg aan enige wettige vereiste van daardie persoon te gee, of
 - (iv) daardie persoon belemmer of hinder;
- (f) weier of in gebreke bly om aan enige bepaling van artikel *twintig* te voldoen;
- (g) 'n valse verklaring of inskrywing maak in enige aantekening wat kragtens paragraaf (a) van artikel *twintig* gehou word; of
- (h) 'n valse verklaring in enige opgaaf maak wat kragtens paragraaf (b) van artikel *twintig* aan die kommissie verstrekk word,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar—

- (i) in die geval van 'n in paragraaf (a) of (b) bedoelde misdryf, met 'n boete van hoogstens tweehonderd pond of met gevangenisstraf vir 'n tydperk van hoogstens twaalf maande of met beide sodanige boete en sodanige gevangenisstraf; en
- (ii) in die geval van enige ander misdryf, met 'n boete van hoogstens honderd pond of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide sodanige boete en sodanige gevangenisstraf.

(2) Wanneer iemand skuldig bevind is aan 'n in paragraaf (a) of (b) van sub-artikel (1) bedoelde misdryf, moet die hof wat hom skuldig bevind ondersoek instel na die bedrag van die heffing wat deur daardie persoon verskuldig is en daardie bedrag vasstel, en, benewens enige straf wat met betrekking tot die misdryf opgelê word, daardie persoon gelas om die aldus vasgestelde bedrag tesame met die voorgeskrewe rente daarop, indien enige, aan die kommissie te betaal binne 'n tydperk deur die hof bepaal.

to wool produced, marketed, purchased, sold, exported, imported or processed by him, as may be prescribed.

21. (1) The Governor-General may make regulations as to— Regulations.

- (a) the manner in which, the times at which and the person by whom the levy shall be paid to the commission;
 - (b) the payment of interest on the amount of any outstanding levy;
 - (c) the form of the certificate referred to in sub-section (4) of section *eleven*;
 - (d) the records to be kept and the information to be furnished to the commission by any person engaged in the Union in the production, marketing, purchase, sale, exportation, importation or processing of wool, and the form and manner in which such records shall be kept and the times at which and the form and manner in which such information shall be furnished; and
 - (e) generally all matters which he considers it necessary or expedient to prescribe for the proper collection of the levy.
- (2) Different regulations may be made under paragraph (d) of sub-section (1) in respect of the different classes of persons referred to in section *twenty*.
- (3) Any regulation made under sub-section (1) may prescribe penalties for any contravention thereof or failure to comply therewith not exceeding a fine of one hundred pounds or imprisonment for a period of six months.

22. (1) Any person who—

Penalties.

- (a) fails or refuses to pay the levy within the prescribed time;
 - (b) commits any act or omits to do any act with intent to evade or to assist any other person to evade payment of the levy or any part thereof;
 - (c) obstructs or hinders any person in the execution of his functions under paragraph (1) of section *four*;
 - (d) contravenes any prohibition imposed under section *eighteen*;
 - (e) with reference to a person authorized by the commission as provided in section *nineteen* acting in the discharge of his functions—
 - (i) knowingly in any material respect makes a false statement to such person,
 - (ii) refuses or fails to answer to the best of his knowledge any question put to him by such person,
 - (iii) refuses or fails to comply with any lawful requirement of such person, or
 - (iv) obstructs or hinders such person;
 - (f) refuses or fails to comply with any provision of section *twenty*;
 - (g) makes any false statement or entry in any record kept in terms of paragraph (a) of section *twenty*; or
 - (h) makes any false statement in any return furnished to the commission in terms of paragraph (b) of section *twenty*,
- shall be guilty of an offence and liable on conviction—
- (i) in the case of an offence referred to in paragraph (a) or (b), to a fine not exceeding two hundred pounds or to imprisonment for a period not exceeding twelve months or to both such fine and such imprisonment; and
 - (ii) in the case of any other offence to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

(2) Whenever any person has been convicted of an offence referred to in paragraph (a) or (b) of sub-section (1) the court convicting him shall enquire into and determine the amount of the levy due by that person, and shall in addition to any penalty that may be imposed in respect of the offence, order that person to pay the amount so determined together with the prescribed interest thereon, if any, to the commission within a period fixed by the court.

Regsbevoegdheid
van
landdroshowe.

Vrystelling van
belasting,
lisensie en
lisensieregte.

Wysiging van
artikel 1 van
Wet 19 van 1946,
soos gewysig
deur artikel 9
van Wet 60 van
1952 en artikel 1
van Wet 57 van
1955.

Wysiging van
artikel 25 van
Wet 19 van 1946,
soos gewysig
deur artikel 12
van Wet 60 van
1952 en artikel 2
van Wet 57 van
1955.

Herroeping van
artikel 25bis van
Wet 19 van 1946,
soos ingevoeg
deur artikel 3
van Wet 57 van
1955.

Wysiging van
artikel 26 van
Wet 19 van 1946,
soos gewysig deur
artikel 13 van
Wet 60 van 1952,
artikel 4 van
Wet 57 van 1955
en artikel 1 van
Wet 12 van 1959.

Wysiging van
artikel 27 van
Wet 19 van 1946,
soos gewysig deur
artikel 14 van
Wet 60 van 1952
en artikel 2 van
Wet 12 van 1959.

Wysiging van
artikel 28 van
Wet 19 van 1946,
soos gewysig deur
artikel 15 van
Wet 60 van 1952.

Wysiging van
artikel 29 van
Wet 19 van 1946,
soos gewysig deur
artikel 16 van
Wet 60 van 1952.

Wysiging van
artikel 34bis van
Wet 19 van 1946,
soos ingevoeg deur
artikel 19 van
Wet 60 van 1952
en gewysig deur
artikel 5 van
Wet 57 van 1955.

Herroeping van
artikels 34ter,
35bis, 38, 38bis,
38ter, 39, 40 en
41 van Wet 19
van 1946.

Kort titel en
datum van
inwerking-
treding van Wet.

(3) 'n Bevel kragtens sub-artikel (2) uitgereik, het die uitwerking en word uitgevoer asof dit 'n siviele vonnis van daardie hof ten gunste van die kommissie is.

23. Ondanks andersluidende wetsbepalings, is 'n landdroshof bevoeg om enige straf op te lê of enige hofbevel uit te reik wat in hierdie Wet voorgeskrif of waarvoor daarin voorsiening gemaak is.

24. Ondanks andersluidende wetsbepalings—

- (a) is die inkomste van die kommissie vrygestel van enige belasting op inkomste; en
- (b) is die kommissie onthef van die verpligting om enige lisensie te verkry en enige lisensieregte of -gelde te betaal ten opsigte van die uitoefening deur hom van 'n bedrywigheid beoog deur die „Licenties Konsolidatie Wet, 1925” (Wet No. 32 van 1925).

25. Artikel een van die Hoofwet word hierby gewysig deur die omskrywing van „spesiale heffing” te skrap.

26. Artikel vyf-en-twintig van die Hoofwet word hierby gewysig—

- (a) deur paragraaf (g) in sub-artikel (1) te skrap; en
- (b) deur sub-artikel (5) te skrap.

27. Artikel vyf-en-twintig bis van die Hoofwet word hierby herroep.

28. Artikel ses-en-twintig van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woord „elf” deur die woord „twaalf” te vervang en in paragraaf (a) van bedoelde sub-artikel die woord „agt” deur die woord „nege” te vervang.

29. Artikel sewe-en-twintig van die Hoofwet word hierby gewysig deur die byvoeging van die volgende paragraaf: „(f) een 'n wolkweker is, benoem deur die Suidwes-Afrika-tak van genoemde vereniging.”

30. Artikel agt-en-twintig van die Hoofwet word hierby gewysig deur in sub-artikel (1) die uitdrukking „of (e)” deur die uitdrukking „(e) of (f)” te vervang.

31. Artikel nege-en-twintig van die Hoofwet word hierby gewysig—

- (a) deur in sub-artikel (1) die uitdrukking „(2),” te skrap; en
- (b) deur sub-artikels (2) en (3) te skrap.

32. Artikel vier-en-dertig bis van die Hoofwet word hierby gewysig—

- (a) deur in paragraaf (a) van sub-artikel (1) die woord „raad” waar daardie woord die tweede maal voorkom, deur die woorde „kommissie ingevolge artikel twee van die Wolkommissie- en Wolwysigingswet, 1960, ingestel,” te vervang;
- (b) deur paragraaf (b) van bedoelde sub-artikel te skrap; en
- (c) deur sub-artikel (4) te skrap.

33. Artikels vier-en-dertig ter, vyf-en-dertig bis, agt-en-dertig, agt-en-dertig bis, agt-en-dertig ter, nege-en-dertig, veertig en een-en-veertig van die Hoofwet word hierby herroep.

34. Hierdie Wet heet die Wolkommissie- en Wolwysigingswet, 1960, en tree in werking op 'n datum wat deur die Goewerneur-generaal by proklamasie in die *Staatskoerant* bepaal word.

(3) An order made under sub-section (2) shall have the effect of and shall be executed as if it were a civil judgment of that court in favour of the commission.

23. Notwithstanding anything to the contrary contained in any other law, a magistrate's court shall have jurisdiction to impose any penalty or make any order of court prescribed by or provided for in this Act.

Jurisdiction of magistrates' courts.

24. Notwithstanding anything to the contrary in any law contained—

Exemption from tax, licence and licence duties.

(a) the revenue of the commission shall be exempt from any tax on income; and

(b) the commission shall be exempt from the duty to obtain any licence and to pay any licence duties or fees in respect of the carrying on by it of any activity contemplated by the Licences Consolidation Act, 1925 (Act No. 32 of 1925).

25. Section *one* of the principal Act is hereby amended by the deletion of the definition of "special levy".

Amendment of section 1 of Act 19 of 1946, as amended by section 9 of Act 60 of 1952 and section 1 of Act 57 of 1955.

26. Section *twenty-five* of the principal Act is hereby amended—

Amendment of section 25 of Act 19 of 1946, as amended by section 12 of Act 60 of 1952 and section 2 of Act 57 of 1955.

(a) by the deletion in sub-section (1) of paragraph (g); and

(b) by the deletion of sub-section (5).

27. Section *twenty-five bis* of the principal Act is hereby repealed.

Repeal of section 25bis of Act 19 of 1946, as inserted by section 3 of Act 57 of 1955.

28. Section *twenty-six* of the principal Act is hereby amended by the substitution in sub-section (1) for the word "eleven" of the word "twelve", and by the substitution in paragraph (a) of the said sub-section for the word "eight" of the word "nine".

Amendment of section 26 of Act 19 of 1946, as amended by section 13 of Act 60 of 1952, section 4 of Act 57 of 1955 and section 1 of Act 12 of 1959.

29. Section *twenty-seven* of the principal Act is hereby amended by the addition of the following paragraph:

Amendment of section 27 of Act 19 of 1946, as amended by section 14 of Act 60 of 1952 and section 2 of Act 12 of 1959.

"(f) one shall be a producer nominated by the South-West Africa branch of the said association."

30. Section *twenty-eight* of the principal Act is hereby amended by the substitution in sub-section (1) for the expression "or (e)" of the expression "(e) or (f)".

Amendment of section 28 of Act 19 of 1946, as amended by section 15 of Act 60 of 1952.

31. Section *twenty-nine* of the principal Act is hereby amended—

Amendment of section 29 of Act 19 of 1946, as amended by section 16 of Act 60 of 1952.

(a) by the deletion in sub-section (1) of the expression "(2)"; and

(b) by the deletion of sub-sections (2) and (3).

32. Section *thirty-four bis* of the principal Act is hereby amended—

Amendment of section 34bis of Act 19 of 1946, as inserted by section 19 of Act 60 of 1952 and amended by section 5 of Act 57 of 1955.

(a) by the substitution in paragraph (a) of sub-section (1) for the word "board", where that word occurs for the second time, of the words "commission established under section *two* of the Wool Commission and Wool Amendment Act, 1960";

(b) by the deletion of paragraph (b) of the said sub-section; and

(c) by the deletion of sub-section (4).

33. Sections *thirty-four ter*, *thirty-five bis*, *thirty-eight*, *thirty-eight bis*, *thirty-eight ter*, *thirty-nine*, *forty* and *forty-one* of the principal Act are hereby repealed.

Repeal of sections 34ter, 35bis, 38, 38bis, 38ter, 39, 40 and 41 of Act 19 of 1946.

34. This Act shall be called the Wool Commission and Wool Amendment Act, 1960, and shall come into operation on a date to be fixed by the Governor-General by proclamation in the *Gazette*.

Short title and date of commencement of Act.

No. 36, 1960.]

PRIVATE WET

Om voorsiening te maak vir 'n addisionele watertoevoer uit die Umgenirivier vir die Stadsraad van die Stad Durban; om bevoegdhede in verband met die neem en gebruik van sodanige water aan gemelde Raad te verleen; en om voorsiening te maak vir aangeleenthede wat met die voorgaande in verband staan.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 11 April 1960.)

Aanhef.

NADEMAAL die bevolking, nywerheidsbedrywigheid en waterverbruik van die Stad Durban en die omliggende gebied waarin die Stadsraad daarvan deur die wetsbepalings wat tans van krag is, gemagtig is om water te verskaf, toegeneem het:

EN NADEMAAL daar verwag word dat gemelde bevolking, bedrywigheid en verbruik steeds sal toeneem:

EN NADEMAAL daar verwag word dat die watertoevoer uit al die ondernemings en werke deur gemelde wetsbepalings gemagtig, binnekort ontoereikend sal wees om in die behoeftes van gemelde Stad en gemelde omliggende gebied te voorsien, en dit dienstig is dat daar nou vir 'n addisionele watertoevoer voorsiening gemaak word:

EN NADEMAAL die Stadsraad 'n skema opgestel het om twee damme oor die bedding en vallei van die Umgenirivier te bou, om die water van gemelde rivier en sekere van sy takriviere te bewaar en op te dam, om die aldus bewaarde en opgedamde water na die Stad Durban te lei en oor te bring, om daardie water te suiwer, en vir ander verbandhoudende doeleindes, met inbegrip van permanente toegangsmiddele na en van die grond, werke en ondernemings in gemelde skema genoem:

EN NADEMAAL dit wenslik is om voorsiening te maak vir die uitvoering van of die gemelde skema of 'n wysiging of 'n plaasvervanger van gemelde skema, onderworpe aan die toestaan deur die Minister van Waterwese van die vereiste permitte daarvoor:

EN NADEMAAL dit wenslik is om voorsiening te maak vir die verkryging deur die Raad van grond, regte en serwitute:

EN NADEMAAL dit wenslik is om vir die doel van die uitvoering van die deur hierdie Wet verleende bevoegdhede aan die Raad die bevoegdheid te verleen om van tyd tot tyd geld te leen tot 'n bedrag van hoogstens twaalfmiljoen pond (£12,000,000) op enige tydstip en om die bedinge en voorwaardes ten opsigte van sodanige lening voor te skryf:

EN NADEMAAL dit wenslik is om voorsiening te maak vir aangeleenthede wat met die voorgaande in verband staan:

WORD DIT DERHALWE BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

Woordbepaling.

1. (1) In hierdie Wet, tensy uit die samehang anders blyk, beteken—

- (i) „bewaarwerke” ook die gebied wat oorstroom word deur die water wat deur die bewaarwerke opgedam word; (v)
- (ii) „gedeponeerde planne” die planne in verband met hierdie Wet kragtens die Reglement van Orde van die Volksraad gedeponeer; (ii)
- (iii) „Minister” die Minister van Waterwese; (iii)
- (iv) „Ordonnansie” 'n ordonnansie van die Provinsiale Raad van die Provinsie Natal; (iv)
- (v) „Raad” die Stadsraad van die Stad Durban; (i)
- (vi) „werke” ook enige werke, pyple, tunnels, leidingsbuis, reservoirs, inlaat, filterbeddings, geboue en enige ander dinge gebou, gehou of verkry kragtens die deur hierdie Wet verleende bevoegdhede. (vi)

(2) Waar enige in hierdie Wet gemelde bevoegdhede slegs na verkryging van 'n permit van die Minister uitgeoefen moet word, word sodanige bevoegdhede geag deur hierdie Wet verleen

No. 36, 1960.]

PRIVATE ACT

To provide for an additional supply of water from the River Umgeni for the City Council of the City of Durban; to confer powers upon the said Council in relation to the taking and use of such water, and to provide for matters incidental to the foregoing.

(English text signed by the Governor-General.)
Assented to 11th April, 1960.)

WHEREAS the population, industrial activity and consumption of water of the City of Durban and the surrounding area within which the City Council thereof is empowered by the laws at present in force to supply water have increased: Preamble.

AND WHEREAS it is anticipated that the said population, activity and consumption will continue to increase:

AND WHEREAS it is anticipated that the supply of water from the whole of the undertakings and works authorized by the said laws will shortly be insufficient to meet the requirements of the said City and the said surrounding area, and it is expedient that provision now be made for an additional supply of water:

AND WHEREAS the City Council has prepared a scheme, for the construction of two dams across the bed and valley of the River Umgeni, for storing and impounding the water of the said river and certain of its tributaries, for leading and transmitting the water so stored and impounded to the City of Durban, for purifying such water, and for other purposes incidental thereto, including permanent means of access to and from the lands, works and undertakings referred to in the said Scheme:

AND WHEREAS it is desirable to provide for the carrying out either of the said Scheme or a modification of or substitution for the said Scheme, subject to the granting by the Minister of Water Affairs of the requisite permits therefor:

AND WHEREAS it is desirable to make provision for the acquisition by the Council of lands, rights and servitudes:

AND WHEREAS it is desirable for the purpose of carrying out the powers conferred by this Act to confer upon the Council power to borrow money from time to time to an amount not exceeding twelve million pounds (£12,000,000) at any one time and to prescribe the terms and conditions of such borrowing:

AND WHEREAS it is desirable to provide for matters incidental to the foregoing:

BE IT THEREFORE ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

1. (1) In this Act, unless the context otherwise requires— Definitions.

- (i) "Council" means the City Council of the City of Durban; (v)
- (ii) "deposited plans" means the plans deposited in connection with this Act under the Standing Orders of the House of Assembly; (ii)
- (iii) "Minister" means the Minister of Water Affairs; (iii)
- (iv) "Ordinance" means an Ordinance of the Provincial Council of the Province of Natal; (iv)
- (v) "storage works" includes the area submerged by the water impounded by the storage works; (i)
- (vi) "works" includes any works, pipe lines, tunnels, conduits, reservoirs, intake, filter beds, buildings and any other things built, held or acquired under the powers conferred by this Act. (vi)

(2) Where any powers referred to in this Act are to be exercised only on the obtaining of any permit from the Minister, such powers shall be deemed to have been conferred by this

te gewees het slegs wanneer so 'n permit verkry is en onderworpe aan beperkings daarop of wysigings daarvan in so 'n permit, en die uitdrukking „die deur hierdie Wet verleende bevoegd-hede” wat in hierdie Wet voorkom, word dienooreenkomstig uitgelê.

Bewaring en
oorbring
van water.

2. Die Raad is gemagtig, onderworpe aan die verkryging deur hom van 'n vereiste permit van die Minister ingevolge artikel *twee-en-sestig* van die Waterwet, 1956 (Wet No. 54 van 1956), en aan die voorwaardes van so 'n permit—

- (i) om, benewens sy bestaande ondernemings, die damme wat op die gedeponeerde planne aangetoon word, of so 'n wysiging daarvan of ander damme in die plek daarvan as wat deur so 'n permit gemagtig word, oor die bedding en vallei van die Umgenirivier te bou;
- (ii) om die gemelde damme in stand te hou en water daarin op te dam en te bewaar;
- (iii) om water uit die gemelde damme te onttrek en om werke vir die oorbring, vervoer, suiwering en gebruik daarvan te bou.

Bevoegdheid om
af te wyk.

3. Die Raad kan by die bou of instandhouding van voormelde werke—

- (a) sydelings afwyk van die lyne of posisies daarvan soos op die gedeponeerde planne aangetoon in enige mate binne die grense van afwyking daarop aangetoon, en buite gemelde grense met die toestemming van die eienaar van die grond waarop, waaronder, waardeur of waaroor dit die voorneme is om so 'n afwyking te maak;
- (b) in die mate wat nodig is, afwyk van die peile wat op gemelde planne aangetoon word.

Verkrygings-
bevoegdhede.

4. (1) Die Raad kan by ooreenkoms, of, by ontstentenis van ooreenkoms, deur onteining kragtens artikel *vyf*, binne die grense wat op die gedeponeerde planne aangetoon of beskryf word as „grense van afwyking” of „grense van eiendom” wat dit die voorneme is om te verkry, enige grond of enige reg of serwituut op of oor sodanige grond (met inbegrip van die reg om klip, klei, gruis, sand of ander materiaal wat hy nodig of dienstig ag, te neem, te gebruik of weg te voer), verkry vir al of enige van die volgende doeleindes, naamlik—

- (a) om sodanige permanente toegangsmiddele na en van die werke as wat die Raad vereis te verskaf, en vir die aanleg, herstel, instandhouding en gebruik van dié toegangsmiddele;
- (b) vir die doel om besoedeling van of toegang tot of belemmering van die water wat in sy bewaarwerke opgedam of bewaar word, te verhinder;
- (c) vir die doel om enige ander deur hierdie Wet verleende bevoegdhede uit te oefen:

Met dien verstande dat geen sodanige klip, klei, gruis, sand of ander materiaal behalwe met die toestemming van die eienaar geneem word van bewerkte grond of tuine of van 'n plek binne 'n omtrek van tweehonderd tree van 'n gebou op enige grond nie: Met dien verstande voorts dat die deur hierdie sub-artikel verleende bevoegdhede nie van toepassing is op grond of regte van die Spoorwegadministrasie nie, maar dat, waar dit nodig is dat die werke van die Raad onderdeur of bo-oor die lyne van gemelde Administrasie gaan, die bepalinge van artikel *twee-en-sewentig* van die Konsolidasie Wet op die Beheer en Bestuur van Spoorweë en Hawens, 1957 (Wet No. 70 van 1957), van toepassing is asof sodanige werke by 'n gelykgrondse oorgang binne die regsgebied van die Raad geleë is: Met dien verstande voorts dat geen Staatsgrond anders as by ooreenkoms verkry word nie, en dat grond wat besit word deur die Suid-Afrikaanse Naturelletrust ingestel kragtens artikel *vier* van die Naturelletrust en -grond Wet, 1936 (Wet No. 18 van 1936), slegs ooreenkomstig sub-artikels (2) en (3) verkry word.

- (2) (a) Die Raad kan by ooreenkoms met gemelde Suid-Afrikaanse Naturelletrust oor enige grond in besit van gemelde Trust en binne die in sub-artikel (1) gemelde grense geleë, die serwitute van bewaring, opdamming en waterleiding wat deur die Raad in verband met die werke vereis word, en die serwitute wat die Raad vir die doel van toegang tot die werke vereis, ewigdurend of andersins verkry.
- (b) Ondanks die bepalinge van die Naturelletrust en -grond Wet, 1936, kan gemelde Trust die in paragraaf (a) hiervan gemelde serwitute aan die Raad verleen.

Act only when such permit has been obtained and subject to any limitations or modifications thereof in such permit, and the phrase "the powers conferred by this Act" occurring in this Act shall be construed accordingly.

2. The Council is empowered, subject to obtaining any requisite permit from the Minister in terms of section *sixty-two* of the Water Act, 1956 (Act No. 54 of 1956), and to the conditions of any such permit—

Storage and transmission of water.

- (i) to construct across the bed and valley of the River Umgeni, in addition to its existing undertakings, the dams shown in the deposited plans, or such variation thereof or other dams in substitution therefor as may be authorized by any such permit;
- (ii) to maintain the said dams and impound and store water behind the same;
- (iii) to abstract water from the said dams and construct works for the transmission, conveyance, purification and utilization thereof.

3. The Council may in the construction or maintenance of the works aforesaid—

Power to deviate.

- (a) deviate laterally from the lines or positions thereof as shown upon the deposited plans to any extent within the limits of deviation shown thereon and beyond the said limits by consent of the owner of the land on, under, through or over which such deviation is proposed to be made;
- (b) deviate from such levels as may be shown on the said plans to such extent as may be necessary.

4. (1) The Council may by agreement, or failing agreement, by expropriation in terms of section *five*, acquire within the limits shown or described in the deposited plans as "limits of deviation" or "boundaries of properties proposed to be acquired", any land or any right or servitude in or over such land (including the right to take, use and carry away any stone, clay, gravel, sand or other material which it may deem necessary or expedient) for all or any of the following purposes, namely—

Powers of acquisition.

- (a) to provide such permanent means of access to and from the works as the Council may require, and for the construction, repair, maintenance and use of such means of access;
- (b) for the purpose of preventing pollution of, or access to, or interference with the water impounded or stored in its storage works;
- (c) for the purpose of exercising any other powers conferred by this Act:

Provided that no such stone, clay, gravel, sand or other material shall, except with the consent of the owner, be taken from any cultivated land or gardens, or from any place within a radius of two hundred yards from any building upon any land: Provided further that the powers conferred by this sub-section shall not apply to land or rights of the Railway Administration, but where it is necessary that the works of the Council shall pass under or over the lines of the said Administration the provisions of section *seventy-two* of the Railways and Harbours Control and Management (Consolidation) Act, 1957 (Act No. 70 of 1957), shall apply as if such works were at a level crossing within the jurisdiction of the Council: Provided further that no State-owned land may be acquired otherwise than by agreement, and that land owned by the South African Native Trust constituted under section *four* of the Native Trust and Land Act, 1936 (Act No. 18 of 1936), shall be acquired only in terms of sub-sections (2) and (3).

- (2) (a) The Council may by agreement with the said South African Native Trust acquire in perpetuity or otherwise over any land owned by the said Trust and situate within the limits referred to in sub-section (1) any servitudes of storage, abutment and aqueduct required by the Council in connection with the works, and any servitudes required by the Council for the purpose of access to the works.
- (b) Notwithstanding the provisions of the Native Trust and Land Act, 1936, the said Trust may grant to the Council the servitudes referred to in paragraph (a) hereof.

- (c) As teenprestasie vir die verlening van gemelde serwitute moet die Raad die grond waarop met gemelde Trust ooreengekom word, verkry en aan gemelde Trust oordra, en sodanige ander betaling doen of voldoening gee waarop aldus ooreengekom word.
- (d) So 'n serwituut word nie geregistreer nie tensy daar aan die Registrateur van Aktes 'n sertifikaat van die Minister van Bantoe-administrasie en -ontwikkeling voorgelê word dat die Raad die in paragraaf (c) hiervan gemelde grond verskaf het, of enige ander verpligting kragtens gemelde paragraaf nagekom het waarvan gemelde Minister die nakoming vereis voor sodanige registrasie.
- (e) Ondanks die bepalings van paragraaf (d) hiervan en van die Naturelletrust en -grond Wet, 1936, kan gemelde Trust die Raad toelaat om te eniger tyd voor die registrasie van so 'n serwituut enige grond in afwagting van sodanige registrasie te okkupeer met die doel om enige werk in verband met die werke uit te voer.

(3) Die Raad kan ooreenkom om of geheel of gedeeltelik aan die prys wat betaalbaar is vir grond kragtens sub-artikel (1) deur hom verkry, te voldoen deur die oordrag van ander grond in plaas van 'n geldbetaling.

(4) Die Raad kan grond verkry wat hy ingevolge sub-artikel (2) of sub-artikel (3) gaan oordra ondanks die feit dat sodanige grond buite die in sub-artikel (1) gemelde grense geleë is.

Onteining.

5. Die wyse en die gevolge van onteining van enige grond, reg of serwituut ingevolge artikel vier, en die vasstelling en die bedrag van enige vergoeding, moet ooreenkomstig die bepalings van artikel *sestig* van die Waterwet, 1956 (Wet No. 54 van 1956), wees.

Reg van deurgang.

6. Die Raad en 'n behoorlik deur hom gemagtigde amptenaar, dienaar of kontrakteur van die Raad het met of sonder waens, karre, rytuie of voertuie van watter aard ook al vry toegang en reg van deurgang na of van die werke vir alle doeleindes wat met die bou, inspeksie, instandhouding of gebruik van die werke in verband staan.

Leningsbevoegd-
hede.

7. (1) Die Raad kan van tyd tot tyd, op die wyse in hierdie artikel uiteengesit, die geld leen wat vir die uitoefening van die deur hierdie Wet verleende bevoegdhede nodig mag wees: Met dien verstande dat die totale bedrag deur die Raad geleen en verskuldig ingevolge die bevoegdhede deur hierdie artikel verleen, op geen tydstip twaalfmiljoen pond (£12.000.000) oorskry nie.

(2) Die Raad kan enige in sub-artikel (1) bedoelde geld leen op 'n wyse gemagtig deur die bepalings van Ordonnansie No. 21 van 1942 en Ordonnansie No. 10 van 1953 en gemelde bepalings, en veral die bepalings van artikel *tweehonderd twee-en-twintig* van Ordonnansie No. 10 van 1953, is met betrekking tot alle sodanige lenings van toepassing.

(3) Vir sover die Raad van tyd to tyd sodanige geld op 'n ander wyse as deur die uitgifte van effekte leen, is die wyse en voorwaardes aangaande rente, datum van terugbetaling en enige ander aangeleentheid soos die Raad bepaal, maar onderworpe aan die goedkeuring van die Administrateur van die Provinsie Natal, en die bepalings van Ordonnansie No. 21 van 1942 en Ordonnansie No. 10 van 1953 is op sodanige lenings van toepassing: Met dien verstande dat die Raad sodanige geld tydelik kan leen sonder gemelde goedkeuring, maar onderworpe aan artikel *tweehonderd drie-en-twintig* van Ordonnansie No. 10 van 1953.

Uitgawes kan
teen lening
gedebiteer word.

8. Die koste, vorderings en uitgawes ten opsigte van die aanname van hierdie Wet aangegaan en alle voorlopige uitgawes deur die Raad aangegaan ten opsigte van opmetings, planne en ramings of andersins hoe ook al vir die doeleindes daarvan, kan teen die kragtens hierdie Wet geleende geld gedebiteer word.

Hernuwingsfonds.

9. (1) Die Raad moet 'n Hernuwingsfonds instel en in stand hou vir die doel om die koste van en die vorderings vir die hernuwing van die deur hierdie Wet gemagtigde werke te dek.

(2) Die Raad moet die jaarlikse bedrag uit die belastings gehel en die inkomste verkry uit die verskaffing van water, wat

- (c) In consideration of the grant of the said servitudes the Council shall acquire and transfer to the said Trust such land as may be agreed upon with the said Trust, and shall make such other payment or satisfaction as may be so agreed upon.
- (d) No such servitude shall be registered unless there shall be produced to the Registrar of Deeds a certificate from the Minister of Bantu Administration and Development to the effect that the Council has provided the land referred to in paragraph (c) hereof, or has complied with any other obligation under the said paragraph compliance with which is required by the said Minister before such registration.
- (e) Notwithstanding the provisions of paragraph (d) hereof and of the Native Trust and Land Act, 1936, the said Trust may permit the Council at any time before the registration of any such servitude to have occupation of any land pending such registration for the purpose of carrying out any work in connection with the works.

(3) The Council may agree to satisfy the price payable for any land acquired by it in terms of sub-section (1) either in whole or in part by the transfer of other land in lieu of a money payment.

(4) The Council may acquire land to be transferred by it pursuant to sub-section (2) or sub-section (3) notwithstanding that such land is outside the limits referred to in sub-section (1).

5. The mode and the consequences of expropriating any land, right or servitude under section *four*, and the determination and the amount of any compensation, shall be in accordance with the provisions of section *sixty* of the Water Act, 1956 (Act No. 54 of 1956). Expropriation

6. The Council and any officer, servant or contractor of the Council duly authorized by it shall with or without wagons, carts, carriages or vehicles of any sort whatsoever have free access and right of way to or from the works for all purposes incidental to the construction, inspection, maintenance or use of the works. Rights of way.

7. (1) The Council may from time to time borrow such moneys as may be required for the exercise of the powers conferred by this Act, in the manner set forth in this section: Provided that the total sum borrowed and owing by the Council by virtue of the powers conferred by this section shall not at any one time exceed twelve million pounds (£12,000,000). Borrowing powers.

(2) The Council may borrow any moneys referred to in sub-section (1) in any manner authorized by the provisions of Ordinance No. 21 of 1942 and Ordinance No. 10 of 1953 which said provisions and in particular the provisions of section *two hundred and twenty-two* of Ordinance No. 10 of 1953 shall apply with regard to all such borrowings.

(3) Insofar as the Council shall borrow such moneys otherwise than by the issue of stock, the manner and conditions as to interest, date of repayment and any other matter shall be such as the Council shall decide, subject however to the approval of the Administrator of the Province of Natal, and the provisions of Ordinance No. 21 of 1942 and Ordinance No. 10 of 1953 shall apply to such borrowings: Provided that the Council may borrow such moneys temporarily without the said approval, but subject to section *two hundred and twenty-three* of Ordinance No. 10 of 1953.

8. The costs, charges and expenses incurred in respect of the passing of this Act and all preliminary expenses incurred by the Council in making surveys, plans and estimates or otherwise howsoever for the purposes thereof may be charged against the moneys borrowed under this Act. Expenses chargeable to loan.

9. (1) The Council shall establish and maintain a Fund for the purpose of meeting the cost of and charges for renewing the works authorized by this Act. Renewals Fund.

(2) The Council shall place to the credit of such Fund such annual amount out of rates levied and the revenue derived from the supply of water as shall be approved by the Administrator

die Administrateur van die Provinsie Natal goedkeur, op krediet van so 'n fonds plaas: Met dien verstande dat geen bydraes vereis word vir die hernuwing van 'n bate, werk of onderneming, of gedeelte daarvan, wat 'n gesertifiseerde lewensduur van nie minder as die leningstydperk het nie.

(3) Die gelde in gemelde Hernuwingsfonds word belê in enige belegging deur Ordonnansie No. 21 van 1942 of Ordonnansie No. 10 van 1953 gemagtig ten opsigte van die Hernuwingsfonds opsygesit ooreenkomstig eersgenoemde Ordonnansie.

(4) Voordat enige gedeelte van die Hernuwingsfonds aangewend word vir 'n doel in sub-artikel (1) uiteengesit, moet die Raad eers die toestemming van gemelde Administrateur verkry.

Kort titel.

10. Hierdie Wet heet die Private Wet op die Durbanse Waterwerke, 1960.

of the Province of Natal: Provided that no contributions shall be required for renewing any asset, work or undertaking or portion thereof, having a certified life not less than the loan period.

(3) The moneys in the said Renewals Fund shall be invested in any investment authorized by Ordinance No. 21 of 1942 or Ordinance No. 10 of 1953 in respect of the Renewals Fund set aside in terms of the first-mentioned Ordinance.

(4) Before any portion of the Renewals Fund is applied to any purpose set forth in sub-section (1) the Council shall first obtain the consent of the said Administrator.

10. This Act shall be called the Durban Waterworks (Private) Short Title Act, 1960.

No. 37, 1960.]

WET

Tot wysiging van die Grondbewaringswet, 1946.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 13 April 1960.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

Wysiging van
artikel 1 van
Wet 45 van 1946,
soos gewysig deur
artikel 1 van
Wet 6 van 1949.

1. Artikel een van die Grondbewaringswet, 1946 (hieronder die Hoofwet genoem), word hierby gewysig—
 - (a) deur die omskrywing van „departement” deur die volgende omskrywing te vervang:
„departement” die Departement van Landbou-tegniese Dienste;”;
 - (b) deur na die omskrywing van „distrikskomitee” die volgende omskrywings in te voeg:
„brandbestrydingskomitee” ’n kragtens artikel vyftien ingestelde brandbestrydingskomitee;
„brandbestrydingsplan” ’n in artikel vyftien bis bedoelde brandbestrydingsplan;”;
 - (c) deur die omskrywing van „grondbewoner” of „bewoner van grond” deur die volgende omskrywing te vervang:
„grondbewoner” of „bewoner van grond”—
 - (a) iemand wat as eienaar, huurder of andersins die toesig of beheer oor of bestuur of gebruik van enige grond het, hetsy hy op daardie grond woon of nie, en ook iemand wat die reg het om bome of hout op enige grond te kap of bome of hout daarvan te verwyder;
 - (b) iemand wat as plakker-diensbode, plakker of diensbode, soos omskryf in artikel nege-en-veertig van die Naturelletrust en -grond Wet, 1936 (Wet No. 18 van 1936), of as ’n bywoner of deelsaaiër in okkupasie van enige grond is of die gebruik daarvan het, hetsy hy daarop woon al dan nie, en met betrekking tot grond onder die beheer van ’n plaaslike bestuur, daardie plaaslike bestuur;”;
 - (d) deur die omskrywing van „plaaslike bestuur” deur die volgende omskrywing te vervang:
„plaaslike bestuur” ’n instelling of liggaam soos beoog in paragraaf (vi) van artikel vyf-en-tagtig van die „Zuid-Afrika Wet, 1909”;”;
 - (e) deur die omskrywing van „Minister” deur die volgende omskrywing te vervang:
„Minister” die Minister van Landbou-tegniese Dienste;”;
 - (f) deur die omskrywing van „eienaar” deur die volgende omskrywing te vervang:
„eienaar” met betrekking tot grond—
 - (a) die persoon in wie se naam die grond geregistreer is of, as daardie persoon uit die Unie afwesig is of sy verblyfplek onbekend is, sy agent of regsvertegenwoordiger in die Unie;
 - (b) in die geval van Staatsgrond verhuur kragtens ’n huurkontrak wat ’n opsie ten gunste van die huurder bevat om die aldus verhuurde grond aan te koop, die huurder wat sy opsie uitgeoefen het om die grond aan te koop;
 - (c) ten opsigte van grond onder beheer van ’n plaaslike bestuur, daardie plaaslike bestuur; en
 - (d) vir doeleindes van artikels nege en tien ook—
 - (i) ’n huurder van Staatsgrond, verhuur kragtens ’n huurkontrak wat ’n opsie ten gunste van die huurder bevat om die aldus verhuurde grond aan te koop, wat nie sy opsie uitgeoefen het om die grond aan te koop nie;
 - (ii) ’n huurder van grond verhuur vir ’n tydperk van tien jaar of langer;”;
 - (g) deur in die omskrywing van „grondbewaringsdistrik” na die woord „nege” die woorde „nege bis, nege ter of nege quat” in te voeg.

No. 37, 1960.]

ACT

To amend the Soil Conservation Act, 1946.

(Afrikaans text signed by the Governor-General.)
(Assented to 13th April, 1960.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

1. Section *one* of the Soil Conservation Act, 1946 (hereinafter referred to as the principal Act), is hereby amended—
 - (a) by the substitution for the definition of "department" of the following definition:

" 'department' means the Department of Agricultural Technical Services;";
 - (b) by the insertion after the definition of "district committee" of the following definitions:

" 'fire protection committee' means a fire protection committee established under section *fifteen*;
 'fire protection scheme' means a fire protection scheme referred to in section *fifteen bis*;"
 - (c) by the substitution for the definition of "land occupier" or 'occupier of land' of the following definition:

" 'land occupier' or 'occupier of land' means—

 - (a) any person who as owner, lessee or otherwise has the management, charge, control or use of any land, whether he resides on that land or not, and includes any person who has a right of cutting trees or wood on or removing trees or wood from any land;
 - (b) any person who as a labour tenant, squatter or servant as defined in section *forty-nine* of the Native Trust and Land Act, 1936 (Act No. 18 of 1936), or as a 'bywoner' or 'deelsaaiër' is in occupation of or has the use of any land, whether he resides thereon or not, and in relation to land under the control of a local authority, that local authority;"
 - (d) by the substitution for the definition of "local authority" of the following definition:

" 'local authority' means any institution or body contemplated in paragraph (vi) of section *eighty-five* of the South Africa Act, 1909;"
 - (e) by the substitution for the definition of "Minister" of the following definition:

" 'Minister' means the Minister of Agricultural Technical Services;"
 - (f) by the substitution for the definition of "owner" of the following definition:

" 'owner' in relation to any land means—

 - (a) the person in whose name the land is registered or, if such person is absent from the Union or his whereabouts are unknown, his agent or legal representative in the Union;
 - (b) in the case of Crown land leased under a lease which contains an option in favour of the lessee to purchase the land so leased, the lessee who has exercised his option to purchase the land;
 - (c) in respect of land under the control of a local authority, that local authority; and
 - (d) for the purposes of sections *nine* and *ten*, includes—
 - (i) any lessee of Crown land leased under a lease which contains an option in favour of the lessee to purchase the land so leased, who has not exercised his option to purchase the land;
 - (ii) any lessee of land leased for a period of ten years or longer;"
 - (g) by the addition at the end of the definition of "soil conservation district" of the words "*nine bis, nine ter* or *nine quat*."

Amendment of
section 1 of
Act 45 of 1946,
as amended by
section 1 of
Act 6 of 1949.

Wysiging van
artikel 2 van
Wet 45 van 1946.

2. Artikel *twee* van die Hoofwet word hierby gewysig deur in paragraaf (b) van sub-artikel (1) na die woord „grondbewaringsplan” die woorde „of brandbestrydingsplan” in te voeg.

Wysiging van
artikel 3 van
Wet 45 van 1946.

3. Artikel *drie* van die Hoofwet word hierby gewysig—
- (a) deur in paragraaf (a) van sub-artikel (1) die woord „Landbou” deur die woorde „Landbou-tegniese Dienste” te vervang;
 - (b) deur na paragraaf (a) van bedoelde sub-artikel die volgende paragraaf in te voeg:
„(a) *bis* die Sekretaris van Landbou-ekonomie en -bemarking;”;
 - (c) deur in paragraaf (c) van bedoelde sub-artikel die woord „Naturellesake” deur die woorde „Bantoe-administrasie en -ontwikkeling” te vervang;
 - (d) deur in paragraaf (d) van bedoelde sub-artikel die woorde „Direkteur van Besproeiing” deur die woorde „Sekretaris van Waterwese” te vervang;
 - (e) deur in paragraaf (e) van bedoelde sub-artikel die woorde „Direkteur van Bosbou” deur die woorde „Sekretaris van Bosbou” te vervang;
 - (f) deur in sub-artikel (2) na die woord „paragraaf” die uitdrukking „(a) *bis*,” in te voeg;
 - (g) deur sub-artikel (3) deur die volgende sub-artikel te vervang:
„(3) Die Direkteur van Tegniese Dienste van die departement is die ondervoorsitter van die raad.”; en
 - (h) deur na sub-artikel (4) die volgende sub-artikel in te voeg:
„(4) *bis* As nòg die voorsitter nòg die ondervoorsitter weens enige rede nie ’n vergadering van die raad kan bywoon nie, kan die lede by daardie vergadering aanwesig een uit hul geledere kies om as voorsitter by daardie vergadering op te tree.”.

Vervanging van
artikel 9 van
Wet 45 van 1946.

4. Artikel *nege* van die Hoofwet word hierby deur die volgende artikel vervang:

„Instelling
van grond-
bewarings-
distrikte.

9. (1) ’n Eienaar van grond geleë binne ’n bepaalde gebied kan skriftelik by die Minister aansoek doen dat daardie gebied tot ’n grondbewaringsdistrik verklaar word.

(2) ’n In sub-artikel (1) bedoelde aansoek—

- (a) omskryf die gebied met betrekking waartoe die aansoek gerig word;
- (b) sit die redes vir die aansoek uiteen;
- (c) bevat ’n beskrywing van al die grond binne daardie gebied geleë, asook die name van al die eienaars en bewoners daarvan.

(3) Die Minister verstrek kennis van die aansoek in die *Staatskoerant*, en in die kennisgewing omskryf hy die gebied met betrekking waartoe die aansoek gedoen is en meld hy die redes vir die aansoek.

(4) (a) Enige eienaar van grond binne bedoelde gebied geleë wat beswaar wil maak teen die verklaring van bedoelde gebied tot grondbewaringsdistrik, kan, nie later nie as sestig dae vanaf die datum van afkondiging van die in sub-artikel (3) bedoelde kennisgewing, by die Minister skriftelike beswaar indien en die gronde vir die beswaar vermeld.

(b) Die Minister verwys die aansoek en enige beswaar kragtens paragraaf (a) ontvang na die raad vir sy aanbeveling.

(5) Die raad kan die aansoek aanbeveel ten opsigte van die gebied soos in die aansoek omskryf of ten opsigte van ’n gebied wat hy in sy aanbeveling omskryf, en die Goewerneur-generaal kan by proklamasie in die *Staatskoerant* die gebied met betrekking waartoe die raad sy aanbeveling gemaak het, tot grondbewaringsdistrik verklaar.”.

Invoeging van
artikels 9*bis*, 9*ter*,
9*quat*, 9*quin* en
9*sex* in Wet 45
van 1946.

5. Die volgende artikels word hierby in die Hoofwet na artikel *nege* ingevoeg:

„Verdeling
van
grond-
bewarings-
distrikte.

9*bis*. (1) Die distrikskomitee van enige grondbewaringsdistrik kan skriftelik by die Minister aansoek doen dat daardie distrik in twee of meer dele verdeel word en dat elke deel tot grondbewaringsdistrik verklaar word.

(2) ’n In sub-artikel (1) bedoelde aansoek omskryf elke deel en sit die redes vir die aansoek uiteen.

2. Section *two* of the principal Act is hereby amended by the insertion in paragraph (b) of sub-section (1) after the word "scheme" of the words "or fire protection scheme".

Amendment of section 2 of Act 45 of 1946.

3. Section *three* of the principal Act is hereby amended—

Amendment of section 3 of Act 45 of 1946.

(a) by the substitution in paragraph (a) of sub-section (1) for the word "Agriculture" of the words "Agricultural Technical Services";

(b) by the insertion after paragraph (a) of the said sub-section of the following paragraph:

"(a) *bis* the Secretary for Agricultural Economics and Marketing;";

(c) by the substitution in paragraph (c) of the said sub-section for the words "Native Affairs" of the words "Bantu Administration and Development";

(d) by the substitution in paragraph (d) of the said sub-section for the words "Director of Irrigation" of the words "Secretary for Water Affairs";

(e) by the substitution in paragraph (e) of the said sub-section for the words "Director of Forestry" of the words "Secretary for Forestry";

(f) by the insertion in sub-section (2) after the word "paragraph" of the expression "(a) *bis*,";

(g) by the substitution for sub-section (3) of the following sub-section:

"(3) The Director of Technical Services of the department shall be deputy chairman of the board."; and

(h) by the insertion after sub-section (4) of the following sub-section:

"(4) *bis* If for any reason neither the chairman nor the deputy chairman is able to attend any meeting of the board, the members present at that meeting may elect one of their number to preside as chairman at that meeting.".

4. The following section is hereby substituted for section *nine* of the principal Act:

Substitution of section 9 of Act 45 of 1946.

"Establishment of soil conservation districts.

9. (1) Any owner of land situated within a specified area may apply in writing to the Minister for the declaration of that area as a soil conservation district.

(2) An application referred to in sub-section (1) shall—

(a) define the area with reference to which the application is made;

(b) set out the reasons for the application; and

(c) contain a description of all the land situated within that area, including the names of the owners and occupiers thereof.

(3) The Minister shall give notice of the application in the *Gazette*, and shall in the notice define the area with reference to which the application is made and state the reasons for the application.

(4) (a) Any owner of land situated within the said area who wishes to object to the declaration of the said area as a soil conservation district, may, not later than sixty days as from the date of publication of the notice mentioned in sub-section (3), lodge with the Minister an objection in writing stating the grounds for such objection.

(b) The Minister shall refer the application and any objection received under paragraph (a) to the board for its recommendation.

(5) The board may recommend the application in respect of the area as defined in the application or in respect of such area as it may define in its recommendation, and the Governor-General may by proclamation in the *Gazette* declare the area with reference to which the board has made its recommendation to be a soil conservation district."

5. The following sections are hereby inserted in the principal Act after section *nine*:

Insertion of sections 9*bis*, 9*ter*, 9*quat*, 9*quin* and 9*sex* in Act 45 of 1946.

"Division of soil conservation districts.

9*bis*. (1) The district committee of any soil conservation district may apply in writing to the Minister for the division of that district into two or more portions and the declaration of each portion as a soil conservation district.

(2) Any application referred to in sub-section (1) shall define each portion and set out the reasons for the application.

(3) Die Minister, indien hy van oordeel is dat die doeleindes van hierdie Wet deur 'n verdeling van daardie grondbewaringsdistrik beter bereik sal word, verwys die aansoek na die raad vir sy aanbeveling.

(4) Die raad kan die aansoek aanbeveel ten opsigte van die dele soos in die aansoek omskryf of ten opsigte van die dele wat hy in sy aanbeveling omskryf, en die Goewerneur-generaal kan by proklamasie in die *Staatskoerant* elke deel soos deur die raad aanbeveel tot 'n grondbewaringsdistrik verklaar.

Amalgamasie van grondbewaringsdistrikte.

9ter. (1) Die distrikskomitees van twee of meer grondbewaringsdistrikte kan skriftelik by die Minister aansoek doen dat die grondbewaringsdistrikte ten opsigte waarvan hulle ingestel is, tot een grondbewaringsdistrik geamalgameer word.

(2) 'n In sub-artikel (1) bedoelde aansoek bevat die name van die betrokke grondbewaringsdistrikte en die redes vir die aansoek.

(3) Die Minister, indien hy van oordeel is dat die doeleindes van hierdie Wet deur die amalgamasie van enige van die betrokke grondbewaringsdistrikte beter bereik sal word, verwys die aansoek na die raad vir sy aanbeveling.

(4) Die raad kan aanbeveel dat enige aantal van die distrikte in die aansoek genoem, geamalgameer word, en die Goewerneur-generaal kan by proklamasie in die *Staatskoerant* verklaar dat bedoelde aantal een grondbewaringsdistrik uitmaak.

Instelling van grondbewaringsdistrik wat bestaan uit dele wat van grondbewaringsdistrikte weggeneem is.

9quat. (1) Die distrikskomitees van twee of meer grondbewaringsdistrikte kan skriftelik by die Minister aansoek doen dat 'n deel van elk van die grondbewaringsdistrikte ten opsigte waarvan bedoelde komitees regsbevoegdheid uitoefen, van bedoelde distrikte weggeneem word en dat 'n grondbewaringsdistrik ingestel word wat uit daardie dele bestaan.

(2) 'n In sub-artikel (1) bedoelde aansoek omskryf elke deel ten opsigte waarvan die aansoek gedoen word en sit die redes vir die aansoek uiteen.

(3) Die Minister, indien hy van oordeel is dat die doeleindes van hierdie Wet deur die instelling van so 'n grondbewaringsdistrik beter bereik sal word, verwys die aansoek na die raad vir sy aanbeveling.

(4) (a) Die raad kan aanbeveel dat enige aantal van die dele in die aansoek omskryf van die grondbewaringsdistrikte waarvan hulle deel vorm, weggeneem word en dat 'n grondbewaringsdistrik ingestel word wat uit daardie aantal dele bestaan.

(b) Die Goewerneur-generaal kan by proklamasie in die *Staatskoerant* verklaar dat die in die aanbeveling van die raad bedoelde dele een grondbewaringsdistrik uitmaak.

Bestaande distrikskomitees.

9quin. (1) 'n Lid van 'n distrikskomitee vir 'n grondbewaringsdistrik met betrekking waartoe 'n verdeling kragtens artikel *nege bis* of 'n amalgamasie kragtens artikel *nege ter* plaasvind, beklee, nietaenstaande bedoelde verdeling of amalgamasie, sy amp vir die onverstreke tydperk van sy aanstelling en oefen gedurende daardie tydperk regsbevoegdheid uit oor die gebied met betrekking waartoe hy aangestel is, tensy 'n distrikskomitee ingevolge artikel *tien* eerder aangestel word ten opsigte van enige grondbewaringsdistrik wat as gevolg van so 'n verdeling of amalgamasie ingestel is.

(2) 'n Lid van 'n distrikskomitee vir 'n grondbewaringsdistrik met betrekking waartoe 'n wegneming kragtens artikel *nege quat* plaasvind, beklee, nietaenstaande bedoelde wegneming, sy amp vir die onverstreke tydperk van sy aanstelling en oefen gedurende daardie tydperk regsbevoegdheid uit ook ten opsigte van enige gedeelte wat weggeneem is totdat 'n distrikskomitee aangestel word kragtens artikel *tien* ten opsigte van enige grondbewaringsdistrik wat as gevolg van so 'n wegneming ingestel is.

Goewerneur-generaal kan grense verander en proklamasie intrek.

9sex. Die Goewerneur-generaal kan op aanbeveling van die raad van tyd tot tyd by proklamasie in die *Staatskoerant* die grense van 'n grondbewaringsdistrik verander of enige proklamasie intrek waarby 'n grondbewaringsdistrik ingestel is."

(3) The Minister shall, if he is of opinion that the purposes of this Act will be better achieved by the division of that soil conservation district, refer the application to the board for its recommendation.

(4) The board may recommend the application in respect of the portions as defined in the application or in respect of such portions as it may define in its recommendation, and the Governor-General may by proclamation in the *Gazette* declare each portion as recommended by the board to be a soil conservation district.

Amalgama-
tion of soil
conservation
districts.

9ter. (1) The district committees of two or more soil conservation districts may apply in writing to the Minister for the amalgamation into one soil conservation district of the soil conservation districts in respect of which they have been established.

(2) Any application referred to in sub-section (1) shall contain the names of the soil conservation districts in question and the reasons for the application.

(3) The Minister shall, if he is of opinion that the purposes of this Act will be better achieved by the amalgamation of any of the soil conservation districts in question, refer the application to the board for its recommendation.

(4) The board may recommend that any number of the districts set out in the application be amalgamated, and the Governor-General may by proclamation in the *Gazette* declare that such number shall constitute one soil conservation district.

Establish-
ment of a
soil
conservation
district
consisting
of portions
excised
from soil
conservation
districts.

9quat. (1) The district committees of two or more soil conservation districts may apply in writing to the Minister that a portion of each of the soil conservation districts in respect of which such committees exercise jurisdiction be excised from such districts and that a soil conservation district be established consisting of such portions.

(2) Any application referred to in sub-section (1) shall define each portion in respect of which the application is made and shall set out the reasons for the application.

(3) The Minister shall, if he is of opinion that the purposes of this Act will be better achieved by the establishment of such a soil conservation district, refer the application to the board for its recommendation.

(4) (a) The board may recommend that any number of the portions defined in the application be excised from the soil conservation districts of which they form part and that a soil conservation district be established consisting of such number of portions.

(b) The Governor-General may by proclamation in the *Gazette* declare that the portions referred to in the recommendation of the board shall constitute a soil conservation district.

Existing
districts
committees.

9quin. (1) A member of a district committee for a soil conservation district with reference to which a division under section *nine bis* or an amalgamation under section *nine ter* takes place shall notwithstanding such division or amalgamation, hold office for the unexpired period of his appointment and shall during such period exercise jurisdiction over the area with reference to which he was appointed, unless a district committee under section *ten* is sooner appointed in respect of any soil conservation district established in consequence of such division or amalgamation.

(2) A member of a district committee for a soil conservation district with reference to which an excision under section *nine quat* takes place shall, notwithstanding such excision, hold office for the unexpired period of his appointment and shall during such period exercise jurisdiction also in respect of any portion excised until a district committee is appointed under section *ten* in respect of any soil conservation district established in consequence of such excision.

Governor-
General
may alter
boundaries
and withdraw
proclama-
tion.

9sex. The Governor-General may on the recommendation of the board, from time to time by proclamation in the *Gazette* alter the boundaries of any soil conservation district or withdraw any proclamation by which any soil conservation district was established."

Wysiging van
artikel 10 van
Wet 45 van 1946.

6. Artikel *tien* van die Hoofwet word hierby gewysig—
(a) deur sub-artikel (4) deur die volgende sub-artikel te vervang:
„(4) (a) 'n Lid van 'n distrikskomitee beklee, behoudens die bepalings van hierdie Wet, sy amp vir sodanige tydperk van hoogstens vier jaar as wat die Minister ten tyde van die aanstelling van daardie lid bepaal.
(b) Bedoelde lid kan by verstryking van die tydperk van sy aanstelling sy amp bly beklee vir 'n tydperk van ses maande tensy 'n nuwe lid eerder in sy plek aangestel word.”;
(b) deur die volgende paragraaf by sub-artikel (5) te voeg, terwyl die bestaande sub-artikel paragraaf (a) word:
„(b) Wanneer die aantal boerelede ingevolge paragraaf (a) gekies, minder is as die aantal boerelede in sub-artikel (2) beoog, kan die Minister sodanige getal persone aanstel wat *bona fide* binne die betrokke grondbewaringsdistrikte boer as wat nodig is om die aldus beoogde aantal voltallig te maak.”; en
(c) deur die volgende sub-artikel na sub-artikel (6) in te voeg:
„(6)*bis*. Wanneer die aantal vakatures ten opsigte van boerelede in 'n distrikskomitee soveel is dat die oorblywende aantal boerelede minder is as die kworum wat ten opsigte van enige vergadering van daardie distrikskomitee nodig is, kan die Minister daardie distrikskomitee ontbind, en word 'n nuwe distrikskomitee ingestel soos in hierdie artikel bepaal.”.

Wysiging van
artikel 12 van
Wet 45 van 1946.

7. Artikel *twaalf* van die Hoofwet word hierby gewysig deur die woord „raad” deur die woord „Minister” te vervang.

Wysiging van
artikel 13 van
Wet 45 van 1946.

8. Artikel *dertien* van die Hoofwet word hierby gewysig—
(a) deur in paragraaf (a) na die woord „ag” die woorde „of wat die Minister hom versoek om ten opsigte van sodanige grond op te stel” in te voeg; en
(b) deur die volgende paragraaf by te voeg:
„(e) sodanige ander pligte of werksaamhede verrig as wat die Minister van tyd tot tyd aan hom opdra.”.

Vervanging van
artikel 15 van
Wet 45 van
1946.

9. Artikel *vyftien* van die Hoofwet word hierby deur die volgende artikels vervang:

„Instelling
van brand-
bestrydings-
gebiede en
-komitees.

15. (1) Die Minister kan by kennisgewing in die *Staatskoerant*—

(a) 'n gebied omskryf en tot brandbestrydingsgebied verklaar; en

(b) 'n brandbestrydingskomitee ten opsigte van 'n brandbestrydingsgebied instel.

(2) Die samestelling, werksaamhede en prosedure by enige vergadering van 'n brandbestrydingskomitee is soos voorgeskryf.

(3) Die bepalings van artikels *elf* en *twaalf* is *mutatis mutandis* van toepassing ten opsigte van 'n brandbestrydingskomitee.

Brand-
bestry-
dingsplanne.

15*bis*. (1) 'n Brandbestrydingskomitee moet benewens enige voorgeskrewe werksaamhede, 'n brandbestrydingsplan opstel ten opsigte van die gebied waarvoor hy ingestel is en aan die raad voorlê vir sy ondersoek en verslag aan die Minister.

(2) 'n Brandbestrydingsplan omskryf die grond met betrekking waartoe dit van toepassing is en vermeld die oogmerke en bestek daarvan en bevat bepalings wat nie met die bepalings van die Boswet, 1941 (Wet No. 13 van 1941), onbestaanbaar is nie met betrekking tot—

(a) die reëling van of verbod op die brand van veld; en

(b) die voorkoming, beheer en blus van veld- en bosbrande.

(3) Die Minister kan enige brandbestrydingsplan goedkeur of wysig en goedkeur, en kan, behoudens die bepalings van sub-artikel (4), 'n datum in daardie plan bepaal en gelas dat die plan vanaf daardie datum met betrekking tot die daarin omskrewe gebied van toepassing sal wees.

(4) Die Minister moet minstens 'n maand voor die in sub-artikel (3) bedoelde datum—

(a) aan elke eienaar en bewoner van grond geleë binne die gebied met betrekking waartoe die brandbestrydingsplan van toepassing is, skrifte-

6. Section *ten* of the Principal Act is hereby amended—
- (a) by the substitution for sub-section (4) of the following sub-section:
- “(4) (a) A member of a district committee shall, subject to the provisions of this Act, hold office for such period not exceeding four years as the Minister may upon the appointment of that member determine.
- (b) Such a member may upon the expiration of the period of his appointment continue to hold office for a period of six months unless a new member is sooner appointed in his place.”;
- (b) by the addition to sub-section (5) of the following paragraph, the existing sub-section becoming paragraph (a):
- “(b) Whenever the number of farmer members elected in terms of paragraph (a) is less than the number of farmer members contemplated in sub-section (2), the Minister may appoint such number of persons *bona fide* carrying on farming operations within the soil conservation districts in question as may be necessary to make up the number so contemplated.”; and
- (c) by the insertion after sub-section (6) of the following sub-section:
- “(6)*bis*. Whenever the number of vacancies in respect of farmer members on any district committee is such that the remaining number of farmer members is less than the quorum required in respect of any meeting of that district committee, the Minister may dissolve that district committee, and a new district committee shall be established as provided in this section.”.
7. Section *twelve* of the principal Act is hereby amended by the substitution for the word “board” of the word “Minister”. Amendment of section 12 of Act 45 of 1946.
8. Section *thirteen* of the principal Act is hereby amended—
- (a) by the addition at the end of paragraph (a) of the words “or which the Minister may request it to prepare in respect of such land”; and
- (b) by the addition of the following paragraph:
- “(e) perform such other duties or functions as the Minister may from time to time assign to it.”.
9. The following sections are hereby substituted for section *fifteen* of the principal Act: Substitution of section 15 of Act 45 of 1946.
- “Establishment of fire protection areas and committees.
15. (1) The Minister may by notice in the *Gazette*—
- (a) define any area and declare that area to be a fire protection area; and
- (b) establish a fire protection committee in respect of any fire protection area.
- (2) The constitution, functions and procedure at any meeting of a fire protection committee shall be as prescribed.
- (3) The provisions of sections *eleven* and *twelve* shall *mutatis mutandis* apply in respect of a fire protection committee.
- 15*bis*. (1) A fire protection committee shall, in addition to any function prescribed, prepare and submit in respect of the area for which it has been established, a fire protection scheme to the board for its examination and report to the Minister.
- (2) A fire protection scheme shall define the land with reference to which it applies and shall state the objects and scope thereof and shall include provisions, not inconsistent with the provisions of the Forest Act, 1941 (Act No. 13 of 1941), relating to—
- (a) the regulation or prohibition of veld burning; and
- (b) the prevention, control and extinguishing of veld and forest fires.
- (3) The Minister may approve, or amend and approve, any fire protection scheme, and may, subject to the provisions of sub-section (4), specify a date in that scheme and direct that the scheme shall as from that date apply with reference to the area defined therein.
- (4) The Minister shall, at least one month prior to the date referred to in sub-section (3)—
- (a) give written notice to every owner and occupier of land situate within the area with reference

like kennis gee van sy voorneme om daardie plan op daardie gebied van toepassing te maak; en

- (b) 'n afskrif van die brandbestrydingsplan aan elke sodanige eienaar en bewoner of per hand of per pos bestel.

(5) 'n Brandbestrydingsplan wat ooreenkomstig enige bepaling van hierdie Wet toegepas is en wat van krag is by die inwerkingtreding van die Wysigingswet op Grondbewaring, 1960, word geag toegepas te gewees het ooreenkomstig die bepalings van hierdie artikel.

(6) Elke eienaar en bewoner van grond met betrekking waartoe 'n brandbestrydingsplan kragtens hierdie artikel toegepas is, is deur die bepalings van daardie plan gebind en is ten opsigte van enige oortreding van 'n bepaling waarna in paragraaf (a) of (b) van sub-artikel (2) verwys word, strafbaar met die strawwe by artikel vyftien van die Boswet, 1941 (Wet No. 13 van 1941), voorgeskryf."

Wysiging van
artikel 16 van
Wet 45 van 1946.

10. Artikel *sestien* van die Hoofwet word hierby gewysig—

- (a) deur in die voorbehoudsbepaling by sub-artikel (2) die woord „sestig” deur die woord „dertig” te vervang; en

- (b) deur die volgende sub-artikel by te voeg:

„(6) Wanneer 'n distrikskomitee in gebreke bly om 'n grondbewaringsplan op te stel en aan die Minister voor te lê wat die Minister hom kragtens die bepalings van paragraaf (a) van artikel *dertien* versoek om ten opsigte van enige grond geleë binne sy grondbewaringsdistrik op te stel en voor te lê, kan die Minister na oorlegpleging met die raad die departement gelas om so 'n plan ten opsigte van die betrokke grond op te stel, en na verloop van dertig dae skriftelike kennis aan elke eienaar en bewoner van die betrokke grond, daardie plan, met die wysigings wat hy goedvind, op bedoelde grond van toepassing maak.”.

Wysiging van
artikel 19 van
Wet 45 van 1946.

11. Artikel *negentien* van die Hoofwet word hierby gewysig—

- (a) deur die volgende paragraaf na paragraaf (d) van sub-artikel (1) in te voeg:

„(d)*bis* die tydperk waarin 'n grondbewaringsmaatreël uitgevoer of 'n grondbewaringswerk aangelê moet word;”;

- (b) deur aan die end van paragraaf (f) van bedoelde sub-artikel die woorde „of die verbod op die skoonmaak of braak van nuwe grond op 'n omskrewe gedeelte van die grond vir bepaalde tydperke” by te voeg;

- (c) deur aan die begin van paragraaf (g) van bedoelde sub-artikel die woorde „die stelsels en praktyke van beweidingsbestuur asook wisselbeweiding wat gevolg moet word en” in te voeg;

- (d) deur na paragraaf (h) van bedoelde sub-artikel die volgende paragraaf in te voeg:

„(h)*bis* die bewoning of gebruik van grond deur iemand wat ten opsigte van daardie grond 'n reg van weiding of bewerking het of 'n reg het om bome of hout te kap of te verwyder, en die beperking van daardie reg ooreenkomstig die vermoë van die betrokke grond;”;

- (e) deur na paragraaf (i) van bedoelde sub-artikel die volgende paragraaf in te voeg:

“(i)*bis* die verbod op die verbranding van kraalmis of ander organiese stowwe;”;

- (f) deur in paragraaf (k) van bedoelde sub-artikel die woord „bestuur” deur die woord „instandhouding” te vervang; en

- (g) deur die volgende sub-artikels by te voeg:

„(3) 'n Grondbewaringsplan bind elke eienaar en bewoner van die grond met betrekking waartoe dit toegepas is, en hul regsopvolgers.

(4) Die beampte wat beheer uitoefen oor die aktekantoor waarin grond geregistreer is met betrekking waartoe 'n grondbewaringsplan kragtens hierdie Wet toegepas word, moet, by ontvangs van 'n sertifikaat deur die Minister dat so 'n plan op sodanige grond toegepas is, kosteloos 'n endossement met daardie strekking aanbring in die registers en op die titelbewyse wat op daardie grond betrekking het.”.

to which the fire protection scheme applies of his intention to apply that scheme to that area; and

- (b) serve by hand or by post a copy of the fire protection scheme on every such owner and occupier.

(5) Any fire protection scheme which has been applied in accordance with any provision of this Act and which is in operation at the commencement of the Soil Conservation Amendment Act, 1960, shall be deemed to have been applied in accordance with the provisions of this section.

(6) Every owner and occupier of land with reference to which a fire protection scheme has been applied in terms of this section, shall be bound by the provisions of such scheme and shall in respect of any contravention of any provision referred to in paragraph (a) or (b) of sub-section (2) be liable to the penalties prescribed under section *fifteen* of the Forest Act, 1941 (Act No. 13 of 1941)."

10. Section *sixteen* of the principal Act is hereby amended— Amendment of section 16 of Act 45 of 1946.

- (a) by the substitution in the proviso to sub-section (2) for the word "*sixty*" of the word "*thirty*"; and

- (b) by the addition of the following sub-section:

"(6) Whenever a district committee fails to prepare and submit to the Minister any soil conservation scheme which the Minister may request it under the provisions of paragraph (a) of section *thirteen* to prepare and submit in respect of any land situate within its soil conservation district, the Minister may after consultation with the board require the department to prepare such a scheme in respect of the land in question and, after the expiration of thirty days' written notice to every owner and occupier of the land in question apply that scheme, with such amendments as he may deem fit, to such land."

11. Section *nineteen* of the principal Act is hereby amended— Amendment of section 19 of Act 45 of 1946.

- (a) by the insertion after paragraph (d) of sub-section (1) of the following paragraph:

"(d)*bis* the time for carrying out any soil conservation measure or for constructing any soil conservation work;"

- (b) by the addition at the end of paragraph (f) of the said sub-section of the words "or the prohibition of clearing or breaking-up of virgin soil on any defined portion of the land for specified periods";

- (c) by the insertion at the beginning of paragraph (g) of the said sub-section of the words "the systems and practices of grazing management to be followed including rotational grazing and";

- (d) by the insertion after paragraph (h) of the said sub-section of the following paragraph:

"(h)*bis* the occupation or use of the land by any person who has a right of grazing or cultivation or cutting or removal of trees or wood in respect of such land, and the limitation of such right according to the capability of the land in question;"

- (e) by the insertion after paragraph (i) of the said sub-section of the following paragraph:

"(i)*bis* the prohibition of burning of kraal manure and other organic materials;"

- (f) by the substitution in paragraph (k) of the said sub-section for the word "management" of the word "maintenance"; and

- (g) by the addition of the following sub-sections:

"(3) A soil conservation scheme binds every owner and occupier of the land with reference to which it has been applied, and their successors in title.

(4) The officer in charge of a deeds registry in which is registered any land with reference to which a soil conservation scheme is applied under this Act, shall, on receipt of a certificate by the Minister that such a scheme has been applied to such land, without any charge make an endorsement to that effect in the registers and against the title deeds relating to that land."

Wysiging van
artikel 20 van
Wet 45 van 1946.

12. Artikel *twintig* van die Hoofwet word hierby gewysig—
- (a) deur in sub-artikel (1) die woorde „waarop die publiek 'n gemeenskaplike reg het om hulle lewende hawe te laat wei” deur die woorde „met betrekking waartoe die publiek 'n gemeenskaplike reg het om hul lewende hawe daarop te laat wei of om die grond te bewerk” te vervang, en deur in bedoelde sub-artikel na die woord „beperk”, waar daardie woord die eerste maal voorkom, die woorde „of wat 'n bepaalde gedeelte van daardie grond vir 'n vermelde tydperk van bewerking of beweiding onttrek of wat die skoonmaak of braak van nuwe grond op enige bepaalde gedeelte van bedoelde grond vir 'n vermelde tydperk verbied” in te voeg;
 - (b) deur aan die end van sub-artikel (1) die woorde „of wat die gedeeltes van bedoelde grond omskryf wat lede van die publiek toegelaat sal word om te bewerk of waarop hulle toegelaat sal word om vee te laat wei of wat hulle nie mag skoonmaak of braak nie” by te voeg; en
 - (c) deur in sub-artikel (2) na die woord „weiding” die woorde „of bewerking” in te voeg, en deur in bedoelde sub-artikel na die woord „vereis” die woorde „of wat die skoonmaak of braak vir 'n insgelyks vermelde tydperk verbied” in te voeg, en deur in bedoelde sub-artikel die woorde „waarop die publiek 'n gemeenskaplike reg het om hulle lewende hawe te laat wei” deur die woorde „met betrekking waartoe die publiek 'n gemeenskaplike reg het om hul lewende hawe daarop te laat wei of om dit te bewerk of om nuwe grond skoon te maak of te braak” te vervang.

Wysiging van
artikel 21 van
Wet 45 van 1946.

13. Artikel *een-en-twintig* van die Hoofwet word hierby gewysig deur die woorde „die raad en die betrokke distrikskomitee” deur die woorde „die betrokke distrikskomitee of brandbestrydingskomitee” te vervang, en deur na die woord „grondbewaringsplan” die woorde „of brandbestrydingsplan” in te voeg.

Wysiging van
artikel 22 van
Wet 45 van 1946.

14. Artikel *twee-en-twintig* van die Hoofwet word hierby gewysig deur die woorde „die raad en die betrokke distrikskomitee” deur die woorde „die betrokke distrikskomitee of brandbestrydingskomitee” te vervang, deur na die woord „grondbewaringsplan” die woorde „of brandbestrydingsplan” in te voeg, en deur die woorde „deur daardie bepaling na te kom die eienaar of bewoner uitermate ontbering sal ly” deur die woorde „nakoming van so 'n bepaling die eienaar of bewoner onbehoorlike ontbering sal veroorsaak of dat dit die doelstellings van so 'n plan kan verydel” te vervang.

Wysiging van
artikel 25 van
Wet 45 van 1946.

15. Artikel *vyf-en-twintig* van die Hoofwet word hierby gewysig deur in sub-artikel (5) die woorde „na raadpleging met die raad” te skrap.

Wysiging van
artikel 26 van
Wet 45 van 1946.

16. Artikel *ses-en-twintig* van die Hoofwet word hierby gewysig—

- (a) deur die woorde „Wanneer grond na die oordeel van die Goewerneur-generaal in belang van die land teen staatskoste herwin of bewaar behoort te word” deur die woorde „Wanneer die noodsaaklikheid om enige grond te herwin of te bewaar sodanig is dat die Staat na die oordeel van die Goewerneur-generaal die inisiatief in daardie verband behoort te neem” te vervang; en
- (b) deur die volgende sub-artikel by te voeg, terwyl die bestaande artikel sub-artikel (1) word:

„(2) Die bepalings van artikel *vyf-en-twintig* is *mutatis mutandis* van toepassing met betrekking tot die koste kragtens sub-artikel (1) aangegaan in verband met die herwinning of bewaring van grond: Met dien verstande dat waar 'n grondbewaringsgebied uit meer as een distrik bestaan, die verwysing in sub-artikel (1) van artikel *vyf-en-twintig* na die magistraat van die distrik uitgelê word as 'n verwysing na die landdros deur die Minister aangewys.”

Vervanging van
artikel 27 van
Wet 45 van 1946.

17. Artikel *sewe-en-twintig* van die Hoofwet word hierby deur die volgende artikel vervang:

12. Section *twenty* of the principal Act is hereby amended— Amendment of section 20 of Act 45 of 1946.
- (a) by the insertion in sub-section (1), after the word "livestock", where that word occurs for the first time, of the words "or of cultivating the land", and by the insertion in the said sub-section after the word "there-of", where that word occurs for the first time, of the words "or withdrawing from cultivation or grazing any defined portion of that land for any specified period or prohibiting the clearing or breaking up of virgin soil on any defined portion of the said land for any specified period";
 - (b) by the addition at the end of sub-section (1) of the words "or defining the portions of the said land which members of the public shall be permitted to cultivate or on which they shall be permitted to graze stock or which they shall not clear or break up"; and
 - (c) by the insertion in sub-section (2) after the word "grazing", where that word occurs for the first time, of the words "or cultivation" and by the insertion in the said sub-section after the word "scheme", where that word occurs for the second time, of the words "or which prohibits the clearing or breaking up for any period likewise specified" and by the insertion in the said sub-section after the word "livestock" of the words "or of cultivation or of clearing or breaking up of virgin soil".
13. Section *twenty-one* of the principal Act is hereby amended by the substitution for the words "the board and the district committee concerned" of the words "the district committee or fire protection committee concerned", and by the insertion after the word "scheme" of the words "or fire protection scheme". Amendment of section 21 of Act 45 of 1946.
14. Section *twenty-two* of the principal Act is hereby amended by the substitution for the words "the board and the district committee concerned" of the words "the district committee or fire protection committee concerned", by the insertion after the word "scheme" of the words "or fire protection scheme", and by the addition at the end of the section of the words "or that it may defeat the objects of any such scheme". Amendment of section 22 of Act 45 of 1946.
15. Section *twenty-five* of the principal Act is hereby amended by the deletion in sub-section (5) of the words "after consultation with the board". Amendment of section 25 of Act 45 of 1946.
16. Section *twenty-six* of the principal Act is hereby amended— Amendment of section 26 of Act 45 of 1946.
- (a) by the substitution for the words "any land should, in the national interest, be reclaimed or conserved at public expense" of the words "the need to reclaim or conserve any land is such that the state should take the initiative in that connection"; and
 - (b) by the addition of the following sub-section, the existing section becoming sub-section (1):

"(2) The provisions of section *twenty-five* shall *mutatis mutandis* apply with reference to the costs incurred under sub-section (1) in connection with the reclamation or conservation of any land: Provided that where a soil conservation area comprises more than one district, the reference in sub-section (1) of section *twenty-five* to the magistrate of the district shall be construed as a reference to the magistrate designated by the Minister."
17. Section *twenty-seven* of the principal Act is hereby substituted by the following section: Substitution of section 27 of Act 45 of 1946.

„Toepassing 27. Wanneer 'n grondbewaringsgebied verklaar is, deur kan die Minister, op aanbeveling van die raad, die Minister van bepalinge van artikel *agtien mutatis mutandis* ten grond- opsigte van enige grond geleë binne bedoelde gebied bewarings- plan op grond van toepassing maak.” geleë binne verklaarde grond- bewarings- gebied.

Wysiging van artikel 29 van Wet 45 van 1946.

18. Artikel *nege-en-twintig* van die Hoofwet word hierby gewysig deur in paragraaf (d) die woorde „kragtens artikel *vyftien* ingestelde brandbestrydingskomitees” deur die woorde „'n brandbestrydingskomitee” te vervang.

Wysiging van artikel 32 van Wet 45 van 1946.

19. Artikel *twee-en-dertig* van die Hoofwet word hierby gewysig—

- (a) deur in sub-artikel (1) die woorde „die departement” deur die woorde „'n Staatsdepartement, die Suid-Afrikaanse Spoorweg- en Hawensadministrasie, 'n provinsiale administrasie, 'n afdelingsraad” te vervang, en deur in bedoelde sub-artikel na die woord „toerusting” die woorde „en sodanige aantal assistente” in te voeg;
- (b) deur in sub-artikel (2) na die woord „toerusting” die woorde „en assistente” in te voeg;
- (c) deur in sub-artikel (3) die woorde „Enige amptenaar van die departement” deur die woorde „'n In sub-artikel (1) bedoelde amptenaar” te vervang; en
- (d) deur die volgende sub-artikel by te voeg:
„(4) Die bepalinge van sub-artikels (1), (2) en (3) is *mutatis mutandis* van toepassing ook met betrekking tot 'n lid van 'n brandbestrydingskomitee en enige persoon deur so 'n komitee gemagtig om enige handeling te verrig in verband met die aanleg of instandhouding van 'n brandstrook of -werke op bedoelde grond ooreenkomstig die bepalinge van 'n brandbestrydingsplan wat met betrekking tot daardie grond van toepassing is.”.

Wysiging van artikel 33 van Wet 45 van 1946.

20. Artikel *drie-en-dertig* van die Hoofwet word hierby gewysig—

- (a) deur in paragraaf (d) na die woord „distrikskomitee” die woorde „of brandbestrydingskomitee” in te voeg;
- (b) deur in paragraaf (e) na die woord „distrikskomitee” die woord „of brandbestrydingskomitee” in te voeg; en
- (c) deur in paragraaf (f) die woorde „en werksaamhede van kragtens artikel *vyftien* ingestelde” deur die woorde „werksaamhede, bevoegdhede en prosedure by vergaderings van” te vervang.

Wysiging van artikel 34 van Wet 45 van 1946.

21. Artikel *vier-en-dertig* van die Hoofwet word hierby gewysig deur paragraaf (b) deur die volgende paragraaf te vervang:

- „(b) (i) enige grondbewaringswerke wat of deur die departement of kragtens 'n grondbewaringsplan aangelê is; of
- (ii) enige brandstrook of -werke wat kragtens 'n brandbestrydingsplan aangelê is, beskadig of sonder die Minister se toestemming verander of op enige wyse belemmer.”.

Invoeging van artikel 34bis in Wet 45 van 1946.

22. Die volgende artikel word hierby na artikel *vier-en-dertig* van die Hoofwet ingevoeg:

„Minister 34bis. Die Minister kan aan die Sekretaris of kan sy aan enige ander senior amptenaar van die departement enige van die bevoegdhede deleger wat hierdie hede Wet aan hom verleen.” delegeer.

Herroeping van Wet 6 van 1949.

23. Die Wysigingswet op Grondbewaring, 1949, word hierby herroep.

Kort titel.

24. Hierdie Wet heet die Wysigingswet op Grondbewaring, 1960.

“Application by Minister of soil conservation scheme to land situated within declared soil conservation area.”

27. Whenever a soil conservation area has been declared the Minister may, on the recommendation of the board, *mutatis mutandis* apply the provisions of section *eighteen* in respect of any land situated within such area.”.

18. Section *twenty-nine* of the principal Act is hereby amended by the deletion in paragraph (d) of the words “established under section *fifteen*”.

Amendment of section 29 of Act 45 of 1946.

19. Section *thirty-two* of the principal Act is hereby amended—

Amendment of section 32 of Act 45 of 1946.

- (a) by the substitution in sub-section (1) for the words “the department” of the words “any department of State, the South African Railways and Harbours Administration, a provincial administration, a divisional council”, and by the insertion in that sub-section after the word “equipment” of the words “and such number of assistants”;
- (b) by the insertion in sub-section (2) after the word “equipment” of the words “and assistants”;
- (c) by the substitution in sub-section (3) for the words “of the department” of the words “referred to in sub-section (1)”; and
- (d) by the addition of the following sub-section:
“(4) The provisions of sub-sections (1), (2) and (3) shall *mutatis mutandis* apply also with reference to any member of a fire protection committee and any person authorized by such committee to perform any act in connection with the construction or maintenance of any firebelt or works on such land in accordance with the provisions of any fire protection scheme applicable with reference to that land.”.

20. Section *thirty-three* of the principal Act is hereby amended—

Amendment of section 33 of Act 45 of 1946.

- (a) by the insertion in paragraph (d) after the word “committee” of the words “or fire protection committee”;
- (b) by the insertion in paragraph (e) after the words “district committee” of the words “or fire protection committee”; and
- (c) by the substitution in paragraph (f) for the words “and functions” of the words “functions, powers and procedure at meetings”, and the deletion in the said paragraph of the words “established under section *fifteen*”.

21. Section *thirty-four* of the principal Act is hereby amended by the substitution for paragraph (b) of the following paragraph:

Amendment of section 34 of Act 45 of 1946.

- “(b) damages or without the written permission of the Minister alters or in any way interferes with—
 - (i) any soil conservation works which have been constructed either by the department or in terms of a soil conservation scheme; or
 - (ii) any firebelt or works which have been constructed in terms of a fire protection scheme.”.

22. The following section is hereby inserted after section *thirty-four* of the principal Act:

Insertion of section 34bis in Act 45 of 1946.

“Minister may delegate his powers. 34bis. The Minister may delegate to the Secretary or to any other senior officer of the department any of the powers conferred upon him by this Act.”.

23. The Soil Conservation Amendment Act, 1949, is hereby repealed.

Repeal of Act 6 of 1949.

24. This Act shall be called the Soil Conservation Amendment Act, 1960.

Short title.

DEPARTEMENT VAN VERDEDIGING.

No. 574.]

[22 April 1960.]

WYSIGING VAN DIE ALGEMENE REGULASIES
VIR DIE SUID-AFRIKAANSE WEERMAG EN DIE
RESERWE.

DIT HET Sy Eksellensie die Goewerneur-generaal behaag om, kragtens die bepalings van paragraaf (s) van sub-artikel (1) van artikel *sewe-en-tagtig* saamgelees met paragraaf (j) van sub-artikel (1) van artikel *sewe-en-negentig* en sub-artikels (2) en (3) van artikel *agt-en-negentig* van die Verdedigingswet, 1957 (Wet No. 44 van 1957), die Algemene Regulasies vir die Suid-Afrikaanse Weermag en die Reserwe soos afgekondig by Goewermentskennisgewing No. 523 gedateer 8 April 1960, soos volg te wysig:—

Na die woord „is” waar dit vir die eerste keer in sub-regulasie (a) van regulasie 1 in die Afrikaanse teks verskyn, voeg die woord „in” in.

DEPARTMENT OF DEFENCE.

No. 574.]

[22nd April, 1960.]

AMENDMENT OF THE GENERAL REGULATION
FOR THE SOUTH AFRICAN DEFENCE FORCE
AND THE RESERVE.

HIS Excellency the Governor-General has been pleased in terms of paragraph (s) of sub-section (1) of section *eighty-seven* read with paragraph (j) of sub-section (1) of section *ninety-seven* and sub-sections (2) and (3) of section *ninety-eight* of the Defence Act, 1957 (Act No. 44 of 1957), to amend the General Regulations for the South African Defence Force and the Reserves promulgated by Government Notice No. 523 dated 8th April, 1960, as follows:—

After the word “is” where it appears for the first time in sub-regulation (a) of regulation 1 in the Afrikaans text, insert the word “in”.