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DEPARTMENT OF THE PRIME MINISTER.

897.] [26th JUNE, 1963.

is hereby notified that the State President has assented

DEPARTMENT VAN DIE EERSTE MINISTER.

No. 897.] [26 JUNIE 1963.

No. 66, 1963.]

ACT

To amend the Land Settlement Act, 1956, and the State Land Disposal Act, 1961.

(*English text signed by the State President.*)
(*Assented to* 21*st June*, 1963.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 21 of 1956, as amended by section 1 of Act 13 of 1959 and section 1 of Act 28 of 1960.

1. Section *one* of the Land Settlement Act, 1956 (hereinafter referred to as the principal Act), is hereby amended—

(*a*) by the insertion in sub-section (1) before the definition of "board" of the following definition:

"'appropriate rate', in relation to any allotment, purchase, loan or advance, means the rate of interest applicable in respect of such allotment, purchase, loan or advance;"; and

(*b*) by the deletion in that sub-section of the definitions of "controlling interest", "non-European" and "non-European company".

Amendment of section 18 of Act 21 of 1956, as amended by section 5 of Act 13 of 1959.

2. Section *eighteen* of the principal Act is hereby amended—

(*a*) by the substitution in sub-section (2) for the word "Governor-General" of the word "Minister"; and

(*b*) by the insertion in sub-section (4) after the expression "sub-section (1)" of the words "or any other State land which has been reserved for land settlement purposes".

Amendment of section 20 of Act 21 of 1956, as amended by section 6 of Act 13 of 1959 and section 5 of Act 28 of 1960.

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

(*a*) by the insertion in sub-section (1) after the word "section" where it occurs for the second time of the words "or (if he is the registered owner of land) that his land and any other land be simultaneously so acquired and allotted to him or that his land be so acquired and allotted to him together with any State land";

(*b*) by the substitution for paragraph (*a*) of sub-section (2) of the following paragraph:

"(*a*) An application under sub-section (1) shall contain such particulars as the Minister may require, and shall—

(i) in the case of land to be acquired from a person other than the applicant, be accompanied by an option to purchase the land at a price specified therein (which may be dispensed with by the Minister if the land is to be acquired otherwise than by private treaty) granted by the owner thereof in favour of the Minister, an undertaking by the applicant to contribute forthwith not less than one-tenth of such purchase price, and a statement by the applicant in the form set out in the First Schedule; and

(ii) in the case of land to be acquired from the applicant, be accompanied by an option granted by the applicant in favour of the Minister to purchase the land at a price stated therein, and an undertaking by the applicant to contribute forthwith not less than one-tenth of such purchase price.";

(*c*) by the insertion in paragraph (*a*) of sub-section (3) after the word "furnish" of the words "in respect of land to be acquired from any other person";

(*d*) by the insertion in sub-section (4) after the word "land" of the words "to which the application relates";

(*e*) by the insertion in sub-section (7) after the word "lessee" where it occurs for the second time of the words "or, in the case of an application by a registered owner of land, has certified that the additional land to be acquired in terms of the application or, as the case may be, the State land in question is necessary

No. 66, 1963.]

WET

Tot wysiging van die Nedersettingswet, 1956, en die Wet op die Beskikking oor Staatsgrond, 1961.

(*Engelse teks deur die Staatspresident geteken.*)
(*Goedgekeur op* 21 *Junie* 1963.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Artikel *een* van die Nedersettingswet, 1956 (hieronder die Hoofwet genoem), word hierby gewysig—

Wysiging van artikel 1 van Wet 21 van 1956, soos gewysig deur artikel 1 van Wet 13 van 1959 en artikel 1 van Wet 28 van 1960.

(*a*) deur in sub-artikel (1) die omskrywings van „beherende belang", „nie-blanke" en „nie-blanke maatskappy" te skrap; en

(*b*) deur na die omskrywing van „regulasie" in daardie sub-artikel die volgende omskrywing in te voeg:

„‚toepaslike koers', met betrekking tot 'n toekenning, koop, lening of voorskot, die rentekoers wat ten opsigte van daardie toekenning, koop, lening of voorskot geld;".

2. Artikel *agtien* van die Hoofwet word hierby gewysig—

Wysiging van artikel 18 van Wet 21 van 1956, soos gewysig deur artikel 5 van Wet 13 van 1959.

(*a*) deur in sub-artikel (2) die woord „Goewerneur-generaal" deur die woord „Minister" te vervang; en

(*b*) deur in sub-artikel (4) na die woorde „verkry is" die woorde „of ander Staatsgrond wat vir nedersettings-doeleindes voorbehou is" in te voeg.

3. Artikel *twintig* van die Hoofwet word hierby gewysig—

Wysiging van artikel 20 van Wet 21 van 1956, soos gewysig deur artikel 6 van Wet 13 van 1959 en artikel 5 van Wet 28 van 1960.

(*a*) deur in sub-artikel (1) na die woorde „toegeken word" die woorde „of (indien hy die geregistreerde eienaar van grond is) dat sy grond en enige ander grond gelyktydig aldus verkry en aan hom toegeken word of dat sy grond aldus verkry en tesame met enige Staatsgrond aan hom toegeken word" in te voeg;

(*b*) deur paragraaf (*a*) van sub-artikel (2) deur die volgende paragraaf te vervang:

„(*a*) 'n Aansoek ingevolge sub-artikel (1) moet die besonderhede bevat wat die Minister vereis, en moet—

(i) in die geval van grond wat van iemand anders as die applikant verkry moet word, vergesel gaan van 'n opsie om die grond teen 'n daarin vermelde prys te koop (waarvan die Minister kan afsien indien die grond anders dan by private ooreenkoms verkry moet word) deur die eienaar daarvan ten gunste van die Minister verleen, 'n onderneming deur die applikant om onverwyld minstens een-tiende van dié koopprys by te dra, en 'n verklaring deur die applikant in die vorm in die Eerste Bylae uiteengesit; en

(ii) in die geval van grond wat van die applikant verkry moet word, vergesel gaan van 'n opsie deur die applikant ten gunste van die Minister verleen om die grond teen 'n daarin vermelde prys te koop, en 'n onderneming deur die applikant om onverwyld minstens een-tiende van dié koopprys by te dra.";

(*c*) deur in paragraaf (*a*) van sub-artikel (3) na die woord „applikant" waar dit die eerste maal voorkom die woorde „ten opsigte van grond wat van iemand anders verkry moet word" in te voeg;

(*d*) deur in sub-artikel (4) na die woord „grond" die woorde „waarop die aansoek betrekking het" in te voeg;

(*e*) deur in sub-artikel (7) na die woord „bied" die woorde „of, in die geval van 'n aansoek deur 'n geregistreerde eienaar van grond, gesertifiseer het dat die addisionele grond wat ingevolge die aansoek verkry moet word,

three" of the words "appropriate rate" and for the words "said date" in sub-paragraph (ii) of that paragraph of the words "date of transfer of the land to the Government"; and

(*g*) by the addition to sub-section (9) of the following paragraph, the existing sub-section becoming paragraph (*a*):

"(*b*) No transfer duty or stamp duty shall be payable in respect of that portion of the allotment price of land allotted to any person under this section which represents the purchase price of any land acquired from that person for the purpose of such allotment.".

Amendment of section 21 of Act 21 of 1956, as amended by section 7 of Act 13 of 1959 and section 6 of Act 28 of 1960.

4. Section *twenty-one* of the principal Act is hereby amended by the substitution in paragraph (*a*) of sub-section (2) for the word "Governor-General" of the word "Minister".

Amendment of section 23 of Act 21 of 1956, as amended by section 9 of Act 13 of 1959.

5. Section *twenty-three* of the principal Act is hereby amended by the substitution in the proviso to paragraph (*b*) of sub-section (2) for the words "rate which on the said date was the current rate for the purposes of sub-section (3) of section *thirty-three*" of the words "appropriate rate".

Amendment of section 29 of Act 21 of 1956, as amended by section 8 of Act 28 of 1960.

6. Section *twenty-nine* of the principal Act is hereby amended by the substitution in sub-paragraph (i) of paragraph (*c*) of sub-section (6) for the words "each paragraph" of the words "paragraphs (*a*) to (*e*), inclusive".

Amendment of section 30 of Act 21 of 1956.

7. Section *thirty* of the principal Act is hereby amended by the deletion in sub-section (2) of the words "or, in the case of an applicant from oversea, from the office of the High Commissioner for the Union in the United Kingdom".

Amendment of section 31 of Act 21 of 1956, as amended by section 9 of Act 28 of 1960.

8. (1) Section *thirty-one* of the principal Act is hereby amended—

(*a*) by the substitution in sub-paragraph (ii) of paragraph (*b*) of sub-section (4) for the words "rate of three and one half per cent." of the words "appropriate rate";

(*b*) by the addition to that sub-section of the following proviso:

"Provided that if the lessee pays any amount in reduction of such purchase price, the rent shall be reduced accordingly"; and

(*c*) by the substitution in sub-section (5) for the words "three and one half per cent. per annum" where they occur for the first time of the words "the interest, calculated at the appropriate rate," and the deletion in that sub-section of the words "equal to three and one half per cent. per annum on the purchase price" where they occur for the second time.

(2) Paragraph (*b*) of sub-section (1) shall be deemed to have come into operation on the first day of February, 1963.

Amendment of section 33 of Act 21 of 1956.

9. Section *thirty-three* of the principal Act is hereby amended by the substitution in sub-section (3) and in the proviso to sub-section (4) for the words "rate of three and one half per cent. per annum" of the words "appropriate rate".

Amendment of section 39 of Act 21 of 1956, as amended by section 13 of Act 13 of 1959 and section 10 of Act 28 of 1960.

10. Section *thirty-nine* of the principal Act is hereby amended—

(*a*) by the substitution in paragraph (*b*) of sub-section (1) for the words "three and one half per cent. per annum" of the words "the appropriate rate";

(*b*) by the insertion in paragraph (*a*) of sub-section (2) after the word "may" where it occurs for the first time of the words "on such conditions as he may deem fit";

(*c*) by the substitution in paragraph (i) of the proviso to paragraph (*b*) of that sub-section for the words following the word "payable" of the words "at a rate equal to the interest on the purchase price calculated at the appropriate rate";

(*d*) by the substitution in paragraph (ii) of the said pro-

dertig was" deur die woorde „toepaslike koers" en in sub-paragraaf (ii) van daardie paragraaf die woorde „bedoelde datum" deur die woorde „die datum waarop die grond aan die Regering getransporteer was" te vervang; en

(*g*) deur die volgende paragraaf by sub-artikel (9) te voeg, terwyl die bestaande sub-artikel paragraaf (*a*) word:

„(*b*) Geen hereg of seëlreg is betaalbaar nie ten opsigte van dié deel van die toekenningsprys van grond ingevolge hierdie artikel aan iemand toegeken, wat die koopprys verteenwoordig van grond vir die doeleindes van sodanige toekenning van so iemand verkry.".

4. Artikel *een-en-twintig* van die Hoofwet word hierby gewysig deur in paragraaf (*a*) van sub-artikel (2) die woord „Goewerneur-generaal" deur die woord „Minister" te vervang.

Wysiging van artikel 21 van Wet 21 van 1956, soos gewysig deur artikel 7 van Wet 13 van 1959 en artikel 6 van Wet 28 van 1960.

5. Artikel *drie-en-twintig* van die Hoofwet word hierby gewysig deur in die voorbehoudsbepaling by paragraaf (*b*) van sub-artikel (2) die woorde „koers wat op bedoelde datum die heersende koers vir die doeleindes van sub-artikel (3) van artikel *drie-en-dertig* was" deur die woorde „toepaslike koers" te vervang.

Wysiging van artikel 23 van Wet 21 van 1956, soos gewysig deur artikel 9 van Wet 13 van 1959.

6. Artikel *nege-en-twintig* van die Hoofwet word hierby gewysig deur in sub-paragraaf (i) van paragraaf (*c*) van sub-artikel (6) die woorde „elke paragraaf" deur die woorde „paragrawe (*a*) tot en met (*e*)" te vervang.

Wysiging van artikel 29 van Wet 21 van 1956, soos gewysig deur artikel 8 van Wet 28 van 1960.

7. Artikel *dertig* van die Hoofwet word hierby gewysig deur in sub-artikel (2) die woorde „of, in die geval van 'n oorsese applikant, uit die kantoor van die Hoë Kommissaris van die Unie in die Verenigde Koninkryk" te skrap.

Wysiging van artikel 30 van Wet 21 van 1956.

8. (1) Artikel *een-en-dertig* van die Hoofwet word hierby gewysig—

(*a*) deur in sub-paragraaf (ii) van paragraaf (*b*) van sub-artikel (4) die woorde „koers van drie en 'n halfpersent" deur die woorde „toepaslike koers" te vervang;

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

„Met dien verstande dat indien die huurder 'n bedrag ter vermindering van bedoelde koopprys betaal, die huurgeld dienooreenkomstig verminder word"; en

(*c*) deur in sub-artikel (5) die woorde „drie en 'n halfpersent per jaar" waar hulle die eerste maal voorkom deur die woorde „rente, bereken teen die toepaslike koers," te vervang, en die woorde „gelyk aan drie en 'n halfpersent per jaar op die koopprys" te skrap.

(2) Paragraaf (*b*) van sub-artikel (1) word geag op die eerste dag van Februarie 1963 in werking te getree het.

Wysiging van artikel 31 van Wet 21 van 1956, soos gewysig deur artikel 9 van Wet 28 van 1960.

9. Artikel *drie-en-dertig* van die Hoofwet word hierby gewysig deur in sub-artikel (3) en in die voorbehoudsbepaling by sub-artikel (4) die woorde „koers van drie en 'n halfpersent per jaar" deur die woorde „toepaslike koers" te vervang.

Wysiging van artikel 33 van Wet 21 van 1956.

10. Artikel *nege-en-dertig* van die Hoofwet word hierby gewysig—

(*a*) deur in paragraaf (*b*) van sub-artikel (1) die woorde „drie en 'n halfpersent per jaar" deur die woorde „die toepaslike koers" te vervang;

(*b*) deur in paragraaf (*a*) van sub-artikel (2) na die woord „kan" waar dit die eerste maal voorkom die woorde „op die voorwaardes wat hy goedvind" in te voeg;

(*c*) deur in paragraaf (i) van die voorbehoudsbepaling by paragraaf (*b*) van daardie sub-artikel die woorde na die woord „teen" deur die woorde „'n koers gelyk aan die rente op die koopprys bereken teen die toepaslike koers" te vervang;

(*d*) deur in paragraaf (ii) van bedoelde voorbehouds-

Wysiging van artikel 39 van Wet 21 van 1956, soos gewysig deur artikel 13 van Wet 13 van 1959 en artikel 10 van Wet 28 van 1960.

the purchase price by the lessee in terms of section *twenty* shall be regarded as an instalment of the purchase price."; and

(*f*) by the insertion after sub-section (6) of the following sub-section:—

"(6)*bis* Whenever the Minister requires any land forming part of a holding he may, upon such terms and conditions as may be agreed upon with the lessee, exclude that land from such holding and alter the boundaries of the holding accordingly.".

Insertion of section 41*bis* in Act 21 of 1956.

11. (1) The following section is hereby inserted in the principal Act after section *forty-one*:

"Outstanding rent or interest may in certain circumstances be placed in suspense account.

41*bis*. (1) Whenever a lessee fails to pay any rent or interest payable by him in respect of his holding or any interest due on any advance made to him under this Act, the Minister may, on the recommendation of the board, if he is satisfied that the failure on the part of the lessee is due to drought, flood, tempest, locusts, shortage of water, crop failures, stock diseases or other adverse farming conditions, record the amount due in a separate suspense account opened for the lessee.

(2) Any amount so recorded shall be payable by the lessee on or before the date on which the last instalment of the purchase price of his holding is required to be paid, or, if the lease is cancelled, terminated or surrendered, forthwith upon such cancellation, termination or surrender, and no deed of grant or deed of transfer shall be issued until such amount has been paid.

(3) No interest shall be payable on any such amount.".

(2) Sub-section (1) shall be deemed to have come into operation on the first day of December, 1962.

Amendment of section 42 of Act 21 of 1956, as amended by section 14 of Act 13 of 1959.

12. Section *forty-two* of the principal Act is hereby amended—

(*a*) by the substitution in sub-section (2) for the words "rate of three and three-quarters per cent. per annum" of the words "appropriate rate"; and

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

"(6) The Minister may, on application by a lessee, and subject to the recommendation of the board, make advances to such lessee in order to enable him to meet any necessary expenses incurred or to be incurred by him for farming purposes, and the amount of any advance so made shall be added to the purchase price of the holding in question, together with interest thereon at the appropriate rate from the date on which the advance is paid out up to the date on which the amount is so added, and thereafter any rent or instalments of the purchase price or interest payable by the lessee shall be increased accordingly with effect from the commencement of the first ensuing period in respect of which such rent or instalment or interest becomes payable under the lease.".

Amendment of section 45 of Act 21 of 1956, as amended by section 15 of Act 13 of 1959.

13. Section *forty-five* of the principal Act is hereby amended by the addition thereto of the following sub-section:

"(6) (*a*) Whenever any amount referred to in sub-section (1) has become payable by any lessee and has remained unpaid for a period of fourteen days after the due date, the Minister may without recourse to any court of law cause any stock or movable property referred to in sub-section (2) belonging to the lessee, and any stock, implements or other things referred to in section *fifty-five*, wherever they may be, to be seized, and may, if any such movable property or things consist of standing crops, cause such crops to be reaped and threshed, or, if any such movable property or things consist of crops which have been reaped, cause such crops

deur die huurder tot die koopprys bygedra, as 'n paaiement van die koopprys beskou."; en

(*f*) deur na sub-artikel (6) die volgende sub-artikel in te voeg:

„(6)*bis* Wanneer die Minister grond nodig het wat deel van 'n hoewe uitmaak, kan hy daardie grond op die bedinge en voorwaardes waarop met die huurder ooreengekom word, van dié hoewe uitsluit en die grense van die hoewe dienooreenkomstig verander.".

Invoeging van artikel 41*bis* in Wet 21 van 1956.

11. (1) Die volgende artikel word hierby in die Hoofwet na artikel *een-en-veertig* ingevoeg:

„Uitstaande huurgeld of rente kan in sekere omstandighede op afwagtingsrekening geplaas word.

41*bis*. (1) Wanneer 'n huurder in gebreke bly om deur hom verskuldigde huurgeld of rente ten opsigte van sy hoewe of rente verskuldig op 'n voorskot kragtens hierdie Wet aan hom toegestaan, te betaal, kan die Minister, op aanbeveling van die raad, en indien hy oortuig is dat die huurder se versuim aan droogte, oorstromings, storms, sprinkane, gebrek aan water, misoeste, veesiektes of ander ongunstige boerderyomstandighede te wyte is, die verskuldigde bedrag in 'n aparte afwagtingsrekening aanteken wat vir die huurder geopen word.

(2) 'n Aldus aangetekende bedrag is deur die huurder betaalbaar op of voor die datum waarop die laaste paaiement van die koopprys van sy hoewe betaal moet word, of, ingeval die huurkontrak gekanselleer of beëindig of daarvan afstand gedoen word, onverwyld by sodanige kansellering, beëindiging of afstand, en geen grondbrief of transportakte word uitgereik voordat bedoelde bedrag betaal is nie.

(3) Geen rente is op so'n bedrag betaalbaar nie.".

(2) Sub-artikel (1) word geag op die eerste dag van Desember 1962 in werking te getree het.

Wysiging van artikel 42 van Wet 21 van 1956, soos gewysig deur artikel 14 van Wet 13 van 1959.

12. Artikel *twee-en-veertig* van die Hoofwet word hierby gewysig—

(*a*) deur in sub-artikel (2) die woorde „koers van drie en drie-kwart persent per jaar" deur die woorde „toepaslike koers" te vervang; en

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

„(6) Die Minister kan, op aansoek deur 'n huurder, en onderworpe aan die aanbeveling van die raad, voorskotte aan dié huurder verleen ten einde hom in staat te stel om enige nodige uitgawes te dek wat hy vir boerderydoeleindes aangegaan het of moet aangaan, en die bedrag van 'n aldus verleende voorskot word by die koopprys van die betrokke hoewe gevoeg, tesame met rente daarop teen die toepaslike koers vanaf die datum waarop die voorskot uitbetaal word tot die datum waarop die bedrag aldus bygevoeg word, en daarna word enige huurgeld of paaiemente van die koopprys of rente wat deur die huurder betaalbaar is, dienooreenkomstig verhoog met ingang van die begin van die eersvolgende tydperk ten opsigte waarvan sodanige huurgeld of paaiement of rente ingevolge die huurkontrak betaalbaar word.".

Wysiging van artikel 45 van Wet 21 van 1956, soos gewysig deur artikel 15 van Wet 13 van 1959.

13. Artikel *vyf-en-veertig* van die Hoofwet word hierby gewysig deur die volgende sub-artikel daarby te voeg:

„(6) (*a*) Wanneer 'n in sub-artikel (1) bedoelde bedrag deur 'n huurder betaalbaar geword en vir 'n tydperk van veertien dae na die vervaldag onbetaald gebly het, kan die Minister sonder om hom op 'n geregshof te beroep enige in sub-artikel (2) bedoelde vee of losgoed wat aan die huurder behoort en enige vee, gereedskap of ander goed in artikel *vyf-en-vyftig* bedoel, in beslag laat neem, waar dit ook al is, en kan hy, as dié losgoed of goed uit ongeoeste gewasse of gesaaides bestaan, daardie gewasse of gesaaides laat oes

any action taken under that paragraph, shall be applied towards the payment or reduction of the amount due by the lessee, and the balance, if any, shall be paid to the lessee.

(*c*) For the purposes of this sub-section movable property or property includes all crops cultivated by the lessee, whether or not already reaped.".

Amendment of section 53 of Act 21 of 1956, as amended by section 18 of Act 13 of 1959 and section 11 of Act 28 of 1960.

14. (1) Section *fifty-three* of the principal Act is hereby amended—

(*a*) by the addition at the end of paragraph (*b*) of sub-section (1) of the word "or" and the insertion after that paragraph of the following paragraph:

"(*c*) enabling any lessee to meet necessary expenses incurred or to be incurred by him for farming purposes,";

(*b*) by the deletion of sub-section (2); and

(*c*) by the substitution in sub-section (5) for the words "rate of three and one half per cent. per annum" of the words "appropriate rate", the deletion in that sub-section of the words "not exceeding ten years", and the insertion in that sub-section after the word "may" of the words "on the recommendation of the board".

(2) Paragraph (*b*) of sub-section (1) shall be deemed to have come into operation on the first day of September, 1962.

Amendment of section 60 of Act 21 of 1956, as amended by section 12 of Act 81 of 1957 and section 19 of Act 13 of 1959.

15. Section *sixty* of the principal Act is hereby amended by the substitution in paragraph (*b*) of sub-section (5) for the words "four per cent. per annum" of the words "the interest payable by the lessee under the lease".

Repeal of sections 70 and 71 of Act 21 of 1956.

16. (1) Sections *seventy* and *seventy-one* of the principal Act are hereby repealed.

(2) Any condition referred to in section *seventy* of the principal Act which has been included in any deed of grant or deed of transfer of a holding issued under that Act or any law thereby repealed, shall lapse at the commencement of this Act.

(3) The registrar of deeds concerned shall free of charge make on any such deed of grant or deed of transfer submitted to him by the lessee or owner concerned and on the copy thereof filed in his registry an endorsement to the effect that the condition in question has lapsed, and make the necessary entries in his registers.

Substitution of references to Union and Governor-General in Act 21 of 1956.

17. Subject to the provisions of paragraph (*a*) of section *two* and section *four* of this Act, the principal Act is hereby amended by the substitution for the words "Union" and "Governor-General" wherever they occur of the words "Republic" and "State President" respectively.

Insertion of section 2*bis* in Act 48 of 1961.

18. The following section is hereby inserted in the State Land Disposal Act, 1961, after section *two*:

"Temporary leases of land intended for settlement purposes.

2*bis*. (1) Notwithstanding anything to the contrary contained in the Land Settlement Act, 1956 (Act No. 21 of 1956), or any other law, the Minister may from time to time lease any State land which is not required for immediate allotment or is not suitable for allotment with an option to purchase under that Act, for periods not exceeding five years at a time.

(2) The provisions of sections *thirty-seven*, *thirty-eight*, *forty-two*, *forty-five*, *fifty-three*, *fifty-five*, *sixty*, *sixty-two*, *sixty-six*, and *seventy-seven* of the said Act shall, in so far as they can be applied, *mutatis mutandis* apply in relation to any lease entered into under this section, and for that purpose any reference in that Act to a lessee shall be construed as a reference to a lessee in terms of a lease so entered into and any reference therein

enige stappe ingevolge daardie paragraaf gedoen, word aangewend tot betaling of vermindering van die bedrag deur die huurder verskuldig, en die oorskot (as daar is) word aan die huurder betaal.

(*c*) By die toepassing van hierdie sub-artikel sluit losgoed of goed alle gewasse in wat deur die huurder verbou is, hetsy reeds ingesamel al dan nie.".

Wysiging van artikel 53 van Wet 21 van 1956, soos gewysig deur artikel 18 van Wet 13 van 1959 en artikel 11 van Wet 28 van 1960.

14. (1) Artikel *drie-en-vyftig* van die Hoofwet word hierby gewysig—

(*a*) deur aan die end van paragraaf (*b*) van sub-artikel (1) die woord „of" by te voeg en na daardie paragraaf die volgende paragraaf in te voeg:

„(*c*) 'n huurder in staat te stel om enige nodige koste te dek wat hy vir boerderydoeleindes aangegaan het of moet aangaan,";

(*b*) deur sub-artikel (2) te skrap; en

(*c*) deur in sub-artikel (5) die woorde „koers van drie en 'n halfpersent per jaar" deur die woorde „toepaslike koers" te vervang, die woorde „maar hoogstens tien jaar" te skrap en na die woord „Minister" die woorde „op aanbeveling van die raad" in te voeg.

(2) Paragraaf (*b*) van sub-artikel (1) word geag op die eerste dag van September 1962 in werking te getree het.

Wysiging van artikel 60 van Wet 21 van 1956, soos gewysig deur artikel 12 van Wet 81 van 1957 en artikel 19 van Wet 13 van 1959.

15. Artikel *sestig* van die Hoofwet word hierby gewysig deur in paragraaf (*b*) van sub-artikel (5) die woorde „vier persent per jaar" deur die woorde „rente teen die koers wat volgens die huurkontrak deur die huurder betaalbaar is" te vervang.

Herroeping van artikels 70 en 71 van Wet 21 van 1956.

16. (1) Artikels *sewentig* en *een-en-sewentig* van die Hoofwet word hierby herroep.

(2) Enige voorwaarde in artikel *sewentig* van die Hoofwet bedoel wat ingesluit is in 'n grondbrief of transportakte van 'n hoewe ingevolge daardie Wet of 'n daarby herroepe wet uitgereik, verval by die inwerkingtreding van hierdie Wet.

(3) Die betrokke registrateur van aktes moet by voorlegging aan hom van so'n grondbrief of transportakte deur die betrokke huurder of eienaar, gratis daarop en op die afskrif daarvan wat in sy registrasiekantoor bewaar word, endosseer dat bedoelde voorwaarde verval het en die nodige inskrywings in sy registers maak.

Vervanging van verwysings na Unie en Goewerneur-generaal in Wet 21 van 1956.

17. Behoudens die bepalings van paragraaf (*a*) van artikel *twee* en artikel *vier* van hierdie Wet, word die Hoofwet hierby gewysig deur die woorde „Unie" en „Goewerneur-generaal" waar hulle ook al voorkom, onderskeidelik deur die woorde „Republiek" en „Staatspresident" te vervang.

Invoeging van artikel 2*bis* in Wet 48 van 1961.

18. Die volgende artikel word hierby na artikel *twee* in die Wet op die Beskikking oor Staatsgrond, 1961, ingevoeg:

,Tydelike verhurings van grond bestem vir nedersettingsdoeleindes.

2*bis*. (1) Ondanks andersluidende bepalings van die Nedersettingswet, 1956 (Wet No. 21 van 1956), of ander wetsbepalings, kan die Minister van tyd tot tyd enige Staatsgrond wat nie vir onmiddellike toekenning ingevolge daardie Wet nodig of nie vir sodanige toekenning met 'n opsie om dit te koop, geskik is nie, verhuur vir tydperke wat vyf jaar op 'n keer nie te bowe gaan nie.

(2) Die bepalings van artikels *sewe-en-dertig*, *agt-en-dertig*, *twee-en-veertig*, *vyf-en-veertig*, *drie-en-vyftig*, *vyf-en-vyftig*, *sestig*, *twee-en-sestig*, *ses-en-sestig* en *sewe-en-sewentig* van bedoelde Wet is, vir sover hulle toegepas kan word, *mutatis mutandis* van toepassing met betrekking tot 'n huurkontrak ingevolge hierdie artikel aangegaan, en vir dié doel word 'n verwysing in daardie Wet na 'n huurder uitgelê as 'n verwysing na 'n huurder ingevolge 'n huurkontrak aldus aangegaan, en word 'n verwysing daarin na 'n hoewe uitgelê as 'n verwysing na die grond wat die onderwerp van so'n huurkontrak is.".

Kort titel.

19. Hierdie Wet heet die Wysigingswet op Nedersetting, 1963.