



REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Price 10c Prys
Overseas 15c Oorsee
POST FREE—POSVRV

[OL. 82.]

CAPE TOWN, 5TH APRIL, 1972.

KAAPSTAD, 5 APRIL 1972.

[No. 3457.]

DEPARTMENT OF THE PRIME MINISTER.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 555. 5th April, 1972.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 15 of 1972: Agricultural Credit Amendment Act, 1972.

No. 555.

5 April 1972.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring gegee het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 15 van 1972: Wysigingswet op Landboukrediet, 1972.

Wet No. 15, 1972

WYSIGINGSWET OP LANDBOUKREDIET, 1972.

WET

Om die bepalings van die Wet op Landboukrediet, 1966, te wysig met betrekking tot die verlening van bystand vir die vestiging of bestuur van 'n private bos; met betrekking tot die samevoeging van verhaalbare bedrae by die verlening van bystand ingevolge bedoelde Wet; en met betrekking tot rente betaalbaar ten opsigte van 'n in artikel 10 (2) van daardie Wet bedoelde lening vir die bou van 'n waterwerk wat 'n bepaalde bedrag oorskry; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 23 Maart 1972.)

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

Wysiging van artikel 10 van Wet 28 van 1966, soos vervang deur artikel 2 van Wet 45 van 1968 en gewysig deur artikel 5 van Wet 66 van 1970.

1. Artikel 10 van die Wet op Landboukrediet, 1966 (hieronder die Hoofwet genoem), word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

„(2) 'n Lening kragtens subartikel (1) vir die oprigting van grondbewaringswerke of die verrigting van 'n handeling ter voldoening aan 'n voorskrif soos in die Grondbewaringswet, 1969 (Wet No. 76 van 1969), bedoel, word slegs op aanbeveling van die Minister of sy gevolmagtigde toegestaan, en so 'n lening vir die bou van 'n waterwerk soos in die Waterwet, 1956 (Wet No. 54 van 1956), bedoel, word slegs op aanbeveling van die Minister van Waterwese of sy gevolmagtigde toegestaan, en so 'n lening vir die vestiging of bestuur van 'n private bos soos in die Boswet, 1968 (Wet No. 72 van 1968), bedoel, word slegs op aanbeveling van die Minister van Bosbou of sy gevolmagtigde toegestaan.”.

Vervanging van artikel 11 van Wet 28 van 1966.

2. Artikel 11 van die Hoofwet word hierby deur die volgende artikel vervang:

„Bystandsverlening deur Minister.

11. Die Minister kan na goeddunke en op die bedinge en voorwaardes deur hom bepaal, maar behoudens die bepalings van artikel 15, op aansoek van enige persoon wat 'n blanke is, aan daardie persoon bystand verleen—

(a) by wyse van die oordrag op bedoelde persoon van die aanspreeklikheid vir die terugbetaling van 'n bedrag ingevolge hierdie Wet of 'n wet wat by hierdie Wet of die Wysigingswet op Landboukrediet, 1970 (Wet No. 66 van 1970), herroep is, op 'n ander persoon verhaalbaar, indien daardie ander persoon tot die oordrag toestem;

AGRICULTURAL CREDIT AMENDMENT ACT, 1972.

Act No. 15, 1972

ACT

To amend the provisions of the Agricultural Credit Act, 1966, relating to the rendering of assistance for the establishment or management of a private forest; relating to the consolidation of amounts recoverable on the rendering of assistance in terms of the said Act; and relating to interest payable in respect of a loan referred to in section 10 (2) of the said Act for the construction of water works exceeding a fixed amount; and to provide for incidental matters.

*(English text signed by the Acting State President.)
(Assented to 23rd March, 1972.)*

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

1. Section 10 of the Agricultural Credit Act, 1966 (hereinafter referred to as the principal Act), is hereby amended by the substitution for subsection (2) of the following subsection:

Amendment of section 10 of Act 28 of 1966, as substituted by section 2 of Act 45 of 1968 and amended by section 5 of Act 66 of 1970.

“(2) A loan under subsection (1) for the construction of soil conservation works or the performance of an act in compliance with a direction contemplated in the Soil Conservation Act, 1969 (Act No. 76 of 1969), shall be granted only on the recommendation of the Minister or his deputy, and any such loan for the construction of water works as contemplated in the Water Act, 1956 (Act No. 54 of 1956), shall be granted only on the recommendation of the Minister of Water Affairs or his deputy, and any such loan for the establishment or management of a private forest as contemplated in the Forest Act, 1968 (Act No. 72 of 1968), shall be granted only on the recommendation of the Minister of Forestry or his deputy.”.

2. The following section is hereby substituted for section 11 of the principal Act:

Substitution of section 11 of Act 28 of 1966.

“Assistance rendered by Minister.

11. The Minister may in his discretion, and on such terms and conditions as he may determine, but subject to the provisions of section 15, render assistance to any white person applying for such assistance—

(a) by transferring to such person the liability for repayment of any amount recoverable under this Act or any law repealed by this Act or the Agricultural Credit Amendment Act, 1970 (Act No. 66 of 1970), from any other person, if such other person consents to the transfer;

Wet No. 15, 1972

WYSIGINGSWET OP LANDBOUKREDIET, 1972.

- (b) by wyse van samevoeging van alle bedrae wat deur die Staat op eersbedoelde persoon verhaalbaar is uit hoofde van die toepassing van hierdie Wet of 'n wetsbepaling wat by hierdie Wet of die Wysigingswet op Landboukrediet, 1970, herroep is."

Vervanging van artikel 12 van Wet 28 van 1966, soos vervang deur artikel 1 van Wet 10 van 1971.

3. Artikel 12 van die Hoofwet word hierby deur die volgende artikel vervang:

„Verval van persoon se regte, pligte en verpligtings.

12. Die bedinge en voorwaardes waarop bystand verleen word aan 'n persoon moet daarvoor voorsiening maak dat bedoelde persoon se bestaande regte, pligte en verpligtings ingevolge hierdie Wet of 'n wetsbepaling wat by hierdie Wet of die Wysigingswet op Landboukrediet, 1970 (Wet No. 66 van 1970), herroep is, verval ten opsigte van die bedrae wat op die in artikel 14 (1) bedoelde datum saamgevoeg word.

Wysiging van artikel 14 van Wet 28 van 1966, soos gewysig deur artikel 2 van Wet 10 van 1971.

4. Artikel 14 van die Hoofwet word hierby gewysig deur subartikels (1) en (2) deur die volgende subartikels te vervang:

„(1) Indien bystand aan 'n persoon verleen word, word vanaf die datum deur die Minister bepaal die bedrae saamgevoeg wat vermeld word in die bedinge en voorwaardes waarop bystand verleen word en wat deur die Staat op bedoelde persoon verhaalbaar is weens die verlening van bystand aan hom of uit hoofde van die toepassing van 'n wetsbepaling wat by hierdie Wet of die Wysigingswet op Landboukrediet, 1970 (Wet No. 66 van 1970), herroep is.

(2) Die aldus saamgestelde bedrag word, behoudens die reg van die Minister of raad om addisionele sekuriteit te eis, geag versekureer te wees uit hoofde van enige bestaande sekuriteit deur bedoelde persoon verstrekk ten opsigte van verleende bystand of weens die toepassing van 'n wetsbepaling wat by hierdie Wet of die Wysigingswet op Landboukrediet, 1970, herroep is, en is op die deur die Minister of raad bepaalde bedinge en voorwaardes terugbetaalbaar asof dit deur die Staat of bedoelde persoon verhaalbaar is weens die verlening van bystand aan hom."

Wysiging van artikel 15 van Wet 28 van 1966, soos vervang deur artikel 3 van Wet 10 van 1971.

5. (1) Artikel 15 van die Hoofwet word hierby gewysig—

- (a) deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Indien 'n in artikel 10 (2) bedoelde lening vir die bou van 'n waterwerk 'n bedrag oorskry soos van tyd tot tyd deur die Minister na oorlegpleging met die raad bepaal, word daar, tensy die raad by die verlening van bystand in 'n bepaalde geval anders bepaal, en behoudens die bepalings van subartikel (3), op enige uitstaande bedrag wat weens bedoelde lening verhaalbaar is, rente gevra teen die koers wat, op die datum waarop bedoelde lening of die leningspaalement uitbetaal is, ten opsigte van Staatslenings en -voorskotte geld uit hoofde van 'n kennisgewing kragtens artikel 1 van die „Finansiële Regelingswet, 1917" (Wet No. 42 van 1917), in die *Staatskoerant* gepubliseer;" en

- (b) deur die volgende subartikel by te voeg:

„(3) Die Minister kan by die bepaling van 'n bedrag ingevolge subartikel (2), 'n verskil maak tussen die bedrae van sodanige lenings in die Republiek en in die gebied."

AGRICULTURAL CREDIT AMENDMENT ACT, 1972.

Act No. 15, 1972

- (b) by consolidating all amounts recoverable by the State from such firstmentioned person by virtue of the application of this Act or any law repealed by this Act or the Agricultural Credit Amendment Act, 1970.”.

3. The following section is hereby substituted for section 12 of the principal Act:

Substitution of section 12 of Act 28 of 1966, as substituted by section 1 of Act 10 of 1971.

“Lapsing of person's rights, duties and obligations.

12. The terms and conditions on which any assistance shall be rendered to any person shall provide that his existing rights, duties and obligations under this Act or any law repealed by this Act, or the Agricultural Credit Amendment Act, 1970 (Act No. 66 of 1970), shall lapse in respect of those amounts which are consolidated on the date referred to in section 14 (1).

4. Section 14 of the principal Act is hereby amended by the substitution for subsections (1) and (2) of the following subsections:

Amendment of section 14 of Act 28 of 1966, as amended by section 2 of Act 10 of 1971.

“(1) If assistance is rendered to any person such amounts as are specified in the terms and conditions under which assistance is rendered and which are recoverable from the said person by the State on account of rendering assistance to him or by virtue of the application of any law repealed by this Act or the Agricultural Credit Amendment Act, 1970 (Act No. 66 of 1970), shall be consolidated as from such date as the Minister may determine.

(2) The consolidated amount shall, subject to the right of the Minister or board to require additional security, be deemed to be secured by virtue of any existing security furnished by the said person in respect of assistance rendered or on account of the application of any law repealed by this Act or the Agricultural Credit Amendment Act, 1970, and shall be repayable on such terms and conditions as the Minister or board may determine as if it were recoverable by the State from such person on account of assistance rendered to him.”.

5. (1) Section 15 of the principal Act is hereby amended—

Amendment of section 15 of Act 28 of 1966, as substituted by section 3 of Act 10 of 1971.

- (a) by the substitution for subsection (2) of the following subsection:

“(2) If a loan referred to in section 10 (2) for the construction of water works exceeds an amount determined from time to time by the Minister after consultation with the board, unless the board on the rendering of assistance in a particular case otherwise determines, and subject to the provisions of subsection (3), interest at the rate which, on the date on which the said loan or the loan instalment is paid out, is by virtue of a notice published in the *Gazette* under section 1 of the Financial Adjustments Act, 1917 (Act No. 42 of 1917), applicable in respect of State loans and advances, shall be charged on any amount outstanding which is recoverable on account of the said loan.”; and

- (b) by the addition of the following subsection:

“(3) The Minister may, when determining an amount under subsection (2), differentiate between the amounts of such loans in the Republic and in the territory.”.

Wet No. 15, 1972

WYSIGINGSWET OP LANDBOUKREDIET, 1972.

(2) Die wysigings wat deur subartikel (1) in die Hoofwet aangebring is, behalwe die wysiging in verband met die rentekoers, wat op die datum waarop die leningspaalement uitbetaal is, ten opsigte van staatslenings en -voorskotte geld, word geag op die eerste dag van Desember 1970 in werking te getree het.

Vervanging van
artikel 16 van Wet
28 van 1966.

6. Artikel 16 van die Hoofwet word hierby deur die volgende artikel vervang:

„Beper-
kende voor-
waardes op
onroerende
goed vir
kontant
verkoop.

16. Indien bystand aan 'n persoon verleen word by wyse van die verkoop aan hom van onroerende goed vir kontant, is artikel 35 (1) (a) en (b) en (2), (3) en (4) *mutatis mutandis* van toepassing asof daar op daardie goed 'n verband ingevolge artikel 34 geregistreer moet word en asof die koper die verbandgewer is.”.

Kort titel.

7. Hierdie Wet heet die Wysigingswet op Landboukrediet, 1972.

AGRICULTURAL CREDIT AMENDMENT ACT, 1972.

Act No. 15, 1972

(2) The amendments effected to the principal Act by subsection (1), except the amendment relating to the rate of interest which is applicable in respect of State loans and advances on the date on which the loan instalment is paid out, shall be deemed to have come into operation on the first day of December, 1970.

6. The following section is hereby substituted for section 16 of the principal Act:

Substitution of section 16 of Act 28 of 1966.

"Restrictive conditions on immovable property sold for cash. 16. If assistance is rendered to any person by selling immovable property to him for cash, section 35 (1) (a) and (b) and (2), (3) and (4) shall *mutatis mutandis* apply as if a mortgage bond over that property were to be registered under section 34 and as if the purchaser were the mortgagor."

7. This Act shall be called the Agricultural Credit Amendment Act, 1972. Short title.

