



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER.

DEPARTMENT OF THE PRIME MINISTER.

No. 382. 14 Maart 1973.

No. 382. 14th March, 1973.

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

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

No. 5 van 1973: Wet op Universitêre Opleiding (Landbou- en Veeartseny-aangeleenthede), 1973.

No. 5 of 1973: University Education (Agricultural and Veterinary Science Affairs) Act, 1973.

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UNIVERSITY EDUCATION (AGRICULTURAL AND
VETERINARY SCIENCE AFFAIRS) ACT, 1973.**ACT**

To regulate the status of certain officers and employees who are employed in the various Faculties of Agriculture and Veterinary Science at certain universities; to provide for the legalization of certain faculties and of certain activities at certain faculties; the transfer of certain movable and immovable property to certain universities; the defraying of the cost of certain equipment and the construction of certain buildings which are intended for use in connection with the activities of the various Faculties of Agriculture and Veterinary Science at certain universities; and the transfer of the control and administration of the Faculty of Agriculture at the University of Stellenbosch to the council of the said university; to amend section 8 of the University of Stellenbosch Act, 1959; to repeal the Stellenbosch-Elsenburg College of Agriculture Act, 1926, and section 5 of the Finance Act, 1959; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 7th March, 1973.)*

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

Definitions.

1. In this Act, unless the context otherwise indicates—
 - “employee” means an employee as defined in section 1 (1) of the Public Service Act, 1957 (Act No. 54 of 1957);
 - “department” means the Department of Agricultural Technical Services;
 - “faculty” means any faculty of agriculture or veterinary science at any university;
 - “Minister” means the Minister of Agriculture;
 - “officer” means an officer as defined in section 1 (1) of the Public Service Act, 1957;
 - “Secretary” means the Secretary for Agricultural Technical Services;
 - “university” means the University of Stellenbosch as defined in section 1 of the University of Stellenbosch Act, 1959 (Act No. 37 of 1959), the University of Natal as defined in section 1 of the University of Natal (Private) Act, 1960 (Act No. 7 of 1960), the University of the Orange Free State as defined in section 39 of the University of the Orange Free State (Private) Act, 1949 (Act No. 21 of 1949), and the University of Pretoria as defined in section 33 of the University of Pretoria (Private) Act, 1930 (Act No. 13 of 1930).

Legalization of
certain faculties
and activities of
certain faculties.

2. (1) Notwithstanding anything to the contrary contained in any other law any faculty which at any time before the date of commencement of this section purported to be a faculty of the university concerned, shall be deemed for all purposes to have been a faculty of that university and anything (including the conferring by the university concerned of any degree in a

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Om die posisie te reël van sekere beamptes en werknemers wat in diens is by die verskillende Fakulteite van Landbou en Veeartsenykunde aan sekere universiteite; om voorsiening te maak vir die wettiging van sekere fakulteite en van sekere werksaamhede by sekere fakulteite; die oordrag van sekere roerende en onroerende eiendom aan sekere universiteite; die bestryding van die koste van sekere toerusting en die oprigting van sekere geboue wat vir gebruik in verband met die werksaamhede van die verskillende Fakulteite van Landbou en Veeartsenykunde aan sekere universiteite bestem is; en die oordrag van die toesig oor en die administrasie van die Fakulteit van Landbou aan die Universiteit van Stellenbosch aan die raad van daardie universiteit; om artikel 8 van die Wet op die Universiteit van Stellenbosch, 1959, te wysig; om die Stellenbosch-Elsenburg Landboukollege Wet, 1926, en artikel 5 van die Finansiëwet, 1959, te herroep; en om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 7 Maart 1973.)

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

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

Woordomskrywing.

- „beampte” ’n beampte soos omskryf in artikel 1 (1) van die Staatsdienswet, 1957 (Wet No. 54 van 1957);
- „departement” die Departement van Landbou-tegniese Dienste;
- „fakulteit” ’n fakulteit van landbou of veeartsenykunde aan ’n universiteit;
- „Minister” die Minister van Landbou;
- „Sekretaris” die Sekretaris van Landbou-tegniese Dienste;
- „universiteit” die Universiteit van Stellenbosch soos omskryf in artikel 1 van die Wet op die Universiteit van Stellenbosch, 1959 (Wet No. 37 van 1959), die Universiteit van Natal soos omskryf in artikel 1 van die Private Wet op die Universiteit van Natal, 1960 (Wet No. 7 van 1960), die Universiteit van die Oranje-Vrystaat soos omskryf in artikel 39 van die Private Wet op die Universiteit van die Oranje-Vrystaat, 1949 (Wet No. 21 van 1949), en die Universiteit van Pretoria soos omskryf in artikel 33 van die Private Wet op die Universiteit van Pretoria, 1930 (Wet No. 13 van 1930);
- „werknemer” ’n werknemer soos omskryf in artikel 1 (1) van die Staatsdienswet, 1957.

2. (1) Ondanks ander wetsbepalings word ’n fakulteit wat te eniger tyd voor die datum van inwerkingtreding van hierdie artikel ’n fakulteit aan die betrokke universiteit heet te gewees het, vir alle doeleindes geag ’n fakulteit van daardie universiteit te gewees het, en word enigiets (met inbegrip van die toekenning van ’n graad in ’n fakulteit deur die betrokke

Wettiging van sekere fakulteite en werksaamhede van sekere fakulteite.

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faculty and the appointment of any professor, lecturer or other teacher at such faculty) done at any time before the said date in connection with the university activities of any such faculty shall be deemed to have been done by virtue of the provisions of any law which applies or applied to the university concerned.

(2) In subsection (1) "university" does not include the University of Stellenbosch.

Officers and
employees
employed in
faculties.

3. (1) As from a date fixed by the Minister by notice in the *Gazette*, every officer or employee who on that date is employed in any faculty, shall become a person in the employ of the university concerned, except—

- (a) where such officer or employee has within thirty days from that date in writing advised the university concerned through the Secretary that he desires to remain in the service of the State; or
- (b) any officer or employee in respect of whom the university concerned has within the said period in writing advised the Secretary that the said university does not wish to take such officer or employee into its service.

(2) The Secretary shall forthwith communicate the contents of any advice received by him under subsection (1) to the university or officer or employee concerned, as the case may be.

(3) Save in pursuance of disciplinary measures applied by the university concerned, the salary or scale of salary of any officer or employee who in terms of subsection (1) becomes a person in the employ of the said university shall not without his consent be reduced.

(4) Any leave which accrued in favour of any such officer or employee before he became a person in the employ of the university concerned, shall be deemed to have accrued in his favour by virtue of service with such university.

(5) Different dates may in terms of subsection (1) be fixed in respect of different faculties.

Transfer of
property.

4. (1) The Minister, acting in consultation with the Minister of Finance and the council of any university, may from time to time transfer to the university concerned any property, movable or immovable, vesting in the State and which, before the commencement of this section, was used exclusively in connection with the university activities of any faculty at such university: Provided that such immovable property as the Minister, in consultation with the Minister of Finance, may determine and which, before the commencement of this section, was used in connection with the university activities of the Faculty of Agriculture at the University of Stellenbosch may also be transferred to the said university.

(2) The officer in charge of any deeds registry in which immovable property transferred in terms of subsection (1) is registered shall, on production to him of the title deeds of such property, and a declaration signed by the Minister that such property has been so transferred, endorse the transfer on the said title deeds and make suitable entries of the transfer in the records in his office.

(3) No office fees, stamp duty or transfer duty shall be payable in connection with the transfer of any property in terms of this section.

Cost of buildings
and equipment.

5. The cost of—

- (a) construction of any building (irrespective of whether the land on which it is being or to be constructed vested in the State or the university concerned)—
 - (i) which is still under construction at the commencement of this section; or
 - (ii) in respect of which any tender was accepted before the commencement of this section,

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universiteit en die aanstelling van 'n professor, lektor of ander dosent aan bedoelde fakulteit) wat te eniger tyd voor bedoelde datum in verband met die universitêre werksaamhede van so 'n fakulteit gedoen is, geag gedoen te gewees het kragtens wetsbepalings wat op die betrokke universiteit van toepassing is of was.

(2) In subartikel (1) beteken „universiteit” nie ook die Universiteit van Stellenbosch nie.

3. (1) Vanaf 'n datum wat die Minister by kennisgewing in die *Staatskoerant* bepaal, word elke beampte of werknemer wat op daardie datum by 'n fakulteit in diens is, 'n persoon in die diens van die betrokke universiteit, behalwe—

Beamptes en werknemers in diens by fakulteite.

(a) waar so 'n beampte of werknemer die betrokke universiteit deur die Sekretaris binne dertig dae vanaf daardie datum skriftelik in kennis gestel het dat hy in diens van die Staat wil bly; of

(b) 'n beampte of werknemer ten opsigte van wie die betrokke universiteit die Sekretaris binne bedoelde tydperk skriftelik in kennis gestel het dat daardie universiteit die betrokke beampte of werknemer nie in sy diens wil neem nie.

(2) Die Sekretaris deel die inhoud van 'n kennisgewing ingevolge subartikel (1) deur hom ontvang, onverwyld mee aan die betrokke universiteit of beampte of werknemer, na gelang van die geval.

(3) Behalwe ingevolge tugmaatreëls deur die betrokke universiteit toegepas, word 'n beampte of werknemer wat ingevolge subartikel (1) 'n persoon in die diens van daardie universiteit word, se salaris of salarisskaal nie sonder sy toestemming verminder nie.

(4) Verlof wat, voordat hy 'n persoon in die diens van die betrokke universiteit geword het, ten gunste van so 'n beampte of werknemer opgeloo het, word geag uit hoofde van diens by daardie universiteit ten gunste van hom op te geloo het.

(5) Verskillende datums kan ingevolge subartikel (1) ten opsigte van verskillende fakulteite bepaal word.

4. (1) Die Minister, handelende in oorleg met die Minister van Finansies en die raad van 'n universiteit, kan van tyd tot tyd roerende of onroerende eiendom wat aan die Staat behoort en voor die inwerkingtreding van hierdie artikel uitsluitend in verband met die universitêre werksaamhede van 'n fakulteit aan die betrokke universiteit gebruik is, aan daardie universiteit oordra: Met dien verstande dat dié onroerende eiendom wat die Minister in oorleg met die Minister van Finansies bepaal en wat voor die inwerkingtreding van hierdie artikel in verband met die universitêre werksaamhede van die Fakulteit van Landbou aan die Universiteit van Stellenbosch gebruik is, ook aan daardie universiteit oorgedra kan word.

Oordrag van eiendom.

(2) Die beampte aan die hoof van 'n registrasiekantoor van aktes waarin onroerende eiendom geregistreer is wat ingevolge subartikel (1) oorgedra is, moet by voorlegging aan hom van die titelbewys van bedoelde eiendom, en 'n verklaring deur die Minister onderteken dat bedoelde eiendom aldus oorgedra is, die oordrag op gemelde titelbewyse endosseer en gepaste inskrywings van die oordrag in die stukke in sy kantoor doen.

(3) Geen kantoorgelde, seëlregte of hereregte is in verband met die oordrag van eiendom ingevolge hierdie artikel betaalbaar nie.

5. Die koste van—

Koste van geboue en toerusting.

(a) die oprigting van 'n gebou (ongegag of die grond waarop dit opgerig word of opgerig gaan word aan die Staat of die betrokke universiteit behoort)—

(i) wat by die inwerkingtreding van hierdie artikel nog in aanbou is; of

(ii) ten opsigte waarvan daar voor die inwerkingtreding van hierdie artikel 'n tender aanvaar is,

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and which is exclusively intended for use in connection with the university activities of any faculty; and

(b) any equipment—

(i) which at the commencement of this section has been delivered to any faculty but which has not yet been paid for in full; or

(ii) for the supply of which any tender was accepted before the commencement of this section,

and which is exclusively intended for use in connection with the university activities of any faculty,

shall be defrayed out of moneys appropriated by Parliament for that purpose.

Control and administration of Faculty of Agriculture of University of Stellenbosch.

6. At the commencement of this section—

(a) the control and administration of the Faculty of Agriculture of the University of Stellenbosch shall be transferred to the council of the said university; and

(b) subject to the provisions of this Act, there shall cease to be vested in the Minister or the department any rights, duties, powers or functions in respect of such faculty.

Amendment of section 8 of Act 37 of 1959, as amended by section 2 of Act 2 of 1966.

7. Section 8 of the University of Stellenbosch Act, 1959, is hereby amended by the substitution for subsections (1) and (2) of the following subsections:

“(1) Subject to the provisions of this Act, the government and executive authority of the University shall be vested in the council, which shall consist of—

(a) the rector of the University;

(b) four persons appointed by the State President;

(c) six persons elected by the convocation of the University;

(d) three professors of the University chosen by the senate;

(e) one person chosen by the council of the municipality of Stellenbosch;

(f) one person chosen by the divisional council of Stellenbosch; and

(h) three persons chosen by a constituency of persons who, immediately before the commencement of this Act, were entitled to choose, otherwise than in a manner contemplated in paragraphs (c) to (f), inclusive, three members of the council, and of persons who, in accordance with the statutes, may after the said commencement become members of such constituency by reason of donations made by them to the University.

(2) The members of the council, other than the rector of the University, shall hold office for such periods as the statutes in each case prescribe.”.

Repeal of laws.

8. The Stellenbosch-Elsenburg College of Agriculture Act, 1926 (Act No. 45 of 1926), and section 5 of the Finance Act, 1959 (Act No. 80 of 1959), are hereby repealed: Provided that the council of the University of Stellenbosch may from the date of commencement of this section until such date as the Minister may at any time after the said commencement determine by notice in the *Gazette*, continue the university activities of the Faculty of Agriculture of the said university on the experimental farms Elsenburg and Mariendhal, on such basis as the Minister, in consultation with the Minister of Finance, may determine from time to time.

Short title and commencement.

9. This Act shall be called the University Education (Agricultural and Veterinary Science Affairs) Act, 1973, and shall come into operation on 1st April, 1973.

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en wat uitsluitend vir gebruik in verband met die universitêre werksaamhede van 'n fakulteit bestem is; en

(b) toerusting—

(i) wat by die inwerkingtreding van hierdie artikel aan 'n fakulteit gelewer is, maar nog nie ten volle betaal is nie; of

(ii) vir die lewering waarvan 'n tender voor die inwerkingtreding van hierdie artikel aanvaar is, en wat uitsluitend vir gebruik in verband met die universitêre werksaamhede van 'n fakulteit bestem is,

word bestry uit gelde wat die Parlement vir daardie doel bewillig.

6. By die inwerkingtreding van hierdie artikel—

(a) word die toesig oor en die administrasie van die Fakulteit van Landbou van die Universiteit van Stellenbosch oorgedra aan die raad van bedoelde universiteit; en

Toesig en administrasie van Fakulteit van Landbou van Universiteit van Stellenbosch.

(b) berus daar, behoudens die bepalings van hierdie Wet, nie langer enige regte, pligte, bevoegdhede of werksaamhede by die Minister of die departement ten opsigte van bedoelde fakulteit nie.

7. Artikel 8 van die Wet op die Universiteit van Stellenbosch, 1959, word hierby gewysig deur subartikels (1) en (2) deur die volgende subartikels te vervang:

Wysiging van artikel 8 van Wet 37 van 1959, soos gewysig deur artikel 2 van Wet 2 van 1966.

„(1) Behoudens die bepalings van hierdie Wet berus die bestuur en uitvoerende mag van die Universiteit by die raad, wat bestaan uit—

- (a) die rektor van die Universiteit;
- (b) vier persone deur die Staatspresident aangestel;
- (c) ses persone deur die konvokasie van die Universiteit gekies;
- (d) drie professore van die Universiteit deur die Senaat gekies;
- (e) een persoon deur die raad van die munisipaliteit van Stellenbosch gekies;
- (f) een persoon deur die afdelingsraad van Stellenbosch gekies; en
- (h) drie persone gekies deur 'n kieskollege bestaande uit persone wat onmiddellik vòr die inwerkingtreding van hierdie Wet geregtig was om op 'n ander wyse as in paragrawe (c) tot en met (f) beoog, drie lede van die raad te kies, en uit persone wat, ooreenkomstig die statute, na genoemde inwerkingtreding lede word van dié kieskollege uit hoofde van skenkings deur hulle aan die Universiteit gedoen.

(2) Die lede van die raad, behalwe die rektor van die Universiteit, beklee hul amp vir die termyn wat die statute in elke geval voorskryf.”

8. Die Stellenbosch-Elsenburg Landboukollege Wet, 1926 (Wet No. 45 van 1926), en artikel 5 van die Finansiewet, 1959 (Wet No. 80 van 1959), word hierby herroep: Met dien verstande dat die raad van die Universiteit van Stellenbosch vanaf die datum van inwerkingtreding van hierdie artikel tot dié datum wat die Minister te eniger tyd na bedoelde inwerkingtreding by kennisgewing in die *Staatskoerant* bepaal, die universitêre werksaamhede van die Fakulteit van Landbou aan bedoelde universiteit op die proefplase Elsenburg en Mariendhal kan voortsit en wel op dié grondslag wat die Minister, in oorleg met die Minister van Finansies, van tyd tot tyd bepaal.

Herroeping van Wette.

9. Hierdie Wet heet die Wet op Universitêre Opleiding (Landbou- en Veeartseny-aangeleentheid), 1973, en tree op 1 April 1973 in werking.

Kort titel en inwerkingtreding.

