



# STAATSKOERANT

## VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

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## DEPARTEMENT VAN DIE EERSTE MINISTER

No. 474.

24 Maart 1976.

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

No. 42 van 1976: Wet op die Weza Houtmaatskappy Beperk, 1976.

## DEPARTMENT OF THE PRIME MINISTER

No. 474.

24 March 1976.

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

No. 42 of 1976: Weza Timber Company Limited Act, 1976.

Wet No. 42, 1976

## WET OP DIE WEZA HOUTMAATSKAPPY BEPERK, 1976

## WET

**Om die verwerking en herverwerking van hout te bevorder en om vir dié doel die Weza Houtmaatskappy Beperk te stig; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.**

(Afrikaanse teks deur die Staatspresident geteken.)  
(Goedgekeur op 16 Maart 1976.)

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

## Woordom-skrywing.

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

- (i) „maatskappy” die Weza Houtmaatskappy Beperk wat ingevolge artikel 2 (1) ingestel is;
- (ii) „Minister” die Minister van Bosbou;
- (v) „raad” die raad van direkteure vermeld in artikel 5 (1);
- (i) „Stigting” die Hans Merensky Stigting;
- (iv) „vasgestelde datum” die ingevolge artikel 2 (1) bepaalde datum.

## Instelling van Weza Houtmaatskappy Beperk.

**2.** (1) Vanaf 'n datum deur die Minister by kennisgewing in die *Staatskoerant* bepaal, word daar 'n regspersoon met die naam die Weza Houtmaatskappy Beperk ingestel.

(2) Die hoofkantoor van die maatskappy is te Pietermaritzburg geleë.

(3) Die Registrateur van Maatskappye teken op die vasgestelde datum die naam van die maatskappy aan in die register van maatskappye wat ingevolge die Maatskappywet, 1973 (Wet No. 61 van 1973), gehou moet word.

(4) By die toepassing van enige toepaslike wet betreffende die akte van oprigting van 'n maatskappy, word hierdie Wet geag die akte van oprigting van die maatskappy te wees.

## Oogmerke van die maatskappy.

**3.** Die oogmerke van die maatskappy is—

- (a) om hout in die ronde maat, gekweek in die distrik Alfred, te koop, om die verwerking en impregnering van sodanige hout en die herverwerking en impregnering van houtprodukte wat uit sodanige verwerking ontstaan, te onderneem en om sodanige hout aldus gekoop en sodanige produkte, en houtprodukte wat aldus herverwerk of geimpregneer is, te verkoop, te verruil of op 'n ander wyse daarmee te handel en om die hoeveelheid gesaadde of geskaafde hout wat die Minister van tyd tot tyd in oorleg met die raad mag bepaal, vir Staatsdoeleindes te voorsien;
- (b) om behoudens die goedkeuring van die Minister, die vervaardiging van enige produk uit 'n neweproduk wat by enige van die maatskappy se ondernemings kragtens paragraaf (a) ontstaan, en die verwerking van so 'n neweproduk, te onderneem;
- (c) om van tyd tot tyd soveel van die geld van die maatskappy, met inbegrip van die geld waarmee 'n in artikel 20 bedoelde reserwefonds gekrediteer is, as wat nie onmiddellik vir nakoming van die verpligtings van die maatskappy nodig is nie, te belê.

## WEZA TIMBER COMPANY LIMITED ACT, 1976

Act No. 42, 1976

## ACT

To promote the processing and reprocessing of timber and for that purpose to establish the Weza Timber Company Limited; and to provide for matters connected therewith.

*(Afrikaans text signed by the State President.)  
(Assented to 16 March 1976.)*

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

1. In this Act, unless the context otherwise indicates— Definitions.

- (i) “board” means the board of directors mentioned in section 5 (1); (iii)
- (ii) “company” means the Weza Timber Company Limited established in terms of section 2 (1); (i)
- (iii) “fixed date” means the date fixed in terms of section 2 (1); (v)
- (iv) “Foundation” means the Hans Merensky Foundation;
- (v) “Minister” means the Minister of Forestry. (ii)

2. (1) As from a date to be fixed by the Minister by notice in the *Gazette* there shall be established a juristic person under the name the Weza Timber Company Limited. Establishment of Weza Timber Company Limited.

(2) The head office of the company shall be situated at Pietermaritzburg.

(3) The Registrar of Companies shall on the fixed date enter the name of the company in the register of companies to be kept in terms of the Companies Act, 1973 (Act No. 61 of 1973).

(4) For the purposes of any applicable law relating to the memorandum of association of a company, this Act shall be deemed to be the memorandum of association of the company.

3. The objects of the company shall be—

Objects of the company.

- (a) to purchase timber in the round produced in the district of Alfred, to undertake the processing and impregnation of such timber and the reprocessing and impregnation of timber products arising out of such processing, and to sell, exchange or otherwise deal with such timber so purchased and such products, and timber products so reprocessed or impregnated, and to supply such quantity sawn or planed timber for State purposes as the Minister may from time to time in consultation with the board determine;
- (b) subject to the approval of the Minister, to undertake the manufacture of any product from any by-product arising in any of the company's undertakings under paragraph (a), and the processing of any such by-product;
- (c) from time to time to invest so much of the moneys of the company, including the moneys standing to the credit of any reserve fund referred to in section 20, as are not immediately required to meet the obligations of the company.

Wet No. 42, 1976

## WET OP DIE WEZA HOUTMAATSKAPPY BEPERK, 1976

Bevoegdhede van die maatskappy.

**4. (1)** Die maatskappy kan, ter verwesenliking van sy oogmerke—

- (a) enige paaie, weë, spoorlyne behalwe vir openbare verkeer, brûe, waterwerke, elektriese werke, telefone, fabriek, wonings, pakhuise of ander geboue, werke of geriewe uitvoer, oprig, bou, in stand hou, verander, verbeter, bestuur, dryf, beheer of onder toesig hou, of bydra tot of hulp verleen met die uitvoering, oprigting, bou, instandhouding, verandering, verbetering, bestuur, dryf, beheer of toesig daarvan: Met dien verstande dat enige spoorweg-sylne gebou en geëksploteer kragtens die bepalings van hierdie paragraaf, en verbind met die spoorlyne van die Spoorwegadministrasie, onderworpe is aan die regulasies uitgevaardig kragtens die Konsolidasiewet op die Beheer en Bestuur van Spoorweë en Hawens, 1957 (Wet No. 70 van 1957), met betrekking tot private sylne;
- (b) enige roerende of onroerende goed, water- of ander regte van enige aard binne die Republiek, of enige belang daarin of regte daarop, of enige konsessies, vergunnings, regte, bevoegdhede of voorregte ten opsigte daarvan, koop of in ruil neem, huur of op 'n ander wyse verkry;
- (c) behoudens die goedkeuring van die Minister, as lopende saak die geheel of enige gedeelte van die besigheid, eiendom en verpligtings van enigiemand wat in die distrik Alfred enige klas besigheid dryf wat die maatskappy gemagtig is om te dryf, koop of op 'n ander wyse verkry, en enige besigheid aldus verkry, dryf, sluit, van die hand sit of op 'n ander wyse daar mee handel;
- (d) behoudens die goedkeuring van die Minister, enige bates van die maatskappy of enige deel daarvan of enige deel van sy eiendom, roerend of onroerend, verkoop, verruil, verhuur, met verband beswaar, van die hand sit, ten nutte maak of op 'n ander wyse daarmee handel, teen die vergoeding wat die maatskappy goedvind;
- (e) behoudens die goedkeuring van die Minister en indien dit volgens sy oordeel uitsluitlik vir die voordeel van die maatskappy of sy werknekmers is, onderlinge of mediese hulpverenigings, sport- of vermaakklikeidsverenigings, sosiale klubs, woning-aankoopskemas, sosiale of gesondheidsdienste, pensioen- of voorsorgfondse, winkels, tehuise, restaurante, of enige ander, dergelike onderneeming wat volgens die oordeel van die maatskappy nodig blyk te wees vir die uitvoering van sy oogmerke, tot stand bring en voortsit of met die tot stand bring en voortsetting daarvan behulpsaam wees;
- (f) enige patente, lisensies, konsessies of iets dergeliks wat 'n uitsluitende of nie-uitsluitende of beperkte reg op die gebruik van enige inligting of proses verleen, wat geskik is om gebruik te word vir enige van die maatskappy se doeleindes, of die verkryging waarvan bereken is om, regstreeks of onregstreeks, tot voordeel van die maatskappy te strek, aanvra, koop of op 'n ander wyse verkry, en die eiendom, regte of inligting aldus verkry, gebruik, uitoefen, ontwikkel, uitgee onder lisensie, of op 'n ander wyse voordeel daaruit trek;
- (g) met 'n versekeraar reël vir die voorsiening by wyse van versekering, van dekking—
  - (i) vir 'n lid van die raad wat nie in die heeltydse diens van die Staat is nie, vir werknekmers van die maatskappy en vir persone met wie die maatskappy ooreenkoms aangegaan het vir die verrigting van 'n handeling of werkstuk of die lewering van dienste verbonde aan die verrigting van sy

## WEZA TIMBER COMPANY LIMITED ACT, 1976

Act No. 42, 1976

## 4. (1) The company may, for the purpose of achieving its objects—

Powers of  
the company.

- (a) carry out, establish, construct, maintain, alter, improve, manage, work, control or superintend any roads, ways, lines of railway other than for the conveyance of public traffic, bridges, water works, electrical works, telephones, factories, dwellings, warehouses or other buildings, works or conveniences, or contribute to or assist in the carrying out, establishment, construction, maintenance, alteration, improvement, management, working, control or superintendence thereof: Provided that any railway sidings constructed and worked under the provisions of this paragraph, and connected with the lines of railway of the Railways Administration, shall be subject to the regulations made under the Railways and Harbours Control and Management (Consolidation) Act, 1957 (Act No. 70 of 1957), with regard to private sidings;
- (b) purchase, take in exchange, hire or otherwise acquire any movable or immovable property, water or other rights of every description within the Republic, or any interest therein or rights thereto, or any concessions, grants, rights, powers or privileges in respect thereof;
- (c) subject to the approval of the Minister, purchase or otherwise acquire, as a going concern, all or any part of the business, property and liabilities of any person carrying on any business in the district of Alfred which the company is authorized to carry on, and carry on, abandon, dispose of or otherwise deal with any business so acquired;
- (d) subject to the approval of the Minister, sell, exchange, lease, mortgage, dispose of, turn to account or otherwise deal with any assets of the company or any part thereof or any part of its property, whether movable or immovable, for such consideration as the company may think fit;
- (e) subject to the approval of the Minister and if in his opinion it is solely for the benefit of the company or its employees, establish and carry on or assist in the establishment and carrying on of mutual benefit or medical benefit societies, sporting or entertainment societies, social clubs, home ownership schemes, social or health services, pension or provident funds, stores, hostels, restaurants, or any other, similar undertaking which may seem to the company necessary for the carrying out of its objects;
- (f) apply for, purchase or otherwise acquire any patents, licences, concessions or the like, conferring an exclusive or non-exclusive or limited right to use any information or process, which are capable of being used for any of the company's purposes, or the acquisition of which is calculated, directly or indirectly, to benefit the company, and use, exercise, develop, grant licences in respect of, or otherwise turn to account, the property, rights and information so acquired;
- (g) arrange with an insurer for the provision of insurance cover—
  - (i) for any member of the board who is not in the full-time service of the State, for employees of the company and for persons with whom the company has concluded agreements for the performance of any act or piece of work or the rendering of services incidental to the carrying out of its

Wet No. 42, 1976

## WET OP DIE WEZA HOUTMAATSKAPPY BEPERK, 1976

werksaamhede deur die maatskappy, ten opsigte van enige liggaamlike besering, ongesiktheid of dood wat uitsluitlik en regstreeks die gevolg is van ongelukke wat plaasvind in die loop van die verrigting van hul werksaamhede ingevolge hierdie Wet of, in die geval van bedoelde persone, terwyl hulle ingevolge die betrokke ooreenkomste die handeling of werkstuk verrig of die dienste lewer;

- (ii) vir die maatskappy teen enige verlies, skade, risiko of aanspreeklikheid wat hy mag ly of oploop, met inbegrip van dekking ten opsigte van alle goed onder die beheer van die maatskappy.

(2) Die maatskappy kan verder alle ander dinge verrig wat in verband staan met of bevorderlik is vir die bereiking van enige oogmerk van die maatskappy, of wat in verband staan met enige van sy bevoegdhede of werksaamhede kragtens hierdie artikel, of wat bereken is om, regstreeks of onregstreeks, die waarde van enige van die maatskappy se ondernemings, eiendom of regte te verhoog of hulle winsgewend te maak.

Raad van direkteure.

5. (1) Die sake van die maatskappy word, behoudens die bepalings van hierdie Wet, bestuur en beheer deur 'n raad van direkteure wat bestaan uit sewe lede, van wie—

- (a) drie, wat beampies van die Departement van Bosbou moet wees, deur die Minister aangestel word;
- (b) een 'n persoon moet wees wat nie 'n beampte of werknemer van die Departement van Bosbou of 'n beampte of werknemer van die Stigting is nie, en wat deur die Minister in oorleg met die Stigting aangestel word (hieronder „die onafhanklike lid“ genoem); en
- (c) drie persone moet wees wat deur die Stigting aangestel word: Met dien verstande dat waar geen persoon nie, of minder as drie persone, deur die Stigting aangestel word, die Minister soveel ander persone (uitgesonderd beampies van die Departement van Bosbou) wat hy geskik ag as lede van die raad moet aanstel as wat nodig is om die vereiste getal vol te maak.

(2) (a) Die Minister moet ten opsigte van die lede van die raad in subartikel (1) (a) bedoel, twee plaasvervangende lede aanstel, van wie die een deur die Sekretaris van Bosbou aangewys, optree in die plek van so 'n lid gedurende sy afwesigheid of onvermoë om as lid van die raad op te tree.

(b) Die Stigting moet ten opsigte van die lede van die raad in subartikel (1) (c) bedoel, twee plaasvervangende lede aanstel, van wie die een deur die Stigting aangewys, optree in die plek van so 'n lid gedurende sy afwesigheid of onvermoë om as lid van die raad op te tree.

(3) 'n Kragtens subartikel (2) aangestelde plaasvervangende lid van die raad word, gedurende die afwesigheid of onvermoë van die lid in wie se plek hy optree, vir alle doeleindes geag 'n lid van die raad te wees.

Voorsitter van die raad.

6. (1) Die onafhanklike lid van die raad is die voorsitter daarvan.

(2) Wanneer die voorsitter om een of ander rede afwesig is of nie in staat is om sy ampspligte uit te voer nie, moet die ander lede van die raad een uit hul midde kies om gedurende sodanige afwesigheid of onvermoë as voorsitter op te tree.

Aampsduur, toe-vallige vakaturen en besoldiging van lede van die raad.

7. (1) Die ingevolge—

- (a) artikel 5 (1) (a) en (b) aangestelde lede van die raad beklee hul amp solank dit die Minister behaag, maar vir 'n tydperk van hoogstens drie jaar;
- (b) artikel 5 (1) (c) aangestelde lede van die raad beklee hul amp solank dit die Stigting behaag.

## WEZA TIMBER COMPANY LIMITED ACT, 1976

Act No. 42, 1976

functions by the company, in respect of any bodily injury, disablement or death resulting solely and directly from accidents occurring in the course of the performance of their functions in terms of this Act or, in the case of such persons, while performing the act or piece of work or rendering the services in terms of the agreements in question;

- (ii) for the company against any loss, damage, risk or liability which it may suffer or incur, including cover in respect of all property under the control of the company.

(2) The company may further do all such other things as are incidental or conducive to the attainment of any object of the company, or incidental to any of its powers or functions under this section, or which are calculated, directly or indirectly, to enhance the value of or to render profitable any of the company's undertakings, property or rights.

5. (1) The affairs of the company shall, subject to the provisions of this Act, be managed and controlled by a board of directors which shall consist of seven members, of whom—

- (a) three, who shall be officers of the Department of Forestry, shall be appointed by the Minister;
- (b) one shall be a person who is not an officer or employee of the Department of Forestry or an officer or employee of the Foundation, and who shall be appointed by the Minister in consultation with the Foundation (hereinafter referred to as "the independent member"); and
- (c) three shall be persons appointed by the Foundation: Provided that where no person is, or fewer than three persons are, appointed by the Foundation, the Minister shall appoint so many other persons (other than officers of the Department of Forestry) whom he may consider fit, as members of the board as may be necessary to make up the required number.

- (2) (a) The Minister shall, in respect of the members of the board referred to in subsection (1) (a), appoint two alternate members, of whom the one designated by the Secretary for Forestry shall act in the place of any such member during his absence or inability to act as a member of the board.
- (b) The Foundation shall, in respect of the members of the board referred to in subsection (1) (c), appoint two alternate members, of whom the one designated by the Foundation shall act in the place of any such member during his absence or inability to act as a member of the board.

(3) An alternate member of the board appointed under subsection (2) shall, during the absence or inability to act of the member in whose place he acts, be deemed for all purposes to be a member of the board.

6. (1) The independent member of the board shall be its chairman.

Chairman of  
the board.

(2) Whenever for any reason the chairman is absent or unable to fulfil his duties, the other members of the board shall elect one of their number to act as chairman during such absence or inability.

7. (1) The members of the board—

- (a) appointed in terms of section 5 (1) (a) and (b) shall hold office during the pleasure of the Minister for a period not exceeding three years;
- (b) appointed in terms of section 5 (1) (c) shall hold office during the pleasure of the Foundation.

Tenure of office,  
casual vacancies  
and remuneration  
of members of  
the board.

Wet No. 42, 1976

## WET OP DIE WEZA HOUTMAATSKAPPY BEPERK, 1976

(2) 'n Toevallige vakature in die raad word aangevul deur die aanstelling van 'n ander lid op dieselfde wyse en op dieselfde voorwaardes waarop die lid wie se amp vakant geword het, aangestel was: Met dien verstande dat iemand wat aldus aangestel is, sy amp beklee vir die onverstreke gedeelte van die tydperk (as daar is) waarvoor die lid wie se amp vakant geword het, aangestel was.

(3) 'n Lid van die raad wie se ampstermyn verstryk het, kan weer aangestel word.

(4) 'n Lid van die raad, uitgesonderd die in subartikel (5) bedoelde voorsitter daarvan, ontvang geen besoldiging of toelaes ten opsigte van sy dienste as 'n lid van die raad nie.

(5) Die voorsitter van die raad moet, indien hy nie in die heeltydse diens van die Staat is nie, uit die fondse van die maatskappy die besoldiging en toelaes ontvang wat op aanbeveling van die raad deur die Minister in oorleg met die Minister van Finansies van tyd tot tyd bepaal word.

**Omstandighede waaronder lede hul amp ontruim.**

**8. (1)** 'n Lid van die raad ontruim sy amp indien—

- (a) sy boedel gesekwestreer word;
- (b) hy 'n geestesongestelde soos omskryf in die Wet op Geestesgesondheid, 1973 (Wet No. 18 van 1973), word;
- (c) hy aan 'n misdryf skuldig bevind word en tot gevangenisstraf sonder die keuse van 'n boete gevonnis word;
- (d) hy as lid bedank;
- (e) hy sonder verlof van die raad van drie agtereenvolgende vergaderings van die raad afwesig was;
- (f) hy ingevolge subartikel (2) van sy amp onthef word.

(2) 'n Ingevolge artikel 5 (1) (a) of (b) aangestelde lid van die raad kan te eniger tyd deur die Minister van sy amp onthef word indien die Minister van oordeel is dat daar gegronde redes bestaan om dit te doen.

**Vergaderings van die raad.**

**9. (1)** Die eerste vergadering van die raad word gehou op 'n tyd en plek wat die Minister bepaal, en daaropvolgende vergaderings word minstens twee keer elke jaar gehou op die tye en plekke wat die voorsitter bepaal.

(2) Die voorsitter of waarnemende voorsitter van die raad kan te eniger tyd, en moet op versoek van minstens drie lede van die raad, 'n spesiale vergadering van die raad byeenroep wat gehou moet word op die tyd en plek wat hy bepaal: Met dien verstande dat 'n vergadering wat byeengeroep word op versoek van minstens drie lede van die raad, binne veertien dae vanaf die datum van die versoek gehou moet word.

**Kworum vir vergaderings van die raad, meerderheidsbesluite en voorsitter se beslissende stem.**

**10. (1)** Die kworum vir 'n vergadering van die raad is vier lede daarvan, mits minstens een van die in artikel 5 (1) (a) en minstens een van die in artikel 5 (1) (c) bedoelde lede op daardie vergadering aanwesig is.

(2) Alle besluite op 'n vergadering van die raad geskied by meerderheidsbesluit van die aanwesige lede, en by 'n staking van stemme het die voorsitter, maar nie 'n waarnemende voorsitter wat op die vergadering voorsit nie, 'n beslissende stem benewens sy beraadslagende stem as lid van die raad.

(3) Geen besluit of handeling van die raad of handeling op gesag van die raad verrig, is ongeldig nie bloot vanweë die feit dat iemand wat onbevoeg is om as lid van die raad aangestel te word of aan te bly, as lid opgetree het op die tydstip toe daardie besluit aangeneem is of daardie handeling verrig of gemagtig is.

## WEZA TIMBER COMPANY LIMITED ACT, 1976

Act No. 42, 1976

(2) A casual vacancy on the board shall be filled by the appointment of another member in the same manner in which and subject to the same conditions subject to which the member whose seat has become vacant, was appointed: Provided that a person so appointed shall hold office for the unexpired portion of the period (if any) for which the member whose office has become vacant, was appointed.

(3) A member of the board whose period of office has expired shall be eligible for reappointment.

(4) A member of the board, other than the chairman thereof referred to in subsection (5), shall not receive any remuneration or allowances in respect of his services as a member of the board.

(5) The chairman of the board shall, if he is not in the full-time service of the State, receive out of the funds of the company such remuneration and allowances as may from time to time on the recommendation of the board be determined by the Minister in consultation with the Minister of Finance.

**8. (1)** A member of the board shall vacate his office if—

Circumstances in  
which members  
vacate office.

- (a) his estate is sequestrated;
- (b) he becomes mentally ill as defined in the Mental Health Act, 1973 (Act No. 18 of 1973);
- (c) he is convicted of any offence and is sentenced to imprisonment without the option of a fine;
- (d) he resigns as a member;
- (e) he has absented himself from three consecutive meetings of the board without the leave of the board;
- (f) he is removed from office in terms of subsection (2).

(2) A member of the board appointed in terms of section 5 (1) (a) or (b) may at any time be removed from office by the Minister if the Minister is of the opinion that there are good reasons for doing so.

**9. (1)** The first meeting of the board shall be held at a time and place to be determined by the Minister, and subsequent meetings shall be held at least twice every year at such times and places as the chairman may determine.

Meetings of the  
board.

(2) The chairman or acting chairman of the board may at any time, and shall at the request of not fewer than three members of the board, call a special meeting of the board to be held at such time and place as he may determine: Provided that a meeting called at the request of not fewer than three members of the board shall be held within fourteen days of the date of the request.

**10. (1)** The quorum for a meeting of the board shall be four of the members thereof, provided at least one of the members referred to in section 5 (1) (a) and at least one of the members referred to in section 5 (1) (c) are present at that meeting.

Quorum for meet-  
ings of the board,  
majority decisions  
and chairman's  
casting vote.

(2) All decisions at any meeting of the board shall be by resolution by majority vote of the members present thereat, and in the event of an equality of votes, the chairman, but not an acting chairman presiding at the meeting, shall have a casting vote in addition to his deliberative vote as a member of the board.

(3) No decision or act of the board or act performed under the authority of the board shall be invalid by reason only of the fact that a person disqualified from being appointed or remaining a member of the board, acted as a member at the time when the decision was made or the act was performed or authorized.

## Wet No. 42, 1976

## WET OP DIE WEZA HOUTMAATSKAPPY BEPERK, 1976

Hoofbestuurder  
van die maat-  
skappy.

**11.** (1) Die raad stel 'n regspersoon of iemand wat nie 'n lid van die raad is nie, op die voorwaardes wat die raad bepaal as hoofbestuurder van die maatskappy aan.

(2) Die aldus aangestelde hoofbestuurder moet—

- (a) die werk van die maatskappy ooreenkomsdig die voorskrifte van die raad uitvoer, bestuur en beheer;
- (b) toesig oor die werkneemers van die maatskappy hou;
- (c) die raad, so dikwels hy dit verlang, van verslae oor die werk van die maatskappy en van state wat die finansiële toestand van die maatskappy aangee, voorsien.

(3) Die hoofbestuurder ontvang uit die fondse van die maatskappy die besoldiging en toelaes, en word aangestel vir die tydperk, wat die raad bepaal.

Aandelekapitaal.

**12.** Die gemagtigde aandelekapitaal van die maatskappy is eenmiljoen vyfhonderdduisend rand en word verdeel in—

- (a) sewehonderd-en-vyftigduisend gewone aandele van een rand elk wat teen pari deur die Minister opgeneem word;
- (b) sewehonderd-en-vyftigduisend gewone aandele van een rand elk wat teen pari deur die Stigting opgeneem word.

Uitreiking van  
aandele.

**13.** (1) Daar word op die vasgestelde datum soveel van die in artikel 12 (a) genoemde aandele deur die maatskappy uitgereik en deur die Minister opgeneem as wat gelykwaardig is aan 'n bedrag gelyk aan die waarde op die vasgestelde datum, soos deur die Minister in oorleg met die Minister van Finansies en die Stigting bepaal, van die roerende eiendom (uitgesonderd houtvoorraad) en onroerende eiendom wat die Staat op daardie datum in verband met sy saagmeul bekend as die Weza-staat-saagmeul in sy besit het, watter bedrag geag word 'n bedrag te wees wat deur die Minister ten opsigte van die aandele aldus uitgereik en opgeneem, betaal is.

(2) Die saldo van die in artikel 12 (a) genoemde aandele word op die vasgestelde datum deur die maatskappy uitgereik en deur die Minister opgeneem en betaal uit geld wat deur die Parlement beskikbaar gestel is.

(3) Daar word op die vasgestelde datum soveel van die in artikel 12 (b) genoemde aandele deur die maatskappy uitgereik en deur die Stigting opgeneem as wat gelykwaardig is aan 'n bedrag gelyk aan die waarde op die vasgestelde datum, soos oorengerek tussen die Minister en die Stigting, van die roerende eiendom (uitgesonderd houtvoorraad) en onroerende eiendom wat die Stigting op daardie datum in verband met sy saagmeul bekend as die „Clan Sawmills (Weza) (Proprietary) Limited” in sy besit het, watter bedrag geag word 'n bedrag te wees wat deur die Stigting ten opsigte van die aandele aldus uitgereik en opgeneem, betaal is.

(4) Die saldo van die in artikel 12 (b) genoemde aandele word op die vasgestelde datum deur die maatskappy uitgereik en deur die Stigting opgeneem en betaal.

Toestaan van  
lenings aan  
maatskappy.

**14.** Ten einde voorsiening te maak vir die fondse benodig deur die maatskappy ter verwesenliking van sy oogmerke—

- (a) staan die Staat op die voorwaardes wat die Minister in oorleg met die Minister van Finansies bepaal, aan die maatskappy op die vasgestelde datum 'n lening toe waarvan die bedrag ingelyks bepaal word; en
- (b) staan die Stigting op die voorwaardes waartoe deur die Minister en die Stigting oorengerek is, aan die maatskappy op die vasgestelde datum 'n lening toe waarvan die bedrag gelyk is aan die bedrag waartoe insgelyks oorengerek is.

## WEZA TIMBER COMPANY LIMITED ACT, 1976.

Act No. 42, 1976

**11.** (1) The board shall on such conditions as it may determine appoint a juristic person or a person who is not a member of the company of the board as the general manager of the company.

(2) The general manager so appointed shall—

- (a) carry out, manage and control the work of the company in accordance with the directions of the board;
- (b) exercise supervision over the employees of the company;
- (c) furnish the board, as and when it so requires, with reports on the work of the company and with statements reflecting its financial position.

(3) The general manager shall, out of the funds of the company, receive such remuneration and allowances and shall be appointed for such period as the board may determine.

**12.** The authorized share capital of the company shall be one million five hundred thousand rand and shall be divided into— Share capital.

- (a) seven hundred and fifty thousand ordinary shares of one rand each to be subscribed at par by the Minister;
- (b) seven hundred and fifty thousand ordinary shares of one rand each to be subscribed at par by the Foundation.

**13.** (1) There shall, on the fixed date, be issued by the company and be taken up by the Minister so many of the shares mentioned in section 12 (a) as are equivalent in value to an amount equal to the value as at the fixed date, as determined by the Minister in consultation with the Minister of Finance and the Foundation, of the movable property (timber stocks excluded) and immovable property held by the State on that date in connection with its sawmill known as the Weza State Sawmill, which amount shall be deemed to be an amount paid by the Minister in respect of the shares so issued and taken up. Issue of shares.

(2) The balance of the shares mentioned in section 12 (a) shall, on the fixed date, be issued by the company and be taken up by the Minister and be paid for out of moneys appropriated by Parliament.

(3) There shall, on the fixed date, be issued by the company and be taken up by the Foundation so many of the shares mentioned in section 12 (b) as are equivalent in value to an amount equal to the value as at the fixed date, as agreed between the Minister and the Foundation, of the movable property (timber stocks excluded) and immovable property held by the Foundation on that date in connection with its sawmill known as the Clan Sawmills (Weza) (Proprietary) Limited, which amount shall be deemed to be an amount paid by the Foundation in respect of the shares so issued and taken up.

(4) The balance of the shares mentioned in section 12 (b) shall, on the fixed date, be issued by the company and be taken up and be paid for by the Foundation.

**14.** In order to provide for the funds required by the company for the purpose of achieving its objects— Granting of loans to company.

- (a) the State shall, on such conditions as the Minister may in consultation with the Minister of Finance determine, grant to the company on the fixed date a loan the amount of which shall be likewise determined; and
- (b) the Foundation shall, on such conditions as may be agreed upon by the Minister and the Foundation, grant to the company on the fixed date a loan the amount of which shall be likewise agreed upon.

**Wet No. 42, 1976****WET OP DIE WEZA HOUTMAATSKAPPY BEPERK, 1976**

Bedrae ingevalge artikels 13 (2) en 14 (a) betaalbaar, maak vorderings teen Gekonsolideerde Inkomstefonds uit.

Bevoegdheid van maatskappy om geld te leen.

Perke op lenings aan en leen deur maatskappy.

Oordrag van aandele.

Uitkering van winste.

Stigting van reserwfonds.

Sekere Staatsgrond gaan op die maatskappy oor.

**15.** Die bedrae wat ingevalge artikels 13 (2) en 14 (a) betaalbaar is, maak vorderings teen die Gekonsolideerde Inkomstefonds uit, en die bepalings van hierdie artikel word geag 'n bewilliging van elke sodanige bedrag te wees.

**16.** Die raad kan met die goedkeuring van die Minister, verleen na oorlegpleging met die Minister van Finansies, geld uit enige bron leen.

**17.** Die geheel van die bedrag van enige lening ingevalge artikel 14 toegestaan en die totale bedrag kragtens artikel 16 geleent, oorskry op geen tydstip 'n bedrag gelyk aan vyf-en-sewentig persent van die gemagtigde aandelekapitaal van die maatskappy nie.

**18.** (1) Die aandele wat deur die Minister ingevalge artikel 13 (1) of (2) gehou word, word nie deur die Minister oor gedra nie behalwe by of kragtens 'n wet van die Parlement, tensy hy dit eers aan die Stigting aangebied het.

(2) Die Stigting dra nie enige aandele wat deur hom ingevalge artikel 13 (3) of (4) gehou word aan iemand anders as die Minister oor nie, tensy die Stigting dit eers aan die Minister aangebied het.

**19.** Behoudens die bepalings van artikel 20 word uitkeerbare winste *pro rata* tussen die houers van die aandele verdeel.

**20.** Die raad kan met die goedkeuring van die Minister en ooreenkomsdig die voorwaardes wat hy by kennisgewing in die *Staatskoerant* voorskryf, 'n reserwfonds wat die raad in belang van die maatskappy nodig ag, stig en in stand hou.

**21.** (1) Alle Staatsgrond wat deur die Staat afgesonder is vir die doeleindes van sy saagmeul bekend as die Weza-staat-saagmeul, gaan vir sover die Minister bepaal en onderworpe aan die voorwaardes wat die Minister van Landbou bepaal, na die nodige onderverdeling, op 'n datum deur die Minister bepaal op die maatskappy oor.

(2) Enige reg van serwituit ten gunste van sodanige Staatsgrond wat deur die Staat oor grond verkry is vir genoemde doeleindes, gaan insgelyks op die maatskappy oor.

(3) Die registrateur van aktes aan die hoof van die registrasiekantoor van aktes waarin die betrokke grond geregistreer is, moet, behoudens die bepalings van subartikel (5), by voorlegging aan hom, deur of ten behoeve van die maatskappy, van die titelbewys van enige in subartikel (1) bedoelde grond, of van enige notariële akte van 'n in subartikel (2) genoemde reg van serwituit en van die titelbewys van die grond waarteen so 'n reg van serwituit geregistreer is, op genoemde titelbewys of notariële akte 'n endossement aanbring ten effekte dat die betrokke grond of die reg van serwituit, na gelang van die geval, by die maatskappy berus, en moet die nodige inskrywings in sy registers doen.

(4) Die eienaar van die grond waarteen 'n in subartikel (2) genoemde reg van serwituit geregistreer is, moet op aanvraag sy titelbewys van daardie grond aan die maatskappy oorhandig vir die doel van 'n endossement ingevalge subartikel (3), en indien die eienaar versium om dit te doen, moet die betrokke registrateur van aktes sodanige endossement aanbring op die afskrif van die titelbewys van daardie grond wat in sy kantoor bewaar word en in die toepaslike registers, en op die titelbewys

## WEZA TIMBER COMPANY LIMITED ACT, 1976

Act No. 42, 1976

**15.** The amounts payable in terms of sections 13 (2) and 14 (a) shall be charged to the Consolidated Revenue Fund, and the provisions of this section shall be deemed to be an appropriation of every such amount.

Amounts payable  
in terms of  
sections 13 (2) and  
14 (a) chargeable  
to Consolidated  
Revenue Fund.

**16.** The board may with the approval of the Minister, given Power of company after consultation with the Minister of Finance, borrow money to borrow money from any source.

**17.** The aggregate of the amount of any loan granted in terms of section 14 and the total amount borrowed under section 16 shall at no time exceed an amount equal to seventy-five per cent of the authorized share capital of the company.

Restriction on  
loans to and  
borrowing by  
company.

**18.** (1) The shares held by the Minister in terms of section 13 (1) or (2) shall not be transferred except under the authority of an Act of Parliament, unless he has first offered them to the Foundation.

(2) The Foundation shall not transfer any shares held by it in terms of section 13 (3) or (4) to any person other than the Minister, unless it has first offered them to the Minister.

**19.** Subject to the provisions of section 20, distributable profits shall be divided *pro rata* between the holders of the shares.

of profits.

**20.** The board may with the approval of the Minister and in accordance with such conditions as he may by notice in the *Gazette* prescribe, establish and maintain any reserve fund which it may consider necessary in the interests of the company.

Establishment of  
reserve fund.

**21.** (1) All State land which has been set aside by the State for the purposes of its sawmill known as the Weza State Saw-mill shall, after the necessary subdivision and on a date to be fixed by the Minister, vest, in so far as the Minister may determine and subject to such conditions as the Minister of Agriculture may determine, in the company.

Certain State  
land to vest in the  
company.

(2) Any right of servitude in favour of such State land, acquired by the State over land for the said purposes, shall likewise vest in the company.

(3) The registrar of deeds in charge of the deeds registry wherein the land concerned is registered shall, subject to the provisions of subsection (5), upon production to him, by or on behalf of the company, of the title deed of any land referred to in subsection (1), or of any notarial deed of any right of servitude mentioned in subsection (2) and of the title deed of the land against which any such right of servitude is registered, endorse the said title deed or notarial deed to the effect that the land concerned or the right of servitude, as the case may be, is vested in the company, and shall make the necessary entries in his registers.

(4) The owner of any land against which a right of servitude mentioned in subsection (2) is registered shall, upon demand, hand over his title deed of that land to the company for the purpose of an endorsement in terms of subsection (3), and if the owner fails to do so, the registrar of deeds concerned shall make such endorsement upon the copy of the title deed of that land filed in his office and in the appropriate registers, and upon

**Wet No. 42, 1976****WET OP DIE WEZA HOUTMAATSKAPPY BEPERK, 1976**

van die eienaar sodra dit om die een of ander rede by sy kantoor ingedien word.

(5) Geen endossement word deur 'n registerieur van aktes ingevolge subartikel (3) ten opsigte van enige grond of reg van serwituit gedoen nie tensy daar aan hom 'n sertifikaat, deur die Sekretaris van Landboukrediet en Grondbesit onderteken, ten effekte dat die betrokke grond of reg van serwituit, na gelang van die geval, deur die Staat vir die in subartikel (1) of (2) bedoelde doeleinades afgesonder of verkry is, voorgelê word.

**Oordrag van sekere eiendom en verpligtings aan die maatskappy.**

**22.** Daar word, behoudens die bepalings van artikel 13 (1), op die vasgestelde datum aan die maatskappy oorgedra—

- (a) die roerende eiendom (uitgesonderd houtvoorraad) en onroerende eiendom, soos die Minister bepaal, wat die Staat op die vasgestelde datum in verband met sy saagmeul bekend as die Weza-staatsaagmeul in sy besit het;
- (b) die roerende eiendom (uitgesonderd houtvoorraad) en onroerende eiendom, waartoe die Minister en die Stigting ooreengekom het, wat die Stigting op die vasgestelde datum in verband met sy saagmeul bekend as die „Clan Sawmills (Weza) (Proprietary) Limited” in sy besit het;
- (c) vir sover die Minister bepaal, vorderings wat op die vasgestelde datum in verband met genoemde Weza-staatsaagmeul deur die Staat verskuldig is; en
- (d) vir sover ooreengekom is deur die Minister en die Stigting, vorderings wat op die vasgestelde datum in verband met genoemde „Clan Sawmills (Weza) (Proprietary) Limited” deur die Stigting verskuldig is.

**Rekenings en ouditering.**

**23.** (1) Die raad laat behoorlik boekhou van al die finansiële transaksies, bates en laste van die maatskappy, en moet so spoedig moontlik na die einde van elke boekjaar (wat op 31 Maart eindig) rekenings van die maatskappy se inkomste en uitgawes vir daardie jaar en 'n balansstaat van sy bates en laste op die einde van daardie jaar laat opstel.

(2) Die boeke, rekeningstate en balansstaat van die maatskappy word jaarliks geouditeer deur 'n persoon wat kragtens die bepalings van die Wet op Openbare Rekenmeesters en Ouditeurs, 1951 (Wet No. 51 van 1951), as rekenmeester en ouditeur geregistreer is en wat jaarliks deur die Minister op aanbeveling van die raad benoem word.

**Inligting wat aan die Minister en aan die Parlement verstrek moet word.**

**24.** (1) So gou doenlik na afloop van elke boekjaar van die maatskappy stuur die raad ten opsigte van daardie boekjaar aan die Minister afskrifte van—

- (a) die balansstaat en wins- en verliesrekening gesertifiseer deur die in artikel 23 (2) bedoelde rekenmeester en ouditeur;
- (b) 'n volledige verslag deur die raad oor die bedrywighede van die maatskappy gedurende daardie boekjaar.

(2) 'n Afskrif van alle in subartikel (1) genoemde balansstate, rekenings en verslae en alle kragtens subartikel (4) verstrekte opgawes moet binne veertien dae na ontvangs daarvan deur die Minister in beide Huise van die Parlement ter Tafel gelê word indien die Parlement dan in gewone sessie is of, indien die Parlement nie dan in gewone sessie is nie, binne veertien dae na die aanvang van sy eersvolgende gewone sessie.

(3) Die raad moet so gou doenlik na afloop van elke vergadering van die raad 'n afskrif van die notule van daardie vergadering aan die Minister stuur.

(4) Die Minister kan te eniger tyd 'n ondersoek van die boeke en stukke van die maatskappy laat instel, en kan te eniger tyd die raad om opgawes versoek ten einde vas te stel of die bepalings van hierdie Wet nagekom is.

## WEZA TIMBER COMPANY LIMITED ACT, 1976

Act No. 42, 1976

the owner's title deed as soon as it may for any reason be lodged in his office.

(5) No endorsement shall be made by any registrar of deeds in terms of subsection (3) in respect of any land or right of servitude unless there is produced to him a certificate, signed by the Secretary for Agricultural Credit and Land Tenure, to the effect that the land or right of servitude concerned, as the case may be, has been set aside or acquired by the State for the purposes referred to in subsection (1) or (2).

**22.** There shall, subject to the provisions of section 13 (1), be vested in the company on the fixed date—

- (a) such movable property (timber stocks excluded) and immovable property held by the State on the fixed date in connection with its sawmill known as the Weza State Sawmill, as the Minister may determine;
- (b) such movable property (timber stocks excluded) and immovable property held by the Foundation on the fixed date in connection with its sawmill known as the Clan Sawmills (Weza) (Proprietary) Limited, as the Minister and the Foundation may have agreed upon;
- (c) in so far as the Minister may determine, claims due by the State on the fixed date in connection with the said Weza State Sawmill; and
- (d) in so far as may be agreed upon by the Minister and the Foundation, claims due by the Foundation on the fixed date in connection with the said Clan Sawmills (Weza) (Proprietary) Limited.

Transfer of certain property and liabilities to the company.

**23.** (1) The board shall cause a proper record to be kept Accounts and of all the financial transactions, assets and liabilities of the auditing company, and shall as soon as possible after the end of each financial year (which shall end on 31 March) cause accounts of the company's revenue and expenditure for such year and a balance sheet of its assets and liabilities as at the end of that year to be prepared.

(2) The books, statements of account and balance sheet of the company shall be audited annually by a person registered as an accountant and auditor under the provisions of the Public Accountants' and Auditors' Act, 1951 (Act No. 51 of 1951), and nominated annually by the Minister on the recommendation of the board.

**24.** (1) As soon as practicable after the conclusion of every financial year of the company, the board shall transmit to the Minister, in respect of that financial year, copies of—

Information to be furnished to the Minister and to Parliament.

- (a) the balance sheet and profit and loss account certified by the accountant and auditor referred to in section 23 (2); and
- (b) a complete report by the board on the activities of the company during that financial year.

(2) A copy of all balance sheets, accounts and reports mentioned in subsection (1) and all returns furnished under subsection (4) shall be laid on the Tables of both Houses of Parliament within fourteen days after receipt thereof by the Minister if Parliament is then in ordinary session or, if Parliament is not then in ordinary session, within fourteen days after the commencement of its first ensuing ordinary session.

(3) The board shall, as soon as practicable after the conclusion of every meeting of the board, transmit to the Minister a copy of the minutes of that meeting.

(4) The Minister may at any time cause an inspection to be made of the books and records of the company, and may at any time call for returns from the board with a view to ascertaining whether the provisions of this Act have been complied with.

**Wet No. 42, 1976****WET OP DIE WEZA HOUTMAATSKAPPY BEPERK, 1976**

Likwidasie van maatskappy.

**25.** Die maatskappy word nie gelikwideer nie behalwe by of kragtens 'n Wet van die Parlement.

Vrystelling van maatskappy van sekere wette.

**26.** (1) Behoudens die bepalings van subartikel (2), is die bepalings van die Maatskappywet, 1973 (Wet No. 61 van 1973), nie met betrekking tot die maatskappy van toepassing nie.

(2) Die Minister kan by kennisgewing in die *Staatskoerant* die een of ander bepaling van genoemde Wet wat nie met die bepalings van hierdie Wet onbestaanbaar is nie, op die maatskappy toepas met die wysigings wat in die kennisgewing vermeld word.

(3) Die Minister kan van tyd tot tyd op dergelike wyse 'n kragtens subartikel (2) uitgereikte kennisgewing intrek of wysig.

Kort titel.

**27.** Hierdie Wet heet die Wet op die Weza Houtmaatskappy Beperk, 1976.

## WEZA TIMBER COMPANY LIMITED ACT, 1976

Act No. 42, 1976

25. The company shall not be wound up except under the Winding up of authority of an Act of Parliament.

26. (1) Subject to the provisions of subsection (2), the Exemption of provisions of the Companies Act, 1973 (Act No. 61 of 1973), company from certain laws. shall not apply with reference to the company.

(2) The Minister may by notice in the *Gazette* apply to the company any provision of the said Act, not inconsistent with the provisions of this Act, with such modifications as may be specified in the notice.

(3) The Minister may from time to time in like manner withdraw or amend any notice issued under subsection (2).

27. This Act shall be called the Weza Timber Company **Short title**. Limited Act, 1976.

