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OF THE REPUBLIC OF SOUTH AFRICA

REPUBLIEK VAN SUID-AFRIKA

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No. 11807

KAAPSTAD, 12 APRIL 1989

STATE PRESIDENT'S OFFICE

No. 650.

12 April 1989

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

No. 41 of 1989: Groot Constantia State Estate Control Amendment Act (House of Assembly), 1989.

KANTOOR VAN DIE STAATSPRESIDENT

No. 650.

12 April 1989

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

No. 41 van 1989: Wysigingswet op Beheer van die Groot Constantia-Staatslandgoed (Volksraad), 1989.

Act No. 41, 1989 **GROOT CONSTANTIA STATE ESTATE CONTROL AMENDMENT
ACT (HOUSE OF ASSEMBLY), 1989**

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

— Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Groot Constantia State Estate Control Act, 1975, so as to amend certain expressions as a result of the assignment of the administration of the said Act to the Minister of Agriculture and Water Supply; to delete the restriction that the board shall consist of not more than five members; to provide for the payment of remuneration to certain members of the board; to abolish the restriction on the powers of the board not to hire, let or sublet any building without the approval of the Minister; to make a certain adaptation consequent upon the establishment of certain development bodies; to repeal the provision in terms of which officers and employees in the public service may be seconded to the service of the board; to empower the board to arrange for insurance with an insurer without the approval of the Minister; to abolish the requirement that the board shall obtain the approval of the Minister before opening a banking account; to make certain adjustments in pursuance of the amendment of certain other laws; to include a detailed description of the Groot Constantia State Estate in the Act; and to further arrange for the reporting procedure by the board; and to provide for matters connected therewith.

(*English text signed by the State President.
Assented to 21 March 1989.*)

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

Amendment of section 1 of Act 24 of 1975

1. Section 1 of the Groot Constantia State Estate Control Act, 1975 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the substitution for the definition of "Groot Constantia State Estate" of the following definition:

"'Groot Constantia State Estate' means those portions of land [registered under Deed of Transfer No. 217/1885 dated 19 October 1885 and described as—

(a) the Remainder of the farm No. 911, division of the Cape, in extent 9,5668 ha;

(b) the farm No. 913, division of the Cape, in extent 16,4547 ha;

(c) the Remainder of Portion 2 of the farm No. 1094, division of the Cape, in extent 76,6067 ha,

and includes any portion of land declared by the State President in terms of section 17 (1) to be part of the said State Estate] described in section 17 (1);";

(b) by the substitution for the definition of "Minister" of the following definition:

"'Minister' means the Minister of Agriculture and Water Supply: House of Assembly;" and

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WYSIGINGSWET OP BEHEER VAN DIE GROOT CONSTANTIA-
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ALGEMENE VERDUIDELIKENDE NOTA:

- I** Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordeningen aan.
- Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordeningen aan.
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-

WET

Tot wysiging van die Wet op Beheer van die Groot Constantia-staatslandgoed, 1975, ten einde sekere uitdrukings te wysig as gevolg van die opdrag van die uitvoering van genoemde Wet aan die Minister van Landbou en Watervoorsiening; die beperking dat die raad uit hoogstens vyf lede bestaan, te skrap; voorsiening te maak vir die betaling van vergoeding aan sekere lede van die raad; die beperking op die bevoegdheid van die raad om nie sonder die goedkeuring van die Minister 'n gebou te huur of te verhuur of onderverhuur nie, op te hef; 'n sekere aanpassing te maak na aanleiding van die instelling van sekere ontwikkelingsliggame; die bepaling waarvolgens beampies en werknemers in die staatsdiens aan die diens van die raad afgestaan kan word, te herroep; die raad te magtig om sonder die goedkeuring van die Minister vir versekering met 'n versekeraar te reël; af te sien van die vereiste dat die raad die Minister se goedkeuring vir die opening van 'n bankrekening moet verkry; sekere aanpassings te maak na aanleiding van die wysiging van sekere ander wette; 'n volledige beskrywing van die Groot Constantia-staatslandgoed in die Wet op te neem; en verslagdoening deur die raad verder te reël; en om voorsiening te maak vir aangeleenthede wat daar mee in verband staan.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 21 Maart 1989.)

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

Wysiging van artikel 1 van Wet 24 van 1975

1. Artikel 1 van die Wet op Beheer van die Groot Constantia-staatslandgoed, 1975 (hieronder die Hoofwet genoem), word hierby gewysig—
- (a) deur die omskrywing van "die plaas" deur die volgende omskrywing te vervang:
"die plaas" daardie gedeeltes van die Groot Constantia-staatslandgoed [wat onmiddellik voor die inwerkingtreding van hierdie Wet onder die beheer van die Departement van Landbou-tegniese Dienste was en ook enige gedeelte van gemelde Staatslandgoed] wat deur die Minister ingevolge artikel 17 (2) as deel van die plaas aangewys word;"
- 10 (b) deur die omskrywing van "Groot Constantia-staatslandgoed" deur die volgende omskrywing te vervang:
"Groot Constantia-staatslandgoed" daardie gedeeltes grond [geregistreer kragtens Transportakte No. 271/1885 gedateer 19 Oktober 1885 en wat beskryf word as—
- (a) die restant van die plaas No. 911, afdeling Kaap, groot 9,5668 ha;
- 15 (b) die plaas No. 913, afdeling Kaap, groot 16,4547 ha;
- (c) die restant van gedeelte 2 van die plaas No. 1094, afdeling Kaap, groot 76,6067 ha,

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- (c) by the substitution for the definition of "the farm" of the following definition:
- "the farm' means those portions of the Groot Constantia State Estate [which were immediately before the commencement of this Act under the control of the Department of Agricultural Technical Services and includes any portion of the said State Estate] designated by the Minister in terms of section 17 (2) as part of the farm;".

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Substitution of section 3 of Act 24 of 1975

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

"Constitution of board

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3. The board shall consist of not fewer than four [and not more than five] members to be appointed by the Minister.".

Substitution of section 9 of Act 24 of 1975

3. The following section is hereby substituted for section 9 of the principal Act:

"Remuneration and allowances of members of board

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9. (1) A member of the board who is not in the full-time employment of the State, [shall] may be paid in respect of the performance of his functions as such member, the remuneration and the travelling and subsistence allowances determined by the Minister [in consultation] with the concurrence of the Minister of [Finance] the Budget and Works.

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(2) [Any] The remuneration and any allowances which may become payable in terms of subsection (1) shall be paid from the funds of the board.

(3) The board shall refund to the Minister, for the benefit of the [Consolidated Revenue Fund] Revenue Account: House of Assembly, any remuneration and travelling [or] and subsistence allowances paid out of public funds to any member of the board who is in the full-time service of the State.".

Amendment of section 11 of Act 24 of 1975, as amended by section 1 of Act 11 of 1979

4. Section 11 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) The board shall not—

(a) without the approval of the Minister,

[i] in terms of subsection (1) (f) erect any building or structure;

[ii] in terms of subsection (1) (g) hire any building; or

[iii] in terms of subsection (1) (h) let or sublet any building;]

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(b) without the approval of the Minister, given with the concurrence of the Minister of Finance,

[i] in terms of subsection (1) (gA) hire any building;

[ii] in terms of subsection (1) (j) borrow any money; or

[iii] in terms of subsection (1) (k) accept any donation to which any condition is attached.]

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(c) without the approval of the Minister, given with the concurrence of the Minister of the Budget and Works, in terms of subsection (1) (k) accept any donation to which any condition is attached.".

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Amendment of section 11A of Act 24 of 1975, as inserted by section 2 of Act 11 of 1979

5. Section 11A of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

"(1) The board may, subject to the approval of the Minister, given with the concurrence of the Minister of [Finance] the Budget and Works, hire the land specified in such approval."; and

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

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en ook enige gedeelte grond wat deur die Staatspresident ingevolge artikel 17 (1) tot deel van gemelde Staatslandgoed verklaar word]
beskryf in artikel 17 (1);”; en

- 5 (c) deur die omskrywing van “Minister” deur die volgende omskrywing te vervang:
“Minister” die Minister van Landbou en Watervoorsiening: Volksraad;”.

Vervanging van artikel 3 van Wet 24 van 1975

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

“Samestelling van raad

- 10 3. Die raad bestaan uit minstens vier [en hoogstens vyf] lede wat deur die Minister aangestel word.”.

Vervanging van artikel 9 van Wet 24 van 1975

3. Artikel 9 van die Hoofwet word hierby deur die volgende artikel vervang:

“Vergoeding en toelaes van lede van raad

- 15 9. (1) Aan 'n lid van die raad wat nie in die heeltydse diens van die Staat is nie, [word] kan ten opsigte van die verrigting van sy werksamehede as sodanige lid die vergoeding en reis- en verblyftoelaes betaal wat deur die Minister [in oorleg] met die instemming van die Minister van [Finansies] Begroting en Werke bepaal word,

20 (2) [Toelaes] Die vergoeding en toelaes wat ingevolge subartikel (1) betaal word, word uit die fondse van die raad betaal.

(3) Die raad moet aan die Minister, ten bate van die [Gekonsolideerde Inkomstefonds] Inkomsterekening: Volksraad, enige vergoeding en reisen verblyftoelaes terugbetaal wat uit staatsgelde aan 'n lid van 'n raad betaal word wat in die heeltydse diens van die Staat is.”.

Wysiging van artikel 11 van Wet 24 van 1975, soos gewysig deur artikel 1 van Wet 11 van 1979

4. Artikel 11 van die Hoofwet word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

30 (2) Die raad kan nie—

(a) sonder die goedkeuring van die Minister

- [i] enige gebou of struktuur ingevolge subartikel (1) (f) oprig nie;
[ii] enige gebou ingevolge subartikel (1) (g) huur nie; of
[iii] enige gebou ingevolge subartikel (1) (h) verhuur of onderverhuur nie;

35 (b) sonder die goedkeuring van die Minister, gegee met die instemming van die Minister van Finansies,

- [i] 'n gebou ingevolge subartikel (1) (gA) huur nie;
[ii] geld ingevolge subartikel (1) (j)leen nie; of
[iii] enige skenking waaraan 'n voorwaarde geheg is, ingevolge subartikel (1) (k) aanvaar nie.]

40 (c) sonder die goedkeuring van die Minister, gegee met die instemming van die Minister van Begroting en Werke, enige skenking waaraan 'n voorwaarde geheg is, ingevolge subartikel (1) (k) aanvaar nie.”.

45 Wysiging van artikel 11A van Wet 24 van 1975, soos ingevoeg deur artikel 2 van Wet 11 van 1979

5. Artikel 11A van die Hoofwet word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

50 “(1) Die raad kan, onderworpe aan die goedkeuring van die Minister, gegee met die instemming van die Minister van [Finansies] Begroting en Werke, die grond in so 'n goedkeuring vermeld, huur.”; en

(b) deur paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:

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- “(a) shall only be given in respect of land situated in the [divisional area of the Divisional Council of the Cape] area of the Regional Services Council for the Cape Metropole and Surrounding Area established by Provincial Notice No. 4 of 1987 dated 9 January 1987 (of the Cape of Good Hope); and”.

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Substitution of section 12 of Act 24 of 1975

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

“Staff of board

12. The work incidental to the carrying out of its functions by the board shall be performed at the expense and under the directions and control of 10 the board by

- [(a)] persons with whom the board has concluded agreements for the performance of any act or piece of work or the rendering of services, on the conditions and at the remuneration determined by the Minister with the [approval] concurrence of the Minister of [Finance] the Budget and Works
 [(b)] officers and employees in the public service serving in the Department of Agricultural Technical Services seconded to the service of the board in terms of the provisions of the Public Service Act, 1957 (Act No. 54 of 1957)].”.

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Amendment of section 13 of Act 24 of 1975

7. Section 13 of the principal Act is hereby amended—

- (a) by the substitution for the words preceding paragraph (a) of the following words:
 “The board may [with the approval of the Minister] arrange with an insurer 25 for the provision of insurance cover—”; and
 (b) by the substitution for paragraph (a) of the following paragraph:
 “(a) for any member of the board who is not in the full-time service of the State and for any person with whom the board has concluded an agreement contemplated in [paragraph (a) of] section 12, in respect of 30 any bodily injury, disablement or death resulting solely and directly from any accident occurring in the course of the performance of his functions in terms of this Act or, in the case of such person, while performing the act or piece of work or rendering the services in terms of the agreement in question.”.

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Substitution of section 14 of Act 24 of 1975

8. The following section is hereby substituted for section 14 of the principal Act:

“Funds of board

14. (1) The funds of the board shall consist of—

- [(a)] an amount of R150 000, to be paid to the board from the Consolidated Revenue Fund as soon as possible after the commencement of this Act in order to enable the board to commence and proceed with the performance of its functions in terms of this Act;
 [(b)] (a) loans granted to the board from moneys appropriated by [Parliament for that purpose] the House of Assembly, on the 45 conditions determined by the Minister [in consultation] with the concurrence of the Minister of [Finance] the Budget and Works, in order to enable the board to attain its objects;
 [(c)] (b) moneys derived from the sale of grapes, wine, other agricultural produce or other movable property;
 [(d)] (c) interest derived from investments;
 [(e)] (d) moneys received by way of donation;

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- 5 "(a) word slegs gegee ten opsigte van grond wat in die afdelingsgebied van die Afdelingsraad van die Kaap gebied van die Streeksdiensteraad vir die Kaapse Metropool en Omgewing ingestel by Proviniale Kennisgewing No. 4 van 1987 van 9 Januarie 1987 (van die Kaap die Goeie Hoop), geleë is; en".

Vervanging van artikel 12 van Wet 24 van 1975

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

"Personeel van raad"

- 10 12. Die werk verbonde aan die verrigting van sy werksaamhede deur die raad, word op die koste en onder die opdragte en beheer van die raad verrig deur
- 15 (a) persone met wie die raad ooreenkoms aangegaan het vir die verrigting van 'n handeling of werkstuk of die levering van dienste, op die voorwaardes en teen die vergoeding wat deur die Minister met die goedkeuring instemming van die Minister van Finansies Begroting en Werke bepaal word
- 20 (b) beampetes en werknemers in die staatsdiens in diens by die Departement van Landbou-tegniese Dienste wat aan die diens van die raad ingevolge die bepalings van die Staatsdienswet, 1957 (Wet No. 54 van 1957), afgestaan word.]".

Wysiging van artikel 13 van Wet 24 van 1975

7. Artikel 13 van die Hoofwet word hierby gewysig—

- 25 (a) deur die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:
"Die raad kan met die goedkeuring van die Minister met 'n versekeraar reël vir die voorsiening, by wyse van versekering, van dekking—"; en
- 30 (b) deur paragraaf (a) deur die volgende paragraaf te vervang:
"(a) vir 'n lid van die raad wat nie in die heeltydse diens van die Staat is nie en vir 'n persoon met wie die raad 'n ooreenkoms beoog in paragraaf (a) van artikel 12 aangegaan het, ten opsigte van enige liggaamlike besering, ongesiktheid of dood wat uitsluitlik en regstreeks die gevolg is van 'n ongeluk wat plaasvind in die loop van die verrigting van sy werksaamhede ingevolge hierdie Wet of, in die geval van bedoelde persoon, terwyl hy ingevolge die betrokke ooreenkoms die handeling of werkstuk verrig of die dienste lewer;".

Vervanging van artikel 14 van Wet 24 van 1975

8. Artikel 14 van die Hoofwet word hierby deur die volgende artikel vervang:

"Fondse van raad"

- 40 14. (1) Die fondse van die raad bestaan uit—
- 45 (a) 'n bedrag van R150 000, wat so gou as moontlik na die inwerkintreding van hierdie Wet uit die Gekonsolideerde Inkomstefonds aan die raad betaal moet word ten einde die raad in staat te stel om met die verrigting van sy werksaamhede ingevolge hierdie Wet 'n aanvang te neem en daarmee voort te gaan;
- 50 (b) (a) lenings aan die raad toegestaan uit gelde deur die Parlement vir daardie doel Volksraad bewillig, op die voorwaardes wat deur die Minister in oorleg met die instemming van die Minister van Finansies Begroting en Werke bepaal word, ten einde die raad in staat te stel om sy doelstellings te bereik;
- 55 (c) (b) geld verkry uit die verkoop van druiwe, wyn, ander landbouprodukte of ander roerende goed;
- 60 (d) (c) rente uit beleggings verkry;
- 65 (e) (d) geld by wyse van skenking ontvang;

Act No. 41, 1989**GROOT CONSTANTIA STATE ESTATE CONTROL AMENDMENT ACT (HOUSE OF ASSEMBLY), 1989****[(f)] (e) moneys received from any other source.**(2) The board shall open an account with a banking institution **[approved by the Minister]** and shall deposit in such account all moneys received by the board in terms of this Act.(3) Any moneys standing to the credit of the account referred to in subsection (2) and which are not required for immediate use or as a reasonable operating balance shall be invested with the Public **[Debt] Investment** Commissioners or shall be invested or utilized in any other manner determined by the Minister **[in consultation]** with **the concurrence** of the Minister of **[Finance]** **the Budget and Works.**" 10**Repeal of section 15 of Act 24 of 1975****9. Section 15 of the principal Act is hereby repealed.****Substitution of section 17 of Act 24 of 1975****10. The following section is hereby substituted for section 17 of the principal Act:****"Groot Constantia State Estate and farm**

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17. (1) The Groot Constantia State Estate consists of—**(a) those portions of land registered under Deed of Transfer No. 217/1885 dated 19 October 1885 and described as—**

- (i) the Remainder of the farm No. 911, division of the Cape, in extent 9,5668 ha;**
- (ii) the farm No. 913, division of the Cape, in extent 16,4547 ha;**
- (iii) the Remainder of Portion 2 of the farm No. 1094, division of the Cape, in extent 76,6067 ha;**

(b) State forest land which has been withdrawn from demarcation by Government Notice No. 1645 dated 18 August 1978 and described as Portion of Groot Constantia, Component 2 of Tokai State Forest 129, division of the Cape, in extent 22,1725 ha;**(c) the farm Coleyn known as Erf 2761, Constantia, division of the Cape, in extent 16,1069 ha;****(d) the farm Nova, known as Erf 7395, a portion of Erf 2607 Constantia, division of the Cape, as described on diagram 9215/75, in extent 11,1492 ha;****(e) the farm Hoop op Constantia, known as Erf 6601, portion of Erf 2744 Constantia, division of the Cape, in extent 6,0641 ha; and****(f) the Remainder of portion of Erf 2744 Constantia, division of the Cape, in extent 6,5953 ha.****(2) The Minister may from time to time designate any land forming part of the Groot Constantia State Estate as part of the farm."**

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Repeal of section 18 of Act 24 of 1975**11. Section 18 of the principal Act is hereby repealed.**

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Amendment of section 20 of Act 24 of 1975, as amended by section 49 of Act 57 of 1975**12. Section 20 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:****"(2) The books, statements of account and balance sheet of the board shall be audited by the **[Controller and]** Auditor-General."**

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Amendment of section 21 of Act 24 of 1975**13. Section 21 of the principal Act is hereby amended—****(a) by the substitution for paragraph (a) of subsection (1) of the following paragraph:****"(a) The board shall keep an accurate record of its activities and shall **[as soon as possible]** within six months after the end of each financial year,**

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[(f)] (e) geld uit enige ander bron verkry.

(2) Die raad moet 'n rekening by 'n bankinstelling [**wat die Minister goedkeur**] open en moet in daardie rekening alle geld wat die raad ingevolge hierdie Wet ontyang, stort.

5 (3) Enige geld waarmee die in subartikel (2) bedoelde rekening gekrediteer is en wat nie vir onmiddellike gebruik of as 'n redelike bedryfsaldo nodig is nie, moet by die [**Staatskuldkommissaris**] Openbare Beleggingskommissaris belê word of op 'n ander wyse deur die Minister [**in oorleg**] met die instemming van die Minister van [**Finansies**] Begroting en Werke bepaal, belê of aangewend word.”.

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Herroeping van artikel 15 van Wet 24 van 1975

9. Artikel 15 van die Hoofwet word hierby herroep.

Vervanging van artikel 17 van Wet 24 van 1975

10. Artikel 17 van die Hoofwet word hierby deur die volgende artikel vervang:

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“Groot Constantia-staatslandgoed en plaas

17. (1) Die Groot Constantia-staatslandgoed bestaan uit—

- (a) daardie gedeeltes grond geregistreer kragtens Transportakte No. 217/1885 gedateer 19 Oktober 1885 en wat beskryf word as—
- (i) die restant van die plaas No. 911, afdeling Kaap, groot 9,5668 ha;
 - (ii) die plaas No. 913, afdeling Kaap, groot 16,4547 ha;
 - (iii) die restant van gedeelte 2 van die plaas No. 1094, afdeling Kaap, groot 76,6067 ha;
- (b) Staatsbosgrond wat kragtens Goewermentskennisgewing No. 1645 gedateer 18 Augustus 1978 aan demarkering onttrek is en wat beskryf word as gedeelte van Groot Constantia, Samestellende Gedeelte 2 van Tokai-staatsbos 129, afdeling Kaap, groot 22,1725 ha;
- (c) die plaas Coleyn, bekend as Erf 2761, Constantia, afdeling Kaap, groot 16,1069 ha;
- (d) die plaas Nova, bekend as Erf 7395, 'n gedeelte van Erf 2607 Constantia, afdeling Kaap, soos beskryf op diagram 9215/75, groot 11,1492 ha;
- (e) die plaas Hoop op Constantia, bekend as Erf 6601, gedeelte van Erf 2744 Constantia, afdeling Kaap, groot 6,0641 ha; en
- (f) die resterende gedeelte van Erf 2744 Constantia, afdeling Kaap, groot 6,5953 ha.

(2) Die Minister kan van tyd tot tyd enige grond wat deel van die Groot Constantia-staatslandgoed uitmaak as deel van die plaas aanwys.”.

40 **Herroeping van artikel 18 van Wet 24 van 1975**

11. Artikel 18 van die Hoofwet word hierby herroep.

Wysiging van artikel 20 van Wet 24 van 1975, soos gewysig deur artikel 49 van Wet 57 van 1975

12. Artikel 20 van die Hoofwet word hierby gewysig deur subartikel (2) deur die 45 volgende subartikel te vervang:

“(2) Die boeke, rekenings en balansstaat van die raad word deur die [**Kontroleur en**] Ouditeur-generaal geouditeer.”.

Wysiging van artikel 21 van Wet 24 van 1975

13. Artikel 21 van die Hoofwet word hierby gewysig—

50 (a) deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:

“(a) Die raad moet juiste aantekeninge van sy bedrywigheide hou en moet, [**so spoedig moontlik**] binne 6 maande na die end van elke boekjaar,

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- submit to the Minister in a manner determined by him a report, including a minority report, if any, relating to its activities during that financial year.”; and
- (b) by the substitution for subsection (2) of the following subsection:
- “(2) The Minister shall lay each report submitted to him in terms of subsection (1) (a) on the Table [in the Senate and] in the House of Assembly within 14 days after receipt thereof, if Parliament is then in ordinary session or, if Parliament is not then in ordinary session, within 14 days after the commencement of its first ensuing ordinary session.”.

Substitution of section 23 of Act 24 of 1975

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- 14.** The following section is hereby substituted for section 23 of the principal Act:

“Exemption

23. The provisions of the Liquor Act, [1928 (Act No. 30 of 1928)] 1977 (Act No. 87 of 1977), shall not apply in respect of any person who in terms of the provisions of this Act sells wine on the farm on behalf of the board.”.

Amendment of section 24 of Act 24 of 1975

- 15.** Section 24 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) For the purpose of the Liquor Act, [1928 (Act No. 30 of 1928)] 1977 (Act No. 87 of 1977), it shall be deemed that any person who conducts a restaurant in any building hired from the board, or if such restaurant is not managed by himself but by his nominee, such nominee, is, subject to the conditions determined by the Minister of [Justice] Economic Affairs and Technology, the holder of a restaurant liquor licence referred to in [paragraph (b) (i) of section 25 8 (1)] section 22 (a) (v) of that Act in respect of such restaurant: Provided that the designation of such nominee shall be approved by the board.”.

Substitution of section 25 of Act 24 of 1975

- 16.** The following section is hereby substituted for section 25 of the principal Act:

“Directions of Minister

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25. The Minister—

- (a) shall, [in consultation] with the concurrence of the Minister of [Finance] the Budget and Works, determine the system of accounting for and control of the moneys, stores and equipment of the board;
- (b) shall, [in consultation] with the concurrence of the Minister of [Finance] the Budget and Works, determine the procedure for inviting and accepting tenders for the execution of work on behalf of the board or for the supply of goods and material to the board; and
- (c) may generally give such directions as he may deem fit for the carrying out by the board of its functions.”.

35

Short title

- 17.** This Act shall be called the Groot Constantia State Estate Control Amendment Act (House of Assembly), 1989.

WYSIGINGSWET OP BEHEER VAN DIE GROOT CONSTANTIA-STAAATSLANDGOED (VOLKSRAAD), 1989

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aan die Minister 'n verslag, met inbegrip van 'n minderheidsverslag, as daar is, oor sy bedrywighede gedurende daardie boekjaar voorlê op die wyse wat die Minister bepaal."; en

(b) deur subartikel (2) deur die volgende subartikel te vervang:

5 "(2) Die Minister moet elke verslag wat ingevolge subartikel (1) (a) aan hom voorgelê word, **[in die Senaat en]** in die Volksraad ter Tafel lê binne 14 dae na ontvang daarvan, indien die Parlement dan in gewone sessie is, of, indien die Parlement nie dan in gewone sessie is nie, binne 14 dae na die aanvang van sy eersvolgende gewone sessie."

10 Vervanging van artikel 23 van Wet 24 van 1975

14. Artikel 23 van die Hoofwet word hierby deur die volgende artikel vervang:

"Vrystelling

15 **23.** Die bepalings van die Drankwet, **[1928 (Wet No. 30 van 1928)] 1977 (Wet No. 87 van 1977)**, is nie van toepassing nie ten opsigte van iemand wat ingevolge die bepalings van hierdie Wet wyn namens die raad op die plaas verkoop."

Wysiging van artikel 24 van Wet 24 van 1975

15 **15.** Artikel 24 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

20 "(1) By die toepassing van die Drankwet, **[1928 (Wet No. 30 van 1928)] 1977 (Wet No. 87 van 1977)**, word daar geag dat iemand wat 'n restaurant dryf in 'n gebou wat van die raad gehuur word, of as so 'n restaurant nie deur homself nie maar deur sy benoemde bestuur word, bedoelde benoemde onderworpe aan die voorwaardes wat die Minister van **[Justisie] Ekonomiese Sake en Tegnologie** bepaal, die houer is van 'n restaurantdranklisensie, bedoel in **[paragraaf (b) (i) van artikel 8 (1)] artikel 22 (a) (v)** van daardie Wet, ten opsigte van bedoelde restaurant: Met dien verstande dat die aanwysing van bedoelde benoemde deur die raad goedgekeur moet word."

Vervanging van artikel 25 van Wet 24 van 1975

30 **16.** Artikel 25 van die Hoofwet word hierby deur die volgende artikel vervang:

"Voorskrifte van Minister**25.** Die Minister—

- 35 (a) moet, **[in oorleg]** met die instemming van die Minister van Finansies Begroting en Werke, die stelsel van verantwoording vir en beheer oor geld, voorrade en toerusting van die raad bepaal;
- (b) moet, **[in oorleg]** met die instemming van die Minister van Finansies Begroting en Werke, die prosedure in verband met die vra en aanneem van tenders vir die uitvoering van werk namens die raad of in verband met die verskaffing van goedere en materiaal aan die raad, bepaal; en
- 40 (c) kan in die algemeen die opdragte gee wat hy goedvind vir die verrigting van die raad se werksaamhede."

Kort titel

17. Hierdie Wet heet die Wysigingswet op Beheer van die Groot Constantia-
45 staatslandgoed (Volksraad), 1989.

