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STAATSKOERANT

GOVERNMENT GAZETTE

OF THE REPUBLIC OF SOUTH AFRICA

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KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 1465.

4 Julie 1990

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

No. 90 van 1990: Wet op die Landelike Gebied Mier (Raad van Verteenwoordigers), 1990.

No. 1465.

4 July 1990

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

No. 90 of 1990: Mier Rural Area Act (House of Representatives), 1990.

Wet No. 90, 1990

WET OP DIE LANDELIKE GEBIED MIER (RAAD VAN
VERTEENWOORDIGERS), 1990

WET

Om voorsiening te maak vir die instelling, in die landelike gebied Mier, van afsonderlike plaaseenhede, 'n wildplaas en dorpe, en vir die verkoop en verhuur van daardie plaaseenhede en van erwe; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

*(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 21 Junie 1990.)*

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

Woordomskrywing

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken—
 - (i) “bestuursraad” die liggaam ooreenkomstig die bedoeling van die Wet op Landelike Gebiede ingestel vir die administrasie en beheer van die landelike gebied Mier; (i)
 - (ii) “geregistreerde okkupeerder”, met betrekking tot die landelike gebied Mier, die persoon wat kragtens die Wet op Landelike Kleurlinggebiede, 1963 (Wet No. 24 van 1963), of die Wet op Landelike Kleurlinggebiede, 1979 (Wet No. 1 van 1979), van die Verteenwoordigende Kleurlingraad van die Republiek van Suid-Afrika of die Wet op Landelike Gebiede 'n geregistreerde okkupeerder in die landelike gebied Mier is of kan word; (v)
 - (iii) “landelike gebied Mier” die gebied omskrywe en vervat in Sertifikaat van Geregistreerde Titel No. T954/1986 gedateer 16 September 1986 en in Sertifikaat van Verenigde Titel No. T348/1989 gedateer 22 Maart 1989; welke titels geregistreer is in die Registrasiekantoor van Aktes te Vryburg; (iii)
 - (iv) “Minister” die Minister wat as lid van die Ministersraad van die Raad van Verteenwoordigers die Wet op Landelike Gebiede uitvoer; (iv)
 - (v) “plaaseenheid” grond in artikel 2 (1) vermeld; (ii)
 - (vi) “Wet op Landelike Gebiede” die Wet op Landelike Gebiede (Raad van Verteenwoordigers), 1987 (Wet No. 9 van 1987). (vi)

Instelling van plaaseenhede

2. (1) Ondanks die bepalings van enige ander wet of die gemene reg is die grond wat deel van die landelike gebied Mier uitmaak en in Bylae 1 beskryf word, plaaseenhede by die toepassing van hierdie Wet.

(2) Die Minister kan—

- (a) een of meer plaaseenhede aan 'n geregistreerde okkupeerder van die landelike gebied Mier verkoop, en by betaling van die betrokke opmeet- en ander koste en die koopprys soos deur die Minister bepaal, 'n grondbrief vir so 'n plaaseenheid aan die koper uitreik op die voorwaardes wat die Minister bepaal en in elke latere titelbewys van die plaaseenheid opgeneem moet word;
- (b) op die voorwaardes wat die Minister bepaal 'n verband oor 'n plaaseenheid wat kragtens paragraaf (a) verkoop is, as sekuriteit neem en teen die grondbrief van daardie plaaseenheid laat registreer, vir die betaling van genoemde koste en die saldo van die koopprys; of

ACT

To provide for the establishment, in the Mier rural area, of separate farm units, a game farm and townships, and for the sale and putting out to lease of those farm units and of erven; and to provide for matters connected therewith.

*(English text signed by the State President.)
(Assented to 21 June 1990.)*

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

Definitions

1. In this Act, unless the context otherwise indicates—
- 5 (i) “board of management” means the body within the meaning of the Rural Areas Act established for the administration and control of the Mier rural area; (i)
- (ii) “farm unit” means land mentioned in section 2 (1); (v)
- 10 (iii) “Mier rural area” means the area defined and included in Certificate of Registered Title No. T954/1986 dated 16 September 1986 and in Certificate of Consolidated Title No. T348/1989 dated 22 March 1989, which titles are registered in the Deeds Registry at Vryburg; (iii)
- (iv) “Minister” means the Minister who as a member of the Ministers’ Council of the House of Representatives administers the Rural Areas Act; (iv)
- 15 (v) “registered occupier”, in relation to the Mier rural area, means the person who is or may become a registered occupier in the Mier rural area under the Rural Coloured Areas Act, 1963 (Act No. 24 of 1963), or the Rural Coloured Areas Law, 1979 (Law No. 1 of 1979), of the Coloured Persons Representative Council of the Republic of South Africa or the Rural Areas Act; (ii)
- 20 (vi) “Rural Areas Act” means the Rural Areas Act (House of Representatives), 1987 (Act No. 9 of 1987). (vi)

Establishment of farm units

2. (1) Notwithstanding the provisions of any other law or the common law, the
- 25 land forming part of the Mier rural area and described in Schedule 1, shall constitute farm units for the purposes of this Act.
- (2) The Minister may—
- (a) sell one or more farm units to any registered occupier of the Mier rural area, and on payment of the costs of survey and other costs concerned and
- 30 the purchase price as determined by the Minister, issue to the purchaser a deed of grant for any such farm unit on the conditions determined by the Minister and to be incorporated in every subsequent title deed of the farm unit;
- (b) take, on the conditions determined by the Minister, as security for the
- 35 payment of the said costs and the balance of the purchase price, a mortgage bond over a farm unit sold under paragraph (a); or

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- (c) een of meer plaaseenhede aan 'n geregistreerde okkupeerder van die landelike gebied Mier verhuur vir die tydperk en op die voorwaardes wat die Minister bepaal.

Instelling van wildplaas

3. Ondanks die bepalings van enige ander wet of die gemene reg is die gedeelte 5
van die restant van die plaas Mier No. 585 wat deel van die landelike gebied Mier
uitmaak en in Bylae 2 beskryf word, 'n wildplaas, wat deur die bestuursraad
ontwikkel, benut, beheer, bestuur en in stand gehou word en ten opsigte waarvan
die eiendomsreg op die wild daarop by die bestuursraad as die wettige eienaar
daarvan berus, met uitsluiting van enige wild wat kom vanuit die Kalahari-Gemsbok 10
Nasionale Park deur die grensheining tussen daardie park en die wildplaas.

Verval van sekere regte

4. Vanaf die inwerkingtreding van hierdie Wet en ondanks die bepalings van enige
ander wet of die gemene reg—

- (a) is die plaaseenhede en genoemde wildplaas nie beskikbaar vir gemeen- 15
skaplike weiding nie; en
- (b) verval enige wei-, suipings-, gebruik-, okkupasie- of besitregte waaroor 'n
geregistreerde okkupeerder van die landelike gebied Mier ten opsigte van
bedoelde wildplaas by genoemde inwerkingtreding beskik en waaroor 20
sodanige geregistreerde okkupeerder wat nie 'n in artikel 2 (2) bedoelde
koper of huurder van 'n plaaseenheid is nie, by genoemde inwerkingtreding
ten opsigte van die plaaseenhede beskik: Met dien verstande dat—
- (i) enige grondbrief met betrekking tot 'n plaaseenheid wat op of na 1
April 1989 uitgereik is, geag word kragtens artikel 2 (2) (a) uitgereik te 25
gewees het;
- (ii) enige huurkontrak met betrekking tot 'n plaaseenheid wat op of na 1
Januarie 1986 aangegaan is, geag word kragtens artikel 2 (2) (c)
aangegaan te gewees het;
- (iii) die Minister, op aansoek, binne 'n tydperk van drie jaar vanaf die
inwerkingtreding van hierdie Wet, van 'n geregistreerde okkupeerder 30
van wie 'n reg aldus verval en wat ten genoë van die Minister bewys
dat hy daardie reg by genoemde inwerkingtreding uitgeoefen het, uit
fondse deur die Raad van Verteenwoordigers vir dié doel bewillig, aan
daardie geregistreerde okkupeerder vergoeding moet betaal ten op- 35
sigte van daardie reg; en
- (iv) by die vasstelling en betaling van genoemde vergoeding die tersaaklike
bepalings van die Onteieningswet, 1975 (Wet No. 63 van 1975),
mutatis mutandis geld asof die betrokke reg ingevolge daardie Wet
onteien is by die inwerkingtreding van hierdie Wet.

Instelling van dorpe

5. (1) Ondanks die bepalings van enige ander wet of die gemene reg is die grond
wat deel van die landelike gebied Mier uitmaak en in Bylae 3 beskryf word,
goedgekeurde beplande en opgemete dorpe by die toepassing van hierdie Wet.

(2) Die Minister kan—

- (a) genoemde dorpe uitbrei en ander dorpe in enige gedeelte van die landelike 45
gebied Mier beplan en opmeet en erwe, strate, oop ruimtes en openbare
plekke in enige sodanige dorp en dorpsuitbreiding hersoneer, herbeplan,
heropmeet, konsolideer en sluit;
- (b) een of meer erwe in die landelike gebied Mier aan 'n geregistreerde
okkupeerder van die landelike gebied Mier verkoop, en by betaling van die 50
betrokke opmeet- en ander koste en die koopprys, as daar is, soos deur die
Minister bepaal, 'n grondbrief vir so 'n erf aan die koper uitreik op die
voorwaardes wat die Minister bepaal en wat in elke latere titelbewys van
die erf opgeneem moet word: Met dien verstande dat enige grondbrief met
betrekking tot so 'n erf wat op of na 1 Januarie 1987 uitgereik is, geag word 55
kragtens hierdie paragraaf uitgereik te gewees het; of

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- (c) let, for such period and on such conditions as the Minister may determine, one or more farm units to any registered occupier of the Mier rural area.

Establishment of game farm

3. Notwithstanding the provisions of any other law or the common law, the portion of the remainder of the farm Mier No. 585 which forms part of the Mier rural area and is described in Schedule 2, shall constitute a game farm, which shall be developed, utilized, controlled, managed and maintained by the board of management and in respect of which the ownership in the game thereon shall vest in the board of management as the lawful owner thereof, exclusive of any game coming out of the Kalahari Gemsbok National Park through the boundary fence between that park and the game farm.

Lapsing of certain rights

4. As from the commencement of this Act and notwithstanding the provisions of any other law or the common law—
- (a) the farm units and the said game farm shall not be available for communal grazing; and
- (b) any rights of grazing, watering, use, occupation or possession available to a registered occupier of the Mier rural area in respect of that game farm at the said commencement, and available at the said commencement, in respect of the farm units, to such registered occupier who is not a purchaser or lessee of a farm unit referred to in section 2 (2), shall lapse: Provided that—
- (i) any deed of grant in relation to a farm unit issued on or after 1 April 1989 shall be deemed to have been issued under section 2 (2) (a);
- (ii) any lease in relation to a farm unit concluded on or after 1 January 1986 shall be deemed to have been concluded under section 2 (2) (c);
- (iii) the Minister shall, on application, within a period of three years as from the commencement of this Act, by a registered occupier of whom any right so lapses and who proves to the satisfaction of the Minister that he exercised such right at the said commencement, pay out of funds appropriated by the House of Representatives for that purpose, compensation to that registered occupier in respect of that right; and
- (iv) in the determination and payment of the said compensation the relevant provisions of the Expropriation Act, 1975 (Act No. 63 of 1975), shall apply *mutatis mutandis* as if the right concerned were expropriated in terms of that Act at the commencement of this Act.

Establishment of townships

5. (1) Notwithstanding the provisions of any other law or the common law, the land forming part of the Mier rural area and described in Schedule 3, shall constitute approved planned and surveyed townships for the purposes of this Act.

(2) The Minister may—

- (a) extend the said townships and plan and survey other townships in any part of the Mier rural area and rezone, replan, resurvey, consolidate and close erven, streets, open places and public places in any such township and township extension;
- (b) sell any one or more erven in the Mier rural area to any registered occupier of the Mier rural area, and on payment of the costs of survey and other costs concerned and the purchase price, if any, as determined by the Minister, issue to the purchaser a deed of grant for any such erf on the conditions determined by the Minister and to be incorporated in every subsequent title deed of the erf: Provided that any deed of grant in relation to an erf issued on or after 1 January 1987 shall be deemed to have been issued under this paragraph; or

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- (c) een of meer sodanige erwe aan 'n geregistreerde okkupeerder van die landelike gebied Mier verhuur vir die tydperk en op die voorwaardes wat die Minister bepaal.

Boubeheer

6. Ondanks die bepalings van enige ander wet of die gemene reg mag niemand in die landelike gebied Mier 'n nuwe gebou oprig of 'n bestaande gebou verander of daarby aanbou, hetsy sodanige nuwe gebou, verandering of aanbouing tydelik of permanent van aard is, sonder die indiening van die nodige bouplanne en die bestuursraad se voorafverkreë skriftelike goedkeuring van daardie planne nie. 5

Delegering van Minister se bevoegdhede

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7. Die Minister kan enige bevoegdheid wat kragtens hierdie Wet aan hom verleen word aan 'n beampte in die Staatsdiens delegeer.

Kort titel en inwerkingtreding

8. Hierdie Wet heet die Wet op die Landelike Gebied Mier (Raad van Verteenwoordigers), 1990, en word geag op 1 April 1989 in werking te getree het. 15

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- (c) let, for such period and on such conditions as the Minister may determine, one or more such erven to any registered occupier of the Mier rural area.

Building control

- 5 6. Notwithstanding the provisions of any other law or the common law, no person shall erect a new building or alter or add to an existing building, irrespective of whether such new building, alteration or addition is of a permanent or temporary nature, in the Mier rural area without submitting the necessary building plans and without the prior written approval of those plans by the board of management.

Delegation of Minister's powers

- 10 7. The Minister may delegate to an officer in the Public Service any of the powers conferred upon him under this Act.

Short title and commencement

8. This Act shall be called the Mier Rural Area Act (House of Representatives), 1990, and shall be deemed to have come into operation on 1 April 1989.

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WET OP DIE LANDELIKE GEBIED MIER (RAAD VAN
VERTEENWOORDIGERS), 1990**Bylae 1****(Artikel 2)**

Gedeeltes 1 tot 115, 118-tot 121, 124, 125 en 128 tot 131 van die plaas Mier No. 585, Administratiewe Distrik Gordonia, Provinsie Kaap die Goeie Hoop.

Bylae 2**(Artikel 3)**

Gedeelte van die restant van die plaas Mier No. 585, Administratiewe Distrik Gordonia, Provinsie Kaap die Goeie Hoop, wat soos volg begrens is:

Begin by die suidwestelike baken van die plaas Sitzas 54, Administratiewe Distrik Gordonia; daarvandaan suidooswaarts met die grens van laasgenoemde plaas langs sodat dit uit hierdie gebied uitgesluit word, tot by die suidoostelike baken daarvan; daarvandaan suidweswaarts met die noordwestelike grens van die plaas Kafirs Pan 77 langs sodat dit uit hierdie gebied uitgesluit word, tot by die noordelike baken van Gedeelte 1 van laasgenoemde plaas; daarvandaan suidooswaarts met die noordoostelike grens van laasgenoemde gedeelte langs tot by die noordwestelike baken van Gedeelte 4 van die plaas Mier 566; daarvandaan suidooswaarts met die grense van die volgende plase langs sodat hulle uit hierdie gebied uitgesluit word: genoemde Gedeelte 4 van die plaas Mier 566, Caldecote 76, Gedeelte 3 van die plaas Mier 566, Gedeeltes 7, 6, 5, 4, 3, 2 en 1, almal gedeeltes van die plaas Mier 585, en die plaas Camms Pannen 57, tot by die noordwestelike baken van laasgenoemde plaas; daarvandaan noordwaarts met die grens tussen Suidwes-Afrika en die Republiek van Suid-Afrika langs tot by die beginpunt.

Bylae 3**(Artikel 5)**

1. Rietfontein, grond opgemeet soos aangedui op goedgekeurde Algemene Plan No. 10449, synde die onderverdeling van gedeelte 1 van die plaas Mier No. 566.
2. Rietfontein-uitbreiding 1, grond opgemeet soos aangedui op goedgekeurde algemene Plan No. 11819, synde die onderverdeling van erf 519 Rietfontein.
3. Loubos, grond opgemeet soos aangedui op goedgekeurde Algemene Plan No. 12140, synde die onderverdeling van erf 204 Loubos.

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Schedule 1**(Section 2)**

Portions 1 to 115, 118 to 121, 124, 125 and 128 to 131 of the farm Mier No. 585, Administrative District of Gordonia, Province of the Cape of Good Hope.

Schedule 2**(Section 3)**

Portion of the remainder of the farm Mier No. 585, Administrative District of Gordonia, Province of the Cape of Good Hope, bounded as follows:

Beginning at the south-western beacon of the farm Sitszas 54, Administrative District of Gordonia; thence south-eastwards along the boundary of the latter farm so as to exclude it from this area, to the south-eastern beacon thereof; thence south-westwards along the north-western boundary of the farm Kafirs Pan 77 so as to exclude it from this area, to the northernmost beacon of Portion 1 of the latter farm; thence south-eastwards along the north-eastern boundary of the latter portion to the north-western beacon of Portion 4 of the farm Mier 566; thence south-eastwards along the boundaries of the following farms, so as to exclude them from this area: the said Portion 4 of the farm Mier 566, Caldecote 76, Portion 3 of the farm Mier 566, Portions 7, 6, 5, 4, 3, 2 and 1, all portions of the farm Mier 585, and the farm Camms Pannen 57, to the north-western beacon of the last-mentioned farm; thence northwards along the boundary between South West Africa and the Republic of South Africa to the beginning.

Schedule 3**(Section 5)**

1. Rietfontein township, land surveyed as indicated on approved General Plan No. 10449, being the subdivision of portion 1 of the farm Mier No. 566.
2. Rietfontein township extension 1, land surveyed as indicated on approved General Plan No. 11819, being the subdivision of erf 519 Rietfontein.
3. Loubos township, land surveyed as indicated on approved General Plan No. 12140, being the subdivision of erf 204 Loubos.

