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# GOVERNMENT GAZETTE

Amendments to section 1 of Act 61 of 1993  
to give effect to the Agricultural Research Act, 1993, so as to enable a central executive authority to regulate the use of agricultural research services for the purpose of stabilising agriculture, controlling production and marketing to maintain fair prices for the benefit of consumers and to prohibit unfair practices in agriculture; and for purposes connected therewith.

## STAATSKOERANT

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STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 2435.

17 December 1993

No. 2435.

17 Desember 1993

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

No. 174 of 1993: Agricultural Research Second Amendment Act, 1993.

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

No. 174 van 1993: Tweede Wysigingswet op Landbouvorsting, 1993.

**GENERAL EXPLANATORY NOTE:**

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

# GOVERNMENT GAZETTE ACT

**To amend the Agricultural Research Act, 1990, so as to define a certain expression; and to authorize the Agricultural Research Council to create trusts for the administration of certain donations, contributions and amounts; to validate the acquisition of certain immovable property; and to provide for matters connected therewith.**

*(Afrikaans text signed by the Acting State President.)  
(Assented to 8 December 1993.)*

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

**Amendment of section 1 of Act 86 of 1990**

1. Section 1 of the Agricultural Research Act, 1990 (hereinafter referred to as the principal Act), is hereby amended by the addition of the following definition: 5  
“‘trust’ means a trust as contemplated in the Trust Property Control Act, 1988 (Act No. 57 of 1988).”

**Amendment of section 4 of Act 86 of 1990, as amended by section 1 of Act 12 of 1993**

2. Section 4 of the principal Act is hereby amended by the deletion in paragraph (m) of subsection (1) of the word “and” at the end of subparagraph (ii), the 10 addition of the word “and” at the end of subparagraph (iii), and the addition to the said paragraph of the following subparagraph:

“(iv) on its own, or in association with any person, create a trust for the administration of the donations, contributions and amounts referred to in section 20(5)(c);”.

**Amendment of section 20 of Act 86 of 1990**

3. Section 20 of the principal Act is hereby amended by the addition to subsection (5) of the following paragraph:

“(c) The ARC may pay over to a trust contemplated in section 4(1)(m)(iv) only—  
 (i) donations or contributions contemplated in subsection (1)(g) that are subject to conditions; and  
 (ii) amounts in reserve funds established under section 27(3)(b).”

**ALGEMENE VERDUIDELIKENDE NOTA:**

Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordeningen aan.

(1) Tot wysiging van die Wet op Landbounavorsing, 1990, ten einde 'n sekere uitdrukking te omskryf; en die Landbounavorsingsraad te magtig om trusts tot stand te bring vir die administrasie van sekere skenkings, bydraes en bedrae; om die verkryging van sekere onroerende eiendom geldig te verklaar; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

**WET**

**Tot wysiging van die Wet op Landbounavorsing, 1990, ten einde 'n sekere uitdrukking te omskryf; en die Landbounavorsingsraad te magtig om trusts tot stand te bring vir die administrasie van sekere skenkings, bydraes en bedrae; om die verkryging van sekere onroerende eiendom geldig te verklaar; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.**

*(Afrikaanse teks deur die Waarnemende Staatspresident geteken.)  
(Goedgekeur op 8 Desember 1993.)*

**D**AAR WORD BEPAAL deur die Staatspresident en die Parlement van die Republiek van Suid-Afrika, soos volg:—

**Wysiging van artikel 1 van Wet 86 van 1990**

1. Artikel 1 van die Wet op Landbounavorsing, 1990 (hieronder die Hoofwet genoem), word hierby gewysig deur na die omskrywing van "tegnologie-oordrag" die volgende omskrywing in te voeg:

"trust' 'n trust soos beoog in die Wet op die Beheer oor Trustgoed, 1988 (Wet No. 57 van 1988);"

**Wysiging van artikel 4 van Wet 86 van 1990, soos gewysig deur artikel 1 van Wet 10 12 van 1993**

2. Artikel 4 van die Hoofwet word hierby gewysig deur in paragraaf (m) van subartikel (1) die woord "en" aan die einde van subparagraph (ii) te skrap, die woord "en" aan die einde van subparagraph (iii) by te voeg, en die volgende subparagraph by genoemde paragraaf te voeg:

15 "(iv) op sy eie, of in medewerking met enige persoon, 'n trust tot stand bring om die skenkings, bydraes en bedrae in artikel 20(5)(c) bedoel, te administreer;"

**Wysiging van artikel 20 van Wet 86 van 1990**

3. Artikel 20 van die Hoofwet word hierby gewysig deur die volgende paragraaf by subartikel (5) te voeg:

"(c) Die LNR kan aan 'n trust soos beoog in artikel 4(1)(m)(iv) oorbetaal slegs—

(i) skenkings of bydraes beoog in subartikel (1)(g) wat onderworpe is aan voorwaardes; en

25 (ii) die bedrae in reserwfondse kragtens artikel 27(3)(b) ingestel."

**Validation of acquisition of certain property by Agricultural Research Council**

4. The acquisition by the Agricultural Research Council of the property known as Remaining Extent of Portion 67 (a portion of Portion 13) of the farm Naauwpoort 335, Registration Division JS Transvaal, held by Deed of Transfer T115057/92, registered in favour of the Agricultural Research Council, is hereby validated, with effect from the date on which the said property was acquired, in so far as it is invalid by reason of the absence of the approval of the Minister of Agriculture, or the concurrence of the Minister of Finance, as required in section 4(1)(m) of the Agricultural Research Act, 1990 (Act No. 86 of 1990). 5

<b>Short title</b>	10
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5. This Act shall be called the Agricultural Research Second Amendment Act, 1993.

5. This Act shall be called the Agricultural Research Second Amendment Act, 1993.

(Signed on 8 December 1993)

D. J. Robridge van Zyl (Signature)

W. J. van Rijf (Signature)

H. J. van Rijf (Signature)

J. A. Botha (Signature)

W. J. van Rijf (Signature)

**Geldigverklaring van verkryging van sekere eiendom deur Landbounavorsingsraad**

4. Die verkryging deur die Landbounavorsingsraad van die eiendom bekend as Resterende Gedeelte van Gedeelte 67 ('n gedeelte van Gedeelte 13) van die 5 plaas Naaupoort 335, Registrasie-afdeling JS Transvaal, gehou kragtens Akte van Transport T115057/92, geregistreer ten gunste van die Landbounavorsingsraad, word hierby geldig verklaar, met ingang van die datum waarop bedoelde 10 eiendom verkry is, vir sover dit ongeldig is vanweë die afwesigheid van die goedkeuring van die Minister van Landbou, of die instemming van die Minister van Finansies, soos vereis in artikel 4(1)(m) van die Wet op Landbounavorsing, 1990 (Wet No. 86 van 1990).

**Kort titel**

5. Hierdie Wet heet die Tweede Wysigingswet op Landbounavorsing, 1993.

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