



6 686  
S. 559

**STAATSKOERANT  
VAN DIE REPUBLIEK VAN SUID-AFRIKA**

**REPUBLIC OF SOUTH AFRICA  
GOVERNMENT GAZETTE**



**REGULASIEKOERANT No. 2124**

*As 'n Nuusblad by die Poskantoor Geregistreer*

**PRYS 20c PRICE  
OORSEE 30c OVERSEAS  
POSVRY — POST FREE**

**REGULATION GAZETTE No. 2124**

*Registered at the Post Office as a Newspaper*

VOL. 117]

PRETORIA, 21 MAART  
21 MARCH 1975

[No. 4619

No. R. 530

21 Maart 1975

No. R. 530

21 March 1975

**WETGEWENDE VERGADERING VAN DIE  
BASOTHO-QWAQWA**

Hiermee word bekendgemaak dat die Staatspresident sy goedkeuring geheg het aan die volgende Wet wat deur die Wetgewende Vergadering van Basotho-Qwaqwa aangeneem is en wat hiermee vir algemene inligting gepubliseer word:

**BASOTHO-QWAQWA LEGISLATIVE ASSEMBLY**

It is hereby notified that the State President has approved of the following Act which was passed by the Basotho-Qwaqwa Legislative Assembly and which is hereby published for general information:

**DIE WETGEWENDE VERGADERING VAN DIE BASOTHO-QWAQWA  
BASOTHO-QWAQWA-WET OP SKUTTE, 1974 (WET 4 VAN 1974)**

Om voorsiening te maak vir die instelling, oprigting en beheer van skutte, die skut van vee en aan-geleenthede wat daarmee in verband staan.

DAAR WORD BEPAAL deur die Wetgewende Vergadering van die Basotho-Qwaqwa, soos volg:—

**HOOFSTUK I**

**WOORDOMSKRYWING**

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken — Woordomskrywing
- “Basotho-Qwaqwa” die gebied waarvoor die Wetgewende Vergadering van die Basotho-Qwaqwa ingestel is by Proklamasie R.225 van 1971;
- “departement” die Departement van Landbou en Werke;
- “Direkteur” die Direkteur van Landbou en Werke;
- “eienaar” —
- (a) met betrekking tot grond, die eienaar, huurder, wettige okkupererder of persoon wat andersins algemene beheer en toesig oor die grond het; en
- (b) met betrekking tot vee, die eienaar of die persoon wat wettiglik in besit van die vee is of onder wie se toesig en beheer die vee is;
- “hoofman” iemand wat kragtens artikel 2 van die Bantoe-administrasie Wet, 1927 (Wet 38 van 1927) as hoofman aangestel is;
- “kaptein” iemand wat kragtens artikel 2 van die Bantoe-administrasie Wet, 1927 (Wet 38 van 1927) as kaptein erken of aangestel is;
- “magistraat” ook addisionele en assistent-magistraat;
- “openbare pad” ’n pad, straat of deurgang of enige ander plek (hetso ’n deurgang of nie) wat gewoonweg deur die publiek of deel daarvan gebruik word of waartoe die publiek of deel daarvan die reg van toegang het en ook —
- (a) die soom van so ’n pad, straat of deurgang;
- (b) ’n brug, pont of drif waaroor of waardeur so ’n pad, straat of deurgang loop; en

**BASOTHO-QWAQWA LEGISLATIVE ASSEMBLY****BASOTHO-QWAQWA POUNDS ACT, 1974 (ACT 4 OF 1974)**

To provide for the establishment, erection and control of pounds, the impoundment of stock and matters incidental thereto.

BE IT ENACTED by the Basotho-Qwaqwa Legislative Assembly, as follows:—

**CHAPTER I****DEFINITIONS**

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

“Basotho-Qwaqwa” means the area for which the Basotho-Qwaqwa Legislative Assembly has been established by Proclamation R.225 of 1971;

“chief” means any person who has been recognized or appointed as a Chief under section 2 of the Bantu Administration Act, 1927 (Act 38 of 1927);

“department” means the Department of Agriculture and Works;

“Director” means the Director of Agriculture and Works;

“Executive Councillor” means the Executive Councillor of Agriculture and Works;

“Government” means the Government of Basotho-Qwaqwa;

“Government Gazette” means the Government Gazette as defined in section 38 of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971);

“government pound” means a government pound referred to in section 2(1) (b) and (4) and includes a pound which has become a government pound in terms of section 2(1) (d) or (e);

“headman” means any person who has been appointed as a headman under section 2 of the Bantu Administration Act, 1927 (Act 38 of 1927);

“magistrate” includes an additional and assistant magistrate;

“owner” —

(c) enige ander werk of ding wat 'n deel uitmaak van of verbind is met of behoort tot so 'n pad, straat of deurgang;

"Regering" die Regering van Basotho-Qwaqwa;

"Regeringsdiens" die regeringsdiens soos omskryf in artikel 1 van die Basotho-Qwaqwa-wet op die Regeringsdiens, 1973 (Wet 5 van 1973);

"regeringskut" 'n regeringskut in artikels 2(1) (b) en (4) bedoel en ook 'n skut wat kragtens artikel 2(1) (d) of (e) 'n regeringskut geword het;

"skut" 'n skut kragtens artikel 2 ingestel en ook 'n skut in artikel 2(4) bedoel;

"skutmeester" ook 'n waarnemende en assistent-skutmeester;

"Staatskoerant" die staatskoerant soos in artikel 38 van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971) omskryf;

"stamowerheid" 'n stamowerheid soos in artikel 1 van die Wet op Bantoe-owerhede, 1951 (Wet 68 van 1951) omskryf;

"stamowerheidskut" 'n stamowerheidskut in artikel 2(1) (a) bedoel en ook 'n skut wat kragtens artikel 2(1) (c) aan 'n stamowerheid oorgedra is;

"Uitvoerende Raadslid" die Uitvoerende Raadslid van Landbou en Werke;

"vee" perde, muile, donkies, beeste, skape en bokke;

"voorgeskrewe" by regulasie voorgeskryf.

## HOOFTUK 2

### INSTELLING EN OPRIGTING VAN SKUTTE

#### Instelling van skutte

2. (1) Die Uitvoerende Raadslid kan, behoudens die bepalings van subartikels (2) en (3) —

- (a) op versoek van 'n stamowerheid vir so 'n stamowerheid een of meer skutte wat as stamowerheidskutte bekend staan, instel;
- (b) in enige gebied waarin hy dit nodig ag, met inagneming van die behoeftes van die publiek, een of meer skutte wat as regeringskutte bekend staan, instel;
- (c) op versoek van 'n stamowerheid 'n regeringskut wat in die gebied waarvoor die betrokke stamowerheid ingestel is, geleë is, aan daardie stamowerheid oordra;
- (d) indien hy daarvan oortuig is dat 'n stamowerheidskut nie behoorlik beheer of in stand gehou word nie —

(a) in relation to land, means the owner, lessee, lawful occupier or person who otherwise has general control or supervision over such land; and

(b) in relation to stock, means the owner or the person who is in lawful possession of such stock or under whose supervision and control such stock is;

"pound" means any pound established under section 2 and includes a pound referred to in section 2(4);

"poundmaster" includes an acting and assistant poundmaster;

"prescribed" means prescribed by regulation;

"public road" means any road, street or thoroughfare or any other place (whether a thoroughfare or not) which is commonly used by the public or section thereof or to which the public or section thereof have the right of access and includes —

(a) the verge of any such road, street or thoroughfare;

(b) any bridge, ferry or ford traversed by any such road, street or thoroughfare; and

(c) any other work or thing forming part of or connected with or belonging to such road, street or thoroughfare;

"public service" means the public service as defined in section 1 of the Basotho-Qwaqwa Public Service Act, 1973 (Act 5 of 1973);

"stock" means horses, mules, donkeys, cattle, sheep and goats;

"tribal authority" means a tribal authority as defined in section 1 of the Bantu Authorities Act, 1951 (Act 68 of 1951);

"tribal authority pound" means a tribal authority pound referred to in section 2(1) (a) and includes a pound which has been transferred to a tribal authority under section 2(1) (c).

## CHAPTER 2

### ESTABLISHMENT AND ERECTION OF POUNDS

#### **Establishment of pounds**

2. (1) The Executive Councillor may, subject to the provisions of subsections (2) and (3) —

(a) at the request of a tribal authority, establish for such authority one or more pounds to be known as tribal authority pounds;

(b) in any area in which he deems it necessary, with due regard to the needs of the public establish one or more pounds to be known as government pounds;

(c) at the request of any tribal authority transfer to such tribal authority any government pound situated in the area for which such tribal authority was established;

- (i) die opdragte aan die stamowerheid uitrek wat hy nodig ag met betrekking tot die beheer of instandhouding van die skut; of
- (ii) by skriftelike kennisgewing gelas dat die skut op 'n datum in die kennisgewing vermeld wat minstens negentig dae na die datum van die kennisgewing is, aan die Regering oorgedra word om 'n regeringskut te word;
- (e) op versoek van 'n stamowerheid 'n stamowerheidskut van so 'n stamowerheid oorneem, waarna dit 'n regeringskut word of so 'n skut afskaf;
- (f) enige skut wat volgens sy oordeel ongunstig geleë is of oorbodig geword het of om enige rede nie aan sy doel beantwoord nie, afskaf;
- (g) indien die oprigting van 'n stamowerheidskut nie voor die datum van instelling daarvan tot bevrediging van die departement voltooi word nie, die skut na sewe dae skriftelike kennisgewing aan die betrokke stamowerheid as 'n regeringskut oorneem en die oprigting daarvan voltooi.

(2) 'n Skut wat kragtens subartikel (1) ingestel of afgeskaf word, word by kennisgewing in die Staatskoerant ingestel of afgeskaf met ingang van 'n datum in die kennisgewing vermeld wat minstens negentig dae na die datum van die kennisgewing is.

(3) Die oordrag van 'n skut aan 'n stamowerheid of aan die Regering en die afskaffing daarvan ingevolge subartikel (1) is onderworpe aan die voorwaardes wat die Uitvoerende Raadslid in oorleg met die Uitvoerende Raadslid van Finansies bepaal.

(4) Elke skut wat kragtens 'n by artikel 29 herroope wet ingestel is en geleë is binne 'n gebied wat op die datum van inwerktering van hierdie Wet deel uitmaak van Basotho-Qwaqwa of wat na bedoelde datum deel word van Basotho-Qwaqwa, word geag afgeskaf te wees met ingang van 'n datum negentig dae na die inwerkting van hierdie Wet of na die datum waarop bedoelde gebied deel geword het van Basotho-Qwaqwa, na gelang van die geval: Met dien verstande dat die Uitvoerende Raadslid in oorleg met die Uitvoerende Raadslid van Finansies binne bedoelde tydperk van negentig dae die betrokke skut kan oorneem om 'n regeringskut te word, onderworpe aan die voorwaardes waarop die Uitvoerende Raadslid en die eienaar van bedoelde skut ooreenkomen.

3. (1) 'n Skut wat kragtens hierdie Wet ingestel word of geag word ingestel te gewees het, word opgerig en in stand gehou —

**Oprigting en  
instandhouding  
van skutte**

- (a) deur die betrokke stamowerheid in die geval van 'n stamowerheidskut uit gelde wat die betrokke stamowerheid vir die doel bewillig; en
- (b) deur die departement in die geval van 'n regeringskut uit gelde wat die Wetgewende Vergadering vir die doel bewillig.

(2) Elke skut —

- (a) moet opgerig en voltooi word —

- (d) if he is satisfied that a tribal authority pound is not properly controlled or maintained —
  - (i) issue such instructions to the tribal authority as he may deem necessary in relation to the control or maintenance of such pound; or
  - (ii) by notice in writing direct that such pound be transferred to the Government to become a government pound on a date specified in such notice which shall be at least ninety days after the date of such notice;
- (e) at the request of any tribal authority, take over from such tribal authority a tribal authority pound, whereupon such pound shall become a government pound, or abolish such pound;
- (f) abolish any pound which in his opinion is unfavourably situated or has become redundant or does not serve its purpose;
- (g) if the erection of a tribal authority pound is not completed to the satisfaction of the department before the date of its establishment, after seven days written notice to the tribal authority concerned take over such pound as a government pound and complete the erection thereof.

(2) The establishment or abolition of any pound under subsection (1) shall be by notice in the *Government Gazette*, with effect from a date specified in such notice which shall be at least ninety days after the date of such notice.

(3) The transfer of any pound to a tribal authority or to the Government and the abolition thereof in terms of subsection (1) shall be subject to such conditions as the Executive Councillor may determine in consultation with the Executive Councillor of Finance.

(4) Every pound established under a law repealed by section 29 and situated in any area which on the date of commencement of this Act forms part of Basotho-Qwaqwa or after the said date becomes part of Basotho-Qwaqwa shall be deemed to have been abolished with effect from a date ninety days after the date of commencement of this Act or after the date on which such area became part of Basotho-Qwaqwa, as the case may be: Provided that the Executive Councillor in consultation with the Executive Councillor of Finance may within the said period of ninety days take over such pound to become a government pound, subject to such conditions as may be agreed upon between the Executive Councillor and the owner of such pound.

3. (1) Any pound established or deemed to have been established under this Act, shall be erected and maintained —

**Erection and  
maintenance of  
pounds**

- (a) by the tribal authority concerned in the case of a tribal authority pound, out of moneys appropriated by such tribal authority for the purpose; and
- (b) by the department in the case of a government pound, out of moneys appropriated by the Legislative Assembly for the purpose.

(2) Every pound —

- (a) is to be erected and completed —

(i) voor die datum van instelling daarvan;

(ii) in die geval van 'n stamowerheidskut, tot bevrediging van die Departement;

(b) bestaan uit die aantal kampe —

(i) wat nodig is om alle vee wat met siekte besmet is, alle vroulike vee en alle manlike en ongesnede vee afsonderlik te huisves, of

(ii) wat die Uitvoerende Raadslid bepaal, met inagneming van die omstandighede in die betrokke gebied of die behoeftes by die betrokke skut;

(c) word sover moontlik vry van siektebesmetting gehou;

(d) moet voldoen aan al die voorgeskrewe vereistes met betrekking tot die oprigting en instandhouding van skutte.

### HOOFSTUK 3

#### AANSTELLING EN PLIGTE VAN SKUTMEESTERS

##### Aanstelling van skutmeesters

4. (1) Daar word vir elke skut 'n skutmeester aangestel.

(2) Die skutmeester van 'n stamowerheidskut word deur die betrokke stamowerheid aangestel en is 'n werknemer van die stamowerheid: Met dien verstaande dat 'n beampie of werknemer in die regeringsdiens wat sy ampspligte in die kantoor van die stamowerheid verrig, met die goedkeuring van die Uitvoerende Raadslid van die departement waarin hy in diens is, deur die stamowerheid as skutmeester aangestel kan word.

(3) Die Uitvoerende Raadslid stel vir elke regeringskut 'n beampie of werknemer in die regeringsdiens as skutmeester aan.

(4) Behoudens die bepalings van subartikels (2) en (3), kan daar —

(a) indien die skutmeester om enige rede afwesig is of nie sy pligte kan nakom nie of indien die pos van skutmeester om enige rede vakant is, 'n waarnemende skutmeester aangestel word;

(b) een of meer assistent-skutmeesters aangestel word om die skutmeester by te staan in die uitvoering van sy amptelike pligte.

(5) 'n Waarnemende skutmeester en 'n assistent-skutmeester oefen al die bevoegdhede uit en verrig al die pligte en werkzaamhede wat by hierdie Wet aan 'n skutmeester verleen of opgedra word.

##### Pligte van skutmeester

5. 'n Skutmeester —

(a) ontvang alle vee wat ooreenkomsdig die bepalings van hierdie Wet by die skut onder sy beheer aangebied word om geskut te word;

- (i) before the date of its establishment;
- (ii) to the satisfaction of the department in the case of a tribal authority pound;
- (b) shall consist of such number of paddocks —
  - (i) as may be necessary to keep all stock infected with disease, all the female and male of all stock and all entires separate, or
  - (ii) as the Executive Councillor may determine, with due regard to the circumstances in the area concerned or the needs at the pound concerned;
- (c) shall as far as possible be kept free from infection with disease;
- (d) is to comply with all the prescribed requirements in relation to the erection and maintenance of pounds.

### CHAPTER 3

#### APPOINTMENT AND DUTIES OF POUNDMASTERS

##### **Appointment of poundmasters**

4. (1) For every pound a poundmaster shall be appointed.
- (2) The poundmaster of a tribal authority pound shall be appointed by the tribal authority concerned and shall be an employee of such tribal authority : Provided that any officer or employee in the government service who performs his official duties in the office of such tribal authority may, with the approval of the Executive Councillor of the department in which he is employed, be appointed as poundmaster by such tribal authority.
- (3) The Executive Councillor shall, for every government pound, appoint an officer or employee in the government service as poundmaster.
- (4) Subject to the provisions of subsections (2) and (3), there may be appointed —
  - (a) an acting poundmaster, if the poundmaster is for any reason absent or unable to perform his duties or if the post of poundmaster is for any reason vacant;
  - (b) one or more assistant poundmasters to assist the poundmaster in the performance of his official duties.
- (5) An acting poundmaster and an assistant poundmaster shall exercise all the powers and perform all the duties and functions conferred on or assigned to a poundmaster by this Act.

##### **Duties of poundmaster**

5. A poundmaster shall —
  - (a) receive all stock tendered for impoundment in accordance with the provisions of this Act, at the pound under his control;
  - (b) issue to every person tendering in accordance with the provisions of this Act stock for impoundment, an official receipt specifying —

- (b) reik aan elke persoon wat ooreenkomsdig die bepalings van hierdie Wet vee aanbied om geskut te word, 'n amptelike kwitansie uit waarin daar uiteengesit word —
  - (i) die getal en soort vee aldus aangebied;
  - (ii) die rede waarom die vee aldus aangebied word, met vermelding van die beweerde skade (indien daar is) wat deur die vee aangerig is;
  - (iii) besonderhede van waarneembare beserings aan die vee wat aldus aangebied word;
  - (iv) die naam en adres van —
    - (aa) die eienaar van die grond waarop die vee oortree het;
    - (bb) die eienaar van die vee aldus aangebied (indien bekend);
    - (cc) die persoon wat die vee aldus aanbied;
- (c) gee onverwyld aan die eienaar van geskutte vee, indien sy naam en adres bekend is, op die wyse wat hy dienstig ag, kennis van die feit dat die vee geskut is;
- (d) meld onverwyld elke verdagte geval van siektebesmetting by 'n vee-inspekteur of by die naaste polisiestasie aan en hou sulke diere in kampe wat vir die doel afgesonder is;
- (e) hou by die skutkantoor ter insae deur die publiek 'n eksemplaar van hierdie Wet en al die regulasies daarkragtens uitgevaardig in die amptelike tale van Basotho-Qwaqwa;
- (f) hou by die skutkantoor 'n register in die voorgeskrewe vorm by waarin die voorgeskrewe besonderhede aangeteken word en wat te alle redelike tye beskikbaar is vir insae deur enige lid van die publiek teen betaling van die voorgeskrewe geld;
- (g) verstrek die voorgeskrewe opgawes;
- (h) oefen die ander bevoegdhede uit en verrig die ander pligte en werksaamhede wat by hierdie wet aan 'n skutmeester verleen of opgedra word;
  - (i) voer die pligte uit en verrig die werksaamhede wat die stamowerheid (in die geval van 'n stamowerheidskut), die Direkteur, 'n vee-inspekteur of veearts of 'n beampete wat in opdrag van die Direkteur handel, van tyd tot tyd met betrekking tot die instandhouding van die skut of die bewaring, versorging en behandeling van geskutte vee onder sy beheer aan hom toewys.

6. Die betrokke stamowerheid in die geval van 'n stamowerheidskut, en die Regering in die geval van 'n regeringskut, is aanspreeklik vir alle verlies of skade weens die nalatigheid van 'n skutmeester in die uitoefening van die bevoegdhede en die verrigting van die pligte en werksaamhede wat by of kragtens hierdie Wet aan hom verleen of opgedra word.

**Aanspreeklikheid vir verlies of skade**

- (i) the number and species of stock so tendered;
- (ii) the reason why such stock is so tendered, specifying the alleged damage (if any) caused by such stock;
- (iii) particulars of perceptible injuries to the stock so tendered;
- (iv) the name and address of —
  - (aa) the owner of the land on which such stock trespassed;
  - (bb) the owner of the stock so tendered (if known);
  - (cc) the person so tendering such stock;
- (c) forthwith, in such manner as he may deem expedient, notify the owner of impounded stock, if his name and address is known, of the fact that such stock was impounded;
- (d) forthwith report every suspected case of infection with disease to a stock inspector or to the nearest police station and shall keep such stock in paddocks reserved for such purpose;
- (e) keep at the pound office for inspection by the public a copy of this Act and all the regulations made thereunder, in the official languages of Basotho-Qwaqwa;
- (f) keep at the pound office a register in the prescribed form in which the prescribed particulars shall be entered and which shall at all reasonable times be open for inspection by any member of the public upon payment of the prescribed fee;
- (g) submit the prescribed returns;
- (h) exercise such other powers and perform such other duties and functions as may be conferred on or assigned to a poundmaster by this Act;
- (i) perform such duties and functions as the tribal authority (in the case of a tribal authority pound), the Director, any stock inspector or veterinary surgeon or any officer delegated thereto by the Director, may from time to time assign to him in relation to the keeping, care and treatment of impounded animals under his control.

6. The tribal authority concerned in the case of a tribal authority pound, and the Government in the case of a government pound, shall be liable for all loss or damage due to the negligence of a poundmaster in the exercise of the powers and the performance of the duties and functions conferred on or assigned to him by or under this Act.

**Liability for loss or damage**

## CHAPTER 4

### IMPOUNDMENT OF STOCK

7. (1) Subject to the provisions of this Act —
- (a) any owner of land who —

**Power to impound stock**

## HOOFSTUK 4

## SKUT VAN VEE

**Bevoegdheid om  
vee te skut**

7. (1) Behoudens die bepalings van hierdie Wet, kan —
- (a) 'n eienaar van grond wat —
    - (i) op bedoelde grond enige vee vind wat daarop oortree, of
    - (ii) op 'n openbare pad op bedoelde grond enige vee vind wat nie onder behoorlike toesig of beheer is nie, of
    - (iii) op 'n uitspanning op bedoelde grond enige vee vind wat kragtens enige wetsbepaling geskut kan word; en
  - (b) enige —
    - (i) verkeersbeampte kragtens enige wet met betrekking tot padverkeer aangestel, of
    - (ii) persoon deur die Uitvoerende Raadslid daartoe gemagtig, of
    - (iii) lid van 'n Polisiemag,

wat op 'n openbare pad enige vee vind wat nie onder behoorlike toesig of beheer is nie, of wat op enige plek enige vee vind wat in stryd met enige wetsbepaling op bedoelde plek is,

bedoelde vee skut of laat skut.
- (2) Vee kan slegs gedurende die ure tussen sonop en sononder geskut word.

**Wyse waarop vee  
deur eienaar van  
grond geskut word**

8. (1) 'n Eienaar van grond wat kragtens die bepalings van hierdie Wet vee skut, stuur die vee behoudens die bepalings van subartikels (2), (3), (4) en (5), binne agt-en-veertig uur nadat hulle gevind is oor die kortste doenlike roete na die naaste skut.
- (2) Indien die kortste roete na die naaste skut weens enige natuurlike oorsaak onbetaanbaar of gevaarlik is, kan vee wat geskut moet word —
- (a) oor die kortste alternatiewe roete na die naaste skut gestuur word, of
  - (b) na die naaste ander skut wat veilig bereik kan word, gestuur word, of
  - (c) deur die eienaar van die grond aangehou word vir so 'n langer tydperk as agt-en-veertig uur as wat nodig mag wees om veilige deurtog van die vee na die naaste skut te verseker.
- (3) Indien die verwydering van vee na die naaste skut strydig sou wees met die bepalings van die Wet op Dieresiektes en Parasiete, 1956 (Wet 13 van 1956), of enige regulasie, bevel of opdrag daarkragtens uitgevaardig of uitgereik, kan die eienaar van die grond waarop die vee oortree het, die vee —

- (i) finds any stock trespassing on such land, or
- (ii) on any public road on such land finds any stock which is not under proper supervision or control, or
- (iii) on any outspan on such land finds any stock which may be impounded under any law; and
- (b) any —
  - (i) traffic officer appointed under any law relating to road traffic;
  - (ii) person authorized thereto by the Executive Councillor, or
  - (iii) member of any police force,

who on any public road finds any stock which is not under proper supervision or control or who at any place finds any stock whose presence at such place is contrary to any law,

may impound such stock or cause such stock to be impounded.

(2) Stock may be impounded during the hours between sunrise and sunset only.

**Manner in which stock is to be impounded by owner of land**

8. (1) Any owner of land impounding stock under the provisions of this Act shall, subject to the provisions of subsections (2), (3), (4) and (5), within forty-eight hours of finding such stock, send such stock by the shortest practicable route to the nearest pound.

(2) If the shortest practicable route to the nearest pound is impassable or dangerous by reason of any natural cause, stock to be impounded may —

- (a) be sent to nearest pound by the shortest alternative route, or
- (b) be sent to the nearest other pound which can be reached safely, or
- (c) be detained by the owner of the land concerned for such period exceeding forty-eight hours as may be necessary to ensure the safe passage of such stock to the nearest pound.

(3) If the removal of any stock in terms of this Act to the nearest pound would be contrary to the provisions of the Animal Diseases and Parasites Act, 1956 (Act 13 of 1956), or any regulation, order or direction made or issued thereunder, the owner of the land on which such stock was found trespassing, may —

- (a) send such stock to the nearest other pound, to which the movement of such stock would not be contrary to the provisions of the said Act or any such regulation, order or direction, or
- (b) detain such stock until such stock can be removed to the nearest pound or until such stock can in any other manner be disposed of under the said Act or any such regulation, order or direction.

(4) If any trespassing stock is so wild or diseased or injured that their impoundment is impossible, or trespassed on any land situated more than thirty kilometres by the shortest route from the nearest pound, the owner of such land may detain such stock, provided such detention is reported within forty-eight

- (a) na die naaste ander skut waarheen die beweging van vee niestrydig met die bepальings van genoemde Wet of so 'n regulasie, bevel of opdrag sou wees nie, stuur, of
  - (b) aanhou totdat die vee na die naaste skut verwijder kan word of totdat daar op 'n ander wyse kragtens genoemde Wet of so 'n regulasie, bevel of opdrag oor die vee beskik kan word.
- (4) Indien enige vee wat oortree so wild of siek of beseer is dat hulle nie geskut kan word nie, of op grond oortree wat meer as dertig kilometer oor die kortste roete van die naaste skut geleë is, kan die eienaar van die grond die vee aanhou, mits die aanhouding binne agt-en-veertig uur by die naaste polisie-stasie en binne sewe dae by die magistraat van die gebied waarin die betrokke grond geleë is, aangemeld word.

(5) Die bepaling van hierdie artikel belet nie die eienaar van grond waarop vee oortree het om die vee aan hul eienaar te oorhandig nie.

9. Iemand wat vee aan 'n skutmeester aanbied om geskut te word, verstrek terselfdertyd aan die skutmeester —

- (a) die naam en adres van die persoon wat die vee aanbied, die eienaar van die grond waarop die vee oortree het en die eienaar van die vee (indien bekend);
- (b) die naam van die plek of gebied waar die vee gevind is;
- (c) die afstand in kilometer van die plek waar die vee gevind is na die betrokke skut;
- (d) 'n beskrywing van die plek waar die vee oortree het;
- (e) 'n aanduiding van die omstandighede waaronder die vee gevind is en of hulle in stryd met enige wetsbepaling op die betrokke plek was, en
- (f) besonderhede van skade deur die vee aangerig.

Inligting wat  
verstrek moet word  
by die skut van vee

10. Wanneer 'n skutmeester vee skut, betaal hy onverwyld die voor-geskrewe aanjageld aan die persoon wat die vee aangebied het.

Betaling van  
aanjageld

11. (1) Indien vee op enige grond oortree en skade aan enige gewas of verbetering daarop aanrig —

- (a) is die eienaar van bedoelde vee teenoor die eienaar van bedoelde grond aanspreeklik vir vergoeding ten opsigte van die skade aldus aangerig; en
- (b) kan die skade en die vergoeding daarvoor bepaal word deur die eienaar van die vee en die eienaar van die grond onderling of, indien deur die eienaar van die grond daartoe versoek, deur die kaptein of hoofman van die gebied waarin bedoelde grond geleë is; en
- (c) betaal die eienaar van die vee so gou doenlik aan die eienaar van die grond die vergoeding wat ingevolge paragraaf (b) bepaal is,

Vergoeding vir  
skade aan gewas  
of verbetering

hours at the nearest police station and within seven days to the magistrate of the area in which such land is situated.

(5) The provisions of this section shall not preclude the owner of land on which any stock has trespassed from handing such stock to the owner thereof.

9. Any person tendering stock to any poundmaster for impoundment, shall at the same time furnish to such poundmaster —

- (a) the name and address of the person tendering such stock, the owner of the land on which such stock trespassed and the owner of such stock (if known);
- (b) the name of the place or area where such stock was found;
- (c) the distance in kilometres between the place where such stock was found and the pound concerned;
- (d) a description of the place where such stock trespassed;
- (e) an indication of the circumstances in which such stock was found and whether such stock was at the place concerned contrary to any law; and
- (f) particulars of any damage caused by such stock.

Information to be furnished when stock is impounded

10. Whenever any poundmaster impounds any stock, he shall forthwith pay the prescribed driving fees to the person tendering such stock.

Payment of driving fees

11. If any stock trespassing on any land causes any damage to any crop or improvement on such land —

Compensation for damage to crop or improvement

- (a) the owner of such stock shall be liable to the owner of such land for compensation in respect of the damage so caused; and
- (b) such damage and such compensation may be determined by the owner of such stock and the owner of such land mutually or, if the owner of such land so requests, by the chief or headman of the area in which such land is situated; and
- (c) the owner of such stock shall as soon as may be expedient pay to the owner of such land the compensation determined in terms of paragraph (b), and if such compensation was determined by a chief or headman, to such chief or headman, as the case may be, the prescribed travelling allowance and fees.

(2) A determination of compensation in terms of subsection (1) shall be final and unless the compensation, allowance and fees payable in terms of subsection (1) (c) is paid in full before the stock referred to in subsection (1) is impounded —

- (a) the owner of the land impounding such stock shall furnish to the poundmaster a certificate by the chief or headman of the area, setting out the compensation, allowances and fees due; and
- (b) such stock shall not be released unless the full amount so due shall have been paid to the poundmaster.

en, indien die vergoeding deur 'n kaptein of hoofman bepaal is, aan bedoelde kaptein of hoofman, na gelang van die geval, die voorgeskrewe reistoelae en gelde.

(2) 'n Bepaling van vergoeding ingevolge subartikel (1) is afdoende en tensy die vergoeding, toelae en gelde wat ingevolge subartikel (1) (c) betaalbaar is ten volle betaal word voordat die vee in subartikel (1) bedoel geskut word —

- (a) verstrek die eienaar van die grond wat die vee skut aan die skutmeester 'n sertifikaat deur die kaptein of hoofman van die gebied waarin die vergoeding, toelaes en gelde verskuldig uiteengesit word, en
- (b) word bedoelde vee nie losgelaat tensy die volle bedrag aldus verskuldig aan die skutmeester betaal word nie.

#### **Loslating van geskutte vee**

12. (1) 'n Skutmeester laat enige geskutte vee in die skut onder sy beheer los indien —

- (a) die eienaar of gemagtigde agent van die eienaar van die vee hom daartoe versoek; en
- (b) alle gelde, koste en vergoeding wat ten opsigte van bedoelde vee ingevolge hierdie Wet verskuldig is ten volle betaal is.

(2) Indien die eienaar van geskutte vee of sy gemagtigde agent die skutmeester versoek om die geskutte vee los te laat maar versuim om alle gelde, koste en vergoeding wat ten opsigte van bedoelde vee ingevolge hierdie Wet verskuldig is ten volle te betaal, hou die skutmeester soveel van die geskutte vee terug as wat, na sy mening, voldoende is om die betaling van bedoelde gelde, koste en vergoeding te verseker en laat hy die res van die vee los.

(3) Die eienaar van geskutte vee betaal aan die skutmeester —

- (a) ten bate van die betrokke stamowerheid in die geval van 'n stamowerheidskut, en ten bate van die Regering in die geval van 'n regeringskut —
  - (i) die voorgeskrewe skutgeld,
  - (ii) die voorgeskrewe bewaringsgeld,
  - (iii) die voorgeskrewe aanjageld,
  - (iv) die geld verskuldig vir die dip, dressering, inenting, behandeling en sproei van die geskutte vee;
  - (v) alle advertensiekoste deur die skutmeester aangegaan indien vee na die advertering van 'n skutveiling losgelaat word;
- (b) ten bate van die eienaar van die grond waarop die vee oortree het —
  - (i) die voorgeskrewe oortredingsgeld;
  - (ii) die skadevergoeding ingevolge artikel 11 bepaal indien dit nie reeds betaal is nie; en

**Release of impounded stock**

12. (1) A poundmaster shall release any impounded stock if —
- requested by the owner or authorized agent of the owner of such stock, and
  - upon payment in full of all moneys, costs and compensation due in respect of such stock in terms of this Act.
- (2) If the owner of impounded stock or his authorized agent requests the poundmaster to release such stock but fails to pay in full all moneys, costs and compensation due in terms of this Act, the poundmaster shall retain such number of the impounded stock as may in his opinion be sufficient to secure the payment of such moneys, costs and fees and shall release the remainder of such stock.
- (3) The owner of impounded stock shall pay to the poundmaster —
- for the benefit of the tribal authority concerned in the case of a tribal authority pound, and for the benefit of the Government in the case of a government pound —
    - the prescribed pound fee,
    - the prescribed tending fee,
    - the prescribed driving fee,
    - the amount due for the dipping, dressing, treating and spraying of such impounded stock,
    - all costs of advertisement incurred by the poundmaster if such stock is released after advertising a pound auction;
  - for the benefit of the owner of the land on which such stock trespassed —
    - the prescribed trespass fee,
    - the compensation determined in terms of section 11, if such compensation has not yet been paid; and
  - for the benefit of the chief or headman referred to in section 11, the prescribed travelling allowance and fees, if such allowance and fees have not yet been paid.

**Sale of impounded stock**

13. (1) All impounded stock not released within twenty-one days from the date of impoundment of such stock, shall be sold by public auction at the pound concerned or at the nearest auction site and at least seven days before such auction the poundmaster shall —
- advertise such auction by notice substantially in the prescribed form —
    - in the *Government Gazette* in the official languages, and
    - in a newspaper circulating in the area in which the pound concerned is situated, in the official languages in which such newspaper is published;

- (c) ten bate van die kaptein of hoofman in artikel 11 bedoel, die voorgeskrewe reistroelae en gelde, indien dit nie reeds betaal is nie.

13. (1) Alle geskutte vee wat nie binne een-en-twintig dae na die datum waarop hulle geskut is losgelaat is nie, word by die betrokke skut of by die naaste veeweilingsterrein per openbare veiling verkoop en minstens sewe dae voor die veiling —

**Verkoop van geskutte vee**

- (a) adverteer die skutmeester die veiling in 'n kennisgewing wesentlik in die voorgeskrewe vorm —
- (i) in die Staatskoerant, in die amptelike tale, en
  - (ii) in 'n nuusblad in omloop in die gebied waarin die betrokke skut geleë is, in die amptelike tale waarin die nuusblad uitgegee word; en
- (b) besorg die skutmeester 'n afskrif van die kennisgewing in paraagraaf (a) bedoel aan die naaste polisiestasie en aan die skutmeester van elke skut wat binne 'n straal van dertig kilometer van die betrokke skut geleë is, en
- (c) plak die skutmeester 'n afskrif van die kennisgewing op 'n kennisgewingbord by die betrokke skut en by die kantoor van die magistraat asook by die kantore van die stamowerhede.

(2) Alle vee by 'n skutverkoping te koop aangebied word sonder reserwe vir kontant aan die hoogste bieër verkoop.

(3) Ondanks andersluidende wetsbepalings word geen lisensie benodig en is geen lisensiegelde betaalbaar met betrekking tot enige openbare veiling wat ingevolge hierdie artikel gehou word nie.

14. (1) Indien die aanhouding van vee ingevolge artikel 8(4) by 'n magistraat aangemeld word, gelas hy na goeddunke —

**Bevoegdheid van magistraat met betrekking tot vee wat nie geskut kan word nie**

- (a) dat die vee na 'n skut deur hom aangewys verwyder word deur die skutmeester van daardie skut; of
- (b) dat die vee per openbare veiling by die plek waar die vee aangehou word of by 'n veeweilingsterrein deur hom aangewys per openbare veiling deur of namens 'n skutmeester deur hom aangewys verkoop word, behoudens die bepalings van artikel 13; of
- (c) dat die vee per tender op die voorgeskrewe wyse verkoop word.

(2) Die voorgeskrewe aanjageld is betaalbaar ten opsigte van die verwydering van vee na 'n skut ingevolge 'n bevel kragtens subartikel (1) uitgereik.

15. (1) Indien daar geen aanbod gemaak word vir vee wat by 'n openbare veiling ingevolge artikel 13 of 14 gehou te koop aangebied word nie, doen die betrokke skutmeester skriftelik aan die betrokke magistraat verslag met vermelding van die aantal, soort en beraamde waarde van die vee.

**Bevoegdheid van magistraat indien geen aanbod vir vee by skutveiling gemaak word nie**

- (b) furnish a copy of such notice to the nearest police station and to the poundmaster of every pound within a radius of thirty kilometer from the pound concerned; and
- (c) post a copy of such notice on the notice board at the pound concerned and at the office of the magistrate as well as at the offices of the tribal authorities.

(2) All stock offered for sale at a public auction in terms of this Act shall be sold for cash without reserve to the highest bidder.

(3) Notwithstanding anything to the contrary in any law contained, no licence shall be required and no licence fee shall be payable in relation to any public auction held in terms of this section.

14. (1) If the detention of stock in terms of section 8(4) is reported to any magistrate, such magistrate shall in his discretion order —

- (a) that such stock be removed to a pound designated by him, by the poundmaster of such pound; or
- (b) that such stock be sold by public auction at the place where such stock is being detained or at an auction site designated by him by public auction held by or on behalf of a poundmaster designated by him, subject to the provisions of section 13; or
- (c) that such stock be sold by tender in the prescribed manner.

(2) The prescribed driving fee shall be payable in respect of the removal of stock to a pound in terms of an order made under subsection (1).

Powers of magistrate in relation to stock not capable of impoundment

15. (1) If no offer is made for stock offered for sale at any public auction held in terms of section 13 or 14, the poundmaster concerned shall submit a written report to the magistrate concerned, specifying the number, species and estimated value of such stock.

Powers of magistrate if no offer is made for stock at pound auction

(2) Upon receipt of a report referred to in subsection (1), the magistrate shall in his discretion order —

- (a) that the stock concerned be sold by public auction at the next pound sale, or
- (b) that such stock be sold by tender in the prescribed manner, or
- (c) that such stock be sold out of hand, or
- (d) that such stock be disposed of for the benefit of any school, hospital or other institution designated by him, or
- (e) if for any reason such stock cannot be disposed of in terms of paragraph (a), (b), (c), or (d), that such stock be destroyed.

(3) If stock is offered for sale by tender by order of any magistrate under subsection (2) and no offer is made for such stock, the magistrate shall in his discretion order that such stock be dealt with in the manner contemplated in subsection 2(c), (d) or (e).

(2) By ontvangs van 'n verslag in subartikel (1) bedoel, gelas die magistraat na goeddunke —

- (a) dat die betrokke vee per openbare veiling by die volgende skutverkoping verkoop word, of
- (b) dat die vee per tender op die voorgeskrewe wyse verkoop word, of
- (c) dat die vee uit die hand verkoop word, of
- (d) dat oor die vee beskik word ten bate van 'n skool, hospitaal of ander inrigting deur hom aangewys, of
- (e) indien daar om enige rede nie ingevolge paragraaf (a), (b), (c) of (d) oor die vee beskik kan word nie, dat die vee vernietig word.

(3) Indien vee per tender te koop aangebied word op las van 'n magistraat kragtens subartikel (2) en geen aanbod vir bedoelde vee gemaak word nie, gelas die magistraat dat daar op die wyse bedoel in subartikel 2(c), (d) of (e) met bedoelde vee gehandel word.

**Aftrekking van  
gelde, koste, toelaes  
en vergoeding van  
opbrengs van  
skutveiling**

16. (1) Indien enige geskutte vee per openbare veiling kragtens die bepalings van hierdie Wet verkoop word, trek die skutmeester van die opbrengs van so 'n veiling ten opsigte van bedoelde vee alle gelde, koste, toelaes en vergoeding af wat kragtens hierdie Wet verhaalbaar is, in die volgende orde van voorrang, naamlik —

- (a) ten bate van die betrokke stamowerheid in die geval van 'n stamowerheidskut, en ten bate van die Regering in die geval van 'n regeringskut —
  - (i) die voorgeskrewe skutgeld;
  - (ii) die voorgeskrewe bewaringsgeld;
  - (iii) die voorgeskrewe aanjageld deur hom ingevolge artikel 10 betaal of aan hom betaalbaar ingevolge artikel 14 (2);
  - (iv) die koste van dip, dressering, inenting, behandeling of sproei wat in verband met die betrokke vee werklik aangegaan is;
  - (v) advertensiekoste in verband met die veiling;
  - (vi) die skutmeester se reiskoste volgens die voorgeskrewe tarief indien die veiling op 'n ander plek as die skut gehou is;
  - (vii) 'n bedrag gelyk aan 6% van die koopprys as geld vir die hou van die veiling;
- (b) ten bate van die kaptein of hoofman in artikel 11 bedoel, die voorgeskrewe reistoelae en gelde in daardie artikel bedoel;
- (c) ten bate van die eienaar van die grond waarop die betrokke vee oortree het —
  - (i) die voorgeskrewe oortredingsgeld;
  - (ii) vergoeding ingevolge artikel 11 bepaal; en
  - (iii) aanjageld in die geval van 'n donkie soos in artikel 18 bepaal.

**Deduction of moneys, costs, allowances and compensation from proceeds of pound sale**

16. (1) If any impounded stock is sold by public auction under the provisions of this Act, the poundmaster shall in respect of such stock deduct from the proceeds of such auction all moneys, costs, allowances and compensation recoverable under this Act, in the following order, namely —

- (a) for the benefit of the tribal authority concerned in the case of a tribal authority pound, and for the benefit of the Government in the case of a government pound —
  - (i) the prescribed pound fee;
  - (ii) the prescribed tending fee;
  - (iii) the prescribed driving fee paid by him in terms of section 10 or payable to him in terms of section 14(2);
  - (iv) the cost of dipping, dressing, innoculation, treatment or spraying actually incurred in connection with the stock concerned;
  - (v) the cost of advertisement in connection with the auction;
  - (vi) the travelling expenses of the poundmaster in accordance with the prescribed tariff, if such auction was held at a place other than the pound;
  - (vii) an amount equivalent to 6% of the purchase price as an auction fee;
- (b) for the benefit of the chief or headman referred to in section 11, the prescribed travelling allowance and fees referred to in that section;
- (c) for the benefit of the owner of the land on which the stock concerned trespassed —
  - (i) the prescribed trespass fee;
  - (ii) compensation determined in terms of section 11; and
  - (iii) driving fees in the case of a donkey as provided in section 18.

(2) From the proceeds of any auction held in terms of section 14, the poundmaster shall deduct an amount equivalent to one-half of the prescribed pound fee and tending fee and shall pay such amount to the owner of the land on which the stock concerned was detained.

(3) Subject to the provisions of section 17, the balance arrived at after deduction of all fees, allowances, costs and compensation referred to in subsection (1) from the proceeds of any public auction held in terms of this Act, shall accrue to the tribal authority in the case of a tribal authority pound and to the Government in the case of a government pound.

**Owner of sold stock may claim proceeds of pound auction**

17. The magistrate in whose area of jurisdiction stock was sold by public auction in terms of this Act may, if the owner of such sold stock applies therefor within twelve months after such auction and upon submission of satisfactory proof of ownership in respect of such stock, order that compensation equivalent

(2) Van die opbrengs van 'n veiling ingevolge artikel 14 gehou, trek die skutmeester 'n bedrag gelyk aan een helfte van die voorgeskrewe skutgeld en bewaringsgeld af en betaal die bedrag aan die eienaar van die grond waarop die vee aangehou is.

(3) Behoudens die bepalings van artikel 17, val die balans verkry na aftrekking van alle gelde, toelaes, koste en vergoeding in subartikel (1) bedoel van die opbrengs van 'n openbare veiling wat ingevolge hierdie Wet gehou is, die stamowerheid in die geval van 'n stamowerheidskut, en die Regering in die geval van 'n regeringskut, toe.

17. Die magistraat binne wie se regsgebied vee per openbare veiling ingevolge hierdie Wet verkoop is, kan, indien die eienaar van die verkoopte vee binne twaalf maande na die veiling daarom aansoek doen en by voorlegging van bevredigende bewys van die eiendomsreg ten opsigte van bedoelde vee, gelas dat vergoeding gelyk aan die balans in artikel 16 (3) bedoel aan bedoelde eienaar betaal word deur die betrokke stamowerheid in die geval van 'n stamowerheidskut of deur die departement in die geval van 'n regeringskut.

18. Ondanks andersluidende bepalings in hierdie Wet —

- (a) word aanjageld ten opsigte van 'n geskutte donkie slegs na sy loslating ingevolge artikel 12 of, behoudens die bepalings van artikel 16 (3), na verkoop van bedoelde donkie, betaal; en
- (b) kan daar oor 'n geskutte donkie wat nie binne sewe dae ingevolge artikel 12 losgelaat is nie, op die voorgeskrewe wyse beskik word.

Eienaar van verkoopte vee kan opbrengs van skutveiling eis

Die skut van donkies

19. Die eienaar van vee wat ingevolge artikel 8 aangehou word of wat na 'n skut aangeja word, of aangehou word om geskut te word, kan by die eienaar van die grond waarop die vee oortree het, om die loslating van die vee aansoek doen en by betaling van die voorgeskrewe oortredingsgeld, die voorgeskrewe aanjageld ten opsigte van die afstand reeds afgelê, die vergoeding ingevolge artikel 11 bepaal en, indien die vee ingevolge artikel 8 langer as agt-en-veertig uur aangehou is, een helfte van die voorgeskrewe bewaringsgeld, word die vee onverwyd aan die eienaar daarvan oorhandig.

Aansoek om loslating van vee wat geskut moet word

## HOOFSTUK 5 ALGEMENE BEPALINGS

### ALGEMENE BEPALINGS

20. (1) Die eienaar van enige grond waarop 'n vark of pluimvee oortree, kan bedoelde vark of pluimvee onmiddellik vernietig word en is nie teenoor die eienaar daarvan ten opsigte van enige eis om skadevergoeding aanspreeklik nie.

Varke en pluimvee wat oortree kan vernietig word

(2) Wanneer die eienaar van grond 'n vark of pluimvee ingevolge subartikel (1) vernietig het, meld hy die vernietiging onverwyd by die betrokke kaptein of hoofman aan wat, indien die naam en adres van die eienaar van die vark of pluimvee bekend is, bedoelde eienaar gelas om die karkas van bedoelde vark of pluimvee binne twaalf uur te verwyder.

(3) Indien die eienaar van 'n vark of pluimvee wat ingevolge subartikel (1) vernietig is versuim om aan 'n bevel ingevolge subartikel (2) te voldoen, of indien die naam en adres van bedoelde eienaar onbekend is, kan die betrokke kaptein of hoofman die persoon wat die vark of pluimvee vernietig het, magtig om oor die karkas te beskik op die wyse wat bedoelde kaptein of hoofman bepaal.

to the balance referred to in section 16(3) be paid to such owner by the tribal authority concerned in the case of a tribal authority pound or by the department in the case of a government pound.

18. Notwithstanding anything to the contrary in this Act contained —

- (a) driving fees in respect of an impounded donkey shall only be paid after its release in terms of section 12 or, subject to the provisions of section 16(3), after the sale of such donkey; and
- (b) an impounded donkey may be disposed of in the prescribed manner if such donkey has not been released within seven days in terms of section 12.

**Impoundment of donkeys**

19. The owner of stock which is being detained in terms of section 8 or which is being driven to a pound or which is being detained for impoundment, may apply for its release to the owner of the land on which such stock trespassed and upon payment of the prescribed trespass fee, the prescribed driving fee in respect of the distance already covered, the compensation determined in terms of section 11 and, if such stock was detained in terms of section 8 for any period exceeding forty-eight hours, one-half of the prescribed tending fee, such stock shall forthwith be handed to the owner thereof.

**Application for release of stock to be impounded**

## CHAPTER 5

### GENERAL PROVISIONS

20. (1) The owner of any land on which any pig or poultry is found trespassing may forthwith destroy such pig or poultry and shall not be liable to the owner thereof in respect of any claim for damages.

**Trespassing pigs and poultry may be destroyed**

(2) Whenever the owner of land has destroyed any pig or poultry in terms of subsection (1), he shall immediately report such destruction to the chief or headman concerned who shall, if the name and address of the owner of such pig or poultry is known, order such owner to remove the carcass of such pig or poultry within twelve hours.

(3) If the owner of any pig or poultry destroyed in terms of subsection (1) fails to comply with an order in terms of subsection (2), or if the name and address of such owner is unknown, the chief or headman concerned may authorise the person who destroyed such pig or poultry to dispose of the carcass in such manner as such chief or headman may direct.

21. No Person shall work or in any manner use or illtreat any stock which is being detained in or outside any pound or is being driven to any pound in terms of the provisions of this Act.

**Impounded or detained stock not to be used or ill-treated**

22. All impounded stock sold by public auction in terms of this Act, shall be marked in the prescribed manner before their removal from the pound.

**Marking of impounded stock**

23. No person shall divide into groups any stock to be driven to a pound in terms of this Act : Provided that every species of stock may be driven to a pound separately.

**Driving of stock to pound in groups prohibited**

Geskutte of aangehoude vee mag nie gebruik of mishandel word nie	21. Niemand mag enige vee wat ingevolge die bepalings van hierdie Wet in of buite 'n skut aangehou of na 'n skut aangeja word, laat werk of op enige wyse gebruik of mishandel nie.
Merk van geskutte vee	22. Alle geskutte vee wat kragtens hierdie Wet per openbare veiling verkoop word, word op die voorgeskrewe wyse gemerk voordat die vee uit die skut verwyder word.
Aanja van vee na skut in groepes verbied	23. Niemand verdeel vee wat ingevolge hierdie Wet na 'n skut aangeja word in groepes nie: Met dien verstande dat elke soort vee afsonderlik na 'n skut aangeja kan word.
Bevryding van aangehoude of geskutte vee verbied	24. Niemand mag vee wat ingevolge die bepalings van hierdie Wet aangehou of geskut word, bevry nie.
Onwettige aanhouding of skut van vee	25. Niemand mag iemand anders se vee skut of aanhou met die doel om hulle te skut, behalwe ooreenkomsdig die bepalings van hierdie Wet nie.
Skut van gesteelde vee	<p>26. (1) Ondanks andersluidende bepalings van hierdie Wet kan 'n magistraat 'n skutmeester skriftelik gelas om enige vee wat beweer word of bewys is gesteel te wees, in die skut onder sy beheer aan te hou.</p> <p>(2) Vee ingevolge subartikel (1) aangehou word nie losgelaat nie, tensy 'n magistraat die loslating van bedoelde vee skriftelik gelas.</p> <p>(3) Die geld en koste in artikel 16 (1) (a) (iii) en (iv) bedoel is ten opsigte van vee in subartikel (1) bedoel betaalbaar deur die persoon aan wie die vee ingevolge die bepalings van artikel 12 losgelaat word.</p> <p>(4) Indien die geld en koste in subartikel (3) bedoel nie betaal word nie, word daar ooreenkomsdig die bepalings van artikels 13 en 15 gehandel met die vee ten opsigte waarvan die geld en koste betaalbaar is.</p>
Regulasies	27. Die Uitvoerende Raadslid kan regulasies uitvaardig met betrekking tot — <ul style="list-style-type: none"> <li>(a) die vereistes in verband met die oprigting en onderhoud van skutte;</li> <li>(b) die vorm van enige register, kennisgewing of kwitansie wat kragtens hierdie Wet gehou, gegee, gepubliseer of uitgereik moet word, die besonderhede wat in so 'n register aangeteken moet word en die geldelike betaalbaar vir insae daarin;</li> <li>(c) die aanjageld wat betaal moet word aan 'n persoon wat vee na 'n skut aangeja het, die bewaringsgeld wat betaal moet word aan 'n skutmeester of aan 'n persoon wat vee ingevolge artikel 8 aanhou, die skutgeld wat aan 'n skutmeester betaal moet word, die reistoelae en geldelike wat aan 'n kaptein of hoofman in artikel 11 bedoel betaal moet word, die oortredingsgeld wat betaal moet word aan iemand op wie se grond vee oortree het en die skutmeester se reiskoste waar 'n veiling op 'n ander plek as die skut gehou word;</li> <li>(d) die wyse waarop vee per tender ingevolge artikel 14 of 15 verkoop moet word;</li> </ul>

- Rescuing of detained stock prohibited** 24. No person shall rescue any stock detained or impounded in terms of the provisions of this Act.
- Illegal detention or impoundment of stock** 25. No person shall impound or detain for impoundment the stock of any other person except in accordance with the provisions of this Act.
- Impoundment of stolen stock** 26. (1) Notwithstanding anything to the contrary in this Act contained, a magistrate may in writing order any poundmaster to detain in the pound under his control any stock alleged or proved to have been stolen.  
(2) Stock detained in terms of subsection (1) shall not be released, unless a magistrate in writing orders the release of such stock.  
(3) The fee and costs referred to in section 16(1) (a) (iii) and (iv) shall, in respect of stock referred to in subsection (1), be payable by the person to whom such stock is released in terms of the provisions of section 12.  
(4) If the fee and costs referred to in subsection (3) are not paid, the stock in respect of which such fee and costs are payable shall be dealt with in accordance with the provisions of sections 13 and 15.
- Regulations** 27. The Executive Councillor may make regulations in relation to —  
(a) the requirements in connection with the erection and maintenance of pounds;  
(b) the form of any register, notice or receipt to be kept, given, published or issued under this Act, the particulars to be entered in such register and the fees to be paid for inspection thereof;  
(c) the driving fee to be paid to any person driving stock to any pound, the tending fee to be paid to any poundmaster or person detaining stock in terms of section 8, the pound fee to be paid to a poundmaster, the travelling allowance and fees to be paid to any chief or headman referred to in section 11, the trespass fee to be paid to any person on whose land stock trespassed and the travelling expenses of a poundmaster where an auction is held at a place other than the pound;  
(d) the manner in which stock is to be sold by tender in terms of section 14 or 15;  
(e) the marking of impounded stock which is sold by public auction;  
(f) the manner in which impounded donkeys not released within seven days are to be disposed of;  
(g) returns to be submitted by a poundmaster;  
(h) any other matter which, in terms of this Act, is required to be prescribed by regulation or which the Executive Councillor may deem desirable or expedient to prescribe for the achievement of the objects of this Act even though such matter is not expressly mentioned in the preceding paragraphs.

- (e) die merk van geskutte vee wat per openbare veiling verkoop word;
- (f) die wyse waarop daar oor geskutte donkies wat nie binne sewe dae losgelaat word nie, beskik moet word;
- (g) opgawes wat deur 'n skutmeester verstrek moet word;
- (h) enige ander aangeleentheid wat ingevolge hierdie Wet by regulasie voorgeskryf moet word of wat die Uitvoerende Raadslid wenslik of dienstig ag om voor te skryf vir die verwesenliking van die oogmerke van hierdie Wet, al word so 'n aangeleentheid nie uitdruklik in die voorafgaande paragrawe vermeld nie.

## 28. Iedereen wat —

Misdrywe en strawwe

- (a) enige bepaling van artikel 8(4), 20, 21, 23, 24 of 25 oortree of versuim om daaraan te voldoen; of
- (b) 'n skutmeester by die uitoefening van sy bevoegdhede of die uitvoering van sy pligte en werksaamhede kragtens hierdie Wet weerstaan, hinder, belemmer of aanrand; of
- (c) iemand wat wettiglik vee kragtens hierdie Wet aanhou met die doel om hulle te skut, of wat vee na 'n skut aanja, met betrekking tot so 'n handeling weerstaan, hinder, belemmer, of aanrand; of
- (d) wetens en met die opset om te bedrieg valse inligting of besonderhede aan 'n skutmeester verstrek met betrekking tot
  - (i) vee of die naam en adres van die eienaar van vee wat aangebied word om geskut te word of wat geskut is, of
  - (ii) grond of die naam en adres van die eienaar van grond waarop vee oortree het;

is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande.

## 29. (1) Die wette vermeld in die Bylae word hierby herroep.

Herroeping van wette

(2) Ondanks die herroeping van die wette in subartikel (1) bedoel, bly die betrokke wette ten opsigte van enige skut daarkragtens ingestel en geleë in 'n gebied wat op die datum van inwerkingtreding van hierdie Wet deel uitmaak van Basotho-Qwaqwa of wat na bedoelde datum deel word van Basotho-Qwaqwa, van krag met betrekking tot alle vee wat in so 'n skut geskut is voor die datum van inwerkingtreding van hierdie Wet of die datum waarop bedoelde gebied deel geword het van Basotho-Qwaqwa, na gelang van die geval.

## 30. Hierdie Wet heet die Basotho-Qwaqwa-wet op Skutte, 1974.

Kort titel

- |  |                               |
|--|-------------------------------|
| 28. Any person who —   | <b>Offences and penalties</b> |
| <ul style="list-style-type: none"> <li>(a) contravenes or fails to comply with any provision of section 8(4), 20, 21, 23, 24 or 25; or</li> <li>(b) resists, hinders, obstructs or assaults any poundmaster in the exercise of his powers or the performance of his functions and duties under this Act; or</li> <li>(c) resists, hinders, obstructs or assaults any person lawfully detaining stock under this Act for the purpose of their impoundment, or driving stock to any pound, in relation to such act; or</li> <li>(d) knowingly and with the object to deceive furnishes false information or particulars to any poundmaster in relation to — <ul style="list-style-type: none"> <li>(i) stock or the name and address of the owner of impounded stock or stock tendered for impoundment, or</li> <li>(ii) land or the name and address of the owner of land on which stock has trespassed,</li> </ul> </li> </ul> |                               |

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding two hundred rand or to imprisonment for a period not exceeding six months.

- |   |                       |
|---|-----------------------|
| 29. (1) The laws mentioned in the Schedule are hereby repealed. | <b>Repeal of laws</b> |
|---|-----------------------|

(2) Notwithstanding the repeal of the laws referred to in subsection (1), the relevant laws shall, in respect of any pound established thereunder and situated in an area which on the date of commencement of this Act forms part of Basotho-Qwaqwa or after the said date becomes part of Basotho-Qwaqwa, continue to apply in relation to all stock impounded in such pound before the date of commencement of this Act or on which such area became part of Basotho-Qwaqwa, as the case may be.

- |   |                    |
|---|--------------------|
| 30. This Act shall be called the Basotho-Qwaqwa Pounds Act, 1974. | <b>Short title</b> |
|---|--------------------|

## BYLAE

## WETTE HERROEP

NOMMER EN JAAR VAN WET KORT TITEL  
ORDONNANSIES (ORANJE VRYSTAAT)

Ordonnansie 18 van 1952	Skutordonnansie, 1952
Ordonnansie 12 van 1959	Wysigingsordonnansie op Skutte, 1959
Ordonnansie 4 van 1963	Wysigingsordonnansie op Skutte, 1963
Ordonnansie 6 van 1965	Wysigingsordonnansie op Skutte, 1965
Ordonnansie 13 van 1968	Wysigingsordonnansie op Skutte, 1968.

## SCHEDULE

## LAWS REPEALED

## NO. AND YEAR OF LAW

## SHORT TITLE

## ORDINANCES (ORANGE FREE STATE)

Ordinance 18 of 1952 The Pounds Ordinance, 1952.

Ordinance 12 of 1959 The Pounds Amendment Ordinance, 1959.

Ordinance 4 of 1963 The Pounds Amendment Ordinance, 1963.

Ordinance 6 of 1965 The Pounds Amendment Ordinance, 1965.

Ordinance 13 of 1968 The Pounds Amendment Ordinance, 1968.

## BOTHALIA

Bothalia is 'n medium vir die publikasie van plantkundige artikels oor die flora en plantegroei van Suidelike Afrika. Een of twee dele van die tydskrif word jaarliks gepubliseer.

Die volgende dele is beskikbaar:

Vol. 3 Deel 1 uit druk  
2 1937 75c  
3 1938 75c  
4 1939 75c

Vol. 7 Deel 1 1958 R2  
2 1960 R3  
3 1961 R3  
4 1962 R3

Vol. 4 Deel 1 1941 75c  
2 1942 75c  
3 1948 75c  
4 1948 75c

Vol. 8 Deel 1 1962 R3  
2 1964 R3  
3 1965 R3  
4 1965 R3

Vol. 5 1950 R3

Supplement

Vol. 6 Deel 1 1951 R1,50  
2 1954 R2,50  
3 1956 R2  
4 1957 R2

Vol. 9 Deel 1 1966 R3  
2 1967 R3  
3 en 4  
1969 R6

Vol. 10 Deel 1 1969 R3  
2 1971 R3  
3 1971 R3  
4 1972 R3

Verkrybaar van die Direkteur, Afdeling Landbou-inligting, Privaatsak X144, Pretoria.

## BOTHALIA

Bothalia is a medium for the publication of botanical papers dealing with the flora and vegetation of Southern Africa. One or two parts of the journal are published annually.

The following parts are available:

Vol. 3 Part 1 out of print  
2 1937 75c  
3 1938 75c  
4 1939 75c

Vol. 7 Part 1 1958 R2  
2 1960 R3  
3 1961 R3  
4 1962 R3

Vol. 4 Part 1 1941 75c  
2 1942 75c  
3 1948 75c  
4 1948 75c

Vol. 8 Part 1 1962 R3  
2 1964 R3  
3 1965 R3  
4 1965 R3

Vol. 5 1950 R3

Supplement

Vol. 6 Part 1 1951 R1,50  
2 1954 R2,50  
3 1956 R2  
4 1957 R2

Vol. 9 Part 1 1966 R3  
2 1967 R3  
3 and 4  
1969 R6

Vol. 10 Part 1 1969 R3  
2 1971 R3  
3 1971 R3  
4 1972 R3

Obtainable from the Director, Division of Agricultural Information, Private Bag X144, Pretoria.

## AGROCHEMOPHYSICA

Hierdie publikasie is 'n voortsetting van die Suid-Afrikaanse Tydskrif vir Landbouwetenskap Jaargang 1 tot 11, 1958-1968 en bevat artikels oor Biochemie, Biometrika, Grondkunde, Landbou-ingenieurswese, Landbouweeskunde en Ontledingstegnieke. Vier dele van die tydskrif word per jaar gepubliseer.

Verdienstelike landboukundige bydraes van oorspronklike wetenskaplike navorsing word vir plasing in hierdie tydskrif verwelkom. Voorskrifte vir die opstel van sulke bydraes is verkrybaar van die Direkteur, Landbou-inligting, Privaatsak X144, Pretoria, aan wie ook alle navrae in verband met die tydskrif gerig moet word.

Die tydskrif is verkrybaar van bogenoemde adres teen 50 sent per eksemplaar of R2 per jaar, posvry (buiteland 60 sent per eksemplaar of R2,40 per jaar).

## AGROCHEMOPHYSICA

This publication is a continuation of the South African Journal of Agricultural Science Vol. 1 to 11, 1958-1968 and deals with Biochemistry, Biometry, Soil Science, Agricultural Engineering, Agricultural Meteorology and Analysis Techniques. Four parts of the journal are published annually.

Contributions of scientific merit on agricultural research are invited for publication in this journal. Directions for the preparation of such contributions are obtainable from the Director, Agricultural Information, Private Bag X144, Pretoria, to whom all communications in connection with the journal should be addressed.

The journal is obtainable from the above-mentioned address at 50 cents per copy or R2 per annum, post free (foreign 60 cents per copy or R2,40 per annum).

**INHOUD**

No.	Bladsy
<b>Bantoe-administrasie en -ontwikkeling, Departement van Goewermentskennisgwing</b>	
R. 530. Wetgewende Vergadering van Basotho-Qwaqwa ...	1

**CONTENTS**

No.	Page
<b>Bantu Administration and Development, Department of Government Notice</b>	
R. 530. Basotho-Qwaqwa Legislative Assembly ...	1

СОЮЗНИК

За издаванието на настоящия документ са отговорни членовете  
на Съюзния съвет за промишлена политика и  
действащият главен секретар.

СОЮЗНИК

При издаванието на настоящия документ са отговорни членовете  
на Съюзния съвет за промишлена политика и  
действащият главен секретар.