



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 899.

5 Mei 1982.

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

No. 67 van 1982: Tweede Wysigingswet op Landboukrediet, 1982.

No. 899.

5 May 1982.

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

No. 67 of 1982: Second Agricultural Credit Amendment Act, 1982.

Wet No. 67, 1982

TWEDE WYSIGINGSWET OP LANDBOUKREDIET, 1982

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vet druk tussen vierkantige hake dui skappings uit bestaande verordeninge aan.

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

WET

Tot wysiging van die Wet op Landboukrediet, 1966, ten einde die uitdrukking „onroerende goed van die Staat” vir die doeleindes van genoemde Wet te omskryf; die bevoegdhede van die Landboukredietraad betreffende die verkryging deur middel van aankoop of ruil van onroerende goed vir boerderydoeleindes, en die ontwikkeling van sodanige goed, uit te brei; en die beskikking oor onroerende goed van die Staat wat nie kragtens genoemde Wet verkoop of verhuur kan word nie, verder te reël; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 26 April 1982.)

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

Wysiging van artikel 1 van Wet 28 van 1966, soos gewysig deur artikel 1 van Wet 45 van 1968, artikel 1 van Wet 66 van 1970, artikel 1 van Wet 27 van 1980 en artikel 2 van Wet 73 van 1981.

1. Artikel 1 van die Wet op Landboukrediet, 1966 (hieronder die Hoofwet genoem), word hierby gewysig deur na die omskrywing van „Minister” die volgende omskrywing in te voeg: 5
„onroerende goed van die Staat” Staatsgrond of enige ander onroerende goed van die Staat wat deur die Minister van Gemeenskapsontwikkeling, of 'n beampte van die Staat deur hom daartoe gemagtig, aan die departement vir verkoping, verhuring of ontwikkeling vir 10
boerderydoeleindes beskikbaar gestel is, met ingebrip van onroerende goed ingevolge hierdie Wet vir die Staat verkry;”.

Wysiging van artikel 10 van Wet 28 van 1966, soos vervang deur artikel 2 van Wet 45 van 1968 en gewysig deur artikel 5 van Wet 66 van 1970, artikel 1 van Wet 15 van 1972, artikel 2 van Wet 67 van 1979, artikel 3 van Wet 27 van 1980 en artikel 2 van Wet 73 van 1981.

2. Artikel 10 van die Hoofwet word hierby gewysig deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te 15
vang:

„(b) deur die verkoop of verhuur aan daardie persoon van onroerende of roerende goed van die Staat wat **[nie deur die Spoorwegadministrasie beheer word nie en wat]** na die oordeel van die raad vir boerderydoeleindes geskik is;” 20

Invoeging van artikels 10A, 10B en 10C in Wet 28 van 1966.

3. Die volgende artikels word hierby na artikel 10 van die Hoofwet ingevoeg:

„Verkryging van onroerende goed deur raad vir boerderydoeleindes. **10A. (1)** Behoudens die bepalings van subartikel (2) en die voorskrifte van die Minister, kan die raad— 25
(a) uit geld deur die Parlement vir dié doel bewillig, onroerende goed aankoop wat die raad vir, of

SECOND AGRICULTURAL CREDIT AMENDMENT ACT, 1982

Act No. 67, 1982

GENERAL EXPLANATORY NOTE:

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

 Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Agricultural Credit Act, 1966, so as to define the expression "immovable property of the State" for the purposes of the said Act; to extend the powers of the Agricultural Credit Board regarding the acquisition by means of purchase or exchange of immovable property for farming purposes, and the development of such property; and to further regulate the disposal of immovable property of the State which cannot be sold or leased in terms of the said Act; and to provide for incidental matters.

(English text signed by the State President.)

(Assented to 26 April 1982.)

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

1. Section 1 of the Agricultural Credit Act, 1966 (hereinafter referred to as the principal Act), is hereby amended by the insertion after the definition of "department" of the following definition:

10 "immovable property of the State" means State land or any other immovable property of the State which has been made available by the Minister of Community Development, or an officer of the State authorized by him, to the department for the purposes of sale, lease or development for farming purposes, and includes immovable property acquired under this Act for the State."

Amendment of section 1 of Act 28 of 1966, as amended by section 1 of Act 45 of 1968, section 1 of Act 66 of 1970, section 1 of Act 27 of 1980 and section 2 of Act 73 of 1981.

- 15 2. Section 10 of the principal Act is hereby amended by the substitution for paragraph (b) of subsection (1) of the following paragraph:

20 "(b) by selling or letting to such person immovable or movable property of the State **[not controlled by the Railway Administration,]** which in the opinion of the board is suitable for farming purposes;"

Amendment of section 10 of Act 28 of 1966, as substituted by section 2 of Act 45 of 1968 and amended by section 5 of Act 66 of 1970, section 1 of Act 15 of 1972, section 2 of Act 67 of 1979, section 3 of Act 27 of 1980 and section 2 of Act 73 of 1981.

3. The following sections are hereby inserted in the principal Act after section 10:

25 "Acquisition of immovable property by board for farming purposes. **10A.** (1) Subject to the provisions of subsection (2) and the directions of the Minister, the board may—
(a) out of moneys appropriated by Parliament for the purpose, purchase immovable property

Insertion of sections 10A, 10B and 10C in Act 28 of 1966.

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	vir gebruik in verband met, boerderydoeleindes geskik ag; en	
	(b) onroerende goed van die Staat verruil vir ander onroerende goed wat die raad vir, of vir gebruik in verband met, sodanige doeleindes geskik ag, in welke geval die Minister ten opsigte van aldus verruilde onroerende goed 'n grondbrief uitreik.	5
	(2) Onroerende goed kragtens subartikel (1) verkry, word getranspoteer aan en geregistreer op naam van die Republiek van Suid-Afrika.	10
Ontwikkeling van onroerende goed van Staat vir boerderydoeleindes.	10B. Die Minister kan onroerende goed van die Staat wat na die oordeel van die raad vir, of vir gebruik in verband met, boerderydoeleindes geskik is, vir, of vir gebruik in verband met sodanige doeleindes, ontwikkel, of enige werke daarop aanbring.	15
Beskikking oor onroerende goed van Staat wat nie vir boerderydoeleindes geskik is nie.	10C. (1) Daar kan oor onroerende goed van die Staat wat, na die oordeel van die raad, nie kragtens artikel 10 van hierdie Wet verkoop of verhuur kan word nie, kragtens artikel 2 van die Wet op die Beskikking oor Staatsgrond, 1961 (Wet No. 48 van 1961), beskik word.	20
	(2) Die Landboukredietrekening vermeld in artikel 20A word gekrediteer met gelde wat ontvang word ter betaling van bedrae wat betaalbaar is ten opsigte van onroerende goed waaroor ingevolge subartikel (1) beskik word.	25
	(3) Indien daar oor onroerende goed van die Staat ingevolge subartikel (1) by wyse van verkoping beskik word, of indien sodanige goed ingevolge artikel 10A (1) (b) verruil word, is artikel 35 (1) (b), (2), (3) en (4) <i>mutatis mutandis</i> ten opsigte van sodanige goed van toepassing asof daar op daardie goed 'n verband ingevolge artikel 34 geregistreer moet word en asof die koper of die persoon wat die grond in ruil verkry, na gelang van die geval, die verband-gewer is.	30
	(4) By die toepassing van subartikel (1) word enige verwysing in die Wet in daardie subartikel vermeld na die Gemeenskapsontwikkelingsraad ingestel by artikel 2 van die Wet op Gemeenskapsontwikkeling, 1966 (Wet No. 3 van 1966), uitgelê as 'n verwysing na die Landboukredietraad."	35
Wysiging van artikel 49 van Wet 28 van 1966, soos gewysig deur artikel 19 van Wet 66 van 1970.	4. Artikel 49 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:	40
	„(1) Die Minister kan 'n bevoegdheid by hierdie Wet of 'n in artikel 51 bedoelde wet aan hom verleen, uitgesonderd die in artikels 2, 10, <u>10A</u> en 48 bedoelde bevoegdhede, aan die Direkteur-generaal, of 'n ander beamppte van die Staat (met ingegrip van die Administrasie van die gebied), deleger, maar word nie daardeur enige van sy aldus gedelegeerde bevoegdhede ontnem nie, en kan 'n beslissing van die Direkteur-generaal of ander beamppte wysig of intrek."	45
Kort titel en inwerkingtreding.	5. Hierdie Wet heet die Tweede Wysigingswet op Landboukrediet, 1982, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die <i>Staatskoerant</i> bepaal.	50
		55

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- which it considers suitable for, or for use in connection with, farming purposes; and
- (b) exchange immovable property of the State for other immovable property which the board considers suitable for, or for use in connection with, such purposes, in which case the Minister may issue a deed of grant in respect of any immovable property so exchanged.
- (2) Immovable property acquired under subsection (1) shall be transferred to and registered in the name of the Republic of South Africa.

Development of immovable property of State for farming purposes. **10B.** The Minister may develop immovable property of the State which in the opinion of the board is suitable for, or for use in connection with, farming purposes, for, or for use in connection with, any such purposes, or construct any works thereon.

Disposal of immovable property of State which is not suitable for farming purposes. **10C.** (1) Immovable property of the State which, in the opinion of the board, cannot be sold or leased under section 10 of this Act, may be disposed of under section 2 of the State Land Disposal Act, 1961 (Act No. 48 of 1961).

(2) The Agricultural Credit Account mentioned in section 20A shall be credited with moneys received in payment of amounts which may be payable in respect of immovable property disposed of in terms of subsection (1).

(3) If immovable property of the State is disposed of by means of sale in terms of subsection (1), or if such property is exchanged in terms of section 10A (1) (b), section 35 (1) (b), (2), (3) and (4) shall apply *mutatis mutandis* in respect of such property as if a mortgage bond over that property were to be registered under section 34 and as if the purchaser or the person who acquires the land in exchange, as the case may be, were the mortgagor.

(4) For purposes of subsection (1) any reference in the Act mentioned in that subsection to the Community Development Board established by section 2 of the Community Development Act, 1966 (Act No. 3 of 1966), shall be construed as a reference to the Agricultural Credit Board."

4. Section 49 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 49 of Act 28 of 1966, as amended by section 19 of Act 66 of 1970.

"(1) The Minister may delegate any power conferred upon him by this Act or any law referred to in section 51, other than the powers referred to in sections 2, 10, 10A and 48, to the Director-General or any other officer of the State (including the Administration of the territory), but is not thereby divested of any power so delegated, and may amend or withdraw any decision of the Director-General or other officer."

5. This Act shall be called the Second Agricultural Credit Amendment Act, 1982, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

Short title and commencement.

