



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. 369.

7 Maart 1984

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

No. 13 van 1984: John Dunn-grondverdelingswysigingswet, 1984.

No. 369.

7 March 1984

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

No. 13 of 1984: John Dunn (Distribution of Land) Amendment Act, 1984.

Wet No. 13, 1984

JOHN DUNN-GRONDVERDELINGSWYSIGINGSWET, 1984

ALGEMENE VERDUIDELIKENDE NOTA:

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

WET

Tot wysiging van die John Dunn Grondverdelings Wet, 1935, ten einde voorsiening daarvoor te maak dat sekere beëdigde verklarings by die registrasie van grondbriewe uitgereik uit hoofde van die bepalings van genoemde Wet, as bewys van relevante feite kan dien; en om, in verband met toekennings kragtens die Wet, die voorwaarde dat slegs met goedkeuring van die Staatspresident op sekere wyses met die betrokke grond gehandel mag word, te skrap; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 22 Februarie 1984.)

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

Wysiging van
artikel 19 van Wet
15 van 1935.

1. Artikel 19 van die John Dunn Grondverdelings Wet, 1935 (hieronder die Hoofwet genoem), word hierby gewysig—

(a) deur die volgende paragraaf by subartikel (3) te voeg, 5
terwyl die bestaande subartikel paragraaf (a) word:

“(b) 'n Stuk grond in subartikel (1) of (2) bedoel wat 10
voor die inwerkingtreding van die John Dunn-
grondverdelingswysigingswet, 1984, toegeken is,
word, ondanks 'n andersluidende bepaling van 'n
grondbrief wat ten opsigte van die grond uitgereik
is, geag sonder die voorwaarde van toekenning uit-
eengesit in paragraaf 1 van die Bylae, soos dit voor
daardie inwerkingtreding bestaan het, toegeken te
gewees het.”; en 15

(b) deur die volgende subartikel na subartikel (3) in te 20
voeg:

“(3A) By die registrasie van die oordrag van grond
in subartikel (1) of (2) bedoel, by wyse van 'n grond-
brief, aan 'n persoon wat beweer dat hy iemand is in
enige van daardie subartikels bedoel aan wie die grond
of 'n onverdeelde aandeel daarin toegeken is, word,
ondanks andersluidende bepalings van die Registrasie
van Aktes Wet, 1937 (Wet No. 47 van 1937), of van 'n
ander wet, 'n dokument— 25

(a) wat voorgee 'n beëdigde verklaring te wees—

(i) deur so 'n persoon; of

(ii) deur iemand anders wat in die dokument die
feite of gronde uiteensit wat hom kwalifiseer
as iemand wat persoonlike kennis het van, en
bevoeg maak om, oor 'n aangeleentheid in
paragraaf (b) beoog, getuienis te lewer; en 30

(b) waarin die korrektheid van enige bewering of die
aan- of afwesigheid van enige feit of omstandig-
heid wat in verband met die registrasie relevant is, 35
bevestig word,

as afdoende bewys aangaande sodanige bewering of feit
of omstandigheid aanvaar: Met dien verstande dat die

JOHN DUNN (DISTRIBUTION OF LAND) AMENDMENT ACT, 1984

Act No. 13, 1984

GENERAL EXPLANATORY NOTE:

Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the John Dunn (Distribution of Land) Act, 1935, so as to provide that certain affidavits may serve as proof of relevant facts on the registration of deeds of grant issued pursuant to the provisions of the said Act; and to delete, in connection with awards under the Act, the condition that the relevant land may only with the consent of the State President be dealt with in certain ways; and to provide for incidental matters.

(English text signed by the State President.)
(Assented to 22 February 1984.)

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

1. Section 19 of the John Dunn (Distribution of Land) Act, 1935 (hereinafter referred to as the principal Act), is hereby
 5 amended—

Amendment of
 section 19 of Act 15
 of 1935.

(a) by the addition to subsection (3) of the following paragraph, the existing subsection becoming paragraph (a):

“(b) A plot of land referred to in subsection (1) or (2)

10 which was awarded before the commencement of the John Dunn (Distribution of Land) Amendment Act, 1984, shall, notwithstanding any provision to the contrary in any deed of grant issued in respect of that land, be deemed to have been
 15 awarded without the condition of grant set out in paragraph 1 of the Schedule, as it existed before that commencement.”; and

(b) by the insertion of the following subsection after subsection (3):

20 “(3A) On the registration of the transfer of land referred to in subsection (1) or (2), by means of a deed of grant, to a person who alleges that he is a person referred to in any of those subsections to whom the land or an undivided share thereof has been awarded, a document—

25 (a) which purports to be an affidavit—

(i) by such person; or

30 (ii) by any other person who sets out in the document the facts or grounds rendering him qualified as a person having personal knowledge of and competent to give evidence regarding any matter contemplated in paragraph (b); and

35 (b) in which the accuracy of any allegation or the existence or absence of any fact or circumstance relevant in connection with the registration, is affirmed,

shall, notwithstanding any provision to the contrary in the Deeds Registries Act, 1937 (Act No. 47 of 1937),

Wet No. 13, 1984

JOHN DUNN-GRONDVERDELINGSWYSIGINGSWET, 1984

voorgaande bepalings van hierdie subartikel nie afbreuk doen nie aan 'n verpligting van 'n registrateur van aktes om uitvoering te gee aan 'n hofbevel of aan enige ander kennisgewing wat kragtens die een of ander wet in sy registrasiekantoor aangeteken is en wat die registrasie van die betrokke grondbrief raak." 5

Wysiging van Bylae
by Wet 15 van
1935.

2. Die Bylae by die Hoofwet word hierby gewysig deur paragraaf 1 te skrap.

Kort titel.

3. Hierdie Wet heet die John Dunn-grondverdelingswysigingswet, 1984. 10

JOHN DUNN (DISTRIBUTION OF LAND) AMENDMENT ACT, 1984

Act No. 13, 1984

5 or in any other law, be accepted as conclusive proof regarding such allegation or fact or circumstance: Provided that the foregoing provisions of this subsection shall not derogate from the obligation of a registrar of deeds to give effect to any order of court or any other notification recorded in the deeds registry in terms of any other law and which affects the registration of the relevant deed of grant."

2. The Schedule to the principal Act is hereby amended by the
10 deletion of paragraph 1. Amendment of
Schedule to Act 15
of 1935.
3. This Act shall be called the John Dunn (Distribution of
Land) Amendment Act, 1984. Short title.

