



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. 693.

11 April 1984

No. 693.

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

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

No. 31 van 1984: Wysigingswet op Veeverbetering, 1984.

No. 31 of 1984: Livestock Improvement Amendment Act, 1984.

Wet No. 31, 1984

WYSIGINGSWET OP VEEVERBETERING, 1984

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

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

WET

Tot wysiging van die Veeverbeteringswet, 1977, ten einde voorsiening te maak dat die bevoegdhede en pligte wat ingevolge genoemde Wet by beamptes berus ook deur werknemers in diens van die Staat uitgeoefen of verrig kan word; sekere verouderde uitdrukkings en benamings te vervang; sekere uitdrukkings vir die doeleindes van genoemde Wet nader te omskryf; die toepassing van die bepalings van genoemde Wet op verskillende soorte diere of diere van bepaalde rasse beter te reël; die samestelling van die Adviesraad vir Dierreproduksie en sy komitees, en die ampstermyn van hul lede, verder te reël; die opvang en verkoop van sekere eiselle van diere en die inovulering van sekere diere te reël; voorsiening te maak vir die registrasie van persone wat embrio's van diere opvang en wat diere inovuleer, en die vereistes vir registrasie van insemineerders en K.I.-sentrums en die goedkeuring van diere verder te reël; aan die registrateur die bevoegdheid te verleen om vorms wat ingevolge hierdie Wet gebruik moet word, te bepaal; die intrekking van die goedkeuring van 'n dier verder te reël en die beskikking oor sekere semen en eiselle van 'n dier ten opsigte waarvan bedoelde goedkeuring ingetrek is, te reël; die instelling van skemas vir die evaluering en sertifisering van die prestasie van diere verder te reël; die Departement van Landbou vry te stel van sekere bepalings van genoemde Wet met betrekking tot die invoer van diere, semen, eiselle of eiers, en die prosedure in verband met 'n aansoek om die magtiging van die registrateur vir sodanige invoer en die voorwaardes verbonde aan so 'n magtiging verder te reël; die uitvoer van volstruise of die eiers van volstruise te verbied tensy die betrokke volstruise of eiers onvrugbaar gemaak is; ander voorsiening te maak vir die vereistes waaraan die grondwet van 'n vee-telersgenootskap moet voldoen en vir die opstel en voorlegging van sy jaarverslae; erkenning te verleen aan 'n vereniging of liggaam wat voor die inwerkingtreding van genoemde Wet sekere bevoegdhede met betrekking tot Volbloedperde uitgeoefen het; die strawwe wat vir oortredings ingevolge genoemde Wet opgelê kan word, te verhoog; en die aanspreeklikheid van werkgewers en prinsipale te reël; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 9 Maart 1984.)

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

Wysiging van
artikel 1 van
Wet 25 van 1977.

1. Artikel 1 van die Veeverbeteringswet, 1977 (hieronder die Hoofwet genoem), word hierby gewysig—

(a) deur die omskrywing van "beampte" deur die volgende omskrywing te vervang:

"beampte" 'n beampte soos omskryf in artikel 1 van die Staatsdienswet, 1957 (Wet No. 54 van 1957),

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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 Livestock Improvement Act, 1977, so as to make provision that the powers and duties vesting in officers in terms of the said Act may be exercised or performed also by employees in the employment of the State; to substitute certain obsolete expressions and designations; to further define certain expressions for the purposes of the said Act; to better regulate the application of the provisions of the said Act to different kinds of animals or animals of specified breeds; to further regulate the composition of the Advisory Board for Animal Production and its committees, and the period of office of its members; to regulate the collection and sale of certain ova of animals and the in ovulation of certain animals; to provide for the registration of persons collecting embryos of animals and in ovulating animals, and to further regulate the requirements for registration of inseminators and A.I. centres and the approval of animals; to empower the registrar to determine forms to be used in terms of this Act; to further regulate the withdrawal of the approval of an animal and to regulate the disposal of certain semen and ova of an animal in respect of which such approval has been withdrawn; to further regulate the establishment of schemes for the evaluation and certification of the performance of animals; to exempt the Department of Agriculture from certain provisions of the said Act in relation to the importation of animals, semen, ova or eggs, and to further regulate the procedure in connection with an application for the authorization of the registrar for such importation and the conditions connected to any such authorization; to prohibit the exportation of ostriches or the eggs of ostriches unless the ostriches or eggs in question have been sterilized; to make other provision for the requirements with which the constitution of a livestock breeders' society shall comply and for the compilation and submission of its annual returns; to grant recognition to an association or body which exercised certain powers in relation to Thoroughbred horses before the commencement of the said Act; to increase the penalties which may be imposed for contraventions of the said Act; and to regulate the liability of employers and principals; and to provide for incidental matters.

(English text signed by the State President.)

(Assented to 9 March 1984.)

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 Livestock Improvement Act, 1977 (hereinafter referred to as the principal Act), is hereby amended—

- 5 (a) by the substitution for the definition of "A.I. centre" of the following definition:
 "A.I. centre", in relation to semen, means any premises registered as an A.I. centre for the purpose of

Amendment of
 section 1 of
 Act 25 of 1977.

- en ook, behalwe by die toepassing van artikel 3 (2)
- (a) (i), 'n werknemer soos aldus omskryf;";
- (b) deur die omskrywing van "Departement" deur die volgende omskrywing te vervang:
 "Departement" die Departement van **[Landbou-tegniese Dienste]** Landbou;";
- (c) deur die omskrywing van "dier" deur die volgende omskrywing te vervang:
 "'dier' 'n **[lid van 'n]** soort dier **[en van 'n ras daarvan]** of 'n dier van 'n bepaalde ras van so 'n soort dier wat ingevolge artikel 2 as 'n **[soort en ras]** dier vir die doeleindes van die een of ander bepaling van hierdie Wet verklaar is;";
- (d) deur na die omskrywing van "dier" die volgende omskrywings in te voeg:
 "'Direkteur: Veeartsenydiens' die persoon wat ingevolge die wette wat die Staatsdiens reël, dien in die pos Direkteur: Veeartsenydiens wat ingevolge bedoelde wette vir die behoeftes van die Departement geskep is;
 'Direkteur: Vee- en Suiwelkunde' die persoon wat ingevolge die wette wat die Staatsdiens reël, dien in die pos Direkteur: Vee- en Suiwelkunde wat ingevolge bedoelde wette vir die behoeftes van die Departement geskep is;";
- (e) deur die omskrywing van "eier" deur die volgende omskrywing te vervang:
 "'eier' 'n **[bevrugte]** eier van pluimvee wat vir teeltdoeleindes bestem is, of 'n eier van 'n volstruis wat 'n dier is;";
- (f) deur die omskrywing van "eisel" deur die volgende omskrywing te vervang:
 "'eisel' 'n **[bevrugte of onbevrugte]** eisel van 'n dier, behalwe pluimvee, en ook 'n embrio;";
- (g) deur na die omskrywing van "eisel" die volgende omskrywings in te voeg:
 "'embrio' 'n bevrugte eisel van 'n dier;
 'embrio-oorplaser' iemand wat eiselle opvang en wat die inovulering van diere uitvoer;";
- (h) deur na die omskrywing van "hierdie Wet" die volgende omskrywing in te voeg:
 "'inovuleerder' iemand wat die inovulering van diere uitvoer;";
- (i) deur die omskrywing van "K.I.-sentrum" deur die volgende omskrywing te vervang:
 "'K.I.-sentrum', met betrekking tot semen, 'n perseel wat ingevolge artikel 10 vir die opvang van semen as 'n K.I.-sentrum geregistreer is en, met betrekking tot eiselle, 'n perseel wat aldus vir die opvang van eiselle as 'n E.O.-sentrum geregistreer is;";
- (j) deur die omskrywing van "registrateur" deur die volgende omskrywing te vervang:
 "'registrateur' die beampte wat ingevolge artikel 4 as Registrateur van Veeverbetering aangewys is **[en ook 'n beampte wat in opdrag of onder beheer of op las van die registrateur optree];**";
- (k) deur die omskrywing van "veearts" deur die volgende omskrywing te vervang:
 "'veearts' **['n veearts]** iemand wat ingevolge die **[Veeartswet, 1933 (Wet No. 16 van 1933)]** Wet op Veterinêre en Para-Veterinêre Beroepe, 1982 (Wet No. 19 van 1982), geregistreer is of geag word geregistreer te wees om 'n veterinêre beroep soos omskryf in artikel 1 van daardie Wet te beoefen;";

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- collecting semen in terms of section 10, and, in relation to ova, means any premises so registered as an E.T. centre for the purpose of collecting ova;”;
- (b) by the substitution for the definition of “animal” of the following definition:
- “‘animal’ means any **[member of any such]** kind of animal **[and of any such breed thereof]** or any animal of any specified breed of any such kind of animal as may in terms of section 2 have been declared to be **[a kind and breed of]** an animal for the purposes of any provision of this Act;”;
- (c) by the insertion after the definition of “animal” of the following definition:
- “‘animal scientist’ means any person registered as a natural scientist in terms of the Natural Scientists’ Act, 1982 (Act No. 55 of 1982), on account of examinations he has passed or is deemed to have passed in animal science in terms of that Act;”;
- (d) by the substitution for the definition of “Department” of the following definition:
- “‘Department’ means the Department of **[Agricultural Technical Services]** Agriculture;”;
- (e) by the insertion after the definition of “Department” of the following definitions:
- “‘Director: Animal and Dairy Science’ means the person serving, in terms of the laws governing the public service, in the post of Director: Animal and Dairy Science created for the requirements of the Department in terms of such laws;”;
- “‘Director: Veterinary Service’ means the person serving, in terms of the laws governing the public service, in the post of Director: Veterinary Service created for the requirements of the Department in terms of such laws;”;
- (f) by the substitution for the definition of “egg” of the following definition:
- “‘egg’ means **[a fertilized]** an egg of poultry intended for breeding purposes, or an egg of an ostrich which is an animal;”;
- (g) by the insertion after the definition of “egg” of the following definitions:
- “‘embryo’ means a fertilized ovum of an animal;”;
- “‘embryo transferor’ means any person who collects ova and who carries out the inoovulation of animals;”;
- (h) by the insertion after the definition of “embryo transferor” of the following definition:
- “‘inoovulator’ means any person who carries out the inoovulation of animals;”;
- (i) by the substitution for the definition of “livestock breeders’ society” of the following definition:
- “‘livestock breeders’ society’ means a group of persons promoting the breeding (including the recording or registration of pedigrees), improvement and use of animals **[belonging to a kind and breed which has in terms of section 2 been declared]**, and in respect of which a certificate of incorporation has been issued or is continued in terms of section 18 or 22;”;
- (j) by the substitution for the definition of “officer” of the following definition:
- “‘officer’ means an officer as defined in section 1 of the Public Service Act, 1957 (Act No. 54 of 1957), and includes, except for the purposes of section 3 (2) **(a) (i), an employee as so defined;**”;
- (k) by the substitution for the definition of “ovum” of the following definition:

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(l) deur na die omskrywing van "veebedryf" die volgende omskrywing in te voeg:
 "'veekundige' iemand wat ingevolge die Wet op Natuurwetenskaplikes, 1982 (Wet No. 55 van 1982), as 'n natuurwetenskaplike geregistreer is op grond van eksamens wat hy in veekunde geslaag het of ingevolge daardie Wet geag word te geslaag het;";
 en

(m) deur die omskrywing van "veetelersgenootskap" deur die volgende omskrywing te vervang:
 "'veetelersgenootskap' 'n groep persone wat die teelt (met inbegrip van die aanteken of registreer van **[afstamming] stambome**), verbetering en gebruik bevorder van diere **[wat aan 'n soort en ras behoort wat ingevolge artikel 2 verklaar is]**, en waarvan 'n sertifikaat van regspersoonlikheid ingevolge artikel 18 of 22 uitgereik is of in stand gehou word;".

Wysiging van
 artikel 2 van
 Wet 25 van 1977.

2. Artikel 2 van die Hoofwet word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

"(1) Die bepalings van hierdie Wet is van toepassing met betrekking tot enige soort **[en ras]** dier of 'n dier van 'n bepaalde ras van so 'n soort dier wat die Minister by kennisgewing in die *Staatskoerant* as 'n **[soort]** dier **[en 'n ras daarvan]** vir die doeleindes van hierdie Wet verklaar."; en

(b) deur subartikel (2) deur die volgende subartikel te vervang:

"(2) Verskillende soorte **[en rasse]** diere of diere van verskillende rasse van daardie soort diere kan aldus met betrekking tot verskillende bepalings van hierdie Wet verklaar word."

Wysiging van
 artikel 3 van
 Wet 25 van 1977.

3. Artikel 3 van die Hoofwet word hierby gewysig—

(a) deur paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:

"(a) Die adviesraad bestaan, benewens die tydelike lede kragtens subartikel (4A) aangestel, uit 16 lede deur die Minister aangestel, **[van wie]** naamlik—

(i) twee beamptes van die Departement **[is]**, van wie **[een as voorsitter en die ander as ondervoorsitter deur die Minister aangewys word]** minstens een aangestel moet word vanweë sy besondere kennis van die landbou-ekonomie;

(ii) **[een 'n beampte van die Departement van Landbou-ekonomie en -bemarking is]** die Direkteur: Veeartsenydiens en die Direkteur: Vee- en Suiwelkunde; en

(iii) **[dertien]** 12 persone ingevolge paragraaf (b) aangestel **[word]**.";

(b) deur in genoemde subartikel (2) na paragraaf (a) die volgende paragraaf in te voeg:

"(aA) Die Minister wys 'n persoon wat kragtens paragraaf (a) (i) of (ii) aangestel is as voorsitter en 'n ander sodanige persoon as ondervoorsitter van die adviesraad aan;";

(c) deur subparagraaf (v) van paragraaf (b) van genoemde subartikel (2) deur die volgende subparagraaf te vervang:

"(v) **[die koöperatiewe landboumaatskappye, kragtens die wetsbepalings op koöperatiewe landboumaatskappye geregistreer]** elke koöperasie wat ingevolge die Koöperasiewet, 1981 (Wet No. 91 van 1981), ingelyf is of geag word aldus ingelyf te wees

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“‘ovum’ means **[a fertilized or unfertilized]** an ovum of an animal other than poultry, and includes an embryo;”;

(l) by the substitution for the definition of “registrar” of the following definition:

“‘registrar’ means the officer designated as Registrar of Livestock Improvement in terms of section 4 **[and includes an officer acting under a delegation from or under the control or direction of the registrar]**;”;

(m) by the substitution for the definition of “veterinarian” of the following definition:

“‘veterinarian’ means a **[veterinarian]** person registered or deemed to be registered in terms of the **[Veterinarian Act, 1933 (Act No. 16 of 1933)]** Veterinary and Para-Veterinary Professions Act, 1982 (Act No. 19 of 1982), to practise a veterinary profession as defined in section 1 of that Act.”.

2. Section 2 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

Amendment of section 2 of Act 25 of 1977.

“(1) The provisions of this Act shall apply with reference to any such kind **[and breed]** of animal or any animal of any specified breed of any such kind of animal as the Minister may by notice in the *Gazette* declare to be **[a kind of]** an animal **[and a breed thereof]** for the purposes of this Act.”; and

(b) by the substitution for subsection (2) of the following subsection:

“(2) Different kinds **[and breeds]** of animals or animals of different breeds of that kind of animals may be so declared in relation to different provisions of this Act.”.

3. Section 3 of the principal Act is hereby amended—

(a) by the substitution for paragraph (a) of subsection (2) of the following paragraph:

Amendment of section 3 of Act 25 of 1977.

“(a) The advisory board shall, in addition to the temporary members appointed under subsection (4A), consist of 16 members to be appointed by the Minister, **[of whom]** namely—

(i) two **[shall be]** officers of the Department, of whom **[one shall be designated as chairman and the other as vice-chairman by the Minister]** at least one shall be appointed on account of his special knowledge of agricultural economics;

(ii) **[one shall be an officer of the Department of Agricultural Economics and Marketing]** the Director: Veterinary Service and the Director: Animal and Dairy Science; and

(iii) **[thirteen]** 12 persons **[shall be]** appointed in terms of paragraph (b).”;

(b) by the insertion in the said subsection (2) after paragraph (a) of the following paragraph:

“(aA) The Minister shall designate a person appointed under paragraph (a) (i) or (ii) as chairman and another such person as vice-chairman of the advisory board.”;

(c) by the substitution for subparagraph (v) of paragraph (b) of the said subsection (2) of the following subparagraph:

“(v) **[such co-operative agricultural companies, registered under the laws governing co-operative agricultural companies]** every co-operative incorpor-

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- en wat kunsmatige **[insemineringsdienste]** inseminerings- of inovuleringsdienste met betrekking tot diere lewer;”;
- (d) deur subparagraaf (vii) van genoemde paragraaf (b) deur die volgende subparagraaf te vervang: 5
“(vii) die **[Raad van Beheer oor die Vee- en Vleisnywerhede]** Vleisraad;”;
- (e) deur subparagraaf (ix) van genoemde paragraaf (b) te skrap;
- (f) deur die voorbehoudsbepaling by genoemde paragraaf 10
(b) deur die volgende voorbehoudsbepaling te vervang:
“Met dien verstande dat een sodanige lys name deur die betrokke **[landboumaatskappye]** koöperasies ingevolge subparagraaf (v) gesamentlik voorgelê moet word.”; 15
- (g) deur paragraaf (d) van genoemde subartikel (2) deur die volgende paragraaf te vervang:
“(d) **[Vir]** Daar moet vir elke lid van die adviesraad in paragraaf (a) **[(ii)]** (i) of (iii) vermeld **[moet daar]** ’n **[plaasvervangende lid]** persoon aangestel word 20 op dieselfde wyse as sodanige lid, en deur elke sodanige lid in paragraaf (a) (ii) vermeld ’n persoon benoem word, as plaasvervangende lid **[aangestel word]**, en ’n plaasvervangende lid aldus aangestel of benoem, tree in die plek op van die lid vir wie 25 hy as plaasvervangende lid aangestel is of deur wie hy benoem is, na gelang van die geval, gedurende daardie lid se afwesigheid of onvermoë om as lid van die adviesraad op te tree.”;
- (h) deur in paragraaf (a) van subartikel (3) die woorde wat subparagraaf (i) voorafgaan deur die volgende woorde te vervang:
“’n Lid of ’n plaasvervangende lid van die adviesraad (uitgesonderd ’n lid in subartikel (2) (a) (i) of (ii) vermeld, wat, in die geval van ’n lid in subarti- 35 kel (2) (a) (i) bedoel, sy amp beklee vir solank dit die Minister behaag) beklee sy amp vir die tydperk, maar hoogstens **[drie]** vyf jaar, en op die voorwaardes wat die Minister ten tyde van sy aanstelling bepaal, maar ontruim sy amp indien 40 hy —”;
- (i) deur subparagraaf (iii) van genoemde paragraaf (a) deur die volgende subparagraaf te vervang:
“(iii) in die geval van ’n lid (behalwe ’n lid in subartikel 40
(2) (a) (ii) bedoel), sonder verlof van die adviesraad van twee agtereenvolgende vergaderings van die adviesraad afwesig was of, in die geval van ’n plaasvervangende lid, gedurende die afwesigheid of onvermoë van die lid vir of deur wie hy as plaasvervangende lid aangestel is of benoem is, na ge- 50 lang van die geval, om as lid op te tree, aldus afwesig was.”;
- (j) deur in paragraawe (d) en (e) van subartikel (4) na die woord “lede” die woorde “(uitgesonderd die tydelike lede in subartikel (4A) bedoel)” in te voeg; en 55
- (k) deur na subartikel (4) die volgende subartikel in te voeg:
“(4A) Die Minister kan, op aanbeveling van die adviesraad, ’n persoon wat na sy oordeel deskundige kennis dra van die een of ander aangeleentheid in artikel 3 60
(1) bedoel, vir ’n tydperk deur hom bepaal as tydelike

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- ated in terms of the Co-operatives Act, 1981 (Act No. 91 of 1981), or deemed to be so incorporated as may render artificial insemination or ino-vulation services with regard to animals;”;
- 5 (d) by the substitution for subparagraph (vii) of the said paragraph (b) of the following subparagraph:
- “(vii) the **[Livestock and Meat Industries Control] Meat Board**;”;
- 10 (e) by the deletion of subparagraph (ix) of the said paragraph (b);
- (f) by the substitution for the proviso to the said paragraph (b) of the following proviso:
- 15 “Provided that one such list of names shall be submitted jointly by the **[agricultural companies] co-operatives** concerned, in terms of subparagraph (v).”;
- (g) by the substitution for paragraph (d) of the said subsection (2) of the following paragraph:
- 20 “(d) **[For]** There shall be appointed for every member of the advisory board mentioned in paragraph (a) **[ii]** (i) or (iii), **[an alternate member shall be appointed]** a person in the same manner as such member, and be nominated by every such member mentioned in paragraph (a) (ii) a person, as alternate member, and an alternate member so appointed or nominated shall act in the place of the member for whom he has been appointed or by whom he has been nominated, as the case may be, as alternate member during such member’s absence or inability to act as a member of the advisory board.”;
- 25 (h) by the substitution in paragraph (a) of subsection (3) for the words preceding subparagraph (i) of the following words:
- 30 “A member or an alternate member of the advisory board (except any member mentioned in subsection (2) (a) (i) or (ii), who shall, in the case of a member referred to in subsection (2) (a) (i), hold office during the Minister’s pleasure) shall hold office for such period, but not exceeding **[three]** five years, and on such conditions as the Minister may determine at the time of his appointment, but shall vacate his office if he —”;
- 35 (i) by the substitution for subparagraph (iii) of the said paragraph (a) of the following subparagraph:
- 40 “(iii) in the case of a member (except a member referred to in subsection (2) (a) (ii)), has absented himself from two consecutive meetings of the advisory board without the leave of the advisory board or, in the case of an alternate member, has so absented himself during the absence or inability to act as a member, of the member for or by whom he has been appointed or nominated, as the case may be, as alternate member.”;
- 45 (j) by the insertion in paragraphs (d) and (e) of subsection (4) after the word “members” of the words “(excluding the temporary members referred to in subsection (4A))”; and
- 50 (k) by the insertion after subsection (4) of the following subsection:
- 55 “(4A) The Minister may, on the recommendation of the advisory board, appoint as a temporary member of the advisory board or of a committee referred to in subsection (5) (a) or (c), for such period as he may determine, any person who in his opinion has expert knowledge of any matter referred to in section 3 (1),
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lid van die adviesraad of van 'n komitee in subartikel (5) (a) of (c) bedoel, aanstel, en so 'n lid behou sy amp gedurende die tydperk waarvoor hy aangestel is asof hy 'n lid van die adviesraad of die betrokke komitee is."

Vervanging van
artikel 5 van
Wet 25 van 1977.

4. Artikel 5 van die Hoofwet word hierby deur die volgende artikel vervang:

"Register van insemineerders, embryo-oorplasers, inovuleerders, K.I.-sentrums, diere en veetelersgenootskappe. 5
5. (1) Die registrateur hou 'n register van insemineerders, embryo-oorplasers en inovuleerders ingevolge artikel 10 as sodanig geregistreer, K.I.-sentrums, diere ingevolge artikel 10 goedgekeur en veetelersgenootskappe, waarin die voorgeskrewe besonderhede met betrekking tot sodanige insemineerders, embryo-oorplasers, inovuleerders, K.I.-sentrums, diere en veetelersgenootskappe aangeteken word. 15

(2) Die register is by betaling van die voorgeskrewe gelde by die kantoor van die registrateur gedurende werksure ter insae beskikbaar.

(3) Die registrateur verstrek aan enigiemand op sy versoek en by betaling van die voorgeskrewe gelde 'n afskrif van enige besonderhede in die register aangeteken of 'n sertifikaat ten opsigte daarvan."

Vervanging van
artikel 7 van
Wet 25 van 1977.

5. Artikel 7 van die Hoofwet word hierby deur die volgende artikel vervang:

"Verbod op opvang van semen of eiselle of kunsmatige inseminering en inovulering van diere. 25

7. (1) Niemand mag—

(a) semen opvang of 'n dier kunsmatig insemineer nie tensy—

(i) hy 'n veearts is of ingevolge artikel 10 as 'n insemineerder geregistreer is; of

(ii) hy die eienaar is van die dier waarvan die semen opgevang word of wat kunsmatig geïnsemineer word, of in die heeltidse diens van daardie eienaar is; 30

(b) eiselle opvang nie tensy—

(i) hy 'n veearts is of ingevolge artikel 10 as 'n embryo-oorplaser geregistreer is; of 35

(ii) hy die eienaar is van die dier waarvan die eiselle opgevang word, of in die heeltidse diens van daardie eienaar is; 40

(c) 'n dier inovuleer nie tensy—

(i) hy 'n veearts is of ingevolge artikel 10 as 'n embryo-oorplaser of inovuleerder geregistreer is; of

(ii) hy die eienaar is van die dier wat geïnovuleer word, of in die heeltidse diens van daardie eienaar is. 45

(2) 'n Veearts of iemand wat ingevolge artikel 10 as 'n insemineerder, embryo-oorplaser of inovuleerder geregistreer is wat 'n dier ingevolge subartikel (1)

(a) (i) kunsmatig insemineer of inovuleer, na gelang van die geval, moet die eienaar van so 'n dier van 'n sertifikaat voorsien wat die besonderhede bevat wat voorgeskryf is. 50

(3) Behoudens die bepalinge van subartikel (4) mag niemand— 55

(a) semen ingevolge subartikel (1) opvang nie tensy die betrokke dier ingevolge artikel 10 vir die opvang van semen goedgekeur is;

(b) 'n eisel opvang nie tensy die betrokke dier ingevolge artikel 10 vir die opvang van eiselle goedgekeur is en, in die geval van 'n embryo, die betrokke eisel bevrug is met— 60

(i) semen van 'n dier wat ingevolge artikel 10 vir die opvang van semen goedgekeur is;

(ii) semen in artikel 8 (2) (a) bedoel; of 65

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and any such member shall hold office during the period for which he has been appointed as if he were a member of the advisory board or the committee concerned."

- 5 4. The following section is hereby substituted for section 5 of the principal Act:

Substitution of section 5 of Act 25 of 1977.

10 "Register of inseminators, embryo transferors, inovulators, A.I. centres, animals and livestock breeders' societies. 5. (1) The registrar shall keep a register of inseminators, embryo transferors and inovulators registered as such in terms of section 10, A.I. centres, animals approved in terms of section 10 and livestock breeders' societies, in which the prescribed particulars relating to such inseminators, embryo transferors, inovulators, A.I. centres, animals and livestock breeders' societies shall be recorded.

15 (2) the register shall, upon payment of the prescribed fee, be open for inspection at the office of the registrar during office hours.

20 (3) The registrar shall furnish any person, at his request and on payment of the prescribed fee, with a copy of any particulars recorded in the register or a certificate in respect thereof."

- 5 5. The following section is hereby substituted for section 7 of the principal Act:

Substitution of section 7 of Act 25 of 1977.

25 "Prohibition of collection of semen or ova or artificial insemination and inovulation of animals. 7. (1) No person shall—
 30 (a) collect semen or artificially inseminate an animal unless—
 (i) he is a veterinarian or is registered as an inseminator in terms of section 10; or
 (ii) he is the owner of the animal from which such semen is collected or which is artificially inseminated, or is in the full-time employment of that owner;
 35 (b) collect ova unless—
 (i) he is a veterinarian or is registered as an embryo transferor in terms of section 10; or
 (ii) he is the owner of the animal from which such ova are collected, or is in the full-time employment of that owner;
 40 (c) inovulate an animal unless—
 (i) he is a veterinarian or is registered as an embryo transferor or inovulator in terms of section 10; or
 (ii) he is the owner of the animal which is inovulated, or is in the full-time employment of that owner.
 45 (2) A veterinarian or any person registered as an inseminator, embryo transferor or inovulator in terms of section 10 who artificially inseminates or inovulates, as the case may be, any animal in terms of subsection (1) (a) (i) shall furnish the owner of any such animal with a certificate containing such particulars as may be prescribed.
 50 (3) Subject to the provisions of subsection (4), no person shall—
 55 (a) collect semen in terms of subsection (1) unless the animal concerned has been approved for the purpose of the collection of semen in terms of section 10;
 60 (b) collect an ovum unless the animal concerned has been approved for the purpose of the collection of ova in terms of section 10 and, in the case of an embryo, the ovum in question has been fertilized with—
 65 (i) semen of an animal approved for the purpose of the collection of semen in terms of section 10;
 (ii) semen referred to in section 8 (2) (a); or

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	(iii) semen wat ooreenkomstig die bepalings van artikel 16 ingevoer is.	
	(4) Die bepalings van subartikel (3) is nie van toepassing nie op die opvang van—	
	(a) semen indien dit opgevang word uitsluitlik om ondersoek of getoets te word; of	5
	(b) semen of eiselle indien dit opgevang word—	
	(i) behoudens die bepalings van subartikel (5), uitsluitlik vir die kunsmatige inseminering of inovulering, na gelang van die geval, van diere wat ook aan die eienaar van die dier waarvan daardie semen of eiselle opgevang word, behoort; of	10
	(ii) vir die doeleindes en op die voorwaardes wat die Minister, op aanbeveling van die adviesraad, voorskryf of by kennisgewing in die <i>Staatskoerant</i> bepaal.	15
	(5) Die semen in subartikel (4) (b) (i) bedoel, mag nie gebruik word nie vir die kunsmatige inseminering van diere van meer as vyf mede- of opeenvolgende eienaars van die dier waarvan daardie semen opgevang is of van die verdere aantal sodanige eienaars (maar hoogstens 10) wat die registrateur, op aanbeveling van die komitee aangestel ingevolge artikel 3	20
	(5) (c) (ii) verstrek na oorlegpleging met die veetelersgenootskap betrokke by diere waartoe die betrokke dier behoort, skriftelik goedkeur.”.	25
Vervanging van artikel 8 van Wet 25 van 1977.	6. Artikel 8 van die Hoofwet word hierby deur die volgende artikel vervang:	
“Verbod op verkoop van semen of eiselle.	8. (1) Niemand mag—	30
	(a) semen, hetsy verwerk al dan nie, verkoop nie tensy daardie semen—	
	(i) opgevang is deur ’n veearts of iemand wat ingevolge artikel 10 as ’n insemineerder geregistreer is;	35
	(ii) opgevang is van ’n dier wat ingevolge artikel 10 vir die opvang van semen goedgekeur is;	
	(iii) opgevang is by ’n K.I.-sentrum;	
	(iv) die voorgeskrewe samestelling en doeltreffendheid, en die ander eienskappe wat voorgeskryf is, besit; en	40
	(v) op die voorgeskrewe wyse verpak is in ’n houer wat aan die voorgeskrewe vereistes voldoen, wat op die voorgeskrewe wyse verseël en gemerk of geëtiketteer is en wat met voorgeskrewe inligting gemerk of geëtiketteer is;	45
	(b) ’n eisel verkoop nie tensy daardie eisel—	
	(i) opgevang is deur ’n veearts of iemand wat ingevolge artikel 10 as ’n embryo-oorplaser geregistreer is;	50
	(ii) opgevang is van ’n dier wat ingevolge artikel 10 vir die opvang van eiselle goedgekeur is en, in die geval van ’n embryo, die betrokke eisel bevrug is met semen in artikel 7 (3) (b) bedoel;	55
	(iii) opgevang is by ’n K.I.-sentrum of in of op ’n ander plek wat die registrateur vir dié doel op aansoek op die voorgeskrewe wyse goedgekeur en op die voorwaardes wat hy bepaal; en	60
	(iv) op die voorgeskrewe wyse verpak is in ’n houer wat aan die voorgeskrewe vereistes voldoen, wat op die voorgeskrewe wyse verseël en gemerk of geëtiketteer is en wat met	65

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- (iii) semen imported in accordance with the provisions of section 16.
- (4) The provisions of subsection (3) shall not apply to the collection of—
- 5 (a) semen if it is collected exclusively to be examined or tested; or
- (b) semen or ova if they are collected—
- 10 (i) subject to the provisions of subsection (5), exclusively for the artificial insemination or ino-vulation, as the case may be, of animals also belonging to the owner of the animal from which such semen or ova are collected; or
- 15 (ii) for such purposes and on such conditions as the Minister may, on the recommendation of the advisory board, prescribe, or determine by notice in the *Gazette*.
- (5) The semen referred to in subsection (4) (b) (i) shall not be used for the artificial insemination of animals of more than five joint or successive owners of the animal from which such semen has been collected or of such further number of such owners (but not exceeding 10) as the registrar may, on the recommendation of the committee appointed in terms of section 3 (5)
- 20 (c) (ii) made after consultation with the livestock breeders' society concerned with animals to which the animal in question belongs, approve in writing."

6. The following section is hereby substituted for section 8 of the principal Act:

Substitution of
section 8 of
Act 25 of 1977.

- 30 "Prohibition of sale of semen or ova. 8. (1) No person shall—
- (a) sell semen, whether processed or not, unless such semen—
- 35 (i) has been collected by a veterinarian or any person registered as an inseminator in terms of section 10;
- (ii) has been collected from an animal approved for the purpose of the collection of semen in terms of section 10;
- 40 (iii) has been collected at an A.I. centre;
- (iv) possesses the prescribed composition and efficacy, and such other properties as may be prescribed; and
- 45 (v) is packed in the prescribed manner in a container which complies with the prescribed requirements, which is sealed and marked or labelled in the prescribed manner and which is marked or labelled with the prescribed information;
- (b) sell any ovum unless such ovum—
- 50 (i) has been collected by a veterinarian or any person registered as an embryo transferor in terms of section 10;
- 55 (ii) has been collected from an animal approved for the purpose of the collection of ova in terms of section 10 and, in the case of an embryo, the ovum in question has been fertilized with semen referred to in section 7 (3) (b);
- 60 (iii) has been collected at an A.I. centre or in or at any other place as the registrar may, on application in the prescribed manner, approve for such purpose and on such conditions as he may determine; and
- 65 (iv) is packed in the prescribed manner in a container which complies with the prescribed requirements, which is sealed and marked or labelled in the prescribed manner and

die voorgeskrewe inligting gemerk of geëtiketteer is.

(2) Ondanks die bepalinge van subartikel (1)—

(a) kan die registrateur, op aanbeveling van die komitee aangestel ingevolge artikel 3 (5) (c) (ii) verstrekk na oorlegpleging met die veetelersgenootskap betrokke by diere waartoe die betrokke dier behoort, skriftelike goedkeuring verleen dat semen of eiselle wat opgevang is van 'n ander dier as 'n dier wat ingevolge artikel 10 vir die opvang daarvan goedgekeur is of, in die geval van embrio's, die betrokke eiselle wat met ander semen as semen in artikel 7 (3) (b) bedoel, bevrug is, verkoop kan word aan—

(i) die koper van daardie dier; of

(ii) die koper van die diere wat te eniger tyd met semen of eiselle van die betrokke dier geïnsemineer of geïnovuleer, na gelang van die geval, was of, in die geval van semen, die koper van vroulike diere waarby daardie dier te eniger tyd vir teeltdoeleindes gebruik was;

(b) kan 'n teler wat ingevolge artikel 14 van die Wet op die Kunsmatige Inseminering van Diere, 1954, geregistreer is en wat semen besit wat op 'n ander plek as 'n K.I.-sentrum, geregistreer ingevolge artikel 12 van daardie Wet, opgevang is van 'n dier wat toe die semen aldus opgevang is aan hom behoort het en wat ingevolge artikel 12 van genoemde Wet goedgekeur is, hoogstens 100 dosisse van sodanige semen per jaar verkoop;

(c) kan die registrateur skriftelike goedkeuring verleen dat semen van voorgeskrewe diere wat opgevang is op 'n ander plek as 'n K.I.-sentrum verkoop kan word indien bedoelde plek aan die voorgeskrewe vereistes voldoen en bedoelde semen op die voorgeskrewe wyse opgevang, gehanteer of gebruik word.

(3) (a) Iemand wat verlang dat enige goedkeuring in subartikel (2) bedoel aan hom verleen word, moet daarom aansoek doen by die registrateur in die vorm wat hy bepaal en op die wyse wat daarvoor voorgeskryf is, en so 'n aansoek moet vergesel gaan van die voorgeskrewe aansoekgelde, asook van die inligting of stukke in verband daarmee wat voorgeskryf is of wat die registrateur vereis.

(b) Die registrateur oorweeg 'n aansoek gedoen ingevolge paragraaf (a), asook die inligting of stukke wat in verband daarmee voorgelê is, en—

(i) kan enige ondersoek in verband daarmee doen wat hy nodig ag; en

(ii) moet so 'n aansoek aan die komitee ingevolge artikel 3 (5) (c) (ii) aangestel, vir sy aanbeveling daaromtrent voorlê.

(4) Die goedkeuring in subartikel (2) (a) of (c) beoog, is onderworpe aan die bepalinge van hierdie Wet en die voorwaardes wat voorgeskryf is of, vir sover dit nie strydig met bedoelde voorwaardes of die bepalinge van hierdie Wet is nie, die voorwaardes (indien daar is) wat die komitee ingevolge artikel 3 (5) (c) (ii) aangestel, aanbeveel.

(5) Indien die registrateur weier om 'n aansoek ingevolge subartikel (3) (a) gedoen, toe te staan, stel hy die persoon wat die aansoek gedoen het, skriftelik in kennis van sy beslissing en die gronde waarop dit gebaseer is."

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which is marked or labelled with the prescribed information.

(2) Notwithstanding the provisions of subsection

(1)—

5 (a) the registrar may, on the recommendation of the committee appointed in terms of section 3 (5) (c) (ii) made after consultation with the livestock breeders' society concerned with animals to which the animal in question belongs, grant approval in writing that semen or ova which have been collected from any animal other than an animal approved for the purpose of the collection thereof in terms of section 10 or, in the case of embryos, the ova in question which have been fertilized with semen other than semen referred to in section 7 (3) (b), may be sold to—

10 (i) the purchaser of such animal; or
15 (ii) the purchaser of the animals which were at any time inseminated or inovulated, as the case may be, with semen or ova of the animal in question or, in the case of semen, the purchaser of female animals at which that animal was at any time used for breeding purposes;

20 (b) a breeder registered in terms of section 14 of the Artificial Insemination of Animals Act, 1954, who owns semen collected at any place other than an A.I. centre registered in terms of section 12 of that Act, from an animal which, at the time of such collection, was an animal belonging to him and which was approved of in terms of section 12 of the said Act, may sell not more than 100 doses of such semen annually;

25 (c) the registrar may grant approval in writing that semen of prescribed animals collected at any place other than an A.I. centre, may be sold if such place complies with the prescribed requirements and such semen is collected, handled or used in the prescribed manner.

30 (3) (a) Any person desiring that any approval referred to in subsection (2) be granted to him, shall apply therefor to the registrar in such form as he may determine and in the manner prescribed therefor, and such an application shall be accompanied by the prescribed application fee, as well as by such information or documents in connection therewith as may be prescribed or the registrar may require.

35 (b) The registrar shall consider an application made in terms of paragraph (a), as well as such information or documents as may be submitted in connection therewith, and—

40 (i) may make any inquiry in connection therewith which he may deem necessary; and

45 (ii) shall submit such an application to the committee appointed in terms of section 3 (5) (c) (ii) for its recommendation in regard thereto.

50 (4) The approval contemplated in subsection (2) (a) or (c) shall be subject to the provisions of this Act and such conditions as may be prescribed or, in so far as they are not contrary to such conditions or the provisions of this Act, such conditions (if any) as the committee appointed in terms of section 3 (5) (c) (ii) may recommend.

55 (5) If the registrar refuses to grant an application made in terms of subsection (3) (a), he shall in writing advise the person who made such application of his decision and of the grounds on which it is based.”.

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Vervanging van
artikel 9 van
Wet 25 van 1977.

7. Artikel 9 van die Hoofwet word hierby deur die volgende artikel vervang:

- “Vereistes vir 9. (1) 'n Insemineerder, embrio-oorplaser of ino-
registrasie vuleerder kan as sodanig geregistreer word indien
van insemi- **[hy]**— 5
neerders, em-
bryo-oorpla- (a) hy [’n] die onderrigkursus wat voorgeskryf [of
sers, inovu- deur die registrateur bepaal] is met welslae vol-
leerders of tooi het;
K.I.-sentrums (b) 'n veearts wat 'n beamppte is en wat deur die
en vir goed- registrateur vir dié doel aangewys is in die vorm 10
keuring van diere. deur die registrateur bepaal, gesertifiseer het dat
die insemineerder, embrio-oorplaser of inovu-
leerder, na gelang van die geval, volgens **[die]** sy
oordeel **[van die registrateur]** oor voldoende
praktiese en teoretiese kennis beskik van die 15
[tegnieke aangaande die opvang van] wyse waar-
op, in die geval van 'n insemineerder, semen **[en**
kunsmatige inseminering van diere beskik] of, in
die geval van 'n embrio-oorplaser, eiselle inge-
volge die bepalinge van hierdie Wet opgevang 20
kan word, en waarop diere, in die geval van 'n
insemineerder, aldus kunsmatig geïnsemineer
of, in die geval van 'n embrio-oorplaser of ino-
vuleerder, geïnovuleer kan word; en
(c) hy voldoen aan die ander vereistes wat voorge- 25
skryf is.
(2) 'n Perseel waar semen of eiselle opgevang, ver-
werk, verpak, opgeberg of verkoop word, kan as 'n
K.I.-sentrum geregistreer word indien—
(a) die voorgeskrewe fasiliteite vir dié doel by die 30
perseel beskikbaar is;
(b) die tegniese werksaamhede by die perseel met
betrekking tot—
(i) die daaglikse versorging van die diere wat
daar gehou word, en die opvang, verwer- 35
king, verpakking en opberging daar van se-
men of eiselle, deur 'n veearts of 'n veekun-
dige wat, in die geval van 'n K.I.-sentrum
wat vir die opvang van semen geregistreer
is, ingevolge artikel 10 as 'n insemineerder 40
geregistreer is of, in die geval van 'n E.O.-
sentrum wat ingevolge artikel 10 vir die op-
vang van eiselle geregistreer is, aldus as 'n
embryo-oorplaser geregistreer is, beheer
word wat in die diens van die betrokke sen- 45
trum is; en
(ii) indien die sentrum nie 'n veearts in sy diens
het nie, die gesondheidstoestand van die
diere wat daar gehou word, en **[tot]** die **[op-**
vang] verwerking **[verpakking of opberging]** 50
daar van semen of eiselle **[op 'n heeltidse**
grondslag], deur 'n veearts beheer word wat
die sentrum op 'n gereelde grondslag vir dié
doel besoek; en
(c) die perseel voldoen aan die ander vereistes wat 55
voorgeskryf is.
(3) 'n Dier kan vir die opvang van semen of ei-
selle, na gelang van die geval, goedgekeur word in-
dien—
(a) 'n veearts wat 'n beamppte is in die vorm deur die 60
registrateur bepaal, gesertifiseer het dat daardie
dier aanvaarbaar is ten opsigte van—
(i) algemene gesondheidstoestand;
(ii) afwesigheid van siekte;

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7. The following section is hereby substituted for section 9 of the principal Act:

Substitution of
section 9 of
Act 25 of 1977.

“Require-
ments for
registration
of insemina-
tors, embryo
transferors,
involutors or
A.I. centres
and for ap-
proval of ani-
mals.”

9. (1) An inseminator, embryo transferor or inovu-
lator may be registered as such if **[he]**—

5 (a) **he** has successfully completed such **[a]** course of
instruction as may be prescribed **[or determined
by the registrar];**

10 (b) a veterinarian who is an officer and has been
designated by the registrar for such purpose has
certified in such form as the registrar may deter-
mine that the inseminator, embryo transferor or
involutor, as the case may be, has, in **[the]** his
opinion **[of the registrar]**, sufficient practical and
15 theoretical knowledge of the **[techniques regard-
ing the collection of]** manner in which, in the
case of an inseminator, semen **[and artificial in-
semination of animals]** or, in the case of an em-
bryo transferor, ova may be collected in terms of
the provisions of this Act, and in which animals,
20 in the case of an inseminator, may be so arti-
ficially inseminated or, in the case of an embryo
transferor or involutor, inactivated; and

(c) **he** complies with such other requirements as
may be prescribed.

25 (2) Any premises where semen **[is]** or ova are col-
lected, processed, packed, stored or sold, may be
registered as an A.I. centre if—

(a) the prescribed facilities are available at such
premises for such purpose;

30 (b) the technical operations at such premises relat-
ing to—

(i) the daily care of animals being kept there,
and the collection, processing, packing and
storage of semen or ova there, are control-
led by a veterinarian or an animal scientist
who is, in the case of an A.I. centre regis-
tered for the purpose of collecting semen,
35 registered as an inseminator in terms of sec-
tion 10 or, in the case of an E.T. centre
registered in terms of section 10 for the pur-
pose of collecting ova, so registered as an
embryo transferor in the employment of the
centre concerned; and

40 (ii) if the centre does not have a veterinarian in
its employment, the state of health of the
animals being kept there, and **[to]** the **[col-
lection]** processing **[packing and storage]** of
semen or ova there, are controlled by a vet-
erinarian **[on a full-time basis]** visiting the
45 centre on a regular basis for such purposes;
and

(c) such premises comply with such other require-
ments as may be prescribed.

50 (3) An animal may be approved for the collection
of semen or ova, as the case may be, if—

55 (a) a veterinarian who is an officer has certified in
such form as the registrar may determine that
such animal is acceptable in respect of—

60 (i) general state of health;

(ii) absence of disease;

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- (iii) afwesigheid van enige sigbare oorerflike gebrek;
- (iv) in die geval van 'n manlike dier, die kwaliteit van sy semen; en
- (v) die ander hoedanighede wat voorgeskryf is; 5
- (b) die veetelersgenootskap betrokke by diere waar-
toe die betrokke dier behoort, met betrekking tot die stamboom van die betrokke dier, en die Direkteur: Vee- en Suiwelkunde, met betrekking tot die prestasiegegewens van die betrokke dier, in die vorm deur die registrateur bepaal, gesertifiseer het dat die **[afstamming]** stamboom en prestasiegegewens van daardie dier van sodanige aard is dat die gebruik van die semen of eiselle van daardie dier vir die kunsmatige inseminering of inovulering, na gelang van die geval, van diere volgens **[die]** sy oordeel **[van die registrateur]** in die belang van die veebedryf sou wees; en 10
- (c) daardie dier voldoen aan die ander vereistes wat voorgeskryf is. 15
- (4) Ondanks die bepalings van subartikel (1) maar behoudens die bepalings van artikel 10 kan 'n embryo-oorplaser of inovuleerder wat nie die onderrigkursus in subartikel (1) (a) bedoel, voltooi het nie en wat— 25
- (a) te eniger tyd voor die inwerkingtreeding van artikel 8 van die Wysigingswet op Veeverbetering, 1984, vir 'n aaneenlopende tydperk van minstens twee jaar, in die geval van 'n embryo-oorplaser, eiselle opgevang en inovulerings van diere uitgevoer het of, in die geval van 'n inovuleerder, inovulerings van diere uitgevoer het; en 30
- (b) aan die bepalings van subartikel (1) (b) en (c) voldoen, 35
- binne ses maande vanaf bedoelde inwerkingtreeding as 'n embryo-oorplaser of inovuleerder, na gelang van die geval, geregistreer word."

Vervanging van artikel 10 van Wet 25 van 1977.

8. Artikel 10 van die Hoofwet word hierby deur die volgende artikel vervang: 40

- "Registrasie van insemineerders, embryo-oorplasers, inovuleerders of K.I.-sentrums, en goedkeuring van diere. 10. (1) Iemand wat—
- (a) 'n insemineerder, embryo-oorplaser of inovuleerder is en verlang om as sodanig geregistreer te word; of
- (b) verlang— 45
- (i) dat 'n perseel as 'n K.I.-sentrum geregistreer word; of
- (ii) dat 'n dier vir die opvang van semen of eiselle goedgekeur word,
- moet daarom aansoek doen by die registrateur in die vorm wat die registrateur bepaal en op die wyse wat daarvoor voorgeskryf is, en so 'n aansoek moet vergesel gaan van die voorgeskrewe aansoekgelde vir die betrokke soort registrasie of goedkeuring, asook van die inligting of stukke in verband daarmee wat voorgeskryf is of wat die registrateur verlang. 50
- (2) Die registrateur oorweeg 'n aansoek gedoen ingevolge subartikel (1), asook die inligting of stukke wat in verband daarmee voorgelê is, en—
- (a) kan enige ondersoek in verband daarmee doen wat hy nodig ag; en 60
- (b) moet 'n aansoek om die registrasie van 'n perseel as 'n K.I.-sentrum aan die **[komitee ingevolge artikel 3 (5) (c) (ii) aangestel]** adviesraad vir sy aanbeveling daaromtrent voorlê. 65

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- (iii) absence of any visible hereditary defect;
 (iv) in the case of a male animal, the quality of its semen; and
 (v) such other attributes as may be prescribed;
- 5 (b) the livestock breeders' society concerned with animals to which the animal in question belongs, in relation to the pedigree of the animal in question, and the Director: Animal and Dairy Science, in relation to the performance records of the animal in question, have certified in such form as the registrar may determine that the
 10 pedigree and performance records of such animal are of such a nature that the use of the semen or ova of that animal for the purpose of the artificial insemination or inovulation, as the case may be, of animals would in [the] its or his
 15 opinion [of the registrar] be in the interest of the livestock industry; and
 (c) such animal complies with such other requirements as may be prescribed.
- 20 (4) Notwithstanding the provisions of subsection (1) but subject to the provisions of section 10, any embryo transferor or inovulator who has not completed the course of instruction referred to in subsection (1) (a) and who—
 25 (a) at any time before the commencement of section 8 of the Livestock Improvement Amendment Act, 1984, has, in the case of an embryo transferor, collected ova and carried out inovulations of animals or, in the case of an inovulator, has carried out inovulations of animals for a continuous period of not less than two years; and
 30 (b) complies with the provisions of subsection (1) (b) and (c),
 35 may be registered as an embryo transferor or inovulator, as the case may be, within six months from such commencement.”

8. The following section is hereby substituted for section 10 of the principal Act:

Substitution of
 section 10 of
 Act 25 of 1977.

- 40 “Registration of inseminators, embryo transferors, inovulators or A.I. centres, and approval of animals. 10. (1) Any person who—
 (a) is an inseminator, embryo transferor or inovulator and desires to be registered as such; or
 (b) desires—
 (i) that any premises be registered as an A.I. centre; or
 (ii) that any animal be approved for the purpose of collecting semen or ova,
 shall apply therefor to the registrar in [the] such form as the registrar may determine and in the manner
 50 prescribed therefor, and such an application shall be accompanied by the prescribed application fee for the kind of registration concerned or approval, as well as by such information or documents in connection therewith as may be prescribed or the registrar may require.
 55 (2) The registrar shall consider an application made in terms of subsection (1), as well as such information or documents as may be submitted in connection therewith, and—
 60 (a) may make any inquiry in connection therewith which he may deem necessary; and
 (b) shall submit an application for the registration of premises as an A.I. centre to the [committee appointed in terms of section 3 (5) (c) (ii)] advisory
 65 board for its recommendation in regard thereto.

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(3) Indien die registrateur oortuig is dat die aan-
soek toegestaan kan word en, in die geval van 'n aan-
soek om die registrasie van 'n perseel as 'n K.I.-sen-
trum, [genoemde komitee] die adviesraad dit
aanbeveel—

(a) registreer hy die insemineerder, embrio-oorpla-
ser of inovuleerder wat aansoek gedoen het om
as ['n insemineerder] sodanig geregistreer te
word, as 'n insemineerder, embrio-oorplaser of
inovuleerder, na gelang van die geval, en reik 10

hy aan hom 'n registrasiesertifikaat uit;
(b) registreer hy die perseel as 'n K.I.-sentrum, en
reik hy aan die aansoeker 'n registrasiesertifikaat
uit;

(c) staan hy die aansoek om die goedkeuring van 15
die betrokke dier vir die opvang van semen of
eiselle toe, en reik hy ten opsigte van daardie
goedkeuring aan die aansoeker 'n sertifikaat van
goedkeuring uit; en

(d) teken hy die toepaslike voorgeskrewe besonder- 20
hede in die register aan.

(4) Die registrasie van 'n insemineerder, embrio-
oorplaser of inovuleerder as sodanig, of van 'n per-
seel as 'n K.I.-sentrum, of die goedkeuring van 'n
dier ingevolge subartikel (3), is onderworpe aan die 25
bepalings van hierdie Wet en die voorwaardes wat
[die registrateur, indien hy dit nodig ag, in elke geval
oplê] voorgeskryf is of, vir sover dit nie strydig met
bedoelde bepalinge of die voorwaardes van hierdie
Wet is nie, die voorwaardes (indien daar is) wat die 30
dier betrokke veetelersgenootskap ingevolge artikel 9
(3) (b) of die adviesraad ingevolge subartikel (2) (b)
van hierdie artikel, na gelang van die geval, aanbeveel.

(5) Indien die registrateur weier om 'n aansoek in-
gevolge subartikel (1) gedoen, toe te staan, stel hy 35
die persoon wat die aansoek gedoen het, skriftelik in
kennis van sy beslissing en die gronde waarop dit ge-
baseer is.

[(6) Die registrasie van 'n K.I.-sentrum en van ie-
mand as 'n bevoegde inseminator ingevolge artikels 40
12 en 13 van die Wet op die Kunsmatige Inseminering
van Diere, 1954 (Wet No. 23 van 1954), en die goed-
keuring van 'n dier vir doeleindes van die opvang van
saad, ingevolge artikel 12 van daardie Wet, indien van
krag by die inwerkingtreding van hierdie Wet— 45

(a) word geag onderskeidelik die registrasie van
daardie K.I.-sentrum as 'n K.I.-sentrum, die re-
gistrasie van daardie persoon as 'n insemineerder
en die goedkeuring van daardie dier vir die op-
vang van semen ingevolge die ooreenstemmende 50
bepalings van hierdie artikel van hierdie Wet te
wees; en

(b) bly, behoudens die vroeëre beëindiging daarvan
ingevolge hierdie Wet, van krag tot 30 September
eersvolgende op genoemde inwerkingtreding, 55
en die registrasie van 'n teler ingevolge artikel 14 van
daardie Wet bly insgelyks van krag tot 30 September
eersvolgende op genoemde inwerkingtreding, en word
daarna nie hiernieu nie.]”.

9. Artikel 11 van die Hoofwet word hierby deur die volgende 60
artikel vervang:

“Tydperk van
registrasie of
goedkeuring.

11. Die registrasie van 'n insemineerder, embrio-
oorplaser of inovuleerder, of van 'n perseel as 'n
K.I.-sentrum, of die goedkeuring van 'n dier vir die
opvang van semen of eiselle, is, behoudens die 65
vroeëre beëindiging daarvan ingevolge hierdie Wet

Vervanging van
artikel 11 van
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(3) If the registrar is satisfied that such application may be granted and, in the case of an application for the registration of premises as an A.I. centre, the **[said committee] advisory board** recommends it, he shall—

- (a) register the inseminator, embryo transferor or inovulator who applied for registration as **[an inseminator]** such, as an inseminator, embryo transferor or inovulator, as the case may be, and issue to him a certificate of registration;
- (b) register such premises as an A.I. centre, and issue to the applicant a certificate of registration;
- (c) grant the application for the approval of the animal concerned for the purpose of collecting semen or ova, and issue to the applicant, in respect of such approval, a certificate of approval; and
- (d) record the applicable prescribed particulars in the register.

(4) The registration of an inseminator, embryo transferor or inovulator as such, or of any premises as an A.I. centre, or the approval of an animal, in terms of subsection (3), shall be subject to the provisions of this Act and such conditions as **[the registrar may, if he deems it necessary, in each case impose]** may be prescribed or, in so far as they are not contrary to such conditions or the provisions of this Act, such conditions (if any) as the livestock breeders' society concerned in terms of section 9 (3) (b) or the advisory board in terms of subsection (2) (b) of this section may recommend.

(5) If the registrar refuses to grant an application made in terms of subsection (1), he shall in writing advise the person who made such application of his decision and of the grounds on which it is based.

[(6) The registration of an A.I. centre and of any person as a qualified inseminator in terms of sections 12 and 13 of the Artificial Insemination of Animals Act, 1954 (Act No. 23 of 1954), and the approval of an animal for the purpose of collecting semen, in terms of section 12 of that Act, if in force at the commencement of this Act—

- (a) shall be deemed to be the registration of that A.I. centre as an A.I. centre, the registration of that person as an inseminator and the approval of that animal for the purpose of collecting semen, respectively, in terms of the corresponding provisions of this section of this Act; and
- (b) shall, subject to the prior termination thereof in terms of this Act, remain in force until 30 September first following on the said commencement, and the registration of a breeder in terms of section 14 of the said Act shall likewise remain in force until 30 September first following on the said commencement and shall thereafter not be renewed.]”

9. The following section is hereby substituted for section 11 of the principal Act:

“Period of registration or approval. **11. The registration of an inseminator, embryo transferor or inovulator, or of premises as an A.I. centre, or the approval of an animal for the purpose of collecting semen or ova, shall, subject to the earlier termination thereof under this Act **[and subject****

Substitution of section 11 of Act 25 of 1977.

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[en behoudens die bepalings van artikel 10 (6)], geldig vanaf die datum van uitreiking van die sertifikaat ten opsigte daarvan ingevolge artikel 10 (3), tot die vervaldatum daarop aangedui, en is daarna van tyd tot tyd hernieubaar.”

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Wysiging van
artikel 12 van
Wet 25 van 1977.

10. Artikel 12 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

“(1) Iemand aan wie ’n sertifikaat ingevolge artikel 10 (3) uitgereik is [of ten gunste van wie ’n registrasie of goedkeuring ingevolge artikel 10 (6) in stand gehou word], kan binne die voorgeskrewe tyd en in die vorm deur die registrateur bepaal en op die wyse wat voorgeskryf is by die registrateur aansoek doen om die hernuwing van die betrokke registrasie of goedkeuring, en so ’n aansoek moet vergesel gaan van die voorgeskrewe hernuwingsgelde vir die betrokke registrasie of daardie goedkeuring, asook van die inligting of stukke in verband daarmee wat voorgeskryf is of wat die registrateur verlang.”

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Vervanging van
artikel 13 van
Wet 25 van 1977.

11. Artikel 13 van die Hoofwet word hierby deur die volgende artikel vervang:

“Beeindiging van registrasie of goedkeuring. 13. (1) Die registrateur kan te eniger tyd die registrasie van ’n insemineerder, embrio-oorplaser of inovuleerder, of van ’n perseel as ’n K.I.-sentrum [(met inbegrip van sodanige registrasie wat ingevolge artikel 10 (6) in stand gehou word)], beeindig, en hy kan insgelyks die goedkeuring van ’n dier [(met inbegrip van sodanige goedkeuring wat ingevolge artikel 10 (6) in stand gehou word)] intrek indien hy oortuig is dat—

(a) ’n vereiste van hierdie Wet of ’n voorwaarde [wat die registrateur ingevolge] bedoel in artikel 10 (4), of artikel 10 (4) soos toegepas by artikel 12 (2), na gelang van die geval, [opgelê het,] nie nagekom is nie; of

(b) in die geval van die goedkeuring van ’n dier, die dier nie meer aan die bepalings van artikel 9 (3) voldoen nie.

(2) Indien die registrateur die registrasie van ’n insemineerder, embrio-oorplaser of inovuleerder as sodanig, of van ’n perseel as ’n K.I.-sentrum, beeindig of die goedkeuring van ’n dier intrek, stel hy die persoon aan wie die betrokke sertifikaat uitgereik is, daarvan en van die gronde waarop dit gebaseer is, skriftelik in kennis.

(3) Wanneer ’n registrasie beeindig of ’n goedkeuring ingetrek is, moet—

(a) die betrokke sertifikaat binne die voorgeskrewe tydperk aan die registrateur teruggestuur word deur die persoon aan wie dit uitgereik is;

(b) in die geval van ’n goedkeuring van ’n dier wat ingevolge subartikel (1) (b) ingetrek word, enigiemand wat enige semen of eiselle in sy besit het wat voor sodanige intrekking van die betrokke dier opgevang is, onverwyld sodanige semen of eiselle vernietig op die wyse wat die registrateur by skriftelike kennisgewing aan die betrokke persoon bepaal.”

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Wysiging van
artikel 14 van
Wet 25 van 1977.

12. Artikel 14 van die Hoofwet word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

“(1) Die Minister kan, op aanbeveling van die adviesraad en na oorlegpleging met die Minister van Finansies, by kennisgewing in die *Staatskoerant* ’n skema

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to the provisions of section 10 (6)], be valid from the date of issue of the certificate in respect thereof under section 10 (3) until the date of expiry indicated thereon, and shall thereafter be renewable from time to time.”.

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10. Section 12 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection: Amendment of section 12 of Act 25 of 1977.

10 “(1) Any person to whom a certificate has been issued in terms of section 10 (3) **[or in whose favour a registration or approval is continued in terms of section 10 (6)]**, may within the prescribed time and in **[the] such form as the registrar may determine and the manner prescribed therefor**, apply to the registrar for the renewal of the registration or approval in question, and such an application shall be accompanied by the prescribed renewal fee for the registration in question or such approval, as well as by such information or documents in connection therewith as may be prescribed or the registrar may require.”.

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20 11. The following section is hereby substituted for section 13 of the principal Act: Substitution of section 13 of Act 25 of 1977.

“Termination of registration or approval. 13. (1) The registrar may at any time terminate the registration of an inseminator, embryo transferor or inovulator, or of any premises as an A.I. centre **[(including such registration continued in terms of section 10 (6))]**, and he may likewise withdraw the approval of an animal **[(including such approval continued in terms of section 10 (6))]**, if he is satisfied that—
(a) a requirement of this Act or a condition **[which the registrar has imposed under]** referred to in section 10 (4), or section 10 (4) as applied by section 12 (2), as the case may be, has not been complied with; or
(b) in the case of the approval of an animal, the animal no longer complies with the provisions of section 9 (3).

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(2) If the registrar terminates the registration of an inseminator, embryo transferor or inovulator as such, or of any premises as an A.I. centre, or withdraws the approval of an animal, he shall in writing inform the person to whom the certificate in question was issued thereof and of the grounds on which it is based.

(3) When a registration has been terminated or an approval withdrawn—

(a) the certificate concerned shall be returned within the prescribed period to the registrar by the person to whom it was issued;

(b) in the case of an approval of an animal which is withdrawn in terms of subsection (1) (b), any person who has in his possession any semen or ova which have been collected from the animal concerned before such withdrawal, shall destroy forthwith such semen or ova in such manner as the registrar may determine by notice in writing to the person concerned.”.

12. Section 14 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

Amendment of section 14 of Act 25 of 1977.

“(1) The Minister may, on the recommendation of the advisory board and after consultation with the Minister of Finance, by notice in the *Gazette* establish a

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Wysiging van
artikel 16 van
Wet 25 van 1977.

instel vir die evaluering en sertifisering van die prestasie van diere **[van die soorte en rasse]** in die kennisgewing vermeld, met die doel om die genetiese **[produksie]** produksievermoë van sodanige **[soorte en rasse]**, diere te verbeter.”;

(b) deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Verskillende skemas kan ingestel word vir verskillende diere [van verskillende soorte en rasse], en die vereistes in ’n skema vir verskillende sodanige **[soorte en rasse]** diere kan verskil.”; en

(c) deur subartikels (4) en (5) te skrap.

13. Artikel 16 van die Hoofwet word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

“(1) Niemand mag ’n dier, semen, eiselle of eiers in die Republiek invoer nie, tensy bedoelde invoer deur die registrateur skriftelik gemagtig is: Met dien verstande dat bedoelde skriftelike magtiging nie vereis word nie vir die invoer van—

(a) ’n dier wat na ’n abattoir in die Republiek gestuur word om daar geslag te word;

(b) ’n dier, semen, eiselle of eiers wat deur die Departement ingevoer word vir die doeleindes wat van tyd tot tyd deur die Minister bepaal word.”;

(b) deur na genoemde subartikel (1) die volgende subartikel in te voeg:

“(1A) Wanneer ’n dier, semen of eiselle deur die Departement vir ’n doeleinde in paragraaf (b) van die voorbehoudsbepaling by subartikel (1) beoog, ingevoer word, voorsien die Direkteur: Vee- en Suiwelkunde die Stamboekvereniging skriftelik van die besonderhede met betrekking tot bedoelde dier, semen of eiselle wat die Stamboekvereniging vereis.”;

(c) deur subartikel (2) deur die volgende subartikel te vervang:

“(2) (a) Iemand wat sodanige magtiging wil bekom, moet op die voorgeskrewe wyse en in die vorm deur die registrateur bepaal daarom aansoek doen en die voorgeskrewe aansoekgelde op die voorgeskrewe wyse betaal, en so ’n aansoek moet vergesel gaan van die inligting of stukke wat voorgeskryf is of deur die registrateur bepaal is.

(b) Sodanige aansoek word—

(i) in die geval van ’n dier (uitgesonderd pluimvee), semen of eiselle, ingedien by die veetelersgenootskap betrokke by die **[soort en ras]** diere waartoe die dier, semen of eiselle wat vir invoer bestem is, behoort, wat dit aan die komitee ingevolge artikel 3 (5) (c) (i) aangestel, tesame met sy aanbeveling daaromtrent aanstuur: Met dien verstande dat indien geen sodanige veetelersgenootskap bestaan nie, die aansoek by daardie komitee vir sy aanbeveling daaromtrent ingedien word;

(ii) in die geval van pluimvee of eiers, [aan] by die komitee ingevolge artikel 3 (5) (c) (iii) aangestel, vir sy aanbeveling daaromtrent ingedien.

(c) Die komitee vermeld in paragraaf (b) (i) of (ii) lê 60 die aansoek tesame met sy aanbeveling daaromtrent en die gronde waarop die aanbeveling gebaseer is aan die registrateur voor.”;

(d) deur subartikel (3) deur die volgende subartikel te vervang:

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scheme for the evaluation and certification of the performance of animals **[of the kinds and breeds]** specified in the notice, with the object of improving the genetic production potential of such **[kinds and breeds] animals**.”;

(b) by the substitution for subsection (2) of the following subsection:

“(2) Different schemes may be established for different animals [of different kinds and breeds], and the requirements in a scheme for such different **[kinds and breeds] animals** may differ.”; and

(c) by the deletion of subsections (4) and (5).

13. Section 16 of the principal Act is hereby amended—

Amendment of
section 16 of
Act 25 of 1977.

(a) by the substitution for subsection (1) of the following subsection:

“(1) No person shall import into the Republic any animal, semen, ova or eggs unless such importation has been authorized by the registrar in writing: Provided that such written authorization shall not be required for the importation of—

(a) any animal dispatched to an abattoir in the Republic for the purpose of being slaughtered there;

(b) any animal, semen, ova or eggs imported by the Department for such purposes as the Minister may from time to time determine.”;

(b) by the insertion after the said subsection (1) of the following subsection:

“(1A) When an animal, semen or ova are imported by the Department for a purpose contemplated in paragraph (b) of the proviso to subsection (1) the Director: Animal and Dairy Science shall in writing furnish the Stud Book Association with such particulars in relation to such animal, semen or ova as the Stud Book Association may require.”;

(c) by the substitution for subsection (2) of the following subsection:

“(2) (a) Any person desiring to obtain such authorization, shall apply therefor in the prescribed manner and in such form as the registrar may determine and pay the prescribed application fee in the prescribed manner, and such an application shall be accompanied by such information or documents as may be prescribed or the registrar may determine.

(b) Such application shall—

(i) in the case of any animal (except poultry), semen or ova, be lodged with the livestock breeders' society concerned with the **[kind and breed of]** animals to which such animal, semen or ova intended for importation belongs, which shall forward it, together with its recommendation in regard thereto, to the committee appointed in terms of section 3 (5) (c) (i): Provided that if no such livestock breeders' society exists, the application shall be lodged with that committee for its recommendation in regard thereto;

(ii) in the case of poultry or eggs, be lodged with the committee appointed in terms of section 3 (5) (c) (iii) for its recommendation in regard thereto.

(c) The committee specified in paragraph (b) (i) or (ii) shall submit such application together with its recommendation in regard thereto and the grounds on which such recommendation is based, to the registrar.”;

(d) by the substitution for subsection (3) of the following subsection:

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“(3) Die registrateur oorweeg die aansoek, asook die aanbeveling wat ingevolge subartikel (2) (c) daaromtrent aan hom voorgelê is, en hy kan—

(a) enige ondersoek in verband daarmee doen wat hy nodig ag; 5

(b) die aansoek na die betrokke komitee terugverwys met die versoek dat daardie komitee, met inagneming van sekere oorwegings deur die registrateur vermeld, sy aanbeveling moet heroorweeg.”;

(e) deur subartikel (4) deur die volgende subartikel te vervang: 10

“(4) (a) Indien die toestaan van die aansoek deur die betrokke komitee aanbeveel word en die registrateur saamstem dat die aansoek, soos deur daardie komitee aanbeveel, toegestaan kan word **[kan hy na goeddunke op die voorwaardes wat deur die komitee aanbeveel is of wat voorgeskryf is of wat hy goedvind]**— 15

(i) magtig hy die betrokke invoer skriftelik **[magtig]** en stuur hy onverwyld ’n afskrif van so ’n magtiging aan die betrokke komitee; en 20

(ii) is so ’n magtiging onderworpe aan die voorwaardes wat voorgeskryf is of, vir sover dit nie strydig met bedoelde voorwaardes of die bepalinge van hierdie Wet is nie, die voorwaardes (indien daar is) wat die betrokke komitee in verband met die betrokke aansoek aanbeveel het. 25

(b) Bedoelde magtiging word, in die geval van ’n dier (uitgesonderd pluimvee), semen of eiselle, verleen slegs aan iemand wat reeds die eienaar is van diere **[van dieselfde soort en ras as dié]** waartoe die dier, semen of eiselle wat vir invoer bestem is, behoort, en wat by die Stamboekvereniging, **[of]** die Karakoeltelersgenootskap van Suid-Afrika of, met betrekking tot Volbloedperde, die vereniging of **[liggaam in artikel 23 (3) (b) bedoel, geregistreer of aangeteken is, na gelang van die geval, tensy die komitee ingevolge artikel 3 (5) (c) (i) aangestel, aanbeveel dat die magtiging verleen word aan iemand wat nie reeds sodanige eienaar is nie.]**; 30 40

(f) deur subartikel (6) deur die volgende subartikel te vervang:

“(6) Indien die registrateur weier om die beoogde invoer te magtig, stel hy die persoon wat daarom aansoek gedoen het, skriftelik in kennis van sy beslissing **[maar]** en die gronde waarop dit gebaseer is **[word nie bekend gemaak nie]**.”; en 45

(g) deur paragraaf (b) van subartikel (8) deur die volgende paragraaf te vervang:

“(b) Koste deur die Staat aangegaan in verband met die vernietiging van **[of beskikking oor]** ’n dier, semen, eiselle of eiers ingevolge die bepalinge van paragraaf (a), kan op die betrokke invoerder verhaal word.”. 50

14. Artikel 17 van die Hoofwet word hierby gewysig deur sub- 55 artikel (1) deur die volgende subartikel te vervang:

“(1) Niemand mag ’n dier, semen, eiselle of eiers uit die Republiek uitvoer nie tensy bedoelde uitvoer deur die registrateur skriftelik gemagtig is: Met dien verstande dat bedoelde skriftelike magtiging— 60

(a) nie vereis word nie vir die uitvoer van eiers (uitgesonderd eiers van volstruise) wat nie vir teeldoeleindes bestem is nie;

(b) in die geval van ’n volstruis of die eiers van volstruis, nie verleen word nie tensy die volstruis of eiers onvrugbaar gemaak is.”. 65

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“(3) The registrar shall consider such application, as well as the recommendation submitted to him in regard thereto in terms of subsection (2) (c), and he may—

5 (a) make any inquiry in connection therewith which he may deem necessary;

(b) remit such application to the committee concerned with the request that such committee shall reconsider its recommendation with regard to certain considerations mentioned by the registrar.”;

10 (e) by the substitution for subsection (4) of the following subsection:

“(4) (a) If the granting of such application is recommended by the committee concerned and the registrar agrees that such application, as recommended by such committee, may be granted **[he may, on such conditions as may have been recommended by such committee or may be prescribed or he may deem fit in his discretion]**—

20 (i) he shall authorize in writing the importation concerned and he shall transmit forthwith a copy of such an authorization to the committee concerned; and

25 (ii) such an authorization shall be subject to such conditions as may be prescribed or, in so far as they are not contrary to such conditions or the provisions of this Act, such conditions (if any) as the committee concerned may have recommended in connection with the application concerned.

30 (b) Such authorization shall, in the case of an animal (except poultry), semen or ova, be issued only to a person who is already the owner of animals **[of the same kind and breed as that]** to which the animal, semen or ova intended for importation, belongs, and which are registered or recorded, as the case may be, with the Stud Book Association **[or]**, the Karakul Breeders' Society of South Africa **or, in relation to Thoroughbred horses, the association or body referred to in section 23 (3) (b), unless the** committee appointed in terms of section 3 (5) (c) (i) recommends the granting of such authorization to any person who is not already such an owner.”;

40 (f) by the substitution for subsection (6) of the following subsection:

45 “(6) If the registrar refuses to authorize the importation contemplated, he shall in writing inform the person who applied therefor, of his decision **[but]** and the grounds on which it is based **[shall not be disclosed]**.”; and

50 (g) by the substitution for paragraph (b) of subsection (8) of the following paragraph:

55 “(b) Any costs incurred by the State in connection with the destruction or disposal of any animal, semen, ova or eggs in terms of the provisions of paragraph (a) may be recovered from the importer concerned.”.

14. Section 17 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

60 “(1) No person shall export from the Republic any animal, semen, ova or eggs unless such exportation has been authorized by the registrar in writing: Provided that such written authorization—

65 (a) shall not be required for the exportation of eggs (except the eggs of ostriches) not intended for breeding purposes;

(b) in the case of an ostrich or the eggs of ostriches, shall not be issued unless such ostrich or eggs have been sterilized.”.

Amendment of
section 17 of
Act 25 of 1977.

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Wysiging van
artikel 18 van
Wet 25 van 1977.

15. Artikel 18 van die Hoofwet word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

“(1) ’n Groep persone wat as ’n veetelersgenootskap ’n sertifikaat van regspersoonlikheid verlang, moet op die wyse **[en in die vorm]** wat voorgeskryf is by die registrateur in die vorm wat die registrateur bepaal daarom aansoek doen, en bedoelde aansoek moet vergesel gaan van sy grondwet, die voorgeskrewe aansoekgelde en die ander inligting of stukke wat voorgeskryf is of wat die registrateur bepaal.”;

(b) deur paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:

“(a) die **[soort en ras]** dier waarby so ’n groep persone betrokke is kragtens artikel 2 verklaar is;”;

(c) deur paragraaf (b) van genoemde subartikel (2) deur die volgende paragraaf te vervang:

“(b) geen ander sodanige sertifikaat ten opsigte van ’n veetelersgenootskap wat betrokke is by dieselfde **[soort en ras]** dier van krag is nie;”;

(d) deur subparagraaf (i) van paragraaf (c) van genoemde subartikel (2) deur die volgende subparagraaf te vervang:

“(i) die groep persone en die grondwet van daardie groep persone voldoen aan die voorwaardes vir erkenning wat die Stamboekvereniging na oorlegpleging met die registrateur bepaal het; en”;

(e) deur subparagraaf (i) van paragraaf (d) van genoemde subartikel (2) te skrap;

(f) deur subparagraaf (ii) van genoemde paragraaf (d) deur die volgende subparagraaf te vervang:

“(ii) voorsiening maak vir die registrasie of aantekening van **[afstamming]** stambome van die betrokke diere **[van die betrokke soort en ras]** en die voorwaardes waarop sodanige registrasie of aantekening geskied, bepaal;”;

(g) deur subparagraaf (iii) van genoemde paragraaf (d) deur die volgende paragraaf te vervang:

“(iii) bepaal dat die teelt- en keuringsmetodes vir die betrokke diere **[van die betrokke soort en ras]** deur die Stamboekvereniging goedgekeur moet word, en dat die verbetering en toepassing van sodanige metodes insgelyks goedgekeur moet word;”.

Wysiging van
artikel 19 van
Wet 25 van 1977.

16. Artikel 19 van die Hoofwet word hierby gewysig deur die woorde wat die voorbehoudsbepaling by subartikel (1) voorafgaan deur die volgende woorde te vervang:

“**[Die grondwet van]** ’n Veetelersgenootskap, behalwe die Stamboekvereniging en die Karakoeltelersgenootskap van Suid-Afrika, kan **[op die voorgeskrewe wyse gewysig word]** in sy grondwet voorsiening maak vir die wyse waarop daardie grondwet gewysig kan word.”

Vervanging van
artikel 20 van
Wet 25 van 1977.

17. Artikel 20 van die Hoofwet word hierby deur die volgende artikel vervang:

“Jaarverslae. 20. (1) Elke veetelersgenootskap, behalwe die Stamboekvereniging en die Karakoeltelersgenootskap van Suid-Afrika, moet **[binne die voorgeskrewe tydperk]** so gou doenlik na die einde van **[elk van sy boekjare, van hom]** sy boekjaar wat volg op die datum van inwerkingtreding van artikel 17 van die Wysigingswet op Veeverbetering, 1984, en daarna na die einde van elke daaropvolgende boekjaar ’n jaarverslag laat opstel wat die besonderhede bevat wat die Stamboekvereniging, na oorlegpleging met

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15. Section 18 of the principal Act is hereby amended—

Amendment of
section 18 of
Act 25 of 1977.

(a) by the substitution for subsection (1) of the following subsection:

5 “(1) Any group of persons desiring a certificate of incorporation as a livestock breeders’ society, shall apply therefor to the registrar in such form as the registrar may determine and in the prescribed manner **[and form]**, and such application shall be accompanied by its constitution, the prescribed application fee and such
10 other information or documents as may be prescribed or the registrar may determine.”;

(b) by the substitution for paragraph (a) of subsection (2) of the following paragraph:

15 “(a) the **[kind and breed of]** animal with which such group of persons is concerned has been declared under section 2;”;

(c) by the substitution for paragraph (b) of the said subsection (2) of the following paragraph:

20 “(b) no other such certificate is in force in respect of any livestock breeders’ society which is concerned with the same **[kind and breed of]** animal;”;

(d) by the substitution for subparagraph (i) of paragraph (c) of the said subsection (2) of the following subparagraph:

25 “(i) such body of persons and the constitution of such body of persons **[complies]** comply with the conditions for recognition which the Stud Book Association has determined after consultation with the registrar; and”;

30 (e) by the deletion of subparagraph (i) of paragraph (d) of the said subsection (2);

(f) by the substitution for subparagraph (ii) of the said paragraph (d) of the following subparagraph:

35 “(ii) provides for the registration or recording of pedigrees of the animals **[of the kind and breed]** concerned, and determines the conditions on which such registration or recording shall be made;” and

40 (g) by the substitution for subparagraph (iii) of the said paragraph (d) of the following subparagraph:

45 “(iii) provides that the methods of breeding and selection for the animals **[of the kind and breed]** concerned, shall be approved by the Stud Book Association, and that the improvement and application of such methods shall be likewise approved;”.

16. Section 19 of the principal Act is hereby amended by the substitution for the words preceding the proviso to subsection (1) of the following words:

Amendment of
section 19 of
Act 25 of 1977.

50 “[**The constitution of a**] A livestock breeders’ society, other than the Stud Book Association and the Karakul Breeders’ Society of South Africa, may **[be amended in the prescribed manner]** provide in its constitution for the manner in which such constitution may be amended.”.

17. The following section is hereby substituted for section 20 of the principal Act:

Substitution of
section 20 of
Act 25 of 1977.

“Annual returns. 20. (1) Each livestock breeders’ society, other than the Stud Book Association and the Karakul Breeders’ Society of South Africa, shall **[within the prescribed period]** as soon as possible after the end of
60 **[each of]** its financial **[years]** year following on the date of commencement of section 17 of the Livestock Improvement Amendment Act, 1984, and thereafter after the end of each succeeding financial year, cause an annual return, containing such particulars as the

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die registrateur, bepaal, en moet binne 30 dae na sy algemene jaarvergadering waarop daardie jaarverslag goedgekeur is aan die Stamboekvereniging die getal afskrifte **[van die veetelersgenootskap se voorgeskrewe jaarverslag]** daarvan wat die Stamboekvereniging vereis, voorlê. 5

(2) Die Stamboekvereniging moet **[’n afskrif]** die getal afskrifte wat die registrateur vereis van elke jaarverslag wat ingevolge subartikel (1) aan hom voorgelê word, tesame met die kommentaar daaromtrent wat hy nodig ag, aan die registrateur deurstuur. 10

(3) Die Stamboekvereniging en die Karakoeltelersgenootskap van Suid-Afrika moet **[binne die voorgeskrewe tydperk]** na die einde **[van elk]** van hul boekjare wat volg op die datum van inwerkingtreding van artikel 17 van die Wysigingswet op Veeverbetering, 1984, en daarna na die einde van elke daaropvolgende boekjaar, maar nie later nie as die einde van die daaropvolgende boekjaar aan die registrateur die getal afskrifte van hul **[voorgeskrewe]** jaarverslae 20 wat die registrateur vereis en wat die besonderhede beoog in subartikel (1) bevat, voorlê.”.

Wysiging van
artikel 22 van
Wet 25 van 1977.

18. Artikel 22 van die Hoofwet word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Die Stamboekvereniging besit, benewens die ander bevoegdhede wat hierdie Wet aan hom verleen, die bevoegdhede van ’n veetelersgenootskap met betrekking tot enige **[soort en ras]** dier ten opsigte waarvan daar nie ’n veetelersgenootskap bestaan nie.”. 25

Vervanging van
artikel 23 van
Wet 25 van 1977.

19. Artikel 23 van die Hoofwet word hierby deur die volgende artikel vervang: 30

“Uitsluitende bevoegdhede van Stamboekvereniging, Karakoeltelersgenootskap van Suid-Afrika en, met betrekking tot Volbloedperde, ’n sekere vereniging of liggaam. 23. (1) Behoudens die bepalings van subartikel (3) mag niemand behalwe die Stamboekvereniging—
(a) ’n sertifikaat van registrasie van die **[afstamming]** **stamboom** van ’n dier wat in die Republiek geteel of daarin ingevoer is, uitreik nie;
(b) ’n sertifikaat van aantekening van die **[afstamming]** **stamboom** van ’n dier wat in die Republiek geteel of daarin ingevoer is, uitreik nie;
(c) die **[afstamming]** **stambome** van diere in paragraaf (a) en (b) vermeld in die vorm van stam- of kuddeboeke publiseer nie;
(d) sertifiseer soos in artikel 18 (2) (c) beoog nie;
(e) geld wat ingevolge artikel 84C van die Bemarkingswet, 1968 (Wet No. 59 van 1968), uit ’n spesiale rekening bedoel in artikel 84B van daardie Wet betaal word, aanwend nie, indien sodanige geld uitbetaal word ten einde die uitvoer te bevorder van diere waarvan die **[afstamming]** **stambome** by die Stamboekvereniging of die Karakoeltelersgenootskap van Suid-Afrika geregistreer of aangeteken is, na gelang van die geval, of van semen of eiselle van diere aldus geregistreer of aangeteken **[of van eiers wat vir teeldoeleindes bestem is]**.
(2) (a) ’n Sertifikaat beoog in paragraaf (a) of (b) van subartikel (1) word nie uitgereik nie tensy die teler van die betrokke dier ’n voor- of agtervoegsel by die Stamboekvereniging geregistreer het om die diere deur hom geteel, aan te dui. 55 60

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Stud Book Association may determine, after consultation with the registrar, to be compiled, and shall submit within 30 days after its annual general meeting on which such annual return was approved to the Stud Book Association such number of copies [of such livestock breeders' society's prescribed annual return] thereof as the Stud Book Association may require.

(2) The Stud Book Association shall transmit to the registrar [a copy] such number of copies as the registrar may require of each annual return submitted to it in terms of subsection (1), together with such comment in regard thereto as it may deem necessary.

(3) The Stud Book Association and the Karakul Breeders' Society of South Africa shall [within the prescribed period] after the end [of each] of their financial years following on the date of commencement of section 17 of the Livestock Improvement Amendment Act, 1984, and thereafter after the end of each succeeding financial year but not later than the end of the next succeeding financial year, submit to the registrar such number of copies of their [prescribed] annual returns as the registrar may require containing the particulars contemplated in subsection (1)."

18. Section 22 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

Amendment of section 22 of Act 25 of 1977.

"(2) The Stud Book Association shall have, in addition to the other powers this Act confers on it, the powers of a livestock breeders' society with reference to any [kind and breed of] animal in respect whereof no livestock breeders' society exists."

19. The following section is hereby substituted for section 23 of the principal Act:

Substitution of section 23 of Act 25 of 1977.

23. (1) Subject to the provisions of subsection (3), no person other than the Stud Book Association may—

(a) issue a certificate of registration of the pedigree of an animal bred in or imported into the Republic;

(b) issue a certificate [or] of recording of the pedigree of an animal bred in or imported into the Republic;

(c) publish the pedigrees of animals mentioned in paragraphs (a) and (b), in the form of stud books or herd or flock books;

(d) certify as contemplated in section 18 (2) (c);

(e) utilize moneys paid in terms of section 84C of the Marketing Act, 1968 (Act No. 59 of 1968), out of a special account referred to in section 84B of that Act, if such moneys are paid out in order to promote the exportation of animals of which the pedigrees have been registered or recorded, as the case may be, with the Stud Book Association or the Karakul Breeders' Society of South Africa, or of any semen or ova of animals so registered or recorded [or of eggs intended for breeding purposes].

(2) (a) A certificate contemplated in paragraph (a) or (b) of subsection (1) shall not be issued unless the breeder of the animal concerned has registered with the Stud Book Association a prefix or suffix to designate the animals bred by him.

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(b) So 'n voor- of agtervoegsel word op die voorwaardes en teen betaling van die gelde wat die Stamboekvereniging bepaal, geregistreer, en die registrasie van die voor- of agtervoegsel word in stand gehou teen periodieke betaling van die gelde en op die voorwaardes wat insgelyks bepaal is, en die Stamboekvereniging moet 'n sertifikaat ten opsigte van elke sodanige registrasie uitreik.

(c) 'n Voor- of agtervoegsel wat ten gunste van iemand geregistreer is, word nie deur enigiemand anders as 'n voor- of agtervoegsel of op 'n ander wyse gebruik om 'n dier deur sodanige ander persoon geteel, aan te dui nie.

(3) Niemand behalwe— 15

(a) die Karakoeltelersgenootskap van Suid-Afrika mag ten opsigte van Karakoelskape;

(b) 'n vereniging of liggaam wat onmiddellik voor die inwerkingtreding van hierdie Wet, bevoegdhede beoog in subartikel (1) (a) en (c) met betrekking tot Volbloedperde uitgeoefen het, mag ten opsigte van Volbloedperde, 20

die bevoegdhede in subartikel (1) (a) en (c) beoog, uitoefen nie, en die Karakoeltelersgenootskap van Suid-Afrika— 25

[(a)] (i) betaal jaarliks aan die Stamboekvereniging ten opsigte van die uitoefening van daardie bevoegdhede die bedrag wat die Minister na oorlegpleging met die Stamboekvereniging en die Karakoeltelersgenootskap van Suid-Afrika bepaal; 30

[(b)] (ii) oefen nie 'n bevoegdheid in subartikel (1) (a) beoog, uit nie tensy die teler van die betrokke dier 'n voor- of agtervoegsel ingevolge subartikel (2) geregistreer het: Met dien verstande dat die gelde in subartikel (2) (b) beoog, in hierdie geval deur die Stamboekvereniging met die instemming van die Minister bepaal moet word. 35

(4) 'n Bevoegdheid wat ingevolge subartikels (1) (a), (b) en (c) en (3) slegs by die Stamboekvereniging, [en] die Karakoeltelersgenootskap van Suid-Afrika of die vereniging of liggaam in subartikel (3) 40

(b) bedoel, berus, word nie so uitgelê nie dat dit—

(a) die teler van 'n dier [wat behoort aan 'n soort en ras] waarvan die [afstamming] stamboom nie by die Stamboekvereniging, [of] die Karakoeltelersgenootskap van Suid-Afrika of bedoelde vereniging of liggaam geregistreer of aangeteken, na gelang van die geval, is nie, belet om besonderhede van die [afstamming] stamboom van die dier skriftelik of andersins te verstrek; [of] 45

(b) die eienaar van 'n dier ten opsigte waarvan 'n sertifikaat van registrasie of aantekening kragtens so 'n bevoegdheid uitgereik is, belet om besonderhede van die [afstamming] stamboom van die dier wat op die sertifikaat weergegee is, skriftelik of andersins te verstrek; of 50

(c) die persoon of liggaam in artikel 15 (1) (a) beoog, belet om, ten opsigte van 'n dier waarvan 'n sertifikaat van registrasie of aantekening kragtens so 'n bevoegdheid uitgereik is, besonderhede wat op die sertifikaat weergegee is, in 'n publikasie beoog in artikel 15 (1) (m) te verstrek. 60

20. Artikel 30 van die Hoofwet word hierby gewysig— 65

(a) deur paragraaf (f) van subartikel (1) deur die volgende paragraaf te vervang:

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- (b) Any such prefix or suffix shall be registered on such conditions and upon payment of such fee as the Stud Book Association may determine, and the registration of such prefix or suffix shall be maintained on the periodical payment of the fee and on such conditions as may have likewise been determined, and the Stud Book Association shall issue a certificate in respect of each such registration.
- (c) Any prefix or suffix registered in favour of any person, shall not be used by any other person as a prefix or suffix or in any other manner to designate an animal bred by such other person.
- (3) No person other than—
- (a) the Karakul Breeders' Society of South Africa may in respect of Karakul sheep;
- (b) an association or body which immediately before the commencement of this Act exercised powers contemplated in subsection (1) (a) and (c) in relation to Thoroughbred horses, may in respect of Thoroughbred horses,
- exercise the powers contemplated in subsection (1) (a) and (c), and the Karakul Breeders' Society of South Africa—
- [(a)] (i) shall pay annually to the Stud Book Association in respect of the exercise of such [rights] powers, such amount as the Minister may determine after consultation with the Stud Book Association and the Karakul Breeders' Society of South Africa;
- [(b)] (ii) shall not exercise any power contemplated in subsection (1) (a) unless the breeder of the animal concerned has registered a prefix or suffix in terms of subsection (2): Provided that the fee contemplated in subsection (2) (b) shall in this case be determined by the Stud Book Association with the concurrence of the Minister.
- (4) Any power which in terms of subsections (1) (a), (b) and (c) and (3) vests only in the Stud Book Association, [and] the Karakul Breeders' Society of South Africa or the association or body referred to in subsection (3) (b), shall not be construed as prohibiting—
- (a) the breeder of an animal [belonging to a kind and breed] of which pedigrees are not registered or recorded, as the case may be, with the Stud Book Association, [or] the Karakul Breeders' Society of South Africa or the said association or body, from furnishing particulars of the pedigree of such animal in writing or otherwise; [or]
- (b) the owner of an animal in respect of which a certificate of registration or recording has been issued under such a power, from furnishing particulars of the pedigree of such animal shown on such certificate, in writing or otherwise; or
- (c) the person or body contemplated in section 15 (1) (a), from furnishing, in respect of an animal of which a certificate of registration or recording has been issued under such a power, particulars shown on such certificate in any publication contemplated in section 15 (1) (m)."

20. Section 30 of the principal Act is hereby amended—

- (a) by the substitution for paragraph (f) of subsection (1) of the following paragraph:

Amendment of
section 30 of
Act 25 of 1977.

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- “(f) wat in stryd met artikel 7 (1) **[(2) of (6)]** of (3) semen of eiselle opvang **[eiselle verkoop]** of ’n dier kunsmatig insemineer of ’n dier inovuleer;”;
- (b) deur paragraaf (g) van genoemde subartikel (1) deur die volgende paragraaf te vervang: 5
- “(g) wat **['n dier of]** semen in stryd met artikel 7 (5) gebruik;”;
- (c) deur paragraaf (h) van genoemde subartikel (1) te skrap;
- (d) deur paragraaf (i) van genoemde subartikel (1) deur die volgende paragraaf te vervang:
- “(i) wat semen of eiselle in stryd met artikel 8 verkoop;”;
- (e) deur paragraaf (j) van genoemde subartikel (1) deur die volgende paragraaf te vervang: 15
- “(j) wat ’n valse of misleidende verklaring maak—
- (i) in ’n aansoek om die registrasie van ’n insemineerder, embrio-oorplaser of inovuleerder as sodanig, of van ’n perseel as K.I.-sentrum, of om die goedkeuring van ’n dier vir die opvang van semen of eiselle; of
- (ii) by die verkoop van ’n dier, semen, eiselle of eiers of by die lewering van dienste betreffende die kunsmatige inseminering of inovulering van diere of die opvang van semen of eiselle;”;
- (f) deur paragraaf (k) van genoemde subartikel (1) deur die volgende paragraaf te vervang:
- “(k) wat ’n K.I.-sentrum bestuur wat nie aan die vereistes **[bedoel in artikel 9 (2)]** wat ten tyde van sy 30 registrasie gegeld het, voldoen nie of wat, in die geval van ’n K.I.-sentrum wat voor die inwerking-treding van artikel 7 van die Wysigingswet op Veeverbetering, 1984, geregistreer was, ses maande na bedoelde inwerkingtreding nie aan die vereistes 35 bedoel in artikel 9 (2) van hierdie Wet voldoen nie, of wat ’n perseel wat nie kragtens hierdie Wet as ’n K.I.-sentrum geregistreer is nie, gebruik vir werksaamhede in verband met die opvang, verwerking, verpakking, opberging, vervoer en verkoop 40 van semen of eiselle;”;
- (g) deur paragraaf (l) van genoemde subartikel (1) deur die volgende paragraaf te vervang:
- “(l) wat ’n bepaling van artikel 13 (3) oortree of ver-suim om daaraan te voldoen;”;
- (h) deur paragraaf (q) van genoemde subartikel (1) deur die volgende paragraaf te vervang:
- “(q) behalwe die Stamboekvereniging **[of]**, die Kara-koeltelersgenootskap van Suid-Afrika of die vereniging of liggaam in artikel 23 (3) (b) bedoel, wat, 50 behalwe onder die omstandighede bedoel in artikel 23 (4), skriftelike besonderhede van die **[afstam-ming]** stamboom van ’n dier wat in die Republiek geteel of daarin ingevoer is, verstrek, of die stam-bome van diere in die vorm van ’n stam- of kudde- 55 boek publiseer;”;
- (i) deur subparagraaf (i) van genoemde subartikel (1) deur die volgende subparagraaf te vervang:
- (i) in die geval van ’n misdryf in paragraaf (a), (b), (f), (g), (i), (j), (k), (n), (o), (p), (q), (r), (s), (t) 60 of (u) bedoel, met ’n boete van hoogstens **[duisend rand]** R2 000 of met gevangenisstraf vir ’n tydperk van hoogstens twee jaar of met sowel daardie boete as daardie gevangenisstraf; of”;
- (j) deur subparagraaf (ii) van genoemde subartikel (1) 65 deur die volgende subparagraaf te vervang:

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- (f) who collects semen or ova **[sells ova]** or artificially inseminates an animal or involutes an animal in contravention of section 7 (1) **[(2) or (6)] or (3)**”;
- 5 (b) by the substitution for paragraph (g) of the said subsection (1) of the following paragraph:
“(g) who uses **[any animal or]** semen in contravention of section 7 (5);”;
- (c) by the deletion of paragraph (h) of the said subsection (1);
- 10 (d) by the substitution for paragraph (i) of the said subsection (1) of the following paragraph:
“(i) who sells semen or ova in contravention of section 8;”;
- (e) by the substitution for paragraph (j) of the said subsection (1) of the following subsection:
15 “(j) who makes any false or misleading statement—
(i) in an application for the registration of an inseminator, embryo transferor or involutor as such, or of any premises as an A.I. centre, or for the approval of an animal for the purpose of collecting semen or ova; or
20 (ii) at the sale of any animal, semen, ova or eggs or at the rendering of services relating to the artificial insemination or involution of animals or the collection of semen or ova;”;
- 25 (f) by the substitution for paragraph (k) of the said subsection (1) of the following paragraph:
“(k) who conducts an A.I. centre which does not comply with the requirements **[referred to in section 9 (2)]** which were in force at the time of its registration or does not comply, in the case of an A.I. centre which was registered before the commencement of section 7 of the Livestock Improvement Amendment Act, 1984, six months after such commencement with the requirements referred to in section 9 (2), or who uses premises not registered in terms of this Act as an A.I. centre for operations in connection with the collection, processing, packing, storage, conveyance and sale of semen or ova;”;
- 30 40 (g) by the substitution for paragraph (l) of the said subsection (1) of the following paragraph:
“(l) who contravenes or fails to comply with a provision of section 13 (3);”;
- 45 (h) by the substitution for paragraph (q) of the said subsection (1) of the following paragraph:
“(q) other than the Stud Book Association **[or]**, the Karakul Breeders’ Society of South Africa or the association or body referred to in section 23 (3) (b), who, except in the circumstances referred to in section 23 (4), furnishes in writing particulars of the pedigree of an animal bred in or imported into the Republic, or publishes the pedigree of animals in the form of a stud book or a herd or flock book;”;
- 50 55 (i) by the substitution for subparagraph (i) of the said subsection (1) of the following subparagraph:
“(i) in the case of an offence referred to in paragraph (a), (b), (f), (g), (i), (j), (k), (n), (o), (p), (q), (r), (s), (t) or (u), to a fine not exceeding **[one thousand rand]** R2 000 or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment; or”;
- 60 (j) by the substitution for subparagraph (ii) of the said subsection (1) of the following subparagraph:
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“(ii) in die geval van ’n oortreding in paragraaf (c), (d), (e) [(g), (h)], (l) of (m) bedoel, met ’n boete van hoogstens **[vyfhonderd rand]** R1 000 of met gevangenisstraf vir ’n tydperk van hoogstens een jaar of met sowel daardie boete as daardie gevangenisstraf.”; en

(k) deur subartikel (3) deur die volgende subartikel te vervang:

“(3) Oor iets wat kragtens subartikel (2) verbeur is, word beskik op die wyse wat die **[Sekretaris van die Departement]** Direkteur-generaal: Landbou gelas.”.

Invoeging van
artikel 31A in
Wet 25 van 1977.

21. Die volgende artikel word hierby in die Hoofwet na artikel 31 ingevoeg:

“Aanspreek-
likheid van
werkgewer of
prinsipaal.

31A. (1) ’n Handeling of versuim van ’n werknemer, bestuurder of agent wat ’n misdryf ingevolge hierdie Wet of ’n skema uitmaak, word geag die handeling of versuim van sy werkgewer of prinsipaal te wees, en daardie werkgewer of prinsipaal kan ten opsigte daarvan skuldig bevind en gevonniss word tensy hy bewys—

(a) dat hy bedoelde handeling of versuim nie veroorloof of oogluikend toegelaat het nie;

(b) dat hy alle redelike stappe gedoen het om ’n handeling of versuim van die betrokke aard te voorkom; en

(c) dat ’n handeling of versuim, hetsy wettig of onwettig, van die betrokke aard onder geen voorwaarde of omstandighede in die loop van die diens of binne die bestek van die bevoegdheid van die betrokke werknemer, bestuurder of agent geval het nie.

(2) By die toepassing van subartikel (1) (b) word die feit dat ’n werkgewer of prinsipaal ’n handeling of versuim van die betrokke aard verbied het, nie op sigself as voldoende bewys beskou dat hy alle redelike stappe gedoen het om so ’n handeling of versuim te voorkom nie.

(3) Die bepalings van subartikel (1) onthef nie die betrokke werknemer, bestuurder of agent van aanspreeklikheid om ten opsigte van die betrokke handeling of versuim skuldig bevind en gevonniss te word nie.”.

Wysiging van
artikel 34 van
Wet 25 van 1977.

22. Artikel 34 van die Hoofwet word hierby gewysig—

(a) deur paragraaf (c) van subartikel (1) deur die volgende paragraaf te vervang:

“(c) die gelde voorskryf wat betaalbaar is ten opsigte van ’n aansoek, ondersoek, aangeleentheid of stuk.”;

(b) deur paragraaf (d) van genoemde subartikel (1) deur die volgende paragraaf te vervang:

“(d) wat die vereistes waaraan voldoen moet word vir die registrasie van ’n insemineerder, embrio-oorplaser of inovuleerder as sodanig, of ’n perseel as ’n K.I.-sentrum, of vir die goedkeuring van ’n dier vir die opvang van semen of eiselle, en die voorwaardes waarop sodanige registrasie of goedkeuring geskied, voorskryf.”;

(c) deur paragraaf (e) van genoemde subartikel (1) deur die volgende paragraaf te vervang:

“(e) wat die wyse waarop die tegniese werksaamhede by ’n K.I.-sentrum met betrekking tot die daaglikse versorging en die gesondheidstoestand van die diere wat daar gehou word en tot die opvang, verwerking, verpakking en opberging van semen of eiselle gereël moet word, die toesig oor daardie

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- “(ii) in the case of an offence referred to in paragraph (c), (d), (e) [(g), (h)], (l) or (m), to a fine not exceeding **five hundred rand** R1 000 or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.”; and
- (k) by the substitution for subsection (3) of the following subsection:
- “(3) Anything forfeited under subsection (2) shall be disposed of in such manner as the **Secretary of the Department** Director-General: Agriculture may direct.”.

21. The following section is hereby inserted in the principal Act after section 31:

Insertion of section 31A in Act 25 of 1977.

- “Liability of employer or principal.”
- 31A. (1) Any act or omission of any employee, manager or agent which constitutes an offence in terms of this Act or a scheme, shall be deemed to be the act or omission of his employer or principal, and such employer or principal may be convicted and sentenced in respect thereof unless he proves—
- (a) that he did not permit or connive at such act or omission;
- (b) that he took all reasonable measures to prevent an act or omission of the nature in question; and
- (c) that an act or omission, whether legal or illegal, of the nature in question did not under any condition or in any circumstances fall within the course of the employment or the scope of the authority of the employee, manager or agent concerned.
- (2) For the purposes of subsection (1) (b) the fact that an employer or principal forbade an act or omission of the nature in question shall not by itself be regarded as sufficient proof that he took all reasonable steps to prevent such act or omission.
- (3) The provisions of subsection (1) shall not relieve the employee, manager or agent concerned of liability of being convicted and sentenced in respect of the act or omission concerned.”.

22. Section 34 of the principal Act is hereby amended—

Amendment of section 34 of Act 25 of 1977.

- (a) by the substitution for paragraph (c) of subsection (1) of the following paragraph:
- “(c) prescribing the fees payable in respect of any application, examination, matter or document;”;
- (b) by the substitution for paragraph (d) of the said subsection (1) of the following paragraph:
- “(d) prescribing the requirements to be complied with for the registration of an inseminator, embryo transferor or involutor as such, or of premises as an A.I. centre, or for the approval of an animal for the purpose of the collection of semen or ova, and the conditions subject to which such registration or approval shall be made;”;
- (c) by the substitution for paragraph (e) of the said subsection (1) of the following paragraph:
- “(e) prescribing the manner in which the technical operations at an A.I. centre relating to the daily care and state of health of animals being kept there and to the collection, processing, packing and storage of semen or ova shall be regulated, the supervision of such operations, the periodical inspection

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- werksaamhede, die periodieke ondersoek van diere wat by 'n K.I.-sentrum gehou word en die toerusting wat by 'n K.I.-sentrum gebruik moet word, voorskryf;";
- (d) deur paragraaf (f) van genoemde subartikel (1) deur die volgende paragraaf te vervang:
- "(f) wat die wyse waarop 'n dier wat vir die opvang van semen of eiselle goedgekeur is en die semen of eiselle wat daarvan opgevang is, geïdentifiseer moet word, voorskryf;";
- (e) deur paragraaf (g) van genoemde subartikel (1) deur die volgende paragraaf te vervang:
- "(g) wat die eienskappe van semen of eiselle vir verkoop bestem, die wyse waarop dit vir verkoop opgevang, verwerk, verpak, opberg en vervoer moet word, die houers waarin dit verkoop moet word, die wyse waarop die houers verseël en gemerk of geëtiketteer moet word, en die inligting waarmee die houers gemerk of geëtiketteer moet wees, voorskryf;";
- (f) deur paragraaf (h) van genoemde subartikel (1) deur die volgende paragraaf te vervang:
- "(h) wat die wyse voorskryf waarop die kunsmatige inseminering of inovuering van diere uitgevoer moet word;";
- (g) deur paragraaf (i) van genoemde subartikel (1) deur die volgende paragraaf te vervang:
- "(i) wat die aantekeninge wat gehou moet word in verband met die opvang, verwerking, verpakking, opberging en verkoop van semen of eiselle en die kunsmatige inseminering of inovuering van diere, en die vorm waarin en die wyse waarop en die persoon deur wie sodanige aantekeninge gehou moet word, voorskryf;";
- (h) deur paragrawe (j) en (k) van genoemde subartikel (1) te skrap;
- (i) deur subartikel (2) deur die volgende subartikel te vervang:
- "(2) Verskillende regulasies kan ingevolge hierdie artikel uitgevaardig word ten opsigte van verskillende diere [van verskillende soorte en rasse] of ten opsigte van verskillende klasse insemineerders, embrio-oorplasers of inovuereers of K.I.-sentrums of in die ander opsigte wat die Minister bepaal."; en
- (j) deur subartikels (5) en (6) te skrap.

Kort titel en inwerking-treding.

23. (1) Hierdie Wet heet die Wysigingswet op Veeverbetering, 1984, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.
- (2) Verskillende datums kan aldus bepaal word ten opsigte van verskillende bepalings van hierdie Wet.

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- of animals kept at an A.I. centre and the equipment to be used at an A.I. centre;";
- (d) by the substitution for paragraph (f) of the said subsection (1) of the following paragraph:
- 5 “(f) prescribing the manner in which an animal which has been approved for the purpose of collecting semen or ova and the semen or ova collected from it, shall be identified;”;
- (e) by the substitution for paragraph (g) of the said subsection (1) of the following paragraph:
- 10 “(g) prescribing the properties of semen or ova intended for sale, the manner in which it shall be collected, processed, packed, stored and conveyed for sale, the containers in which it shall be sold,
- 15 the manner in which such containers shall be sealed and marked or labelled and the information which shall appear on such marks or labels;”;
- (f) by the substitution for paragraph (h) of the said subsection (1) of the following paragraph:
- 20 “(h) prescribing the manner in which the artificial insemination or inoovulation of animals shall be carried out;”;
- (g) by the substitution for paragraph (i) of the said subsection (1) of the following paragraph:
- 25 “(i) prescribing the records to be kept in connection with the collection, processing, packing, storage and sale of semen or ova and the artificial insemination and inoovulation of animals, and the form and manner in which and the person by whom
- 30 such records are to be kept;”;
- (h) by the deletion of paragraphs (j) and (k) of the said subsection (1);
- (i) by the substitution for subsection (2) of the following subsection:
- 35 “(2) Different regulations may be made in terms of this section in respect of different animals [**of different kinds and breeds**] or in respect of different classes of inseminators, embryo transferors or inoovulators or A.I. centres or in such other respects as the Minister may determine.”; and
- 40 (c) by the deletion of subsections (5) and (6).

23. (1) This Act shall be called the Livestock Improvement Amendment Act, 1984, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

Short title
and
commencement.

(2) Different dates may be so fixed in respect of different provisions of this Act.

- of animals kept at an A.I. centre and the equipment to be used at an A.I. centre;";
- (b) by the substitution for paragraph (i) of the said subsection (1) of the following paragraph:
- "(i) prescribing the manner in which an animal which has been approved for the purpose of collecting semen or ova and the semen or ova collected from it shall be identified;
- (c) by the substitution for paragraph (g) of the said subsection (1) of the following paragraph:
- "(g) prescribing the properties of semen or ova intended for sale, the manner in which it shall be collected, processed, packed, stored and conveyed for sale, the containers in which it shall be sold, the manner in which such containers shall be sealed and marked or labelled and the information which shall appear on such marks or labels;";
- (f) by the substitution for paragraph (h) of the said subsection (1) of the following paragraph:
- "(h) prescribing the manner in which the artificial insemination or inoculation of animals shall be carried out;";
- (g) by the substitution for paragraph (i) of the said subsection (1) of the following paragraph:
- "(i) prescribing the records to be kept in connection with the collection, processing, packing, storage and sale of semen or ova and the artificial insemination and inoculation of animals, and the form and manner in which and the person by whom such records are to be kept;";
- (h) by the deletion of paragraphs (j) and (k) of the said subsection (1);
- (i) by the substitution for subsection (2) of the following subsection:
- "(2) Different regulations may be made in terms of this section in respect of different animals [of different kinds and breeds] or in respect of different classes of inseminators, embryo-transfer or inoculators or A.I. centres or in such other respects as the Minister may determine;"; and
- (c) by the deletion of subsections (3) and (6).
23. (1) This Act shall be called the Livestock Improvement Amendment Act, 1984, and shall come into operation on a date to be fixed by the State President by proclamation in the Gazette.
- (2) Different dates may be so fixed in respect of different provisions of this Act.