

**AGRICULTURAL CREDIT ACT
NO. 28 OF 1966**

[ASSENTED TO 23 SEPTEMBER, 1966] [DATE OF COMMENCEMENT: 1 OCTOBER, 1966]

[OWN AFFAIRS: HOUSE OF ASSEMBLY]

(Afrikaans text signed by the State President)

as amended by

Agricultural Credit Amendment Act, No. 45 of 1968

General Law Amendment Act, No. 70 of 1968

[with effect from 21 June, 1968—see title GENERAL LAW AMENDMENT ACTS]

Soil Conservation Act, No. 76 of 1969

Agricultural Credit Amendment Act, No. 66 of 1970

Agricultural Credit Amendment Act, No. 10 of 1971

Agricultural Credit Amendment Act, No. 15 of 1972

General Law Amendment Act, No. 62 of 1973

[with effect from 27 June, 1973—see title GENERAL LAW AMENDMENT ACTS]

Agricultural Credit Amendment Act, No. 81 of 1977

Agricultural Credit Amendment Act, No. 67 of 1979

Agricultural Credit Amendment Act, No. 27 of 1980

Agricultural Credit Amendment Act, No. 73 of 1981

Agricultural Credit Amendment Act, No. 18 of 1982

Second Agricultural Credit Amendment Act, No. 67 of 1982

Agricultural Credit Amendment Act, No. 42 of 1983

Agricultural Credit Amendment Act (House of Assembly), No. 51 of 1987

Agricultural Credit Amendment Act (House of Assembly), No. 53 of 1993

Agricultural Credit Amendment Act, No. 65 of 1995

GENERAL NOTE

The whole of this Act, in so far as it is applied as an Act on the own affairs of the House of Assembly, is set out below.

ACT

To provide for assistance to persons carrying on or undertaking to carry on farming operations, for the exercise of control in respect of assistance rendered, and for other incidental matters.

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WET OP LANDBOUKREDIET

NO. 28 VAN 1966

[EIE SAKE: VOLKSRaad]

[GOEDGEKEUR OP 23 SEPTEMBER 1966]

[DATUM VAN INVOERING: 1 OKTOBER 1966]

(Afrikaanse teks deur die Staatspresident geteken)

soos gewysig deur

Wysigingswet op Landboukrediet, No. 45 van 1968

Algemene Regswysigingswet, No. 70 van 1968

[met ingang van 21 Junie 1968—sien titel ALGEMENE REGSWYSIGINGSWETTE]

Grondbewaringswet, No. 76 van 1969

Wysigingswet op Landboukrediet, No. 66 van 1970

Wysigingswet op Landboukrediet, No. 10 van 1971

Wysigingswet op Landboukrediet, No. 15 van 1972

Algemene Regswysigingswet, No. 62 van 1973

[met ingang van 27 Junie 1973—sien titel ALGEMENE REGSWYSIGINGSWETTE]

Wysigingswet op Landboukrediet, No. 81 van 1977

Wysigingswet op Landboukrediet, No. 67 van 1979

Wysigingswet op Landboukrediet, No. 27 van 1980

Wysigingswet op Landboukrediet, No. 73 van 1981

Wysigingswet op Landboukrediet, No. 18 van 1982

Tweede Wysigingswet op Landboukrediet, No. 67 van 1982

Wysigingswet op Landboukrediet, No. 42 van 1983

Wysigingswet op Landboukrediet (Volksraad), No. 51 van 1987

Wysigingswet op Landboukrediet (Volksraad), No. 53 van 1993

Wysigingswet op Landboukrediet, No. 65 van 1995

ALGEMENE OPMERKING

Hierdie Wet in die geheel, vir sover dit as 'n Wet oor die eie sake van die Volksraad toegepas word, verskyn hieronder.

WET

Om voorsiening te maak vir bystand aan persone wat boerdery beoefen of onderneem om dit te beoefen, vir die uitoefening van beheer ten opsigte van verleende bystand en vir ander aangeleenthede wat daarmee in verband staan.

INDELING VAN INHOUD

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

“**assistance**” means assistance referred to in section 10 or 11;

“**board**” means the board established by section 2;

“**chairman of the board**” includes the vice-chairman of the board when acting as chairman;

“**compromise**” means a compromise referred to in section 24;

“**controlling interest**”

[Definition of “controlling interest” inserted by s. 1 (a) of Act No. 66 of 1970 and deleted by s. 1 of Act No. 27 of 1980.]

“**department**” means the Department of Agriculture;

[Definition of “department” substituted by s. 1 (a) of Act No. 73 of 1981, by s. 1 (a) of Act No. 42 of 1983, by s. 1 (a) of Act No. 51 of 1987 and by s. 1 (a) of Act No. 65 of 1995.]

“**Director-General**” means the Director-General: Agriculture;

[Definition of “Director-General” inserted by s. 1 (b) of Act No. 73 of 1981 and substituted by s. 1 (b) of Act No. 42 of 1983, by s. 1 (b) of Act No. 512 of 1987 and by s. 1 (b) of Act No. 65 of 1995.]

“**head of Department**”

[Definition of “head of Department” inserted by s. 1 (c) of Act No. 51 of 1987 and deleted by s. 1 (c) of Act No. 65 of 1995.]

“**immovable property of the State**” means State land or any other immovable property of the State which has been made available by the Minister responsible for land affairs, or an officer of the State authorized by him, to the department for the purposes of sale, lease or development for farming purposes, and includes immovable property acquired under this Act for the State;

[Definition of “immovable property of the State” inserted by s. 1 of Act No. 67 of 1982 and substituted by s. 1 (d) of Act No. 51 of 1987.]

“**Insolvency Act**” means the Insolvency Act, 1936 (Act No. 24 of 1936);

“**magistrate**” includes an additional or assistant magistrate;

“**Master**”, in relation to any matter, property or estate, means a Master, Deputy Master or Assistant Master of the Supreme Court appointed under section 2 of the Administration of Estates Act, 1965 (Act No. 66 of 1965), who has jurisdiction in respect of such matter, property or estate;

“**Minister**” means the Minister of Agriculture;

[Definition of “Minister” substituted by s. 1 (a) of Act No. 45 of 1968, by s. 1 (c) of Act No. 73 of 1981, by s. 1 (c) of Act No. 42 of 1983, by s. 1 (e) of Act No. 51 of 1987 and by s. 1 (d) of Act No. 65 of 1995.]

“**mortgage bond**” includes a collateral or security bond and a cession of any such bond;

“**movable property**” includes crops or fruit, whether harvested or not, and in relation to movable property which is the property of the State by virtue of an agreement referred to in section 38, includes—

- (a) movable property substituted for or supplementing such movable property by virtue of any condition or direction referred to in section 39;
- (b) in the case of movable property consisting of livestock, the progeny thereof and any produce derived from such livestock or progeny;

1. **Woordomskrywing.**—In hierdie Wet, tensy uit die samehang anders blyk, beteken—

„beheersende belang”

[Omskrywing van „beheersende belang” ingevoeg deur a. 1 (a) van Wet No. 66 van 1970 en geskrap deur a. 1 van Wet No. 27 van 1980.]

„bystand” bystand in artikel 10 of 11 bedoel;

„departement” die Departement van Landbou;

[Omskrywing van „departement” vervang deur a. 1 (a) van Wet No. 73 van 1981, deur a. 1 (a) van Wet No. 42 van 1983, deur a. 1 (a) van Wet No. 51 van 1987 en deur a. 1 (a) van Wet No. 65 van 1995.]

„departementshoof”

[Omskrywing van „departementshoof” ingevoeg deur a. 1 (b) van Wet No. 51 van 1987 en geskrap deur a. 1 (b) van Wet No. 65 van 1995.]

„Direkteur-generaal” die Direkteur-generaal: Landbou;

[Omskrywing van „Direkteur-generaal” ingevoeg deur a. 1 (b) van Wet No. 73 van 1981 en vervang deur a. 1 (b) van Wet No. 42 van 1983, deur a. 1 (c) van Wet No. 51 van 1987 en deur a. 1 (c) van Wet No. 65 van 1995.]

„gebied”

[Omskrywing van „gebied” ingevoeg deur a. 1 (b) van Wet No. 66 van 1970 en geskrap deur a. 1 (d) van Wet No. 51 van 1987.]

„hierdie Wet” ook die regulasies;

„Insolvensiewet” die Insolvensiewet, 1936 (Wet No. 24 van 1936);

„landdros”, ook ’n addisionele landdros of assistent-landdros;

„Meester” met betrekking tot enige aangeleentheid, goed of boedel, ’n Meester, Adjunkmeester of Assistent-meester van die Hooggeregshof kragtens artikel 2 van die Boedelwet, 1965 (Wet No. 66 van 1965), aangestel, wat ten opsigte van daardie aangeleentheid, goed of boedel met regsbevoegdheid bekleed is;

„Minister” die Minister van Landbou;

[Omskrywing van „Minister” vervang deur a. 1 (a) van Wet No. 45 van 1968, deur a. 1 (c) van Wet No. 73 van 1981, deur a. 1 (c) van Wet No. 42 van 1983, deur a. 1 (e) van Wet No. 51 van 1987 en deur a. 1 (d) van Wet No. 65 van 1995.]

„onroerende goed van die Staat” Staatsgrond of enige ander onroerende goed van die Staat wat deur die Minister verantwoordelik vir grondsake, of ’n beampte van die Staat deur hom daartoe gemagtig, aan die departement vir verkoping, verhuring of ontwikkeling vir boerderydoeleindes beskikbaar gestel is, met inbegrip van onroerende goed ingevolge hierdie Wet vir die Staat verkry;

[Omskrywing van „onroerende goed van die Staat” ingevoeg deur a. 1 van Wet No. 67 van 1982 en vervang deur a. 1 (f) van Wet No. 51 van 1987.]

„persoon wat ’n blanke is”

[Omskrywing van „persoon wat ’n blanke is” ingevoeg deur a. 1 (c) van Wet No. 66 van 1970 en geskrap deur a. 1 van Wet No. 27 van 1980.]

„raad” die by artikel 2 ingestelde raad;

„regulasie” ’n kragtens hierdie Wet uitgevaardigde regulasie;

„roerende goed” ook gewasse, gesaaides of vrugte, hetsy dit goeies is al dan nie, en met betrekking tot roerende goed wat uit hoofde van ’n in artikel 38 bedoelde ooreenkoms die eiendom van die Staat is, ook—

- (c) in the case of movable property consisting of crops or fruit, whether harvested or not, or anything used in the production of crops or fruit, all such crops or fruit, whether harvested or not, grown after the said agreement was concluded by the person who entered into such agreement;
 [Definition of “movable property” substituted by s. 1 (b) of Act No. 45 of 1968.]

“prescribed” means prescribed by regulation;

“regulation” means a regulation made under this Act;

“secretary”

[Definition of “secretary” deleted by s. 1 (d) of Act No. 73 of 1981.]

“State”

[Definition of “State” inserted by s. 1 (b) of Act No. 66 of 1970 and deleted by s. 1. (f) of Act No. 51 of 1987.]

“territory”

[Definition of “territory” inserted by s. 1 (b) of Act No. 68 of 1970 and deleted by s. 1. (g) of Act No. 51 of 1987.]

“this Act” includes the regulations;

“white person”

[Definition of “white person” inserted by s. 1 (c) of Act No. 66 of 1970 and deleted by s. 1 of Act No. 27 of 1980.]

PART I
 BOARD AND COMMITTEES

2. Agricultural Credit Board.—(1) There is hereby established a board to be known as the Agricultural Credit Board, which shall consist of not more than 24 members appointed by the Minister, of whom—

- (a) one shall be an officer in the department;
- (b) the other members shall be appointed by reason of their knowledge of agricultural technics or agricultural economics, or by reason of their knowledge of farming.

[Sub-s. (1) substituted by s. (2) (a) of Act No. 66 of 1970 and by s. 1 of Act No. 67 of 1979 and amended by s. 2 (a) of Act No. 27 of 1980 and by s. 1 (a) of Act No. 53 of 1993.]

(2) The Minister shall designate any member of the board as chairman and any two other such members as vice-chairmen: Provided that either the chairman or one of the vice-chairmen shall be an officer in the department.

[Sub-s. (2) substituted by s. 1 (b) of Act No. 53 of 1993.]

(3) A member of the board shall hold office for such period not exceeding five years as the Minister may determine at the time of the appointment, but shall be eligible for reappointment: Provided that, if in his opinion there are good reasons for doing so, the Minister may at any time terminate the period of office of any member.

(4) A member of the board shall vacate his office—

- (a) if his period of office has expired or is terminated by the Minister;
- (b) if he seeks election at any party or official nomination of candidates for Parliament, or attempts to have himself nominated at any such nomination;

[Para. (b) substituted by s. 2 (b) of Act No. 66 of 1970 and by s. 2 (a) of Act No. 51 of 1987.]

- (a) roerende goed wat bedoelde roerende goed uit hoofde van 'n in artikel 39 bedoelde voorwaarde of voorskrif vervang of aanvul;
 - (b) in die geval van roerende goed wat uit lewende hawe bestaan, die aandeel daarvan en enige produk wat uit sodanige lewende hawe of aandeel verkry word;
 - (c) in die geval van roerende goed wat bestaan uit gewasse, gesaaides of vrugte, hetsy dit geoes is al dan nie, of enigiets wat by die kweek van gewasse, gesaaides of vrugte gebruik word, alle gewasse, gesaaides of vrugte, hetsy dit geoes is al dan nie, wat nadat bedoelde ooreenkoms aangegaan is, deur die persoon wat dit aangegaan het, gekweek word;
- [Omskrywing van „roerende goed” vervang deur a. 1 (b) van Wet No. 45 van 1968.]

„sekretaris”

[Omskrywing van „sekretaris” geskrap deur a. 1 (d) van Wet No. 73 van 1981.]

„skikking” 'n skikking in artikel 24 bedoel;

„Staat”

[Omskrywing van „Staat” ingevoeg deur a. 1 (d) van Wet No. 66 van 1970 en geskrap deur a. 1 (g) van Wet No. 51 van 1987.]

„verband” ook 'n meegaande of borgverband en 'n sessie van enige sodanige verband;

„voorgeskrewe” by regulasie voorgeskrewe;

„voorsitter van die raad” ook die ondervoorsitter van die raad wanneer hy as voorsitter waarneem.

DEEL I

RAAD EN KOMITEES

2. Landboukredietraad.—(1) Hierby word daar 'n raad ingestel bekend as die Landboukredietraad, wat bestaan uit hoogstens 24 lede deur die Minister aangestel, van wie—

- (a) een 'n beampte in die departement is;
- (b) die ander lede aangestel word vanweë hul kennis van landboutegniek of landbou-ekonomie, of vanweë hul kennis van boerdery.

[Sub-a. (1) vervang deur a. 2 (a) van Wet No. 66 van 1970 en deur a. 1 van Wet No. 67 van 1979 en gewysig deur a. 2 (a) van Wet No. 27 van 1980 en deur a. 1 (a) van Wet No. 53 van 1993.]

(2) Die Minister wys 'n lid van die raad as voorsitter en twee ander sodanige lede as ondervoorsitters aan: Met dien verstande dat óf die voorsitter óf een van die ondervoorsitters 'n beampte in die departement moet wees.

[Sub-a. (2) vervang deur a. 1 (b) van Wet No. 53 van 1993.]

(3) 'n Lid van die raad beklee sy amp vir die tydperk, maar hoogstens vyf jaar, wat die Minister ten tyde van die aanstelling bepaal, maar kan weer aangestel word: Met dien verstande dat, indien daar na sy oordeel gegronde redes daarvoor bestaan, die Minister te eniger tyd die ampstermyn van 'n lid kan beëindig.

(4) 'n Lid van die raad ontruim sy amp—

- (a) indien sy ampstermyn verstryk het of deur die Minister beëindig word;
- (b) indien hy hom verkiesbaar stel by enige party- of amptelike benoeming van kandidate vir die Parlement of 'n poging aanwend om hom by so 'n benoeming te laat nomineer;

[Par. (b) vervang deur a. 2 (b) van Wet No. 66 van 1970 en deur a. 2 (a) van Wet No. 51 van 1987.]

- (c) if his estate is sequestrated or he applies for assistance contemplated in section 10 (1) (c);
- (d) if he resigns.

(5) The remuneration, allowances, leave or other privileges and conditions of service of a member of the board, not being in the full-time employment of the State under any law other than this Act, shall be determined from time to time by the Minister with the concurrence of the Minister of Finance: Provided that the remuneration and other conditions of service of such members may differ according as to whether they serve full-time or part-time.

[Sub-s. (5) amended by s. 19 of Act No. 66 of 1970 and by s. 2 (b) of Act No. 27 of 1980 and substituted by s. 2 (b) of Act No. 51 of 1987.]

3. Functions and powers of the board.—The board shall perform the functions and exercise the powers assigned to or conferred upon it by this Act and shall perform such other functions as the Minister may from time to time assign to it.

4. Committees of the board.—(1) The chairman of the board may appoint from among the members of the board committees of the board consisting of not fewer than two members, and may designate one of those members as chairman.

[Sub-s. (1) substituted by s. 3 (a) of Act No. 51 of 1987.]

(2)

[S. 4 substituted by s. 3 of Act No. 66 of 1970. Sub-s. (2) deleted by s. 3 (b) of Act No. 51 of 1987.]

5. Delegation of functions and powers of the board.—The board may, with approval of the Minister, delegate to any of its committees or to any agricultural credit committee any of its functions or powers, but shall not thereby be divested of any power which it may so have delegated, and may amend or withdraw any decision of any such committee by virtue of any such delegation.

6. Agricultural credit committees.—(1) The Minister may establish a committee, to be known as an agricultural credit committee, for one or more magisterial districts or any portion of a magisterial district, under the chairmanship of an officer in the department designated by the Director-General, in the case of the committee for the Pretoria district, and under the chairmanship of a local magistrate in all other cases.

[Sub-s. (1) substituted by s. 4 (a) of Act No. 66 of 1970 and by s. 4 (a) of Act No. 51 of 1987.]

(2) An agricultural credit committee shall consist of not fewer than three members, of whom—

- (a) one shall be the chairman referred to in subsection (1);
- (b) the other members shall be members appointed by the Minister, of whom at least two shall be persons resident in a magisterial district or part thereof concerned, who have a thorough knowledge of farming and shall be appointed after consultation with the board.

[Sub-s. (2) amended by s. 4 (b) of Act No. 51 of 1987. Para. (b) substituted by s. 4 (b) of Act No. 66 of 1970.]

(3) An appointed member of an agricultural credit committee shall hold office for such period not exceeding three years as the Minister may determine at the time of the appointment, but shall be eligible for re-appointment: Provided that, if in his opinion there are good reasons for doing so, the Minister may at any time terminate the period of office of any such member.

(4) Section 2 (4) shall apply *mutatis mutandis* in relation to an appointed member of an agricultural credit committee.

- (c) indien sy boedel gesekwestreer word of hy om in artikel 10 (1) (c) bedoelde bystand aansoek doen;
- (d) indien hy bedank.

(5) Die besoldiging, toelaes, verlof- of ander voorregte en diensvoorwaardes van 'n lid van die raad wat nie ingevolge 'n ander wet as hierdie Wet in die voltydse diens van die Staat is nie, word van tyd tot tyd deur die Minister met die instemming van die Minister van Finansies bepaal: Met dien verstande dat die besoldiging en ander diensvoorwaardes van bedoelde lede kan verskil na gelang hulle voltyds of deelyds dien.

[Sub-a. (5) gewysig deur a. 19 van Wet No. 66 van 1970 en deur a. 2 (b) van Wet No. 27 van 1980 en vervang deur a. 2 (b) van Wet No. 51 van 1987.]

3. Werkzaamhede en bevoegdhede van raad.—Die raad verrig die werkzaamhede en oefen die bevoegdhede uit wat hierdie Wet aan hom toewys of verleen en verrig die ander werkzaamhede wat die Minister van tyd tot tyd aan hom toewys.

4. Komitees van raad.—(1) Die voorsitter van die raad kan uit lede van die raad komitees van die raad aanstel wat uit minstens twee lede bestaan en een van daardie lede as voorsitter aanwys.

[Sub-a. (1) vervang deur a. 3 (a) van Wet No. 51 van 1987.]

(2)

[A. 4 vervang deur a. 3 van Wet No. 66 van 1970. Sub-a. (2) geskrap deur a. 3 (b) van Wet No. 51 van 1987.]

5. Delegering van werkzaamhede en bevoegdhede van raad.—Die raad kan met die goedkeuring van die Minister, enige van sy werkzaamhede of bevoegdhede aan enigeen van sy komitees of aan 'n landboukrediet-komitee delegeer, maar word nie daardeur enige van sy aldus gedelegeerde bevoegdhede ontnem nie, en kan 'n beslissing deur so 'n komitee uit hoofde van so 'n delegering, wysig of intrek.

6. Landboukrediet-komitees.—(1) Die Minister kan 'n komitee, bekend as 'n landboukrediet-komitee, vir een of meer landdrosdistrikte of 'n gedeelte van 'n landdrosdistrik instel onder voorsitterskap van 'n deur die Direkteur-generaal aangewese beamppte in die departement, in die geval van die komitee vir die Pretoriase distrik, en onder voorsitterskap van 'n plaaslike landdros, in alle ander gevalle.

[Sub-a. (1) vervang deur a. 4 (a) van Wet No. 66 van 1970 en deur a. 4 (a) van Wet No. 51 van 1987.]

(2) 'n Landboukrediet-komitee bestaan uit minstens drie lede, van wie—

- (a) een die in subartikel (1) bedoelde voorsitter is;
- (b) die ander lede deur die Minister aangestelde lede is, van wie minstens twee persone is wat in 'n betrokke landdrosdistrik of gedeelte daarvan woonagtig is, oor deeglike kennis van boerdery beskik en na oorlegpleging met die raad aangestel word.

[Sub-a. (2) gewysig deur a. 4 (b) van Wet No. 51 van 1987. Par. (b) vervang deur a. 4 (b) van Wet No. 66 van 1970.]

(3) 'n Aangestelde lid van 'n landboukrediet-komitee beklee sy amp vir die tydperk, maar hoogstens drie jaar, wat die Minister ten tyde van die aanstelling bepaal, maar kan weer aangestel word: Met dien verstande dat, indien daar na sy oordeel gegronde redes daarvoor bestaan, die Minister te eniger tyd die ampstermyn van so 'n lid kan beëindig.

(4) Artikel 2 (4) is *mutatis mutandis* met betrekking tot 'n aangestelde lid van 'n landboukrediet-komitee van toepassing.

(5) A member of an agricultural credit committee, who is not in full-time service of the State, shall receive in respect of his services such allowances as the Minister with the concurrence of the Minister of Finance may from time to time determine.

[Sub-s. (5) amended by s. 19 of Act No. 66 of 1970 and substituted by s. 4 (c) of Act No. 51 of 1987.]

7. Functions of agricultural credit committees.—The functions of an agricultural credit committee shall be to advise the Minister or the board and to report and make recommendations in connection with any investigation or matter which the Minister or the board may refer to the committee for advice or for a report or recommendation, and to perform such functions or exercise such powers as the board may delegate to it.

8. Expenditure in connection with functions or powers of board or committees.—All expenditure in connection with the performance of the functions or the exercise of the powers of the board or committees of the board or agricultural credit committees shall be defrayed from moneys appropriated by Parliament for the purpose.

[S. 8 substituted by s. 5 of Act No. 51 of 1987.]

9. Administration.—(1) All administrative work, including the payment and receipt of money, in connection with the performance of the functions or the exercise of the powers of the board or committees of the board or of any agricultural credit committee, shall be under the control of the head of the department.

(2) The Director-General or any person designated by him shall have power to execute all documents on behalf of the board.

[S. 9 substituted by s. 6 of Act No. 51 of 1987.]

PART II ASSISTANCE

10. Assistance rendered by board.—(1) Subject to the provisions of subsections (2) and (2A), sections 13 and 15 and the directions of the Minister, the board may, on application by any person who carries on or undertakes to carry on farming operations to the satisfaction of the board, render assistance to such person on such terms and conditions as the board may determine—

- (a) by way of a loan for any purpose tending to safeguard or stimulate the farming industry;
- (b) by selling or letting to such person immovable or movable property of the State which in the opinion of the board is suitable for farming purposes;

[Para. (b) substituted by s. 2 of Act No. 67 of 1982.]

- (c) in connection with a compromise:

Provided that, notwithstanding anything to the contrary in this subsection contained, the board may render the assistance referred to in paragraph (a) to any person, being the owner of land, in respect of such land, for the erection of dwellings for non-white farm labourers or for any purpose contemplated in subsection (2).

[Sub-s. (1) amended by s. 5 (a) of Act No. 66 of 1970, by s. 2 (a) of Act No. 67 of 1979 and by s. 3 of Act No. 27 of 1980.]

(2) A loan under subsection (1) for the construction of soil conservation works or the performance of an act in compliance with a direction contemplated in the Soil Conservation Act, 1969 (Act No. 76 of 1969), shall be granted only on the recommendation of the Minister or his deputy, and any such loan for the construction of water works as contemplated in the Water Act, 1956 (Act No. 54 of 1956), or for the establishment or management of a private forest as contemplated in the Forest Act, 1968 (Act No. 72 of 1968), shall be granted only on the recommendation of the Minister responsible for the administration of the relevant Act or his deputy.

[Sub-s. (2) substituted by s. 5 (b) of Act No. 66 of 1970, by s. 1 of Act No. 15 of 1972, by s. 2 of Act No. 73 of 1981 and by s. 7 (a) of Act No. 51 of 1987.]

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(5) 'n Lid van 'n landboukrediet-komitee wat nie in die voltydse diens van die Staat is nie, ontvang ten opsigte van sy dienste die toelaes wat die Minister met die instemming van die Minister van Finansies van tyd tot tyd bepaal.

[Sub-a. (5) gewysig deur a. 19 van Wet No. 66 van 1970 en vervang deur a. 4 (c) van Wet No. 51 van 1987.]

7. Werkzaamhede van landboukrediet-komitees.—Die werkzaamhede van 'n landbou-krediet-komitee is om die Minister of die raad van advies te dien en verslag en aanbevelings te doen in verband met 'n ondersoek of aangeleentheid wat die Minister of die raad vir advies, verslag of aanbeveling na die komitee verwys, en om die werkzaamhede te verrig of bevoegdhede uit te oefen wat die raad aan hom delegeer.

8. Uitgawes in verband met werkzaamhede of bevoegdhede van raad of komitees.—Alle uitgawes in verband met die verrigting van die werkzaamhede of die uitoefening van die bevoegdhede van die raad of komitees van die raad of landboukrediet-komitees, word bestry uit gelde deur die Parlement vir die doel bewillig.

[A. 8 vervang deur a. 5 van Wet No. 51 van 1987.]

9. Administrasie.—(1) Alle administratiewe werk, met inbegrip van die uitbetaling en ontvangs van geld, in verband met die verrigting van die werkzaamhede of die uitoefening van die bevoegdhede van die raad of komitees van die raad of van 'n landboukrediet-komitee, staan onder beheer van die Direkteur-generaal.

(2) Die Direkteur-generaal of 'n persoon deur hom daartoe aangewys, is bevoeg om alle stukke namens die raad te verly.

[A. 9 vervang deur a. 6 van Wet No. 51 van 1987.]

DEEL II

BYSTAND

10. Bystandsverlening deur raad.—(1) Behoudens die bepalings van subartikels (2) en (2A), artikels 13 en 15 en die voorskrifte van die Minister, kan die raad op aansoek van enige persoon wat tot bevrediging van die raad boerdery beoefen of onderneem om dit te beoefen, aan daardie persoon op die bedinge en voorwaardes deur die raad bepaal, bystand verleen—

- (a) by wyse van 'n lening vir 'n doel wat tot die beskerming of bevordering van die boerderybedryf strek;
- (b) deur die verkoop of verhuur aan daardie persoon van onroerende of roerende goed van die Staat wat na die oordeel van die raad vir boerderydoeleindes geskik is;

[Par. (b) vervang deur a. 2 van Wet No. 67 van 1982.]

- (c) in verband met 'n skikking:

Met dien verstande dat, ondanks andersluidende bepalings van hierdie subartikel, die raad aan 'n persoon wat die eienaar van grond is, ten opsigte van daardie grond die in paragraaf (a) bedoelde bystand kan verleen vir die oprigting van wonings vir nie-blanke plaasarbeiders of vir 'n in subartikel (2) beoogde doel.

[Sub-a. (1) gewysig deur a. 5 (a) van Wet No. 66 van 1970, deur a. 2 (a) van Wet No. 67 van 1979 en deur a. 3 van Wet No. 27 van 1980.]

(2) 'n Lening kragtens subartikel (1) vir die oprigting van grondbewaringswerke of die verrigting van 'n handeling ter voldoening aan 'n voorskrif soos in die Grondbewaringswet, 1969 (Wet No. 76 van 1969), bedoel, word slegs op aanbeveling van die Minister of sy gevolmagtigde toegestaan, en so 'n lening vir die bou van 'n waterwerk soos in die Waterwet, 1956 (Wet No. 54 van 1956), bedoel, of vir die vestiging of bestuur van 'n private bos soos in die Boswet, 1968 (Wet No. 72 van 1968), bedoel, word slegs op aanbeveling van die Minister verantwoordelik vir die uitvoering van die betrokke Wet of sy gevolmagtigde toegestaan.

[Sub-a. (2) vervang deur a. 5 (b) van Wet No. 66 van 1970, deur a. 1 van Wet No. 15 van 1972, deur a. 2 van Wet No. 73 van 1981 en deur a. 7 (a) van Wet No. 51 van 1987.]

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(2A) The conditions for the letting of immovable property of the State in terms of subsection (1) (b) shall be determined by the board after consultation with the Minister and with the concurrence of the Minister of Finance.

[Sub-s. (2A) inserted by s. 2 (b) of Act No. 67 of 1979 and substituted by s. 7 (b) of Act No. 51 of 1987.]

(3) The board may refuse an application under subsection (1) without assigning any reasons.

(4) An application referred to in subsection (1) shall contain such particulars as the board may require.

[S. 10 substituted by s. 2 of Act No. 45 of 1968.]

10A. Acquisition of immovable property by board for farming purposes.—
(1) Subject to the provisions of subsection (2) and the directions of the Minister, the board may—

(a) out of moneys appropriated by Parliament for the purpose, purchase immovable property which it considers suitable for, or for use in connection with, farming purposes; and

[Para. (a) substituted by s. 8 of Act No. 51 of 1987.]

(b) exchange immovable property of the State for other immovable property which the board considers suitable for, or for use in connection with, such purposes, in which case the Minister may issue a deed of grant in respect of any immovable property so exchanged.

(2) Immovable property acquired under subsection (1) shall be transferred to and registered in the name of the Republic of South Africa.

[S. 10A inserted by s. 3 of Act No. 67 of 1982.]

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

[S. 10B inserted by s. 3 of Act No. 67 of 1982.]

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

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

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

[Sub-s. (3) substituted by s. 9 of Act No. 51 of 1987.]

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

[S. 10C inserted by s. 3 of Act No. 67 of 1982.]

(2A) Die voorwaardes vir die verhuring van onroerende goed van die Staat ingevolge subartikel (1) (b) word deur die raad na oorleg met die Minister en met die instemming van die Minister van Finansies bepaal.

[Sub-a. (2A) ingevoeg deur a. 2 (b) van Wet No. 67 van 1979 en vervang deur a. 7 (b) van Wet No. 51 van 1987.]

(3) Die raad kan 'n aansoek ingevolge subartikel (1) van die hand wys sonder om redes te verstrek.

(4) 'n In subartikel (1) bedoelde aansoek moet die besonderhede bevat wat die raad vereis.

[A. 10 vervang deur a. 2 van Wet No. 45 van 1968.]

10A. Verkryging van onroerende goed deur raad vir boerderydoeleindes.—

(1) Behoudens die bepalings van subartikel (2) en die voorskrifte van die Minister, kan die raad—

(a) uit geld deur die Parlement vir dié doel bewillig, onroerende goed aankoop wat die raad vir, of vir gebruik in verband met, boerderydoeleindes geskik ag; en

[Par. (a) vervang deur a. 8 van Wet No. 51 van 1987.]

(b) onroerende goed van die Staat verruil vir ander onroerende goed wat die raad vir, of vir gebruik in verband met, sodanige doeleindes geskik ag, in welke geval die Minister ten opsigte van aldus verruilde onroerende goed 'n grondbrief uitreik.

(2) Onroerende goed kragtens subartikel (1) verkry, word getranspoteer aan en geregistreer op naam van die Republiek van Suid-Afrika.

[A. 10A ingevoegdeur a. 3 van Wet No. 67 van 1982.]

10B. Ontwikkeling van onroerende goed van Staat vir boerderydoeleindes.—Die Minister kan onroerende goed van die Staat wat na die oordeel van die raad vir, of vir gebruik in verband met, boerderydoeleindes geskik is, vir, of vir gebruik in verband met sodanige doeleindes, ontwikkel, of enige werke daarop aanbring.

[A. 10B ingevoeg deur a. 3 van Wet No. 67 van 1982.]

10C. Beskikking oor onroerende goed van Staat wat nie vir boerderydoeleindes geskik is nie.—(1) Daar kan oor onroerende goed van die Staat wat, na die oordeel van die raad, nie kragtens artikel 10 van hierdie Wet verkoop of verhuur kan word nie, kragtens artikel 2 van die Wet op die Beskikking oor Staatsgrond, 1961 (Wet No. 48 van 1961), beskik word.

(2) Die Landboukredietrekening vermeld in artikel 20A word gekrediteer met gelde wat ontvang word ter betaling van bedrae wat betaalbaar is ten opsigte van onroerende goed waaroor ingevolge subartikel (1) beskik word.

(3) Indien daar oor onroerende goed van die Staat ingevolge subartikel (1) by wyse van verkoping beskik word, of indien sodanige goed ingevolge artikel 10A (1) (b) verruil word, is artikel 35 (1) (f), (2), (3) en (4) *mutatis mutandis* ten opsigte van sodanige goed van toepassing asof daar op daardie goed 'n verband ingevolge artikel 34 geregistreer moet word en asof die koper of die persoon wat die grond in ruil verkry, na gelang van die geval, die verbandgewer is.

[Sub-a. (3) vervang deur a. 9 van Wet No. 51 van 1987.]

(4) By die toepassing van subartikel (1) word enige verwysing in die Wet in daardie subartikel vermeld na die Gemeenskapsontwikkelingsraad ingestel by artikel 2 van die Wet op Gemeenskapsontwikkeling, 1966 (Wet No. 3 van 1966), uitgelê as 'n verwysing na die Landboukredietraad.

[A. 10C ingevoeg deur a. 3 van Wet No. 67 van 1982.]

11. Assistance rendered by Minister.—The Minister may in his discretion, and on such terms and conditions as he may determine, but subject to the provisions of section 15, render assistance to any person applying for such assistance—

- (a) by transferring to such person the liability for repayment of any amount recoverable under this Act or any law repealed by this Act from any other person;
- (b) by consolidating amounts recoverable by the State from such firstmentioned person by virtue of the application of this Act or any law repealed by this Act.

[S. 11 substituted by s. 2 of Act No. 15 of 1972, amended by s. 4 of Act No. 27 of 1980 and substituted by s. 10 of Act No. 51 of 1987.]

12. Lapsing of person's rights, duties and obligations.—The terms and conditions on which any assistance shall be rendered to any person shall provide that his existing rights, duties and obligations under this Act or any law repealed by this Act, shall lapse in respect of those amounts which are consolidated on the date referred to in section 14 (1).

[S. 12 substituted by s. (1) of Act No. 10 of 1971, by s. 3 of Act No. 15 of 1972 and by s. 11 of Act No. 51 of 1987.]

13. Assistance to members of board or agricultural credit committees.—No assistance shall be rendered to a member of the board or of an agricultural credit committee except assistance of such a nature as the Minister may from time to time determine.

14. Consolidation of amounts recoverable.—(1) If assistance is rendered to any person such amounts as are specified in the terms and conditions under which assistance is rendered and which are recoverable from the said person by the State on account of rendering assistance to him or by virtue of the application of any law repealed by this Act, shall be consolidated as from such date as the Minister may determine.

[Sub-s. (1) substituted by s. 2 (1) of Act No. 10 of 1971, by s. 4 of Act No. 15 of 1972 and by s. 12 (a) of Act No. 51 of 1987.]

(2) The consolidated amount shall, subject to the right of the Minister or board to require additional security, be deemed to be secured by virtue of any existing security furnished by the said person in respect of assistance rendered or on account of the application of any law repealed by this Act and shall be repayable on such terms and conditions as the Minister or board may determine as if it were recoverable by the State from such person on account of assistance rendered to him.

[Sub-s. (2) substituted by s. 4 of Act No. 15 of 1972 and by s. 12 (b) of Act No. 51 of 1987.]

(3) The terms and conditions referred to in subsection (2) shall, subject to the provisions of section 15, be determined with due regard to the rights, duties and obligations referred to in section 12.

15. Interest payable in respect of assistance rendered.—(1) Notwithstanding anything to the contrary in any law contained, but subject to the provisions of subsection (2), interest shall be charged on any amount outstanding which is recoverable on account of assistance rendered or is repayable as if it were so recoverable, at the rate at which the Minister may from time to time, with the concurrence of the Minister of Finance, determine by notice in the *Gazette*.

[Sub-s. (1) substituted by s. 1 of Act No. 18 of 1982 and by s. 13 (1) (a) of Act No. 51 of 1987.]

(2) Different rates of interest may under subsection (1) be determined in respect of assistance for different purposes.

[Sub-s. (2) substituted by s. 5 (1) (a) of Act No. 15 of 1972, by s. 3 of Act No. 73 of 1981 and by s. 13 (1) (b) of Act No. 51 of 1987.]

11. Bystandsverlening deur Minister.—Die Minister kan na goëddunke en op die bedinge en voorwaardes deur hom bepaal, maar behoudens die bepalings van artikel 15, op aansoek van enige persoon aan daardie persoon bystand verleen—

- (a) by wyse van die oordrag op bedoelde persoon van die aanspreeklikheid vir die terugbetaling van 'n bedrag ingevolge hierdie Wet of 'n wet wat by hierdie Wet herroep is, op 'n ander persoon verhaalbaar;
- (b) by wyse van samevoëging van bedrae wat deur die Staat op eersbedoelde persoon verhaalbaar is uit hoofde van die toëpassing van hierdie Wet of 'n wetsbepaling wat by hierdie Wet herroep is.

[A. 11 vervang deur a. 2 van Wet No. 15 van 1972, gewysig deur a. 4 van Wet No. 27 van 1980 en vervang deur a. 10 van Wet No. 51 van 1987.]

12. Verval van persoon se regte, pligte en verpligtings.—Die bedinge en voorwaardes waarop bystand verleen word aan 'n persoon moet daarvoor voorsiening maak dat bedoelde persoon se bestaande regte, pligte en verpligtings ingevolge hierdie Wet of 'n wetsbepaling wat by hierdie Wet herroep is, verval ten opsigte van die bedrae wat op die in artikel 14 (1) bedoelde datum saamgevoëg word.

[A. 12 vervang deur a. 1 (1) van Wet No. 10 van 1971, deur a. 3 van Wet No. 15 van 1972 en deur a. 11 van Wet No. 51 van 1987.]

13. Bystand aan lede van raad of van landboukrediet-komitees.—Geen bystand word aan 'n lid van die raad of van 'n landboukrediet-komitee verleen nie, behalwe bystand van die aard wat die Minister van tyd tot tyd bepaal.

14. Samevoëging van verhaalbare bedrae.—(1) Indien bystand aan 'n persoon verleen word, word vanaf die datum deur die Minister bepaal die bedrae saamgevoëg wat vermeld word in die bedinge en voorwaardes waarop bystand verleen word en wat deur die Staat op bedoelde persoon verhaalbaar is weens die verlëning van bystand aan hom of uit hoofde van die toëpassing van 'n wetsbepaling wat by hierdie Wet herroep is.

[Sub-a. (1) vervang deur a. 2 (1) van Wet No. 10 van 1971, deur a. 4 van Wet No. 15 van 1972 en deur a. 12 (a) van Wet No. 51 van 1987.]

(2) Die aldus saamgestelde bedrag word, behoudens die reg van die Minister of raad om addisionele sekuriteit te eis, geag versekureer te wees uit hoofde van enige bestaande sekuriteit deur bedoelde persoon verstreëk ten opsigte van verleende bystand of weens die toëpassing van 'n wetsbepaling wat by hierdie Wet herroep is, en is op die deur die Minister of raad bepaalde bedinge en voorwaardes terugbetaalbaar asof dit deur die Staat op bedoelde persoon verhaalbaar is weens die verlëning van bystand aan hom.

[Sub-a. (2) vervang deur a. 4 van Wet No. 15 van 1972 en deur a. 12 (b) van Wet No. 51 van 1987.]

(3) Die in subartikel (2) bedoelde bedinge en voorwaardes word, behoudens die bepalings van artikel 15, bepaal met inagnëming van die in artikel 12 bedoelde regte, pligte en verpligtings.

15. Rente betaalbaar ten opsigte van verleende bystand.—(1) Ondanks andersluidende wetsbepalings maar behoudens die bepalings van subartikel (2) word daar op enige uitstaande bedrag wat weens die verlëning van bystand verhaalbaar is of terugbetaalbaar is asof dit aldus verhaalbaar is, rente gevra teen 'n koers wat die Minister van tyd tot tyd met die instemming van die Minister van Finansies by kennisgewing in die *Staatskoerant* bepaal.

[Sub-a. (1) vervang deur a. 1 van Wet No. 18 van 1982 en deur a. 13 (1) (a) van Wet No. 51 van 1987.]

(2) Verskillende rentekoerse kan kragtens subartikel (1) ten opsigte van bystand vir verskillende doeleindes bepaal word.

[Sub-a. (2) vervang deur a. 5 (1) (a) van Wet No. 15 van 1972, deur a. 3 van Wet No. 73 van 1981 en deur a. 13 (1) (b) van Wet No. 51 van 1987.]

(3)

[S. 15 substituted by s. 6 of Act No. 66 of 1970 and by s. 3 (1) of Act No. 10 of 1971. Sub-s. (3) added by s. 5 (1) (b) of Act No. 15 of 1972 and deleted by s. 13 (1) (c) of Act No. 51 of 1987.]

16. Restrictive conditions on immovable property sold for cash.—If assistance is rendered to any person by selling immovable property to him for cash, section 35 (1) (f) and (2), (3) and (4) shall *mutatis mutandis* apply as if a mortgage bond over that property were to be registered under section 34 and as if the purchaser were the mortgagor.

[S. 16 substituted by s. 6 of Act No. 15 of 1972 and by s. 14 of Act No. 51 of 1987.]

17. Prerequisites for payment of money or delivery of property.—(1) No amount shall be paid in respect of assistance and no movable property sold to any person by way of assistance shall be delivered to him before—

- (a) where any registration in respect of immovable property is required by virtue of the terms or conditions subject to which the assistance is to be rendered, the person in question has granted a written authority for such registration and the Minister has satisfied himself that there is no impediment against such registration in the title deed concerned;
- (b) where the ownership in movable property is to be transferred to the State as security or additional security in respect of such assistance, an agreement contemplated in section 38 (1) has been entered into, and where such movable property or any part thereof consists of livestock, machinery, vehicles, implements, equipment or tools, of whatever nature, proof is furnished that it has been identified in the prescribed manner;
- (c) where an acknowledgement of debt is required, such acknowledgement of debt has been properly completed and duly signed by the person to whom assistance is rendered.

[S. 17 substituted by s. 15 of Act No. 51 of 1987.]

18. Amendment of terms or conditions for repayment of debt.—The Minister may in his discretion on application by any person amend the terms or conditions subject to which any amount recoverable from such person under this Act shall be repayable, and thereupon the amended terms or conditions shall be deemed to be the first-mentioned terms or conditions.

[S. 18 substituted by s. 7 of Act No. 66 of 1970.]

19. Non-compliance with terms or conditions on which assistance is rendered.—(1) If any person fails to comply with any terms or conditions referred to in section 14 (2) or subject to which any assistance has been rendered to him, the Minister may request such person by notice delivered to him or forwarded to him by registered letter to the address where, to the Minister's knowledge, he last resided or to the latest address furnished by such person to the Director-General, to comply with such terms or conditions within the period stated in the notice.

(2) If such person fails to comply with the request, the whole amount still owing in respect of assistance shall become due, and the Minister may take steps under section 37 or 42, or cancel any lease in question, or recover any unsecured amount from such person by the institution of legal proceedings.

[S. 19 amended by s. 8 of Act No. 66 of 1970 and substituted by s. 16 of Act No. 51 of 1987.]

(3)

[A. 15 vervang deur a. 6 van Wet No. 66 van 1970 en deur a. 3 (1) van Wet No. 10 van 1971.
Sub-a. (3) bygevoeg deur a. 5 (1) (b) van Wet No. 15 van 1972 en geskrap deur a. 13 (1) (c) van
Wet No. 51 van 1987.]

16. Beperkende voorwaardes op onroerende goed vir kontant verkoop.—Indien bystand aan 'n persoon verleen word by wyse van die verkoop aan hom van onroerende goed vir kontant, is artikel 35 (1) (f) en (2), (3) en (4) *mutatis mutandis* van toepassing asof daar op daardie goed 'n verband ingevolge artikel 34 geregistreer moet word en asof die koper die verbandgewer is.

[A. 16 vervang deur a. 6 van Wet No. 15 van 1972 en deur a. 14 van Wet No. 51 van 1987.]

17. Voorvereistes vir uitbetaling van geld of lewering van goed.—(1) Geen bedrag ten opsigte van bystand word uitbetaal nie en geen roerende goed wat by wyse van bystand aan 'n persoon verkoop is, word aan hom gelewer nie voordat—

- (a) waar 'n registrasie ten opsigte van onroerende goed vereis word uit hoofde van die bedinge of voorwaardes waarop die bystand verleen gaan word, die betrokke persoon 'n skriftelike magtiging verleen het vir sodanige registrasie en die Minister hom vergewis het dat daar geen belemmering teen sodanige registrasie in die betrokke titelbewys is nie;
- (b) waar die eiendomsreg op roerende goed as sekuriteit of addisionele sekuriteit ten opsigte van bedoelde bystand aan die Staat oorgedra moet word, 'n in artikel 38 (1) beoogde ooreenkoms aangegaan is, en waar bedoelde roerende goed of 'n deel daarvan uit lewende hawe, masjinerie, voertuie, implemente, toerusting of gereedskap, van watter aard ook al, bestaan, bewys gelewer word dat dit op die voorgeskrewe wyse geïdentifiseer is;
- (c) waar 'n skuldbewys vereis word, sodanige skuldbewys behoorlik ingevul en deur die persoon aan wie bystand verleen word, onderteken is.

(2) Tot tyd en wyl die betrokke verband ingevolge artikel 34 geregistreer is, word 'n skriftelike magtiging verleen ingevolge subartikel (1) (a), by die toepassing van die wetsbepalings met betrekking tot die voorrang van eise teen insolvente of bestorwe boedels, geag 'n verband te wees wat behoorlik aldus geregistreer is.

[A. 17 vervang deur a. 15 van Wet No. 51 van 1987.]

18. Wysiging van bedinge of voorwaardes vir terugbetaling van skuld.—Die Minister kan na goeddunke op aansoek van enige persoon die bedinge of voorwaardes wysig waarop 'n bedrag wat ingevolge hierdie Wet op daardie persoon verhaalbaar is, terugbetaalbaar is, en daarna word die gewysigde bedinge of voorwaardes geag eersbedoelde bedinge of voorwaardes te wees.

[A. 18 vervang deur a. 7 van Wet No. 66 van 1970.]

19. Nie-nakoming van bedinge of voorwaardes van bystandsverlening.—(1) Indien 'n persoon in gebreke bly om 'n beding of voorwaarde in artikel 14 (2) bedoel of waarop bystand aan hom verleen is, na te kom, kan die Minister daardie persoon by kennisgewing aan hom oorhandig of per aangetekende brief aan hom gestuur na die adres waar, sover aan die Minister bekend, hy laas gewoon het of na die jongste adres wat daardie persoon aan die Direkteur-generaal verstrek het, versoek om binne 'n tydperk in die kennisgewing vermeld, daardie beding of voorwaarde na te kom.

(2) Indien bedoelde persoon in gebreke bly om aan die versoek te voldoen, word die hele bedrag wat nog ten opsigte van bystand verskuldig is, opeisbaar, en kan die Minister kragtens artikel 37 of 42 optree, of 'n betrokke huurkontrak kanselleer, of enige onversekureerde bedrag deur middel van geregtelike stappe op bedoelde persoon verhaal.

[A. 19 gewysig deur a. 8 van Wet No. 66 van 1970 en vervang deur a. 16 van Wet No. 51 van 1987.]

20. Minister may acquire movable property for farming purposes.—In order to achieve the objects of this Act, the Minister may, on the recommendation of the board, out of moneys appropriated by Parliament for the purpose and at such price and subject to such conditions as he may determine, purchase or take over movable property which in his opinion is suitable for farming purposes.

[S. 20 substituted by s. 17 of Act No. 51 of 1987.]

20A. Agricultural Credit Account.—(1) The Director-General shall cause to be kept an account, to be known as the Agricultural Credit Account (hereinafter referred to as the account), which shall be credited with—

- (a) all moneys received in payment or part payment of an amount (including any interest thereon) due to the State on account of assistance rendered or by virtue of any provision of a law repealed by this Act;
 - (b) any interest earned in terms of subsection (5) (b);
 - (c) all such moneys as may be appropriated by Parliament for the account;
- [Para. (c) substituted by s. 18 (a) of Act No. 51 of 1987.]
- (d) any moneys which may accrue to the account from any other source.

(2) The Director-General shall for the purposes of the Exchequer and Audit Act, 1975 (Act No. 66 of 1975), and the regulations made thereunder be the accounting officer with respect to all matters affecting the account.

(3) The account shall be debited with—

- (a) every amount paid out in respect of assistance;
 - (b) the purchase price of immovable property purchased by the Minister under section 37 (3);
 - (c) the amount of any expenditure incurred by the State in administering this Act which the Minister may with the concurrence of the Minister of Finance designate as expenditure with which the account is to be charged;
- [Para. (c) substituted by s. 18 (b) of Act No. 51 of 1987.]
- (d) any amount reimbursed by the direction of the Director-General because the amount in his opinion has been erroneously credited therewith.

[Para. (d) added by s. 18 (c) of Act No. 51 of 1987.]

(4) The account shall be audited by the Auditor-General.

(5) Moneys standing to the credit of the account which in the opinion of the Minister and the Minister of Finance—

- (a) are not required for the purposes mentioned in subsection (3), shall be transferred to the National Revenue Fund;
- [Para. (a) substituted by s. 2 of Act No. 65 of 1995.]
- (b) are not required for immediate use for the said purposes, shall be invested with the Public Investment Commissioners and may be withdrawn when required for such use.

[Sub-s. (5) substituted by s. 18 (c) of Act No. 51 of 1987.]

(6) Any balance in the account at the end of any financial year shall be carried forward to the ensuing financial year.

[S. 20A inserted by s. 4 of Act No. 73 of 1981.]

20. Minister kan roerende goed vir boerderydoeleindes verkry.—Ter bereiking van die oogmerke van hierdie Wet, kan die Minister op aanbeveling van die raad uit gelde deur die Parlement vir dié doel bewillig, en teen die prys en op die voorwaardes deur hom bepaal, roerende goed wat na sy oordeel vir boerderydoeleindes geskik is, aankoop of oorneem.

[A. 20 vervang by a. 17 van Wet No. 51 van 1987.]

20A. Landboukredietrekening.—(1) Die Direkteur-generaal laat 'n rekening met die naam Landboukredietrekening (hieronder die rekening genoem) hou, wat gekrediteer word met—

(a) geld wat ontvang word ter betaling of gedeeltelike betaling van 'n bedrag (met inbegrip van rente daarop) wat weens die verlening van bystand of uit hoofde van 'n bepaling van 'n wet deur hierdie Wet herroep, aan die Staat verskuldig is;

(b) rente wat ingevolge subartikel (5) (b) verdien is;

(c) geld wat die Parlement vir die rekening bewillig;

[Par. (c) vervang deur a. 18 (a) van Wet No. 51 van 1987.]

(d) geld wat die rekening uit 'n ander bron toeval.

(2) Die Direkteur-generaal is by die toepassing van die Skatkis- en Ouditwet, 1975 (Wet No. 66 van 1975), en die regulasies daarkragtens uitgevaardig die rekenpligtige beampte met betrekking tot alle sake rakende die rekening.

(3) Die rekening word gedebiteer met—

(a) elke bedrag wat ten opsigte van bystand uitbetaal word;

(b) die aankoopprys van onroerende goed deur die Minister kragtens artikel 37 (3) aangekoop;

(c) die bedrag van enige uitgawes deur die Staat by die uitvoering van hierdie Wet aangegaan wat die Minister met die instemming van die Minister van Finansies as uitgawes ten laste van die rekening aanwys;

[Par. (c) vervang deur a. 18 (b) van Wet No. 51 van 1987.]

(d) enige bedrag wat in opdrag van die Direkteur-generaal terugbetaal word omdat die rekening na sy oordeel foutiewelik daarmee gekrediteer is.

[Par. (d) bygevoeg deur a. 18 (b) van Wet No. 51 van 1987.]

(4) Die rekening word deur die Ouditeur-generaal geouditeer.

(5) Geld waarmee die rekening gekrediteer is en wat na die oordeel van die Minister en die Minister van Finansies—

(a) nie vir die doeleindes vermeld in subartikel (3) nodig is nie, moet na die Nasionale Inkomstefonds oorgeplaas word;

[Par. (a) vervang deur a. 2 van Wet No. 65 van 1995.]

(b) nie vir onmiddellike gebruik vir bedoelde doeleindes nodig is nie, moet by die Openbare Beleggingskommissarisse belê word en kan opgevra word wanneer dit vir sodanige gebruik nodig is.

[Sub-a. (5) vervang deur a. 18 (c) van Wet No. 51 van 1987.]

(6) 'n Saldo in die rekening aan die einde van 'n boekjaar word na die volgende boekjaar oorgedra.

[A. 20A ingevoeg deur a. 4 van Wet No. 73 van 1981.]

PART III
COMPROMISE WITH CREDITORS

21. Stay of legal proceedings.—(1) Any proceedings instituted in any court against any person for the recovery of any debt due by him, or for the attachment or sale of any assets belonging to him in execution of a judgment of such court, shall be stayed by the filing in such court of a certificate signed by the chairman or vice-chairman of the board, to the effect that the said person (in this Part referred to as the applicant) has applied for assistance and that in the opinion of such chairman or vice-chairman there is a reasonable prospect of the board's rendering assistance to the applicant or of a proposal for a compromise as contemplated in section 24 being made.

[Sub-s. (1) substituted by s. 9 of Act No. 66 of 1970 and by s. 2 (a) of Act No. 53 of 1993.]

(2) If—

- (a) the board refuses the application of the applicant;
- (b) all proceedings under this Part have been declared under section 25 to have lapsed in respect of the applicant;
- (c) the assistance rendered by the board to the applicant has been paid out;
[Para. (c) substituted by s. 2 (b) of Act No. 53 of 1993.]
- (d) the board withdraws the assistance rendered to the applicant before it has been paid out;
[Para. (d) added by s. 2 (b) of Act No. 53 of 1993.]
- (e) a notice referred to in section 22 is published,
[Para. (e) added by s. 2 (b) of Act No. 53 of 1993.]

the said certificate shall lapse and any proceedings referred to in subsection (1) may, subject to the provisions of section 24, be continued.

22. Convening a meeting of creditors with a view to compromise.—(1) If in the opinion of the board it is desirable, in order to enable the applicant (unless his estate has been sequestered or provisionally sequestered or, in the case of a company, the company has been placed in liquidation) to carry on farming with a reasonable prospect of success, that a compromise with his creditors be effected, providing, subject to such terms and conditions as may be set out in the proposal for a compromise, for one or more of the following matters, namely—

- (a) that any assets of the applicant shall be disposed of in a particular manner;
- (b) that the applicant shall be released wholly or in part from any obligations towards his creditors;
- (c) that the applicant shall be granted an extension of time for the fulfilment of all such obligations,

the Director-General may, after consultation with the applicant, by notice in the *Gazette* and in an Afrikaans and an English newspaper circulating in the area in which the applicant ordinarily resides or, in the case of a company, in which the registered office or principal place of business of such company may be, convene a meeting of the applicant and his creditors for the purpose of proving claims of creditors against the applicant and to consider a proposal for a compromise.

[Sub-s. (1) substituted by s. 10 (a) of Act No. 66 of 1970 and by s. 19 (a) of Act No. 51 of 1987.]

(2) Any notice referred to in subsection (1) shall state the place where and time when the meeting shall take place, and shall be published not less than thirty days before the date of the meeting.

DEEL III

SKIKKING MET SKULDEISERS

21. Opskorting van geregtelike stappe.—(1) 'n Geding wat in 'n hof teen 'n persoon ingestel is tot verhaal van 'n bedrag deur hom verskuldig, of tot beslaglegging op of verkoop van bates wat aan hom behoort, by die tenuitvoerlegging van 'n vonnis van daardie hof, word opgeskort deur indiening by daardie hof, van 'n sertifikaat onderteken deur die voorsitter of 'n ondervoorsitter van die raad, waaruit blyk dat die persoon (in hierdie Deel die applikant genoem), aansoek om bystand gedoen het en dat daar na die oordeel van bedoelde voorsitter of ondervoorsitter 'n redelike vooruitsig bestaan dat die raad aan die applikant bystand sal verleen of dat 'n skikkingsvoorstel soos in artikel 24 beoog, gedoen sal word.

[Sub-a. (1) vervang deur a. 9 van Wet No. 66 van 1970 en deur a. 2 (a) van Wet No. 53 van 1993.]

(2) Indien—

- (a) die raad die aansoek van die applikant van die hand wys;
- (b) daar ingevolge artikel 25 verklaar is dat alle verrigtings ingevolge hierdie Deel ten opsigte van die applikant verval het;
- (c) die bystand deur die raad aan die applikant verleen, uitbetaal is;
[Par. (c) vervang deur a. 2 (b) van Wet No. 53 van 1993.]
- (d) die raad die bystand aan die applikant verleen, terugtrek voordat dit uitbetaal is;
[Par. (d) bygevoeg deur a. 2 (b) van Wet No. 53 van 1993.]
- (e) 'n kennisgewing in artikel 22 bedoel, gepubliseer word,
[Par. (e) bygevoeg deur a. 2 (b) van Wet No. 53 van 1993.]

verval genoemde sertifikaat en kan 'n geding in subartikel (1) bedoel, behoudens die bepalings van artikel 24, voortgesit word.

22. Die belê van 'n vergadering van skuldeisers om te skik.—(1) As dit na die oordeel van die raad wenslik is, ten einde die applikant (tensy sy boedel gesekwestreer of voorlopig gesekwestreer is of, in die geval van 'n maatskappy, die maatskappy in likwidasië of voorlopige likwidasië geplaas is) in staat te stel om met 'n redelike vooruitsig op sukses te boer, dat daar met sy skuldeisers 'n skikking getref word wat, op die bedinge en voorwaardes in die skikkingsvoorstel uiteengesit, vir een of meer van die volgende aangeleenthede voorsiening maak, naamlik—

- (a) dat daar oor die bates van die applikant op 'n bepaalde wyse beskik word;
- (b) dat die applikant van verpligtings teenoor sy skuldeisers in die geheel of gedeeltelik onthef word;
- (c) dat aan die applikant uitstel van nakoming van al daardie verpligtings verleen word,

kan die Direkteur-generaal, na oorlegpleging met die applikant, by kennisgewing in die *Staatskoerant* en 'n Afrikaanse en 'n Engelse nuusblad in omloop in die gebied waarin die applikant gewoonlik woon of, in die geval van 'n maatskappy, waarin die geregistreerde kantoor of vernaamste besigheidsplek van daardie maatskappy is, 'n vergadering van die applikant en sy skuldeisers belê met die doel om die vorderings van skuldeisers teen die applikant te bewys en 'n skikkingsvoorstel te oorweeg.

[Sub-a. (1) vervang deur a. 10 (a) van Wet No. 66 van 1970 en deur a. 19 (a) van Wet No. 51 van 1987.]

(2) 'n Kennisgewing in subartikel (1) bedoel, dui aan die plek waar en die tyd wanneer die vergadering plaasvind, en word minstens dertig dae voor die datum van die vergadering gepubliseer.

(3) The meeting shall be held in the office of a magistrate of the district or portion thereof in which the applicant resides or, in the case of a company, in which the registered office or the principal place of business of such company may be.

[Sub-s. (3) substituted by s. 10 (b) of Act No. 66 of 1970.]

(4) The Director-General shall forward to the magistrate in whose office the meeting is to be held, a copy of the applicant's application, and such copy shall be open for inspection during office hours free of charge by the applicant's creditors or debtors or their representatives, for a period of not less than fourteen days before the meeting.

[Sub-s. (4) substituted by s. 19 (b) of Act No. 51 of 1987.]

(5) The head of department shall forward a copy of the notice referred to in subsection (1) to the magistrate in whose office the meeting is to be held and to the registrar of deeds in whose office any immovable property disclosed as an asset in the applicant's application, has been registered.

[Sub-s. (5) substituted by s. 19 (c) of Act No. 51 of 1987.]

(6) As soon as may be after publication of the said notice, the Director-General shall deliver to the applicant and every creditor, or forward to them by registered post addressed to the address concerned stated in the application, a copy of the notice together with particulars of the compromise to be proposed under section 24 (4).

[Sub-s. (6) substituted by s. 19 (d) of Act No. 51 of 1987.]

(7) Any failure to deliver or forward such copy or particulars shall not invalidate the proceedings under this Part.

23. Effect of filing of certificate or publication of notice.—(1) With effect from the date of filing of a certificate referred to in section 21 (1) in any court and until such certificate lapses in terms of section 21 (2), or with effect from the date of publication of a notice referred to in section 22 (1)—

- (a) no person shall sell any immovable or movable property of the applicant which has been attached in execution of a judgment of any court, unless he does not know and cannot reasonably be expected to know of the filing of the certificate or the publication of the notice, as the case may be;
- (b) the applicant shall not pay any of his debts, or dispose of or encumber any of his assets, except with the consent of the board;
- (c) no creditor of the applicant shall institute any proceedings in any court for the sequestration of the applicant's estate or to enforce payment of any debt owing by him;
- (d) no person shall take possession of or institute any proceedings for the return of any tractor or other agricultural machinery or any agricultural implements or irrigation machinery or lorry or livestock sold to the applicant subject to a suspensive or resolutive condition and used exclusively in connection with his farming operations;

[Para. (d) substituted by s. 3 (b) of Act No. 53 of 1993.]

- (e) no set-off shall be applied between a creditor and the applicant.

[Sub-s. (1) amended by s. 3 (a) of Act No. 53 of 1993. Para. (e) added by s. 20 of Act No. 51 of 1987.]

(3) Die vergadering vind plaas in die kantoor van 'n landdros van die distrik of gedeelte daarvan waarin die applikant woonagtig is of, in die geval van 'n maatskappy, waarin die geregistreerde kantoor of vernaamste besigheidsplek van daardie maatskappy is.

[Sub-a. (3) vervang deur a. 10 (b) van Wet No. 66 van 1970.]

(4) Die Direkteur-generaal stuur aan die landdros in wie se kantoor die vergadering moet plaasvind, 'n afskrif van die aansoek van die applikant, en daardie afskrif is gedurende 'n tydperk van minstens veertien dae voor die vergadering, gedurende kantoorure ter insae van die applikant se skuldeisers of skuldenaars of hul verteenwoordigers, kosteloos beskikbaar.

[Sub-a. (4) vervang deur a. 19 (b) van Wet No. 51 van 1987.]

(5) Die Direkteur-generaal stuur 'n afskrif van die kennisgewing in subartikel (1) bedoel aan die landdros in wie se kantoor die vergadering moet plaasvind en aan die registrateur van aktes in wie se kantoor enige onroerende goed wat in die aansoek van die applikant as bate aangedui word, geregistreer is.

[Sub-a. (5) vervang deur a. 19 (c) van Wet No. 51 van 1987.]

(6) So spoedig moontlik na die publikasie van bedoelde kennisgewing, oorhandig die Direkteur-generaal aan die applikant en elke skuldeiser of stuur hy aan hulle per aangetekende pos, gerig aan die betrokke adres in die aansoek vermeld, 'n afskrif van die kennisgewing tesame met besonderhede van die skikking wat ingevolge artikel 24 (4) voorgestel gaan word.

[Sub-a. (6) vervang deur a. 19 (d) van Wet No. 51 van 1987.]

(7) Versuim om sodanige afskrif of besonderhede te oorhandig of te stuur, maak nie die verrigtings ingevolge hierdie Deel ongeldig nie.

23. Uitwerking van indiening van sertifikaat of publikasie van kennisgewing.—

(1) Met ingang van die datum van die indiening van 'n in artikel 21 (1) bedoelde sertifikaat by 'n hof en totdat bedoelde sertifikaat ingevolge artikel 21 (2) verval, of met ingang van die datum van publikasie van 'n in artikel 22 (1) bedoelde kennisgewing—

- (a) mag geen persoon onroerende of roerende goed van die applikant waarop by die tenuitvoerlegging van 'n vonnis van 'n hof beslag gelê is, verkoop nie, tensy hy van die indiening van die sertifikaat of die publikasie van die kennisgewing, na gelang van die omstandighede, onbewus is en daar nie redelikerwys van hom verwag kan word om daarvan te weet nie;
- (b) mag die applikant nie sy skulde betaal of sy bates van die hand sit of beswaar nie, behalwe met die toestemming van die raad;
- (c) mag geen skuldeiser van die applikant in 'n hof 'n geding instel om die applikant se boedel te sekwestreer of om betaling van 'n skuld deur hom verskuldig, af te dwing nie;
- (d) mag geen persoon enige trekker of ander landboumasjinerie of enige landbougereedskap of besproeiingsmasjinerie of vragmotor of lewende hawe wat onderworpe aan 'n opskortende of ontbindende voorwaarde aan die applikant verkoop is en uitsluitend in verband met sy boerdery gebruik word in besit neem of 'n geding vir die teruggawe daarvan instel nie;

[Par. (d) vervang deur a. 3 (b) van Wet No. 53 van 1993.]

- (e) mag geen skuldvergelyking tussen 'n skuldeiser en die applikant toegepas word nie.

[Sub-a. (1) gewysig deur a. 3 (a) van Wet No. 53 van 1993. Par. (e) bygevoeg deur a. 20 van Wet No. 51 van 1987.]

(2) After the filing of such certificate or the publication of such notice, as the case may be, any person charged with the execution of a judgment of any court against the applicant for the payment of any debt owing by the applicant, shall pay the proceeds of any sale in the execution of such judgment, which were in his possession on the date of the filing of such certificate or the publication of such notice, or which came into his possession at any time thereafter—

- (a) to the liquidator or trustee of the applicant; or
- (b) to the person entitled thereto under the judgment, if the said certificate has lapsed by virtue of section 21 (2) (a) or (b):

Provided that such first-mentioned person shall not be liable for failure to pay over such proceeds to such liquidator or trustee, if he paid them over to the person who would have been entitled thereto if the said certificate had not been filed or the said notice had not been published, and he did not know and could not reasonably have known of the filing of such certificate or the publication of such notice at the time when he made such payment.

(3) If the applicant is the owner of immovable property the Minister may authorize the registrar of deeds concerned to register against the title deeds of that property, any one or more of the restrictions which in terms of subsection (1) (a) or (b) may apply in respect thereof.

(4) The said registrar of deeds shall give effect to any such authorization in such manner as may to him appear to be most practicable and convenient, and any such restriction shall thereupon be valid and effective against all persons.

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(2) Ná die indiening van bedoelde sertifikaat of die publikasie van bedoelde kennisgewing, na gelang van die geval, moet 'n persoon wat belas is met die tenuitvoerlegging van 'n vonnis van 'n hof teen die applikant, tot betaling van 'n skuld deur die applikant verskuldig, die opbrengs van 'n verkoping by die tenuitvoerlegging van dié vonnis wat op die datum van die indiening van die sertifikaat of die publikasie van die kennisgewing in sy besit was, of wat te eniger tyd daarná in sy besit gekom het, betaal—

- (a) aan die beredderaar of kurator van die applikant; of
- (b) aan die persoon wat kragtens die vonnis daarop geregtig is, indien bedoelde sertifikaat uit hoofde van artikel 21 (2) (a) of (b) verval het:

Met dien verstande dat eersbedoelde persoon nie aanspreeklik is weens versuim om sodanige opbrengs aan so 'n beredderaar of kurator te betaal nie, indien hy dit betaal het aan die persoon wat daarop geregtig sou gewees het as bedoelde sertifikaat nie ingedien of bedoelde kennisgewing nie gepubliseer was nie, en hy, toe hy dié betaling gedoen het, van die indiening van die sertifikaat of die publikasie van die kennisgewing onbewus was en nie redelikerwys daarvan kon geweet het nie.

(3) Indien die applikant die eienaar van onroerende goed is, kan die Minister die betrokke registrateur van aktes magtig om op die titelbewys van daardie goed een of meer van die beperkings te registreer wat ingevolge subartikel (1) (a) of (b) ten opsigte daarvan van toepassing is.

(4) Bedoelde registrateur van aktes moet aan so 'n magtiging gevolg gee op 'n wyse wat hy as die mees uitvoerbare en die gerieflikste beskou, en elke sodanige beperking is daarna teenoor alle persone geldig en van krag.

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(e) replies in the negative to a question put under section 28 (1), the presiding officer shall declare all proceedings under this Part to have lapsed in respect of the applicant and shall report to the Director-General accordingly.

[Sub-s. (1) amended by s. 21 of Act No. 51 of 1987.]

(2) The Minister may, after consultation with the board, at any time but before any immovable property has been transferred or mortgaged or any mortgage bond or other charge upon immovable property has been cancelled in terms of a compromise, declare all proceedings under this Part to have lapsed in respect of the applicant, if—

(a)

[Para. (a) deleted by s. 4 (a) of Act No. 53 of 1993.]

(b) the applicant has, in the opinion of the Minister furnished false or incomplete information in his application or at a meeting under this Part or an enquiry ordered by the Minister, with intent to defraud or to prefer any creditor over any other creditor;

(c) the Minister is satisfied that the applicant has failed to observe section 23 (1) (b);

(d) the applicant has, at any time before or after the compromise was effected, conducted himself in a manner, or something has happened after the compromise was effected, which, in the opinion of the Minister, makes it undesirable that effect be given to the compromise;

(e) the applicant has failed to comply with any term or condition of the compromise;

(f)

[Para. (f) deleted by s. 4 (a) of Act No. 53 of 1993.]

(g) the Minister is satisfied that the applicant desires to withdraw his application: Provided that the Minister may act under this paragraph without consulting the board.

(2A) If, at any time before immovable property has been transferred or mortgaged or any mortgage bond or other charge upon immovable property has been cancelled in accordance with a compromise, the Minister, after consultation with the board, is of the opinion that, for any reason other than a matter contemplated in subsection (2), effect cannot be given to a compromise, he shall send a notice to that effect by registered post to the last known address of the applicant and of the liquidator contemplated in section 27 (1).

[Sub-s. (2A) inserted by s. 4 (b) of Act No. 53 of 1993.]

(2B) Within seven days after receiving the notice referred to in subsection (2A) the applicant shall post a registered letter to the Minister, informing him—

(a) that he wishes all proceedings in terms of this Part in respect of himself to lapse; or

(b) that he wishes his assets to be dealt with in accordance with subsection (2E).

[Sub-s. (2B) inserted by s. 4 (b) of Act No. 53 of 1993.]

(2C) If the applicant informs the Minister that he wishes all proceedings in terms of this Part in respect of himself to lapse, the Minister shall act in accordance with subsection (2).

[Sub-s. (2C) inserted by s. 4 (b) of Act No. 53 of 1993.]

(2D) If the applicant informs the Minister that he wishes his assets to be dealt with in accordance with subsection (2E), the Minister shall post a registered letter to the liquidator contemplated in section 27 (1) informing him accordingly, whereupon that liquidator shall be deemed to be a trustee contemplated in section 28 (3).

[Sub-s. (2D) inserted by s. 4 (b) of Act No. 53 of 1993.]

(2E) On receipt by the trustee referred to in subsection (2D), of a certificate referred to in section 29 (1), all assets which vested in the liquidator in terms of section 27 (3) shall,

(e) ontkennd op 'n ingevolge artikel 28 (1) gestelde vraag antwoord, verklaar die voorsittende beampte dat alle verrigtings ingevolge hierdie Deel ten opsigte van die applikant verval het en doen hy dienooreenkomstig aan die Direkteur-generaal verslag.

[Sub-a. (1) gewysig deur a. 21 van Wet No. 51 van 1987.]

(2) Die Minister kan, na oorlegpleging met die raad, te eniger tyd, maar voordat, ooreenkomstig 'n skikking, onroerende goed getranspoteer of met verband beswaar is of 'n verband of ander las op onroerende goed gerojeer is, verklaar dat alle verrigtings ingevolge hierdie Deel ten opsigte van die applikant verval het, indien—

(a)

[Par. (a) geskrap deur a. 4 (a) van Wet No. 53 van 1993.]

(b) die applikant, na die oordeel van die Minister, met die opset om te bedrieg of om aan een skuldeiser bo 'n ander voorkeur te verleen, in sy aansoek of op 'n vergadering ingevolge hierdie Deel of by 'n ondersoek deur die Minister gelas, valse of onvolledige inligting verstrek het;

(c) die Minister oortuig is dat die applikant artikel 23 (1) (b) verontagsaam het;

(d) die applikant te eniger tyd voordat of nadat die skikking getref is, hom op 'n wyse gedra het, of iets nadat die skikking getref is, gebeur het, wat dit, na die oordeel van die Minister, onwenslik maak om aan die skikking gevolg te gee;

(e) die applikant versuim het om 'n beding of voorwaarde van die skikking na te kom;

(f)

[Par. (f) geskrap deur a. 4 (a) van Wet No. 53 van 1993.]

(g) die Minister oortuig is dat die applikant sy aansoek wil terugtrek: Met dien verstande dat die Minister kragtens hierdie paragraaf sonder oorlegpleging met die raad kan optree.

(2A) Indien die Minister na oorlegpleging met die raad te eniger tyd voordat, ooreenkomstig 'n skikking, onroerende goed getranspoteer of met verband beswaar is of 'n verband of ander las op onroerende goed gerojeer is, van oordeel is dat daar om die een of ander rede uitgesonderd 'n aangeleentheid in subartikel (2) beoog, nie aan die skikking gevolg gegee kan word nie, stuur hy 'n kennisgewing te dien effekte per geregistreerde pos aan die jongsbekende adres van die applikant en van die beredderaar in artikel 27(1) beoog.

[Sub-a. (2A) ingevoeg deur a. 4 (b) van Wet No. 53 van 1993.]

(2B) Binne sewe dae na ontvangs van die kennisgewing in subartikel (2A) bedoel, moet die applikant 'n geregistreerde brief aan die Minister pos waarin by hom meedeel—

(a) dat hy verlang dat alle verrigtings ingevolge hierdie Deel ten opsigte van hom verval; of

(b) dat hy verlang dat daar ooreenkomstig subartikel (2E) met sy bates gehandel word.

[Sub-a. (2B) ingevoeg deur a. 4 (b) van Wet No. 53 van 1993.]

(2C) Indien die applikant die Minister meedeel dat hy verlang dat alle verrigtings ingevolge hierdie Deel ten opsigte van hom verval, handel die Minister ooreenkomstig subartikel (2).

[Sub-a. (2C) ingevoeg deur a. 4 (b) van Wet No. 53 van 1993.]

(2D) Indien die applikant die Minister meedeel dat hy verlang dat daar met sy bates ooreenkomstig subartikel (2E) gehandel word, pos die Minister aan die beredderaar beoog in artikel 27 (1) 'n geregistreerde brief waarin hy hom dienooreenkomstig meedeel, waarop daardie beredderaar geag word 'n kurator te wees soos in artikel 28 (3) beoog.

[Sub-a. (2D) ingevoeg deur a. 4 (b) van Wet No. 53 van 1993.]

(2E) By ontvangs deur die in subartikel (2D) bedoelde kurator van 'n in artikel 29 (1) bedoelde sertifikaat gaan alle bates wat ingevolge artikel 27 (3) op die beredderaar

(5) On the election or appointment of a trustee referred to in subsection (3), all assets belonging to the applicant on the date of such election or appointment shall cease to be vested in him, and such assets shall, subject to the provisions of section 29, be vested in the trustee, even though they may not have been delivered to the trustee, and the applicant shall be released from all liabilities incurred by him before the said date, but, for the purposes of any other law, the applicant shall not be regarded as an insolvent and his estate shall not be regarded as having been sequestrated or, in the case of a company, it shall not be regarded as having been placed in liquidation.

[Sub-s. (5) substituted by s. 11 (b) of Act No. 66 of 1970.]

29. Furnishing of security by liquidator or trustee and his powers and obligations.—(1) A liquidator or trustee, elected or appointed under this Part, shall not act as such before he has furnished security to the satisfaction of the Master for the proper performance of his functions as liquidator or trustee and has received from the Master a certificate confirming his election or appointment and the furnishing of the said security.

(2) When any such liquidator or trustee has received the said certificate, he shall, in relation to the performance of his functions as liquidator or trustee, have all the rights and powers and shall be subject to all the obligations which under the Insolvency Act are conferred or imposed upon a trustee, and generally the Insolvency Act shall apply *mutatis mutandis* in so far as it can be applied, as if the assets vesting in the liquidator or trustee were an insolvent estate, except in so far as this Act may otherwise provide.

30. Report on meeting to Director-General and Master.—The presiding officer at any meeting under this Part, shall report the result of and the proceedings at the meeting to the Director-General and the Master.

[S. 30 substituted by s. 24 of Act No. 51 of 1987.]

31. Registration of transfer or mortgage bond and cancellation of mortgage bond or other charge in order to give effect to compromise.—(1) If a compromise entails the transfer or mortgaging of immovable property or the cancellation of any mortgage bond or other charge upon immovable property, the Minister shall forthwith in writing authorize the registrar of deeds concerned to register the transfer or mortgage bond or to cancel the mortgage bond or other charge.

(2) The said registrar shall, notwithstanding anything to the contrary in any other law contained, give effect to the said authorization, even though no power of attorney, consent or other authorization may be produced to him for the registration of the said transfer or mortgage bond or for the cancellation of the said mortgage bond or other charge, or even though the deed of hypothecation in respect of the mortgage bond to be cancelled, may not be produced to him.

32. Payment of moneys to liquidator.—As soon as all immovable property has been transferred or mortgaged and all mortgage bonds or other charges upon immovable property have been cancelled in terms of a compromise, and a certificate referred to in section 29 (1) has been issued, the Director-General shall pay to the liquidator concerned, for disbursement in terms of the compromise, any amount which the Minister in terms of the compromise has undertaken to pay in respect of the liabilities of the applicant.

[S. 32 substituted by s. 25 of Act No. 51 of 1987.]

33. Sureties of applicant not relieved of liability.—No action taken in connection with an applicant under this Part shall affect the liability of any surety for any liability of the applicant, except in so far as that liability has been reduced as a result of such action

(5) By die verkiesing of aanstelling van 'n in subartikel (3) bedoelde kurator hou alle bates van die applikant wat op die datum van daardie verkiesing of aanstelling aan hom behoort, op om aan hom te behoort, en gaan daardie bates, onderworpe aan die bepalings van artikel 29, op die kurator oor, selfs indien hulle nie aan bedoelde kurator gelewer is nie, en word die applikant van alle skulde wat hy voor daardie datum aangegaan het, onthef, maar word die applikant, by die toepassing van enige ander wet, nie as 'n insolvente persoon en sy boedel nie as gesekwestreer of, in die geval van 'n maatskappy, die maatskappy nie as in likwidasië geplaas, beskou nie.

[Sub-a. (5) vervang deur a. 11 (b) van Wet No. 66 van 1970.]

29. Verskaffing van sekuriteit deur beredderaar of kurator en sy bevoegdhede en verpligtings.—(1) 'n Beredderaar of kurator wat ingevolge hierdie Deel verkies of aangestel is, tree nie as sodanig op nie alvorens hy tot bevrediging van die Meester vir die behoorlike verrigting van sy werksaamhede as beredderaar of kurator sekuriteit verskaf het en van die Meester 'n sertifikaat ter bevestiging van sy verkiesing of aanstelling en van die verskaffing van bedoelde sekuriteit ontvang het.

(2) Wanneer bedoelde beredderaar of kurator bedoelde sertifikaat ontvang het, beskik hy met betrekking tot die verrigting van sy werksaamhede as beredderaar of kurator, oor al die regte en bevoegdhede en is hy onderhewig aan al die verpligtings wat ingevolge die Insolvensiewet aan 'n kurator verleen of opgelê word, en oor die algemeen is die Insolvensiewet *mutatis mutandis* van toepassing vir sover dit toegepas kan word, asof die bates wat op die beredderaar of kurator oorgegaan het, 'n insolvente boedel is, behalwe vir sover hierdie Wet anders bepaal.

30. Verslag van vergadering aan Direkteur-generaal en Meester.—Die voorsittende beampte op 'n vergadering ingevolge hierdie Deel doen aan die Direkteur-generaal en die Meester verslag van die uitslag van en die verrigtings op die vergadering.

[A. 30 vervang deur a. 24 van Wet No. 51 van 1987.]

31. Registrasie van transport of verband en rojering van verband of ander las tot uitvoering van skikking.—(1) Wanneer 'n skikking meebring dat onroerende goed getranspoteer of met verband beswaar moet word of dat 'n verband of ander las op onroerende goed gerojeer moet word, magtig die Minister die betrokke registrateur van aktes onverwyld skriftelik om die transport of verband te registreer of om die verband of ander las te rojeer.

(2) Bedoelde registrateur gee, ondanks andersluidende wetsbepalings, aan bedoelde magtiging gevolg, selfs indien geen prokurasie, toestemming of ander magtiging aan hom voorgelê word om bedoelde transport of verband te registreer of om bedoelde verband of ander las te rojeer nie, of selfs indien die verbandakte ten opsigte van 'n verband wat gerojeer moet word, nie aan hom voorgelê word nie.

32. Betaling van gelde aan beredderaar.—Sodra alle onroerende goed getranspoteer of met verband beswaar is en alle verbande of ander laste op onroerende goed gerojeer is ooreenkomstig 'n skikking, en 'n in artikel 29 (1) bedoelde sertifikaat uitgereik is, betaal die Direkteur-generaal aan die betrokke beredderaar, vir besteding ooreenkomstig die skikking, enige bedrag wat die Minister ingevolge die skikking onderneem het om ten opsigte van die skulde van die applikant te betaal.

[A. 32 vervang deur a. 25 van Wet No. 51 van 1987.]

33. Borge van applikant word nie van aanspreeklikheid onthef nie.—Geen handeling in verband met 'n applikant ingevolge hierdie Deel maak op die aanspreeklikheid van 'n borg vir enige skuld van die applikant inbreuk nie, behalwe vir sover daardie skuld as gevolg van bedoelde handeling verminder is.

PART IV
 SECURITIES AND STEPS TAKEN IN CONNECTION THEREWITH
 IMMOVABLE PROPERTY

34. Registration of mortgage bonds.—(1) Whenever a condition is imposed under this Act that immovable property be mortgaged in favour of the State as security or partial security for—

- (a) assistance rendered; or
- (b) any amount recoverable under this Act from any person,

the mortgage bond may be registered in the manner prescribed in this section.

(2) A document framed in such form that it could be registered as a mortgage bond in terms of the Deeds Registries Act, 1937 (Act No. 47 of 1937), shall be signed in duplicate by the mortgagor before a magistrate or the Director-General and be transmitted or handed to the Director-General together with such other documents as he may require.

[Sub-s. (2) substituted by s. 12 (a) of Act No. 66 of 1970 and by s. 26 (a) of Act No. 51 of 1987.]

(3) On receipt of the said documents the Director-General shall transmit or hand them to the registrar of deeds concerned, who, on receipt thereof and of such other documents or information as he may require, shall deal in all respects with the said signed documents as if they were a mortgage bond signed in his presence as provided in section 50 (1) of the Deeds Registries Act, 1937 (Act No. 47 of 1937).

[Sub-s. (3) substituted by s. 12 (b) of Act No. 66 of 1970 and by s. 26 (b) of Act No. 51 of 1987.]

(4) If the said registrar registers such documents as a mortgage bond, they shall for all purposes be deemed to have been so signed.

35. Registration of special conditions or restrictions.—(1) When any mortgage bond is registered in terms of section 34, the Minister may authorize the registrar of deeds concerned in writing to endorse on the title deeds of the immovable property in question any one or more of the following conditions or restrictions, namely, that such property shall not without the consent of the Minister—

- (a)

[Para. (a) deleted by s. 3 of Act No. 67 of 1979.]

- (b)

[Para. (b) deleted by s. 27 (1) (b) of Act No. 51 of 1987.]

- (c) be mortgaged or otherwise encumbered, except in favour of the State in terms of section 34;

[Para. (c) substituted by s. 2 (a) of Act No. 42 of 1983.]

- (d) be attached or sold in execution, except at the instance of the holder of a mortgage bond on such property;

- (e) (i) vest in the Master of the Supreme Court or trustee concerned, as the case may be, when the estate of the owner of such property is sequestered or is dealt with in terms of section 28 of this Act;

- (ii) form part of the estate of the owner of such property when such estate is to be dealt with by the executor concerned in terms of section 34 (5) of the Administration of Estate Acts, 1965 (Act No. 66 of 1965);

- (iii) in the case where the owner of such property is a company or other juristic person which is placed in liquidation, form part of the assets of such company or juristic person,

if an amount in respect of assistance is still owing to the State by such owner;

[Para. (e) substituted by s. 1 (1) (a) of Act No. 81 of 1977.]

DEEL IV

SEKURITEITE EN OPTREDE IN VERBAND DAARMEE

ONROERENDE GOED

34. Registrasie van verbande.—(1) Wanneer daar ingevolge hierdie Wet 'n voorwaarde gestel word dat onroerende goed ten gunste van die Staat met verband beswaar moet word as sekuriteit of gedeeltelike sekuriteit vir—

(a) verleende bystand; of

(b) enige bedrag ingevolge hierdie Wet op 'n persoon verhaalbaar,

kan die verbandakte op die wyse in hierdie artikel beskryf, geregistreer word.

(2) Stukke in so 'n vorm opgestel dat dit ingevolge die Registrasie van Aktes Wet, 1937 (Wet No. 47 van 1937), as 'n verbandakte geregistreer kan word, moet deur die verbandgewer voor 'n landdros of die Direkteur-generaal in tweevoud onderteken word en aan die Direkteur-generaal gestuur of oorhandig word saam met die ander stukke wat die Direkteur-generaal vereis.

[Sub-a. (2) vervang deur a. 12 (a) van Wet No. 66 van 1970 en deur a. 26 (a) van Wet No. 51 van 1987.]

(3) By ontvangs van bedoelde stukke stuur of oorhandig die Direkteur-generaal dit aan die betrokke registrateur van aktes, wat, by ontvangs daarvan en van die ander stukke of inligting wat hy vereis, in alle opsigte met bedoelde ondertekende stukke handel asof dit 'n verbandakte is wat in sy teenwoordigheid onderteken is soos bepaal in artikel 50 (1) van die Registrasie van Aktes Wet, 1937 (Wet No. 47 van 1937).

[Sub-a. (3) vervang deur a. 12 (b) van Wet No. 66 van 1970 en deur a. 26 (b) van Wet No. 51 van 1987.]

(4) Indien bedoelde registrateur bedoelde stukke as 'n verbandakte registreer, word dit vir alle doeleindes geag aldus onderteken te gewees het.

35. Registrasie van spesiale voorwaardes of beperkings.—(1) By registrasie van 'n verband ingevolge artikel 34, kan die Minister die betrokke registrateur van aktes skriftelik magtig om op die titelbewyse van die betrokke onroerende goed een of meer van die volgende voorwaardes of beperkings aan te teken, naamlik dat daardie goed nie sonder die toestemming van die Minister—

(a)

[Par. (a) geskrap deur a. 3 van Wet No. 67 van 1979.]

(b)

[Par. (b) geskrap deur a. 27 (1) (b) van Wet No. 51 van 1987.]

(c) met verband of andersins beswaar mag word nie, behalwe ten gunste van die Staat ingevolge artikel 34;

[Par. (c) vervang deur a. 2 (a) van Wet No. 42 van 1983.]

(d) vir beslaglegging vatbaar is of uitgewin mag word nie, behalwe op aandrang van 'n verbandhouer oor daardie goed;

(e) (i) op die betrokke Meester van die Hooggeregshof of kurator, na gelang van die geval, oorgaan nie wanneer die boedel van die eienaar van daardie goed gesekwestreer word of daarmee ingevolge artikel 28 van hierdie Wet gehandel word;

(ii) deel uitmaak van die boedel van die eienaar van daardie goed nie wanneer daar met daardie boedel deur die betrokke eksekuteur ingevolge artikel 34 (5) van die Boedelwet, 1965 (Wet No. 66 van 1965), gehandel moet word;

(iii) in die geval waar die eienaar van daardie goed 'n maatskappy of ander regspersoon is wat in likwidasië geplaas word, deel uitmaak van die bates van daardie maatskappy of regspersoon nie,

indien daar nog 'n bedrag ten opsigte van bystand deur daardie eienaar aan die Staat verskuldig is;

[Par. (e) vervang deur a. (1) l (a) van Wet No. 81 van 1977.]

(3) (a) The Minister may, notwithstanding anything to the contrary in any law contained, grant the consent referred to in subsection (1) subject to such conditions as he may deem fit.

(b) and (c)

[Sub-s. (3) substituted by s. 2 (b) of Act No. 42 of 1983. Paras. (b) and (c) deleted by s. 27 (1) (e) of Act No. 51 of 1987.]

(4) The Minister may authorize the said registrar in writing to cancel any condition or restriction referred to in subsection (1), and the registrar shall give effect to any such authorization.

[S. 35 substituted by s. 3 of Act No. 45 of 1968.]

36. Waiver of preferential rights of State and consent to action in relation to encumbered immovable property.—When immovable property has been mortgaged as security for any amount recoverable under this Act, the Minister may, on such conditions as he may determine—

- (a) waive any preferential right of the State under any such mortgage bond;
- (b) consent to any legal act in relation to any such mortgage bond or the mortgaged property.

37. Sale in execution of encumbered immovable property.—(1) If any amount has become due in terms of section 19 (2), the Minister may direct the sheriff concerned in writing to attach any immovable property concerned which has been mortgaged or otherwise encumbered in favour of the State.

[Sub-s. (1) substituted by s. 28 (a) of Act No. 51 of 1987.]

(2) The sheriff receiving any such direction shall give effect thereto as if it were a writ of execution upon the immovable property concerned and as if the State had obtained judgment against the owner thereof for the amount which he, according to the notification of the Minister to the sheriff, still owes to the State.

(3) If any immovable property—

- (a) is sold in terms of subsection (2);
- (b) mortgaged as security for any amount recoverable under this Act, is sold by another creditor by virtue of any judgment or by the board referred to in section 4 of the Land Bank Act, 1944 (Act No. 13 of 1944), in terms of section 55 of that Act,

the Minister may purchase it out of moneys in the Agricultural Credit Account mentioned in section 20A and shall annually table in Parliament a report specifying the properties so purchased and the amounts paid in respect thereof.

[Sub-s. (3) substituted by s. 4 of Act No. 67 of 1979 and by s. 5 of Act No. 73 of 1981 and amended by s. 28 (b) of Act No. 51 of 1987.]

MOVABLE PROPERTY

38. Transfer of ownership in movable property to the State as security.—(1) Whenever a condition is imposed under this Act that the ownership in movable property be transferred to the State as security or partial security for—

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(3) (a) Die Minister kan, ondanks andersluidende wetsbepalings, dié in subartikel (1) bedoelde toestemming verleen onderworpe aan die voorwaardes wat hy goedvind.

(b) en (c)

[Sub-a. (3) vervang deur a. 2 (b) van Wet No. 42 van 1983. Pare. (b) en (c) geskrap deur a. 27 (1) (e) van Wet No. 51 an 1987.]

(4) Die Minister kan bedoelde registrateur skriftelik magtig om 'n in subartikel (1) bedoelde voorwaarde of beperking te rojeer en die registrateur gee aan so 'n magtiging gevolg.

[A. 35 vervang deur a. 3 van Wet No. 45 van 1968.]

36. Afstanddoening van voorkeurregte van Staat en toestemming tot optrede met betrekking tot beswaarde onroerende goed.—Wanneer onroerende goed met 'n verband beswaar is as sekuriteit vir 'n bedrag ingevolge hierdie Wet verhaalbaar, kan die Minister op die voorwaardes wat hy bepaal—

(a) van die Staat se voorkeurreg kragtens so 'n verband afstand doen;

(b) toestem tot 'n regshandeling met betrekking tot so 'n verband of tot goed wat aldus beswaar is.

37. Geregtelike verkoping van beswaarde onroerende goed.—(1) Indien 'n bedrag ingevolge artikel 19 (2) opeisbaar geword het kan die Minister die betrokke balju skriftelik opdrag gee om enige betrokke onroerende goed wat ten gunste van die Staat met verband of 'n ander las beswaar is, in beslag te neem.

[Sub-a. (1) vervang deur a. 28 (a) van Wet No. 51 van 1987.]

(2) Die balju wat so 'n opdrag ontvang, moet uitvoering daaraan gee asof dit 'n las-brief vir uitwinning van die betrokke onroerende goed is en asof die Staat vonnis teen die eienaar daarvan verkry het vir die bedrag wat hy, volgens mededeling van die Minister aan die balju, nog aan die Staat verskuldig is.

(3) Wanneer onroerende goed—

(a) ingevolge subartikel (2) verkoop word;

(b) wat met 'n verband beswaar is as sekuriteit vir 'n bedrag wat ingevolge hierdie Wet verhaalbaar is, deur 'n ander skuldeiser uit hoofde van 'n vonnis of deur die raad bedoel in artikel 4 van die Landbankwet, 1944 (Wet No. 13 van 1944), ingevolge artikel 55 van daardie Wet verkoop word,

kan die Minister dit uit gelde in die Landbou-kredietrekening vermeld in artikel 20A aankoop en lê hy jaarliks in die Parlement 'n verslag ter Tafel wat die eiendomme wat aldus aangekoop is en die bedrae wat ten opsigte daarvan betaal is, vermeld.

[Sub-a. (3) vervang deur a. 4 van Wet No. 67 van 1979 en deur a. 5 van Wet No. 73 van 1981 en gewysig deur a. 28 (b) van Wet No. 51 van 1987.]

ROERENDE GOED

38. Oordrag van eiendomsreg op roerende goed op Staat as sekuriteit.—(1) Wanneer daar ingevolge hierdie Wet 'n voorwaarde gestel word dat die eiendomsreg op roerende goed op die Staat oorgedra moet word as sekuriteit of gedeeltelike sekuriteit vir—

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- (a) assistance rendered to any person; or
- (b) any amount recoverable under this Act from any person,

the Minister and such person shall enter into an agreement in terms of which the said ownership is so transferred.

(2) As soon as any such agreement has been concluded, the movable property to which such agreement relates shall, notwithstanding anything to the contrary in any other law or the common law contained, become the property of the State.

(3) Notwithstanding the provisions of subsection (2), the State shall not be liable for any damage caused by any property referred to in that subsection or be subject to any law other than this Act applicable to such property, but the person with whom the Minister concluded the agreement aforesaid shall be so liable and subject to such law, and shall bear any loss of such goods as if he were the owner thereof.

39. Action taken in respect of movable property to which agreement relates.—Whenever movable property has become the property of the State in terms of section 38, the Minister may at any time, subject to such conditions as he may determine and to such directions as he may give—

- (a) waive any rights of the State in such property to such extent as he may determine;
- (b) consent to any action in relation to such property.

40. Copy of agreement to be available for inspection.—(1) A copy of the agreement referred to in section 38 (1) shall be kept in the office of the magistrate of every district (other than the Pretoria magisterial district) or portion thereof in which, to the knowledge of the Director-General, the person who entered into the agreement carries on farming or resides or, in the case of a company, in which the registered office or principal place of business of the company may be, and if such person carries on farming or resides in the Pretoria magisterial district or, in the case of a company, the registered office or principal place of business of such company is in the said district, such a copy shall be kept in the office of the Director-General.

(2) The Director-General shall forward a notice to the said magistrate in which shall be set out any action taken under section 39 in respect of the property referred to in the agreement.

(3) The Director-General or any magistrate in whose office a copy of the agreement is kept in terms of this section, shall allow any person to read or make a copy of such copy and any notice referred to in subsection (2), free of charge.

[S. 40 amended by s. 13 of Act No. 66 of 1970 and substituted by s. 29 of Act No. 51 of 1987.]

41. Action taken on death or incapacity of person who transferred ownership in movable property to State as security.—If any person dies or is detained under order of a competent court as a mentally disordered or defective person, or is declared by a competent court to be incapable of managing his own affairs, the executor in his estate or his legal representative (including any person empowered by law to administer or give directions as to the administration of his estate) shall take charge of all movable property which is the property of the State by virtue of an agreement entered into by such person under section 38, and hold such property at the disposal of the Minister, who may deal with it as if such person were still alive or had not been so detained or had not so been declared incapable of managing his own affairs.

42. Disposal of movable property to which agreement relates.—(1) Whenever any movable property is the property of the State by virtue of an agreement entered into by the Minister and any person under section 38, the Minister may without recourse to any court of law direct the messenger of the court or any other person to seize such property wherever it may be, and if the property consists wholly or in part of crops (including fruit), the Minister may cause such steps to be taken as he may deem necessary in order to gather such crops—

- (a) if any amount owing by such first-mentioned person has become due in terms of section 19 (2); or

[Para. (a) substituted by s. 30 of Act No. 51 of 1987.]

- (a) bystand aan 'n persoon verleen; of
- (b) enige bedrag ingevolge hierdie Wet op 'n persoon verhaalbaar,

gaan die Minister en daardie persoon 'n ooreenkoms aan waarby bedoelde eiendomsreg aldus oorgedra word.

(2) Sodra so 'n ooreenkoms aangegaan is, word die roerende goed waarop dit betrekking het, ondanks andersluidende wetsbepalings of bepalinge van die gemene reg, die eiendom van die Staat.

(3) Ondanks die bepalinge van subartikel (2), is die Staat nie vir skade wat deur enige van die daarin bedoelde goed veroorsaak word, aanspreeklik of aan die bepalinge van 'n ander wet as hierdie Wet wat op daardie goed betrekking het, gebonde nie, maar is die persoon met wie die Minister voormelde ooreenkoms aangegaan het, aldus aanspreeklik en gebonde, en dra hy enige verlies van bedoelde goed, asof hy die eienaar daarvan is.

39. Optrede ten opsigte van roerende goed waarop ooreenkoms betrekking het.—Wanneer roerende goed ingevolge artikel 38 die eiendom van die Staat geword het, kan die Minister te eniger tyd op die voorwaardes wat hy bepaal en onderworpe aan sy voorskrifte—

- (a) van enige regte van die Staat op bedoelde goed afstand doen in die mate deur hom bepaal;
- (b) tot enige handeling met betrekking tot bedoelde goed toestem.

40. Afskrif van ooreenkoms moet vir insae beskikbaar wees.—(1) 'n Afskrif van die in artikel 38 (1) bedoelde ooreenkoms word bewaar in die kantoor van die landdros van elke distrik (behalwe die Pretoriase landdrosdistrik) of gedeelte daarvan waarin die persoon wat die ooreenkoms aangegaan het, na die wete van die Direkteur-generaal sy boerdery voortsit of woon of, in die geval van 'n maatskappy, waarin die maatskappy se geregistreerde kantoor of vernaamste besigheidsplek is, en indien bedoelde persoon sy boerdery in die Pretoriase landdrosdistrik voortsit of daar woon of, in die geval van 'n maatskappy, indien die maatskappy se geregistreerde kantoor of vernaamste besigheidsplek in bedoelde distrik is, word so 'n afskrif in die kantoor van die Direkteur-generaal bewaar.

(2) Die Direkteur-generaal stuur aan bedoelde landdros 'n kennisgewing waarin optrede ingevolge artikel 39 ten opsigte van die in die ooreenkoms bedoelde goed uiteengesit word.

(3) Die Direkteur-generaal of 'n landdros in wie se kantoor 'n afskrif van die ooreenkoms ingevolge hierdie artikel bewaar word, laat enigeen kosteloos toe om daardie afskrif en 'n in subartikel (2) bedoelde kennisgewing te lees of 'n afskrif daarvan te maak.

[A. 40 gewysig deur a. 13 van Wet No. 66 van 1970 en vervang deur a. 29 van Wet No. 51 van 1987.]

41. Optrede by oorlye of onbevoegdheid van persoon wat eiendomsreg op roerende goed aan Staat as sekuriteit oorgedra het.—Indien 'n persoon te sterwe kom, of op regsge-sag as 'n geestelik gekrenkte of gebrekkige persoon aangehou word, of deur 'n bevoegde hof as onbevoeg verklaar word om sy eie sake te behartig, neem die eksekuteur van sy boedel of sy regsvertegenwoordiger (met inbegrip van iemand wat regtens gemagtig is om sy boedel te bestuur of om opdrag vir die bestuur daarvan te gee), alle roerende goed wat uit hoofde van 'n ooreenkoms deur bedoelde persoon ingevolge artikel 38 aangegaan, die eiendom van die Staat is, in bewaring en hou hy dit tot beskikking van die Minister, wat daarmee kan handel asof bedoelde persoon nog in lewe is of nie aldus aangehou word nie of nie aldus onbevoeg verklaar is nie.

42. Beskikking oor roerende goed waarop ooreenkoms betrekking het.—

(1) Wanneer roerende goed uit hoofde van 'n ooreenkoms deur die Minister en 'n persoon ingevolge artikel 38 aangegaan, die eiendom van die Staat is, kan die Minister sonder enige vorm van regsproses die geregsbode of 'n ander persoon opdrag gee om op daardie goed beslag te lê waar dit ook al is, en indien die goed geheel en al of gedeeltelik uit gewasse, gesaaides of vrugte bestaan, kan die Minister al die stappe laat doen wat hy nodig ag om dit in te samel—

- (a) indien 'n bedrag wat deur eersbedoelde persoon verskuldig is, ingevolge artikel 19 (2) opeisbaar geword het; of

[Par. (a) vervang deur a. 30 van Wet No. 51 van 1987.]

- (b) assistance is rendered to any person for the purchase of immovable property in respect of which the date of acquisition by him, as determined in accordance with the definition of “date of acquisition” in section 1 of the Transfer Duty Act, 1949 (Act No. 40 of 1949), is a date more than six months prior to the date of such person’s application for assistance,

the purchase in question shall for the purpose of the levying and payment of transfer duty in terms of that Act, not be regarded as a transaction under this Act.

[S. 45 substituted by s. 60 of Act No. 70 of 1968 and amended by s. 32 of Act No. 62 of 1973.]

46. Right of access or inspection.—(1) Any person authorized thereto by the Director-General generally or specially may at all reasonable times enter upon any land or building for the purpose of inspecting anything or performing or causing to be performed any act, in order to achieve the objects of this Act.

[Sub-s. (1) substituted by s. 33 of Act No. 51 of 1987.]

(2) Whenever a person referred to in subsection (1) has been authorized to inspect any movable property or part thereof vesting in the State, he may demand inspection in the prescribed manner.

(3) If movable property is not produced for inspection at the request of a person referred to in subsection (1), it shall, until the contrary is proved, be deemed to have been sold without consent.

47. Offences.—Any person who—

- (a) being a member of the board or an agricultural credit committee, is present at or takes part in any discussion of or voting upon any matter before the board or agricultural credit committee, or endeavours to influence the opinion or vote of any other such member in respect of such matter, if such person or to his knowledge any other person related to him in the third or a closer degree of affinity or consanguinity has any pecuniary or other interest in such matter, whether as a partner, creditor, debtor or otherwise;
- (b) being a member of the board or an agricultural credit committee, receives directly or indirectly any fee or reward from any person in respect of or in connection with any matter dealt with by the board or the agricultural credit committee;
- (c) being a member of the board or an agricultural credit committee, discloses, except in a report to the Minister or the Director-General, the vote or opinion of himself or any other such member on any matter relating to the performance of the functions or the exercise of the powers of the board or the agricultural credit committee;

[Para. (c) substituted by s. 34 (a) of Act No. 51 of 1987.]

- (d) in respect of or in connection with any matter dealt with by the board or an agricultural credit committee, gives or offers any fee or reward to any member of the board or the agricultural credit committee for the purpose of corruptly influencing or inducing him to act in conflict with his duty under this Act;
- (e) in any application under this Act alleges any fact which is substantially incorrect, knowing it to be incorrect, or, with intent to defraud, fails to disclose any of his assets or liabilities;
- (f) without the consent in writing of the Minister disposes of, destroys or consumes any property the ownership in which he transferred to the State under section 38, or allows any other person to do so;

- (b) bystand aan iemand verleen word vir die aankoop van onroerende goed ten opsigte waarvan die datum van verkryging deur hom, soos vasgestel ooreenkomstig die omskrywing van „datum van verkryging” in artikel 1 van die Wet op Hereregte, 1949 (Wet No. 40 van 1949), ’n datum meer as ses maande voor die datum van sodanige persoon se aansoek om bystand is,

die betrokke aankoop, vir die doeleindes van die heffing en betaling van hereregte ingevolge daardie Wet, nie as ’n transaksie kragtens hierdie Wet beskou word nie.

[A. 45 vervang deur a. 60 van Wet No. 70 van 1968 en gewysig deur a. 32 van Wet No. 62 van 1973.]

46. Reg van toegang of besigtiging.—(1) ’n Persoon wat oor die algemeen of spesiaal deur die Direkteur-generaal daartoe gemagtig is, kan op alle redelike tye grond betree of ’n gebou binnegaan om enigiets te besigtig of om enigiets te doen of te laat doen, ten einde die oogmerke van hierdie Wet te bereik.

[Sub-a. (1) vervang deur a. 33 van Wet No. 51 van 1987.]

(2) Wanneer ’n in subartikel (1) bedoelde persoon gemagtig is om roerende goed of ’n deel daarvan waarop die eiendomsreg by die Staat berus, te besigtig, kan hy besigtiging op die voorgeskrewe wyse eis.

(3) Indien roerende goed nie op versoek van ’n in subartikel (1) bedoelde persoon vir besigtiging vertoon word nie, word dit geag sonder toestemming verkoop te wees, totdat die teendeel bewys word.

47. Misdrywe.—’n Persoon wat—

- (a) lid van die raad of ’n landboukrediet-komitee is en by die bespreking van of ’n stemming oor ’n aangeleentheid voor die raad of landboukrediet-komitee, aanwesig is of daaraan deelneem, of die sienswyse of stem van ’n ander sodanige lid ten opsigte van bedoelde aangeleentheid probeer beïnvloed, indien daardie persoon of na sy wete, ’n ander persoon wat in die derde of ’n nader graad van bloed- of aanverwantskap aan hom verwant is, ’n geldelike of ander belang, hetsy as ’n vennoot, skuldeiser, skuldenaar of andersins, by bedoelde aangeleentheid het;
- (b) lid van die raad of ’n landboukrediet-komitee is en regstreeks of onregstreeks vergoeding of beloning van ’n persoon ontvang ten opsigte van of in verband met ’n aangeleentheid wat deur die raad of die landboukrediet-komitee behandel word;
- (c) lid van die raad of ’n landboukrediet-komitee is en, behalwe in ’n verslag aan die Minister of die Direkteur-generaal, openbaar maak hoe hy of ’n ander sodanige lid gestem het oor ’n aangeleentheid wat met die verrigting van die werksaamhede of die uitoefening van die bevoegdhede van die raad of die landboukrediet-komitee in verband staan, of wat sy sienswyse of dié van ’n ander sodanige lid omtrent bedoelde aangeleentheid is of was;

[Par. (c) vervang deur a. 34 (a) van Wet No. 51 van 1987.]

- (d) ten opsigte van of in verband met ’n aangeleentheid wat deur die raad of ’n landboukrediet-komitee behandel word, vergoeding of beloning aan ’n lid van die raad of die landboukrediet-komitee gee of aanbied met die oogmerk om hom op korrupte wyse te beïnvloed of te beweeg om in stryd met sy plig ingevolge hierdie Wet te handel;
- (e) in ’n aansoek ingevolge hierdie Wet ’n bewering maak wat in ’n wesentlike opsig vals is, terwyl hy weet dat dit vals is, of enige van sy bates of laste verswyg met die opset om te bedrieg;
- (f) goed waarop hy die eiendomsreg aan die Staat ingevolge artikel 38 oorgedra het, sonder skriftelike toestemming van die Minister van die hand sit, vernietig of verbruik, of toelaat dat ’n ander persoon dit doen;

- (g) hinders or obstructs the seizure, gathering or sale of any property under section 42;
- (h) fails or refuses to grant access to any land or building to any person authorized under section 46 (1), or hinders or obstructs him when inspecting anything or performing any other function;
- (i) contrary to a condition or direction of the Minister contemplated in section 39 deals with movable property which has become the property of the State in terms of section 38,

[Para. (i) inserted by s. 34 (b) of Act No. 51 of 1987.]

shall be guilty of an offence and liable on conviction to a fine not exceeding R10 000 or, in default of payment, to imprisonment for a period not exceeding five years.

[S. 47 amended by s. 34 (c) of Act No. 51 of 1987.]

48. Regulations.—(1) Subject to the provisions of subsection (2), the Minister may make regulations relating to—

- (a) the calling of and procedure and quorum at meetings of the board or committees thereof or of agricultural credit committees, and the appointment of alternates to members of the board or such committees;
- (b) the manner in which any application under this Act is to be made;
- (c) the remuneration to be received by a liquidator;
- (d) the inspection of property vesting in the State;
- (e) any other matter which may be prescribed under this Act or in respect of which he deems it necessary or expedient to make regulations in order to achieve the objects of this Act.

(2) Any regulation relating to State revenue or expenses shall be made with the concurrence of the Minister of Finance.

[Sub-s. (2) substituted by s. 35 (a) of Act No. 51 of 1987.]

(3) Regulations made under this section may provide that any person contravening or failing to comply with any provisions thereof shall be guilty of an offence and liable on conviction to such fine not exceeding R5 000, or to imprisonment for such period not exceeding two years, as may be specified therein.

[Sub-s. (3) substituted by s. 35 (b) of Act No. 51 of 1987.]

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

(2) The Director-General may with the consent of the Minister delegate to any other officer in the department any power conferred upon the Director-General by this Act

[S. 49 amended by s. 19 of Act No. 66 of 1970 and by s. 4 of Act No. 67 of 1982 and substituted by s. 36 of Act No. 51 of 1987 and by s. 3 of Act No. 65 of 1995.]

50. Terms or conditions determined by Minister or board not subject to any limitations.—Subject to this Act or any other law, the Minister or the board shall, in exercising any power conferred by this Act to determine any terms or conditions in connection with any matter, not be subject to any limitations of whatever nature.

51. Repeal of laws.—(1) The laws mentioned in the Schedule are hereby repealed to the extent set out in the third column thereof: Provided that, subject to the provisions of section 12 and subsections (2) and (3) of this section, any provisions of any law so repealed or any law made under or kept in operation by any such law, shall, notwithstanding the

- (g) die beslaglegging, insameling of verkoping van enige goed ingevolge artikel 42 belemmer of verhinder;
- (h) versuim of weier om aan 'n kragtens artikel 46 (1) gemagtigde persoon toegang tot grond of 'n gebou te verleen, of hom by 'n besigtiging of die verrigting van enige ander werksaamhede, hinder of belemmer;
- (i) teenstrydig met 'n voorwaarde of voorskrif van die Minister beoog in artikel 39 handel met roerende goed wat ingevolge artikel 38 die eiendom van die Staat geword het,

[Par. (i) ingevoeg deur a. 34 (b) van Wet No. 51 van 1987.]

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R10 000 of by wanbetaling, gevangenisstraf vir 'n tydperk van hoogstens vyf jaar.

[A. 47 gewysig deur a. 34 (c) van Wet No. 51 van 1987.]

48. Regulasies.—(1) Behoudens die bepaling van subartikel (2) kan die Minister regulasies uitvaardig met betrekking tot—

- (a) die byeenroep van en die prosedure en kworum op vergaderings van die raad of komitees daarvan of van landboukrediet-komitees en die aanstelling van plaasvervaarders van lede van die raad of bedoelde komitees;
- (b) die wyse waarop 'n aansoek ingevolge hierdie Wet gedoen moet word;
- (c) die vergoeding wat 'n beredderaar ontvang;
- (d) die besigtiging van goed waarvan die eiendomsreg by die Staat berus;
- (e) enige ander aangeleentheid wat kragtens hierdie Wet voorgeskryf kan word of ten opsigte waarvan dit na sy oordeel nodig of dienstig is om regulasies uit te vaardig ten einde die oogmerke van hierdie Wet te bereik.

(2) 'n Regulasie wat op Staatsinkomste of -uitgawes betrekking het, word uitvaardig met die instemming van die Minister van Finansies.

[Sub-a. (2) vervang deur a. 35 (a) van Wet No. 51 van 1987.]

(3) Regulasies kragtens hierdie artikel uitvaardig, kan bepaal dat 'n persoon wat 'n bepaling daarvan oortree of versuim om dit na te kom, aan 'n misdryf skuldig is en by skuldigbevinding strafbaar is met die boete van hoogstens R5 000, of gevangenisstraf vir die tydperk maar hoogstens twee jaar, wat daarin bepaal word.

[Sub-a. (3) vervang deur a. 35 (b) van Wet No. 51 van 1987.]

49. Delegering van bevoegdheid.—(1) Die Minister kan 'n bevoegdheid by hierdie Wet of 'n in artikel 51 bedoelde wet aan hom verleen, uitgesonderd die in artikels 2, 10, 10A en 48 bedoelde bevoegdhede, aan die Direkteur-generaal of 'n ander beampte van die Staat delegeer, maar word nie daardeur enige van sy aldus gedelegeerde bevoegdhede ontnem nie, en kan 'n beslissing van die Direkteur-generaal of ander beampte wysig of intrek.

(2) Die Direkteur-generaal kan, met die goedkeuring van die Minister, 'n bevoegdheid by hierdie Wet aan die Direkteur-generaal verleen, aan 'n ander beampte in die departement delegeer.

[A. 49 gewysig deur a. 19 van Wet No. 66 van 1970 en deur a. 4 van Wet No. 67 van 1982 en vervang deur a. 36 van Wet No. 51 van 1987. Sub-a. (2) vervang deur a. 3 van Wet No. 65 van 1995.]

50. Bedinge of voorwaardes deur Minister of raad bepaal, nie aan beperkings onderworpe nie.—Onderworpe aan hierdie Wet of 'n ander wet, is die Minister of die raad by die uitoefening van 'n bevoegdheid by hierdie Wet verleen om in verband met enige aangeleentheid bedinge of voorwaardes te bepaal, aan geen beperkings, van watter aard ook al, onderworpe nie.

51. Herroeping van wette.—(1) Die wette in die Bylae vermeld, word hierby herroep in die mate in die derde kolom daarvan uiteengesit: Met dien verstande dat, behoudens die bepaling van artikel 12 en subartikels (2) en (3) van hierdie artikel, enige bepaling van 'n aldus herroepde wet of van 'n wet kragtens of deur so 'n wet uitvaardig of in werking

repeal of such law, continue to apply in respect of any matter in connection with which anything has been done under any law aforesaid or in respect of anything incidental to any such matter or which may be necessary to be done in connection with any such matter, as if such law had not been so repealed: Provided further that for the purposes of the said application of the Land Settlement Act, 1956 (Act No. 21 of 1956), the word “shall” in section 60 (2) of the said Act, shall be construed as “may”.

[Sub-s. (1) amended by s. 4 of Act No. 10 of 1971.]

(2) Any board established by or under any law repealed by this Act, and the State Advances Recoveries Office, shall cease to exist, but as far as may be necessary for the purposes of any provision continuing to apply by virtue of the proviso to subsection (1), any reference in such provision or in any documents relating thereto to the State President, any minister other than the Minister, a board as aforesaid or any office-bearer thereof or the Secretary of the State Advances Recoveries Office shall, subject to the provisions of subsection (3), be construed as a reference to the Minister, and any reference to the State Advances Recoveries Office shall be construed as a reference to the office of the Minister.

(3) All immovable or movable property of the Farmers' Assistance Board referred to in the Farmers' Assistance Act, 1935 (Act No. 48 of 1935), and all rights and obligations of that board in respect of any immovable or movable property, shall vest in the State without any form of registration or endorsement.

52. Appropriated moneys.—Moneys appropriated by Parliament for defraying expenditure incurred in respect of any matter for the purposes of any law repealed by this Act, shall be deemed to have been appropriated also for defraying expenditure incurred for the purposes of this Act or the Land Tenure Act, 1966, in respect of any similar matter.

53. Interpretation of references in Land Bank Act, 1944, to Farmers' Assistance Act, 1935.—Any reference in the Land Bank Act, 1944 (Act No. 13 of 1944), to any provision of the Farmers' Assistance Act, 1935 (Act No. 48 of 1935), shall be construed as including a reference to the corresponding provision of this Act.

54. Powers or obligations of the Land and Agricultural Bank of South Africa not affected.—Nothing in this Act contained shall affect any other law conferring or imposing on the Land and Agricultural Bank of South Africa any powers or obligations relating to land or any other security hypothecated in favour of the said bank.

55. Application of Act.—This Act shall apply throughout the Republic.

[S. 55 substituted by s. 17 of Act No. 66 of 1970, repealed by s. 37 of Act No. 51 of 1987. and inserted by s. 5 of Act No. 65 of 1995]

56.

[S. 56 repealed by s. 27 (1) of Act No. 76 of 1969.]

57. Amends section 1 of the Water Act, No. 54 of 1956—see title WATER.

57A.

[S. 57A inserted by s. 18 of Act No. 66 of 1970 and repealed by s. 38 of Act No. 51 of 1987.]

58. Short title and commencement.—This Act shall be called the Agricultural Credit Act, 1966, and shall come into operation on a date to be fixed by the State President by notice in the *Gazette*.

gehou, ondanks die herroeping van bedoelde wet, ten opsigte van 'n aangeleentheid in verband waarmee enigiets kragtens enige wet soos voormeld gedoen is of ten opsigte van enigiets wat met so 'n aangeleentheid in verband staan of wat nodig is om in verband met so 'n aangeleentheid gedoen te word, van toepassing bly asof bedoelde wet nie aldus herroep is nie: Met dien verstande voorts dat by bedoelde toepassing van die Nedersettingswet, 1956 (Wet No. 21 van 1956), die woord „moet” in artikel 60 (2) van bedoelde Wet, as „kan” uitgelê word.

[Sub-a. (1) gewysig deur a. 4 van Wet No. 10 van 1971.]

(2) 'n Raad ingestel deur of kragtens 'n by hierdie Wet herroep wet en die Kantoor tot Invordering van Staatsvoorskotte hou op om te bestaan, maar vir sover dit nodig is by die toepassing van enige bepaling wat uit hoofde van die voorbehoudsbepaling by subartikel (1) van toepassing bly, word, behoudens die bepalings van subartikel (3), 'n verwysing in bedoelde bepaling of in daarmee in verband staande stukke na die Staatspresident, 'n ander minister as die Minister, 'n raad soos voormeld of 'n ampsdraer daarvan of die Sekretaris van die Kantoor tot Invordering van Staatsvoorskotte, as 'n verwysing na die Minister en 'n verwysing na die Kantoor tot Invordering van Staatsvoorskotte as 'n verwysing na die kantoor van die Minister uitgelê.

(3) Alle onroerende of roerende goed van die in die Boere-Bystandswet, 1935 (Wet No. 48 van 1935), bedoelde Boerebystandsraad en alle regte en verpligtinge van daardie raad ten opsigte van onroerende of roerende goed, gaan op die Staat oor sonder enige vorm van registrasie of endossement.

52. Bewilligde gelde.—Gelde deur die Parlement bewillig vir bestryding van uitgawes wat ten opsigte van die een of ander aangeleentheid by die toepassing van 'n wet wat by hierdie Wet herroep word, aangegaan is, word geag ook vir bestryding van uitgawes wat by die toepassing van hierdie Wet of die Wet op Grondbesit, 1966, ten opsigte van 'n dergelike aangeleentheid aangegaan is, bewillig te wees.

53. Uitleg van verwysings in Landbankwet, 1944, na Boere-Bystandswet, 1935.—'n Verwysing in die Landbankwet, 1944 (Wet No. 13 van 1944), na 'n bepaling van die Boere-Bystandswet, 1935 (Wet No. 48 van 1935), word geag ook 'n verwysing na die ooreenstemmende bepaling van hierdie Wet te wees.

54. Bevoegdhede of verpligtings van die Land- en Landboubank van Suid-Afrika nie geraak nie.—Hierdie Wet maak geen inbreuk op enige ander wet wat aan die Land- en Landboubank van Suid-Afrika bevoegdhede of verpligtings met betrekking tot grond of ander sekuriteit wat ten gunste van bedoelde bank verhipotekeer is, verleen of oplê nie.

55. Toepassing van Wet.—Hierdie Wet is oor die hele Republiek van toepassing.

[A. 55 vervang deur a. 17 van Wet No. 66 van 1970 en herroep deur a. 37 van Wet No. 51 van 1987 en heringevoeg deur a. 5 van Wet No. 65 van 1995.]

56.

[A. 56 herroep deur a. 27 (1) van Wet No. 76 van 1969.]

57. Wysig artikel 1 van die Waterwet, No. 54 van 1956—sien titel WATER.

57A.

[A. 57A ingevoeg deur a. 18 van Wet No. 66 van 1970 en herroep deur a. 38 van Wet No. 51 van 1987.]

58. Kort titel en inwerkingtreding.—Hierdie Wet heet die Wet op Landboukrediet, 1966, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.