BUITENGEWONE

# OFFISIËLE KOERANT

VAN SUIDWES-AFRIKA

# OFFICIAL GAZETTE

EXTRAORDINARY

OF SOUTH WEST AFRICA

UITGAWE OP GESAG — PUBLISHED BY AUTHORITY

10c — Woensdag 17 Mei 1978 — WINDHOEK — Wednesday 17 May 1978 — No. 3751

INHOUD: *Bladsy*

**PROKLAMASIE:**

No. AG. 30 Wysigingsproklamasie op Landboukrediet, 1978 .............................. 1

## PROKLAMASIE

van die

ADMINISTRATEUR-GENERAAL VIR DIE GEBIED SUIDWES-AFRIKA

*(Deur die Staatspresident goedgekeur op 2 Mei 1978)*

No. AG. 30 — 1978

### WYSIGING VAN DIE WET OP LANDBOUKREDIET, 1966 (WET 28 VAN 1966)

Kragtens die bevoegdheid my verleen by Proklamasie 181 van 19 Augustus 1977, maak ek hierby die wette in die Bylae vervat.

M. T. STEYN,
Administrateur-generaal — Windhoek, 11 Mei 1978

BYLAE

*Wysiging van artikel 2 van Wet 28 van 1966, soos gewysig deur artikel 2 van Wet 66 van 1970*

1. Artikel 2 van die Wet op Landboukrediet, 1966 (hieronder die Wet genoem), word hierby gewysig —

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

"(1) Hierby word daar 'n raad ingestel bekend as die Landboukredietraad, wat bestaan uit hoogstens vyf lede deur die Administrateur-generaal aangestel van wie —

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No. AG. 30 Agricultural Credit Amendment Proclamation, 1978 .......................... 1

## PROCLAMATION

by the

ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH WEST AFRICA

*(Approved by the State President on 2 May 1978)*

No. AG. 30 — 1978

### AMENDMENT OF AGRICULTURAL CREDIT ACT, 1966 (ACT 28 OF 1966)

Under the powers vested in me by Proclamation 181 of 19 August 1977, I hereby make the laws set out in the Schedule.

M. T. STEYN,
Administrator-General — Windhoek, 11 May 1978

SCHEDULE

*Amendment of section 2 of Act 28 of 1966, as amended by section 2 of Act 66 of 1970*

1. Section 2 of the Agricultural Credit Act, 1966 (hereinafter referred to as the Act), is hereby amended —

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

"(1) There is hereby established a board to be known as the Agricultural Credit Board which shall consist of not more than five members to be appointed by the Administrator-General, of whom —

(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."; en

(b) deur in subartikels (2), (3) en (4) die woord "Minister", oral waar dit voorkom, deur die woord "Administrateur-generaal" te vervang.

*Vervanging van artikel 4 van Wet 28 van 1966, soos vervang deur artikel 3 van Wet 66 van 1970*

2. Artikel 4 van die Wet word hierby deur die volgende artikel vervang:

"Komitees van raad. 4. 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.".

*Wysiging van artikel 6 van Wet 28 van 1966, soos gewysig deur artikel 4 van Wet 66 van 1970*

3. Artikel 6 van die Wet word hierby gewysig deur die woorde "Pretoriase of" in subartikel (1) te skrap.

*Wysiging van artikel 15 van Wet 28 van 1966, soos vervang deur artikel 3 van Wet 10 van 1971 en gewysig deur artikel 5 van Wet 15 van 1972*

4. Artikel 15 van die Wet word hierby gewysig —

(a) deur die woorde "vyf persent per jaar in die geval van die toepassing van hierdie Wet in die Republiek" en die woorde "in die geval van bedoelde toepassing in die gebied" in subartikel (1) te skrap; en

(b) deur subartikel (3) te skrap.

*Wysiging van artikel 21 van Wet 28 van 1966, soos gewysig deur artikel 9 van Wet 66 van 1970*

5. Artikel 21 van die Wet word hierby gewysig deur die woorde "of die voorsitter van 'n komitee van die raad wat aangestel is vir die doeleindes van die toepassing van hierdie Wet in die gebied" in subartikel (1) te skrap.

*Vervanging van artikel 40 van Wet 28 van 1966, soos gewysig deur artikel 13 van Wet 66 van 1970*

6. Artikel 40 van die Wet word hierby deur die volgende artikel vervang:

(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."; and

(b) by the substitution in subsections (2), (3) and (4) for the word "Minister", wherever it occurs, of the word "Administrator-General".

*Substitution of section 4 of Act 28 of 1966, as substituted by section 3 of Act 66 of 1970*

2. The following section is hereby substituted for section 4 of the Act:

"Committees of board. 4. 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.".

*Amendment of section 6 of Act 28 of 1966, as amended by section 4 of Act 66 of 1970*

3. Section 6 of the Act is hereby amended by the deletion, in subsection (1), of the words "Pretoria or".

*Amendment of section 15 of Act 28 of 1966, as substituted by section 3 of Act 10 of 1971 and amended by section 5 of Act 15 of 1972*

4. Section 15 of the Act is hereby amended —

(a) by the deletion in subsection (1) of the words "five per cent per annum in the case of the application of this Act in the Republic, and" and the words "in the case of the said application in the territory"; and

(b) by the deletion of subsection (3).

*Amendment of section 21 of Act 28 of 1966, as amended by section 9 of Act 66 of 1970*

5. Section 21 of the Act is hereby amended by the deletion in subsection (1) of the words "or the chairman of a committee of the board appointed for the purposes of the application of this Act in the territory".

*Substitution of section 40 of Act 28 of 1966, as amended by section 13 of Act 66 of 1970*

6. The following section is hereby substituted for section 40 of the Act:

"Afskrif van ooreenkoms moet vir insae beskikbaar wees.

40. (1) 'n Afskrif van die in artikel 38(1) bedoelde ooreenkoms word bewaar in die kantoor van die landdros van elke distrik (behalwe die Windhoekse landdrosdistrik) of gedeelte daarvan waarin die persoon wat die ooreenkoms aangegaan het, na die wete van die hoof van die Suidwes-Afrika tak van die departement 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 Windhoekse 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 bedoelde hoof bewaar.

(2) Die hoof bedoel in subartikel (1) stuur aan bedoelde landdros 'n kennisgewing waarin optrede ingevolge artikel 39 ten opsigte van die in die ooreenkoms bedoelde goed uiteengesit word.

(3) Die hoof bedoel in subartikel (1) 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.".

*Oorgangsbepalings*

7. (1) Enigiets wat voor die inwerkingtreding van hierdie Proklamasie deur die Landboukredietraad, ingestel deur artikel 2 van die Wet, of 'n komitee of ampsdraer daarvan kragtens die Wet in die gebied Suidwes-Afrika gedoen is, word geag deur die Landboukredietraad, ingestel deur artikel 2 van die Wet, soos gewysig deur artikel 1 van hierdie Proklamasie, gedoen te wees.

(2) 'n Lid van die Landboukredietraad, ingestel deur artikel 2 van die Wet voor die wysiging daarvan deur artikel 1 van hierdie Proklamasie, wat onmiddellik voor die inwerkingtreding van hierdie Proklamasie dien as 'n lid van 'n komitee daarvan wat aangestel is vir die doeleindes van die toepassing van die Wet in die gebied Suidwes-Afrika, word geag vir die onverstreke gedeelte van sy ampstermyn as lid van bedoelde raad aangestel te wees ingevolge artikel 2(1) van die Wet, soos gewysig deur artikel 1 van hierdie Proklamasie as lid van die

"Copy of agreement to be available for inspection.

40. (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 Windhoek magisterial district) or portion thereof in which, to the knowledge of the head of the South West Africa branch of the department, 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 Windhoek 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 said head.

(2) The head referred to in subsection (1) 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 head referred to in subsection (1) 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.".

*Transitional provisions*

7. (1) Anything done before the commencement of this Proclamation by the Agricultural Credit Board, established by section 2 of the Act, or a committee or any office-bearer thereof under the Act in the territory of South West Africa, shall be deemed to have been done by the Agricultural Credit Board, established by section 2 of the Act, as amended by section 1 of this Proclamation.

(2) Any member of the Agricultural Credit Board, established by section 2 of the Act before the amendment thereof by section 1 of this Proclamation, who, immediately before the commencement of this Proclamation, serves as a member of a committee thereof appointed for the purposes of the application of this Act in the territory of South West Africa, shall be deemed to have been appointed for the unexpired portion of his term of office as a member of the said board, under section 2(1) of the Act, as amended by section 1 of this Proclamation, as a member of the Agricultural

Landboukredietraad ingestel deur genoemde artikel 2(1) soos aldus gewysig.

(3) Die voorsitter van die komitee bedoel in subartikel (2) op die tydstip onmiddellik voor die inwerkingtreding van hierdie Proklamasie, word geag kragtens artikel 2(2) van die Wet as voorsitter van die Landboukredietraad, ingestel deur artikel 2(1) van die Wet, soos gewysig deur artikel 1 van hierdie Proklamasie, aangewys te wees.

*Kort titel en inwerkingtreding*

8. Hierdie Proklamasie heet die Wysigingsproklamasie op Landboukrediet, 1978, en tree in werking op 'n datum wat die Administrateur-generaal by proklamasie in die *Offisiële Koerant* bepaal.

Credit Board established by the said section 2(1) as so amended.

(3) The chairman of the committee referred to in subsection (2) at the time immediately before the commencement of this Proclamation, shall be deemed to have been designated under section 2(2) of the Act as chairman of the Agricultural Credit Board, established by section 2(1) of the Act, as amended by section 1 of this Proclamation.

*Short title and commencement*

8. This Proclamation shall be called the Agricultural Credit Amendment Proclamation, 1978, and shall come into operation on a date to be fixed by the Administrator-General by proclamation in the *Official Gazette*.

Gedruk deur en verkrygbaar by
Die Suidwes-Drukkery Beperk,
Posbus 2196, Windhoek
Suidwes-Afrika

Printed and obtainable from
The Suidwes-Drukkery Beperk
P.O. Box 2196, Windhoek.
South West Africa.