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Landboubank van Suidwes-Afrika, 1979

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Proclamation R.147 of 1979 by the State President of
the Republic of South Africa is hereby published for in-
formation.

J. F. GREEBE
Secretary for South West Africa

Administration of South West Africa
Windhoek

Proklamasie R.147 van 1979 van die Staatspresident
van die Republiek van Suid-Afrika word hierby ter in-
ligting gepubliseer.

J. F. GREEBE
Sekretaris van Suidwes-Afrika

Administrasie van Suidwes-Afrika
Windhoek

PROCLAMATION

PROKLAMASIE

by the
STATE PRESIDENT OF THE REPUBLIC OF
SOUTH AFRICA

van die
STAATSPRESIDENT VAN DIE REPUBLIEK VAN
SUID-AFRIKA

No. 147, 1979

No. 147, 1979

PROCLAMATION TO PROVIDE FOR THE
ESTABLISHMENT OF A LAND AND AGRICUL-
TURAL BANK OF SOUTH WEST AFRICA; AND
FOR THAT PURPOSE TO AMEND THE SAID
ACT AS IT APPLIES IN THE TERRITORY OF
SOUTH WEST AFRICA AND THE REPUBLIC,
RESPECTIVELY, AND TO PROVIDE FOR INCI-
DENTAL MATTERS

PROKLAMASIE OM VOORSIENING TE MAAK
VIR DIE INSTELLING VAN 'N LAND- EN
LANDBOUBANK VAN SUIDWES-AFRIKA; EN
TE DIEN EINDE GENOEMDE WET TE WYSIG
SOOS DIT ONDERSKEIDELIK IN DIE GEBIED
SUIDWES-AFRIKA EN DIE REPUBLIEK VAN
TOEPASSING IS; EN OM VIR AANGELEENT-
HEDE WAT DAARMEE IN VERBAND STAAN
VOORSIENING TE MAAK

Under the powers vested in me by section 38 of the
South West Africa Constitution Act, 1968 (Act 39 of
1968), I hereby make the laws set out in the Schedule.

Kragtens die bevoegdheid my verleen by artikel 38
van die Wet op die Konstitusie van Suidwes-Afrika,
1968 (Wet 39 van 1968), maak ek hierby die wette
in die Bylae vervat.

Given under my Hand and the Seal of the Republic
of South Africa at Pretoria this Twelfth day of July,
One thousand Nine hundred and Seventy-nine.

Gegee onder my Hand en die Seël van die Republiek
van Suid-Afrika te Pretoria, op hede die Twaalfde dag
van Julie Eenduisend Negehoenderd Nege-en-sewentig.

M. VILJOEN, State President.
By Order of the State President-in-Council:
O. P. F. HORWOOD.

M. VILJOEN, Staatspresident.
Op las van die Staatspresident-in-rade:
O. P. F. HORWOOD.

SCHEDULE

Definitions

1. In this Proclamation, unless the context indicates otherwise—

- (i) "territory" means the territory of South West Africa; (ii)
- (ii) "the Act" means the Land Bank Act, 1944 (Act 13 of 1944). (i)

PART I

AMENDMENT OF LAND BANK ACT, 1944, AS IT IS APPLICABLE IN THE TERRITORY

Application of Part I of this Proclamation

2. This Part shall apply only in the territory.

Amendment of section 2 of Act 13 of 1944, as amended by section 1 of Act 42 of 1951, section 1 of Act 13 of 1953, section 1 of Act 60 of 1957, section 1 of Act 47 of 1959, section 5 of Act 31 of 1969 and section 1 of Act 41 of 1972

3. Section 2 of the Act is hereby amended—

(a) by the deletion in subsection (1) of the definition of "adviser";

(b) by the substitution in the said subsection (1) for the definition of "bank" of the following definition:

"'bank' means the Land and Agricultural Bank of South West Africa established by section 3;";

(c) by the deletion in the said subsection (1) in the definition of "co-operative company" of the words "the Co-operative Societies Act, 1939 (Act No. 29 of 1939), or";

(d) by the substitution in the said subsection (1) for the definition of "general manager" of the following definition:

"'general manager' means the general manager appointed under section 4bis;";

(e) by the deletion in the said subsection (1) of the definition of "managing director";

(f) by the deletion in the said subsection (1) of the definition of "Minister";

(g) by the deletion in the said subsection (1) of the definition of "provincial bank";

(h) by the deletion in the said subsection (1) in the definition of "registrar" of the words "section three of the Co-operative Societies Act, 1939 (Act No. 29 of 1939) or";

(i) by the deletion in the said subsection (1) of the definition of "Republic"; and

(j) by the deletion in the said subsection (1) in the definition of "valuator" of the words "and any adviser".

Substitution of section 3 of Act 13 of 1944, as amended by section 6 of Act 31 of 1969

4. The following section is hereby substituted for section 3 of the Act:

"Establishment of Land and Agricultural Bank of South West Africa

3. (1) There is hereby established a juristic person to be known as the Land and Agricultural Bank of South West Africa.

BYLAE

Woordomskrywings

1. In hierdie Proklamasie, tensy uit die samehang anders blyk, beteken—

(i) "die Wet" die Landbankwet, 1944 (Wet 13 van 1944);

(ii) "gebied" die gebied Suidwes-Afrika. (i)

DEEL I

WYSIGING VAN DIE LANDBANKWET, 1944, SOOS DIT IN DIE GEBIED VAN TOEPASSING IS

Toepassing van Deel I van hierdie Proklamasie

2. Hierdie Deel is slegs in die gebied van toepassing.

Wysiging van artikel 2 van Wet 13 van 1944, soos gewysig deur artikel 1 van Wet 42 van 1951, artikel 1 van Wet 13 van 1953, artikel 1 van Wet 60 van 1957, artikel 1 van Wet 47 van 1959, artikel 5 van Wet 31 van 1969 en artikel 1 van Wet 41 van 1972.

3. Artikel 2 van die Wet word hierby gewysig—

(a) deur in subartikel (1) die omskrywing van "adviseur" te skrap;

(b) deur in genoemde subartikel (1) die omskrywing van "bank" deur die volgende omskrywing te vervang:

"'bank' die Land- en Landboubank van Suidwes-Afrika by artikel 3 ingestel;";

(c) deur in genoemde subartikel (1) in die omskrywing van "koöperatiewe maatskappy" die woorde "die Wet op Koöperatiewe Verenigings, 1939 (Wet No. 29 van 1939), of" te skrap;

(d) deur in genoemde subartikel (1) die omskrywing van "hoofbestuurder" deur die volgende omskrywing te vervang:

"'hoofbestuurder' die hoofbestuurder kragtens artikel 4bis aangestel;";

(e) deur in genoemde subartikel (1) die omskrywing van "besturende direkteur" te skrap;

(f) deur in genoemde subartikel (1) die omskrywing van "Minister" te skrap;

(g) deur in genoemde subartikel (1) die omskrywing van "provinsiale bank" te skrap;

(h) deur in genoemde subartikel (1) in die omskrywing van "registrateur" die woorde "artikel drie van die Wet op Koöperatiewe Verenigings, 1939 (Wet No. 29 van 1939) of" te skrap;

(i) deur in genoemde subartikel (1) die omskrywing van "Republiek" te skrap; en

(j) deur in genoemde subartikel (1) in die omskrywing van "taksakteur" die woorde "en 'n adviseur" te skrap.

Vervanging van artikel 3 van Wet 13 van 1944, soos gewysig deur artikel 6 van Wet 31 van 1969

4. Artikel 3 van die Wet word hierby deur die volgende artikel vervang:

"Instelling van Land- en Landboubank van Suidwes-Afrika

3. (1) Daar word hierby 'n regspersoon met die naam die Land- en Landboubank van Suidwes-Afrika ingestel.

(2) The bank shall be administered and managed as is in this Act provided, and shall be exempt from the provisions of any other law specially governing banks.”.

Amendment of section 4 of Act 13 of 1944, as amended by section 2 of Act 42 of 1951, section 1 of Act 46 of 1965, section 7 of Act 31 of 1969 and section 2 of Act 92 of 1970

5. Section 4 of the Act is hereby amended—

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

“(1) The operations of the bank shall be administered and managed by a board which shall consist of a chairman (who shall be the general manager appointed under section 4bis) and five other members appointed by the Administrator-General.”;

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

“(3) No member of the National Assembly of South West Africa, the Legislative Assembly of South West Africa, the Legislative Council of an area declared by or under any law to be a self-governing area, the Damara Representative Authority, the Nama Council, the Elected Coloured Council of South West Africa, the Kaptein's Council or Legislative Council of Rehoboth, or any director of any other bank or money-lending institution, shall be qualified for appointment as or to be a member of the board.”;

(c) by the substitution for subsection (4) of the following subsection:

“(4) The name of every member of the board shall be laid upon the table of the National Assembly of South West Africa as soon as possible after his appointment.”; and

(d) by the substitution in subsection (5) for the words “both Houses of Parliament” and the words “Tables of both Houses” of the words “the National Assembly of South West Africa” and the words “table of the said Assembly”, respectively.

Substitution of section 4bis of Act 13 of 1944, as inserted by section 3 of Act 42 of 1951 and substituted by section 2 of Act 46 of 1965

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

“General manager of bank

4bis. (1) The Administrator-General shall, on such conditions as he may deem fit, appoint a general manager of the bank who shall in addition to his powers and duties as chairman of the board, exercise such powers and perform such duties as the Administrator-General may determine.

(2) If for any reason the general manager, so appointed, is unable to act as such during any period, the Administrator-General may appoint an officer of the bank designated by the board, to act as general manager during that period and the officer so appointed shall, while so acting, have all the powers and perform all the duties of the general manager.”.

(2) Die bank word beheer en bestuur op die wyse in hierdie Wet bepaal, en is onthef van dié bepalings van enige ander wet wat spesiaal op banke betrekking het.”.

Wysiging van artikel 4 van Wet 13 van 1944, soos gewysig deur artikel 2 van Wet 42 van 1951, artikel 1 van Wet 46 van 1965, artikel 7 van Wet 31 van 1969 en artikel 2 van die Wet 92 van 1970

5. Artikel 4 van die Wet word hierby gewysig—

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

“(1) Die werksaamhede van die bank word beheer en bestuur deur 'n raad wat bestaan uit 'n voorsitter (wat die kragtens artikel 4bis aangestelde hoofbestuurder is) en vyf ander lede wat deur die Administrateur-generaal aangestel word.”;

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

“(3) Geen lid van die Nasionale Vergadering van Suidwes-Afrika, die Wetgewende Vergadering van Suidwes-Afrika, die Wetgewende Raad van 'n gebied wat deur of kragtens 'n wet tot selfregerende gebied verklaar is, die Damara-Verteenwoordigende Owerheid, die Namaraad, die Gekose Kleurlingraad van Suidwes-Afrika, die Kapteinsraad of Volksraad van Rehoboth, of 'n direkteur van 'n ander bank of instelling wat geld uitleen, is bevoeg om as lid van die raad aangestel te word of om 'n lid van die raad te wees nie.”;

(c) deur subartikel (4) deur die volgende subartikel te vervang:

“(4) Die naam van elke lid van die raad moet in die Nasionale Vergadering van Suidwes-Afrika so gou doenlik na sy aanstelling ter tafel gelê word.”; en

(d) deur in subartikel (5) die woorde “beide Parlements huise” en die woorde “beide Huise” deur onderskeidelik die woorde “die Nasionale Vergadering van Suidwes-Afrika” en die woorde “genoemde Vergadering” te vervang.

Vervanging van artikel 4bis van Wet 13 van 1944, soos ingevoeg deur artikel 3 van Wet 42 van 1951 en vervang deur artikel 2 van Wet 46 van 1965

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

“Hoofbestuurder van bank

4bis (1) Die Administrateur-generaal stel op die voorwaardes wat hy goedvind, 'n hoofbestuurder van die bank aan wat, benewens sy bevoegdhede en pligte as voorsitter van die raad, die bevoegdhede uitoefen en die pligte verrig wat die Administrateur-generaal bepaal.

(2) Indien die hoofbestuurder wat aldus aangestel is, om die een of ander rede gedurende enige tydperk nie in staat is om as sodanig op te tree nie, kan die Administrateur-generaal 'n beampte van die bank wat deur die raad aangewys is, aanstel om as hoofbestuurder gedurende daardie tydperk op te tree en terwyl die beampte wat aldus aangestel is, aldus optree, het hy al die bevoegdhede en verrig hy al die pligte van die hoofbestuurder.”.

Amendment of section 4ter of Act 13 of 1944, as inserted by section 2 of Act 47 of 1959

7. Section 4ter of the Act is hereby amended by the deletion of the words "managing director, a".

Amendment of section 5 of Act 13 of 1944, as amended by section 8 of Act 31 of 1969

8. Section 5 of the Act is hereby amended by the deletion in paragraph (a) of subsection (2) of the words "or section 10 (1) of the Farmers' Assistance Ordinance, 1962 (Ordinance No. 11 of 1962 of the territory)".

Amendment of section 10 of Act 13 of 1944, as amended by section 1 of Act 10 of 1952, section 3 of Act 47 of 1959, section 3 of Act 46 of 1965, section 1 of Act 5 of 1968 and section 24 of Act 70 of 1968

9. Section 10 of the Act is hereby amended—

(a) by the deletion in paragraph (a) of subsection (2) of the words "or any Minister of State or the Administrator of any province"; and

(b) by the substitution in subsection (3) for the word "Pretoria" of the word "Windhoek".

Repeal of section 11 of Act 13 of 1944

10. Section 11 of the Act is hereby repealed.

Substitution of section 12 of Act 13 of 1944, as amended by section 2 of Act 41 of 1972

11. The following section is hereby substituted for section 12 of the Act:

"Prohibition of participation in proceedings of board by members in certain circumstances"

12. (1) No member of the board shall at any meeting thereof take part in the discussion or vote in connection with—

(a) any application for an advance under this Act by any person who, or a company of which the director or shareholder is related to that member within the third degree of affinity or consanguinity; or

(b) any such application by any person who is a debtor or creditor of that member or is in partnership with or in the employ of that member; or

(c) any such application by any person who is a debtor under a mortgage bond of any body of persons, whether incorporated or not, of which that member is a director or under which he holds any office or position other than that of auditor.

(2) Any person who contravenes any provision of this section shall be guilty of an offence and liable on conviction to a fine not exceeding four hundred rand or to imprisonment for a period not exceeding three months, and the court who convicted any such member of any such offence, may order that he shall vacate his seat, which shall thereupon become vacant."

Repeal of section 13 of Act 13 of 1944, as inserted by section 2 of Act 60 of 1957 and amended by section 4 of Act 46 of 1965

Wysiging van artikel 4ter van Wet 13 van 1944, soos ingevoeg deur artikel 2 van Wet 47 van 1959

7. Artikel 4ter van die Wet word hierby gewysig deur die woorde "besturende direkteur, 'n" te skrap.

Wysiging van artikel 5 van Wet 13 van 1944, soos gewysig deur artikel 8 van Wet 31 van 1969

8. Artikel 5 van die Wet word hierby gewysig deur in paragraaf (a) van subartikel (2) die woorde "of artikel 10 (1) van die Boerebystandsordonnansie, 1962 (Ordonnansie No. 11 van 1962 van die gebied)," te skrap.

Wysiging van artikel 10 van Wet 13 van 1944, soos gewysig deur artikel 1 van Wet 10 van 1952, artikel 3 van Wet 47 van 1959, artikel 3 van Wet 46 van 1965, artikel 1 van Wet 5 van 1968 en artikel 24 van Wet 70 van 1968

9. Artikel 10 van die Wet word hierby gewysig—

(a) deur in paragraaf (a) van subartikel (2) die woorde "of 'n Staatsminister of die Administrateur van 'n provinsie" te skrap; en

(b) deur in subartikel (3) die woord "Pretoria" deur die woord "Windhoek" te vervang.

Herroeping van artikel 11 van Wet 13 van 1944

10. Artikel 11 van die Wet word hierby herroep.

Vervanging van artikel 12 van Wet 13 van 1944, soos gewysig deur artikel 2 van Wet 41 van 1972

11. Artikel 12 van die Wet word hierby deur die volgende artikel vervang:

"Verbod op deelname aan verrigtinge van raad deur lede onder sekere omstandighede"

12. (1) Geen lid van die raad mag op 'n vergadering daarvan aan besprekings deelneem of stem nie in verband met—

(a) 'n aansoek om 'n voorskot kragtens hierdie Wet deur 'n persoon wat, of 'n maatskappy waarvan 'n direkteur of aandeelhouer aan daardie lid deur bloed- of aanverwantskap binne die derde graad verwant is; of

(b) so 'n aansoek deur iemand wat skuldenaar of skuldeiser van daardie lid is of deur iemand wat met daardie lid in vennootskap is of by hom in diens is; of

(c) so 'n aansoek deur iemand wat ingevolge 'n verbandakte skuldenaar is van enige liggaam van persone, hetsy met regs persoonlikheid beklee al dan nie, waarvan daardie lid 'n direkteur is of waarby hy 'n ander amp of posisie as die van ouditeur beklee.

(2) Iemand wat 'n bepaling van hierdie artikel oortree, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens vierhonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens drie maande, en die hof wat so 'n lid aan so 'n misdryf skuldig bevind, kan gelas dat hy sy setel ontruim, wat daarop vakant word."

Herroeping van artikel 13 van Wet 13 van 1944, soos ingevoeg deur artikel 2 van Wet 60 van 1957 en gewysig deur artikel 4 van Wet 46 van 1965

12. Section 13 of the Act is hereby repealed.

Amendment of section 14 of Act 13 of 1944, as amended by section 5 of Act 13 of 1953

13. Section 14 of the Act is hereby amended by the substitution in subsection (2) for the words “, within fourteen days after the commencement of every ordinary session of Parliament, be laid upon the Tables of both Houses thereof” of the words “be laid upon the table of the National Assembly of South West Africa, as soon as possible after the appointment concerned”.

Amendment of section 14bis of Act 13 of 1944, as inserted by section 1 of Act 38 of 1963

14. Section 14bis of the Act is hereby amended by the deletion of the words “the general manager,”.

Amendment of section 15 of Act 13 of 1944, as amended by section 5 of Act 42 of 1951, section 6 of Act 13 of 1953, section 1 of Act 31 of 1954, section 3 of Act 60 of 1957 and section 9 of Act 31 of 1969

15. Section 15 of the Act is hereby amended—

(a) by the deletion in subsection (1) of the words “the managing director and”; and

(b) by the substitution in subsection (2) for the word “bank”, where it occurs for the third time, of the words “Land and Agricultural Bank of South Africa or the Land and Agricultural Bank of South West Africa which existed under the Land Bank Proclamation, 1935 (Proclamation 22 of 1935) of the territory”.

Substitution of section 19 of Act 13 of 1944, as amended by section 10 of Act 31 of 1969

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

“Funds of bank

19. (1) The funds of the banks shall consist of—

(a) the capital of the South West Africa Account of the Land and Agriculture Bank of South Africa on the date of the commencement of the Land and Agricultural Bank of South West Africa Proclamation, 1979, of the State President;

(b) moneys appropriated by or under any law to be paid to the bank;

(c) moneys raised by the board under the provisions of section 20.

(2) The bank shall pay to the Administrator-General interest on the moneys which in terms of paragraphs (a) and (b) of subsection (1) form part of its funds: Provided that in respect of the moneys referred to in subsection (1) (a) interest shall be paid only on that portion consisting of loans from the Administration of South West Africa.

(3) Such interest shall be payable on such dates as the Administrator-General may from time to time determine, and shall be at the rate at which interest was payable on the moneys in question by the Land and Agricultural Bank of South Africa immediately before the date of the coming into operation of the Land and Agricultural Bank of South West Africa Proclamation, 1979 of the State President, or, in the case of moneys advanced to the bank on or after that date, at the rate fixed by the Administrator-General at the time of the advance.”.

12. Artikel 13 van die Wet word hierby herroep.

Wysiging van artikel 14 van Wet 13 van 1944, soos gewysig deur artikel 5 van Wet 13 van 1953

13. Artikel 14 van die Wet word hierby gewysig deur in subartikel (2) die woorde “binne veertien dae na die begin van elke gewone sitting van die Parlement, in beide Huise daarvan” deur die woord “so gou doenlik na die betrokke aanstelling in die Nasionale Vergadering van Suidwes-Afrika” te vervang.

Wysiging van artikel 14bis van Wet 13 van 1944, soos ingevoeg deur artikel 1 van Wet 38 van 1963

14. Artikel 14bis van die Wet word hierby gewysig deur die woorde “die hoofbestuurder,” te skrap.

Wysiging van artikel 15 van Wet 13 van 1944, soos gewysig deur artikel 5 van Wet 42 van 1951, artikel 6 van Wet 13 van 1953, artikel 1 van Wet 31 van 1954, artikel 3 van Wet 60 van 1957 en artikel 9 van Wet 31 van 1969

15. Artikel 15 van die Wet word hierby gewysig—

(a) deur in subartikel (1) die woorde “die besturende direkteur en” te skrap; en

(b) deur in subartikel (2) die woord “bank”, waar dit die derde maal voorkom, deur die woorde “Land- en Landboubank van Suid-Afrika of die Land- en Landboubank van Suidwes-Afrika wat kragtens die Landbankproklamasie, 1935 (Proklamasie 22 van 1935) van die gebied, bestaan het,” te vervang.

Vervanging van artikel 19 van Wet 13 van 1944, soos gewysig deur artikel 10 van Wet 31 van 1969

16. Artikel 19 van die Wet word hierby deur die volgende artikel vervang:

“Fondse van bank

19. (1) Die fondse van die bank bestaan uit—

(a) die kapitaal van die Suidwes-Afrikarekening van die Land- en Landboubank van Suid-Afrika op die datum van die inwerkingtreding van die Proklamasie op die Land- en Landboubank van Suidwes-Afrika, 1979, van die Staatspresident;

(b) gelde wat by of kragtens wet bewillig word om aan die bank betaal te word; en

(c) gelde wat kragtens die bepalinge van artikel 20 deur die raad opgeneem word.

(2) Die bank moet aan die Administrateur-generaal rente betaal op die gelde wat ingevolge paragrafe (a) en (b) van subartikel (1) deel van sy fondse uitmaak: Met dien verstande dat ten opsigte van die in subartikel (1) (a) bedoelde gelde, rente betaal word slegs op daardie deel wat uit lenings van die Administrasie van Suidwes-Afrika bestaan.

(3) Bedoelde rente is betaalbaar op die datums wat die Administrateur-generaal van tyd tot tyd bepaal, en wel teen die koers waarteen rente op die betrokke gelde deur die Land- en Landboubank van Suid-Afrika betaalbaar was onmiddellik voor die datum van die inwerkingtreding van die Proklamasie op die Land- en Landboubank van Suidwes-Afrika, 1979, van die Staatspresident, of, in die geval van gelde wat op of na daardie datum deur die Administrateur-generaal aan die bank voorgeskiet word, teen die koers deur die Administrateur-generaal ten tyde van die voorskot vasgestel.”.

Amendment of section 20 of Act 13 of 1944, as amended by section 5 of Act 47 of 1959, section 1 of Act 35 of 1961 and section 1 of Act 7 of 1962

17. Section 20 of the Act is hereby amended—

- (a) by the deletion of subsection (6);
- (b) by the deletion in subsection (9) of the words “on behalf of the Government”; and
- (c) by the deletion in subsection (10) of the words “on behalf of the Government”.

Amendment of section 21 of Act 13 of 1944, as amended by section 6 of Act 47 of 1959, section 2 of Act 35 of 1961, section 1 of Act 14 of 1964, section 5 of Act 46 of 1965, section 13 of Act 5 of 1968, section 3 of Act 41 of 1972, section 1 of Act 52 of 1975 and section 1 of Act 109 of 1976

18. Section 21 of the Act is hereby amended—

- (a) by the deletion of subparagraph (ii) of paragraph (a) of subsection (1);
- (b) by the substitution in subparagraph (v) of paragraph (b) of the said subsection (1) for the words “an undertaker, as defined in the Electricity Act, 1958 (Act No. 40 of 1958)” of the words “the SWA Water and Electricity Corporation (Proprietary) Limited”;
- (c) by the deletion of subparagraph (iii) of paragraph (c) of the said subsection (1);
- (d) by the substitution in subparagraph (iv) of the said paragraph (c) for the words “an Act of Parliament” of the word “law”;
- (e) by the deletion of paragraphs (c)*bis* and (d) of the said subsection (1);
- (f) by the deletion of paragraph (g) of the said subsection (1); and
- (g) by the substitution for subsection (2) of the following subsection:

“(2) No advance shall be made out of the funds of the bank to any member of the board, or to the general manager or any member of the staff of the bank, or to any company, or to any co-operative society or company in which any member of the board or the general manager or any member of the staff is directly or indirectly interested as director, manager, shareholder or member other than as a member of a co-operative society or company: Provided that nothing in this subsection contained shall be construed as preventing the deposit of money with any bank.”.

Amendment of section 23 of Act 13 of 1944, as amended by section 4 of Act 41 of 1972

19. Section 23 of the Act is hereby amended by the deletion in subsection (2) of the words “or by an adviser” and the words “or an adviser”.

was payable on the moneys in question by the Land and Agricultural Bank of South Africa immediately before the date of the coming into operation of the Land and Agricultural Bank of South West Africa Proclamation, 1979 of the State President, or, in the case of moneys advanced to the bank on or after that date, at the rate fixed by the Administrator-General at the time of the advance.”.

Wysiging van artikel 20 van Wet 13 van 1944, soos gewysig deur artikel 5 van Wet 47 van 1959, artikel 1 van Wet 35 van 1961 en artikel 1 van Wet 7 van 1962

17. Artikel 20 van die Wet word hierby gewysig—

- (a) deur subartikel (6) te skrap;
- (b) deur in subartikel (9) die woorde “namens die Regering” te skrap; en
- (c) deur in subartikel (10) die woorde “namens die Regering” te skrap.

Wysiging van artikel 21 van Wet 13 van 1944, soos gewysig deur artikel 6 van Wet 47 van 1959, artikel 2 van Wet 35 van 1961, artikel 1 van Wet 14 van 1964, artikel 5 van Wet 46 van 1965, artikel 13 van Wet 5 van 1968, artikel 3 van Wet 41 van 1972, artikel 1 van Wet 52 van 1975 en artikel 1 van Wet 109 van 1976

18. Artikel 21 van die Wet word hierby gewysig—

- (a) deur subparagraaf (ii) van paragraaf (a) van subartikel (1) te skrap;
- (b) deur in subparagraaf (v) van paragraaf (b) van genoemde subartikel (1) die woorde “’n ondernemer, soos in die Elektrisiteitswet, 1959 (Wet No. 40 van 1958), omskryf,” deur die woord “die SWA Water en Elektrisiteitskorporasie (Eiendoms) Beperk,” te vervang;
- (c) deur subparagraaf (iii) van paragraaf (c) van genoemde subartikel (1) te skrap;
- (d) deur in subparagraaf (iv) van genoemde paragraaf (c) die woorde “deur ’n Wet van die Parlement” deur die woorde “by wet” te vervang;
- (e) deur paragrawe (c)*bis* en (d) van genoemde subartikel (1) te skrap;
- (f) deur paragraaf (g) van genoemde subartikel (1) te skrap; en
- (g) deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Geen voorskot mag uit die fondse van die bank aan ’n lid van die raad of die hoofbestuurder of ’n lid van die personeel van die bank of ’n maatskappy of ’n koöperatiewe vereniging of maatskappy waarby ’n lid van die raad of die hoofbestuurder of ’n lid van die personeel regstreeks of onregstreeks betrokke is as direkteur, bestuurder, aandeelhouer of lid, behalwe as lid van ’n koöperatiewe vereniging of maatskappy, verstrekk word nie: Met dien verstande dat die bepalings van hierdie subartikel nie belet dat geld by ’n bank gedeponeer word nie.”.

Wysiging van artikel 23 van Wet 13 van 1944, soos gewysig deur artikel 4 van Wet 41 van 1972

19. Artikel 23 van die Wet word hierby gewysig deur in subartikel (2) die woorde “of deur ’n adviseur” en die woorde “of ’n adviseur” te skrap.

gelde deur die Land- en Landboubank van Suid-Afrika betaalbaar was onmiddellik voor die datum van die inwerkingtreding van die Proklamasie op die Land- en Landboubank van Suidwes-Afrika, 1979, van die Staatspresident, of, in die geval van gelde wat op of na daardie datum deur die Administrateur-generaal aan die bank voorgeskiets word, teen die koers deur die Administrateur-generaal ten tyde van die voorskot vasgestel.”.

Amendment of section 20 of Act 13 of 1944, as amended by section 5 of Act 47 of 1959, section 1 of Act 35 of 1961 and section 1 of Act 7 of 1962

17. Section 20 of the Act is hereby amended—

- (a) by the deletion of subsection (6);
- (b) by the deletion in subsection (9) of the words “on behalf of the Government”; and
- (c) by the deletion in subsection (10) of the words “on behalf of the Government”.

Amendment of section 21 of Act 13 of 1944, as amended by section 6 of Act 47 of 1959, section 2 of Act 35 of 1961, section 1 of Act 14 of 1964, section 5 of Act 46 of 1965, section 13 of Act 5 of 1968, section 3 of Act 41 of 1972, section 1 of Act 52 of 1975 and section 1 of Act 109 of 1976

18. Section 21 of the Act is hereby amended—

- (a) by the deletion of subparagraph (ii) of paragraph (a) of subsection (1);
- (b) by the substitution in subparagraph (v) of paragraph (b) of the said subsection (1) for the words “an undertaker, as defined in the Electricity Act, 1958 (Act No. 40 of 1958)” of the words “the SWA Water and Electricity Corporation (Proprietary) Limited”;
- (c) by the deletion of subparagraph (iii) of paragraph (c) of the said subsection (1);
- (d) by the substitution in subparagraph (iv) of the said paragraph (c) for the words “an Act of Parliament” of the word “law”;
- (e) by the deletion of paragraphs (c)*bis* and (d) of the said subsection (1);
- (f) by the deletion of paragraph (g) of the said subsection (1); and
- (g) by the substitution for subsection (2) of the following subsection:

“(2) No advance shall be made out of the funds of the bank to any member of the board, or to the general manager or any member of the staff of the bank, or to any company, or to any co-operative society or company in which any member of the board or the general manager or any member of the staff is directly or indirectly interested as director, manager, shareholder or member other than as a member of a co-operative society or company: Provided that nothing in this subsection contained shall be construed as preventing the deposit of money with any bank.”.

Amendment of section 23 of Act 13 of 1944, as amended by section 4 of Act 41 of 1972

19. Section 23 of the Act is hereby amended by the deletion in subsection (2) of the words “or by an adviser” and the words “or an adviser”.

Amendment of section 24 of Act 13 of 1944

20. Section 24 of the Act is hereby amended—

- (a) by the deletion of paragraph (b) of subsection (2); and
- (b) by the deletion of subsection (3).

Wysiging van artikel 20 van Wet 13 van 1944, soos gewysig deur artikel 5 van Wet 47 van 1959, artikel 1 van Wet 35 van 1961 en artikel 1 van Wet 7 van 1962

17. Artikel 20 van die Wet word hierby gewysig—

- (a) deur subartikel (6) te skrap;
- (b) deur in subartikel (9) die woorde “namens die Regering” te skrap; en
- (c) deur in subartikel (10) die woorde “namens die Regering” te skrap.

Wysiging van artikel 21 van Wet 13 van 1944, soos gewysig deur artikel 6 van Wet 47 van 1959, artikel 2 van Wet 35 van 1961, artikel 1 van Wet 14 van 1964, artikel 5 van Wet 46 van 1965, artikel 13 van Wet 5 van 1968, artikel 3 van Wet 41 van 1972, artikel 1 van Wet 52 van 1975 en artikel 1 van Wet 109 van 1976

18. Artikel 21 van die Wet word hierby gewysig—

- (a) deur subparagraaf (ii) van paragraaf (a) van subartikel (1) te skrap;
- (b) deur in subparagraaf (v) van paragraaf (b) van genoemde subartikel (1) die woorde “’n ondernemer, soos in die Elektrisiteitswet, 1959 (Wet No. 40 van 1958), omskryf,” deur die woord “die SWA Water en Elektrisiteitskorporasie (Eiendoms) Beperk,” te vervang;
- (c) deur subparagraaf (iii) van paragraaf (c) van genoemde subartikel (1) te skrap;
- (d) deur in subparagraaf (iv) van genoemde paragraaf (c) die woorde “deur ’n Wet van die Parlement” deur die woorde “by wet” te vervang;
- (e) deur paragraawe (c)*bis* en (d) van genoemde subartikel (1) te skrap;
- (f) deur paragraaf (g) van genoemde subartikel (1) te skrap; en
- (g) deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Geen voorskot mag uit die fondse van die bank aan ’n lid van die raad of die hoofbestuurder of ’n lid van die personeel van die bank of ’n maatskappy of ’n koöperatiewe vereniging of maatskappy waarby ’n lid van die raad of die hoofbestuurder of ’n lid van die personeel regstreeks of onregstreeks betrokke is as direkteur, bestuurder, aandeelhouer of lid, behalwe as lid van ’n koöperatiewe vereniging of maatskappy, verstrek word nie: Met dien verstande dat die bepaling van hierdie subartikel nie belet dat geld by ’n bank gedeponeer word nie.”.

Wysiging van artikel 23 van Wet 13 van 1944, soos gewysig deur artikel 4 van Wet 41 van 1972

19. Artikel 23 van die Wet word hierby gewysig deur in subartikel (2) die woorde “of deur ’n adviseur” en die woorde “of ’n adviseur” te skrap.

Wysiging van artikel 24 van Wet 13 van 1944

20. Artikel 24 van die Wet word hierby gewysig—

- (a) deur paragraaf (b) van subartikel (2) te skrap; en
- (b) deur subartikel (3) te skrap.

Repeal of section 24bis of Act 13 of 1944, as inserted by section 2 of Act 31 of 1954

21. Section 24bis of the Act is hereby repealed.

Amendment of section 25 of Act 13 of 1944, as amended by section 8 of Act 47 of 1959 and section 11 of Act 31 of 1969

22. Section 25 of the Act is hereby amended—

(a) by the substitution for subparagraph (i) of paragraph (b) of the following subparagraph:

“(i) a mortgage or charge created under this Act or under any law repealed by the Land Bank Amendment Act, 1969;”;

(b) by the substitution in subparagraph (ii) of the said paragraph (b) for the words “Republic Government” of the word “Administrator-General”;

(c) by the substitution in subparagraph (iii) of the said paragraph (b) for the words “Republic Government” of the word “Administrator-General”;

(d) by the substitution in paragraph (c) for the word “morgen” of the word “hectare”; and

(e) by the deletion of paragraph (e).

Amendment of section 26 of Act 13 of 1944, as amended by section 9 of Act 47 of 1959

23. Section 26 of the Act is hereby amended—

(a) by the deletion of the word “or” at the end of paragraph (a), and paragraphs (b) and (c) of subsection (1); and

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

Amendment of section 27 of Act 13 of 1944, as substituted by section 2 of Act 5 of 1968

24. Section 27 of the Act is hereby amended—

(a) by the substitution in subsection (2) for the words “three thousand morgen” and the words “Minister of Agricultural Technical Services” of the words “two thousand five hundred and seventy hectares” and the word “Administrator-General”, respectively;

(b) by the substitution in subsection (7) in the definition of “dipping tank” for the word “stock” of the word “animals”;

(c) by the deletion in the said subsection (7) in the definition of “holding” of the word “or” at the end of paragraph (a), and paragraph (b); and

(d) by the deletion in the said subsection (7) in the definition of “owner” of the words “and in respect of a holding described in paragraph (b) of such definition, the person registered as the holder of the lease, licence or allotment”.

Amendment of section 28 of Act 13 of 1944, as substituted by section 3 of Act 5 of 1968 and amended by section 12 of Act 31 of 1969

25. Section 28 of the Act is hereby amended—

(a) by the substitution in paragraph (a) of subsection (1) for the word “Act” of the word “Proclamation”;

(b) by the substitution in paragraph (b) of the said subsection (1) for the word “Act” of the word “Proclamation”;

Herroeping van artikel 24bis van Wet 13 van 1944, soos ingevoeg deur artikel 2 van Wet 31 van 1954

21. Artikel 24bis van die Wet word hierby herroep.

Wysiging van artikel 25 van Wet 13 van 1944, soos gewysig deur artikel 8 van Wet 47 van 1959 en artikel 11 van Wet 31 van 1969

22. Artikel 25 van die Wet word hierby gewysig—

(a) deur subparagraaf (i) van paragraaf (b) deur die volgende subparagraaf te vervang:

“(i) ’n verband of las wat kragtens hierdie Wet of kragtens ’n deur die Wysigingswet op die Landbank, 1969, herroep wet gevestig is;”;

(b) deur in subparagraaf (ii) van genoemde paragraaf (b) die woord “Republiekregering” deur die woord “Administrateur-generaal” te vervang;

(c) deur in subparagraaf (iii) van genoemde paragraaf (b) die woord “Republiekregering” deur die woord “Administrateur-generaal” te vervang;

(d) deur in paragraaf (c) die woord “morg” deur die woord “hektaar” te vervang; en

(e) deur paragraaf (e) te skrap.

Wysiging van artikel 26 van Wet 13 van 1944, soos gewysig deur artikel 9 van Wet 47 van 1959

23. Artikel 26 van die Wet word hierby gewysig—

(a) deur die woord “of” aan die end van paragraaf (a), en paragrawe (b) en (c) van subartikel (1) te skrap; en

(b) deur subartikel (3) te skrap.

Wysiging van artikel 27 van Wet 13 van 1944, soos vervang deur artikel 2 van Wet 5 van 1968

24. Artikel 27 van die Wet word hierby gewysig—

(a) deur in subartikel (2) die woorde “drieduisend morg” en die woorde “Minister van Landbou-egniese Dienste” deur onderskeidelik die woorde “tweeëduisend vyfhonderd-en-sewentig hektaar” en die woord “Administrateur-generaal” te vervang;

(b) deur in subartikel (7) in die omskrywing van “dipbak” die woord “vee” deur die woord “diere” te vervang;

(c) deur in genoemde subartikel (7) in die omskrywing van “hoeve” die woord “of” aan die end van paragraaf (a), en paragraaf (b) te skrap; en

(d) deur in genoemde subartikel (7) in die omskrywing van “eienaar” die woorde “en, ten opsigte van ’n hoeve bedoel in paragraaf (b) van daardie omskrywing, die persoon wat as die houer van die huurkontrak, vergunning of toekenning geregistreer is” te skrap.

Wysiging van artikel 28 van Wet 13 van 1944, soos vervang deur artikel 3 van Wet 5 van 1968 en gewysig deur artikel 12 van Wet 31 van 1969

25. Artikel 28 van die Wet word hierby gewysig—

(a) deur in paragraaf (a) van subartikel (1) die woord “Wet” deur die woord “Proklamasie” te vervang;

(b) deur in paragraaf (b) van genoemde subartikel (1) die woord “Wet” deur die woord “Proklamasie” te vervang;

(c) by the deletion of the word "or" at the end of paragraph (c), and paragraph (d) of the said subsection (1); and

(d) by the deletion of subsection (1A).

Amendment of section 30bis of Act 13 of 1944, as inserted by section 11 of Act 47 of 1959 and substituted by section 6 of Act 5 of 1968

26. Section 30bis of the Act is hereby amended by the substitution for the words "an undertaker, as defined in the Electricity Act, 1958 (Act No. 40 of 1958)" of the words "the SWA Water and Electricity Corporation (Proprietary) Limited".

Amendment of section 32 of Act 13 of 1944, as substituted by section 7 of Act 5 of 1968

27. Section 32 of the Act is hereby amended by the substitution for the words "the Fencing Act, 1963" of the words "the Fencing Proclamation, 1921 (Proclamation 57 of 1921)".

Amendment of section 33 of Act 13 of 1944, as substituted by section 14 of Act 47 of 1959 and amended by section 8 of Act 5 of 1968

28. Section 33 of the Act is hereby amended by the deletion of subsection (5).

Repeal of section 45 of Act 13 of 1944

29. Section 45 of the Act and the heading to that section is hereby repealed.

Amendment of section 45bis of Act 13 of 1944, as inserted by section 4 of Act 35 of 1961

30. Section 45bis of the Act is hereby amended by the substitution for the words "under an Act of Parliament" of the words "by law".

Repeal of section 45ter of Act 13 of 1944, as inserted by section 2 of Act 109 of 1976

31. Section 45ter of the Act and the heading to that section is hereby repealed.

Repeal of section 46 of Act 13 of 1944

32. Section 46 of the Act and the heading to that section is hereby repealed.

Amendment of section 47 of Act 13 of 1944, as substituted by section 23 of Act 47 of 1959

33. Section 47 of the Act is hereby amended by the substitution in paragraph (a) for the words "Minister of Agricultural Economics and Marketing" of the word "Administrator-General".

Amendment of section 54 of Act 13 of 1944, as amended by section 9 of Act 13 of 1953 and section 6 of Act 60 of 1957

34. Section 54 of the Act is hereby amended by the substitution in the proviso to subsection (1) for the words "Republic Government" and the words "subsection (10) of section forty-six" of the word "Administrator-General" and the words "section 1 of the Exchequer and Audit Act, 1975 (Act 66 of 1975)", respectively.

Amendment of section 55 of Act 13 of 1944, as amended by section 11 of Act 46 of 1965, section 11 of Act 5 of 1968, section 14 of Act 31 of 1969 and section 6 of Act 41 of 1972

35. Section 55 of the Act is hereby amended—

(a) by the deletion in paragraph (d) of subsection (1) of the words "section 22ter of the Farmers' Assistance Act, 1935 (Act No. 48 of 1935), or", the

(c) deur die woord "of" aan die end van paragraaf (c), en paragraaf (d) van genoemde subartikel (1) te skrap; en

(d) deur subartikel (1A) te skrap.

Wysiging van artikel 30bis van Wet 13 van 1944, soos ingevoeg deur artikel 11 van Wet 47 van 1959 en vervang deur artikel 6 van Wet 5 van 1968

26. Artikel 30bis van die Wet word hierby gewysig deur die woorde "'n ondernemer, soos in die Elektrisiteitswet, 1958 (Wet No. 40 van 1958), omskryf" deur die woorde "die SWA Water en Elektrisiteitskorporasie (Eiendoms) Beperk" te vervang.

Wysiging van artikel 32 van Wet 13 van 1944, soos vervang deur artikel 7 van Wet 5 van 1968

27. Artikel 32 van die Wet word hierby gewysig deur die woorde "die Omheiningswet, 1963" deur die woorde "die Omheiningsproklamasie, 1921 (Proklamasie 57 van 1921)" te vervang.

Wysiging van artikel 33 van Wet 13 van 1944, soos vervang deur artikel 14 van Wet 47 van 1959 en gewysig deur artikel 8 van Wet 5 van 1968

28. Artikel 33 van die Wet word hierby gewysig deur subartikel (5) te skrap.

Herroeping van artikel 45 van Wet 13 van 1944

29. Artikel 45 van die Wet en die opskrif by daardie artikel word hierby herroep.

Wysiging van artikel 45bis van Wet 13 van 1944, soos ingevoeg deur artikel 4 van Wet 35 van 1961

30. Artikel 45bis van die Wet word hierby gewysig deur die woorde "kragtens 'n Wet van die Parlement" deur die woorde "by wet" te vervang.

Herroeping van artikel 45ter van Wet 13 van 1944, soos ingevoeg deur artikel 2 van Wet 109 van 1976

31. Artikel 45ter van die Wet en die opskrif by daardie artikel word hierby herroep.

Herroeping van artikel 46 van Wet 13 van 1944

32. Artikel 46 van die Wet en die opskrif by daardie artikel word hierby herroep.

Wysiging van artikel 47 van Wet 13 van 1944, soos vervang deur artikel 23 van Wet 47 van 1959

33. Artikel 47 van die Wet word hierby gewysig deur in paragraaf (a) die woorde "Minister van Landbou-ekonomie en -bemaking" deur die woord "Administrateur-generaal" te vervang.

Wysiging van artikel 54 van Wet 13 van 1944, soos gewysig deur artikel 9 van Wet 13 van 1953 en artikel 6 van Wet 60 van 1957

34. Artikel 54 van die Wet word hierby gewysig deur in die voorbehoudsbepaling by subartikel (1) die woord "Republiekregering" en die woorde "soos in sub-artikel (10) van artikel ses-en-veertig" deur onderskeidelik die woord "Administrateur-generaal" en die woorde "soos in artikel 1 van die Skatkis- en Ouditwet, 1975 (Wet 66 van 1975)," te vervang.

Wysiging van artikel 55 van Wet 13 van 1944, soos gewysig deur artikel 11 van Wet 46 van 1965, artikel 11 van Wet 5 van 1968, artikel 14 van Wet 31 van 1969 en artikel 6 van Wet 41 van 1972

35. Artikel 55 van die Wet word hierby gewysig—

(a) deur in paragraaf (d) van subartikel (1) die woorde "artikel 22ter van die Boere-Bystandswet, 1935 (Wet No. 48 van 1935), of", die woorde "of

words "or section 20D of the Farmers' Assistance Ordinance, 1962 (Ordinance No. 11 of 1962 of the territory)," and the words "subsection (2) of the said section 22ter or";

(b) by the deletion in paragraph (e) of the said subsection (1) of the words "section 48 (3) of the Administration of Estates Act, 1913 (Act No. 24 of 1913), or that section as applied to the territory or";

(c) by the deletion in paragraph (f) of the said subsection (1) of the words "or section 10 of the Farmers' Assistance Ordinance, 1962, of the territory";

(d) by the deletion in subparagraph (ii) of paragraph (b) of subsection (2) of the words "section 22ter of the Farmers' Assistance Act, 1935, or", the words "section 48 (3) of the Administration of Estates Act, 1913, or that section as applied to the territory or" and the words "or section 10 of the Farmers' Assistance Ordinance, 1962, of the territory"; and

(e) by the deletion in subsection (3) of the words "section 48 (3) of the Administration of Estates Act, 1913, or that section as applied to the territory or", the words "or section 15 or 16 of the Farmers' Assistance Ordinance, 1962, of the territory," the words "1913, or that Act as applied to the territory, or the Administration of Estates Act," and the words "or section 10 of the Farmers' Assistance Ordinance, 1962, of the territory,".

Amendment of section 56 of Act 13 of 1944, as amended by section 25 of Act 47 of 1959, section 5 of Act 35 of 1961, section 12 of Act 5 of 1968, section 15 of Act 31 of 1969 and section 7 of Act 41 of 1972

36. Section 56 of the Act is hereby amended—

(a) by the deletion in paragraph (bA) of the words "or the Farmers' Assistance Ordinance, 1962 (Ordinance No. 11 of 1962 of the territory)," and the words "or section 15 or 16 of that Ordinance"; and

(b) by the deletion in paragraph (d) of the words "of the province in which the sale took place".

Amendment of section 57 of Act 13 of 1944

37. Section 57 of the Act is hereby amended by the deletion of the words "of the province in which the property is situate,".

Repeal of sections 58, 59 and 60 of Act 13 of 1944

38. Sections 58, 59 and 60 of the Act is hereby amended.

Amendment of section 64 of Act 13 of 1944, as substituted by section 3 of Act 14 of 1964

39. Section 64 of the Act is hereby amended by the substitution for the words "Minister of Agricultural Economics and Marketing" and the words "said Minister's" of the word "Administrator-General" and the word "Administrator-General's", respectively.

Amendment of section 65 of Act 13 of 1944, as amended by section 9 of Act 13 of 1953, section 12 of Act 46 of 1965 and section 16 of Act 31 of 1969

40. Section 65 of the Act is hereby amended—

(a) by the deletion in subsection (1) of the words "laid before the State President and";

(b) by the deletion of subsection (1A); and

artikel 20D van die Boerebystandsordonnansie, 1962 (Ordonnansie No. 11 van 1962 van die gebied)," en die woorde "subartikel (2) van genoemde artikel 22ter of" te skrap;

(b) deur in paragraaf (e) van genoemde subartikel (1) die woorde "artikel 48 (3) van die Boedelwet, 1913 (Wet No. 24 van 1913), of daardie artikel soos toegepas op die gebied of" te skrap;

(c) deur in paragraaf (f) van genoemde subartikel (1) die woorde "of artikel 10 van die Boerebystandsordonnansie, 1962, van die gebied," te skrap;

(d) deur in subparagraaf (ii) van paragraaf (b) van subartikel (2) die woorde "artikel 22ter van die Boere-Bystandswet, 1935, of", die woorde "artikel 48 (3) van die Boedelwet, 1913, of daardie artikel soos toegepas op die gebied, of" en die woorde "of artikel 10 van die Boerebystandsordonnansie, 1962, van die gebied," te skrap; en

(e) deur in subartikel (3) die woorde "artikel 48 (3) van die Boedelwet, 1913, of daardie artikel soos toegepas op die gebied of", die woorde "of artikel 15 of 16 van die Boerebystandsordonnansie, 1962, van die gebied," die woorde "1913, of daardie Wet soos toegepas op die gebied, of die Boedelwet," en die woorde "of artikel 10 van die Boerebystandsordonnansie, 1962 van die gebied," te skrap.

Wysiging van artikel 56 van Wet 13 van 1944, soos gewysig deur artikel 25 van Wet 47 van 1959, artikel 5 van Wet 35 van 1961, artikel 12 van Wet 5 van 1968, artikel 15 van Wet 31 van 1969 en artikel 7 van Wet 41 van 1972.

36. Artikel 56 van die Wet word hierby gewysig—

(a) deur in paragraaf (bA) die woorde "of die Boerebystandsordonnansie, 1962 (Ordonnansie No. 11 van 1962 van die gebied)," en die woorde "of artikel 15 of 16 van daardie Ordonnansie" te skrap; en

(b) deur in paragraaf (d) die woorde "van die provinsie waarin die verkoping plaasgevind het," te skrap.

Wysiging van artikel 57 van Wet 13 van 1944

37. Artikel 57 van die Wet word hierby gewysig deur die woorde "van die provinsie waarin die goed geleë is," te skrap.

Herroeping van artikels 58, 59 en 60 van Wet 13 van 1944

38. Artikels 58, 59 en 60 van die Wet word hierby herroep.

Wysiging van artikel 64 van Wet 13 van 1944, soos vervang deur artikel 3 van Wet 14 van 1964

39. Artikel 64 van die Wet word hierby gewysig deur die woorde "Minister van Landbou-ekonomie en -bemarking" en die woorde "daardie Minister" deur onderskeidelik die woord "Administrateur-generaal" en die woorde "die Administrateur-generaal" te vervang.

Wysiging van artikel 65 van Wet 13 van 1944, soos gewysig deur artikel 9 van Wet 13 van 1953, artikel 12 van Wet 46 van 1965 en artikel 16 van Wet 31 van 1969

40. Artikel 65 van die Wet word hierby gewysig—

(a) deur in subartikel (1) die woorde "voorlegging aan die Staatspresident en" te skrap;

(b) deur subartikel (1A) te skrap; en

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

"(2) Every such statement shall be signed as correct by the general manager, two members of the board and the accountant of the bank, and shall be tabled in the National Assembly of South West Africa as soon as possible."

Substitution of section 67 of Act 13 of 1944, as amended by section 17 of Act 31 of 1969

41. Section 67 of the Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) The reserve fund of the bank shall be credited—

(a) with all moneys credited to the South West Africa Reserve Fund Account of the Land and Agricultural Bank of South Africa on the date of the commencement of the Land and Agricultural Bank of South West Africa Proclamation, 1979, of the State President;

(b) with any nett profit earned by the bank from time to time;
and shall be applied by the board in making good any loss or deficiency which may occur in any transaction of the bank".

Amendment of section 68 of Act 13 of 1944

42. Section 68 of the Act is hereby amended by the substitution for the words "Consolidated Revenue Fund" of the words "Central Revenue Fund".

Amendment of section 69 of Act 13 of 1944, as amended by section 28 of Act 47 of 1959 and section 5 of Act 52 of 1975

43. Section 69 of the Act is hereby amended by the deletion of subsection (2).

Amendment of section 72 of Act 13 of 1944, as amended by section 9 of Act 13 of 1953, section 7 of Act 60 of 1957 and section 30 of Act 47 of 1959

44. Section 72 of the Act is hereby amended by the deletion in subsection (4) of the words "managing director, the" and the words "or any adviser".

Amendment of section 73 of Act 13 of 1944, as amended by section 9 of Act 13 of 1953, section 7 of Act 60 of 1957 and section 8 of Act 41 of 1972

45. Section 73 of the Act is hereby amended—

(a) by the deletion in subsection (1) of the words "managing director, or the" and the words "or any adviser,";

(b) by the deletion in subsection (2) of the words "managing director of the" and the words "or an adviser,";

(c) by the deletion in subsection (3) of the words "or as an adviser"; and

(d) by the substitution in the said subsection (3) for the words "Consolidated Revenue Fund" of the words "Central Revenue Fund".

Amendment of section 74A of Act 13 of 1944, as inserted by section 18 of Act 31 of 1969

46. Section 74A of the Act is hereby amended by the deletion of the word "also".

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

"(2) Elke sodanige staat moet deur die hoofbestuurder, twee lede van die raad en die rekenmeester van die bank as korrek onderteken word, en moet so gou doenlik in die Nasionale Vergadering van Suidwes-Afrika ter tafel gelê word."

Wysiging van artikel 67 van Wet 13 van 1944, soos gewysig deur artikel 17 van Wet 31 van 1969

41. Artikel 67 van die Wet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

"(1) Die reserwefonds van die bank word gekrediteer—

(a) met alle gelde waarmee die Suidwes-Afrika-reserwefondsrekening van die Land- en Landboubank van Suid-Afrika op die datum van die inwerkingtreding van die Proklamasie op die Land- en Landboubank van Suidwes-Afrika, 1979, van die Staatspresident gekrediteer is;

(b) met netto-winstes van tyd tot tyd deur die bank gemaak;
en word deur die raad aangewend om enige verlies of tekort wat uit transaksies van die bank ontstaan aan te suiwer."

Wysiging van artikel 68 van Wet 13 van 1944

42. Artikel 68 van die Wet word hierby gewysig deur die woorde "Gekonsolideerde Inkomstefonds" deur die woorde "Sentrale Inkomstefonds" te vervang.

Wysiging van artikel 69 van Wet 13 van 1944, soos gewysig deur artikel 28 van Wet 47 van 1959 en artikel 5 van Wet 52 van 1975

43. Artikel 69 van die Wet word hierby gewysig deur subartikel (2) te skrap.

Wysiging van artikel 72 van Wet 13 van 1944, soos gewysig deur artikel 9 van Wet 13 van 1953, artikel 7 van Wet 60 van 1957 en artikel 30 van Wet 47 van 1959

44. Artikel 72 van die Wet word hierby gewysig deur in subartikel (4) die woorde "besturende direkteur, die" en die woorde "of 'n adviseur" te skrap.

Wysiging van artikel 73 van Wet 13 van 1944, soos gewysig deur artikel 9 van Wet 13 van 1953, artikel 7 van Wet 60 van 1957 en artikel 8 van Wet 41 van 1972

45. Artikel 73 van die Wet word hierby gewysig—

(a) deur in subartikel (1) die woorde "besturende direkteur of die" en die woorde "of 'n adviseur," te skrap;

(b) deur in subartikel (2) die woorde "besturende direkteur of die" en die woorde "of 'n adviseur," te skrap;

(c) deur in subartikel (3) die woorde "of as adviseur" te skrap; en

(d) deur in genoemde subartikel (3) die woorde "Gekonsolideerde Inkomstefonds" deur die woorde "Sentrale Inkomstefonds" te vervang.

Wysiging van artikel 74A van Wet 13 van 1944, soos ingevoeg deur artikel 18 van Wet 31 van 1969

46. Artikel 74A van die Wet word hierby gewysig deur die woord "ook" te skrap.

Amendment of Second Schedule to Act 13 of 1944

47. The Second Schedule to the Act is hereby amended by the substitution in the heading for the words "South Africa" of the words "South West Africa".

Amendment of Fourth Schedule to Act 13 of 1944, as amended by section 19 of Act 31 of 1969 and Government Notice R. 201 of 1971

48. The Fourth Schedule to the Act is hereby amended by the deletion in paragraph (a) of item 4 of the words "or section 3 (i) of the Deeds Registry Proclamation, 1939 (Proclamation 37 of 1939 of the territory)".

Substitution of certain expressions in Act 13 of 1944

49. The Act is hereby amended—

(a) by the substitution for the words "State President" and the words "Minister of Finance", wherever they occur, of the word "Administrator-General";

(b) by the substitution for the words "managing director", wherever they occur, of the words "general manager";

(c) by the substitution for the word "Republic", wherever it occurs, of the word "territory";

(d) by the substitution for the word "Gazette", wherever it occurs, of the words "Official Gazette"; and

(e) by the substitution for the words "Fencing Act, 1963 (Act No. 31 of 1963)" and the words "Fencing Act, 1963", wherever they occur, of the words "Fencing Proclamation, 1921 (Proclamation 57 of 1921)".

Application of certain provisions of Proclamation AG. 7 of 1977

50. The provisions of section 4 and 4bis of the Executive Powers Transfer (General Provisions) Proclamation, 1977, of the Administrator-General, shall apply *mutatis mutandis* in relation to the Act as if this Proclamation were a transfer proclamation referred to in that Proclamation: Provided that in such application any reference in the said provisions to section 3 (1) of that Proclamation shall be deemed to be deleted.

Interpretation of references to the Land and Agricultural Bank of South Africa in laws, documents and registers

51. Any reference in any law, document or register to the Land and Agricultural Bank of South Africa or to an officer of or any person or body attached to that bank, shall, except where it is obviously inappropriate, be construed as a reference to the Land and Agricultural Bank of South West Africa or to an officer of or any person or body attached to the last-mentioned bank, performing functions or exercising powers similar to those of the first-mentioned officer, person or body, as the case may be.

Transitional provisions

52. (1) Anything done before the commencement of this Part under any provision of the Act, shall, except in so far as it is obviously inappropriate, be deemed to have been done under that provision, as amended by any provision of this Part.

Wysiging van Tweede Bylae by Wet 13 van 1944

47. Die Tweede Bylae by die Wet word hierby gewysig deur in die opskrif die woord "Suid-Afrika" deur die woord "Suidwes-Afrika" te vervang.

Wysiging van Vierde Bylae by Wet 13 van 1944, soos gewysig deur artikel 19 van Wet 31 van 1969 en Goewermentskennisgewing R. 201 van 1971

48. Die Vierde Bylae by die Wet word hierby gewysig deur in paragraaf (a) van item 4 die woorde "of artikel 3 (i) van die Registrasie van Aktes Proklamasie, 1939 (Proklamasie 37 van 1939 van die gebied)" te skrap.

Vervanging van sekere uitdrukkings in Wet 13 van 1944

49. Die Wet word hierby gewysig—

(a) deur die woord "Staatspresident" en die woorde "Minister van Finansies", oral waar hulle voorkom, deur die woord "Administrateur-generaal" te vervang;

(b) deur die woorde "besturende direkteur", oral waar hulle voorkom, deur die woord "hoofbestuurder" te vervang;

(c) deur die woord "Republiek", oral waar dit voorkom, deur die woord "gebied", te vervang;

(d) deur die woord "Staatskoerant", oral waar dit voorkom, deur die woorde "Offisiële Koerant" te vervang; en

(e) deur die woorde "Omheiningswet, 1963 (Wet No. 31 van 1963)" en die woorde "Omheiningswet, 1963", oral waar hulle voorkom, deur die woorde "Omheiningsproklamasie, 1921 (Proklamasie 57 van 1921)", te vervang.

Toepassing van sekere bepalinge van Proklamasie AG. 7 van 1977

50. Die bepalinge van artikels 4 en 4bis van die Proklamasie op die Oordrag van Uitvoerende Gesag (Algemene Bepalinge), 1977, van die Administrateur-generaal, is *mutatis mutandis* met betrekking tot die Wet van toepassing asof hierdie Proklamasie 'n oordragproklamasie is soos in daardie Proklamasie bedoel: Met dien verstande dat by sodanige toepassing enige verwysing in genoemde bepalinge na artikel 3 (1) van daardie Proklamasie geag word geskrap te wees.

Uitleg van verwysings na die Land- en Landboubank van Suid-Afrika in wette, stukke en registers

51. 'n Verwysing in enige wet, stuk of register na die Land- en Landboubank van Suid-Afrika of 'n beampte of 'n persoon of liggaam verbonde aan daardie bank, word, behalwe waar dit klaarblyklik onvanpas is, uitgêel as 'n verwysing na die Land- en Landboubank van Suidwes-Afrika of 'n beampte of 'n persoon of liggaam verbonde aan laasgenoemde bank wat soortgelyke werksaamhede verrig of bevoegdhede uitoefen as dié van eersbedoelde beampte, persoon of liggaam, na gelang van die geval.

Oorgangsbepalinge

52. (1) Enigiets wat voor die inwerkingtreding van hierdie Deel kragtens 'n bepaling van die Wet gedoen is, word, behalwe vir sover dit klaarblyklik onvanpas is, geag kragtens daardie bepalinge, soos deur die een of ander bepaling van hierdie Deel gewysig, gedoen te wees.

(2) The regulations made under section 69 of the Act and published in the *Gazette* of the Republic by Government Notice R. 585 of 17 April 1964, as amended, is hereby amended—

(a) by the deletion in regulation 1 of Chapter I of the definitions of "General Manager", "Minister", "special contribution" and "special pensioner";

(b) by the substitution in the said regulation 1 in the definition of "Fund" for the words "Land Bank Pension Fund" of the words "Pension Fund of the Land and Agricultural Bank of South West Africa";

(c) by the substitution in the said regulation 1 for the definition of "old fund" of the following definition:

"old fund" shall mean the "Land Bank Pension Fund of the Land and Agricultural Bank of South Africa";

(d) by the deletion in the said regulation 1 in the definition of "pensioner" of the words "other than a special pensioner" and paragraph (a);

(e) by the substitution for subregulation (1) of regulation 1 of Chapter IV of the following subregulation:

"(1) There is hereby established a juristic person to be known as the Pension Fund of the Land and Agricultural Bank of South West Africa.";

(f) by the deletion of paragraph (a) of subregulation (3) of the said regulation (1);

(g) by the deletion of subregulation (2) of regulation 4 of the said Chapter IV;

(h) by the deletion in subregulation (3) of the said regulation 4 of the words "after the 1st January, 1946";

(i) by the substitution for subregulation (2) of regulation 21 of the said Chapter IV of the following subregulation:

"(2) A female member who so retires or who voluntarily retires from the service in contemplation of her marriage, and thereafter marries within three months of such retirement, and who at the time of her retirement was not employed on probation, shall be granted a gratuity in an amount equal to the contributions paid by her plus ten per cent of such amount for each complete year of pensionable service in excess of two years, subject to a maximum of twice the contributions paid by her. No proof of marriage shall be required if such member has had less than three complete years of pensionable service: Provided that, if written notice of the proposed date of her marriage was not given in accordance with the provisions of subregulation (2) of regulation 9 of Chapter II, the Board may, upon recommendation of the General Manager, pay to such female member only a portion of the gratuity envisaged above, but not being less than the gratuity to which such member would have been entitled if she had voluntarily resigned from the service of the Bank under the provisions of regulation 23.";

(j) by the deletion of regulation 24 of the said Chapter IV;

(k) by the substitution for the words "State President" and the words "Minister of Finance", wherever they occur, of the word "Administrator-General";

(2) Die regulasies uitgevaardig kragtens artikel 69 van die Wet en in die *Staatskoerant* van die Republiek afgekondig by Goewermentskennisgewing R. 585 van 17 April 1964, soos gewysig, word hierby gewysig—

(a) deur in regulasie 1 van Hoofstuk I die omskrywings van "Hoofbestuurder", "Minister", "spesiale bydrae" en "spesiale pensioentrekker" te skrap;

(b) deur in genoemde regulasie 1 in die omskrywing van "Fonds" die woord "Landbankpensioenfonds" deur die woorde "Pensioenfonds van die Land- en Landboubank van Suidwes-Afrika" te vervang;

(c) deur in genoemde regulasie 1 die omskrywing van "ou fonds" deur die volgende omskrywing te vervang:

"ou fonds" die "Landbankpensioenfonds van die Land- en Landboubank van Suid-Afrika";

(d) deur in genoemde regulasie 1 in die omskrywing van "pensioentrekker" die woorde "maar nie 'n spesiale pensioentrekker nie," en paragraaf (a) te skrap;

(e) deur subregulasie (1) van regulasie 1 van Hoofstuk IV deur die volgende subregulasie te vervang:

"(1) Daar word hierby 'n regs persoon met die naam die Pensioenfonds van die Land- en Landboubank van Suidwes-Afrika ingestel.";

(f) deur paragraaf (a) van subregulasie (3) van genoemde regulasie 1 te skrap;

(g) deur subregulasie (2) van regulasie 4 van genoemde Hoofstuk IV te skrap;

(h) deur in subregulasie (3) van genoemde regulasie 4 die woorde "na 1 Januarie 1946" te skrap;

(i) deur subregulasie (2) van regulasie 21 van genoemde Hoofstuk IV deur die volgende subregulasie te vervang:

"(2) Aan 'n vroulike lid wat aldus uitree of wat, met die voorneme om te trou, vrywillig uit diens tree, en wat dan binne drie maande vanaf daardie uitdienstreding in die huwelik tree, en nie by datum van uitdienstreding op proef in diens was nie, word 'n gratifikasiebedrag toegeken gelyk aan die bydraes deur haar inbetaal, benewens tien persent van daardie bedrag ten opsigte van elke voltooiende jaar van pensioengewende diens bo twee jaar, maar nie meer as dubbel die bedrag van die bydraes deur haar inbetaal nie. Bewys dat sy in die huwelik getree het, word nie van sodanige lid met minder as drie volle jare pensioengewende diens verlang nie: Met dien verstande dat, indien skriftelike kennisgewing van die voorgestelde datum van haar huwelik nie kragtens die bepaling van subregulasie (2) van regulasie 9 van Hoofstuk II gegee was nie, die Raad slegs 'n gedeelte van die gratifikasie hierbo beoog, aan bedoelde vroulike lid op aanbeveling van die Hoofbestuurder kan betaal, maar nie minder nie as die gratifikasie waarop sy geregtig sou gewees het indien sy kragtens die bepaling van regulasie 23 vrywillig uit die Bank se diens bedank het.";

(j) deur regulasie 24 van genoemde Hoofstuk IV te skrap;

(k) deur die woord "Staatspresident" en die woorde "Minister van Finansies", oral waar hulle voorkom, deur die woord "Administrateur-generaal" te vervang;

(l) by the substitution for the word "Republic", wherever it occurs, of the word "territory";

(m) by the substitution for the word "Pretoria", wherever it occurs, of the word "Windhoek";

(n) by the substitution for the words "Managing Director", wherever they occur, of the words "General Manager"; and

(o) by the substitution for the words "Land and Agricultural Bank of South Africa", wherever they occur, of the words "Land and Agricultural Bank of South West Africa".

(3) In the application of any provision of the Act, the provisions of subsection (2) of this section shall be deemed to be regulations made under section 69.

(4) The general manager of the Land and Agricultural Bank of South West Africa may adjust any form or instruction prescribed or issued under the Act in so far as it is necessary to give effect to the provisions of this Proclamation.

PART II

AMENDMENT OF THE LAND BANK ACT, 1944, AS IT APPLIES IN THE REPUBLIC

Application of Part II of this Proclamation

53. This Part shall apply only in the Republic.

Amendment of section 2 of Act 13 of 1944, as amended by section 1 of Act 42 of 1951, section 1 of Act 13 of 1953, section 1 of Act 60 of 1957, section 1 of Act 47 of 1959, section 5 of Act 31 of 1969 and section 1 of Act 41 of 1972

54. Section 2 of the Act is hereby amended—

(a) by the deletion in subsection (1) in the definition of "co-operative company" of the words "or the Co-operative Societies Ordinance, 1946 (Ordinance No. 15 of 1946 of the territory)";

(b) by the deletion in the said subsection (1) in the definition of "registrar" of the words "or section 3 of the Co-operative Societies Ordinance, 1946 (Ordinance No. 15 of 1946 of the territory)";

(c) by the deletion in the said subsection (1) of the definition of "Republic"; and

(d) by the deletion in the said subsection (1) of the definition of "territory".

Amendment of section 4 of Act 13 of 1944, as amended by section 2 of Act 42 of 1951, section 1 of Act 46 of 1965, section 7 of Act 31 of 1969 and section 2 of Act 92 of 1970

55. Section 4 of the Act is hereby amended by the substitution in subsection (3) for the words "a Provincial Council or the Legislative Assembly of the territory," of the words "or a Provincial Council".

Amendment of section 5 of Act 13 of 1944, as amended by section 8 of Act 31 of 1969

56. Section 5 of the Act is hereby amended by the deletion in paragraph (a) of subsection (2) of the words "or section 10 (1) of the Farmers' Assistance Ordinance, 1962 (Ordinance No. 11 of 1962 of the territory)".

(l) deur die woord "Republiek", oral waar dit voorkom, deur die woord "gebied" te vervang;

(m) deur die woord "Pretoria", oral waar dit voorkom, deur die woord "Windhoek" te vervang;

(n) deur die woorde "Besturende Direkteur", oral waar hulle voorkom, deur die woord "Hoofbestuurder" te vervang; en

(o) deur die woorde "Land- en Landboubank van Suid-Afrika", oral waar hulle voorkom, deur die woorde "Land- en Landboubank van Suidwes-Afrika" te vervang.

(3) By die toepassing van enige bepaling van die Wet, word die bepalings van subartikel (2) van hierdie artikel, geag regulasies te wees wat kragtens artikel 69 daarvan uitgevaardig is.

(4) Die hoofbestuurder van die Land- en Landboubank van Suidwes-Afrika kan enige vorm of voorskrif wat kragtens die Wet voorgeskryf of uitgereik is, aanpas vir sover dit nodig is om aan die bepalings van hierdie Proklamasie gevolg te gee.

DEEL II

WYSIGING VAN DIE LANDBANKWET, 1944, SOOS DIT IN DIE REPUBLIEK VAN TOEPASSING IS

Toepassing van Deel II van hierdie Proklamasie

53. Hierdie Deel is slegs in die Republiek van toepassing.

Wysiging van artikel 2 van Wet 13 van 1944, soos gewysig deur artikel 1 van Wet 42 van 1951, artikel 1 van Wet 13 van 1953, artikel 1 van Wet 60 van 1957, artikel 1 van Wet 47 van 1959, artikel 5 van Wet 31 van 1969 en artikel 1 van Wet 41 van 1972

54. Artikel 2 van die Wet word hierby gewysig—

(a) deur in subartikel (1) in die omskrywing van "koöperatiewe maatskappy" die woorde "of die Ordonnansie op Koöperatiewe Verenigings, 1946 (Ordonnansie No. 15 van 1946 van die gebied)," te skrap;

(b) deur in genoemde subartikel (1) in die omskrywing van "registrateur" die woorde "of artikel 3 van die Ordonnansie op Koöperatiewe Verenigings, 1946 (Ordonnansie No. 15 van 1946 van die gebied)" te skrap;

(c) deur in genoemde subartikel (1) die omskrywing van "Republiek" te skrap; en

(d) deur in genoemde subartikel (1) die omskrywing van "gebied" te skrap.

Wysiging van artikel 4 van Wet 13 van 1944, soos gewysig deur artikel 2 van Wet 42 van 1951, artikel 1 van Wet 46 van 1965, artikel 7 van Wet 31 van 1969 en artikel 2 van Wet 92 van 1970

55. Artikel 4 van die Wet word hierby gewysig deur in subartikel (3) die woorde "'n Provinsiale Raad of die Wetgewende Vergadering van die gebied," deur die woorde "of 'n Provinsiale Raad" te vervang.

Wysiging van artikel 5 van Wet 13 van 1944, soos gewysig deur artikel 8 van Wet 31 van 1969

56. Artikel 5 van die Wet word hierby gewysig deur in paragraaf (a) van subartikel (2) die woorde "of artikel 10 (1) van die Boerebystandsordonnansie, 1962 (Ordonnansie No. 11 van 1962 van die gebied)," te skrap.

Amendment of section 15 of Act 13 of 1944, as amended by section 5 of Act 42 of 1951, section 6 of Act 13 of 1953, section 1 of Act 31 of 1954, section 3 of Act 60 of 1957 and section 9 of Act 31 of 1969

57. Section 15 of the Act is hereby amended by the deletion in subsection (2) of the words "or to a former member of the Land Bank Provident Fund of South West Africa who has retired from a post in the bank," and the words "or such a former member,".

Amendment of section 19 of Act 13 of 1944, as amended by section 10 of Act 31 of 1969

58. Section 19 of the Act is hereby amended—

(a) by the deletion of paragraph (e) of subsection (1);

(b) by the substitution in subsection (2) for the expression "(c), (d) and (e)" of the expression "(c) and (d)"; and

(c) by the deletion of the proviso to the said subsection (2).

Amendment of section 25 of Act 13 of 1944, as amended by section 8 of Act 47 of 1959 and section 11 of Act 31 of 1969

59. Section 25 of the Act is hereby amended by the deletion in subparagraph (i) of paragraph (b) of the words "or under any law repealed by the Land Bank Amendment Act, 1969".

Amendment of section 28 of Act 13 of 1944, as substituted by section 3 of Act 5 of 1968 and amended by section 12 of Act 31 of 1969

60. Section 28 of the Act is hereby amended by the deletion of subsection (1A).

Amendment of section 55 of Act 13 of 1944, as amended by section 11 of Act 46 of 1965, section 11 of Act 5 of 1968, section 14 of Act 31 of 1969 and section 6 of Act 41 of 1972

61. Section 55 of the Act is hereby amended—

(a) by the deletion in paragraph (d) of subsection (1) of the words "or section 20D of the Farmers' Assistance Ordinance, 1962 (Ordinance No. 11 of 1962 of the territory)";

(b) by the deletion in paragraph (e) of the said subsection (1) of the words "or that section as applied to the territory";

(c) by the deletion in paragraph (f) of the said subsection (1) of the words "or section 10 of the Farmers' Assistance Ordinance, 1962, of the territory";

(d) by the deletion in subparagraph (ii) of paragraph (b) of subsection (2) of the words "or that section as applied to the territory" and the words "or section 10 of the Farmers' Assistance Ordinance, 1962, of the territory,"; and

(e) by the deletion in subsection (3) of the words "or that section as applied to the territory", the words "or section 15 or 16 of the Farmers' Assistance Ordinance, 1962, of the territory," the words "or that Act as applied to the territory" and the words "or section 10 of the Farmers' Assistance Ordinance, 1962, of the territory,".

Wysiging van artikel 15 van Wet 13 van 1944, soos gewysig deur artikel 5 van Wet 42 van 1951, artikel 6 van Wet 13 van 1953, artikel 1 van Wet 31 van 1954, artikel 3 van Wet 60 van 1957 en artikel 9 van Wet 31 van 1969

57. Artikel 15 van die Wet word hierby gewysig deur in subartikel (2) van die woorde "of aan 'n voormalige lid van die Landbankvoorsieningsfonds van Suidwes-Afrika wat uit 'n betrekking in die bank afgetree het," en die woorde "of so 'n voormalige lid," te skrap.

Wysiging van artikel 19 van Wet 13 van 1944, soos gewysig deur artikel 10 van Wet 31 van 1969

58. Artikel 19 van die Wet word hierby gewysig—

(a) deur paragraaf (e) van subartikel (1) te skrap;

(b) deur in subartikel (2) die uitdrukking "(c), (d) en (e)" deur die uitdrukking "(c) en (d)" te vervang; en

(c) deur die voorbehoudsbepaling by genoemde subartikel (2) te skrap.

Wysiging van artikel 25 van Wet 13 van 1944, soos gewysig deur artikel 8 van Wet 47 van 1959 en artikel 11 van Wet 31 van 1969

59. Artikel 25 van die Wet word hierby gewysig deur in subparagraaf (i) van paragraaf (b) die woorde "of kragtens 'n deur die Wysigingswet op die Landbank, 1969, herroepe wet" te skrap.

Wysiging van artikel 28 van Wet 13 van 1944, soos vervang deur artikel 3 van Wet 5 van 1968 en gewysig deur artikel 12 van Wet 31 van 1969

60. Artikel 28 van die Wet word hierby gewysig deur subartikel (1A) te skrap.

Wysiging van artikel 55 van Wet 13 van 1944, soos gewysig deur artikel 11 van Wet 46 van 1965, artikel 11 van Wet 5 van 1968, artikel 14 van Wet 31 van 1969 en artikel 6 van Wet 41 van 1972

61. Artikel 55 van die Wet word hierby gewysig—

(a) deur in paragraaf (d) van subartikel (1) die woorde "of artikel 20D van die Boerebystandsordonnansie, 1962 (Ordonnansie No. 11 van 1962 van die gebied)," te skrap;

(b) deur in paragraaf (e) van genoemde subartikel (1) die woorde "of daardie artikel soos toegepas op die gebied" te skrap;

(c) deur in paragraaf (f) van genoemde subartikel (1) die woorde "of artikel 10 van die Boerebystandsordonnansie, 1962, van die gebied," te skrap;

(d) deur in subparagraaf (ii) van paragraaf (b) van subartikel (2) die woorde "of daardie artikel soos toegepas op die gebied," en die woorde "of artikel 10 van die Boerebystandsordonnansie, 1962, van die gebied," te skrap; en

(e) deur in subartikel (3) die woorde "of daardie artikel soos toegepas op die gebied", die woorde "of artikel 15 of 16 van die Boerebystandsordonnansie, 1962, van die gebied," die woorde "of daardie Wet soos toegepas op die gebied" en die woorde "of artikel 10 van die Boerebystandsordonnansie, 1962, van die gebied," te skrap.

Amendment of section 56 of Act 13 of 1944, as amended by section 25 of Act 47 of 1959, section 5 of Act 35 of 1961, section 12 of Act 5 of 1968, section 15 of Act 31 of 1969 and section 7 of Act 41 of 1972

62. Section 56 of the Act is hereby amended by the deletion in paragraph (bA) of the words "or the Farmers' Assistance Ordinance, 1962 (Ordinance No. 11 of 1962 of the territory)," and the words "or section 15 or 16 of that Ordinance".

Amendment of section 65 of Act 13 of 1944, as amended by section 9 of Act 13 of 1953, section 12 of Act 46 of 1965 and section 16 of Act 31 of 1969

63. Section 65 of the Act is hereby amended by the deletion of subsection (1A).

Amendment of section 67 of Act 13 of 1944, as amended by section 17 of Act 31 of 1969

64. Section 67 of the Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) The reserve fund of the bank shall be credited with any nett profit earned by the bank from time to time and shall be applied by the board in making good any loss or deficiency which may occur in any transaction of the bank."

Repeal of section 74A of Act 13 of 1944, as inserted by section 18 of Act 31 of 1969

65. Section 74A of the Act is hereby repealed.

Amendment of Fourth Schedule to Act 13 of 1944, as amended by section 19 Act 31 of 1969 and Government Notice R. 201 of 1971

66. The Fourth Schedule to the Act is hereby amended by the deletion in paragraph (a) of item 4 of the words "or section 3 (i) of the Deeds Registry Proclamation, 1939 (Proclamation 37 of 1939 of the territory)".

PART III

GENERAL

Transfer of assets, rights, liabilities and obligations to the Land and Agricultural Bank of South West Africa

67. (1) Subject to the provisions of subsection (2), the assets or rights acquired, and the liabilities or obligations incurred, by the Land and Agricultural Bank of South Africa in relation to any matter in respect of which any powers may be exercised or functions may be performed in terms of this Proclamation by the board of the Land and Agricultural Bank of South West Africa and such obligations as were payable from the South West Africa Account of the Land and Agricultural Bank of South Africa immediately before the coming into operation of this Proclamation, shall vest in the Land and Agricultural Bank of South West Africa, without formal transfer and without payment of any transfer duty, stamp duty office fee or other moneys.

(2) (a) Notwithstanding the provisions of subsection (1), the obligations of the Land and Agricultural Bank of South Africa in connection with any loan granted by any person to the said Land and Agricultural Bank of South Africa before the date of the coming into operation of this Proclamation and appropriated in the territory by that bank in terms of the provisions of the Act, shall not vest in the Land and Agricultural Bank of South West Africa but the last-mentioned

Wysiging van artikel 56 van Wet 13 van 1944, soos gewysig deur artikel 25 van Wet 47 van 1959, artikel 5 van Wet 35 van 1961, artikel 12 van Wet 5 van 1968, artikel 15 van Wet 31 van 1969 en artikel 7 van Wet 41 van 1972

62. Artikel 56 van die Wet word hierby gewysig deur in paragraaf (bA) die woorde "of die Boerebystandoordonnansie, 1962 (Ordonnansie No. 11 van 1962 van die gebied)," en die woorde "of artikel 15 of 16 van daardie Ordonnansie" te skrap.

Wysiging van artikel 65 van Wet 13 van 1944, soos gewysig deur artikel 9 van Wet 13 van 1953, artikel 12 van Wet 46 van 1965 en artikel 16 van Wet 31 van 1969

63. Artikel 65 van die Wet word hierby gewysig deur subartikel (1A) te skrap.

Wysiging van artikel 67 van Wet 13 van 1944, soos gewysig deur artikel 17 van Wet 31 van 1969

64. Artikel 67 van die Wet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

"(1) Die reserwefonds van die bank word gekrediteer met netto-winste van tyd tot tyd deur die bank gemaak en word deur die bank aangewend om enige verlies of tekort wat uit transaksies van die bank ontstaan, aan te suiwer."

Herroeping van artikel 74A van Wet 13 van 1944, soos ingevoeg deur artikel 18 van Wet 31 van 1969

65. Artikel 74A van die Wet word hierby herroep.

Wysiging van Vierde Bylae by Wet 13 van 1944, soos gewysig deur artikel 19 van Wet 31 van 1969 en Goewermentskennisgewing R. 201 van 1971

66. Die Vierde Bylae by die Wet word hierby gewysig deur in paragraaf (a) van item 4 die woorde "of artikel 3 (i) van die Registrasie van Aktes Proklamasie, 1939 (Proklamasie 37 van 1939 van die gebied)" te skrap.

DEEL III

ALGEMEEN

Oordrag van bates, regte, laste en verpligtinge aan Land- en Landboubank van Suidwes-Afrika

67. (1) Behoudens die bepalinge van subartikel (2), gaan die bates of regte verkry, en die laste of verpligtinge aangegaan, deur die Land- en Landboubank van Suid-Afrika met betrekking tot 'n aangeleentheid ten opsigte waarvan daar ingevolge hierdie Proklamasie deur die raad van die Land- en Landboubank van Suidwes-Afrika bevoegdhede uitgeoefen of werksaamhede verrig kan word en sodanige verpligtinge wat onmiddellik voor die inwerkingtreding van hierdie Proklamasie uit die Suidwes-Afrikarekening van die Land- en Landboubank van Suid-Afrika van Suid-Afrika betaalbaar was, sonder formele oordrag en sonder betaling van enige hereregte, seëlregte, kantoorgelde of ander gelde, oor op die Land- en Landboubank van Suidwes-Afrika.

(2) (a) Ondanks die bepalinge van subartikel (1) gaan die verpligtinge van die Land- en Landboubank van Suid-Afrika in verband met enige lening wat deur enigiemand voor die datum van die inwerkingtreding van hierdie Proklamasie aan genoemde Land- en Landboubank van Suid-Afrika toegestaan is en wat deur daardie bank ingevolge die bepalinge van die Wet in die gebied aangewend is, nie op die Land- en Landboubank van Suidwes-Afrika oor nie maar laasgenoemde

bank shall be obliged to pay any amounts repayable in connection with such loan, to the Land and Agricultural Bank of South Africa before or on the dates determined for such repayment.

(b) The Minister of Finance may, on such conditions as he may determine, guarantee the payment by the Land and Agricultural Bank of South West Africa to the Land and Agricultural Bank of South Africa, of the amounts in relation to the loan referred to in paragraph (a).

(3) The registrar of deeds shall make such notes as he may consider necessary to give effect to the provisions of subsection (1), in or upon all relevant registers or documents kept in his office.

Secondment of staff to Land and Agricultural Bank of South West Africa

68. (1) An officer or clerk of the Land and Agricultural Bank of South Africa may at any time, with his own consent, be seconded by the board of that bank upon the conditions determined by the said board to the service of the Land and Agricultural Bank of South West Africa.

(2) (a) Any person who immediately before the date of the coming into operation of this Proclamation is an officer or clerk in the branch office of the Land and Agricultural Bank of South Africa at Windhoek, shall, subject to the provisions of paragraph (b), be deemed to be seconded under the provisions of subsection (1) by the board of the said bank to the service of the Land and Agricultural Bank of South West Africa upon the conditions and with retention of the rights and privileges which immediately before that date are applicable to that officer or clerk, except as may otherwise be determined by the board of the Land and Agricultural Bank of South Africa.

(b) An officer or clerk referred to in paragraph (a) may within a period of three months from the date of the coming into operation of this Proclamation or such further period as the board of the Land and Agricultural Bank of South Africa may determine, give notice in writing that he does not wish to be deemed to be so seconded.

(3) (a) The board of the Land and Agricultural Bank of South West Africa shall, during the period referred to in paragraph (b) of subsection (2), offer employment to an officer or clerk referred to in paragraph (a) of the said subsection (2), in any post established under the Act, as it is applicable in the territory, at the said Land and Agricultural Bank of South West Africa on such terms and conditions and at such remuneration as the board of that bank may determine.

(b) Any person to whom employment has been offered in terms of paragraph (a) and who elects in writing to accept such employment, shall be appointed under section 14 of the said Act with effect from a date determined by the board of the Land and Agricultural Bank of South West Africa after consultation with the board of the Land and Agricultural Bank of South Africa.

(c) Notwithstanding anything to the contrary in any law contained, there shall, in respect of any officer or clerk appointed in terms of paragraph (b), be paid to the Pension Fund of the Land and Agricultural Bank of South West Africa out of the Land Bank Pension Fund an amount equal to the interest of the officer or clerk concerned in the assets of the said Land Bank Pension Fund as calculated by the actuary of the said Land Bank Pension Fund.

bank is verplig om enige bedrae wat in verband met sodanige lening terugbetaalbaar is, aan die Land- en Landboubank van Suid-Afrika te betaal voor of op die datums wat vir sodanige terugbetaling bepaal is.

(b) Die Minister van Finansies kan, op die voorwaardes wat hy bepaal, die betaling deur die Land- en Landboubank van Suidwes-Afrika aan die Land- en Landboubank van Suid-Afrika van die bedrae met betrekking tot 'n lening in paragraaf (a) bedoel, waarborg.

(3) Die registrateur van aktes moet die aantekeninge wat hy nodig ag om aan die bepalings van subartikel (1) gevolg te gee, aanbring in of op alle tersaaklike registers of stukke wat in sy kantoor gehou word.

Afstaan van personeel aan Land- en Landboubank van Suidwes-Afrika

68. (1) 'n Beampte of klerk van die Land- en Landboubank van Suid-Afrika kan te eniger tyd met sy eie toestemming deur die raad van daardie bank op die voorwaardes wat genoemde raad bepaal aan die diens van die Land- en Landboubank van Suidwes-Afrika afgestaan word.

(2) (a) Iemand wat onmiddellik voor die datum van die inwerkingtreding van hierdie Proklamasie 'n beampte of klerk in die takkantoor van die Land- en Landboubank van Suid-Afrika te Windhoek is, word, behoudens die bepalings van paragraaf (b), geag deur die raad van genoemde bank kragtens die bepalings van subartikel (1) aan die diens van die Land- en Landboubank van Suidwes-Afrika afgestaan te wees op die voorwaardes en met behoud van die regte en voorregte wat onmiddellik voor daardie datum op daardie beampte of klerk van toepassing is, behalwe soos anders deur die raad van die Land- en Landboubank van Suid-Afrika bepaal word.

(b) 'n Beampte of klerk in paragraaf (a) bedoel, kan binne 'n tydperk van drie maande vanaf die datum van die inwerkingtreding van hierdie Proklamasie of die verdere tydperk wat die raad van die Land- en Landboubank van Suid-Afrika bepaal, skriftelik aan genoemde raad kennis gee dat hy wens om nie geag te word aldus afgestaan te wees nie.

(3) (a) Die raad van die Land- en Landboubank van Suidwes-Afrika moet gedurende die tydperk in paragraaf (b) van subartikel (2) bedoel, aan 'n beampte of klerk in paragraaf (a) van genoemde subartikel (2) bedoel, werk aanbied in 'n pos wat kragtens die Wet, soos dit in die gebied van toepassing is, by genoemde Land- en Landboubank van Suidwes-Afrika ingestel is, op die bedinge en voorwaardes en teen die besoldiging wat die raad van daardie bank bepaal.

(b) Iemand aan wie werk ingevolge paragraaf (a) aangebied is en wat skriftelik kies om sodanige werk te aanvaar, word met ingang van 'n datum deur die raad van die Land- en Landboubank van Suidwes-Afrika na oorlegpleging met die raad van die Land- en Landboubank van Suid-Afrika bepaal, kragtens artikel 14 van genoemde Wet aangestel.

(c) Ondanks andersluidende bepalings van die een of ander wet, word daar, ten opsigte van 'n beampte of klerk wat ingevolge paragraaf (b) aangestel word, aan die Pensioenfonds van die Land- en Landboubank van Suidwes-Afrika uit die Landbankpensioenfonds 'n bedrag betaal gelyk aan die belang van die betrokke beampte of klerk in die bates van genoemde Landbankpensioenfonds soos deur die aktuaris van genoemde Landbankpensioenfonds bereken.

(4) For the purposes of the Act, as it is applicable in the territory, and the regulations made thereunder, an officer or clerk seconded or deemed to be seconded under this section to the service of the Land and Agricultural Bank of South West Africa, shall be deemed to be staff of the said bank.

Amendment of section 4 of Act 31 of 1969

69. Section 4 of the Land Bank Amendment Act, 1969, is hereby amended by the insertion in the proviso after the word "that" of the words "for so long as he is employed in the territory of South West Africa".

Short title and commencement

70. This Proclamation shall be called the Land and Agricultural Bank of South West Africa Proclamation, 1979, and shall come into operation on 1 September 1979 or on such earlier date as the State President may determine by proclamation in the *Gazette*.

(4) By die toepassing van die Wet, soos dit in die gebied van toepassing is, en die regulasies daarkragtens uitgevaardig, word 'n beampte of klerk wat kragtens hierdie artikel afgestaan is of geag word afgestaan te wees aan die diens van die Land- en Landboubank van Suidwes-Afrika, geag personeel van genoemde bank te wees.

Wysiging van artikel 4 van Wet 31 van 1969

69. Artikel 4 van die Wysigingswet op die Landbank, 1969, word hierby gewysig deur in die voorbehoudsbepaling na die woord "dat" die woorde "vir solank hy in die gebied Suidwes-Afrika diens doen" in te voeg.

Kort titel en inwerkingtreding

70. Hierdie Proklamasie heet die Proklamasie op die Land- en Landboubank van Suidwes-Afrika, 1979, en tree op 1 September 1979 of op so 'n vroeër datum as wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal, in werking.