



REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

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[No. 2858.]

DEPARTMENT OF THE PRIME MINISTER.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 1683.

7th October, 1970.

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

No. 63 of 1970: Mountain Catchment Areas Act, 1970.

No. 1683.

7 Oktober 1970.

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

No. 63 van 1970: Wet op Bergopvanggebiede, 1970.

WET

Om voorsiening te maak vir die bewaring, aanwending, bestuur en beheer van grond geleë in bergopvanggebiede en om vir bykomstige aangeleenthede voorsiening te maak.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 23 September 1970.)*

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

**Woord-
omskrywing.**

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

- (i) „adviserende komitee” ’n adviserende komitee kragtens artikel 6 ingestel; (i)
- (ii) „bergopvanggebied” ’n gebied wat kragtens artikel 2 tot bergopvanggebied verklaar is; (viii)
- (iii) „bewoner”, met betrekking tot grond, iemand wat as eienaar, huurder of andersins die bestuur, toesig of beheer oor of gebruik van grond het, hetsy hy op daardie grond woon of nie, en ook iemand wat die reg het om bome of hout op grond te kap of om bome of hout van grond te verwyder, en met betrekking tot grond onder beheer van ’n plaaslike bestuur, daardie plaaslike bestuur, maar nie ook iemand wat as plakkerdiensbode, plakker of diensbode, soos omskryf in artikel 49 van die Bantoetrust en -grond Wet, 1936 (Wet No. 18 van 1936), of as bywoner of deelsaaier in okkupasie van grond is of die gebruik daarvan het nie; (ix)
- (iv) „brandbeveiligingsplan” ’n brandbeveiligingsplan wat kragtens artikel 8 in werking is; (v)
- (v) „brandstrook” ’n strook grond, met of sonder bome daarop, waarvan ontlambare materiaal verwyder is ten einde veld- of bosbrande of die verspreiding daarvan te voorkom; (iv)
- (vi) „departement” die Departement van Bosbou; (ii)
- (vii) „eienaar”, met betrekking tot grond—
 - (a) die persoon in wie se naam die grond geregistreer is of, as daardie persoon uit die Republiek afwesig is of sy verblyfplek onbekend is, sy gevolmagtigde verteenwoordiger in die Republiek;
 - (b) in die geval van Staatsgrond verhuur kragtens ’n huurkontrak wat ’n opsie ten gunste van die huurder bevat om die aldus verhuurde grond aan te koop, die huurder wat sy opsie uitgeoefen het om die grond aan te koop;
 - (c) in die geval van Staatsgrond wat deur aankoop verkry is, maar ten opsigte waarvan transport nog nie aan die koper gegee is nie, daardie koper;
 - (d) in die geval van grond onder beheer van ’n plaaslike bestuur, daardie plaaslike bestuur; en

MOUNTAIN CATCHMENT AREAS ACT, 1970.

Act No. 63, 1970

ACT

To provide for the conservation, use, management and control of land situated in mountain catchment areas, and to provide for matters incidental thereto.

*(Afrikaans text signed by the State President.)
(Assented to 23rd September, 1970.)*

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

1. In this Act, unless the context otherwise indicates— Definitions.
- (i) "advisory committee" means any advisory committee established under section 6; (i)
 - (ii) "department" means the Department of Forestry; (vi)
 - (iii) "direction" means any direction declared applicable with reference to land situated in a mountain catchment area under this Act; (xiii)
 - (iv) "fire-belt" means any strip of land, whether under trees or not, which has been cleared of inflammable matter to prevent veld or forest fires or the spread thereof; (v)
 - (v) "fire protection plan" means any fire protection plan which is in operation under section 8; (iv)
 - (vi) "local authority" means any institution or body contemplated in section 84 (1) (f) of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961); (ix)
 - (vii) "Minister" means the Minister of Forestry; (viii)
 - (viii) "mountain catchment area" means any area declared under section 2 to be a mountain catchment area; (ii)
 - (ix) "occupier", in relation to land, means any person who as owner, lessee or otherwise has the management, charge, control or use of any land, whether he resides on that land or not, and includes any person who has a right of cutting trees or wood on any land or of removing trees or wood from any land, and in relation to land under the control of a local authority, that local authority, but does not include any person who as a labour tenant, squatter or servant, as defined in section 49 of the Bantu Trust and Land Act, 1936 (Act No. 18 of 1936), or as "bywoner" or "deelsaaiër" is in occupation or has the use of any land; (iii)
 - (x) "owner", in relation to any land, means—
 - (a) the person in whose name the land is registered or, if such person is absent from the Republic or his whereabouts are unknown, his authorized representative in the Republic;
 - (b) in the case of State land leased under a lease which contains an option in favour of the lessee to purchase the land so leased, the lessee who has exercised his option to purchase the land;

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- (e) in die geval van grond wat by die Suid-Afrikaanse Bantoetrust ingestel by artikel 4 van die Bantoetrust en -grond Wet, 1936 (Wet No. 18 van 1936), berus, daardie Bantoetrust; (x)
- (viii) „Minister” die Minister van Bosbou; (vii)
- (ix) „plaaslike bestuur” ’n instelling of liggaam in artikel 84 (1) (f) van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet No. 32 van 1961) bedoel; (vi)
- (x) „regulasie” ’n regulasie kragtens hierdie Wet uitgevaardig; (xii)
- (xi) „Sekretaris” die Sekretaris van Bosbou; (xiii)
- (xii) „voorgeskryf” by regulasie voorgeskryf; (xi)
- (xiii) „voorskrif” ’n voorskrif kragtens hierdie Wet ten opsigte van grond geleë in ’n bergopvanggebied van toepassing verklaar. (iii)

Verklaring van bergopvanggebiede.

2. Die Minister kan by kennisgewing in die *Staatskoerant* ’n gebied omskryf en daardie gebied tot ’n bergopvanggebied verklaar en kan van tyd tot tyd by dergelike kennisgewing die grense van ’n bergopvanggebied verander of ’n kennisgewing waarby ’n bergopvanggebied ingestel is, intrek.

Bevoegdheid van Minister om voorskrifte van toepassing te verklaar met betrekking tot grond in bergopvanggebiede.

3. (1) Die Minister kan, of by kennisgewing in die *Staatskoerant* of by skriftelike kennisgewing aan die eienaar of bewoner van grond wat geleë is in ’n bergopvanggebied en wat in sodanige kennisgewing vermeld word, ’n voorskrif met betrekking tot sodanige grond van toepassing verklaar, betreffende—

- (a) die bewaring, aanwending, bestuur en beheer van sodanige grond;
- (b) die voorkoming van gronderosie, die behandeling en beskerming van die natuurlike plantegroei en die vernietiging van gewasse wat na die mening van die Minister indringergewasse is; en
- (c) enige ander aangeleentheid wat hy nodig of dienstig ag ten einde die oogmerke van hierdie Wet ten opsigte van sodanige grond te bereik.

(2) ’n Voorskrif bind elke eienaar en bewoner van grond met betrekking waartoe dit van toepassing verklaar is, en hulle opvolgers in regte.

(3) Die Minister kan ’n voorskrif intrek, wysig of, onderworpe aan die voorwaardes wat hy bepaal, opskort.

Vergoeding betaalbaar ten opsigte van vermoënskade veroorsaak deur voldoening aan voorskrifte.

4. (1) Indien uit hoofde van ’n voorskrif beperkings geplaas word op die doeleindes waarvoor grond aangewend kan word, moet aan die eienaar of bewoner van sodanige grond die vergoeding ten opsigte van werklike vermoënskade deur hom gely, betaal word wat in ’n ooreenkoms gesluit tussen die Minister, in oorleg met die Minister van Finansies, en sodanige eienaar of bewoner bepaal word.

(2) By ontstentenis van sodanige ooreenkoms, moet die bedrag wat betaal moet word as vergoeding vir werklike vermoënskade deur sodanige eienaar of bewoner gely, deur die hof bepaal word en die bepaling van artikels 7, 9 en 10 van die Onteieningswet, 1965 (Wet No. 55 van 1965), is *mutatis mutandis* van toepassing by die bepaling van hierdie bedrag en by die toepassing van sodanige bepaling word ’n verwysing na die Minister van Lande uitgelê as ’n verwysing na die Minister.

(3) Geen vergoeding word kragtens die bepaling van hierdie artikel betaal nie tensy die persoon wat op vergoeding aanspraak maak ’n aansoek in die voorgeskrewe vorm aan die Minister voorlê en in verband met sodanige aansoek die voorgeskrewe besonderhede verstrek.

Vrystelling van sekere belastings van sekere grond in bergopvanggebiede geleë.

5. (1) Grond wat geleë is binne ’n bergopvanggebied waarop daar uit hoofde van ’n voorskrif geen boerdery beoefen mag word nie, is vrygestel van alle belastings wat deur ’n plaaslike bestuur op die waarde van onroerende eiendom gehef word.

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- (c) in the case of State land acquired by purchase but in respect of which title has not yet been given to the purchaser, such purchaser;
- (d) in the case of land under the control of a local authority, that local authority;
- (e) in the case of land vested in the South African Bantu Trust, established by section 4 of the Bantu Trust and Land Act, 1936 (Act No. 18 of 1936), the said Bantu Trust; (vii)
- (xi) "prescribed" means prescribed by regulation; (xii)
- (xii) "regulation" means any regulation made under this Act; (x)
- (xiii) "Secretary" means the Secretary for Forestry. (xi)

2. The Minister may by notice in the *Gazette* define any area and declare that area to be a mountain catchment area and may from time to time by like notice alter the boundaries of any mountain catchment area or withdraw any notice whereby a mountain catchment area was established.

Declaration of mountain catchment areas.

3. (1) The Minister may, either by notice in the *Gazette* or by written notice to the owner or occupier of land which is situated within any mountain catchment area and which is mentioned in such notice, declare a direction to be applicable with reference to such land, relating to—

Power of Minister to declare directions applicable with reference to land in mountain catchment areas.

- (a) the conservation, use, management and control of such land;
- (b) the prevention of soil erosion, the protection and the treatment of the natural vegetation and the destruction of vegetation which is, in the opinion of the Minister, intruding vegetation; and
- (c) any other matter which he considers necessary or expedient for the achievement of the objects of this Act in respect of such land.

(2) A direction shall be binding on every owner and occupier of the land with reference to which it has been declared applicable, and their successors in title.

(3) The Minister may withdraw, amend or, subject to such conditions as he may determine, suspend a direction.

4. (1) If in terms of a direction limitations are placed on the purposes for which land may be used, the owner or occupier of such land shall be paid such compensation in respect of actual patrimonial loss suffered by him as may be determined in an agreement concluded between the Minister, in consultation with the Minister of Finance, and such owner or occupier.

Compensation payable in respect of patrimonial loss caused by complying with directions.

(2) In the absence of such agreement, the amount to be paid as compensation for actual patrimonial loss suffered by such owner or occupier, shall be determined by the court, and the provisions of sections 7, 9 and 10 of the Expropriation Act, 1965 (Act No. 55 of 1965), shall apply *mutatis mutandis* in the determination of this amount, and in the application of such provisions a reference to the Minister of Lands shall be construed as a reference to the Minister.

(3) No compensation shall be paid under the provisions of this section unless the person claiming compensation submits an application in the prescribed form to the Minister and furnishes in connection with such application the prescribed particulars.

5. (1) Any land situated within any mountain catchment area upon which in terms of any direction no farming may be carried on, shall be exempt from all taxes imposed by a local authority on the value of immovable property.

Exemption of certain land situated in mountain catchment areas from certain taxes.

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(2) Die Minister van Finansies het ten opsigte van grond in subartikel (1) vermeld, dieselfde bevoegdhede as dié wat hy kragtens artikel 2 (1) van die Wet op Vrydom van Belasting van Staatseendom, 1931 (Wet No. 32 van 1931), sou gehad het indien sodanige grond Staatseendom was.

Adviserende komitees.

6. (1) Die Minister kan ten opsigte van 'n bergopvanggebied 'n adviserende komitee instel om hom van advies te dien met betrekking tot aangeleenthede in artikels 3, 4 (1) en 8 bedoel.

(2) (a) 'n Komitee kragtens subartikel (1) ingestel, bestaan uit die aantal lede wat in elke geval deur die Minister bepaal word.

(b) Ten minste twee-derdes van die lede van sodanige komitee word deur die Minister aangestel, terwyl hoogstens een-derde van sodanige lede op die voorgeskrewe wyse verkies word uit persone wat benoem word deur eienaars van grond geleë in die betrokke bergopvanggebied en uit persone wat na die oordeel van die Minister geraak word deur voorskryfte wat van toepassing is met betrekking tot sodanige grond.

(c) Die Minister stel een van die lede van 'n adviserende komitee as voorsitter aan.

(3) 'n Lid van 'n adviserende komitee word aangestel vir die tydperk, maar hoogstens drie jaar, wat die Minister ten tyde van sy aanstelling bepaal.

(4) Wanneer 'n lid van 'n adviserende komitee sy amp ontruim voor die verstryking van die tydperk waarvoor hy aangestel is, kan die Minister 'n persoon aanstel om die vakature te vul gedurende die onverstreke deel van die ampstermyn van sodanige lid wat sy amp ontruim.

(5) 'n Lid van 'n adviserende komitee kan te eniger tyd deur die Minister van sy amp onthef word.

(6) Iemand wie se ampstermyn as lid van 'n adviserende komitee verstryk het, kan weer as lid daarvan aangestel of verkies word.

(7) 'n Lid van 'n adviserende komitee ontruim sy amp—

(a) as hy bedank;

(b) as hy sonder toestemming van die voorsitter van die betrokke adviserende komitee van twee agtereenvolgende vergaderings van sodanige komitee afwesig was; of

(c) as hy kragtens subartikel (5) van sy amp onthef word.

Instelling van brandbeveiligingskomitees.

7. Die Minister kan na goeëddunke by kennisgewing in die *Staatskoerant* 'n brandbeveiligingskomitee ten opsigte van 'n bergopvanggebied instel en kan by dergelike kennisgewing 'n kennisgewing waarby 'n brandbeveiligingskomitee ingestel is, intrek.

Brandbeveiligingsplanne.

8. (1) Die Sekretaris kan na oorlegpleging met die adviserende komitee wat ten opsigte van 'n bergopvanggebied ingestel is, 'n brandbeveiligingsplan van toepassing verklaar met betrekking tot grond in sodanige bergopvanggebied geleë.

(2) 'n Brandbeveiligingsplan omskryf die grond met betrekking waartoe dit van toepassing is en vermeld die oogmerke en bestek daarvan en bevat bepalinge met betrekking tot—

(a) die reëling van of die verbod op die brand van veld;

(b) die voorkoming, beheer en blus van veld- en bosbrande;

(c) die werksaamhede, bevoegdhede en pligte van die brandbeveiligingskomitee wat ingestel is ten opsigte van die bergopvanggebied waarin die betrokke grond geleë is, met betrekking tot die uitvoering van die brandbeveiligingsplan; en

(d) die datum van inwerkingtreding van die plan:

Met dien verstande dat 'n brandbeveiligingsplan nie bepalinge mag bevat wat met die bepalinge van die Boswet, 1968 (Wet No. 72 van 1968), onbestaanbaar is nie.

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(2) The Minister of Finance shall have, in respect of land referred to in subsection (1), the same powers as those which he would have had under subsection 2 (1) of the State Property (Immunity from Rating) Act, 1931 (Act No. 32 of 1931), if such property had been State property.

6. (1) The Minister may in respect of any mountain catchment area establish an advisory committee to advise him in relation to matters referred to in sections 3, 4 (1) and 8. **Advisory committees.**

(2) (a) Any committee established under subsection (1) shall consist of so many members as the Minister may determine in each case.

(b) At least two-thirds of the members of such committee shall be appointed by the Minister, while not exceeding one-third of such members shall be elected in the prescribed manner from persons nominated by owners of land situated in the mountain catchment area in question and from persons who are in the opinion of the Minister affected by directions which are applicable with reference to such land.

(c) The Minister shall appoint one of the members of an advisory committee as chairman.

(3) Any member of any advisory committee shall be appointed for such period, not exceeding three years, as the Minister may determine at the time of his appointment.

(4) Whenever any member of an advisory committee vacates his office before the expiration of the period for which he was appointed, the Minister may appoint a person to fill the vacancy for the unexpired portion of the period of office of such vacating member.

(5) Any member of any advisory committee may at any time be removed from office by the Minister.

(6) Any person whose period of office as a member of an advisory committee has expired, shall be eligible for re-appointment or re-election as member thereof.

(7) Any member of an advisory committee shall vacate his office—

(a) if he resigns;

(b) if he was, without the permission of the chairman of the advisory committee concerned, absent from two consecutive meetings of such committee; or

(c) if he is removed from office under subsection (5).

7. The Minister may, if he deems fit, by notice in the *Gazette* establish a fire protection committee in respect of any mountain catchment area, and may by like notice withdraw any notice whereby a fire protection committee was established. **Establishment of fire protection committees.**

8. (1) The Secretary may, after consultation with the advisory committee established in respect of any mountain catchment area, declare a fire protection plan to be applicable with reference to land situated in such mountain catchment area. **Fire protection plans.**

(2) Any fire protection plan shall define the land with reference to which it applies and shall state the scope and object thereof and shall contain provisions relating to—

(a) the regulation or prohibition of veld burning;

(b) the prevention, control and extinguishing of veld and forest fires;

(c) the functions, powers and duties of the fire protection committee established in respect of the mountain catchment area within which the land in question is situated, in relation to the execution of the fire protection plan; and

(d) the date of commencement of such plan:

Provided that a fire protection plan shall not contain provisions which are inconsistent with the provisions of the Forest Act, 1968 (Act No. 72 of 1968).

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(3) Die Sekretaris—

- (a) moet, ten minste een maand voor die datum wat kragtens subartikel (2) vasgestel is, besonderhede van die brandbeveiligingsplan by kennisgewing in die *Staatskoerant* laat publiseer;
- (b) kan, indien hy dit goedgevind, te eniger tyd 'n afskrif van die brandbeveiligingsplan aan elke eienaar of bewoner van grond met betrekking waartoe sodanige brandbeveiligingsplan toegepas word of toegepas staan te word en wie se naam en adres aan hom bekend is, laat bestel.

(4) Elke eienaar en bewoner van grond met betrekking waartoe 'n brandbeveiligingsplan kragtens hierdie artikel toegepas is, en hulle opvolgers in regte, word deur die bepalings van sodanige brandbeveiligingsplan gebind.

Sekretaris kan brandbeveiligingsplanne wysig.

9. Die Sekretaris kan van tyd tot tyd na raadpleging met die betrokke adviserende komitee, en die betrokke brandbeveiligingskomitee (as daar een is), by kennisgewing in die *Staatskoerant* die bepalings van 'n brandbeveiligingsplan wysig. Met dien verstande dat die Minister besonderhede van sodanige wysiging by kennisgewing in die *Staatskoerant* moet laat publiseer ten minste een maand voor die datum waarop sodanige wysigings in werking sal tree.

Minister kan geldelike bystand verleen.

10. Die Minister kan, in oorleg met die Minister van Finansies, uit gelde wat vir dié doel deur die Parlement bewillig word, en onderworpe aan die voorwaardes wat hy bepaal, geldelike bystand verleen by wyse van toekennings of andersins—

- (a) aan 'n brandbeveiligingskomitee; en
- (b) aan die eienaar en bewoner van grond ten opsigte van uitgawe deur hulle aangeaan ter voldoening aan 'n bepaling van 'n brandbeveiligingsplan of 'n voorskrif.

Reg van betreding van of deurgang oor grond.

11. (1) 'n Behoorlik daartoe gemagtigde beampte van 'n Staatsdepartement, 'n lid van 'n adviserende komitee of 'n brandbeveiligingskomitee of 'n persoon deur 'n brandbeveiligingskomitee gemagtig, kan grond geleë in 'n bergopvanggebied betree en die toerusting en aantal assistente met hom saamneem wat nodig is vir die verrigting op daardie grond van 'n handeling wat uit hoofde van 'n voorskrif of 'n bepaling van 'n brandbeveiligingsplan beveel word of wat deur die Minister kragtens artikel 13 gemagtig word.

(2) 'n In subartikel (1) bedoelde beampte, lid of persoon het op alle redelike tye reg van deurgang oor grond ten einde—

- (a) die raadsaamheid te ondersoek om daardie grond tot bergopvanggebied te verklaar;
- (b) die raadsaamheid te ondersoek om op daardie grond brandstreek aan te lê of om voorskrifte met betrekking tot daardie grond van toepassing te verklaar;
- (c) werke wat op daardie grond aangebring is of word ten einde veld- of bosbrande te voorkom, te inspekteer of in stand te hou; of
- (d) vas te stel of die bepalings van hierdie Wet of 'n voorskrif of bepaling van 'n brandbeveiligingsplan wat op of met betrekking tot daardie grond van toepassing is, behoorlik uitgevoer of nagekom word.

Minister kan sekere handelinge verrig.

12. Die Minister kan, uit gelde deur die Parlement vir die doel bewillig, op grond geleë in 'n bergopvanggebied 'n handeling verrig of laat verrig wat hy nodig ag ten einde 'n doelstelling van hierdie Wet te bereik, met inbegrip van 'n handeling wat uit hoofde van 'n voorskrif of 'n bepaling van 'n brandbeveiligingsplan beveel is, en het vir dié doel ook die bevoegdheid wat deur artikel 11 aan persone in daardie artikel vermeld, verleen word.

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(3) The Secretary—

(a) shall, at least one month prior to the date specified under subsection (2), cause particulars of the fire protection plan to be published by notice in the *Gazette*;

(b) may, if he deems fit, at any time cause to be served on every owner or occupier of land with reference to which such fire protection plan is being or is to be applied and whose name and address are known to him, a copy of the fire protection plan.

(4) Every owner and occupier of land with reference to which a fire protection plan has been applied under this section, and their successors in title, shall be bound by the provisions of such fire protection plan.

9. The Secretary may from time to time after consultation with the advisory committee concerned, and the fire protection committee concerned (if there is one), by notice in the *Gazette* amend the provisions of any fire protection plan: Provided that the Minister shall cause particulars of any such amendment to be published by notice in the *Gazette* at least one month prior to the date upon which such amendments are to come into operation.

Secretary may amend fire protection plans.

10. The Minister may, in consultation with the Minister of Finance, from moneys appropriated by Parliament for the purpose, and subject to such conditions as he may determine, render financial aid by way of grants or otherwise—

Minister may render financial aid.

(a) to any fire protection committee; and

(b) to the owner and occupier of land in respect of expenses incurred by them in compliance with any provision of any fire protection plan or any direction.

11. (1) Any duly authorized officer of any department of State, any member of any advisory committee or fire protection committee or any person authorized by any fire protection committee, may enter upon any land situated in any mountain catchment area and may take with him such equipment and number of assistants as are required for the performance of any act on such land which is ordered in terms of any direction or any provision of any fire protection plan or which is authorized by the Minister under section 13.

Right of entry on or way over land.

(2) Any officer, member or person referred to in subsection (1), shall at all reasonable times have right of way over any land for the purpose of—

(a) ascertaining the desirability of declaring that land to be a mountain catchment area;

(b) ascertaining the desirability of the construction upon that land of fire-belts or of declaring directions applicable with reference to that land;

(c) inspecting or maintaining any works constructed or under construction upon that land for the purpose of preventing veld or forest fires; or

(d) ascertaining whether the provisions of this Act, or any direction or provision of any fire protection plan which is applicable to or with reference to such land are being properly carried out or complied with.

12. The Minister may, from moneys appropriated by Parliament for the purpose, perform or cause to be performed on any land situated in a mountain catchment area any act which he deems necessary in order to achieve any object of this Act, including any act which has been ordered in terms of any direction or any provision of any fire protection plan, and shall for that purpose also have the powers conferred by section 11 on persons mentioned in that section.

Minister may perform certain acts.

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Regulasies.

13. (1) Die Minister kan regulasies uitvaardig betreffende—
- (a) die samestelling van 'n brandbeveiligingskomitee;
 - (b) die byeenroep van en die prosedure en kworum op vergaderings van 'n adviserende komitee of 'n brandbeveiligingskomitee;
 - (c) die toelaes wat aan 'n lid van 'n adviserende komitee of brandbeveiligingskomitee betaalbaar is;
 - (d) die voorwaardes waarop en die skale waarteen geldelike bystand by wyse van toekennings of andersins kragtens hierdie Wet toegestaan moet word; en
 - (e) alle sake wat hy nodig of dienstig ag om voor te skryf ten einde die doelstellings van hierdie Wet te bereik.
- (2) 'n Regulasie wat op Staatsinkomste of -uitgawe betrekking het, word uitvaardig in oorleg met die Minister van Finansies.

Strafbepalings.

14. Iemand wat—
- (a) 'n bepaling van hierdie Wet of 'n regulasie oortree of versuim om daaraan te voldoen;
 - (b) weier of versuim om aan 'n voorskrif te voldoen;
 - (c) 'n in artikel 11 bedoelde persoon in die uitvoering van sy pligte of die verrigting van sy werksaamhede dwarsboom of hinder;
 - (d) 'n brandstrook of ander werke wat ingevolge hierdie Wet aangelê is, beskadig of sonder die Sekretaris se toestemming verander; of
 - (e) 'n bepaling van 'n brandbeveiligingsplan oortree of versuim om daaraan te voldoen,
- is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens eenduisend rand of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar of met sowel daardie boete as daardie gevangenisstraf.

Bestelling van kennisgewings.

15. Bestelling van 'n kennisgewing kragtens hierdie Wet kan bewerkstellig word—
- (a) deur 'n afskrif daarvan aan die persoon aan wie dit bestel moet word, self te oorhandig; of
 - (b) deur sodanige afskrif by die gewone of jongsbekende woon- of besigheidsplek van sodanige persoon te laat; of
 - (c) deur sodanige afskrif per aangetekende pos na die gewone of jongsbekende woon- of besigheidsplek van sodanige persoon te stuur.

Regsbevoegdheid van 'n landdroshof.

16. Ondanks andersluidende wetsbepalings besit 'n landdroshof regsbevoegdheid om 'n straf wat hierdie Wet voorskryf, op te lê.

Delegering van bevoegdhede.

17. Die Minister of die Sekretaris, na gelang van die geval, kan al die bevoegdhede wat hierdie Wet aan hom verleen, of een of meer daarvan, met uitsondering van die in artikels 2 en 13 bedoelde bevoegdhede, aan 'n beampte van 'n Staatsdepartement deleger.

Beperking op aanspreeklikheid van die Staat, Minister ens.

18. Die Staat, die Minister, 'n beampte in diens van 'n Staatsdepartement of 'n lid van 'n adviserende komitee of brandbeveiligingskomitee of 'n kragtens hierdie Wet gemagtigde persoon is nie aanspreeklik ten opsigte van enigiets wat te goeder trou kragtens die bepalinge van hierdie Wet gedoen is nie.

Toepassing van Wet in Suidwes-Afrika.

19. Hierdie Wet is ook op die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel, van toepassing.

Oorgangsbepalings.

20. (1) Vanaf die inwerkingtreding van hierdie Wet, word geen voorskrif ingevolge die Grondbewaringswet, 1969 (Wet No. 76 van 1969), van toepassing verklaar met betrekking tot grond in 'n bergopvanggebied geleë nie en vanaf gemelde in-

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13. (1) The Minister may make regulations relating to— Regulations.
 - (a) the constitution of any fire protection committee;
 - (b) the calling of and the procedure and quorum at meetings of any advisory committee or fire protection committee;
 - (c) the allowances payable to any member of any advisory committee or fire protection committee;
 - (d) the conditions subject to which and the rates at which financial aid by way of grants or otherwise shall be rendered under this Act; and
 - (e) all matters which he deems it necessary or expedient to prescribe in order to achieve the objects of this Act.(2) Any regulation relating to State revenue or expenses shall be made in consultation with the Minister of Finance.
14. Any person who— Penalties.
 - (a) contravenes or fails to comply with any provision of this Act or any regulation;
 - (b) refuses or fails to comply with any direction;
 - (c) obstructs or hinders any person referred to in section 11 in the execution of his duties or the performance of his functions;
 - (d) damages, or without the permission of the Secretary alters, any fire-belt or any other works constructed under this Act; or
 - (e) contravenes or fails to comply with any provision of a fire protection plan,shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand rand or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.
15. Service of any notice under this Act may be effected— Service of notices.
 - (a) by delivering a copy thereof personally to the person upon whom it is to be served; or
 - (b) by leaving such copy at the usual or last known place of residence or business of such person; or
 - (c) by sending such copy by registered post to the usual or last known place of residence or business of such person.
16. Notwithstanding anything to the contrary in any other law contained, a magistrate's court shall have jurisdiction to impose any penalty prescribed by this Act. Jurisdiction of magistrate's court.
17. The Minister or the Secretary, as the case may be, may delegate to any officer in any department of State all or any of the powers conferred upon him by this Act, other than the powers referred to in sections 2 and 13. Delegation of powers.
18. The State, the Minister, any officer in any department of State or any member of any advisory committee or fire protection committee or any person authorized under this Act, shall not be liable in respect of anything done in good faith under the provisions of this Act. Limitation on liability of State, Minister, etc.
19. This Act shall apply also in the territory of South-West Africa, including the Eastern Caprivi Zipfel. Application of Act in South-West Africa.
20. (1) As from the commencement of this Act, no direction shall in terms of the Soil Conservation Act, 1969 (Act No. 76 of 1969), be declared applicable with reference to land situated in a mountain catchment area, and as from the said commence- Transitional provisions.

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werkingtreding word grond in 'n bergopvanggebied geleë, nie tot 'n brandbestrydingsgebied ingevolge laasgenoemde Wet verklaar nie.

(2) 'n Voorskrif of bepaling van 'n brandbestrydingskema wat voor die inwerkingtreding van hierdie Wet toegepas is kragtens die bepalings van die Grondbewaringswet, 1969, met betrekking tot grond ten opsigte waarvan 'n bergopvanggebied kragtens hierdie Wet verklaar word, bly van krag totdat dit deur die Minister ingetrek word.

Kort titel.

21. Hierdie Wet heet die Wet op Bergopvanggebiede, 1970.

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ment land situated in a mountain catchment area shall not be declared to be a fire protection area in terms of the last-mentioned Act.

(2) Any direction or provision of any fire protection scheme which has prior to the commencement of this Act been applied under the Soil Conservation Act, 1969, with reference to land in respect of which any mountain catchment area is declared under the provisions of this Act, shall remain in force until withdrawn by the Minister.

21. This Act shall be called the Mountain Catchment Areas Short title. Act, 1970.

11. 1964

12. 1964

13. 1964

14. 1964

15. 1964

16. 1964

17. 1964