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STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER

No. 443. 23 Maart 1977.

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

No. 25 van 1977: Veeverbeteringswet, 1977.

DEPARTMENT OF THE PRIME MINISTER

No. 443. 23 March 1977.

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

No. 25 of 1977: Livestock Improvememt Act, 1977.

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ACT

To provide for the development and promotion of the livestock industry; for the establishment of an Advisory Board for Animal Production; for the control of the collection and sale of semen and ova and the artificial insemination and inovulation of certain animals; for a system of evaluation and certification of the performance of certain animals with the object of improving the genetic production potential of certain kinds and breeds of animals; for the control of the importation and exportation of certain animals, semen, ova and eggs; for the incorporation as livestock breeders' societies of certain groups of persons engaged in the breeding of certain kinds and breeds of animals; and for the continuation of the legal personality of the South African Stud Book and Livestock Improvement Association, the Karakul Breeders' Society of South Africa and certain registered societies; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 15 March 1977.)

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

Definitions.

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

(i) "advertisement", in relation to any animal, semen, ova or eggs, means any written, pictorial, visual or other descriptive matter or verbal statement, communication, representation or reference—

(a) appearing in a newspaper or other publication;

(b) distributed to members of the public; or

(c) brought to the notice of members of the public in any manner,

and which is intended to promote the sale or encourage the use of such animal, semen, ova or eggs; and "advertise" has a corresponding meaning; (i)

(ii) "advisory board" means the Advisory Board for Animal Production established by section 3; (ii)

(iii) "A.I. centre" means any premises registered as an A.I. centre in terms of section 10; (xi)

(iv) "animal" means any member of any such kind of animal and of any such breed thereof as may in terms of section 2 have been declared to be a kind and breed of animal for the purposes of this Act; (vi)

(v) "board" means a board mentioned in section 27; (xv)

(vi) "Department" means the Department of Agricultural Technical Services; (iv)

(vii) "egg" means a fertilized egg of poultry, or of an ostrich which is an animal; (vii)

(viii) "inseminator" means a person who collects semen or carries out the artificial insemination of animals; (x)

(ix) "livestock breeders' society" means a group of persons promoting the breeding (including the recording or

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WET

Om voorsiening te maak vir die ontwikkeling en bevordering van die veebedryf; vir die instelling van 'n Adviesraad vir Diereproduksie; vir beheer oor die opvang en verkoop van semen en eiselle en die kunsmatige inseminering en inovulering van sekere diere; vir 'n stelsel van evaluering en sertifisering van die prestasie van sekere diere met die doel om die genetiese produksievermoë van sekere soorte en rasse diere te verbeter; vir beheer oor die in- en uitvoer van sekere diere, semen, eiselle en eiers; vir die verlening van regspersoonlikheid as veetelersgenootskappe aan sekere groepe persone wat betrokke is by die teling van sekere soorte en rasse diere; en vir die in stand hou van die regspersoonlikheid van die Suid-Afrikaanse Stamboek- en Veeverbeteringsvereniging, die Karakoelteletersgenootskap van Suid-Afrika en sekere geregistreerde genootskappe; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 15 Maart 1977.)

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

Woordomskrywing

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

(i) „advertensie", met betrekking tot 'n dier, semen, eiselle of eiers, enige skriftelike, geïllustreerde, visuele of ander beskrywende stof of mondelinge verklaring, mededeling, voorstelling of verwysing—
(a) wat in 'n nuusblad of ander publikasie verskyn;
(b) wat onder lede van die publiek versprei word; of
(c) wat op enigerlei wyse onder die aandag van lede van die publiek gebring word,
en wat bedoel is om die verkoop van sodanige dier, semen, eiselle of eiers te bevorder of die gebruik daarvan aan te moedig; en het „adverteer" 'n ooreenstemmende betekenis; (i)

(ii) „adviesraad" die Adviesraad vir Diereproduksie wat by artikel 3 ingestel is; (ii)

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

(iv) „Departement" die Departement van Landbou-tegniese Dienste; (vi)

(v) „die gebied" die gebied Suidwes-Afrika; (xxv)

(vi) „dier" 'n lid van 'n soort dier en van 'n ras daarvan wat ingevolge artikel 2 as 'n soort en ras dier vir die doeleindes van hierdie Wet verklaar is; (iv)

(vii) „eier" 'n bevrugte eier van pluimvee, of van 'n volstruis wat 'n dier is; (vii)

(viii) „eisel" 'n bevrugte of onbevrugte eisel van 'n dier, behalwe pluimvee; (xiii)

(ix) „hierdie Wet" ook die regulasies; (xxvi)

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registration of pedigrees), improvement and use of animals belonging to a kind and breed which has in terms of section 2 been declared, and in respect of which a certificate of incorporation has been issued or is continued in terms of section 18 or 22; (xxv)

(x) "livestock industry" means the industry involving animals; (xxiv)

(xi) "Minister" means the Minister of Agriculture; (xii)

(xii) "officer" means an officer as defined in section 1 of the Public Service Act, 1957 (Act No. 54 of 1957); (iii)

(xiii) "ovum" means a fertilized or unfertilized ovum of an animal other than poultry; (viii)

(xiv) "poultry" means any poultry which is an animal; (xiii)

(xv) "poultry industry" means that branch of the livestock industry involving poultry; (xiv)

(xvi) "prescribed" means prescribed by regulation; (xxvii)

(xvii) "register" means the register kept in terms of section 5; (xvi)

(xviii) "registrar" means the officer designated as Registrar of Livestock Improvement in terms of section 4, and includes an officer acting under a delegation from or under the control or direction of the registrar; (xvii)

(xix) "regulation" means a regulation made under this Act; (xviii)

(xx) "Republic" includes the territory; (xix)

(xxi) "scheme" means a scheme established under section 14; (xxi)

(xxii) "sell" includes offer, advertise, keep, display, transmit, consign, convey or deliver for sale, or exchange or dispose of to any person in any manner, whether for a consideration or otherwise; and "sale" has a corresponding meaning; (xxvi)

(xxiii) "semen" means the semen of an animal; (xx)

27/4/99 Not in operation R80 (27/4/99) ← (xxiv) "Stud Book Association" means the South African Stud Book and Livestock Improvement Association mentioned in section 22; (xxii)

(xxv) "the territory" means the territory of South West Africa; (v)

(xxvi) "this Act" includes the regulations; (ix)

(xxvii) "veterinarian" means a veterinarian registered in terms of the Veterinary Act, 1933 (Act No. 16 of 1933); (xxiii)

Application of Act.

2. (1) The provisions of this Act shall apply with reference to any such kind and breed of animal as the Minister may by notice in the *Gazette* declare to be a kind of animal and a breed thereof for the purposes of this Act.

(2) Different kinds and breeds of animals may be so declared in relation to different provisions of this Act.

(3) The Minister may likewise declare that any provision of this Act shall only apply—

(a) in one or more specified areas of the Republic; or
(b) to any person or persons belonging to a specified class.

Advisory Board for Animal Production.

3. (1) There is hereby established an advisory board to be known as the Advisory Board for Animal Production, which shall advise the Minister on matters—

(a) concerning the orderly development and improvement of the livestock industry;
(b) concerning the co-ordinated development and improvement of the different branches of the livestock industry;
(c) concerning the provision of services in accordance with the needs of the livestock industry;
(d) concerning the desirability of the establishment of a scheme under section 14, and the provisions of such a scheme;
(e) concerning the priorities in respect of research, and the co-ordinated utilization of research facilities, in connection with the livestock industry;
(f) concerning information services required for the livestock industry;

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(x) „insemineerder" iemand wat semen opvang of die kunsmatige inseminering van diere uitvoer; (viii)
(xi) „K.I.-sentrum" 'n perseel wat ingevolge artikel 10 as 'n K.I.-sentrum geregistreer is; (iii)
(xii) „Minister" die Minister van Landbou; (xi)
(xiii) „pluimvee" pluimvee wat 'n dier is; (xiv)
(xiv) „pluimveebedryf" daardie vertakking van die veebedryf waarby pluimvee betrokke is; (xv)
(xv) „raad" 'n raad in artikel 27 vermeld; (v)
(xvi) „register" die register ingevolge artikel 5 gehou; (xvii)
(xvii) „registrateur" die beampte wat ingevolge artikel 4 as Registrateur van Veeverbetering aangewys is, en ook 'n beampte wat in opdrag of onder beheer of op las van die registrateur optree; (xviii)
(xviii) „regulasie" 'n regulasie wat kragtens hierdie Wet uitgevaardig is; (xix)
(xix) „Republiek" ook die gebied; (xx)
(xx) „semen" die saad van 'n dier; (xxiii)
(xxi) „skema" 'n skema kragtens artikel 14 ingestel; (xxi)
(xxii) „Stamboekvereniging" die Suid-Afrikaanse Stamboek- en Veeverbeteringsvereniging wat in artikel 22 vermeld word; (xxiv)
(xxiii) „veearts" 'n veearts wat ingevolge die Veeartswet, 1933 (Wet No. 16 van 1933), geregistreer is; (xxvii)
(xxiv) „veebedryf" die bedryf waarby diere betrokke is; (x)
(xxv) „veetelersgenootskap" 'n groep persone wat die teel (met inbegrip van die aanteken of registreer van afstamming), verbetering en gebruik bevorder van diere wat aan 'n soort en ras behoort wat ingevolge artikel 2 verklaar is, en waaraan 'n sertifikaat van regspersoonlikheid ingevolge artikel 18 of 22 uitgereik is of in stand gehou word; (ix)
(xxvi) „verkoop" ook vir verkoop aanbied, adverteer, hou, uitstal, versend, stuur, vervoer of lewer of verruil of op enigerlei wyse, hetsy teen 'n teenprestasie of andersins, aan iemand van die hand sit; en het „verkoop", wanneer dit as 'n naamwoord gebruik word, 'n ooreenstemmende betekenis; (xxii)
(xxvii) „voorgeskryf" by regulasie voorgeskryf; (xvi)

Toepassing van Wet.

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

(2) Verskillende soorte en rasse diere kan aldus met betrekking tot verskillende bepalings van hierdie Wet verklaar word.

(3) Die Minister kan insgelyks verklaar dat die een of ander bepaling van hierdie Wet slegs van toepassing is—
(a) in een of meer vermelde gebiede van die Republiek; of
(b) op 'n persoon of persone wat tot 'n vermelde klas behoort.

Adviesraad vir Diereproduksie.

3. (1) Hierby word 'n adviesraad wat die Adviesraad vir Diereproduksie heet, ingestel, wat die Minister met advies moet dien oor aangeleenthede—
(a) betreffende die ordelike ontwikkeling en bevordering van die veebedryf;
(b) betreffende die gekoördineerde ontwikkeling en bevordering van die verskillende vertakkings van die veebedryf;
(c) betreffende die voorsiening van dienste ooreenkomstig die behoeftes van die veebedryf;
(d) betreffende die wenslikheid van die instelling van 'n skema kragtens artikel 14, en die bepalings van so 'n skema;
(e) betreffende die prioriteite ten opsigte van navorsing, en die gekoördineerde benutting van navorsingsfasiliteite, in verband met die veebedryf;
(f) betreffende voorligtingsdienste wat vir die veebedryf benodig is;

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(g) concerning the importation and exportation of animals, semen, ova and eggs;

(h) concerning the collection and sale of semen and ova and the artificial insemination and inovulation of animals;

(i) assigned to the advisory board by this Act, or any other matter affecting the livestock industry and which the Minister may refer to it for advice, or with regard to which the advisory board may consider it necessary to advise the Minister.

(2) *(a)* The advisory board shall consist of sixteen members to be appointed by the Minister, of whom—

(i) two shall be officers of the Department, of whom one shall be designated as chairman and the other as vice-chairman by the Minister;

(ii) one shall be an officer of the Department of Agricultural Economics and Marketing; and

(iii) thirteen shall be appointed in terms of paragraph *(b)*.

(b) Each member mentioned in paragraph *(a)* (iii), shall be selected and appointed by the Minister from persons whose names appear on a list of names of three persons which shall at the written request of the registrar be submitted to him by each of the following bodies, namely—

(i) the South African Agricultural Union;

(ii) the Stud Book Association;

(iii) the South African Society for Animal Production;

(iv) the South African Veterinary Association;

(v) such co-operative agricultural companies, registered under the laws governing co-operative agricultural companies, as may render artificial insemination services with regard to animals;

(vi) the South African Poultry Association;

(vii) the Livestock and Meat Industries Control Board;

(viii) the Dairy Board;

(ix) the Milk Board;

(x) the South African Wool Board;

(xi) the Mohair Board;

(xii) the Karakul Board;

(xiii) the Association of Balanced Feed Manufacturers:

Provided that one such list of names shall be submitted jointly by the agricultural companies concerned, in terms of subparagraph (v).

(c) If any body mentioned in any subparagraph of paragraph *(b)* fails or refuses to submit, within a period of sixty days as from the date on which the registrar has in writing required it to do so, the list contemplated in that paragraph, the Minister shall appoint any person he may deem fit to be a member of the advisory board in terms of the subparagraph concerned.

(d) For every member of the advisory board mentioned in paragraph *(a)* (ii) or (iii), an alternate member shall be appointed in the same manner as such member, and an alternate member so appointed shall act in the place of the member for whom he has been appointed as alternate member during such member's absence or inability to act as a member of the advisory board.

(3) *(a)* A member or an alternate member of the advisory board (except any member mentioned in subsection (2) *(a)* (i) or (ii), who shall hold office during the Minister's pleasure) shall hold office for such period, but not exceeding three years, and on such conditions as the Minister may determine at the time of his appointment, but shall vacate his office if he—

(i) resigns as a member;

(ii) is removed from office by the Minister if the Minister is of the opinion that there are good reasons for doing so; or

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(g) betreffende die in- en uitvoer van diere, semen, eiselle en eiers;

(h) betreffende die opvang en verkoop van semen en eiselle en die kunsmatige inseminering en inovulering van diere;

(i) wat by hierdie Wet aan die adviesraad toegewys is, of enige ander aangeleentheid wat die veebedryf raak en wat die Minister na hom vir advies verwys, of met betrekking waartoe die adviesraad dit nodig ag om die Minister van advies te dien.

(2) (a) Die adviesraad bestaan uit sestien lede deur die Minister aangestel, van wie—

(i) twee beamptes van die Departement is, van wie een as voorsitter en die ander as ondervoorsitter deur die Minister aangewys word;

(ii) een 'n beampte van die Departement van Landbou-ekonomie en -bemarking is; en

(iii) dertien ingevolge paragraaf (b) aangestel word.

(b) Elke lid in paragraaf (a) (iii) vermeld, word deur die Minister gekies en aangestel uit persone wie se name voorkom op 'n lys name van drie persone wat op skriftelike versoek van die registrateur aan hom voorgelê moet word deur elk van die volgende liggame, naamlik—

(i) die Suid-Afrikaanse Landbou-unie;

(ii) die Stamboekvereniging;

(iii) die Suid-Afrikaanse Vereniging vir Diereproduksie;

(iv) die Suid-Afrikaanse Veterinêre Vereniging;

(v) die koöperatiewe landboumaatskappye, kragtens die wetsbepalings op koöperatiewe landboumaatskappye geregistreer, wat kunsmatige insemineringsdienste met betrekking tot diere lewer;

(vi) die Suid-Afrikaanse Pluimveevereniging;

(vii) die Raad van Beheer oor die Vee- en Vleisnywerhede;

(viii) die Suiwelraad;

(ix) die Melkraad;

(x) die Suid-Afrikaanse Wolraad;

(xi) die Sybokhaarraad;

(xii) die Karakoelraad;

(xiii) die Vereniging van Gebalanseerde Veevoervervaardigers:

Met dien verstande dat een sodanige lys name deur die betrokke landboumaatskappye ingevolge subparagraaf (v) gesamentlik voorgelê moet word.

(c) Indien 'n liggaam vermeld in enige subparagraaf van paragraaf (b) versuim of weier om binne 'n tydperk van sestig dae vanaf die datum waarop die registrateur hom skriftelik daarom versoek het, die lys in daardie paragraaf beoog, voor te lê, moet die Minister iemand wat hy geskik ag, aanstel om ingevolge die betrokke subparagraaf lid van die adviesraad te wees.

(d) Vir elke lid van die adviesraad in paragraaf (a) (ii) of (iii) vermeld, moet daar 'n plaasvervangende lid op dieselfde wyse as sodanige lid aangestel word, en 'n plaasvervangende lid aldus aangestel, tree in die plek op van die lid vir wie hy as plaasvervangende lid aangestel is gedurende daardie lid se afwesigheid of onvermoë om as lid van die adviesraad op te tree.

(3) (a) 'n Lid of 'n plaasvervangende lid van die adviesraad (uitgesonderd 'n lid in subartikel (2) (a) (i) of (ii) vermeld, wat sy amp beklee vir solank dit die Minister behaag) beklee sy amp vir die tydperk, maar hoogstens drie jaar, en op die voorwaardes wat die Minister ten tyde van sy aanstelling bepaal, maar ontruim sy amp indien hy—

(i) as lid bedank;

(ii) deur die Minister van sy amp onthef word indien die Minister van oordeel is dat daar gegronde redes bestaan om dit te doen; of

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(iii) in the case of a member, has absented himself from two consecutive meetings of the advisory board without the leave of the advisory board or, in the case of an alternate member, has so absented himself during the absence or inability to act as a member, of the member for whom he has been appointed as alternate member.

(*b*) A member or an alternate member of the advisory board shall, subject to the provisions of paragraphs (*b*) and (*c*) of subsection (2), on the expiry of his term of office by effluxion of time be eligible for reappointment.

(*c*) If any member or alternate member of the advisory board dies or vacates his office in terms of paragraph (*a*), the Minister may, subject to the provisions of paragraphs (*b*) and (*c*) of subsection (2), appoint a person as successor to such member or alternate member for the unexpired period of office of such member or alternate member.

(4) (*a*) The meetings of the advisory board shall be held at such times and places as the chairman may determine.

(*b*) The chairman, or in his absence the vice-chairman, of the advisory board shall preside at all meetings thereof at which he is present, and if both the chairman and the vice-chairman are absent from any meeting the members present thereat shall elect one of their number to preside at such meeting.

(*c*) The person presiding at a meeting of the advisory board shall determine the procedure at such meeting.

(*d*) A majority of the members of the advisory board shall form a quorum for any meeting of the advisory board.

(*e*) The decision of a majority of the members of the advisory board present at any meeting thereof shall constitute the decision of the advisory board: Provided that in the event of an equality of votes the person presiding at that meeting shall have a casting vote in addition to his deliberative vote.

(5) (*a*) The Minister may at the request of the advisory board appoint a committee—

(i) to inquire into such matters as the Minister may determine, or the advisory board or the registrar may refer to it for inquiry; and

(ii) to furnish the advisory board or, in relation to matters referred to it by the registrar in terms of subparagraph (i), the registrar, with a report in respect of such inquiry.

(*b*) The constitution of such a committee shall be determined by the Minister after consultation with the advisory board, and the provisions of subsections (3) and (4) shall *mutatis mutandis* apply to such a committee.

(*c*) Notwithstanding the provisions of paragraphs (*a*) and (*b*), the Minister shall appoint—

(i) the executive committee of the Stud Book Association as such a committee in respect of matters concerning the importation and exportation of animals, semen and ova, and the registration and recording of the pedigrees of animals;

(ii) a committee in respect of matters concerning the collection of semen and ova and the artificial insemination and inovulation of animals; and

(iii) a committee in respect of matters concerning the poultry industry.

(*d*) The members of the advisory board contemplated in subparagraphs (ii), (v) and (vi) of paragraph (*b*) of subsection (2) shall be appointed as members of the committees mentioned in subparagraphs (i), (ii) and (iii) of paragraph (*c*) of this subsection, respectively.

(6) A member and an alternate member of the advisory board, and a member of a committee appointed in terms of subsection (5), who are not in the full-time service of the State, may be paid such allowances, and such a member and alternate member of the advisory board such remuneration, as the Minister may with the concurrence of the Minister of Finance determine.

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(iii) in die geval van 'n lid, sonder verlof van die adviesraad van twee agtereenvolgende vergaderings van die adviesraad afwesig was of, in die geval van 'n plaasvervangende lid, gedurende die afwesigheid of onvermoë van die lid vir wie hy as plaasvervangende lid aangestel is, om as lid op te tree, aldus afwesig was.

(b) 'n Lid of plaasvervangende lid van die adviesraad kan, behoudens die bepalings van paragrawe *(b)* en *(c)* van subartikel (2), by die verstryking van sy ampstermyn by tydsverloop weer aangestel word.

(c) Indien 'n lid of plaasvervangende lid van die adviesraad te sterwe kom of sy amp ingevolge paragraaf *(a)* ontruim, kan die Minister, behoudens die bepalings van paragrawe *(b)* en *(c)* van subartikel (2), iemand as opvolger van daardie lid of plaasvervangende lid aanstel vir die onverstreke ampstermyn van daardie lid of plaasvervangende lid.

(4) *(a)* Die vergaderings van die adviesraad word gehou op die tye en plekke wat die voorsitter bepaal.

(b) Die voorsitter, of in sy afwesigheid die ondervoorsitter, van die adviesraad moet op alle vergaderings daarvan waarop hy teenwoordig is, voorsit, en indien sowel die voorsitter as die ondervoorsitter van 'n vergadering afwesig is, moet die aanwesige lede een uit hul midde kies om op dié vergadering voor te sit.

(c) Die persoon wat op 'n vergadering van die adviesraad voorsit, bepaal die prosedure op so 'n vergadering.

(d) Die meerderheid van die lede van die adviesraad maak 'n kworum vir 'n vergadering van die adviesraad uit.

(e) Die beslissing van 'n meerderheid van die lede van die adviesraad wat op 'n vergadering van die adviesraad aanwesig is, maak die besluit van die raad uit: Met dien verstande dat by 'n staking van stemme die persoon wat op daardie vergadering voorsit benewens sy beraadslagende stem ook 'n beslissende stem het.

(5) *(a)* Die Minister kan op versoek van die adviesraad 'n komitee aanstel—

(i) om die aangeleenthede wat die Minister bepaal of wat die adviesraad of die registrateur vir ondersoek na hom verwys, te ondersoek; en

(ii) om aan die adviesraad of, met betrekking tot aangeleenthede deur die registrateur ingevolge subparagraaf (i) verwys, aan die registrateur, 'n verslag te verstrek ten opsigte van bedoelde ondersoek.

(b) Die samestelling van so 'n komitee word deur die Minister na oorlegpleging met die adviesraad bepaal, en die bepalings van subartikels (3) en (4) is *mutatis mutandis* van toepassing op so 'n komitee.

(c) Ondanks die bepalings van paragrawe *(a)* en *(b)*, stel die Minister—

(i) die uitvoerende komitee van die Stamboekvereniging aan as so 'n komitee ten opsigte van aangeleenthede betreffende die in- en uitvoer van diere, semen en eiselle en die registrasie en aantekening van die afstamming van diere;

(ii) 'n komitee aan ten opsigte van aangeleenthede betreffende die opvang van semen en eiselle en die kunsmatige inseminering en inovulering van diere; en

(iii) 'n komitee aan ten opsigte van aangeleenthede betreffende die pluimveebedryf.

(d) Die lede van die adviesraad beoog in subparagrawe (ii), (v) en (vi) van paragraaf *(b)* van subartikel (2) word aangestel as lede van die komitees vermeld in onderskeidelik subparagrawe (i), (ii) en (iii) van paragraaf *(c)* van hierdie subartikel.

(6) 'n Lid en 'n plaasvervangende lid van die adviesraad, en 'n lid van 'n komitee aangestel ingevolge subartikel (5), wat nie in die heeltydse diens van die Staat is nie, kan die toelaes, en so 'n lid en plaasvervangende lid van die adviesraad kan die besoldiging, betaal word wat die Minister met die instemming van die Minister van Finansies bepaal.

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(7) The administrative work incidental to the performance of the functions of the advisory board shall be performed by the registrar with due regard to such instructions as may be issued by the chairman of the advisory board.

Designation of registrar.

4. (1) The Minister shall designate an officer of the Department as Registrar of Livestock Improvement, who shall exercise the powers and perform the duties conferred or imposed upon the registrar in terms of this Act.

(2) The registrar shall exercise his powers and perform his duties subject to such instructions as may be issued by the Minister.

(3) *(a)* Any power conferred or duty imposed upon the registrar may be exercised or performed by the registrar personally or by an officer under a delegation from or under the control or direction of the registrar.

(b) Any decision made or order given by any such officer may be withdrawn or amended by the registrar, and shall, until it has been so withdrawn or amended, be deemed, except for the purposes of this paragraph, to have been made or given by the registrar.

Register of inseminators, A.I. centres, animals and livestock breeders' societies.

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

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

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

Register to be evidence.

6. (1) The register shall be *prima facie* evidence of all matters directed or authorized by this Act to be noted therein.

(2) A certificate purporting to be signed by the registrar to the effect that an entry has or has not been made in the register or that any other thing authorized by this Act to be done, has or has not been done, shall be *prima facie* evidence of the matters specified in such certificate.

(3) A copy of an entry in the register or an extract from the register, purporting to be certified by the registrar, shall be admitted in evidence in any court of law without further proof or production of the original.

Prohibition of collection of semen or artificial insemination and inovulation of animals.

7. (1) No person shall collect semen from an animal or artificially inseminate an animal unless he—

(a) is a veterinarian;

(b) is registered as an inseminator in terms of section 10; or

(c) is the owner of or is in the full-time employment of the owner of the animal from which such semen is collected or which is artificially inseminated.

(2) Subject to the provisions of subsection (3), no person shall collect semen from an animal unless such animal has been approved in terms of section 10 for the purpose of collecting semen.

(3) The provisions of subsection (2) shall not apply to the collection of semen—

(a) if it is collected exclusively for the purpose of being examined or tested; or

(b) if the semen so collected is used exclusively for the artificial insemination of animals also belonging to the owner of the animal from which such semen is collected, but subject to the provisions of subsection (5).

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(7) Die administratiewe werk verbonde aan die verrigting van die werksaamhede van die adviesraad word, met inagneming van enige opdragte deur sy voorsitter uitgereik, deur die registrateur verrig.

Aanwysing van registrateur.

4. (1) Die Minister wys 'n beampte in die Departement aan as Registrateur van Veeverbetering wat die bevoegdhede uitoefen en die pligte verrig wat ingevolge hierdie Wet aan die registrateur verleen of hom opgelê word.

(2) Die registrateur oefen sy bevoegdhede uit en verrig sy pligte behoudens enige opdragte deur die Minister uitgereik.

(3) *(a)* 'n Bevoegdheid verleen of plig opgelê aan of op die registrateur, kan deur die registrateur self of deur 'n beampte in opdrag of onder beheer of op las van die registrateur uitgeoefen of verrig word.

(b) 'n Beslissing of opdrag gegee deur so 'n beampte kan deur die registrateur ingetrek of gewysig word, en word, totdat dit aldus ingetrek of gewysig is, geag, behalwe by die toepassing van hierdie paragraaf, deur die registrateur gegee te gewees het.

Register van insemineerders, K.I.-sentrums, diere en veetelersgenootskappe.

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

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

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

Register dien as bewys.

6. (1) Die register dien as *prima facie*-bewys van alle aangeleenthede wat ingevolge hierdie Wet daarin aangeteken moet of kan word.

(2) 'n Sertifikaat wat deur die registrateur onderteken heet te wees ten effekte dat 'n inskrywing wel in die register gemaak is of nie gemaak is nie of dat enigiets anders wat ingevolge hierdie Wet gedoen kan word, wel gedoen is of nie gedoen is nie, is *prima facie*-bewys van die aangeleenthede in daardie sertifikaat vermeld.

(3) 'n Afskrif van 'n inskrywing in die register of 'n uittreksel uit die register wat deur die registrateur gesertifiseer heet te wees, word sonder verdere bewys of oorlegging van die oorspronklike in 'n geregshof as getuienis toegelaat.

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

7. (1) Niemand mag semen van 'n dier opvang of 'n dier kunsmatig insemineer nie tensy hy—

(a) 'n veearts is;

(b) ingevolge artikel 10 as 'n insemineerder geregistreer is; of

(c) die eienaar is van, of in die heeltydse diens is van die eienaar van die dier waarvan die semen opgevang word of wat kunsmatig geïnsemineer word.

(2) Behoudens die bepalings van subartikel (3), mag niemand semen van 'n dier opvang nie tensy die dier ingevolge artikel 10 vir die opvang van semen goedgekeur is.

(3) Die bepalings van subartikel (2) is nie van toepassing nie op die opvang van semen—

(a) indien dit opgevang word uitsluitlik om ondersoek of getoets te word; of

(b) indien die semen aldus opgevang uitsluitlik gebruik word vir die kunsmatige inseminering van diere wat ook aan die eienaar van die dier waarvan daardie semen opgevang is, behoort, maar behoudens die bepalings van subartikel (5).

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(4) If an animal from which semen has been collected for the purpose of artifical insemination, is sold, the seller of such animal shall furnish the new owner thereof with a certificate in which there shall be indicated that semen of such animal has prior to such sale been so collected, and in which the names of all previous owners of such animal shall be indicated, and he shall furnish the Stud Book Association with a copy of such certificate.

(5) An animal from which semen has been collected for the purpose of the artificial insemination of animals shall not be used for breeding purposes with, and the semen collected from such animal shall not be used for the purpose of the artificial insemination of, animals of more than five joint or successive owners of such animal, unless it has been approved in terms of section 10 for the purpose of collecting semen.

(6) No person shall, except on such conditions as may be prescribed or the registrar may determine, collect or sell ova or inovulate an animal.

Prohibition of sale of semen.

8. (1) No person shall sell semen unless such semen—

(a) has been collected by a veterinarian or a person who is registered as an inseminator in terms of section 10;
(b) has been collected from an animal approved in terms of section 10 for the purpose of collecting semen;
(c) has been collected at an A.I. centre, or an A.I. centre registered in terms of section 12 of the Artificial Insemination of Animals Act, 1954 (Act No. 23 of 1954);
(d) is of the prescribed composition and efficacy, and possesses such other properties as may be prescribed; and
(e) is packed in the prescribed manner in a container which complies with the prescribed requirements and is sealed and marked or labelled in the prescribed manner.

(2) Notwithstanding the provisions of subsection (1)—

(a) the registrar may, on the application of the seller of an animal which has not been approved for the purpose of collecting semen in terms of section 10, approve that he may sell semen collected from such animal to the buyer of that animal;
(b) a breeder registered in terms of section 14 of the Artificial Insemination of Animals Act, 1954, who owns semen collected at any place other than an A.I. centre registered in terms of section 12 of that Act, from an animal which, at the time of such collection, was an animal belonging to him and which was approved in terms of section 12 of the said Act, may after his registration has lapsed in terms of section 10 (6) of this Act, sell not more than one hundred doses of such semen annually.

Requirements for registration of inseminators and A.I. centres and for approval of animals.

9. (1) An inseminator may be registered as such if he—

(a) has successfully completed such a course of instruction as may be prescribed or determined by the registrar;
(b) has, in the opinion of the registrar, sufficient practical knowledge of the techniques regarding the collection of semen and artificial insemination of animals; and
(c) complies with such other requirements as may be prescribed.

(2) Any premises where semen is collected, processed, packed, stored or sold, may be registered as an A.I. centre if—

(a) the prescribed facilities are available at such premises;
(b) the technical operations at such premises relating to the state of health of the animals being kept there and to the collection, processing, packing and storage of semen there, are controlled by a veterinarian on a full-time basis; and
(c) such premises comply with such other requirements as may be prescribed.

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(4) Indien 'n dier waarvan semen opgevang is vir kunsmatige inseminering, verkoop word, moet die verkoper van die dier 'n sertifikaat aan die nuwe eienaar daarvan verstrek waarin aangedui word dat semen van die dier voor sodanige verkoop aldus opgevang is, en waarin die name van alle vorige eienaars van sodanige dier aangedui word, en moet hy 'n afskrif van sodanige sertifikaat aan die Stamboekvereniging verstrek.

(5) 'n Dier waarvan semen vir die kunsmatige inseminering van diere opgevang is, mag nie vir teeldoeleindes gebruik word nie by, en die semen van dié dier opgevang, mag nie gebruik word nie vir die kunsmatige inseminering van, diere van meer as vyf mede- of opeenvolgende eienaars van daardie dier, tensy dit vir die opvang van semen ingevolge artikel 10 goedgekeur is.

(6) Niemand mag, behalwe op die voorwaardes wat voorgeskryf is of die registrateur bepaal, eiselle opvang of verkoop of 'n dier inovuleer nie.

Verbod op verkoop van semen.

8. (1) Niemand mag semen verkoop nie tensy daardie semen—

(a) opgevang is deur 'n veearts of deur iemand wat ingevolge artikel 10 as 'n insemineerder geregistreer is;

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

(c) opgevang is by 'n K.I.-sentrum, of 'n K.I.-sentrum ingevolge artikel 12 van die Wet op die Kunsmatige Inseminering van Diere, 1954 (Wet No. 23 van 1954), geregistreer;

(d) die voorgeskrewe samestelling, doeltreffendheid en die ander eienskappe wat voorgeskryf is, besit; en

(e) op die voorgeskrewe wyse verpak is in 'n houer wat aan die voorgeskrewe vereistes voldoen en op die voorgeskrewe wyse verseël en gemerk of geëtiketteer is.

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

(a) kan die registrateur op die aansoek van die verkoper van 'n dier wat nie ingevolge artikel 10 vir die opvang van semen goedgekeur is nie, goedkeur dat hy semen wat van daardie dier opgevang is, aan die koper van daardie dier kan verkoop;

(b) kan 'n teler wat ingevolge artikel 14 van die Wet op die Kunsmatige Inseminering van Diere, 1954, geregistreer is, en wat semen besit wat op 'n ander plek as 'n K.I.-sentrum ingevolge artikel 12 van daardie Wet geregistreer, van 'n dier opgevang is wat ten tyde van bedoelde opvanging aan hom behoort het en wat ingevolge artikel 12 van vermelde Wet goedgekeur is, nadat sy registrasie ingevolge artikel 10 (6) van hierdie Wet verval het, hoogstens honderd dosisse van sodanige semen per jaar verkoop.

Vereistes vir registrasie van insemineerders en K.I.-sentrums en vir goedkeuring van diere.

9. (1) 'n Insemineerder kan as sodanig geregistreer word indien hy—

(a) 'n onderrigkursus wat voorgeskryf of deur die registrateur bepaal is, met welslae voltooi het;

(b) volgens die oordeel van die registrateur oor voldoende praktiese kennis van die tegnieke aangaande die opvang van semen en kunsmatige inseminering van diere beskik; en

(c) voldoen aan die ander vereistes wat voorgeskryf is.

(2) 'n Perseel waar semen opgevang, verwerk, verpak, opgeberg of verkoop word, kan as 'n K.I.-sentrum geregistreer word indien—

(a) die voorgeskrewe fasiliteite by die perseel beskikbaar is;

(b) die tegniese werksaamhede by die perseel met betrekking tot die gesondheidstoestand van die diere wat daar gehou word en tot die opvang, verwerking, verpakking en opberging daar van semen op 'n heeltydse grondslag deur 'n veearts beheer word; en

(c) die perseel voldoen aan die ander vereistes wat voorgeskryf is.

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(3) An animal may be approved for the collection of semen if—

(a) a veterinarian who is an officer has certified that such animal is acceptable in respect of—
  (i) general state of health;
  (ii) absence of disease;
  (iii) absence of any visible hereditary defect;
  (iv) quality of its semen; and
  (v) such other attributes as may be prescribed;

(b) the pedigree and performance records of such animal are of such a nature that the use of the semen of such animal for the purpose of the artificial insemination of animals would in the opinion of the registrar be in the interests of the livestock industry; and

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

Registration of inseminators and A.I. centres and approval of animals.

10. (1) Any person who—

(a) is an inseminator and desires to be registered as such; or

(b) desires—
  (i) that any premises be registered as an A.I. centre; or
  (ii) that any animal be approved for the purpose of collecting semen,

shall apply therefor to the registrar in the form and manner prescribed therefor, and such an application shall be accompanied by the prescribed application fee for the kind of registration concerned or approval, as well as by such information in connection therewith as may be prescribed or the registrar may require.

(2) The registrar shall consider an application made in terms of subsection (1), as well as such information as may be submitted in connection therewith, and—

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

(b) shall submit an application for the registration of premises as an A.I. centre, to the committee appointed in terms of section 3 (5) *(c)* (ii) for its recommendation in regard thereto.

(3) If the registrar is satisfied that such application may be granted, and, in the case of an application for the registration of premises as an A.I. centre, the said committee recommends it, he shall—

(a) register the inseminator who applied for registration as an inseminator, and issue to him a certificate of registration;

(b) register such premises as an A.I. centre, and issue to the applicant a certificate of registration;

(c) grant the application for the approval of the animal concerned for the purpose of collecting semen, and issue to the applicant, in respect of such approval, a certificate of approval; and

(d) record the applicable prescribed particulars in the register.

(4) The registration of an inseminator as such or any premises as an A.I. centre, or the approval of an animal, in terms of subsection (3) shall be subject to the provisions of this Act and such conditions as the registrar may, if he deems it necessary, in each case impose.

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

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

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(3) 'n Dier kan vir die opvang van semen goedgekeur word indien—

(a) 'n veearts wat 'n beampte is, gesertifiseer het dat daardie dier aanvaarbaar is ten opsigte van—

(i) algemene gesondheidstoestand;

(ii) afwesigheid van siekte;

(iii) afwesigheid van enige sigbare oorerflike gebrek;

(iv) kwaliteit van sy semen; en

(v) die ander hoedanighede wat voorgeskryf is;

(b) die afstamming en prestasiegegewens van daardie dier van sodanige aard is dat die gebruik van die semen van daardie dier vir die kunsmatige inseminering van diere volgens die oordeel van die registrateur in die belang van die veebedryf sou wees; en

(c) daardie dier voldoen aan die ander vereistes wat voorgeskryf is.

Registrasie van insemineerders en K.I.-sentrums en goedkeuring van diere.

10. (1) Iemand wat—

(a) 'n insemineerder is en verlang om as sodanig geregistreer te word; of

(b) verlang—

(i) dat 'n perseel as 'n K.I.-sentrum geregistreer word; of

(ii) dat 'n dier vir die opvang van semen goedgekeur word,

moet daarom aansoek doen by die registrateur in die vorm en op die wyse wat daarvoor voorgeskryf is, en so 'n aansoek moet vergesel gaan van die voorgeskrewe aansoekgelde vir die betrokke soort registrasie of goedkeuring, asook van die inligting in verband daarmee wat voorgeskryf is of wat die registrateur verlang.

(2) Die registrateur oorweeg 'n aansoek gedoen ingevolge subartikel (1), asook die inligting wat in verband daarmee voorgelê is, en—

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

(b) moet 'n aansoek om die registrasie van 'n perseel as 'n K.I.-sentrum, aan die komitee ingevolge artikel 3 (5) *(c)* (ii) aangestel, vir sy aanbeveling daaromtrent voorlê.

(3) Indien die registrateur oortuig is dat die aansoek toegestaan kan word en, in die geval van 'n aansoek om die registrasie van 'n perseel as 'n K.I.-sentrum, genoemde komitee dit aanbeveel—

(a) registreer hy die insemineerder wat aansoek gedoen het om as 'n insemineerder geregistreer te word, as 'n insemineerder en reik hy aan hom 'n registrasiesertifikaat uit;

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

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

(d) teken die toepaslike voorgeskrewe besonderhede in die register aan.

(4) Die registrasie van 'n insemineerder as sodanig of 'n perseel as 'n K.I.-sentrum of die goedkeuring van 'n dier ingevolge subartikel (3) is onderworpe aan die bepalings van hierdie Wet en die voorwaardes wat die registrateur, indien hy dit nodig ag, in elke geval oplê.

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

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

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(a) shall be deemed to be the registration of that A.I. centre as an A.I. centre, the registration of that person as an inseminator and the approval of that animal for the purpose of collecting semen, respectively, in terms of the corresponding provisions of this section of this Act; and

(b) shall, subject to the prior termination thereof in terms of this Act, remain in force until 30 September first following on the said commencement,

and the registration of a breeder in terms of section 14 of the said Act shall likewise remain in force until 30 September first following on the said commencement and shall thereafter not be renewed.

Period of registration or approval.

11. The registration of an inseminator, or of premises as an A.I. centre, or the approval of an animal for the purpose of collecting semen, shall, subject to the earlier termination thereof under this Act and subject to the provisions of section 10 (6), be valid from the date of issue of the certificate in respect thereof under section 10 (3) until the date of expiry indicated thereon, and shall thereafter be renewable from time to time.

Renewal of registration or approval.

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

(2) The provisions of section 10 (2), (3), (4) and (5) shall *mutatis mutandis* apply in respect of an application mentioned in subsection (1).

(3) A renewal granted by virtue of subsection (2) shall, subject to the earlier termination thereof in terms of this Act, be valid for the prescribed period, and an application for the further renewal thereof shall be made within the prescribed period in accordance with the provisions of subsection (1), read with the provisions of subsection (2).

(4) The registrar shall not consider an application for the renewal of a registration or approval which was received after the date of expiry thereof, unless such application was received within ninety days after such date of expiry and such additional fee as may be prescribed, has been paid.

Termination of registration or approval.

13. (1) The registrar may at any time terminate the registration of an inseminator, or of any premises as an A.I. centre (including such registration continued in terms of section 10 (6)), and he may likewise withdraw the approval of an animal (including such approval continued in terms of section 10 (6)), if he is satisfied that a requirement of this Act or a condition which the registrar has imposed under section 10 (4), or section 10 (4) as applied by section 12 (2), as the case may be, has not been complied with.

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

(3) When a registration has been terminated or an approval withdrawn, the certificate concerned shall be returned within the prescribed period to the registrar by the person to whom it was issued.

Establishment of schemes.

14. (1) The Minister may, on the recommendation of the advisory board and after consultation with the Minister of Finance, by notice in the *Gazette* establish a scheme for the evaluation and certification of the performance of animals of the kinds and breeds specified in the notice, with the object of

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

(b) bly, behoudens die vroeëre beëindiging daarvan ingevolge hierdie Wet, van krag tot 30 September eersvolgende op genoemde inwerkingtreding,

en die registrasie van 'n teler ingevolge artikel 14 van daardie Wet, bly insgelyks van krag tot 30 September eersvolgende op genoemde inwerkingtreding, en word daarna nie hernieu nie.

Tydperk van registrasie of goedkeuring.

11. Die registrasie van 'n insemineerder, of van 'n perseel as 'n K.I.-sentrum, of die goedkeuring van 'n dier vir die opvang van semen is, behoudens die vroeëre beëindiging daarvan ingevolge hierdie Wet en behoudens die bepalings van artikel 10 (6), geldig vanaf die datum van uitreiking van die sertifikaat ten opsigte daarvan ingevolge artikel 10 (3) tot die vervaldatum daarop aangedui, en is daarna van tyd tot tyd hernieubaar.

Hernuwing van registrasie of goedkeuring.

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

(2) Die bepalings van artikel 10 (2), (3), (4) en (5) is *mutatis mutandis* van toepassing ten opsigte van 'n aansoek in subartikel (1) vermeld.

(3) 'n Hernuwing uit hoofde van subartikel (2) toegestaan, is, behoudens die vroeëre beëindiging daarvan ingevolge hierdie Wet, geldig vir die voorgeskrewe tydperk, en 'n aansoek om die verdere hernuwing daarvan moet binne die voorgeskrewe tydperk ooreenkomstig die bepalings van subartikel (1), gelees met die bepalings van subartikel (2), gedoen word.

(4) Die registrateur oorweeg nie 'n aansoek om die hernuwing van 'n registrasie of goedkeuring wat na die vervaldatum daarvan ontvang is nie, tensy die aansoek binne negentig dae na sodanige vervaldatum ontvang is en die bykomende gelde wat voorgeskryf is, betaal is.

Beëindiging van registrasie of goedkeuring.

13. (1) Die registrateur kan te eniger tyd die registrasie van 'n insemineerder, of 'n perseel as 'n K.I.-sentrum (met inbegrip van sodanige registrasie wat ingevolge artikel 10 (6) in stand gehou word), beëindig, en hy kan insgelyks die goedkeuring van 'n dier (met inbegrip van sodanige goedkeuring wat ingevolge artikel 10 (6) in stand gehou word), intrek, indien hy oortuig is dat 'n vereiste van hierdie Wet of 'n voorwaarde wat die registrateur ingevolge artikel 10 (4), of artikel 10 (4) soos toegepas by artikel 12 (2), na gelang van die geval, opgelê het, nie nagekom is nie.

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

(3) Wanneer 'n registrasie beëindig of 'n goedkeuring ingetrek is, moet die betrokke sertifikaat binne die voorgeskrewe tydperk aan die registrateur teruggestuur word deur die persoon aan wie dit uitgereik is.

Instelling van skemas.

14. (1) Die Minister kan, op aanbeveling van die adviesraad en na oorlegpleging met die Minister van Finansies, by kennisgewing in die *Staatskoerant* 'n skema instel vir die evaluering en sertifisering van die prestasie van diere van die soorte en rasse in

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improving the genetic production potential of such kinds and breeds.

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

(3) The Minister may at any time by notice in the *Gazette* amend or revoke a scheme.

(4) Before the Minister establishes a scheme or amends any provision of a scheme, he shall refer the proposed scheme or amendment to the advisory board for its recommendation in regard thereto and shall thereafter publish it in the *Gazette*, together with a notice inviting interested persons to submit, within the period specified in the notice, which period shall not be less than twenty-eight days as from the date of publication of such proposed scheme or amendment, to such person as may be specified in such notice, any objections to or representations concerning the proposed scheme or amendment.

(5) Any objections or representations in terms of subsection (4) shall be submitted to the advisory board for its recommendation in regard thereto, and if the Minister, as a result of any of such objections or representations or a recommendation of the advisory board, effects any alteration to the proposed scheme or amendment published as aforesaid, it shall not be necessary to publish such alteration before such scheme or amendment is finally established or effected by notice under subsection (1) or (3).

Provisions of a scheme.

15. (1) The Minister may in a notice under section 14 (1) whereby a scheme is established—

(a) designate the person who or the body which shall exercise the powers and perform the duties conferred or imposed in terms of the scheme;

(b) provide that any person intending to participate in a scheme and any animal intended for evaluation in terms of a scheme, shall be enrolled with the person or body designated under paragraph *(a)*;

(c) provide for the manner in which such a person or such an animal shall be enrolled, the forms to be used for an application for enrolment, the information which shall accompany such application and the circumstances in which any such enrolment shall lapse, be refused or be cancelled;

(d) determine the requirements for enrolment to be complied with by such a person or such an animal, the conditions on which such a person or such an animal shall be enrolled and the period of validity of such enrolment;

(e) determine that, as from the date on which a person or an animal is enrolled in terms of such scheme, the provisions of the scheme shall be binding on such person or animal;

(f) indicate the kinds and breeds of animals to which the provisions of the scheme shall apply;

(g) provide for the manner in which animals being evaluated shall be treated and cared for, and the control to which they shall be subjected;

(h) determine the manner in which and the times at which any inspection of animals with reference to which the provisions of such scheme are applicable, shall be carried out, and the forms to be used in connection with such an inspection;

(i) determine the requirements and standards of quality with which animals shall comply for certification in terms of the scheme;

(j) determine the manner in which animals shall be certified, the form of a certificate in connection therewith, the restrictions on the use of such a certificate and the circumstances in which such a certificate shall lapse;

(k) determine the manner in which animals so certified shall be identified;

(l) determine the records to be kept and the information to be furnished by any person enrolled in terms of the scheme;

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die kennisgewing vermeld, met die doel om die genetiese produksievermoë van sodanige soorte en rasse te verbeter.

(2) Verskillende skemas kan ingestel word vir diere van verskillende soorte en rasse en die vereistes in 'n skema vir verskillende sodanige soorte en rasse kan verskil.

(3) Die Minister kan te eniger tyd by kennisgewing in die *Staatskoerant* 'n skema wysig of intrek.

(4) Alvorens die Minister 'n skema instel of 'n bepaling van 'n skema wysig, verwys hy die voorgestelde skema of wysiging na die adviesraad vir sy aanbeveling daaromtrent en publiseer dit daarna in die *Staatskoerant*, tesame met 'n kennisgewing waarby belanghebbendes gevra word om binne die tydperk in die kennisgewing vermeld, welke tydperk nie minder is nie as agt-en-twintig dae vanaf die datum van publikasie van die voorgestelde skema of wysiging, besware teen of vertoë aangaande die voorgestelde skema of wysiging aan die persoon in die kennisgewing vermeld, voor te lê.

(5) Enige besware of vertoë ingevolge subartikel (4) moet aan die adviesraad vir sy aanbeveling daaromtrent voorgelê word, en indien die Minister as gevolg van enige van daardie besware of vertoë of 'n aanbeveling van die adviesraad enige verandering aan die soos voormeld gepubliseerde voorgestelde skema of wysiging aanbring, is dit nie nodig nie om die verandering te publiseer nie voordat die skema of wysiging by kennisgewing kragtens subartikel (1) of (3) uiteindelik ingestel of aangebring word.

Bepalings van 'n skema.

15. (1) Die Minister kan in 'n kennisgewing kragtens artikel 14 (1) waarby 'n skema ingestel word—

(a) die persoon of liggaam aanwys wat die bevoegdhede uitoefen en die pligte verrig wat ingevolge die skema verleen of opgelê is;

(b) bepaal dat iemand wat voornemens is om aan 'n skema deel te neem en elke dier wat vir evaluering ingevolge 'n skema beoog word, by die persoon of liggaam kragtens paragraaf *(a)* aangewys, ingeskryf moet word;

(c) voorsiening maak vir die wyse waarop so iemand of so 'n dier ingeskryf moet word, die vorms wat vir 'n aansoek om inskrywing gebruik moet word, die inligting wat so 'n aansoek moet vergesel en die omstandighede waaronder so 'n inskrywing verval of geweier of ingetrek moet word;

(d) die vereistes vir inskrywing waaraan so iemand of so 'n dier moet voldoen, die voorwaardes waarop so iemand of so 'n dier ingeskryf moet word en die geldigheidsduur van bedoelde inskrywing bepaal;

(e) bepaal dat, vanaf die datum waarop iemand of 'n dier ingevolge die skema ingeskryf is, die bepalings van die skema op so iemand of so 'n dier bindend is;

(f) die soorte en rasse diere aandui waarop die bepalings van die skema van toepassing is;

(g) voorsiening maak vir die wyse waarop diere wat geëvalueer word, behandel en versorg moet word, en die beheer waaraan hulle onderwerp moet word;

(h) die wyse en tye waarop 'n inspeksie van diere met betrekking waartoe die bepalings van die skema van toepassing is, uitgevoer moet word en die vorms wat in verband met so 'n inspeksie gebruik moet word, bepaal;

(i) die vereistes en kwaliteitstandaarde bepaal waaraan diere vir sertifisering ingevolge die skema moet voldoen;

(j) die wyse waarop diere gesertifiseer moet word, die vorm van 'n sertifikaat in verband daarmee, die beperkings op die gebruik van so 'n sertifkaat en die omstandighede waaronder so 'n sertifikaat verval, bepaal;

(k) die wyse bepaal waarop diere aldus gesertifiseer, geïdentifiseer moet word;

(l) die aantekeninge wat gehou moet word en die inligting wat verstrek moet word deur iemand wat ingevolge die skema ingeskryf is, bepaal;

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(m) provide for the publication of the results of an evaluation, together with such comments in connection therewith as the Minister may deem necessary;

(n) determine the fees or charges payable to the person or body designated in terms of paragraph *(a)* by any person enrolled in terms of the scheme, and stipulate that the rendering of any service may be refused to a person who is indebted to such person or body in any amount in respect of such fees and charges;

(o) confer on the person designated in terms of paragraph *(a)*, or on any person authorized in writing by such person or the body designated in terms of paragraph *(a)* to enforce any provision of the scheme, the powers of inspection specified in subsection (2); and

(p) provide generally for any other matter which, in the opinion of the Minister, is necessary or expedient in order to further or better achieve the objects of the scheme, the generality of the powers conferred by this paragraph not being limited by the preceding paragraphs.

(2) The powers of inspection which may be conferred under subsection (1) *(o)*, shall be the following, namely, to—

(a) enter upon any place or premises on which or in which there are any animals which are or are suspected to be, intended for evaluation and certification in terms of a scheme, and inspect or test such animals;

(b) inspect any such place or premises or any equipment or other article thereon or therein which is or is suspected to be used in the treatment or care of such animals;

(c) check the manner in which such animals are treated and taken care of;

(d) demand from a person who is enrolled in terms of a scheme, or who is in charge of the place or premises specified in paragraph *(a)*, any information regarding the animals, equipment or other article specified in paragraph *(a)* or *(b)*;

(e) examine all books and documents at, on or in such place or premises which on reasonable grounds are suspected to relate to such animals, and make copies of or extracts from any such book or document; and

(f) seize any such animal, book, document or any equipment or other article specified in paragraph *(b)*, which may afford evidence of any offence under this Act or the scheme.

(3) Any person authorized in writing by any person or body as provided in subsection (1) *(o)* and carrying out any inspection in terms of subsection (2) in the presence of any person affected by such inspection, shall first exhibit such written authorization to the person so affected.

(4) If, in respect of a particular scheme, the Department has been designated in terms of subsection (1) *(a)* of this section, the Minister may, after consultation with the Minister of Finance, in the notice under section 14 (1) whereby such scheme is established, determine that the fees or charges contemplated in subsection (1) *(n)* of this section, or such portion thereof as may likewise be determined, shall be deposited in the Agricultural Research Account established by section 2 of the Agricultural Research Account Act, 1964 (Act No. 37 of 1964), and the moneys so deposited, shall be used only in connection with a scheme, or to promote participation therein.

Importation of animals, semen, ova and eggs.

16. (1) No person shall import into the Republic any animal, semen, ova or eggs unless such importation has been authorized by the registrar in writing: Provided that such written authorization shall not be required for the importation of any animal dispatched to an abattoir in the Republic for the purpose of being slaughtered there.

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(m) voorsiening maak vir die publikasie van die resultate van 'n evaluasie, tesame met die kommentaar in verband daarmee wat die Minister nodig ag;

(n) die gelde of vordering bepaal wat deur iemand ingevolge die skema ingeskryf, betaalbaar is aan die persoon of liggaam ingevolge paragraaf (a) aangewys, en bepaal dat die lewering van enige diens aan iemand geweier kan word wat aan daardie persoon of liggaam enige bedrag ten opsigte van sodanige gelde of vorderings verskuldig is;

(o) aan die persoon ingevolge paragraaf (a) aangewys of aan iemand wat skriftelik deur daardie persoon of die liggaam ingevolge paragraaf (a) aangewys, gemagtig is om enige bepaling van die skema af te dwing, die in subartikel (2) vermelde ondersoekbevoegdhede verleen; en

(p) in die algemeen voorsiening maak vir enige ander aangeleentheid wat, volgens die oordeel van die Minister, nodig of dienstig is ten einde die doelstellings van die skema te bevorder of beter te verwesenlik, en die algemeenheid van die bevoegdhede by hierdie paragraaf verleen, word nie deur die voorafgaande paragrawe beperk nie.

(2) Die ondersoekbevoegdhede wat kragtens subartikel (1) (o) verleen kan word, is die volgende, naamlik, om—

(a) 'n plek of perseel te betree waarop of waarin daar diere is wat vir evaluering en sertifisering ingevolge 'n skema wel of na vermoede beoog word, en daardie diere te ondersoek of toets;

(b) so 'n plek of perseel of toerusting of 'n ander voorwerp daarop of daarin wat wel of na vermoede gebruik word by die behandeling of versorging van sodanige diere, te ondersoek;

(c) die wyse waarop sodanige diere behandel en versorg word, na te gaan;

(d) van iemand wat ingevolge 'n skema ingeskryf is of wat in beheer van die plek of perseel in paragraaf (a) vermeld, is, enige inligting aangaande die diere, toerusting of ander voorwerp in paragraaf (a) of (b) vermeld, te eis;

(e) alle boeke of stukke by, op of in so 'n plek of perseel wat op redelike gronde vermoed word op sodanige diere betrekking te hê, na te gaan, en afskrifte van of uittreksels uit so 'n boek of stuk te maak; en

(f) beslag te lê op enige sodanige dier, boek, stuk, of op enige toerusting of ander voorwerp in paragraaf (b) vermeld, wat as bewys kan dien van 'n misdryf ingevolge hierdie Wet of die skema.

(3) Iemand wat deur 'n persoon of liggaam soos in subartikel (1) (o) bepaal, skriftelik gemagtig is en wat 'n ondersoek ingevolge subartikel (2) uitvoer in die teenwoordigheid van iemand wat deur die ondersoek geraak word, moet eers bedoelde skriftelike magtiging aan die persoon aldus geraak, toon.

(4) Indien, ten opsigte van 'n besondere skema, die Departement ingevolge subartikel (1) (a) van hierdie artikel aangewys is, kan die Minister, na oorlegpleging met die Minister van Finansies, in die kennisgewing kragtens artikel 14 (1) waarby die skema ingestel word, bepaal dat die gelde of vorderings beoog in subartikel (1) (n) van hierdie artikel, of so 'n gedeelte daarvan as wat insgelyks bepaal word, in die Landbounavorsingsrekening, ingestel by artikel 2 van die Wet op die Landbounavorsingsrekening, 1964 (Wet No. 37 van 1964), gestort word, en die geld wat aldus gestort is, word slegs in verband met 'n skema gebruik, of om deelname daaraan te bevorder.

Invoer van diere, semen, eiselle en eiers.

16. (1) Niemand mag 'n dier, semen, eiselle of eiers in die Republiek invoer nie, tensy bedoelde invoer deur die registrateur skriftelik gemagtig is: Met dien verstande dat bedoelde skriftelike magtiging nie vereis word nie vir die invoer van 'n dier wat na 'n abattoir in die Republiek gestuur word om daar geslag te word.

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

(b) Such application shall—

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

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

(c) The committee specified in paragraph *(b)* (i) or (ii) shall submit such application together with its recommendation in regard thereto, to the registrar.

(3) The registrar shall consider such application, as well as the recommendation submitted to him in regard thereto in terms of subsection (2) *(c)*, and he may make any inquiry in connection therewith which he may deem necessary.

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

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

(5) A condition referred to in subsection (4) *(a)* may include a restriction on the number of animals or the quantity of semen, ova or eggs to be imported, as well as any requirement as to the quality thereof.

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

(7) An authorization in terms of this section shall not exempt the person authorized from the provisions of any other law relating to the importation of anything into the Republic.

(8) *(a)* Any animal, semen, ova or eggs imported into the Republic in contravention of the provisions of this section and not removed from the Republic by the importer thereof at his own expense within such period as the registrar may determine, shall be forfeited to the State, and shall be destroyed or disposed of in any other manner, according as the registrar may direct.

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

Exportation of animals, semen, ova and eggs.

17. (1) No person shall export from the Republic any animal, semen, ova or eggs unless such exportation has been authorized by the registrar in writing: Provided that such written authoriza-

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

(b) Sodanige aansoek word—

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

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

(c) Die komitee vermeld in paragraaf *(b)* (i) of (ii) lê die aansoek tesame met sy aanbeveling daaromtrent aan die registrateur voor.

(3) Die registrateur oorweeg die aansoek, asook die aanbeveling wat ingevolge subartikel (2) *(c)* daaromtrent voorgelê is, en hy kan enige ondersoek in verband daarmee doen wat hy nodig ag.

(4) *(a)* Indien die toestaan van die aansoek deur die betrokke komitee aanbeveel word en die registrateur saamstem dat die aansoek toegestaan kan word, kan hy na goeddunke op die voorwaardes wat deur die komitee aanbeveel is of wat voorgeskryf is of wat hy goedvind, die betrokke invoer skriftelik magtig.

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

(5) 'n Voorwaarde bedoel in subartikel (4) *(a)* kan 'n beperking op die getal diere of die hoeveelheid semen, eiselle of eiers wat ingevoer staan te word, asook 'n vereiste omtrent die kwaliteit daarvan, insluit.

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

(7) 'n Magtiging ingevolge hierdie artikel stel nie die gemagtigde vry van die bepalings van enige ander wet met betrekking tot die invoer van enigiets in die Republiek nie.

(8) *(a)* 'n Dier, semen, eiselle of eiers wat strydig met die bepalings van hierdie artikel in die Republiek ingevoer is, en nie binne die tydperk wat die registrateur bepaal, deur die invoerder daarvan op eie koste uit die Republiek verwyder word nie, word aan die Staat verbeur, en word vernietig of op 'n ander wyse oor beskik na gelang die registrateur gelas.

(b) Koste deur die Staat aangegaan in verband met die vernietiging van 'n dier, semen, eiselle of eiers ingevolge die bepalings van paragraaf *(a)*, kan op die betrokke invoerder verhaal word.

Uitvoer van diere, semen, eiselle en eiers.

17. (1) Niemand mag 'n dier, semen, eiselle of eiers uit die Republiek uitvoer nie tensy bedoelde uitvoer deur die registrateur skriftelik gemagtig is: Met dien verstande dat bedoelde skriftelike

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tion shall not be required for the exportation of eggs (except the eggs of ostriches) not intended for breeding purposes.

(2) The provisions of section 16 (2), (3), 4 *(a)*, (5), (6) and (7) shall *mutatis mutandis* apply with reference to an application for such authorization.

Incorporation of livestock breeders' societies.

18. (1) Any group of persons desiring a certificate of incorporation as a livestock breeders' society, shall apply therefor to the registrar in the prescribed manner and form, and such application shall be accompanied by its constitution, the prescribed application fee and such other documents as may be prescribed or the registrar may determine.

(2) Such a certificate of incorporation may on such an application be issued to such a group of persons if—

(a) the kind and breed of animal with which such group of persons is concerned has been declared under section 2;

(b) no other such certificate is in force in respect of any livestock breeders' society which is concerned with the same kind and breed of animal;

(c) the Stud Book Association has certified that—

(i) such body of persons complies with the conditions for recognition which the Stud Book Association has determined after consultation with the registrar; and

(ii) after the granting of such a certificate to such body of persons, affiliated or associate membership, as the case may be, will be granted to it by the Stud Book Association.

(d) the constitution of such group of persons—

(i) contains the prescribed provisions;

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

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

(iv) provides that an officer designated by the Minister may attend any meeting of its members and take part in the proceedings thereat but without the right to vote at any such meeting; and

(v) provides that membership of the Stud Book Association shall be maintained on the conditions set out in the constitution of the Stud Book Association.

(3) The registrar shall consider an application referred to in subsection (1), as well as such information as may have been submitted to him in connection therewith, and he may make such inquiry in connection therewith as he may deem necessary.

(4) If the registrar grants such application, he shall issue a certificate of incorporation to the group of persons concerned and record the prescribed particulars in the register.

(5) The registrar shall give notice in the *Gazette* of the issuing by him of such certificate of incorporation in terms of subsection (4), and of the date as from which the livestock breeders' society concerned shall be incorporated, and shall notify the Registrar of Companies thereof, who shall as soon as practicable after that date record the name of such livestock breeders' society in the register of companies to be kept in terms of the Companies Act, 1973 (Act No. 61 of 1973).

(6) *(a)* A livestock breeders' society shall, as from the date specified in the certificate of incorporation issued to it, be a juristic person.

(b) Subject to the provisions of paragraph *(c)*, the provisions of the Companies Act, 1973, shall not apply to a livestock breeders' society.

(c) The Minister may by notice in the *Gazette* declare any provision of the said Act not inconsistent with the

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

(2) Die bepalings van artikel 16 (2), (3), (4) *(a)*, (5), (6) en (7) is *mutatis mutandis* van toepassing met betrekking tot 'n aansoek om daardie magtiging.

Bekleding van veetelersgenootskappe met regspersoonlikheid.

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

(2) So 'n sertifikaat van regspersoonlikheid kan op so 'n aansoek aan so 'n groep persone uitgereik word indien—

(a) die soort en ras dier waarby so 'n groep persone betrokke is kragtens artikel 2 verklaar is;

(b) geen ander sodanige sertifikaat ten opsigte van 'n veetelersgenootskap wat betrokke is by dieselfde soort en ras dier van krag is nie;

(c) die Stamboekvereniging gesertifiseer het dat—

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

(ii) na verlening van so 'n sertifikaat aan die groep persone, geaffilieerde of geassosieerde lidmaatskap, na gelang van die geval, deur die Stamboekvereniging daaraan verleen sal word;

(d) die grondwet van die groep persone—

(i) die voorgeskrewe bepalings bevat;

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

(iii) bepaal dat die teel- en keuringsmetodes vir diere van die betrokke soort en ras deur die Stamboekvereniging goedgekeur moet word, en dat die verbetering en toepassing van sodanige metodes insgelyks goedgekeur moet word;

(iv) bepaal dat 'n beampte deur die Minister aangewys, enige vergadering van die lede daarvan kan bywoon en aan die verrigtinge aldaar deelneem maar sonder die reg om op so 'n vergadering 'n stem uit te bring; en

(v) bepaal dat lidmaatskap van die Stamboekvereniging in stand gehou moet word op die voorwaardes wat in die Stamboekvereniging se grondwet uiteengesit word.

(3) Die registrateur oorweeg 'n aansoek bedoel in subartikel (1), asook die inligting wat in verband daarmee aan hom voorgelê is, en kan die ondersoek in verband daarmee doen wat hy nodig ag.

(4) Indien die registrateur die aansoek toestaan, reik hy 'n sertifikaat van regspersoonlikheid aan die betrokke groep persone uit en teken hy die voorgeskrewe besonderhede in die register aan.

(5) Die registrateur gee in die *Staatskoerant* kennis van die uitreiking deur hom van die sertifikaat van regspersoonlikheid ingevolge subartikel (4), en van die datum van wanneer af die betrokke veetelersgenootskap met regspersoonlikheid beklee is, en stel die Registrateur van Maatskappye daarvan in kennis, wat so gou doenlik na daardie datum die naam van die veetelersgenootskap aanteken in die register van maatskappye wat ingevolge die Maatskappywet, 1973 (Wet No. 61 van 1973), gehou moet word.

(6) *(a)* 'n Veetelersgenootskap is vanaf die datum vermeld in die sertifikaat van regspersoonlikheid aan hom uitgereik, 'n regspersoon.

(b) Behoudens die bepalings van paragraaf *(c)*, is die bepalings van die Maatskappywet, 1973, nie op 'n veetelersgenootskap van toepassing nie.

(c) Die Minister kan by kennisgewing in die *Staatskoerant* enige bepaling van genoemde Wet wat nie met die

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provisions of this Act, with such modifications as may be specified in the notice, applicable to a livestock breeders' society, and may withdraw or amend such notice in like manner.

(*d*) The assets, liabilities, rights and obligations vested in a person in his capacity as a member of the group of persons concerned on behalf of the members of such group as such, or for which such person is liable in that capacity on behalf of those members as such, shall as from the date specified in the certificate of incorporation issued to such group in terms of subsection (4), vest in the livestock breeders' society concerned.

(7) (*a*) Subject to the provisions of section 22, any certificate of incorporation issued or continued prior to the commencement of this Act in terms of the Registration of Pedigree Livestock Act, 1957 (Act No. 28 of 1957), and which is in force at such commencement, shall be deemed to be a certificate of incorporation issued in terms of this section, and the legal personality conferred by virtue thereof prior to the commencement of this Act shall remain in force.

(*b*) The Registrar of Companies shall at the commencement of this subsection record the name of a livestock breeders' society in respect of which a certificate of incorporation shall, in terms of paragraph (*a*), be deemed to have been issued, in the register mentioned in subsection (5).

Amendment of constitution.

19. (1) The constitution of a livestock breeders' society, other than the Stud Book Association and the Karakul Breeders' Society of South Africa, may be amended in the prescribed manner: Provided that such amendment shall not be inconsistent with the provisions of this Act.

(2) Such number of copies as may be required by the Stud Book Association of each such amendment, or of the amended constitution, shall be submitted to the Stud Book Association within thirty days after such amendment has been effected, and such amendment shall, subject to the provisions of subsection (3), come into operation ninety days after being so submitted.

(3) If the Stud Book Association is of the opinion that such amendment is inconsistent with the provisions of this Act, the livestock breeders' society concerned shall be notified thereof, and thereupon such amendment shall be null and void.

(4) The Stud Book Association shall furnish the registrar with a copy of each document submitted in terms of subsection (2), and of each notification in terms of subsection (3).

(5) (*a*) The constitution of the Stud Book Association or the Karakul Breeders' Society of South Africa may be amended in the manner contemplated in subsection (1).

(*b*) Such number of copies as may be required by the registrar of every such amendment or of the amended constitution concerned, shall be submitted to the registrar within thirty days after such amendment has been effected, and such amendment shall, subject to the provisions of paragraph (*c*), come into operation ninety days after being so submitted.

(*c*) If the registrar is of the opinion that such amendment is inconsistent with the provisions of this Act, the Stud Book Association or the Karakul Breeders' Society of South Africa, as the case may be, shall be notified thereof, and thereupon such amendment shall be null and void.

Annual returns.

20. (1) Each livestock breeders' society, other than the Stud Book Association and the Karakul Breeders' Society of South Africa, shall within the prescribed period after the end of each

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bepalings van hierdie Wet onbestaanbaar is nie, op 'n veetelersgenootskap van toepassing verklaar, met die wysigings wat in die kennisgewing vermeld word, en kan so 'n kennisgewing op dergelike wyse intrek of wysig.

(d) Die bates, laste, regte en verpligtinge wat iemand in sy hoedanigheid van lid van die betrokke groep persone ten behoewe van die lede van die groep as sodanig besit, of waarvoor so iemand in daardie hoedanigheid ten behoewe van daardie lede as sodanig, aanspreeklik is, gaan vanaf die datum vermeld in die sertifikaat van regspersoonlikheid ingevolge subartikel (4) aan die groep uitgereik, oor op die betrokke veetelersgenootskap.

(7) (a) Behoudens die bepalings van artikel 22, word 'n sertifikaat van regspersoonlikheid wat voor die inwerkingtreding van hierdie Wet ingevolge die Wet op Registrasie van Stamboekvee, 1957 (Wet No. 28 van 1957), uitgereik is of in stand gehou is en wat by sodanige inwerkingtreding van krag is, geag 'n sertifikaat van regspersoonlikheid ingevolge hierdie artikel uitgereik, te wees, en die regspersoonlikheid uit hoofde daarvan voor die inwerkingtreding van hierdie Wet verleen, bly van krag.

(b) Die Registrateur van Maatskappye teken die naam van 'n veetelersgenootskap ten opsigte waarvan 'n sertifikaat van regspersoonlikheid ingevolge paragraaf (a) geag word uitgereik te wees, by die inwerkingtreding van hierdie subartikel aan in die register in subartikel (5) vermeld.

19. (1) Die grondwet van 'n veetelersgenootskap, behalwe die Stamboekvereniging en die Karakoeltelersgenootskap van Suid-Afrika, kan op die voorgeskrewe wyse gewysig word: Met dien verstande dat bedoelde wysiging nie onbestaanbaar met die bepalings van hierdie Wet mag wees nie. Wysiging van grondwet.

(2) Die getal afskrifte wat deur die Stamboekvereniging verlang word, van elke sodanige wysiging of van die gewysigde grondwet, moet binne dertig dae nadat die wysiging aangebring is aan die Stamboekvereniging voorgelê word, en die wysiging tree, behoudens die bepalings van subartikel (3), in werking negentig dae nadat dit aldus voorgelê is.

(3) Indien die Stamboekvereniging van mening is dat die wysiging onbestaanbaar is met die bepalings van hierdie Wet, moet die betrokke veetelersgenootskap daarvan in kennis gestel word, en daarop is die wysiging van nul en gener waarde.

(4) Die Stamboekvereniging moet 'n afskrif van elke stuk wat ingevolge subartikel (2) voorgelê word en van elke kennisgewing ingevolge subartikel (3) aan die registrateur voorlê.

(5) (a) Die grondwet van die Stamboekvereniging of die Karakoeltelersgenootskap van Suid-Afrika kan op die wyse in subartikel (1) beoog, gewysig word.

(b) Die getal afskrifte wat deur die registrateur verlang word, van elke bedoelde wysiging of van die gewysigde betrokke grondwet, moet binne dertig dae nadat die wysiging aangebring is, aan die registrateur voorgelê word, en die wysiging tree, behoudens die bepalings van paragraaf (c), in werking negentig dae nadat dit aldus voorgelê is.

(c) Indien die registrateur van mening is dat so 'n wysiging onbestaanbaar is met die bepalings van hierdie Wet, moet die Stamboekvereniging of die Karakoeltelersvereniging van Suid-Afrika, na gelang van die geval, daarvan in kennis gestel word, en daarop is die wysiging van nul en gener waarde.

20. (1) Elke veetelersgenootskap, behalwe die Stamboekvereniging en die Karakoeltelersgenootskap van Suid-Afrika, moet binne die voorgeskrewe tydperk na die einde van elk van sy Jaarverslae.

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of its financial years, submit to the Stud Book Association such number of copies of such livestock breeders' society's prescribed annual return as the Stud Book Association may require.

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

(3) The Stud Book Association and the Karakul Breeders' Society of South Africa shall within the prescribed period after the end of each of their financial years, submit to the registrar such number of copies of their prescribed annual returns as the registrar may require.

Action in case of complaints against livestock breeders' societies.

21. (1) If a complaint is lodged with the Minister that a livestock breeders' society, other than the Stud Book Association or the Karakul Breeders' Society of South Africa, has not properly attained or is unlikely properly to attain the objects for which a certificate of incorporation has been issued or is deemed to have been issued to it, he may, if the Stud Book Association recommends an inquiry, refer such complaint for inquiry to a committee consisting of three members, appointed by the Minister, who shall be persons deemed fit by the Minister and one of whom he shall designate as the chairman of such committee.

Not in operation
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(2) The Minister shall at least one month prior to the commencement of such inquiry notify such livestock breeders' society in writing of the act or omission which is to be the subject of the inquiry and of the date on which the inquiry shall commence, and such livestock breeders' society shall be entitled to be represented at such inquiry by an advocate or an attorney.

(3) The provisions of section 27 (4) shall *mutatis mutandis* apply with reference to an inquiry referred to in subsection (1).

(4) If the committee mentioned in subsection (1) finds that the livestock breeders' society concerned has not properly attained or is unlikely properly to attain the objects specified in subsection (1), the Minister may cancel the certificate of incorporation issued to such livestock breeders' society or suspend it for such period as he may deem fit, and thereupon the powers of such livestock breeders' society shall vest in the Stud Book Association for the period of suspension or, in the case of the cancellation of the certificate of incorporation, for all time.

(5) When the certificate of incorporation issued to such livestock breeders' society is cancelled, such livestock breeders' society shall be dissolved, and as from the date of such cancellation all the assets, liabilities, rights and obligations of such livestock breeders' society shall devolve as the Minister may determine.

(6) *(a)* The registrar shall give notice in the *Gazette* of the cancellation, under subsection (4), of the certificate of incorporation issued to such livestock breeders' society.
(b) The registrar shall delete the name of such livestock breeders' society from the register.
(c) The registrar shall notify the Registrar of Companies of such dissolution, and the Registrar of Companies shall delete the name of such livestock breeders' society from the register mentioned in section 18 (5).

(7) Any member of the committee mentioned in subsection (1) who is not in the full-time service of the State, may be paid such allowances as the Minister may with the concurrence of the Minister of Finance determine.

Incorporation of Stud Book Association and Karakul Breeders' Society.

22. (1) The certificate of incorporation issued prior to the commencement of this Act under the Registration of Pedigree Livestock Act, 1920 (Act No. 22 of 1920), to the South African Stud Book Association and which was continued by the Registration of Pedigree Livestock Act, 1957 (Act No. 28 of 1957), shall be deemed to be a certificate of incorporation issued in terms of section 18 of this Act to that association under the name of the South African Stud Book and Livestock Improvement Associa-

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boekjare, van hom, aan die Stamboekvereniging die getal afskrifte van die veetelersgenootskap se voorgeskrewe jaarverslag wat die Stamboekvereniging vereis, voorlê.

(2) Die Stamboekvereniging moet 'n afskrif van elke jaarverslag wat ingevolge subartikel (1) aan hom voorgelê word, tesame met die kommentaar daaromtrent wat hy nodig ag, aan die registrateur deurstuur.

(3) Die Stamboekvereniging en die Karakoeltelersgenootskap van Suid-Afrika moet binne die voorgeskrewe tydperk na die einde van elk van hul boekjare, aan die registrateur die getal afskrifte van hul voorgeskrewe jaarverslae wat die registrateur vereis, voorlê.

Optrede in geval van klagtes teen veetelersgenootskappe.

21. (1) Indien 'n klagte by die Minister ingedien word dat 'n veetelersgenootskap, behalwe die Stamboekvereniging of die Karakoeltelersgenootskap van Suid-Afrika, die oogmerke waarvoor 'n sertifikaat van regspersoonlikheid daaraan uitgereik is of geag word uitgereik te gewees het, nie behoorlik bereik het nie of waarskynlik nie behoorlik sal bereik nie, kan hy, indien die Stamboekvereniging 'n ondersoek aanbeveel, die klagte vir ondersoek verwys na 'n komitee bestaande uit drie lede deur die Minister aangestel en wat persone is wat die Minister geskik ag en van wie hy een as die voorsitter van die komitee aanwys.

(2) Die Minister moet minstens een maand voor die aanvang van die ondersoek die veetelersgenootskap skriftelik in kennis stel van die handeling of versuim wat die onderwerp van die ondersoek sal uitmaak en van die datum waarop die ondersoek 'n aanvang neem, en die veetelersgenootskap is geregtig om by die ondersoek deur 'n advokaat of 'n prokureur verteenwoordig te word.

(3) Die bepalings van artikel 27 (4) is *mutatis mutandis* van toepassing met betrekking tot 'n ondersoek in subartikel (1) bedoel.

(4) Indien die komitee in subartikel (1) vermeld, bevind dat die betrokke veetelersgenootskap die doeleindes in subartikel (1) vermeld, nie behoorlik bereik het nie of waarskynlik nie behoorlik sal bereik nie, kan die Minister die sertifikaat van regspersoonlikheid aan die veetelersgenootskap uitgereik, intrek of vir die tydperk wat hy goedvind, opskort, en daarop gaan die bevoegdhede van die veetelersgenootskap oor op die Stamboekvereniging vir die tydperk van opskorting of, in die geval van die intrekking van die sertifikaat van regspersoonlikheid, vir goed.

(5) Wanneer die sertifikaat van regspersoonlikheid aan die veetelersgenootskap uitgereik, ingetrek word, word die veetelersgenootskap ontbind, en vanaf die datum van bedoelde intrekking val al die bates, laste, regte en verpligtinge van die veetelersgenootskap toe soos die Minister bepaal.

(6) *(a)* Die registrateur gee in die *Staatskoerant* kennis van die intrekking, kragtens subartikel (4), van die sertifikaat van regspersoonlikheid aan die veetelersgenootskap uitgereik.

(b) Die registrateur skrap die naam van die veetelersgenootskap uit die register.

(c) Die registrateur stel die Registrateur van Maatskappye in kennis van bedoelde ontbinding, en die Registrateur van Maatskappye skrap die naam van die veetelersgenootskap uit die register in artikel 18 (5) vermeld.

(7) 'n Lid van die komitee in subartikel (1) vermeld, wat nie in die heeltydse diens van die Staat is nie, kan die toelaes betaal word wat die Minister met die instemming van die Minister van Finansies bepaal.

Bekleding van Stamboekvereniging en Karakoeltelersgenootskap met regspersoonlikheid.

22. (1) Die sertifikaat van regspersoonlikheid wat voor die inwerkingtreding van hierdie Wet kragtens die „Wet op de Registratie van Stamboekvee, 1920'' (Wet No. 22 van 1920), aan die Suid-Afrikaanse Stamboekvereniging uitgereik is en wat by die Wet op Registrasie van Stamboekvee, 1957 (Wet No. 28 van 1957), in stand gehou is, word geag 'n sertifikaat van regspersoonlikheid te wees wat ingevolge artikel 18 van hierdie Wet aan daardie vereniging onder die naam van die Suid-Afrikaanse

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tion, and the Stud Book Association shall continue to be a juristic person.

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

(3) *(a)* The certificate of incorporation issued prior to the commencement of this Act under the Registration of Pedigree Livestock Act, 1920, to the Karakul Breeders' Society of South Africa and which was continued by the Registration of Pedigree Livestock Act, 1957, shall be deemed to be a certificate of incorporation issued in terms of section 18 of this Act, and the Karakul Breeders' Society of South Africa shall continue to be a juristic person.

(b) Notwithstanding the repeal of the Registration of Pedigree Livestock Act, 1957, by this Act, the certificate of autonomy issued in terms of section 10 of that Act to the Karakul Breeders' Society of South Africa shall remain in force as if this Act had not come into operation.

(4) The Registrar of Companies shall as soon as practicable after the commencement of this section record the names of the Stud Book Association and the Karakul Breeders' Society of South Africa in the register mentioned in section 18 (5).

Exclusive powers of Stud Book Association and Karakul Breeders' Society.

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

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

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

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

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

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

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

(b) Any such prefix or suffix shall be registered on such conditions and upon payment of such fee as the Stud Book Association may determine, and the registration of such prefix or suffix shall be maintained on the periodical payment of the fee and on such conditions as may have likewise been determined, and the Stud Book Association shall issue a cerificate in respect of each such registration.

(c) Any prefix or suffix registered in favour of any person, shall not be used by any other person as a prefix or suffix or in any other manner to designate an animal bred by such other person.

(3) No person other than the Karakul Breeders' Society of South Africa may in respect of Karakul sheep exercise the powers contemplated in subsection (1) *(a)* and *(c)*, and the Karakul Breeders' Society of South Africa—

(a) shall pay annually to the Stud Book Association in respect of the exercise of such rights, such amount as the Minister may determine after consultation with the

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Stamboek- en Veeverbeteringsvereniging uitgereik is, en die Stamboekvereniging bly 'n regspersoon.

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

(3) *(a)* Die sertifikaat van regspersoonlikheid wat voor die inwerkingtreding van hierdie Wet aan die Karakoeltelersgenootskap van Suid-Afrika kragtens die „Wet op de Registratie van Stamboekvee, 1920", uitgereik is en wat by die Wet op Registrasie van Stamboekvee, 1957, in stand gehou is, word geag 'n sertifikaat van regspersoonlikheid te wees wat ingevolge artikel 18 van hierdie Wet uitgereik is, en die Karakoeltelersgenootskap van Suid-Afrika bly 'n regspersoon.

(b) Ondanks die herroeping van die Wet op Registrasie van Stamboekvee, 1957, by hierdie Wet, bly die sertifikaat van selfbestuur wat ingevolge artikel 10 van daardie Wet aan die Karakoeltelersgenootskap van Suid-Afrika uitgereik is, van krag asof hierdie Wet nie in werking getree het nie.

(4) Die Registrateur van Maatskappye teken so gou doenlik na die inwerkingtreding van hierdie artikel die name van die Stamboekvereniging en die Karakoeltelersgenootskap van Suid-Afrika aan in die register in artikel 18 (5) vermeld.

Uitsluitende bevoegdhede van Stamboekvereniging en Karakoeltelersgenootskap.

23. (1) Behoudens die bepalings van subartikel (3) mag niemand behalwe die Stamboekvereniging—

(a) 'n sertifikaat van registrasie van die afstamming van 'n dier wat in die Republiek geteel of daarin ingevoer is, uitreik nie;

(b) 'n sertifikaat van aantekening van die afstamming van 'n dier wat in die Republiek geteel of daarin ingevoer is, uitreik nie;

(c) die afstamming van diere in paragrawe *(a)* en *(b)* vermeld in die vorm van stam- of kuddeboeke publiseer nie;

(d) sertifiseer soos in artikel 18 (2) *(c)* beoog nie;

(e) geld wat ingevolge artikel 84C van die Bemarkingswet, 1968 (Wet No. 59 van 1968), uit 'n spesiale rekening bedoel in artikel 84B van daardie Wet betaal word, aanwend nie, indien sodanige geld uitbetaal word ten einde die uitvoer te bevorder van diere waarvan die afstamming by die Stamboekvereniging of die Karakoeltelersgenootskap van Suid-Afrika geregistreer of aangeteken is, na gelang van die geval, of van semen of eiselle van diere aldus geregistreer of aangeteken, of van eiers wat vir teeldoeleindes bestem is.

(2) *(a)* 'n Sertifikaat beoog in paragraaf *(a)* of *(b)* van subartikel (1) word nie uitgereik nie tensy die teler van die betrokke dier 'n voor- of agtervoegsel by die Stamboekvereniging geregistreer het om die diere deur hom geteel, aan te dui.

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

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

(3) Niemand behalwe die Karakoeltelersgenootskap van Suid-Afrika mag ten opsigte van Karakoelskape die bevoegdhede in subartikel (1) *(a)* en *(c)* beoog, uitoefen nie, en die Karakoeltelersgenootskap van Suid-Afrika—

(a) betaal jaarliks aan die Stamboekvereniging ten opsigte van die uitoefening van daardie bevoegdhede, die bedrag wat die Minister na oorlegpleging met die

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Stud Book Association and the Karakul Breeders' Society of South Africa;

(b) shall not exercise any power contemplated in subsection (1) *(a)* unless the breeder of the animal concerned has registered a prefix or suffix in terms of subsection (2): Provided that the fee contemplated in subsection 2 *(b)* shall in this case be determined by the Stud Book Association with the concurrence of the Minister.

(4) Any power which in terms of subsections (1) *(a)* and *(c)* and (3) vests only in the Stud Book Association and the Karakul Breeders' Society of South Africa, shall not be construed as prohibiting—

(a) the breeder of an animal belonging to a kind and breed of which pedigrees are not registered or recorded, as the case may be, with the Stud Book Association or the Karakul Breeders' Society of South Africa, from furnishing particulars of the pedigree of such animal in writing or otherwise; or

(b) the owner of an animal in respect of which a certificate of registration or recording has been issued under such a power, from furnishing particulars of the pedigree of such animal shown on such certificate, in writing or otherwise.

Fees not payable by State'

24. No fees payable in terms of this Act shall be payable by the State.

Discretionary powers of registrar.

25. (1) *(a)* Any discretionary power conferred on the registrar by this Act, other than that conferred by section 16 or 17, shall not be exercised by him to the prejudice of any applicant or any other person who appears to the registrar to be an interested party, without giving such applicant or other person an opportunity of being heard within such period as may be prescribed or, if no period has been prescribed, within such reasonable period as the registrar may determine.

(b) An applicant or other person mentioned in paragraph *(a)* may waive such right to be heard.

(2) Whenever in terms of this Act any period is specified within which any act is to be performed or anything is to be done, the registrar may, save where it is expressly otherwise provided, extend such period either before or after its expiry.

Power to enter upon premises, carry out inspections, take samples for examination and seize substances or articles.

26. (1) The registrar or an officer authorized thereto in writing by the registrar may at any reasonable time—

(a) enter upon and inspect any place, premises, vehicle or vessel on or in which semen or ova are or are suspected to be kept or collected or the artificial insemination or inovulation of animals is or is suspected to be carried out or animals, semen, ova or eggs imported or to be exported in contravention of the provisions of this Act are or are suspected to be kept or any equipment or other article used in the collection or processing of semen or ova or in the artificial insemination or inovulation of animals is or is suspected to be;

(b) inspect or test such animals, semen, ova, eggs, equipment or other article and demand from the person in charge of any such place, premises, vehicle or vessel any information regarding such animals, semen, ova, eggs, equipment or other article;

(c) examine all books and documents on or in any such place, premises, vehicle or vessel which he has reason to believe relate to such animal, semen, ova, eggs, equipment or other article or to the collection of semen or ova or the artificial insemination or inovulation of

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Stamboekvereniging en die Karakoeltelersgenootskap van Suid-Afrika bepaal;

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

(4) 'n Bevoegdheid wat ingevolge subartikels (1) *(a)* en *(c)* en (3) slegs by die Stamboekvereniging en die Karakoeltelersgenootskap van Suid-Afrika berus, word nie so uitgelê nie dat dit—

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

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

24. Geen gelde ingevolge hierdie Wet betaalbaar, is deur die Staat betaalbaar nie. Gelde nie deur Staat betaalbaar nie.

25. (1) *(a)* 'n Diskresionêre bevoegdheid wat by hierdie Wet aan die registrateur verleen word, behalwe dié by artikel 16 of 17 verleen, word nie deur hom ten nadele van 'n aansoeker of iemand anders wat, na dit die registrateur voorkom, 'n belanghebbende is, uitgeoefen nie sonder dat hy aan die aansoeker of ander persoon 'n geleentheid gegee het om binne die voorgeskrewe tydperk of, indien 'n tydperk nie voorgeskryf is nie, binne die redelike tyd wat die registrateur bepaal, aangehoor te word. Diskresionêre bevoegdhede van registrateur.

(b) 'n In paragraaf *(a)* genoemde aansoeker of ander persoon kan afstand doen van die reg om aangehoor te word.

(2) Wanneer 'n tydperk ingevolge hierdie Wet bepaal word waarbinne 'n handeling verrig of enigiets gedoen moet word, kan die registrateur, behalwe waar dit uitdruklik anders bepaal word, die tydperk voor of na die verstryking daarvan verleng.

26. (1) Die registrateur of 'n beampte wat skriftelik deur die registrateur daartoe gemagtig is, kan te enige redelike tyd— Bevoegdheid om persele te betree, ondersoeke in te stel, monsters vir ondersoek te neem en beslag te lê op stowwe of voorwerpe.

(a) 'n plek, perseel, voertuig of vaartuig betree en ondersoek waarop of waarin semen of eiselle wel of na vermoede aangehou of opgevang word of die kunsmatige inseminering of inovulering van diere wel of na vermoede uitgevoer word of diere, semen, eiselle of eiers wat strydig met die bepalings van hierdie Wet ingevoer is of uitgevoer staan te word, wel of na vermoede aangehou word of toerusting of 'n ander voorwerp wat gebruik word by die opvang of verwerking van semen of eiselle of by die kunsmatige inseminering of inovulering van diere wel of na vermoede is;

(b) sodanige diere, semen, eiselle, eiers, toerusting of ander voorwerp ondersoek of toets en van die persoon wat in beheer van so 'n plek, perseel, voertuig of vaartuig is, enige inligting aangaande daardie diere, semen, eiselle, eiers, toerusting of ander voorwerp eis;

(c) alle boeke en stukke op of in so 'n plek, perseel, voertuig of vaartuig wat hy rede het om te dink betrekking het op sodanige diere, semen, eiselle, eiers, toerusting of ander voorwerp, of op die opvang van semen of eiselle of die kunsmatige inseminering of

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animals, make copies of or extracts from such books and documents and demand from the owner or custodian of any such book or document an explanation of any record or entry therein;

(d) take samples or cause samples to be taken of the blood or semen of any animal or of any semen, ova or eggs on or in any such place, premises, vehicle or vessel, and examine or test such samples;

(e) seize any animal, semen, ova, eggs, book, document, equipment or other article on or in any such place, premises, vehicle or vessel which in his opinion may afford evidence of any offence under this Act;

(f) inspect any operation carried out on or in any such place, premises, vehicle or vessel in connection with the collection of semen or ova or the artificial insemination or inovulation of animals and demand from the person in charge of such operation any information regarding it;

(g) order the removal or disposal, in such manner and within such period as may be prescribed, of animals, semen, ova or eggs on or in any such place, premises, vehicle or vessel and which do not comply with the prescribed requirements.

(2) Where an officer acting under such written authority of the registrar carries out any inspection in terms of subsection (1) in the presence of any person affected by such inspection, such officer shall first exhibit such written authority to such person.

Appeal against decisions or actions.

27. (1) A person who considers himself aggrieved by any decision or action taken by the registrar in terms of this Act, or by any decision taken by the Stud Book Association in terms of section 19 (3), may, within the period and in the manner prescribed and upon payment of the prescribed fee, appeal to the Minister against the decision or action in question.

(2) (a) The Minister shall refer the appeal for investigation and decision to a board, the members of which shall be appointed by the Minister and which shall, subject to the provisions of paragraph (b), consist of—

(i) one person designated as chairman on account of his knowledge of law; and

(ii) two persons who in the opinion of the Minister have expert knowledge of the subject of the appeal.

(b) Any person who has any direct or indirect interest in the outcome of the appeal, shall not be appointed in terms of paragraph (a).

(3) An appeal shall be heard on the date and at the place and time fixed by the chairman of the board, who shall notify the appellant and the registrar or the Stud Book Association, as the case may be, in writing thereof.

(4) The chairman of the board may, for the purposes of the hearing of the appeal—

(a) summon any person who, in his opinion, may give material information concerning the subject of the hearing or who he believes has in his possession or custody or under his control any document which has any bearing upon the subject of the hearing, to appear before him at a time and place specified in the summons, to be interrogated or to produce that document, and the chairman may retain for examination any document so produced;

(b) administer an oath to or accept an affirmation from any person called as a witness at the hearing; and

(c) call any person present at the hearing as a witness and interrogate him and require him to produce any document in his possession or custody or under his control.

(5) The procedure at the hearing of the appeal shall be as determined by the chairman.

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inovulering van diere, nagaan, afskrifte van of uittreksels uit sodanige boeke en stukke maak, en van die eienaar van so 'n boek of stuk of van die persoon wat dit in sy bewaring het, 'n verduideliking van 'n aantekening of inskrywing daarin eis;

(d) monsters neem of laat neem van die bloed of semen van 'n dier of van semen, eiselle of eiers wat op of in so 'n plek, perseel, voertuig of vaartuig is, en die monsters ondersoek of toets;

(e) beslag lê op enige dier, semen, eiselle, eiers, boek, stuk, toerusting of ander voorwerp op of in so 'n plek, perseel, voertuig of vaartuig, wat volgens sy oordeel as bewys mag dien van 'n misdryf ingevolge hierdie Wet;

(f) enige werksaamheid wat op of in so 'n plek, perseel, voertuig of vaartuig in verband met die opvang van semen of eiselle of die kunsmatige inseminering of inovulering van diere uitgevoer word, ondersoek en van die persoon wat in beheer is van sodanige werksaamheid enige inligting daaromtrent eis;

(g) die verwydering of beskikking, op die voorgeskrewe wyse en binne die voorgeskrewe tydperk, van of oor diere, semen, eiselle of eiers wat op of in so 'n plek, perseel, voertuig of vaartuig is en wat nie aan die voorgeskrewe vereistes voldoen nie, gelas.

(2) Waar 'n beampte wat kragtens bedoelde skriftelike magtiging van die registrateur optree, 'n ondersoek ingevolge subartikel (1) uitvoer in die teenwoordigheid van iemand wat deur die ondersoek geraak word, moet die beampte eers daardie skriftelike magtiging aan so iemand toon.

Appèl teen beslissings of optrede.

27. (1) Iemand wat hom veronreg voel deur enige beslissing of optrede van die registrateur ingevolge hierdie Wet, of deur 'n beslissing van die Stamboekvereniging ingevolge artikel 19 (3), kan binne die tydperk en op die wyse wat voorgeskryf is en by betaling van die voorgeskrewe gelde by die Minister appèl teen die betrokke beslissing of stappe aanteken.

(2) *(a)* Die Minister verwys die appèl vir ondersoek en beslissing na 'n raad waarvan die lede deur die Minister aangestel word en wat, behoudens die bepalings van paragraaf *(b)*, bestaan uit—

(i) een persoon wat weens sy regskennis as voorsitter aangewys word; en

(ii) twee persone wat volgens die oordeel van die Minister deskundige kennis dra van die onderwerp van die appèl.

(b) Iemand wat 'n regstreekse of onregstreekse belang by die uitslag van die appèl het, word nie ingevolge paragraaf *(a)* aangestel nie.

(3) 'n Appèl word verhoor op die datum, plek en tyd deur die voorsitter van die raad bepaal, en hy stel die appellant en die registrateur of die Stamboekvereniging, na gelang van die geval, skriftelik daarvan in kennis.

(4) Die voorsitter van die raad kan vir die doeleindes van die verhoor van die appèl—

(a) enigiemand wat, volgens sy oordeel, wesenlike inligting kan verstrek aangaande die onderwerp van die verhoor of wat na hy vermoed 'n stuk wat betrekking het op die onderwerp van die verhoor in sy besit of bewaring of onder sy beheer het, dagvaar om op 'n tyd of plek in die dagvaarding vermeld voor hom te verskyn om ondervra te word of om daardie stuk oor te lê, en die voorsitter kan 'n stuk wat aldus oorgelê is, vir ondersoek behou;

(b) enigiemand wat by die verhoor as 'n getuie opgeroep word, 'n eed oplê of 'n bevestiging van hom neem; en

(c) enigiemand wat by die verhoor aanwesig is, as 'n getuie oproep en hom ondervra en hom aansê om enige stuk in sy besit of bewaring of onder sy beheer oor te lê.

(5) Die prosedure by die verhoor van die appèl word deur die voorsitter bepaal.

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(6) The appellant, if he appears before the board at the hearing of the appeal, and the registrar or the Stud Book Association, as the case may be, may be represented by an advocate or an attorney.

(7) If a person appointed under subsection (2) *(a)*—

(a) dies during the investigation of the appeal or so soon before the commencement of the investigation that the vacancy cannot be filled in time;

(b) is unable to act and another person cannot be appointed in his stead in time; or

(c) is, after the investigation has commenced, unable to continue therewith,

the parties to the appeal may agree that the investigation be continued by the remaining members, in which event, where the member who has died or has become incapacitated was or is the chairman of the board, the Minister shall designate one of the remaining members to act as chairman.

(8) *(a)* If the parties do not agree in terms of subsection (7), the investigation shall be adjourned in order that the Minister may appoint a member in accordance with the requirements of subsection (2) in the place of the member who has died or has become incapacitated.

(b) Where an appointment has been made under paragraph *(a)*, the investigation shall, if the parties so agree, be continued from the stage at which the investigation was interrupted by the death or incapacity of a member, or shall, if the parties do not so agree, be commenced *de novo*.

(9) The board may after investigation of the appeal—

(a) confirm, set aside or vary the relevant decision or action of the registrar or the Stud Book Association; and

(b) order the registrar to execute the decision of the board in connection therewith.

(10) *(a)* The decision of the board shall be in writing, and a copy thereof shall be furnished to the registrar, the appellant and the Stud Book Association, if a party to the appeal.

(b) No appeal shall lie against the decision of the board.

(11) If the board sets aside any decision or action, the prescribed fee paid by the appellant in respect of the appeal in question shall be refunded to him, or, if the board varies such decision or action, it may in its discretion direct that the whole or such part of such fee as it may determine, be refunded to the appellant.

(12) A member of the board and any person summoned under subsection 4 *(a)* who are not in the full-time service of the State, may be paid such allowances as the Minister may with the concurrence of the Minister of Finance determine.

False or misleading advertisements.

28. (1) No person shall publish or distribute or cause or permit to be published or distributed any false or misleading advertisement concerning any animal, semen, ova, eggs or the artificial insemination or inovulation of animals.

(2) It shall be a sufficient defence for any person, other than the person selling the animal, semen, ova or eggs or carrying out the artificial insemination or inovulation of animals to which the false or misleading advertisement relates, who is charged with a contravention of subsection (1), if he proves to the satisfaction of the court that he did not know and could not reasonably be expected to have known that the advertisement was false or misleading in any respect, unless it is proved that the accused failed on demand by the registrar or a police officer to furnish the name and address of the person at whose instance the advertisement was published or distributed.

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(6) Die appellant, indien hy voor die raad by die verhoor van die appèl verskyn, en die registrateur of die Stamboekvereniging, na gelang van die geval, kan deur 'n advokaat of 'n prokureur verteenwoordig word.

(7) Indien 'n persoon ingevolge subartikel (2) *(a)* aangestel—

(a) te sterwe kom tydens die ondersoek van die appèl of so kort voor die aanvang van die ondersoek dat die vakature nie betyds gevul kan word nie;

(b) nie in staat is om op te tree nie en 'n ander persoon nie betyds in sy plek aangestel kan word nie; of

(c) nie in staat is, nadat die ondersoek begin het, om daarmee voort te gaan nie,

kan die partye by die appèl ooreenkom dat die ondersoek deur die oorblywende lede voortgesit word, in welke geval, waar die lid wat oorlede is of onbekwaam geword het die voorsitter van die raad was of is, die Minister een van die oorblywende lede aanwys om as voorsitter op te tree.

(8) *(a)* Indien die partye nie ingevolge subartikel (7) ooreenkom nie, word die ondersoek verdaag sodat die Minister, volgens voorskrif van subartikel (2), 'n lid kan aanstel in die plek van die lid wat oorlede is of onbekwaam geword het.

(b) Waar 'n aanstelling ingevolge paragraaf *(a)* gedoen word, word die ondersoek, indien die partye aldus ooreenkom, voortgesit vanaf die stadium waarop die ondersoek onderbreek is deur die dood of onbekwaamheid van 'n lid, of word dit, indien die partye nie aldus ooreenkom nie, *de novo* begin.

(9) Die raad kan na ondersoek van die appèl—

(a) die betrokke beslissing of optrede van die registrateur of die Stamboekvereniging bevestig, tersyde stel of verander; en

(b) die registrateur gelas om uitvoering te gee aan die raad se beslissing in verband daarmee.

(10) *(a)* Die beslissing van die raad moet op skrif wees, en 'n afskrif daarvan word aan die registrateur, die appellant en die Stamboekvereniging, indien 'n party by die appèl, verstrek.

(b) Geen appèl kan teen die beslissing van die raad ingestel word nie.

(11) Indien die raad 'n beslissing of optrede tersyde stel, word die voorgeskrewe gelde deur die appellant ten opsigte van die betrokke appèl betaal, aan hom terugbetaal, of, indien die raad die betrokke beslissing of optrede verander, kan hy na goeddunke gelas dat die geheel van die gelde of die gedeelte daarvan wat hy bepaal aan die appellant terugbetaal word.

(12) 'n Lid van die raad en iemand wat kragtens subartikel (4) *(a)* gedagvaar is wat nie in die heeltydse diens van die Staat is nie, kan die toelaes betaal word wat die Minister met die instemming van die Minister van Finansies bepaal.

Vals of misleidende advertensies.

28. (1) Niemand mag 'n vals of misleidende advertensie met betrekking tot 'n dier, semen, eiselle, eiers of die kunsmatige inseminering of inovulering van diere publiseer of versprei nie of so 'n advertensie laat publiseer of versprei nie of toelaat dat so 'n advertensie gepubliseer of versprei word nie.

(2) Indien iemand anders as die persoon wat die dier, semen, eiselle of eiers verkoop of die kunsmatige inseminering of inovulering van diere uitvoer waarop die vals of misleidende advertensie betrekking het, aangekla word van 'n oortreding van subartikel (1), is dit 'n voldoende verdediging as hy ten genoeë van die hof bewys dat hy nie geweet het nie en nie redelikerwys van hom verwag kon word om te geweet het nie dat die advertensie in enige opsig vals of misleidend was, tensy bewys word dat die beskuldigde versuim het om op versoek van die registrateur of 'n polisiebeampte die naam en adres te verstrek van die persoon op wie se versoek die advertensie gepubliseer of versprei is.

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Secrecy.

29. No person shall disclose to any other person any information acquired by him in the performance of his functions in terms of this Act or a scheme and relating to the business or affairs of any other person, except—

(a) to the Minister, the registrar or any other person for the purposes of the performance of his functions in terms of this Act;

(b) to a police officer for the purposes of an inquiry relating to the administration of the provisions of this Act; or

(c) when required to do so by any court of law or under any law.

Offences and penalties.

30 (1) Any person—

(a) who makes a false entry in the register or causes it to be made therein, or who makes a writing or causes a writing to be made which falsely purports to be a copy of an entry in the register, or who produces or tenders or causes to be produced or tendered as evidence any such entry or any such copy thereof;

(b) who, if any statement or explanation is demanded from him by the registrar or an officer or by any person or body designated in terms of section 15 (1) *(a)* in the administration of the provisions of this Act or a scheme, fails or refuses to make such statement or to give such explanation, or makes a false statement or representation to the registrar or officer or such person or body knowing it to be false;

(c) who obstructs or hinders the registrar, an officer, a person or body designated in terms of section 15 (1) *(a)* or a person authorized by such person or body in the exercise of his powers or the performance of his duties in terms of this Act or a scheme;

(d) who, having been duly summoned to appear at proceedings in terms of section 27, or section 27 as applied by section 21, fails without lawful cause so to appear;

(e) who, having appeared as a witness at proceedings in terms of section 27, or section 27 as applied by section 21, refuses without lawful cause to be sworn or to make an affirmation or to produce any document or answer any question which he may be lawfully required to produce or answer;

(f) who collects semen or ova, sells ova or an animal or inovulates an animal in contravention of section 7 (1), (2) or (6);

(g) who uses any animal or semen in contravention of section 7 (5);

(h) who contravenes any provision of section 7 (4);

(i) who sells semen in contravention of section 8;

(j) who makes any false or misleading statement—

(i) in an application for the registration of an inseminator as such or of any premises as an A.I. centre, or for the approval of an animal for the purpose of collecting semen; or

(ii) at the sale of any animal, semen, ova or eggs or at the rendering of services relating to the artificial insemination or inovulation of animals or the collection of semen;

(k) who conducts an A.I. centre which does not comply with the requirements referred to in section 9 (2), or who uses premises not registered in terms of this Act as an A.I. centre for operations in connection with the collection, processing, packing, storage, conveyance and sale of semen;

(l) who fails to return a certificate of registration or a certificate of approval to the registrar in contravention of section 13 (3);

(m) who fails to comply with a provision of a scheme while he is under an obligation to do so;

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Geheimhouding.

29. Niemand mag inligting wat deur hom by die verrigting van sy werksaamhede ingevolge hierdie Wet of 'n skema verkry is en wat op die besigheid of sake van iemand anders betrekking het, aan iemand anders openbaar nie, behalwe—

(a) aan die Minister, die registrateur of iemand anders vir die doeleindes van die verrigting van sy werksaamhede ingevolge hierdie Wet;

(b) aan 'n polisiebeampte vir die doeleindes van 'n ondersoek betreffende die uitvoering van die bepalings van hierdie Wet; of

(c) wanneer dit deur 'n geregshof of kragtens 'n wet van hom vereis word.

Misdrywe en strawwe.

30. (1) Iemand—

(a) wat 'n vals inskrywing in die register maak of laat maak, of wat 'n geskrif maak of laat maak wat valslik voorgee 'n afskrif van 'n inskrywing in die register te wees, of wat so 'n inskrywing of so 'n afskrif daarvan as getuienis oorlê of aanbied of laat oorlê of aanbied;

(b) wat, indien 'n verklaring of 'n verduideliking van hom deur die registrateur of 'n beampte of deur 'n persoon of liggaam ingevolge artikel 15 (1) *(a)* aangewys by die uitvoering van die bepalings van hierdie Wet of 'n skema verlang word, versuim of weier om so 'n verklaring te maak of so 'n verduideliking te verstrek, of aan die registrateur of beampte of sodanige persoon of liggaam 'n vals verklaring of voorstelling maak met die wete dat dit vals is;

(c) wat die registrateur, 'n beampte, 'n persoon of liggaam aangewys ingevolge artikel 15 (1) *(a)* of iemand deur sodanige persoon of liggaam gemagtig, by die uitoefening van sy bevoegdhede of die verrigting van sy pligte ingevolge hierdie Wet of 'n skema, belemmer of hinder;

(d) wat, nadat hy behoorlik gedagvaar is om by verrigtinge ingevolge artikel 27, of artikel 27 soos toegepas by artikel 21, te verskyn, sonder wettige rede versuim om aldus te verskyn;

(e) wat, nadat hy as 'n getuie by verrigtinge ingevolge artikel 27, of artikel 27 soos toegepas by artikel 21, verskyn het, sonder wettige rede weier om beëdig te word of 'n bevestiging te doen of om 'n stuk oor te lê of 'n vraag te beantwoord wat hy wettiglik aangesê kan word om oor te lê of te beantwoord;

(f) wat in stryd met artikel 7 (1), (2) of (6), semen of eiselle opvang, eiselle verkoop of 'n dier kunsmatig insemineer of 'n dier inovuleer;

(g) wat 'n dier of semen in stryd met artikel 7 (5) gebruik;

(h) wat 'n bepaling van artikel 7 (4) oortree;

(i) wat semen in stryd met artikel 8 verkoop;

(j) wat 'n valse of misleidende verklaring maak—

(i) in 'n aansoek om die registrasie van 'n insemineerder as sodanig of van 'n perseel as 'n K.I.-sentrum, of om die goedkeuring van 'n dier vir die opvang van semen; of

(ii) by die verkoop van 'n dier, semen, eiselle of eiers of by die lewering van dienste betreffende die kunsmatige inseminering of inovulering van diere of die opvang van semen;

(k) wat 'n K.I.-sentrum bestuur wat nie aan die vereistes bedoel in artikel 9 (2) voldoen nie, of wat 'n perseel wat nie kragtens hierdie Wet as 'n K.I.-sentrum geregistreer is nie, gebruik vir werksaamhede in verband met die opvang, verwerking, verpakking, opberging, vervoer en verkoop van semen;

(l) in stryd met artikel 13 (3) versuim om 'n registrasiesertifikaat of 'n sertifikaat van goedkeuring aan die registrateur terug te stuur;

(m) wat versuim om aan 'n bepaling van 'n skema te voldoen wanneer hy onder verpligting is om daaraan te voldoen;

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(*n*) who imports any animal, semen, ova or eggs into the Republic in contravention of section 16 or who exports any animal, semen, ova or eggs from the Republic in contravention of section 17;

(*o*) who contravenes or fails to comply with any condition on which he has under section 16 (4) (*a*) been authorized to import any animal, semen, ova or eggs into the Republic, or any condition on which he has under section 16 (4) (*a*), as applied by section 17 (2), been authorized to export any animal, semen, ova or eggs from the Republic;

(*p*) who tampers with any sample taken or any animal, equipment, semen, ova, eggs, book, document or other article seized under this Act;

(*q*) other than the Stud Book Association or the Karakul Breeders' Society of South Africa, who, except in the circumstances referred to in section 23 (4), furnishes in writing particulars of the pedigree of an animal bred in or imported into the Republic, or publishes the pedigree of animals in the form of a stud book or a herd or flock book;

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(*r*) who uses a prefix or suffix not registered in terms of section 23 (2) as a prefix or suffix or in any other manner to designate animals bred by him, or who so uses a prefix or suffix registered in terms of that section in favour of any other person;

(*s*) who in furnishing particulars in the circumstances referred to in section 23 (4), makes a false statement relating to the pedigree of an animal;

(*t*) who contravenes any provision of section 28 (1);

(*u*) who contravenes the provisions of section 29,

shall be guilty of an offence and on conviction liable—

(i) in the case of an offence referred to in paragraph (*a*), (*b*), (*f*), (*g*), (*i*), (*j*), (*k*), (*n*), (*o*), (*p*), (*q*), (*r*), (*s*), (*t*) or (*u*), to a fine not exceeding one thousand rand or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment; or

(ii) in the case of an offence referred to in paragraph (*c*), (*d*), (*e*), (*g*), (*h*), (*l*) or (*m*), to a fine not exceeding five hundred rand or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

(2) The court convicting any person of an offence under this Act may upon the application of the prosecutor declare any animal, semen, ova or eggs in respect of which the offence was committed and all other animals, semen, ova or eggs of a similar nature of which such person is the owner or which are in his possession, to be forfeited to the State.

(3) Anything forfeited under subsection (2) shall be disposed of in such manner as the Secretary of the Department may direct.

(4) Costs incurred in respect of any action under subsection (3), may be recovered from the person convicted.

(5) A magistrate's court shall have jurisdiction to impose any penalty provided for by this section.

Evidence and presumptions.

31. (1) If a person is charged with having imported into the Republic any animal in contravention of the provisions of section 16 (1) and it is proved that he has imported such animal into the Republic, it shall be presumed, until the contrary is proved, that such animal was not dispatched to an abattoir in the Republic for the purpose of being slaughtered there.

(2) In any prosecution under this Act—

(*a*) any semen, ova or eggs in or upon any place, premises, vehicle or vessel at the time a sample thereof is taken in terms of section 26 (1) (*d*) shall, unless the contrary is proved, be presumed to be in the same condition or to possess the same properties as such sample;

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(n) wat 'n dier, semen, eiselle of eiers in stryd met artikel 16 in die Republiek invoer of wat 'n dier, semen, eiselle of eiers in stryd met artikel 17 uit die Republiek uitvoer;
(o) wat 'n voorwaarde waarop hy kragtens artikel 16 (4) *(a)* gemagtig is om 'n dier, semen, eiselle of eiers in die Republiek in te voer, of 'n voorwaarde waarop hy kragtens artikel 16 (4) *(a)* soos toegepas by artikel 17 (2) gemagtig is om 'n dier, semen, eiselle of eiers uit die Republiek uit te voer, oortree of versuim om daaraan te voldoen;
(p) wat met 'n monster geneem of 'n dier, toerusting, semen, eiselle, eiers, 'n boek, stuk of ander voorwerp waarop kragtens hierdie Wet beslag gelê is, peuter;
(q) behalwe die Stamboekvereniging of die Karakoeltelersgenootskap van Suid-Afrika, wat, behalwe onder die omstandighede bedoel in artikel 23 (4), skriftelik besonderhede van die afstamming van 'n dier wat in die Republiek geteel of daarin ingevoer is, verstrek, of die stamboom van diere in die vorm van 'n stam- of kuddeboek publiseer;
(r) wat 'n voor- of agtervoegsel wat nie ingevolge artikel 23 (2) geregistreer is nie, as 'n voor- of agtervoegsel of op 'n ander wyse gebruik om diere wat deur hom geteel is, aan te dui of wat 'n voor- of agtervoegsel wat ingevolge daardie artikel ten gunste van iemand anders geregistreer is, aldus gebruik;
(s) wat by die verstrekking van besonderhede onder die omstandighede in artikel 23 (4) bedoel, 'n vals verklaring met betrekking tot die afstamming van 'n dier maak;
(t) wat 'n bepaling van artikel 28 (1) oortree;
(u) wat die bepalings van artikel 29 oortree,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar—
(i) in die geval van 'n misdryf in paragraaf *(a)*, *(b)*, *(f)*, *(g)*, *(i)*, *(j)*, *(k)*, *(n)*, *(o)*, *(p)*, *(q)*, *(r)*, *(s)*, *(t)* of *(u)* bedoel, met 'n boete van hoogstens duisend rand of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar of met sowel daardie boete as daardie gevangenisstraf; of
(ii) in die geval van 'n oortreding in paragraaf *(c)*, *(d)*, *(e)*, *(g)*, *(h)*, *(l)* of *(m)* bedoel, met 'n boete van hoogstens vyfhonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens een jaar of met sowel daardie boete as daardie gevangenisstraf.

(2) Die hof wat iemand weens 'n midsdryf kragtens hierdie Wet skuldig bevind, kan op aansoek van die aanklaer enige dier, semen, eiselle of eiers ten opsigte waarvan die misdryf gepleeg is en alle ander diere, semen, eiselle of eiers van 'n soortgelyke aard waarvan daardie persoon die eienaar is of wat hy in sy besit het, aan die Staat verbeurd verklaar.

(3) Oor iets wat kragtens subartikel (2) verbeur is, word beskik op die wyse wat die Sekretaris van die Departement gelas.

(4) Koste aangegaan ten opsigte van optrede kragtens subartikel (3) kan op die veroordeelde verhaal word.

(5) 'n Landdroshof is bevoeg om enige straf op te lê waarvoor hierdie artikel voorsiening maak.

Bewys en vermoedens.

31. (1) Indien iemand daarvan aangekla word dat hy in stryd met die bepalings van artikel 16 (1) 'n dier in die Republiek ingevoer het en daar bewys word dat hy die dier in die Republiek ingevoer het, word daar vermoed, totdat die teendeel bewys is, dat die dier nie na 'n abattoir in die Republiek gestuur is om daar geslag te word nie.

(2) By 'n vervolging kragtens hierdie Wet—
(a) word enige semen, eiselle of eiers wat in of op 'n plek, perseel, voertuig of vaartuig is wanneer 'n monster daarvan ingevolge artikel 26 (1) *(d)* geneem word, vermoed, tensy die teendeel bewys word, in dieselfde toestand te wees of dieselfde eienskappe te besit as daardie monster;

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(b) any statement or entry contained in any book or document kept by any person, or by the manager, agent or employee of such person, or found upon or in any premises occupied by, or any vehicle or vessel used in the business of, any person, shall be admissible in evidence against such person as an admission of the facts set forth in that statement or entry, unless it is proved that such statement or entry was not made by such person, or by the manager, agent or employee of such person in the course of his work as manager or in the course of his agency or employment.

Assignment of powers and duties.

32. (1) The Minister may either generally or in relation to any particular matter assign to any officer of the Department any power conferred or duty imposed upon him under this Act, other than a power conferred by section 14 or 34.

(2) The Stud Book Association may either generally or in relation to any particular matter, assign to its executive committee elected in terms of its constitution, or to a subcommittee of such executive committee, any power conferred or duty imposed upon it under this Act.

(3) The committee appointed in terms of section 3 (5) *(c)* (i) or (iii) may assign to a subcommittee therof its duty to furnish a recommendation in respect of an application for the importation or exportation of animals, semen, ova or eggs, as the case may be, which is imposed by section 16 (2) *(c)*, or by that section as applied by section 17 (2).

Limitation of liability.

33. No compensation shall be payable by the State, the Minister, the registrar or an officer acting under an authorization by or delegation from or under the control or direction of the registrar, by a person or body designated in terms of section 15(1) or by a person authorized by such person or body, in respect of any act done in good faith under this Act or a scheme.

Regulations.

34. (1) The Minister may make regulations—

(a) prescribing any certificate or other document or form to be issued or used for the purposes of this Act;

(b) prescribing the period of validity and conditions of a certificate or authorization issued under this Act;

(c) prescribing the fees payable in respect of any application, matter or document;

(d) prescribing the requirements to be complied with for the registration of an inseminator as such or premises as an A.I. centre or for the approval of an animal for the purpose of the collection of semen, and the conditions subject to which such registration or approval shall be made;

(e) prescribing the manner in which the technical operations at an A.I. centre relating to the state of health of animals being kept there and to the collection, processing, packing and storage of semen shall be regulated, the supervision of such operations, the periodical inspection of animals kept at an A.I. centre and the equipment to be used at an A.I. centre;

(f) prescribing the manner in which an animal which has been approved for the purpose of collecting semen and the semen collected from it, shall be identified;

(g) prescribing the properties of semen intended for sale, the manner in which it shall be collected, processed, packed, stored and conveyed for sale, the containers in which it shall be sold, the manner in which such containers shall be sealed and marked or labelled and the information which shall appear on such marks or labels;

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(b) is 'n verklaring of inskrywing bevat in 'n boek of stuk deur iemand, of deur die bestuurder, agent of werknemer van so iemand, gehou, of gevind op of in 'n perseel geokkupeer deur, of 'n voertuig of vaartuig gebruik in die besigheid van, iemand, toelaatbaar as getuienis teen so iemand as 'n erkenning van die feite uiteengesit in daardie verklaring of inskrywing, tensy dit bewys word dat sodanige verklaring of inskrywing nie deur so iemand of deur die bestuurder, agent of werknemer van so iemand in die loop van sy werk as bestuurder of in die loop van sy agentskap of diens gemaak is nie.

Oordrag van bevoegdhede en pligte.

32. (1) Die Minister kan 'n bevoegdheid of plig ingevolge hierdie Wet aan hom verleen of hom opgelê, uitgesonderd 'n bevoegdheid by artikel 14 of 34 verleen, aan 'n beampte in die Departement in die algemeen of met betrekking tot 'n bepaalde aangeleentheid oordra.

(2) Die Stamboekvereniging kan 'n bevoegdheid of plig ingevolge hierdie Wet aan hom verleen of hom opgelê, aan sy uitvoerende komitee, wat ingevolge sy grondwet verkies is, of aan 'n subkomitee van daardie uitvoerende komitee, in die algemeen of met betrekking tot 'n bepaalde aangeleentheid oordra.

(3) Die komitee ingevolge artikel 3 (5) *(c)* (i) of (iii) aangestel, kan sy plig om 'n aanbeveling te doen ten opsigte van 'n aansoek om die in- en uitvoer van diere, semen, eiselle of eiers, na gelang van die geval, wat by artikel 16 (2) *(c)* of by daardie artikel soos by artikel 17 (2) toegepas, opgelê word, aan 'n subkomitee daarvan oordra.

Beperking van aanspreeklikheid.

33. Geen vergoeding is deur die Staat, die Minister, die registrateur of 'n beampte wat kragtens 'n magtiging deur of in opdrag of onder beheer of op las van die registrateur optree, deur 'n persoon of liggaam aangewys ingevolge artikel 15 (1) of deur iemand deur sodanige persoon of liggaam gemagtig, betaalbaar ten opsigte van 'n handeling wat te goeder trou kragtens hierdie Wet of 'n skema verrig is nie.

Regulasies.

34. (1) Die Minister kan regulasies uitvaardig—

(a) wat 'n sertifikaat of ander stuk of vorm voorskryf wat vir die doeleindes van hierdie Wet uitgereik of gebruik moet word;

(b) wat die geldigheidsduur en voorwaardes van 'n sertifikaat of magtiging wat kragtens hierdie Wet uitgereik word, voorskryf;

(c) wat die gelde voorskryf wat betaalbaar is ten opsigte van 'n aansoek, aangeleentheid of stuk;

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

(e) wat die wyse waarop die tegniese werksaamhede by 'n K.I.-sentrum met betrekking tot die gesondheidstoestand van die diere wat daar gehou word en tot die opvang, verwerking, verpakking en opberging van semen gereël moet word, die toesig oor daardie werksaamhede, die periodieke ondersoek van diere wat by 'n K.I.-sentrum gehou word en die toerusting wat by 'n K.I.-sentrum gebruik moet word, voorskryf;

(f) wat die wyse waarop 'n dier wat vir die opvang van semen goedgekeur is en die semen wat daarvan opgevang is, geïdentifiseer moet word, voorskryf;

(g) wat die eienskappe van semen vir verkoop bestem, die wyse waarop dit vir verkoop opgevang, verwerk, verpak, opgeberg en vervoer moet word, die houers waarin dit verkoop moet word, die wyse waarop die houers verseël en gemerk of geëtiketteer moet word, en die inligting waarmee die houers gemerk of geëtiketteer moet wees, voorskryf;

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(h) prescribing the manner in which the artificial insemination of animals shall be carried out;
(i) prescribing the records to be kept in connection with the collection, processing, packing, storage and sale of semen and the artifical insemination of animals, and the form and manner in which and the person by whom such records are to be kept;
(j) as to the collection and sale of ova, and the inovulation of animals;
(k) as to the provisions to be included in the constitution of a livestock breeders' society;
(l) with regard to any matter which in terms of this Act is required or permitted to be prescribed by regulation,

and, in general, with regard to any matter which the Minister may consider necessary or expedient to prescribe or regulate in order to attain or further the objects of this Act, and the generality of this provision shall not be limited by the preceding paragraphs of this subsection.

(2) Different regulations may be made in terms of this section in respect of animals of different kinds and breeds or in respect of different classes of inseminators or A.I. centres or in such other respects as the Minister may determine.

(3) A regulation may prescribe penalties for any contravention of or failure to comply with its provisions, not exceeding a fine of two hundred rand or imprisonment for a period of six months.

(4) No regulation prescribing any fees shall be made except with the concurrence of the Minister of Finance.

(5) If the Minister intends to make any regulation under this Act, he shall cause the text of the proposed regulation to be published in the *Gazette* together with a notice declaring his intention to make such a regulation and inviting interested persons to submit within such period of at least twenty-eight days as from the date of such notice, as may be mentioned in such notice, to such person as may be specified in such notice, any comments and representations they may wish to make in connection therewith.

(6) The provisions of subsection (5) shall not apply in respect of—
(a) an amendment of a proposed regulation in pursuance of a notice published in terms of that subsection; and
(b) any regulation in respect of which the Minister is of the opinion that the public interest requires that it be made without delay.

Application of Act to South West Africa.

35. This Act and any amendment thereof shall also apply in the territory, including the Eastern Caprivi Zipfel.

Amendment of section 18 of Act 87 of 1962.

36. Section 18 of the Livestock Brands Act, 1962, is hereby amended by the substitution in subsection (2)—
(a) of the following paragraph for paragraph *(a)*—
"(a) the branding of livestock in accordance with the rules or by-laws of the South African Stud Book and Livestock Improvement Association, the Karakul Breeders' Society of South Africa or a livestock breeders' society as defined in section 1 of the Livestock Improvement Act, 1977, or of any other body established in terms of any law;"; and
(b) of the following paragraph for paragraph *(b)*:
"(b) the branding, by the breeder thereof, of livestock the pedigree of which has been registered or recorded, as the case may be, with the said Association or Karakul Breeders' Society of South Africa; or".

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(h) wat die wyse voorskryf waarop die kunsmatige inseminering van diere uitgevoer moet word;

(i) wat die aantekeninge wat gehou moet word in verband met die opvang, verwerking, verpakking, opberging en verkoop van semen en die kunsmatige inseminering van diere, en die vorm waarin en die wyse waarop en die persoon deur wie sodanige aantekeninge gehou moet word, voorskryf;

(j) betreffende die opvang en verkoop van eiselle en die inovulering van diere;

(k) betreffende die bepalings wat in die grondwet van 'n veetelersgenootskap opgeneem moet word;

(l) met betrekking tot 'n aangeleentheid wat ingevolge hierdie Wet by regulasie voorgeskryf moet of kan word,

en, in die algemeen, met betrekking tot enige aangeleentheid wat die Minister nodig of dienstig ag om vóór te skryf of te reël ten einde die oogmerke van hierdie Wet te bereik of te bevorder, en die algemeenheid van hierdie bepaling word nie deur die voorafgaande paragrawe van hierdie subartikel beperk nie.

(2) Verskillende regulasies kan ingevolge hierdie artikel uitgevaardig word ten opsigte van diere van verskillende soorte en rasse of ten opsigte van verskillende klasse insemineerders of K.I.-sentrums of in die ander opsigte wat die Minister bepaal.

(3) 'n Regulasie kan vir 'n oortreding van die bepalings daarvan of 'n versuim om daaraan te voldoen, strawwe voorskryf wat nie 'n boete van tweehonderd rand of gevangenisstraf vir 'n tydperk van ses maande oorskry nie.

(4) Geen regulasies wat gelde voorskryf, word uitgevaardig nie, behalwe met die instemming van die Minister van Finansies.

(5) Indien die Minister van voorneme is om 'n regulasie kragtens hierdie Wet uit te vaardig, moet hy die teks van die voorgenome regulasie in die *Staatskoerant* laat publiseer tesame met 'n kennisgewing waarby verklaar word dat hy van voorneme is om so 'n regulasie uit te vaardig en belanghebbendes gevra word om kommentaar en vertoë wat hulle in verband daarmee wil lewer of rig, binne 'n tydperk in die kennisgewing vermeld van minstens agt-en-twintig dae vanaf die datum van die kennisgewing, aan die persoon in die kennisgewing vermeld, voor te lê.

(6) Die bepalings van subartikel (5) is nie van toepassing nie ten opsigte van—

(a) 'n wysiging van 'n voorgenome regulasie uit hoofde van 'n kennisgewing wat ingevolge daardie subartikel gepubliseer is; en

(b) 'n regulasie ten opsigte waarvan die Minister van oordeel is dat die openbare belang vereis dat dit sonder versuim uitgevaardig word.

35. Hierdie Wet en 'n wysiging daarvan is ook van toepassing in die gebied, met inbegrip van die Oostelike Caprivi Zipfel. Toepassing van Wet op Suidwes-Afrika.

36. Artikel 18 van die Wet op Veebrandmerke, 1962, word hierby gewysig deur in subartikel (2)— Wysiging van artikel 18 van Wet 87 van 1962.

(a) paragraaf *(a)* deur die volgende paragraaf te vervang:

„(a) die brandmerk van vee ooreenkomstig die reëls of verordeninge van die Suid-Afrikaanse Stamboek- en Veeverbeteringsvereniging, die Karakoeltelersgenootskap van Suid-Afrika of 'n veetelersgenootskap soos omskryf in artikel 1 van die Veeverbeteringswet, 1977, of van enige ander liggaam ingevolge 'n wet ingestel;"; en

(b) paragraaf *(b)* deur die volgende paragraaf te vervang:

„(b) die brandmerk, deur die teler daarvan, van vee waarvan die afstamming by genoemde vereniging of Karakoeltelersgenootskap van Suid-Afrika geregistreer of aangeteken is, na gelang van die geval; of".

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Repeal of laws.

37. Subject to the provisions of sections 8 (2) *(b)*, 10 (6), 18 (7) and 22, the laws specified in the Schedule are hereby repealed.

Short title and commencement.

38. (1) This Act shall be called the Livestock Improvement Act, 1977, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

(2) Different dates may be fixed under subsection (1) in respect of different provisions of this Act.

Certain sections commence 1/5/79.
R80 (27/4/79) RG 2783.

Schedule

LAWS REPEALED

Number and year of Law	Short Title
Act No. 23 of 1954	Artificial Insemination of Animals Act, 1954.
Act No. 26 of 1957	Artificial Insemination of Animals Amendment Act, 1957.
Act No. 28 of 1957	Registration of Pedigree Livestock Act, 1957.
Act No. 70 of 1959	Artificial Insemination of Animals Amendment Act, 1959.
Act No. 27 of 1962	Registration of Pedigree Livestock Amendment Act, 1962.
Act No. 56 of 1962	Artificial Insemination of Animals Amendment Act, 1962.
Act No. 18 of 1963	Prohibition of Export of Ostriches Act, 1963.
Act No. 74 of 1963	Livestock Improvement Act, 1963.
Act No. 1 of 1967	Registration of Pedigree Livestock Amendment Act, 1967.
Act No. 36 of 1969	Artificial Insemination of Animals Amendment Act, 1969.

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37. Behoudens die bepalings van artikels 8 (2) *(b)*, 10 (6), 18 (7) en 22, word die wette in die Bylae vermeld, hierby herroep. Herroeping van Wette.

38. (1) Hierdie Wet heet die Veeverbeteringswet, 1977, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal. Kort titel en inwerkingtreding.

(2) Verskillende datums kan kragtens subartikel (1) ten opsigte van verskillende bepalings van hierdie Wet bepaal word.

Bylae

WETTE HERROEP

Nommer en jaar van Wet	Kort Titel
Wet No. 23 van 1954	Wet op die Kunsmatige Inseminering van Diere, 1954.
Wet No. 26 van 1957	Wysigingswet op die Kunsmatige Inseminering van Diere, 1957.
Wet No. 28 van 1957	Wet op Registrasie van Stamboekvee, 1957.
Wet No. 70 van 1959	Wysigingswet op die Kunsmatige Inseminering van Diere, 1959.
Wet No. 27 van 1962	Wysigingswet op Registrasie van Stamboekvee, 1962.
Wet No. 56 van 1962	Wysigingswet op die Kunsmatige Inseminering van Diere, 1962.
Wet No. 18 van 1963	Wet op die Verbod op Uitvoer van Volstruise, 1963.
Wet No. 74 van 1963	Veeverbeteringswet, 1963.
Wet No. 1 van 1967	Wysigingswet op Registrasie van Stamboekvee, 1967.
Wet No. 36 van 1969	Wysigingswet op die Kunsmatige Inseminering van Diere, 1969.