

EXTRAORDINARY



BUITENGEWONE

THE REPUBLIC OF SOUTH AFRICA

Government Gazette

Staatskoerant

VAN DIE REPUBLIEK VAN SUID-AFRIKA

[Registered at the General Post Office as a Newspaper.]

[Geregistreer by die Hoofposkantoor as 'n Nuusblad.]

Price 10c Prys
Overseas 15c Oorsee
POST FREE-POSVRV

VOL. XII.]

CAPE TOWN, 1ST MAY, 1964.
KAAPSTAD, 1 MEI 1964.

[No. 781.

DEPARTMENT OF THE PRIME MINISTER.

No. 673.]

[1st May, 1964.

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

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DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 673.]

[1 Mei 1964.

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

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No. 30, 1964.]

WET

Tot wysiging van die Landboupakhuiswet, 1930.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 24 April 1964.)

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

Wysiging van
artikel 1 van
Wet 42 van
1930.

1. Artikel *een* van die Landboupakhuiswet, 1930 (hieronder die Hoofwet genoem), word hierby gewysig deur in paragraaf (a) na die woord „Administrasie” die woorde „of ’n beherende raad” in te voeg.

Wysiging van
artikel 2 van
Wet 42 van
1930.

2. Artikel *twee* van die Hoofwet word hierby gewysig—
- (a) deur die volgende verdere voorbehoudsbepaling by sub-artikel (1) te voeg:
„Met dien verstande voorts dat die uitreiking van sodanige kennisgewing en lisensie ten opsigte van so ’n plek nie die gebruik van daardie plek deur die persoon aan wie die lisensie uitgereik is, vir die hou van sy eie produkte van enige soort, belet nie.”;
 - (b) deur in sub-artikel (2) die woorde „Ko-operatiewe Verenigings Wet, 1922 (Wet No. 28 van 1922), of ’n wysiging daarvan” deur die woorde „Wet op Koöperatiewe Verenigings, 1939 (Wet No. 29 van 1939),” te vervang; en
 - (c) deur in sub-artikel (3) die woorde „een pond” deur die woorde „twee rand” te vervang en in daardie sub-artikel na die woord „Administrasie” die woorde „’n beherende raad” in te voeg.

Wysiging van
artikel 3 van
Wet 42 van 1930.

3. Artikel *drie* van die Hoofwet word hierby gewysig—
- (a) deur in sub-artikel (1) na die woord „Administrasie” die woorde „of ’n beherende raad” in te voeg; en
 - (b) deur in sub-artikel (2) die woorde „duisend pond” deur die woorde „twee duisend rand” te vervang.

Wysiging van
artikel 10 van
Wet 42 van 1930.

4. Artikel *tien* van die Hoofwet word hierby gewysig—
- (a) deur in sub-artikel (1) die woorde „sub-artikel (6) van artikel *vier* van die Wet op Koöperatiewe Verenigings, 1922 (Wet No. 28 van 1922), soos gewysig deur artikel *drie* van die Koöperatiewe Verenigings (Verdere Wysigings) Wet, 1930 (Wet No. 2 van 1930),” deur die woorde „sub-artikel (2) van artikel *ses* van die Wet op Koöperatiewe Verenigings, 1939 (Wet No. 29 van 1939)” te vervang; en
 - (b) deur in sub-artikel (3) die woord „Landbou” deur die woorde „Landbou-ekonomie en -bemarking” te vervang.

Invoeging van
artikel 12*bis*
in Wet 42 van
1930.

5. Die volgende artikel word hierby na artikel *twaalf* van die Hoofwet ingevoeg:

„’n Beherende raad kan 12*bis*. Waar ’n beherende raad die houer is van ’n landboupakhuislisensie ingevolge waarvan hy geregtig is om ’n beheerde produk ter opbewaring te ontvang, kan die Staatspresident by proklamasie in die *Staatskoerant* en behoudens die in die proklamasie gemelde voorwaardes daardie raad onthef, ten opsigte van die opbewaring van daardie produk ingevolge bedoelde lisensie in aldus gemelde omstandighede, van enige bepaling van hierdie Wet met betrekking tot die uitgee van pakhuiskwitansies of die afsonderlike opbewaring van produkte.”

Wysiging van
artikel 25 van
Wet 42 van 1930.

6. Artikel *vyf-en-twintig* van die Hoofwet word hierby gewysig—
- (a) deur in sub-artikel (1) die woord „Unie” deur die woord „Republiek” te vervang; en
 - (b) deur in sub-artikel (4) die woorde „Spoorwegan en Havens Reglement, Bestuur en Beheer Wet, 1916 (Wet No. 22 van 1916), of ’n wysiging daarvan” deur die woorde „Konsolidasiewet op die Beheer en Bestuur van Spoorweë en Havens, 1957 (Wet No. 70 van 1957)” te vervang.

No. 30, 1964.]

ACT

To amend the Agricultural Warehouse Act, 1930.

(Afrikaans text signed by the State President.)
(Assented to 24th April, 1964.)

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

1. Section *one* of the Agricultural Warehouse Act, 1930 (hereinafter referred to as the principal Act), is hereby amended by the insertion in paragraph (a) after the word "Administration" of the words "or a regulatory board". Amendment of section 1 of Act 42 of 1930.
2. Section *two* of the principal Act is hereby amended— Amendment of section 2 of Act 42 of 1930.
 - (a) by the addition to sub-section (1) of the following further proviso:
"Provided further that the issue of such notice and licence in respect of any such place shall not prevent the use of such place by the person to whom the licence has been issued, for the keeping of his own products of any kind.";
 - (b) by the substitution in sub-section (2) for the words "Co-operative Societies Act, 1922 (Act No. 28 of 1922), or any amendment thereof" of the words "Co-operative Societies Act, 1939 (Act No. 29 of 1939)," and
 - (c) by the substitution in sub-section (3) for the words "one pound" of the words "two rand" and the insertion in that sub-section after the word "Administration" of the words "a regulatory board".
3. Section *three* of the principal Act is hereby amended— Amendment of section 3 of Act 42 of 1930.
 - (a) by the insertion in sub-section (1) after the word "Administration" of the words "or a regulatory board"; and
 - (b) by the substitution in sub-section (2) for the words "one thousand pounds" of the words "two thousand rand".
4. Section *ten* of the principal Act is hereby amended— Amendment of section 10 of Act 42 of 1930.
 - (a) by the substitution in sub-section (1) for the words "sub-section (6) of section *four* of the Co-operative Societies Act, 1922 (Act No. 28 of 1922), as amended by section *three* of the Co-operative Societies (Further Amendment) Act, 1930 (Act No. 2 of 1930)" of the words "sub-section (2) of section *six* of the Co-operative Societies Act, 1939 (Act No. 29 of 1939)"; and
 - (b) by the substitution in sub-section (3) for the word "Agriculture" of the words "Agricultural Economics and Marketing".
5. The following section is hereby inserted after section *twelve* of the principal Act: Insertion of section 12bis in Act 42 of 1930.

12bis. Where a regulatory board is the holder of an agricultural warehouse-licence in terms of which it is entitled to accept any regulated product for storage, the State President may by proclamation in the *Gazette* and subject to such conditions as may be specified in the proclamation exempt such board, in respect of the storage of such product in terms of such licence under circumstances so specified, from any provision of this Act relating to the issue of warehouse-receipts or the separate storage of products."
6. Section *twenty-five* of the principal Act is hereby amended— Amendment of section 25 of Act 42 of 1930.
 - (a) by the substitution in sub-section (1) for the word "Union" of the word "Republic"; and
 - (b) by the substitution in sub-section (4) for the words "Railways and Harbours Regulation, Control and Management Act, 1916 (Act No. 22 of 1916), or any amendment thereof" of the words "Railways and Harbours Control and Management (Consolidation) Act, 1957 (Act No. 70 of 1957)".

"A regulatory board may be exempted from certain provisions of this Act.

Wysiging van
artikel 26 van
Wet 42 van 1930.

7. Artikel *ses-en-twintig* van die Hoofwet word hierby gewysig deur die woorde „Spoorwegen en Havens Reglement, Bestuur en Beheer Wet, 1916 (Wet No. 22 van 1916)”, deur die woorde „Konsolidasiewet op die Beheer en Bestuur van Spoorweë en Hawens, 1957 (Wet No. 70 van 1957),” te vervang.

Wysiging van
artikel 29 van
Wet 42 van 1930.

8. Artikel *nege-en-twintig* van die Hoofwet word hierby gewysig deur die woorde „honderd pond” deur die woorde „tweehonderd rand” te vervang en die woorde „met of sonder harde arbeid” te skrap.

Wysiging van
artikel 30 van
Wet 42 van 1930.

9. Artikel *dertig* van die Hoofwet word hierby gewysig—
- (a) deur die omskrywing van „Administrasie” deur die volgende omskrywing te vervang:
„Administrasie” beteken die Spoorwegadministrasie;”;
 - (b) deur in paragraaf (a) van die omskrywing van „landbouprodukte” en „produkte” na die woord „boontjies” die woord „bokwiet” en na die woord „suiker” die woord „sonneblomsaad” in te voeg;
 - (c) deur in die omskrywing van „koöperatiewe vereniging of maatskappy” die woorde „Wet op Koöperatiewe Verenigings, 1922 (Wet No. 28 van 1922), of ’n wysiging daarvan” deur die woorde „Wet op Koöperatiewe Verenigings, 1939 (Wet No. 29 van 1939),” te vervang;
 - (d) deur in die omskrywing van „graansuier” na die woord „Administrasie” die woorde „of deur of ten behoeve van ’n beherende raad” in te voeg;
 - (e) deur die omskrywing van „leningsmaatskappy” te skrap;
 - (f) deur die omskrywing van „Minister” deur die volgende omskrywing te vervang:
„Minister” beteken die Minister van Landbou-ekonomie en -bemarking;” en
 - (g) deur na die omskrywing van Minister die volgende omskrywings in te voeg:
„beheerde produk” beteken ’n landbouproduk wat ’n beheerde produk is soos omskryf in artikel *een* van die Bemarkingswet, 1937 (Wet No. 26 van 1937);
„beherende raad” beteken ’n beherende raad soos omskryf in artikel *een* van die gemelde Bemarkingswet, 1937;”.

Vervanging in
Wet 42 van 1930
van „Goewerneur-
generaal” deur
„Staatspresident”.

10. Die Hoofwet word hierby gewysig deur die woord „Goewerneur-generaal” oral waar dit voorkom deur die woord „Staatspresident” te vervang.

Kort titel.

11. Hierdie Wet heet die Landboupakhuyswysigingswet, 1964.

7. Section *twenty-six* of the principal Act is hereby amended by the substitution for the words "Railways and Harbours Regulation, Control and Management Act, 1916 (Act No. 22 of 1916)" of the words "Railways and Harbours Control and Management (Consolidation) Act, 1957 (Act No. 70 of 1957)".

Amendment of
section 26 of
Act 42 of 1930.

8. Section *twenty-nine* of the principal Act is hereby amended by the substitution for the words "one hundred pounds" of the words "two hundred rand" and the deletion of the words "with or without hard labour".

Amendment of
section 29 of
Act 42 of 1930.

9. Section *thirty* of the principal Act is hereby amended—

Amendment of
section 30 of
Act 42 of 1930.

(a) by the substitution for the definition of "Administration" of the following definition:

"'Administration' means the Railway Administration;"

(b) by the insertion in paragraph (a) of the definition of "agricultural products" and "products" after the word "beans" of the word "buckwheat" and after the word "sugar" of the words "sunflower seed";

(c) by the substitution in the definition of "co-operative society or company" for the words "Co-operative Societies Act, 1922 (Act No. 28 of 1922), or any amendment thereof" of the words "Co-operative Societies Act, 1939 (Act No. 29 of 1939)";

(d) by the addition at the end of the definition of "elevator" of the words "or by or on behalf of any regulatory board";

(e) by the deletion of the definition of "loan company";

(f) by the substitution for the definition of "Minister" of the following definition:

"'Minister' means the Minister of Agricultural Economics and Marketing;" and

(g) by the insertion after the definition of Minister of the following definitions:

"'regulated product' means any agricultural product which is a regulated product as defined in section one of the Marketing Act, 1937 (Act No. 26 of 1937);

'regulatory board' means a regulatory board as defined in section one of the said Marketing Act, 1937;"

10. The principal Act is hereby amended by the substitution for the word "Governor-General" wherever it occurs of the words "State President".

Substitution in
Act 42 of 1930
for "Governor-
General" of
"State President"

11. This Act shall be called the Agricultural Warehouse Amendment Act, 1964.

Short title.

No. 31, 1964.]

WET

Tot wysiging van die Grondbewaringswet, 1946.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 24 April 1964.)

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

Wysiging van
artikel 1 van
Wet 45 van 1946,
soos gewysig deur
artikel 1 van
Wet 37 van 1960.

1. Artikel *een* van die Grondbewaringswet, 1946 (hieronder die Hoofwet genoem), word hierby gewysig—

- (a) deur in paragraaf (a) van die omskrywing van „eienaar” die woord „Unie”, oral waar dit voorkom, deur die woord „Republiek” te vervang; en
- (b) deur in die Engelse teks van genoemde omskrywing die woorde „Crown land”, oral waar hulle voorkom, deur die woorde „State land” te vervang.

Wysiging van
artikel 2 van
Wet 45 van 1946,
soos gewysig deur
artikel 2 van
Wet 37 van 1960.

2. Artikel *twee* van die Hoofwet word hierby gewysig deur in paragraaf (e) van sub-artikel (1) die woord „Unie” deur die woord „Republiek” te vervang.

Wysiging van
artikel 3 van
Wet 45 van 1946,
soos gewysig deur
artikel 3 van
Wet 37 van 1960.

3. (1) Artikel *drie* van die Hoofwet word hierby gewysig—

- (a) deur in paragraaf (f) van sub-artikel (1) die woorde „en Voorligting” te skrap;
- (b) deur in paragraaf (g) van genoemde sub-artikel die woord „Goewerneur-generaal” deur die woord „Minister” te vervang; en
- (c) deur sub-artikel (3) deur die volgende sub-artikel te vervang:

„(3) Een van die Hoofdirekteure van die departement wat deur die Sekretaris van Landbou-tegniese Dienste daartoe aangewys word, is die ondervoorsitter van die raad.”.

(2) Enige lid van die Grondbewaringsraad wat voor die datum van inwerkingtreding van hierdie Wet ingevolge paragraaf (g) van sub-artikel (1) van artikel *drie* van die Hoofwet aangestel is, word geag ingevolge genoemde paragraaf soos deur sub-artikel (1) van hierdie artikel gewysig, aangestel te gewees het.

Wysiging van
artikel 8 van
Wet 45 van 1946.

4. Artikel *agt* van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woord „Unie” deur die woord „Republiek” te vervang.

Wysiging van
artikel 9 van
Wet 45 van 1946,
soos vervang deur
artikel 4 van
Wet 37 van 1960.

5. (1) Artikel *nege* van die Hoofwet word hierby gewysig—

- (a) deur in paragraaf (c) van sub-artikel (2) die woorde „en bewoners daarvan” deur die woorde „en, indien dit aan die applikant bekend is, die adresse van die eenaars en die name en adresse van die bewoners daarvan” te vervang; en
- (b) deur in sub-artikel (5) die woorde „Goewerneur-generaal kan by proklamasie” deur die woorde „Minister kan by kennisgewing” te vervang.

(2) Enige proklamasie wat voor die datum van inwerkingtreding van hierdie Wet ingevolge artikel *nege* van die Hoofwet uitgevaardig is, word geag ’n kennisgewing te wees wat deur die Minister van Landbou-tegniese Dienste ingevolge genoemde artikel soos deur sub-artikel (1) van hierdie artikel gewysig, uitgereik is, en is nie ongeldig nie slegs omrede die feit dat die aansoek ingevolge waarvan die proklamasie uitgevaardig is nie enige naam of adres bevat het nie wat ingevolge eersgenoemde artikel in verband met sodanige aansoek verstrekkend moes gewees het.

No. 31, 1964.]

ACT

To amend the Soil Conservation Act, 1946.

(English text signed by the State President.)

(Assented to 24th April, 1964.)

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

1. Section *one* of the Soil Conservation Act, 1946 (hereinafter referred to as the principal Act), is hereby amended—
 - (a) by the substitution in paragraph (a) of the definition of "owner" for the word "Union", wherever it occurs, of the word "Republic"; and
 - (b) by the substitution in the said definition for the words "Crown land", wherever they occur, of the words "State land".

Amendment of section 1 of Act 45 of 1946, as amended by section 1 of Act 37 of 1960.
2. Section *two* of the principal Act is hereby amended by the substitution in paragraph (e) of sub-section (1) for the word "Union" of the word "Republic".

Amendment of section 2 of Act 45 of 1946, as amended by section 2 of Act 37 of 1960.
3. (1) Section *three* of the principal Act is hereby amended—
 - (a) by the deletion in paragraph (f) of sub-section (1) of the words "and Extension";
 - (b) by the substitution in paragraph (g) of the said sub-section for the word "Governor-General" of the word "Minister"; and
 - (c) by the substitution for sub-section (3) of the following sub-section:

"(3) One of the chief directors of the department designated thereto by the Secretary for Agricultural Technical Services shall be the deputy chairman of the board."

Amendment of section 3 of Act 45 of 1946, as amended by section 3 of Act 37 of 1960.
- (2) Any member of the Soil Conservation Board appointed in terms of paragraph (g) of sub-section (1) of section *three* of the principal Act before the date of commencement of this Act shall be deemed to have been appointed in terms of the said paragraph as amended by sub-section (1) of this section.
4. Section *eight* of the principal Act is hereby amended by the substitution in sub-section (1) for the word "Union" of the word "Republic".

Amendment of section 8 of Act 45 of 1946.
5. (1) Section *nine* of the principal Act is hereby amended—
 - (a) by the substitution in paragraph (c) of sub-section (2) for the words "and occupiers thereof" of the words "and, if known to the applicant, the addresses of the owners and the names and addresses of the occupiers thereof"; and
 - (b) by the substitution in sub-section (5) for the words "Governor-General may by proclamation" of the words "Minister may by notice".

Amendment of section 9 of Act 45 of 1946, as substituted by section 4 of Act 37 of 1960.
- (2) Any proclamation issued in terms of section *nine* of the principal Act before the date of commencement of this Act shall be deemed to be a notice issued by the Minister of Agricultural Technical Services in terms of the said section as amended by sub-section (1) of this section and shall not be invalid by reason only of the fact that the application in pursuance of which the proclamation was issued did not contain any name or address which should in terms of the first-mentioned section have been furnished in connection with such application.

Wysiging van artikels 9*bis*, 9*ter* en 9*quat* van Wet 45 van 1946, soos ingevoeg deur artikel 5 van Wet 37 van 1960.

6. (1) Artikels *nege bis*, *nege ter* en *nege quat* van die Hoofwet word hierby gewysig deur in sub-artikel (4) van elkeen van daardie artikels die woorde „Goewerneur-generaal kan by proklamasie” deur die woorde „Minister kan by kennisgewing” te vervang.

(2) Enige proklamasie wat voor die datum van inwerking-treding van hierdie Wet ingevolge artikel *nege bis*, *nege ter* of *nege quat* van die Hoofwet uitgevaardig is, word geag ’n kennis-gewing te wees wat deur die Minister van Landbou-tegniese Dienste ingevolge die toepaslike artikel, soos deur sub-artikel (1) van hierdie artikel gewysig, uitgereik is.

Wysiging van artikel 9*sex* van Wet 45 van 1946, soos ingevoeg deur artikel 5 van Wet 37 van 1960.

7. (1) Artikel *nege sex* van die Hoofwet word hierby gewysig—

- (a) deur die woord „Goewerneur-generaal” deur die woord „Minister” te vervang; en
- (b) deur die woord „proklamasie”, oral waar dit voorkom, deur die woord „kennisgewing” te vervang.

(2) Enige proklamasie wat voor die datum van inwerking-treding van hierdie Wet ingevolge artikel *nege sex* van die Hoofwet uitgevaardig is, word geag ’n kennisgewing te wees wat deur die Minister van Landbou-tegniese Dienste ingevolge genoemde artikel soos deur sub-artikel (1) van hierdie artikel gewysig, uitgereik is.

Wysiging van artikel 15*bis* van Wet 45 van 1946, soos ingevoeg deur artikel 9 van Wet 37 van 1960.

8. (1) Artikel *vyftien bis* van die Hoofwet word hierby gewysig—

- (a) deur na sub-artikel (2) die volgende sub-artikel in te voeg:

„(2)*bis* ’n Brandbestrydingskomitee moet die Minister in kennis stel van al die name en adresse van eienaars en bewoners van grond geleë binne die gebied waarvoor hy ingestel is, wat aan hom bekend is.”;

- (b) deur in paragraaf (a) van sub-artikel (4) na die woord „is” die woorde „wie se naam en adres aan hom bekend is” in te voeg; en

- (c) deur in sub-artikel (6) na die woord „is”, waar dit die eerste maal voorkom, die woorde „aan wie ’n afskrif van sodanige plan bestel is, en sy opvolger in regte” in te voeg.

(2) Paragrafe (b) en (c) van sub-artikel (1) word geag op die datum van inwerkingtreding van die Wysigingswet op Grond-bewaring, 1960 (Wet No. 37 van 1960), in werking te getree het.

Wysiging van artikel 16 van Wet 45 van 1946, soos gewysig deur artikel 10 van Wet 37 van 1960.

9. (1) Artikel *sestien* van die Hoofwet word hierby gewysig—

- (a) deur sub-artikel (2) deur die volgende sub-artikel te vervang:

„(2) Sodra ’n distrikskomitee ’n grondbewaringsplan opgestel het, moet hy van elke eienaar en bewoner van die grond ten opsigte waarvan daardie grondbewaringsplan opgestel is wie se naam en adres aan hom bekend is, ’n skriftelike aanvaarding daarvan kry of die gronde waarop enige sodanige eienaar of bewoner beswaar maak teen daardie grondbewaringsplan: Met dien verstande dat indien ’n eienaar of bewoner van grond in gebreke bly om, binne dertig dae nadat hy deur die distrikskomitee aangesê is om dit te doen, die grondbewaringsplan of te aanvaar of die gronde van sy beswaar daarteen te meld, word hy, by die toepassing van hierdie artikel, geag daardie grondbewaringsplan te aanvaar het.”;

- (b) deur in sub-artikel (5) na die woord „is”, waar dit die tweede maal voorkom, die woorde „wie se naam en adres aan hom bekend is” in te voeg; en

- (c) deur in sub-artikel (6) na die woord „grond”, waar dit die derde maal voorkom, die woorde „wie se naam en adres aan hom bekend is” in te voeg.

(2) Paragrafe (b) en (c) van sub-artikel (1) word geag in werking te getree het onderskeidelik op die datum van inwerking-treding van die Hoofwet en die datum van inwerkingtreding van die Wysigingswet op Grondbewaring, 1960 (Wet No. 37 van 1960), en die woorde „wie se naam en adres aan hom bekend is”, in sub-artikel (2) van artikel *sestien* van die Hoofwet, soos deur paragraaf (a) van sub-artikel (1) van hierdie artikel vervang, word geag in sub-artikel (2) van genoemde artikel *sestien* by die inwerkingtreding van die Hoofwet ingesluit te gewees het.

Wysiging van artikel 18 van Wet 45 van 1946,

10. (1) Artikel *agtien* van die Hoofwet word hierby gewysig—

- (a) deur die woorde „die eienaar en” deur die woorde „enige eienaar of” te vervang; en

6. (1) Sections *nine bis*, *nine ter* and *nine quat* of the principal Act are hereby amended by the substitution in sub-section (4) of each of those sections for the words "Governor-General" of the words "Minister may by notice".

Amendment of sections 9*bis*, 9*ter* and 9*quat* of Act 45 of 1946, as inserted by section 5 of Act 37 of 1960.

(2) Any proclamation issued in terms of section *nine bis*, *nine ter* or *nine quat* of the principal Act before the date of commencement of this Act shall be deemed to be a notice issued by the Minister of Agricultural Technical Services in terms of the relevant section as amended by sub-section (1) of this section.

7. (1) Section *nine sex* of the principal Act is hereby amended—

Amendment of section 9*sex* of Act 45 of 1946, as inserted by section 5 of Act 37 of 1960.

- (a) by the substitution for the word "Governor-General" of the word "Minister"; and
- (b) by the substitution for the word "proclamation", wherever it occurs, of the word "notice".

(2) Any proclamation issued in terms of section *nine sex* of the principal Act before the date of commencement of this Act shall be deemed to be a notice issued by the Minister of Agricultural Technical Services in terms of the said section as amended by sub-section (1) of this section.

8. (1) Section *fifteen bis* of the principal Act is hereby amended—

Amendment of section 15*bis* of Act 45 of 1946, as inserted by section 9 of Act 37 of 1960.

- (a) by the insertion after sub-section (2) of the following sub-section:

"(2)*bis* A fire protection committee shall advise the Minister of all the names and addresses of owners and occupiers of land situated within the area for which it has been established, which are known to it.";

- (b) by the insertion in paragraph (a) of sub-section (4) after the word "applies" of the words "whose name and address are known to him"; and
- (c) by the insertion in sub-section (6) after the word "section", where it occurs for the first time, of the words "on whom a copy of such scheme has been served, and his successors in title".

(2) Paragraphs (b) and (c) of sub-section (1) shall be deemed to have come into operation on the date of commencement of the Soil Conservation Amendment Act, 1960 (Act No. 37 of 1960).

9. (1) Section *sixteen* of the principal Act is hereby amended—

Amendment of section 16 of Act 45 of 1946, as amended by section 10 of Act 37 of 1960.

- (a) by the substitution for sub-section (2) of the following sub-section:

"(2) As soon as a district committee has prepared a soil conservation scheme it shall obtain from every owner and occupier of the land in respect of which that soil conservation scheme has been prepared whose name and address are known to it, a written acceptance thereof or the grounds upon which any such owner or occupier objects to that soil conservation scheme: Provided that if any occupier or owner of land fails, within thirty days after having been called upon to do so by the district committee, either to accept the soil conservation scheme or to state the grounds of his objection thereto, he shall, for the purposes of this section, be deemed to have accepted that soil conservation scheme.";

- (b) by the insertion in sub-section (5) after the word "applied" of the words "whose name and address are known to him"; and
- (c) by the insertion in sub-section (6) after the word "question", where it occurs for the second time, of the words "whose name and address are known to him".

(2) Paragraphs (b) and (c) of sub-section (1) shall be deemed to have come into operation on the date of commencement of the principal Act and the date of commencement of the Soil Conservation Amendment Act, 1960 (Act No. 37 of 1960), respectively, and the words "whose name and address are known to it" in sub-section (2) of section *sixteen* of the principal Act as substituted by paragraph (a) of sub-section (1) of this section shall be deemed to have been included in sub-section (2) of the said section *sixteen* at the commencement of the principal Act.

10. (1) Section *eighteen* of the principal Act is hereby amended—

Amendment of section 18 of Act 45 of 1946.

- (a) by the substitution for the words "the owner and" of the words "any owner or"; and

(b) deur na die woord „is”, waar dit die tweede maal voorkom, die woorde „wie se naam en adres aan hom bekend is” in te voeg.

(2) Sub-artikel (1) word geag op die datum van inwerking-treding van die Hoofwet in werking te getree het.

Vervanging van artikel 21 van Wet 45 van 1946, soos gewysig deur artikel 13 van Wet 37 van 1960.

11. (1) Artikel *een-en-twintig* van die Hoofwet word hierby deur die volgende artikel vervang:

„Minister kan grondbewaringsplanne en brandbestrydingsplanne wysig.

21. Die Minister kan van tyd tot tyd, na raadpleging met die betrokke distrikskomitee of brandbestrydingskomitee, die bepalings van enige grondbewaringsplan of brandbestrydingsplan wat ingevolge hierdie Wet in werking is, wysig: Met dien verstande dat so 'n wysiging nie in werking tree nie ten opsigte van enige eienaar of bewoner van grond wat daardeur geraak word totdat kennis daarvan aan hom gegee is.”

(2) Die voorbehoudsbepaling by artikel *een-en-twintig* van die Hoofwet soos deur sub-artikel (1) van hierdie artikel vervang, word geag die voorbehoudsbepaling by artikel *een-en-twintig* van die Hoofwet te gewees het te alle tye sedert die inwerkingtreding van daardie Wet.

Wysiging van artikel 26 van Wet 45 van 1946, soos gewysig deur artikel 16 van Wet 37 van 1960.

12. (1) Artikel *ses-en-twintig* van die Hoofwet word hierby gewysig deur sub-artikel (1) deur die volgende sub-artikel te vervang:

„(1) Wanneer die noodsaaklikheid om enige grond te herwin of te bewaar sodanig is dat die Staat na die oordeel van die Minister die inisiatief in daardie verband behoort te neem, dan kan hy, op aanbeveling van die raad, by kennisgewing in die *Staatskoerant* 'n grondbewaringsgebied verklaar en bepaal, wat bestaan uit die grond wat herwin of bewaar moet word, tesame met sodanige addisionele grond as wat na sy oordeel vir die behoorlike uitvoering van bedoelde herwinning of bewaring vereis word, en hy kan van tyd tot tyd en op soortgelyke wyse die grense van enige sodanige gebied verskuiwe of so 'n kennisgewing intrek.”

(2) Enige proklamasie wat voor die datum van inwerkingtreding van hierdie Wet ingevolge sub-artikel (1) van artikel *ses-en-twintig* van die Hoofwet uitgevaardig is, word geag 'n kennisgewing te wees wat deur die Minister van Landbou-egniese Dienste ingevolge genoemde sub-artikel, soos deur sub-artikel (1) van hierdie artikel vervang, uitgereik is.

Wysiging van artikel 28 van Wet 45 van 1946.

13. Artikel *agt-en-twintig* van die Hoofwet word hierby gewysig—

- (a) deur die woord „Goewerneur-generaal”, oral waar dit voorkom, deur die woord „Minister” te vervang;
- (b) deur die woorde „ooreenkomstig die bepalings van artikel vier van die Boswet, 1941 (Wet No. 13 van 1941)” te skrap; en
- (c) deur die volgende sub-artikel by te voeg, terwyl die bestaande artikel sub-artikel (1) word:

„(2) Die bepalings van artikel vier van die Boswet, 1941 (Wet No. 13 van 1941), betreffende die onteiening van grond deur die Staatspresident kragtens daardie artikel is *mutatis mutandis* van toepassing met betrekking tot die onteiening van grond deur die Minister kragtens hierdie artikel.”

Wysiging van artikel 33 van Wet 45 van 1946, soos gewysig deur artikel 20 van Wet 37 van 1960.

14. (1) Artikel *drie-en-dertig* van die Hoofwet word hierby gewysig deur die woord „Goewerneur-generaal” deur die woord „Minister” te vervang.

(2) Enige regulasies wat voor die datum van inwerkingtreding van hierdie Wet ingevolge artikel *drie-en-dertig* van die Hoofwet uitgevaardig is, word geag deur die Minister van Landbou-egniese Dienste ingevolge genoemde artikel, soos deur sub-artikel (1) van hierdie artikel gewysig, uitgevaardig te gewees het.

Wysiging van artikel 34*bis* van Wet 45 van 1946, soos ingevoeg deur artikel 22 van Wet 37 van 1960.

15. Artikel *vier-en-dertig bis* van die Hoofwet word hierby gewysig deur aan die end daarvan die woorde „behalwe die bevoegdhede wat sub-artikel (1) van artikel *drie* en artikels *nege bis*, *nege ter*, *nege quat*, *nege sex*, *ses-en-twintig*, *agt-en-twintig* en *drie-en-dertig* aan hom verleen” by te voeg.

Wysiging van artikel 37 van Wet 45 van 1946.

16. Artikel *sewe-en-dertig* van die Hoofwet word hierby gewysig deur in sub-artikel (3) die woorde „Goewerneur-generaal kan te eniger tyd by proklamasie” deur die woorde „Minister kan te eniger tyd by kennisgewing” te vervang.

Kort titel.

17. Hierdie Wet heet die Wysigingswet op Grondbewaring, 1964.

- (b) by the insertion after the word "applied" of the words "whose name and address are known to him".
- (2) Sub-section (1) shall be deemed to have come into operation on the date of commencement of the principal Act.

11. (1) The following section is hereby substituted for section *twenty-one* of the principal Act:

"Minister may amend soil conservation schemes and fire protection schemes.

21. The Minister may from time to time, after consultation with the district committee or fire protection committee concerned amend the provisions of any soil conservation scheme or fire protection scheme in operation in terms of this Act: Provided that no such amendment shall take effect in respect of any owner or occupier of land affected thereby until notice thereof has been given to him."

Substitution of section 21 of Act 45 of 1946, as amended by section 13 of Act 37 of 1960.

(2) The proviso to section *twenty-one* of the principal Act as substituted by sub-section (1) of this section shall be deemed to have been the proviso to section *twenty-one* of the principal Act at all times since the commencement of that Act.

12. (1) Section *twenty-six* of the principal Act is hereby amended by the substitution for sub-section (1) of the following sub-section:

"(1) Wherever in the opinion of the Minister the need to reclaim or conserve any land is such that the State should take the initiative in that connection, he may, on the recommendation of the board, by notice in the *Gazette*, declare and define a soil conservation area, which shall consist of the land to be reclaimed or conserved together with such additional land as in his opinion is required for the proper carrying out of such reclamation or conservation, and he may from time to time and in like manner alter the boundaries of any such area or withdraw any such notice".

Amendment of section 26 of Act 45 of 1946, as amended by section 16 of Act 37 of 1960.

(2) Any proclamation issued in terms of sub-section (1) of section *twenty-six* of the principal Act before the date of commencement of this Act shall be deemed to be a notice issued by the Minister of Agricultural Technical Services in terms of the said sub-section as substituted by sub-section (1) of this section.

13. Section *twenty-eight* of the principal Act is hereby amended—

- (a) by the substitution for the word "Governor-General", wherever it occurs, of the word "Minister";
- (b) by the deletion of the words "in accordance with the provisions of section *four* of the Forest Act, 1941 (Act No. 13 of 1941)"; and
- (c) by the addition of the following sub-section, the existing section becoming sub-section (1):

"(2) The provisions of section *four* of the Forest Act, 1941 (Act No. 13 of 1941), relating to the expropriation of land by the State President under that section shall *mutatis mutandis* apply with reference to the expropriation of land by the Minister under this section."

Amendment of section 28 of Act 45 of 1946.

14. (1) Section *thirty-three* of the principal Act is hereby amended by the substitution for the word "Governor-General" of the word "Minister".

(2) Any regulations made in terms of section *thirty-three* of the principal Act before the date of commencement of this Act shall be deemed to have been made by the Minister of Agricultural Technical Services in terms of the said section as amended by sub-section (1) of this section.

Amendment of section 33 of Act 45 of 1946, as amended by section 20 of Act 37 of 1960.

15. Section *thirty-four bis* of the principal Act is hereby amended by the addition at the end thereof of the words "save the powers conferred upon him by sub-section (1) of section *three* and sections *nine bis*, *nine ter*, *nine quat*, *nine sex*, *twenty-six*, *twenty-eight* and *thirty-three*".

Amendment of section 34*bis* of Act 45 of 1946, as inserted by section 22 of Act 37 of 1960.

16. Section *thirty-seven* of the principal Act is hereby amended by the substitution in sub-section (3) for the words "Governor-General may at any time by proclamation" of the words "Minister may at any time by notice".

Amendment of section 37 of Act 45 of 1946.

17. This Act shall be called the Soil Conservation Amendment Act, 1964.

Short title.

No. 32, 1964.]

WET

Om die Wet op Onkruid, 1937, te wysig; om die Wet op die Uitroeijing van Lidjies Kaktus, 1934, te herroep; en om vir daarmee in verband staande aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 24 April 1964.)

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

Invoeging van
artikel 5bis in
Wet 42 van 1937.

1. Die volgende artikel word hierby na artikel vyf van die Wet op Onkruid, 1937 (hieronder die Hoofwet genoem), ingevoeg:

„Bevel om
grond skoon
te hou van
onkruid.

5bis. (1) Indien die Minister, op grond van inligting wat deur 'n beampte aan hom voorgelê is, oortuig is dat alle redelike stappe, ooreenkomstig die bepalings van artikel vier of vyf gedoen is, om 'n bepaalde onkruid op enige grond uit te roei, kan die Minister 'n bevel uitreik of laat uitreik wat gelas dat alle redelike stappe gedoen moet word om sodanige grond skoon te hou van daardie onkruid.
(2) 'n Afskrif van sodanige bevel moet aan die bewoner (as daar een is) van die betrokke grond en aan die eenaar daarvan beteken word.
(3) Enige sodanige bevel bind die persone aan wie dit beteken word en enigiemand wat daarna die bewoner of (terwyl daar nie 'n bewoner is nie) eenaar van die grond waarop die bevel betrekking het, word.
(4) Enigiemand wat versuim om te voldoen aan 'n kragtens sub-artikel (1) uitgereikte bevel wat hom bind, is aan 'n misdryf skuldig.”

Wysiging van
artikel 9 van
Wet 42 van 1937,
soos gewysig deur
artikel 3 van
Wet 2 van 1939.

2. Artikel nege van die Hoofwet word hierby gewysig—

- (a) deur aan die end van paragraaf (d) van sub-artikel (1) die woord „of” by te voeg;
- (b) deur na genoemde paragraaf die volgende paragrawe in te voeg:
 - „(e) (i) enige materiaal of apparaat (met inbegrip van enige houer) wat op staatskoste aan hom verskaf is vir die uitroei van enige onkruid, vir 'n ander doel aanwend;
 - (ii) opsetlik enige sodanige materiaal of apparaat vermors of beskadig;
 - (iii) enige sodanige materiaal of apparaat gebruik op 'n wyse wat strydig is met enige voorskrif wettiglik deur 'n beampte in daardie verband gegee;
 - (iv) op aanvraag van 'n beampte vir die terugbesorging aan hom van enige sodanige apparaat versuim om dit onverwyld terug te besorg, of waar die terugbesorging van sodanige apparaat ondoenlik is, versuim om op 'n dergelyke aanvraag onverwyld daarvoor te betaal; of
- (f) sonder skriftelike toestemming deur die Minister in die algemeen of in 'n bepaalde geval verleen, enige onkruid of deel daarvan aan enigiemand anders van die hand sit (hetsy teen vergoeding of andersins) of enige onkruid of deel daarvan vir verkoop aanbied, adverteer, hou, uitstal, versend, vervoer of lewer;” en
- (c) deur in sub-artikel (2) al die woorde na die woord „begaan,” te vervang deur die woorde „is strafbaar—
 - (a) in die geval van 'n eerste skuldigbevinding weens enige sodanige misdryf, met 'n boete van hoogstens honderd rand; en
 - (b) in die geval van 'n tweede of latere skuldigbevinding weens enige sodanige misdryf, met 'n boete van hoogstens vyfhonderd rand.”

No. 32, 1964.]

ACT

To amend the Weeds Act, 1937; to repeal the Jointed Cactus Eradication Act, 1934; and to provide for matters incidental thereto.

*(Afrikaans text signed by the State President.)
(Assented to 24th April, 1964.)*

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

1. The following section is hereby inserted in the Weeds Act, 1937 (hereinafter referred to as the Principal Act), after section *five*: Insertion of section 5bis in Act 42 of 1937.

“Order to keep land free from weeds.

5bis. (1) If the Minister is satisfied, on information submitted to him by an officer, that all reasonable steps have, in accordance with the provisions of section *four* or *five*, been taken to eradicate any particular weed on any land, the Minister may issue or cause to be issued an order requiring that all reasonable steps be taken to keep such land free from that weed.

(2) A copy of such order shall be served upon the occupier (if any) of the land in question and upon the owner thereof.

(3) Any such order shall be binding upon the persons upon whom it is served and upon any person who thereafter becomes the occupier or (while there is no occupier) owner of the land to which the order relates.

(4) Any person who fails to comply with any order issued under sub-section (1), which is binding upon him, shall be guilty of an offence.”.

2. Section *nine* of the principal Act is hereby amended— Amendment of section 9 of Act 42 of 1937, as amended by section 3 of Act 2 of 1939.

(a) by the addition at the end of paragraph (*d*) of sub-section (1) of the word “or”;

(b) by the insertion after the said paragraph of the following paragraphs:

“(e) (i) applies any material or apparatus (including any container) which has been supplied to him at state-expense for the eradication of any weed, to any other purpose;

(ii) wilfully wastes or damages any such material or apparatus;

(iii) uses any such material or apparatus in a manner contrary to any direction lawfully given by any officer in that regard;

(iv) on the demand of an officer for the return to him of any such apparatus, fails to return it forthwith, or where the return of such apparatus is impracticable, fails, on like demand to pay for the same forthwith; or

(f) without written permission granted by the Minister generally or in any particular case, disposes of any weed or portion thereof to any other person (whether for any consideration or otherwise), or offers, advertises, keeps, exposes, transmits, conveys or delivers for sale any weed or portion thereof,”; and

(c) by the substitution in sub-section (2) for all the words after the word “thereunder,” of the words “shall be liable—

(a) in the case of a first conviction for any such offence, to a fine not exceeding one hundred rand; and

(b) in the case of a second or subsequent conviction for any such offence to a fine not exceeding five hundred rand.”.

Wysiging van
artikel 10 van
Wet 42 van 1937.

3. Artikel *tien* van die Hoofwet word hierby gewysig deur in sub-artikel (1) die woorde „Landbou en Bosbou” deur die woorde „Landbou-tegniese Dienste” te vervang.

Wysiging van
artikel 13 van
Wet 42 van 1937,
soos gewysig
deur artikel 4 van
Wet 2 van 1939.

4. Artikel *dertien* van die Hoofwet word hierby gewysig —
(a) deur die omskrywing van „Minister” deur die volgende omskrywing te vervang:
„„Minister” die Minister van Landbou-tegniese Dienste;” en
(b) deur in die omskrywing van „beampte” die woorde „Landbou en Bosbou” deur die woorde „Landbou-tegniese Dienste” te vervang.

Vervanging in
Wet 42 van 1937
van die woorde
„Unie” en
„Goewerneur-
generaal” deur
onderskeidelik die
woorde
„Republiek” en
„Staatspresident”.

5. Die Hoofwet word hierby gewysig deur die woord „Unie”, oral waar dit voorkom, deur die woord „Republiek” en die woord „Goewerneur-generaal”, oral waar dit voorkom, deur die woord „Staatspresident” te vervang.

Herroeping van
Wet 52 van 1934.

6. (1) Behoudens die bepalings van sub-artikels (2) en (3), word die Wet op die Uitroeïing van Lidjies Kaktus, 1934, hierby herroep.

(2) Enige bevel wat ingevolge sub-artikel (1) van artikel *vier* van genoemde Wet beteken is aan enigiemand wat ’n bewoner of eienaar van grond is binne die betekenis daarvan in die Wet op Onkruid, 1937 (Wet No. 42 van 1937), word geag ’n kennisgewing te wees wat ingevolge sub-artikel (2) van artikel *twee* van laasgenoemde Wet aan die betrokke persoon gegee is.

(3) Enige bevel wat ingevolge artikel *sewe* van die Wet op die Uitroeïing van Lidjies Kaktus, 1934, uitgereik is aan enigiemand wat ten tyde van die uitreiking van sodanige bevel ’n bewoner of eienaar van grond was binne die betekenis daarvan in die Wet op Onkruid, 1937, word—

(a) indien die betrokke grond op die datum van inwerking-treding van die Wysigingswet op Onkruid, 1964, deur ’n bewoner, soos in die Wet op Onkruid, 1937, omskryf, bewoon word, geag beteken te gewees het aan beide sodanige bewoner en die eienaar (soos aldus omskryf) van sodanige grond ingevolge artikel *vyf bis* van laasgenoemde Wet; en

(b) indien die betrokke grond op genoemde datum nie aldus bewoon word nie, geag beteken te gewees het aan die eienaar daarvan soos in die Wet op Onkruid, 1937, omskryf, ingevolge artikel *vyf bis* van daardie Wet.

Kort titel.

7. Hierdie Wet heet die Wysigingswet op Onkruid, 1964.

3. Section *ten* of the principal Act is hereby amended by the substitution in sub-section (1) for the words "Agriculture and Forestry" of the words "Agricultural Technical Services".

Amendment of section 10 of Act 42 of 1937.

4. Section *thirteen* of the principal Act is hereby amended—

Amendment of section 13 of Act 42 of 1937,

(a) by the substitution for the definition of "Minister" of the following definition:

as amended by section 4 of Act 2 of 1939.

"'Minister' means the Minister of Agricultural Technical Services;"; and

(b) by the substitution in the definition of "officer" for the words "Agriculture and Forestry" of the words "Agricultural Technical Services".

5. The principal Act is hereby amended by the substitution for the word "Union", wherever it occurs, of the word "Republic" and for the word "Governor-General", wherever it occurs, of the words "State President".

Substitution in Act 42 of 1937 for the words "Union" and "Governor-General" of the words "Republic" and "State President", respectively.

6. (1) Subject to the provisions of sub-sections (2) and (3), the Jointed Cactus Eradication Act, 1934, is hereby repealed.

Repeal of Act 52 of 1934.

(2) Any order served in terms of sub-section (1) of section *four* of the said Act on any person who is an occupier or owner of land within the meaning thereof in the Weeds Act, 1937 (Act No. 42 of 1937), shall be deemed to be a notice given to the person concerned in terms of sub-section (2) of section *two* of the latter Act.

(3) Any order issued in terms of section *seven* of the Jointed Cactus Eradication Act, 1934, upon any person who, at the time when such order was issued, was an occupier or owner of land within the meaning thereof in the Weeds Act, 1937, shall—

(a) if upon the date of commencement of the Weeds Amendment Act, 1964, the land in question is occupied by an occupier as defined in the Weeds Act, 1937, be deemed to have been served upon both such occupier and the owner (as so defined) of such land in terms of section *five bis* of the latter Act; and

(b) if upon the said date the land in question is not so occupied, be deemed to have been served in terms of section *five bis* of the Weeds Act, 1937, upon the owner thereof as defined in that Act.

7. This Act shall be called the Weeds Amendment Act, 1964. Short title.