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REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

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DEPARTMENT OF THE PRIME MINISTER.

No. 847. 19th May, 1971.

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

No. 38 of 1971: Second Soil Conservation Amendment Act, 1971.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 847. 19 Mei 1971.

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

No. 38 van 1971: Tweede Wysigingswet op Grondbewaring, 1971.

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ACT

To apply the Soil Conservation Act, 1969, in the territory of South-West Africa, and for that purpose to amend the said Act; and to provide for incidental matters.

(*English text signed by the State President.*)
(*Assented to* 13*th May*, 1971.)

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

Amendment of section 1 of Act 76 of 1969.

1. Section 1 of the Soil Conservation Act, 1969 (hereinafter referred to as the principal Act), is hereby amended by—

(*a*) the substitution for the definition of "local authority" of the following definition:

"'local authority' means any institution or body contemplated in section 84 (1) (*f*) of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961), and any municipality or village management board established or constituted or deemed to have been established or constituted under the Municipal Ordinance, 1963 (Ordinance No. 13 of 1963), of the territory, or the Village Management Boards Ordinance, 1963 (Ordinance No. 14 of 1963), of the territory;";

(*b*) the insertion after the definition of "prescribed" of the following new definition:

"'Republic' includes the territory;"; and

(*c*) the insertion after the definition of "soil conservation works" of the following new definitions:

"'State', except for the purposes of sections 7 and 8, includes the Administration of the territory;

'State land' in the application of this Act in the territory, means land of the Administration of the territory;

'the territory' means the territory of South-West Africa;".

Amendment of section 26 of Act 76 of 1969.

2. Section 26 of the principal Act is hereby amended by the substitution for paragraph (*b*) of the following paragraph:

"(*b*) of which the ownership is not in terms of the Bantu Trust and Land Act, 1936 (Act No. 18 of 1936), vested in the South African Bantu Trust, constituted by section 4 of the said Act, or land not contemplated in section 4 of the South-West Africa Bantu Affairs Administration Act, 1954 (Act No. 56 of 1954), or other land in the territory not included in the 'Gebiet', as defined in section 1 of the Rehoboth Investment and Development Corporation Act, 1969 (Act No. 84 of 1969); and".

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WET

Om die Grondbewaringswet, 1969, in die gebied Suidwes-Afrika toe te pas en om vir dié doel bedoelde Wet te wysig; en om vir bykomstige aangeleenthede voorsiening te maak.

(*Engesle teks deur die Staatspresident geteken.*)
(*Goedgekeur op* 13 *Mei* 1971.)

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 76 van 1969.

1. Artikel 1 van die Grondbewaringswet, 1969 (hieronder die Hoofwet genoem), word hierby gewysig deur:

(*a*) na die omskrywing van „departement" die volgende nuwe omskrywing in te voeg:
„,die gebied' die gebied Suidwes-Afrika;";

(*b*) die omskrywing van „,plaaslike bestuur'" deur die volgende omskrywing te vervang:
„,plaaslike bestuur' 'n instelling of liggaam in artikel 84 (1) (*f*) van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet No. 32 van 1961), bedoel, of 'n munisipaliteit of dorpsbestuur ingestel of saamgestel of geag ingestel of saamgestel te wees ingevolge die Munisipale Ordonnansie, 1963 (Ordonnansie No. 13 van 1963), van die gebied, of die Ordonnansie op Dorpsbesture, 1963 (Ordonnansie No. 14 van 1963), van die gebied;";

(*c*) na die omskrywing van „plaaslike bestuur" die volgende nuwe omskrywing in te voeg:
„,Republiek' ook die gebied;"; en

(*d*) na die omskrywing van „regulasie" die volgende nuwe omskrywings in te voeg:
„,Staat', uitgenome by die toepassing van artikels 7 en 8, ook die Administrasie van die gebied;
,Staatsgrond', by die toepassing van hierdie Wet in die gebied, grond van die Administrasie van die gebied;".

Wysiging van artikel 26 van Wet 76 van 1969.

2. Artikel 26 van die Hoofwet word hierby gewysig deur paragraaf (*b*) deur die volgende paragraaf te vervang:

„(*b*) waarvan die eiendomsreg nie ingevolge die Bantoetrust en -grond Wet, 1936 (Wet No. 18 van 1936), by die Suid-Afrikaanse Bantoetrust, ingestel by artikel 4 van daardie Wet, berus nie, of grond nie bedoel in artikel 4 van die Wet op die Administrasie van Bantoesake in Suidwes-Afrika, 1954 (Wet No. 56 van 1954), nie of ander grond in die gebied wat nie ingesluit is nie in die ,Gebiet', soos omskryf in artikel 1 van die Wet op die Rehoboth-beleggings- en -ontwikkelingskorporasie, 1969 (Wet No. 84 van 1969); en".

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Insertion of section 27A in Act 76 of 1969.

3. The following section is hereby inserted in the principal Act after section 27:

"Application of Act in the territory.

27A. This Act and any amendment thereof shall also apply in the territory.".

Repeal of laws.

4. The laws mentioned in the Schedule are hereby repealed to the extent set out in the third column thereof: Provided that any provision of any law so repealed shall, notwithstanding the repeal of such law, continue to apply in respect of any matter in connection with which anything has been done under any law aforesaid or in respect of anything incidental to any such matter or which may be necessary to be done in connection with any such matter, as if such law had not been so repealed.

Substitution of long title of Act 76 of 1969.

5. The following long title is hereby substituted for the long title of the principal Act:

"Act to consolidate and amend the law relating to the combating and prevention of soil erosion, the conservation, improvement and manner of use of the soil and vegetation and the protection of the water sources in the Republic and the territory of South-West Africa; and to provide for matters incidental thereto.".

Short title and commencement.

6. This Act shall be called the Second Soil Conservation Amendment Act, 1971, and shall come into operation on the first day of April, 1971.

Schedule.

LAWS REPEALED.

No. and year of law.	Short title.	Extent of repeal.
	SOUTH-WEST AFRICA.	
Ordinance No. 28 of 1952	The Soil Conservation Ordinance, 1952 .	The whole.
Ordinance No. 20 of 1954	The Soil Conservation Amendment Ordinance, 1954.	The whole.
Ordinance No. 11 of 1961	The Soil Conservation Validation Ordinance, 1961.	The whole.

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3. Die volgende artikel word hierby in die Hoofwet na artikel 27 ingevoeg: *Invoeging van artikel 27A in Wet 76 van 1969.*

„Toepassing van Wet in die gebied. **27A.** Hierdie Wet en 'n wysiging daarvan is ook in die gebied van toepassing.".

4. Die wette in die Bylae vermeld, word hierby herroep in die mate in die derde kolom daarvan uiteengesit: Met dien verstande dat 'n bepaling van 'n aldus herroepe wet, ondanks die herroeping van bedoelde wet, ten opsigte van 'n aangeleentheid in verband waarmee iets kragtens 'n wet soos voormeld gedoen is of ten opsigte van iets wat met so 'n aangeleentheid in verband staan of wat nodig is om in verband met so 'n aangeleentheid gedoen te word, van toepassing bly asof bedoelde wet nie aldus herroep is nie. *Herroeping van wette.*

5. Die lang titel van die Hoofwet word hierby deur die volgende lang titel vervang: *Vervanging van lang titel van Wet 76 van 1969.*

„Wet tot samevatting en wysiging van die wette betreffende die bestryding en voorkoming van gronderosie, die bewaring, verbetering en wyse van benutting van die bodem en plantegroei en die beskerming van die waterbronne in die Republiek en die gebied Suidwes-Afrika; en om vir daarmee in verband staande aangeleenthede voorsiening te maak.".

6. Hierdie Wet heet die Tweede Wysigingswet op Grondbewaring, 1971, en tree op die eerste dag van April 1971 in werking. *Kort titel en inwerkingtreding.*

Bylae.

WETTE HERROEP.

No. en jaar van wet.	Kort titel.	In hoeverre herroep.
	SUIDWES-AFRIKA	
Ordonnansie No. 28 van 1952.	Die Ordonnansie op Grondbewaring, 1952	Die geheel.
Ordonnansie No. 20 van 1954.	Die Wysigingsordonnansie op Grondbewaring, 1954.	Die geheel.
Ordonnansie No. 11 van 1961.	Die Bekragtigingsordonnansie op die Ordonnansie op Grondbewaring, 1961.	Die geheel.