

REPUBLIC OF SOUTH AFRICA

SOUTH AFRICAN ABATTOIR CORPORATION ACT REPEAL BILL

*(As introduced in the National Assembly as a section 75 Bill; explanatory summary of Bill
published in Government Gazette No 27670 of 10 June 2005)
(The English text is the official text of the Bill)*

(MINISTER FOR AGRICULTURE AND LAND AFFAIRS)

[B 21—2005]

REPUBLIEK VAN SUID-AFRIKA

WETSONTWERP OP DIE HERROEPING VAN DIE WET OP DIE SUID-AFRIKAANSE ABATTOIRKORPORASIE

*(Soos ingedien by die Nasionale Vergadering as 'n artikel 75-wetsontwerp; verduidelikende
opsomming van Wetsontwerp in Staatskoerant No. 27670 van 10 Junie 2005 gepubliseer)
(Die Afrikaanse teks is die amptelike vertaling van die Wetsontwerp)*

(MINISTER VIR LANDBOU EN GRONDSAKE)

[W 21—2005]

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BILL

To repeal the South African Abattoir Corporation Act, 1992; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Repeal of law

1. The South African Abattoir Corporation Act, 1992 (Act No. 120 of 1992), is hereby repealed.

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Short title

2. This Act is called the South African Abattoir Corporation Act Repeal Act, 2005.

MEMORANDUM ON THE OBJECTS OF THE SOUTH AFRICAN ABATTOIR CORPORATION ACT REPEAL BILL, 2005

1. OBJECTS

1.1 The Bill seeks to repeal the South African Abattoir Corporation Act, 1992 (Act No. 120 of 1992) (the Act). The Act provides for the incorporation of the South African Abattoir Corporation (Abakor) into a public company with limited liability. Abakor was duly incorporated in terms of the Companies Act, 1973 (Act No. 61 of 1973), pursuant to the Act, with the State as the sole shareholder.

1.2 Abakor could not pay its debts and as a result it was placed under liquidation. On 10 October 2000, a final order was granted. The final liquidation and distribution account was confirmed on 11 December 2003 and was advertised in the *Government Gazette* on 16 January 2004.

1.3 Since Abakor has been finally liquidated, there is no longer a need for the Act.

2. BODIES CONSULTED

St Adens International Insolvency Practitioners.

3. FINANCIAL IMPLICATIONS FOR STATE

None.

4. PARLIAMENTARY PROCEDURE

4.1 The State Law Advisers and the Department of Agriculture are of the opinion that this Bill must be dealt with in accordance with the procedure established by section 75 of the Constitution since it contains no provision to which the procedure set out in section 74 or 76 of the Constitution applies.

4.2 The State Law Advisers are of the opinion that it is not necessary to refer this Bill to the National House of Traditional Leaders in terms of section 18(1)(a) of the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003), since it does not contain provisions pertaining to customary law or customs of traditional communities.