

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO**

**PROVISION OF LAND AND
ASSISTANCE AMENDMENT
BILL**

[B 40—2008]

*(As agreed to by the Portfolio Committee on Agriculture and Land Affairs
(National Assembly))*

[B 40A—2008]

ISBN 978-1-77037-413-3

No. of copies printed 800

AMENDMENTS AGREED TO

PROVISION OF LAND AND ASSISTANCE AMENDMENT BILL [B 40—2008]

CLAUSE 1

1. On page 2, in line 3, to omit “68” and to substitute “67”.
2. On page 2, in line 8, to omit “means” and to substitute “includes”.

CLAUSE 2

1. On page 2, in line 22, after “growth” to insert “and the empowerment of historically disadvantaged persons”.

CLAUSE 3

Clause rejected

NEW CLAUSE

1. That the following be a new clause to follow clause 2:

“Amendment of section 9 of Act 126 of 1993, as amended by section 68 of Act 67 of 1995 and section 4 of Act 26 of 1998

3. Section 9 of the principal Act is hereby amended by the repeal of subsection (8).”.

CLAUSE 4

1. On page 3, from line 16 up to and including line 42, to omit subsection (1) and to substitute with the following subsection:

“(1) The Minister may, from money appropriated by Parliament for the purpose of this Act—

- (a) acquire property; and

(b) on such conditions as he or she may determine—

 - (i) make available state land administered or controlled by him or her or made available to him or her;
 - (ii) maintain, plan, develop or improve property or cause such maintenance, planning, development or improvement to be conducted by a person or body with whom or which he or she has concluded a written agreement for that purpose;
 - (iii) provide financial assistance by way of an advance, subsidy, grant or otherwise to any person for the acquisition, maintenance, planning, development or improvement of property and for capacity building, skills development, training and empowerment; or
 - (iv) in writing authorise the transfer of funds to—

(aa) a provincial government;

(bb) a municipality;

(cc) any other organ of state; or

(dd) any other person or body recognised by the

Minister for such purposes, which he or she considers suitable for the achievement of the objects of this Act, whether in general, in cases of a particular nature or in specific cases.”.

2. On page 3, from line 54 up to and including line 56, to omit subsection (4) and to substitute:

“(4) Despite section 14 of the Deeds Registries Act, 1937 (Act No. 47 of 1937), and the provisions of any other law to the contrary, the transfer of ownership of any property contemplated in this Act—
 (a) may be passed and registered directly from the owner of such property to a person to whom the Minister has disposed of such property; and
 (b) shall be exempt from the payment of any transfer, stamp or other duty, fees of deeds office or other charge.”.

CLAUSE 6

Clause rejected.