

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO**

**PROVISION OF LAND AND
ASSISTANCE AMENDMENT
BILL**

[B 40B—2008]

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

[B 40C—2008]

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AMENDMENTS AGREED TO

PROVISION OF LAND AND ASSISTANCE AMENDMENT BILL

[B 40B—2008]

CLAUSE 1

1. On page 2, from line 5 up to and including line 10, to omit section (1) and to substitute of the following section:

“1. Section 1 of the Provision of Land and Assistance Act, 1993 (hereinafter referred to as the principal Act), is hereby amended—

- (a) by the insertion before the definition of “deeds registry” of the following definition:

“**‘agricultural enterprise’** includes an enterprise engaged in activities pertaining to agricultural production and plantation, livestock production, agricultural services, hunting, trapping and game propagation, forestry and logging, aquaculture and fishing and any property utilised to carry on that enterprise;”;

- (b) by the insertion after the definition of “deeds registry” of the following definition:

“**‘Department’** means the National Department responsible for Land Affairs;”;

- (c) by the insertion before the definition of “Minister” of the following definition:

“**‘enterprise’** means an undertaking engaged in production or distribution of goods or services not for the sole purpose of own consumption;”;

- (d) by the insertion after the definition of “prescribed” of the following definition:

“**‘property’** includes movable or immovable, corporeal or incorporeal property and includes shares, rights, title or interest in or to a juristic person, other entity or a trust.”.

CLAUSE 4

1. On page 3, from line 27 up to and including line 30, to omit subparagraph (dd) and to substitute of the following subparagraph:

“(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.”.

New clause

1. That the following be a new clause to follow clause 4:

Insertion of section 10A in Act 126 of 1993

- 5.** The following section is hereby inserted in the principal Act after section 10:

“Activities to be managed as separate unit

10A. (1) The Department must account for the acquisition, management, disposal and leasing of property and the provision of financial assistance in terms of this Act through a trading entity established and operating in accordance with the requirements of the Public Finance Management Act, 1999 (Act No. 1 of 1999).

(2) The trading entity referred to in terms of subsection (1), once established, must maintain separate and itemised financial accounts and accounting records in respect of each agricultural enterprise or separately administered portion of immovable property which it acquires, manages, disposes of, or leases.”.