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STAATSKOERANT

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KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 1465.

4 Julie 1990

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

No. 90 van 1990: Wet op die Landelike Gebied Mier (Raad van Verteenwoordigers), 1990.

No. 1465.

4 July 1990

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

No. 90 of 1990: Mier Rural Area Act (House of Representatives), 1990.

ACT

To provide for the establishment, in the Mier rural area, of separate farm units, a game farm and townships, and for the sale and putting out to lease of those farm units and of erven; and to provide for matters connected therewith.

*(English text signed by the State President.)
(Assented to 21 June 1990.)*

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

Definitions

1. In this Act, unless the context otherwise indicates—
- 5 (i) "board of management" means the body within the meaning of the Rural Areas Act established for the administration and control of the Mier rural area; (i)
 - (ii) "farm unit" means land mentioned in section 2 (1); (v)
 - 10 (iii) "Mier rural area" means the area defined and included in Certificate of Registered Title No. T954/1986 dated 16 September 1986 and in Certificate of Consolidated Title No. T348/1989 dated 22 March 1989, which titles are registered in the Deeds Registry at Vryburg; (iii)
 - (iv) "Minister" means the Minister who as a member of the Ministers' Council of the House of Representatives administers the Rural Areas Act; (iv)
 - 15 (v) "registered occupier", in relation to the Mier rural area, means the person who is or may become a registered occupier in the Mier rural area under the Rural Coloured Areas Act, 1963 (Act No. 24 of 1963), or the Rural Coloured Areas Law, 1979 (Law No. 1 of 1979), of the Coloured Persons Representative Council of the Republic of South Africa or the Rural Areas Act; (ii)
 - 20 (vi) "Rural Areas Act" means the Rural Areas Act (House of Representatives), 1987 (Act No. 9 of 1987). (vi)

Establishment of farm units

2. (1) Notwithstanding the provisions of any other law or the common law, the
25 land forming part of the Mier rural area and described in Schedule 1, shall constitute farm units for the purposes of this Act.

(2) The Minister may—

- 30 (a) sell one or more farm units to any registered occupier of the Mier rural area, and on payment of the costs of survey and other costs concerned and the purchase price as determined by the Minister, issue to the purchaser a deed of grant for any such farm unit on the conditions determined by the Minister and to be incorporated in every subsequent title deed of the farm unit;
- 35 (b) take, on the conditions determined by the Minister, as security for the payment of the said costs and the balance of the purchase price, a mortgage bond over a farm unit sold under paragraph (a); or

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- (c) let, for such period and on such conditions as the Minister may determine, one or more farm units to any registered occupier of the Mier rural area.

Establishment of game farm

3. Notwithstanding the provisions of any other law or the common law, the portion
5 of the remainder of the farm Mier No. 585 which forms part of the Mier rural area
and is described in Schedule 2, shall constitute a game farm, which shall be
developed, utilized, controlled, managed and maintained by the board of manage-
ment and in respect of which the ownership in the game thereon shall vest in the
board of management as the lawful owner thereof, exclusive of any game coming out
10 of the Kalahari Gemsbok National Park through the boundary fence between that
park and the game farm.

Lapsing of certain rights

4. As from the commencement of this Act and notwithstanding the provisions of
any other law or the common law—
15 (a) the farm units and the said game farm shall not be available for communal
grazing; and
(b) any rights of grazing, watering, use, occupation or possession available to
a registered occupier of the Mier rural area in respect of that game farm at
the said commencement, and available at the said commencement, in
20 respect of the farm units, to such registered occupier who is not a purchaser
or lessee of a farm unit referred to in section 2 (2), shall lapse: Provided
that—
(i) any deed of grant in relation to a farm unit issued on or after 1 April
1989 shall be deemed to have been issued under section 2 (2) (a);
25 (ii) any lease in relation to a farm unit concluded on or after 1 January
1986 shall be deemed to have been concluded under section 2 (2) (c);
(iii) the Minister shall, on application, within a period of three years as
from the commencement of this Act, by a registered occupier of whom
any right so lapses and who proves to the satisfaction of the Minister
30 that he exercised such right at the said commencement, pay out of
funds appropriated by the House of Representatives for that purpose,
compensation to that registered occupier in respect of that right; and
(iv) in the determination and payment of the said compensation the
relevant provisions of the Expropriation Act, 1975 (Act No. 63 of
35 1975), shall apply *mutatis mutandis* as if the right concerned were
expropriated in terms of that Act at the commencement of this Act.

Establishment of townships

5. (1) Notwithstanding the provisions of any other law or the common law, the
land forming part of the Mier rural area and described in Schedule 3, shall constitute
40 approved planned and surveyed townships for the purposes of this Act.

(2) The Minister may—

- (a) extend the said townships and plan and survey other townships in any part
of the Mier rural area and rezone, replan, resurvey, consolidate and close
erven, streets, open places and public places in any such township and
45 township extension;
(b) sell any one or more erven in the Mier rural area to any registered occupier
of the Mier rural area, and on payment of the costs of survey and other
costs concerned and the purchase price, if any, as determined by the
Minister, issue to the purchaser a deed of grant for any such erf on the
50 conditions determined by the Minister and to be incorporated in every
subsequent title deed of the erf: Provided that any deed of grant in relation
to an erf issued on or after 1 January 1987 shall be deemed to have been
issued under this paragraph; or

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- (c) let, for such period and on such conditions as the Minister may determine, one or more such erven to any registered occupier of the Mier rural area.

Building control

- 5 6. Notwithstanding the provisions of any other law or the common law, no person shall erect a new building or alter or add to an existing building, irrespective of whether such new building, alteration or addition is of a permanent or temporary nature, in the Mier rural area without submitting the necessary building plans and without the prior written approval of those plans by the board of management.

Delegation of Minister's powers

- 10 7. The Minister may delegate to an officer in the Public Service any of the powers conferred upon him under this Act.

Short title and commencement

8. This Act shall be called the Mier Rural Area Act (House of Representatives), 1990, and shall be deemed to have come into operation on 1 April 1989.

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Schedule 1**(Section 2)**

Portions 1 to 115, 118 to 121, 124, 125 and 128 to 131 of the farm Mier No. 585, Administrative District of Gordonia, Province of the Cape of Good Hope.

Schedule 2**(Section 3)**

Portion of the remainder of the farm Mier No. 585, Administrative District of Gordonia, Province of the Cape of Good Hope, bounded as follows:

Beginning at the south-western beacon of the farm Sitszas 54, Administrative District of Gordonia; thence south-eastwards along the boundary of the latter farm so as to exclude it from this area, to the south-eastern beacon thereof; thence south-westwards along the north-western boundary of the farm Kafirs Pan 77 so as to exclude it from this area, to the northernmost beacon of Portion 1 of the latter farm; thence south-eastwards along the north-eastern boundary of the latter portion to the north-western beacon of Portion 4 of the farm Mier 566; thence south-eastwards along the boundaries of the following farms, so as to exclude them from this area: the said Portion 4 of the farm Mier 566, Caldecote 76, Portion 3 of the farm Mier 566, Portions 7, 6, 5, 4, 3, 2 and 1, all portions of the farm Mier 585, and the farm Camms Pannen 57, to the north-western beacon of the last-mentioned farm; thence northwards along the boundary between South West Africa and the Republic of South Africa to the beginning.

Schedule 3**(Section 5)**

1. Rietfontein township, land surveyed as indicated on approved General Plan No. 10449, being the subdivision of portion 1 of the farm Mier No. 566.
2. Rietfontein township extension 1, land surveyed as indicated on approved General Plan No. 11819, being the subdivision of erf 519 Rietfontein.
3. Loubos township, land surveyed as indicated on approved General Plan No. 12140, being the subdivision of erf 204 Loubos.