

Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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CAPE TOWN, 13 MARCH 1974

DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

No. 368.

13 Maart 1974.

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

No. 19 van 1974: Wysigingswet op die Onderverdeling van Landbougrond, 1974.

No. 368.

13 March 1974.

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

No. 19 of 1974: Subdivision of Agricultural Land Amendment Act, 1974.

SUBDIVISION OF AGRICULTURAL LAND
AMENDMENT ACT, 1974.

Act No. 19, 1974

ACT

To amend the Subdivision of Agricultural Land Act, 1970, so as to prohibit the concluding of long leases and the registration of only such leases in respect of portions of agricultural land in certain circumstances; to extend the provisions regarding offences; and to provide for matters connected therewith.

(English text signed by the State President.)
(Assented to 1 March 1974.)

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

1. Section 2 of the Subdivision of Agricultural Land Act, 1970 (hereinafter referred to as the principal Act), is hereby amended by the substitution for paragraph (e) of the following paragraph:

Amendment of section 2 of Act 70 of 1970, as amended by section 2 of Act 55 of 1972.

“(e) the registration of a lease referred to in section 3 (d) in respect of a portion of agricultural land, concluded in writing prior to the commencement of the Subdivision of Agricultural Land Amendment Act, 1974.”.

2. The following section is hereby substituted for section 3 of the principal Act:

Substitution of section 3 of Act 70 of 1970, as substituted by section 3 of Act 55 of 1972.

3. Subject to the provisions of section 2—

(a) agricultural land shall not be subdivided;

(b) no undivided share in agricultural land not already held by any person, shall vest in any person;

(c) no part of any undivided share in agricultural land shall vest in any person, if such part is not already held by any person;

(d) no lease in respect of a portion of agricultural land of which the period is ten years or longer or the natural life of the lessee or any other person mentioned in the lease, or which is renewable from time to time at the will of the lessee indefinitely or for periods which together with the first period of the lease amount in all to not less than ten years, shall be entered into;

(e) no erf or plot, on agricultural land, whether surveyed or not, or any right to such an erf or plot, shall be sold or advertised for sale;

(f) no area of jurisdiction, local area, public health area, peri-urban area or other area referred to in paragraph (a) or (b) of the definition of

“Prohibition on subdivision of, vesting of undivided share in, concluding of certain leases in respect of portions of, sale of unsurveyed plots on, and establishment or enlargement of certain institutions on or over, agricultural land.

**SUBDIVISION OF AGRICULTURAL LAND
AMENDMENT ACT, 1974.**

Act No. 19, 1974

'agricultural land' in section 1 shall be established on, or enlarged so as to include, any land which is agricultural land, unless the Minister has consented in writing to the subdivision, vesting, lease, sale, advertisement, establishment or enlargement concerned."

3. Section 6 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

Amendment of section 6 of Act 70 of 1970, as amended by section 5 of Act 55 of 1972..

"(1) Subject to the provisions of section 2 a Surveyor-General shall only approve a general plan or diagram relating to a subdivision of agricultural land, and a Registrar of Deeds shall only register the vesting of an undivided share in agricultural land referred to in section 3 (b), or a part of any such share referred to in section 3 (c), or a lease referred to in section 3 (d) in respect of a portion of agricultural land, if the relevant written consent of the Minister in terms of this Act has been submitted to him."

4. Section 11 of the principal Act is hereby amended by the insertion after paragraph (c) of the following paragraph:

Amendment of section 11 of Act 70 of 1970, as substituted by section 8 of Act 55 of 1972.

"(cA) contravenes the provisions of section 3 (d) with regard to the entering into of a lease contemplated therein;"

5. This Act shall be called the Subdivision of Agricultural Land Amendment Act, 1974. Short title.