

No. 21, 1925.]

ACT

To provide for the establishment of committees of management for settlements laid out on Crown land, and matters incidental thereto.

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows :—

Constitution of committee of management.

1. (1) Notwithstanding anything contained in any law or in the conditions of any Crown grant or any lease or other document of title the Minister of Lands (hereinafter called the Minister) may by notice in the *Gazette* and subject to the provisions of section *four* of this Act authorize the constitution of a committee of management for the better administration of the commonage, as may from time to time be assigned by the Minister, for the owners and lessees of lots on any settlement laid out on Crown land other than settlements laid out under the provisions of the Land Settlement Act, 1912, or any amendment thereof.

(2) Such committee of management shall consist of five members elected by the owners and lessees of lots on the settlement. The election shall be conducted in such manner as may be prescribed by the Minister. Such members shall be elected for a period of one year but at the expiry of that period any of the said members shall be eligible for re-election.

(3) No member of the committee shall receive any salary, fee or reward of any kind for the performance of the functions of his office, and any member contravening this provision shall vacate his seat on the committee.

Powers of committee to make rules.

2. (1) The committee of management constituted in terms of the preceding section may, pending the sub-division of the commonage and subject to the approval of the Minister and the provisions of any law and the conditions of any Crown grant, lease or other document of title make rules as to all or any of the following matters :—

- (a) the regulation, control and preservation of the commonage and the number and kind of livestock which each owner or lessee of a lot may depasture thereon in excess of the number he is allowed to graze free of charge in terms of his Crown grant, lease or other document of title and the prescribing of fees payable in connection with such depasturing ;
- (b) the construction, maintenance and repair of dipping tanks on the commonage and the prescribing of fees payable in connection with the use of such tanks ;
- (c) the branding and marking of stock on the commonage ;
- (d) the prohibition of the keeping of dangerous or undesirable animals on the commonage ;
- (e) the prevention and treatment of stock diseases and the exclusion from the commonage of any stock which in the opinion of the committee would be likely to harbour or spread disease ;
- (f) the disposal of the carcasses of animals ,
- (g) the impounding of animals trespassing on the commonage ;
- (h) the planting, maintenance and protection of grass, trees, bushes on the commonage and the destruction or cutting of trees and bushes and the sale thereof ;
- (i) the burning of grass and the eradication of noxious weeds on the commonage ;

- (j) the quarrying and removal of stone and the removal of sand, ground and earth from the commonage and the prescribing of fees in connection therewith;
- (k) the erection, maintenance and repair of fences and gates on the commonage or the boundaries thereof and the fencing of wells, dams, quarries and excavations;
- (l) the shooting of game on the commonage;
- (m) the squatting of persons on the commonage;
- (n) the regulation of outspanning on the commonage;
- (o) the construction, erection, maintenance, control and leasing of buildings and other improvements, machinery implements and the like used or intended to be used for communal purposes and the prescribing of fees in connection with the use thereof;
- (p) the prevention of inconvenience and damage to owners or lessees by animals wandering about at large;
- (q) the prevention of the pollution of water to which owners or lessees have a common right;
- (r) the maintenance and repair of roads on the commonage not being roads under the control of the Provincial Administration or any local authority;
- (s) the prevention, removal and abatement of nuisances which may tend either to injure the health, destroy the comfort or affect the rights of the owners or lessees;
- (t) the leasing for sowing purposes of portions of the commonage to owners and lessees of settlement lots, provided the approval of the Minister shall first have been obtained.
- (u) any other matter in which, in the opinion of the Minister, it is necessary or desirable that the committee should be permitted to make rules respecting the commonage.

(2) The procedure governing the making of rules by the committee of management shall be prescribed by the Minister. Such rules shall on publication in the *Gazette* have the force of law.

(3) Any rules made under this Act may provide penalties for any contravention thereof or default in complying therewith, but no penalty shall exceed a fine of twenty pounds or in default of payment imprisonment for a period of one month.

3. (1) The committee of management may appoint during pleasure such fit and proper persons as it shall find necessary for carrying out the purposes of this Act, and shall pay to them such salaries and wages and assign to them such duties as it may think fit.

(2) The said committee may with the approval of the Minister levy annually on lessees and owners of lots on the settlement a rate sufficient to meet any expenditure which the committee may incur in giving effect to the rules made by it.

(3) All fees prescribed by the committee as payable in connection with the grazing of stock on the commonage, the use of communal dipping tanks, the removal of earth, stone and sand, the sale of trees or bush, the use of communal buildings, machinery or other improvements, the leasing of sowing lots and such like matters shall be deemed to be the revenue of the committee notwithstanding that the dominium in the land may be in the Crown.

4. The provisions of this Act shall apply to the Vyfhoek Settlement laid out on the farm Vyfhoek No. 131, situate in the district of Potchefstroom in the Province of the Transvaal, and to any other settlement described in section one to which Parliament by resolution of both Houses may authorize its application.

5. This Act may be cited for all purposes as the Settlements (Committee of Management) Act, 1925.

Further powers of committee.

Application of Act to Vyfhoek and other settlements.

Short title.