

(31 March 2006 – to date)

SUBDIVISION OF AGRICULTURAL LAND ACT 70 OF 1970

(Government Notice 1698 in Government Gazette 2867 dated 9 October 1970. Commencement date: 2 January 1971 [Proc. No. 329, Gazette No. 2950 dated 18 December 1970])

REGULATIONS - APPLICATIONS RELATING TO DECISIONS OF DELEGATE OF THE MINISTER

Government Notice R373 in Government Gazette 6323 dated 9 March 1979. Commencement date: 1 April 1979.

As amended by:

Government Notice R2080 in Government Gazette 9429 dated 21 September 1984. Commencement date: 21 September 1984.

Government Notice R233 in Government Gazette 10601 dated 6 February 1987. Commencement date: 6 February 1987.

Government Notice R1012 in Government Gazette 11884 dated 26 May 1989. Commencement date: 26 May 1989.

Government Notice R2136 in Government Gazette 13484 dated 30 August 1991. Commencement date: 30 August 1991.

Government Notice R824 in Government Gazette 15658 dated 29 April 1994. Commencement date: 29 April 1994.

Government Notice R888 in Government Gazette 26603 dated 30 July 2004. Commencement date: 30 July 2004.

Government Notice R274 in Government Gazette 28652 dated 31 March 2006. Commencement date: 31 March 2006.

The Minister of Agriculture has, under the powers vested in him by section 10 of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970), made the following regulations:

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Prepared by:

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1. DEFINITIONS

Words and phrases in these regulations shall have the meaning assigned thereto in the Act and unless the context otherwise indicates-

“**the Act**” means the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970).

2. APPLICATION TO MINISTER

- (1) An application in terms of section 8(1) of the Act shall be made by a person referred to in that section, or his assignee.
- (2) An application referred to in subregulation (1) shall-
 - (a) be lodged with the Director-General in writing within 90 days of the date on which the person who lodged an application in terms of section 4 of the Act was notified in writing of the decision of the delegate of the Minister in connection therewith;
(Regulation 2(2)(a) amended by regulation 2(a) of Government Notice R2080 in Government Gazette 9429 dated 21 September 1984)
 - (b) state the reference number and date of the document by means of which notice was given of that decision;
 - (c) state the title description of the agricultural land concerned;
 - (d) state the grounds on which the application is based, and if such application is made by a person other than the owner of the agricultural land concerned, the interest of such person in the decision concerned shall also be stated;
 - (e) be accompanied by the documents relating to the subject of the application, unless they have previously been submitted to the delegate of the Minister;
 - (f) be accompanied by written proof of his proxy, if such application is made by the assignee of a person referred to in section 8(1) of the Act, unless it has previously been submitted to the delegate of the Minister; and
 - (g) be accompanied by an amount of R3 600.

(Regulation 2(2)(g) amended by regulation 2(b) of Government Notice R2080 in Government Gazette 9429 dated 21 September 1984)

(Regulation 2(2)(g) amended by regulation 2 of Government Notice R233 in Government Gazette 10601 dated 6 February 1987)

(Regulation 2(2)(g) amended by regulation 2 of Government Notice R1012 in Government Gazette 11884 dated 26 May 1989)

(Regulation 2(2)(g) amended by regulation 2 of Government Notice R2136 in Government Gazette 13484 dated 30 August 1991)

(Regulation 2(2)(g) amended by regulation 2 of Government Notice R824 in Government Gazette 15658 dated 29 April 1994)

(Regulation 2(2)(g) amended by regulation 2 of Government Notice R888 in Government Gazette 26603 dated 30 July 2004)

(Regulation 2(2)(g) amended by regulation 2 of Government Notice R274 in Government Gazette 28652 dated 31 March 2006)

3. CONSIDERATION OF APPLICATION

- (1) An application referred to in regulation 2 shall be submitted to the Minister by the Director-General, and he shall state the grounds on which the delegate of the Minister has based the decision concerned, and furnish any other relevant information which the Minister may require to enable him to consider that application and to decide thereupon.

(Regulation 3(1) amended by regulation 3 of Government Notice R2080 in Government Gazette 9429 dated 21 September 1984)

- (2) The decision of the Minister relating to an application shall be conveyed in writing to the applicant concerned, and if the applicant is a person referred to in regulation 2(2)(d), a copy of that decision shall be furnished to the owner of the agricultural land concerned, or his assignee.

4. PAYMENT OF FEE

The amount referred to in regulation 2(2)(g) shall be paid by cheque, postal order or money order, made out in favour of the Director-General: Agriculture: Provided that, if such fee is delivered by hand, it may be paid in cash.

(Regulation 4 amended by regulation 4 of Government Notice R2080 in Government Gazette 9429 dated 21 September 1984)

5. ADDRESS OF SECRETARY [sic]

Postage on and delivery costs of an application lodged in terms of these regulations, or anything else pertaining thereto, shall be pre-paid, and shall -

- (a) when forwarded by post, be addressed to-

The Director-General: Agriculture
Private Bag X250
Pretoria
0001; or

*(Regulation 5(a) substituted by regulation 5 of Government Notice R2080 in Government Gazette 9429
dated 21 September 1984)*

(b) when delivered by hand, be delivered to-

The Director-General: Agriculture
Dirk Uys Buildings
Hamilton Street
Pretoria

*(Regulation 5(b) substituted by regulation 5 of Government Notice R2080 in Government Gazette 9429
dated 21 September 1984)*

6. DATE OF COMMENCEMENT

These regulations shall come into operation on 1 April 1979.