

Government Gazette 14635

STATE PRESIDENT'S OFFICE

No. 378. 12 March 1993

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

NO. 18 OF 1993: GENERAL LAW AMENDMENT ACT, 1993.

Act No. 18, 1993 GENERAL LAW AMENDMENT ACT, 1993

GENERAL EXPLANATORY NOTE:

Words in bold type indicate omissions from existing enactments.

Words in italics indicate insertions in existing enactments.

ACT

To amend section 34 of the General Law Amendment Act, 1972, so as to make further provision for the lapsing in certain circumstances of certain conditions of title or other conditions applying in respect of immovable property owned by the State; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 26 February 1993.)

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:-

Substitution of section 34 of Act 102 of 1972

1. The following section is hereby substituted for section 34 of the General Law Amendment Act, 1972:

"Certain conditions of title or other conditions applying in respect of immovable property owned by the State to lapse in certain circumstances

34. (1) If the State owns immovable property which is subject to a condition of title, *or a condition contained in any other document*, to the effect that such property may or shall only be used for certain purposes *or only by the State* and that the ownership of such property shall be transferred to the person from whom such property was acquired or to some other person when such property is no longer required or used for such purposes *or used by the State*, and the Minister of **Agriculture Public Works**, by means of a notice, in both official languages, published simultaneously in the Gazette and a newspaper circulating in the area in which such property is situate, makes known that such property is no longer required *or used* for such purposes, *or used by the State*, such condition of title *or other condition* shall lapse after the expiry of a period of one year from the date on which

such notice was published, unless the person from whom such property was acquired or such other person provides the Minister of **Agriculture Public Works** before the expiry of such period with all documents required for the transfer of the ownership of such property in accordance with such condition of title or other condition.

(2) If any condition of title has lapsed under subsection (1), the officer in charge of the deeds registry concerned shall upon the application of the Minister of **Agriculture Public Works** or any officer in the public service authorized thereto by the Minister, and upon submission of the relevant title deed and such other documents as may be required by such first-mentioned officer, record the fact that such condition of title has lapsed under subsection (1) on such title deed.

(3) If the hospital trustees referred to in section 11 of the Hospital Ordinance, 1946 (Ordinance No. 18 of 1946), of the province of the Cape of Good Hope, or the educational trustees referred to in section 192 of the Education Ordinance, 1956 (Ordinance No. 20 of 1956), of that province, have acquired immovable property which is subject to a condition of title or other condition referred to in subsection (1), the provisions of subsections (1) and (2) shall mutatis mutandis apply in respect of such condition of title or other condition: Provided that for the purposes of such application a reference to the Minister of **Agriculture Public Works** shall be construed as a reference to such hospital trustees or educational trustees, as the case may be."

Short title

2. This Act shall be called the General Law Amendment Act, 1993.