

Agricultural Legislation

The legislation listed below is that which is currently in force. Departmental responsibility for the enforcement of Acts and Ordinances is indicated between brackets. At present all National Acts are being re-written by the National Department of Agriculture in accordance with the provisions of the Constitution, which assigns certain powers to the National Department of Agriculture, for example the setting of norms and standards. The KwaZulu-Natal Department of Agriculture is presently drafting new legislation, based on the National Acts, which will reflect its powers in terms of Schedule 6 of the Constitution.

FENCING ACT, 1963 (ACT NO. 31 OF 1963) (PROVINCIAL)

This Act regulates matters with regard to boundary fences of farms and provides for the obligatory contribution to the erection and maintenance of boundary fences and their conversion into jackal-proof fences in proclaimed areas. The Directorate of Engineering and Resource Conservation is responsible for the enforcement thereof.

CONSERVATION OF AGRICULTURAL RESOURCES ACT, 1983 (ACT NO. 43 OF 1983) (PROVINCIAL)

This Act provides for control over the utilisation of natural agricultural resources in order to promote the conservation of soil, water sources and vegetation, and the combatting of weeds and invader plants. The Directorate of Engineering and Resource Conservation is responsible for the enforcement thereof.

ANIMAL DISEASES ACT, 1984 (ACT NO. 35 OF 1984) (PROVINCIAL)

This Act provides for control measures for the prevention of diseases and parasites and for schemes to promote animal health. The Directorate of Veterinary Services is responsible for the enforcement thereof.

ABATTOIR HYGIENE ACT, 1992 (ACT NO. 121 OF 1992) (PROVINCIAL)

This Act provides for the maintenance of proper standards of hygiene in the slaughtering of animals and in the handling of meat and animal products. The Directorate of Veterinary Services is responsible for the enforcement thereof.

CONTROL OF MARKETS IN RURAL AREAS ORDINANCE, 1965 (ORD. NO. 38 OF 1965) (PROVINCIAL)

The Directorate of Agriculture and Rural Development (encompassing the Regional Support Service and Agricultural Economics components) is responsible for the enforcement thereof.

PROBLEM ANIMALS CONTROL ORDINANCE, 1978 (ORD. NO. 14 OF 1978)
(PROVINCIAL)

The Directorate of Agriculture and Rural Development (encompassing the Regional Support Service and Agricultural Economics components) is responsible for the enforcement thereof.

FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES AND STOCK REMEDIES ACT, 1947 (ACT NO. 36 OF 1947)
(NATIONAL)

The registration of fertilizers, stock feeds, agricultural remedies, stock remedies, sterilising plants and pest control operators is regulated by this Act. Provision is also made for control over the acquisition, disposal, sale and use of fertilizers, farm feeds, agricultural remedies and stock remedies. The Directorate of Agricultural Production Resources and Livestock Improvement is responsible for the enforcement thereof.

LIVESTOCK BRANDS ACT, 1962 (ACT NO. 87 OF 1962)
(NATIONAL)

This Act regulates the registration of a brand in the name of an owner of livestock for the purpose of identifying the livestock. The Directorate of Agricultural Production Resources and Livestock Improvement is responsible for the enforcement thereof.

AGRICULTURAL CREDIT ACT, 1966 (ACT NO. 28 OF 1966)
(NATIONAL)

This Act provides for a system of assistance to persons carrying on or undertaking to carry on farming operations, and for control in respect of assistance rendered. The Directorate of Financial Assistance is responsible for the application of the Act.

MARKETING ACT, 1968 (ACT NO. 59 OF 1968)
(NATIONAL)

This Act provides for the introduction of a system of control over the marketing of agricultural products and regulates the quantitative control over the import or export of these products. The Directorate of Marketing Administration is responsible for the enforcement thereof.

WINE AND SPIRIT CONTROL ACT, 1970 (ACT NO. 47 OF 1970)
(NATIONAL)

This Act regulates the control and management of the wine and spirit industry by the Kooperatieve Wijnbouwers Vereniging van Zuid-Afrika, Beperkt (KWV). The KWV is responsible for the enforcement thereof.

SUBDIVISION OF AGRICULTURAL LAND ACT, 1970 (ACT NO. 70 OF 1970)
(NATIONAL)

This Act regulates the subdivision of agricultural land and its use for purposes other than agriculture. The Directorate of Resource Conservation is responsible for the enforcement

thereof. Investigations are done by the Provincial Department in support of the execution of the Act.

PLANT BREEDERS' RIGHT ACT, 1976 (ACT NO. 15 OF 1976)

(NATIONAL)

This Act regulates the granting of certain rights relating to new varieties of certain kinds of plants, the protection of such rights and the issue of licences in respect of the exercising of the rights. The Directorate of Plant and Quality Control is responsible for the enforcement thereof.

PLANT IMPROVEMENT ACT, 1976 (ACT NO. 53 OF 1976)

(NATIONAL)

This Act provides for the registration of establishments where plants and propagation material are sold and packed, for the introduction of schemes for the certification of certain propagation material, for the requirements to which plants and propagation material sold for the purposes of cultivation must conform and for quality control over plants and propagation material imported or exported. The Directorate of Plant and Quality Control is responsible for the enforcement thereof.

LIVESTOCK IMPROVEMENT ACT, 1977 (ACT NO. 25 OF 1977)

(NATIONAL)

This Act regulates the collection and sale of semen and ova and the artificial insemination and ino-vulation of certain animals, the establishment of a system for the evaluation and certification of the performance of certain animals, quality control with regard to the importation and exportation of certain animals, semen, ova and eggs, the incorporation of livestock breeders' societies and the maintenance of the legal personality of livestock breeders' societies, and the granting of certain exclusive powers relating to the registration of pedigrees of certain livestock to the South African Stud Book and Livestock Improvement Association. The Directorate of Agricultural Production Resources and Livestock Improvement is responsible for the enforcement thereof.

DESIGNATED AREAS DEVELOPMENT ACT, 1979 (ACT NO. 87 OF 1979)

(NATIONAL)

This Act provides for measures for the promotion of the density of population and of farming activities in certain areas designated by the Minister for the purpose. The Directorate of Financial Assistance is responsible for the application of the Act.

CO-OPERATIVES ACT, 1981 (ACT NO. 91 OF 1981)

(NATIONAL)

This Act regulates the formation, registration, management and functioning of various types of co-operatives and the winding-up and dissolution of co-operatives. The Directorate of Co-operatives is responsible for the enforcement thereof.

VETERINARY AND PARA-VETERINARY PROFESSIONS ACT, 1982 (ACT NO. 19 OF 1982)

(NATIONAL)

This Act provides for the establishment, powers and functions of the South African Veterinary Council, for the registration of persons practising veterinary and para-veterinary professions and for control over the practising of veterinary and para-veterinary professions. The I South African Veterinary Council is responsible for the enforcement thereof.

PERISHABLE PRODUCTS EXPORT CONTROL ACT, 1983 (ACT NO. 9 OF 1983)

(NATIONAL)

This Act provides for the control of perishable products intended for export from the Republic of South Africa and for the continued existence of a statutory board to bring about the orderly and efficient export of perishable products from the Republic. This board, namely the Perishable Products Export Control Board, is responsible for the enforcement thereof.

AGRICULTURAL PESTS ACT, 1983 (ACT NO. 36 OF 1983)

(NATIONAL)

This Act introduces measures for the prevention and combatting of agricultural pests. The Directorates of Plant and Quality Control and of Resource Conservation are responsible for the enforcement thereof.

LIQUOR PRODUCTS ACT, 1989 (ACT NO. 60 OF 1989)

(NATIONAL)

This Act provides for control over the sale and production for sale of certain liquor products, the composition and properties of such products, the use of certain particulars in connection with the sale thereof, the establishment of schemes and control over the import and export of such liquor products. The Directorate of Plant and Quality Control is responsible for the enforcement thereof.

AGRICULTURAL RESEARCH ACT, 1990 (ACT NO. 86 OF 1990)

(NATIONAL)

This Act establishes a juristic person, the Agricultural Research Council (ARC), to undertake agricultural research and regulates matters with regard to the ARC's proceedings, powers, duties, management, control, employees, financing and related matters. The ARC is responsible for the enforcement thereof.

AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT NO. 119 OF 1990)

(NATIONAL)

This Act provides for control over the sale and export of certain agricultural products and other related products, with a view to the maintenance of certain standards regarding the quality of products and the packing, marking and labelling thereof. The Directorate of Plant and Quality Control is responsible for the enforcement thereof.

AGRICULTURAL PRODUCE AGENTS ACT, 1992 (ACT NO. 12 OF 1992)
(NATIONAL)

This Act provides for the establishment of an Agricultural Produce Agents Council (AAC) and fidelity funds in respect of agricultural produce agents, and for the control of certain activities of agricultural produce agents. This Act has not been brought into operation in its entirety but will eventually replace the Commission for Fresh Produce Markets Act, 1970 (Act No. 82 of 1970), and the Agricultural Produce Agency Sales Act, 1975 (Act No. 12 of 1975).

SOUTH AFRICAN ABATTOIR CORPORATION ACT, 1992 (ACT NO. 120 OF 1992)
(NATIONAL)

This Act provides for the privatization of the South African Abattoir Corporation. At the incorporation of the Corporation as a company the Abattoir Industry Act, 1976 (Act No. 54 of 1976) will be repealed. The South African Abattoir Corporation and the Directorate of Agricultural Administration are responsible for the administration thereof.

GROOT CONSTANTIA TRUST ACT, 1993 (ACT NO. 58 OF 1993)
(NATIONAL)

This Act provides for the incorporation of the Groot Constantia Control Board as an association not for gain in terms of the Companies Act, for the transfer of the Groot Constantia Estate to that association and for the reversion of the estate to the State in the event of the company being liquidated, deregistered or dissolved. The Company has been incorporated and is responsible for carrying out the Act.

SOCIETIES FOR THE PREVENTION OF CRUELTY TO ANIMALS ACT, 1993
(ACT NO. 169 OF 1993)
(NATIONAL)

This Act provides for control over Societies for the Prevention of Cruelty to Animals. The National Council of Societies for the Prevention of Cruelty to Animals is responsible for the application of the Act and the Department has no specific function in this regard.

AGRICULTURAL DEVELOPMENT FUND ACT, 1993 (ACT NO. 175 OF 1993)
(NATIONAL)

This Act provides for the establishment of and control over an agricultural development fund for the handling of money received for development. The Directorate of Finance is responsible for the application of the Act.