



FREE STATE PROVINCE

PROVINCIAL GAZETTE

PROVINSIALE KOERANT

PROVINSIE VRYSTAAT

Published by Authority

Uitgegeef op Gesag

No. 108

BLOEMFONTEIN, 23 SEPTEMBER 2005

BLOEMFONTEIN, 23 SEPTEMBER 2005

OFFICE OF THE PREMIER

KANTOOR VAN DIE PREMIER

No. 5

23 September 2005

No. 5

23 September 2005

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

Hierby word bekend gemaak dat die Premier die onderstaande Wet bekragtig het, wat hierby ter algemene inligting gepubliseer word:-

No. 5 of 2005 : Mmabana Cultural Foundation Act Repeal Act, 2005

No. 5 van 2005 : Herroepingswet op die "Mmabana Cultural Foundation Act", 2005

ACT

To repeal the Mmabana Cultural Foundation Act; and to provide for matters connected therewith.

BE IT ENACTED by the Provincial Legislature of the Free State Province, as follows:-

(English text assented to and signed by the Premier.)

- Repeal of Mmabana Cultural Foundation Act, 1987** 5
1. The Mmabana Cultural Foundation Act, 1987 (Act No. 15 of 1987) which was assigned by the President to the Free State Province by Proclamation 141 of 1994, is hereby repealed in so far as it relates to the Free State Province. 10
- Savings** 10
2. As from the commencement of this Act -
- (1) the Department of Sport, Arts, Culture, Science and Technology becomes the owner of all movable and intellectual property of the Mmabana Cultural Centre in Thaba Nchu, established in terms of the Mmabana Cultural Foundation Act, 1987; 15
- (2) the Free State Provincial Government becomes the owner of the immovable property of the Mmabana Cultural Centre in Thaba Nchu, established in terms of Mmabana Cultural Foundation Act, 1987, and any immovable property that is in the process of being transferred to the Mmabana Cultural Centre must be transferred to the Free State Provincial Government; 20
25
- (3) all remaining funds of the Mmabana Cultural Centre in Thaba Nchu, established in terms Mmabana Cultural Foundation Act, 1987, must be paid into the Provincial Revenue Fund; 30
- (4) the Department of Sport, Arts, Culture, Science and Technology shall for all purposes in law become the successor in title to the Mmabana Cultural Centre in Thaba Nchu, established in terms of the Mmabana Cultural Foundation Act, 1987, in relation to all transactions, agreements, contracts, proceedings, matters, acts or things - 35
- (i) concluded, brought, performed or done by the Mmabana Cultural Centre in Thaba Nchu; or
- (ii) which are still outstanding and which relates to the Mmabana Cultural Centre in Thaba Nchu, 40
- prior to the repeal of the Mmabana Cultural Foundation Act, 1987;

WET

Om die "Mmabana Cultural Foundation Act" te herroep; en om voorsiening te maak vir sake wat daarmee verband hou.

DAAR WORD BEPAAL deur die Provinsiale Wetgewer van die Provinsie Vrystaat, soos volg:-

(Engelse teks deur die Premier bekragtig en geteken.)

Herroeping van "Mmabana Cultural Foundation Act, 1987"

1. Die "Mmabana Cultural Foundation Act, 1987" (Wet Nr. 15 van 1987), wat opgedra is deur die President aan die Vrystaat Provinsie in Proklamasie 141 van 1994, word hiermee herroep in soverre dit op die Vrystaat Provinsie betrekking het.

Voorbehoudsbepalings

2. Vanaf die inwerkingtreeding van hierdie Wet -
- (1) word die Departement van Sport, Kuns, Kultuur en tegnologie die eienaar van alle roerende en intellektuele eiendom van die Mmabana Kulturelesentrum op Thaba Nchu, wat gestig is ingevolge die "Mmabana Cultural Foundation Act, 1987";
 - (2) word die Vrystaatse Provinsiale Regering die eienaar van die onroerende eiendom van die Mmabana Kulturelesentrum op Thaba Nchu, wat gestig is ingevolge die "Mmabana Cultural Foundation Act, 1987" en enige onroerende eiendom wat in die proses is om oorgedra te word aan die Mmabana Kulturelesentrum moet aan die Vrystaatse Provinsiale Regering oorgedra word;
 - (3) moet alle oorblywende fondse van die Mmabana Kulturelesentrum op Thaba Nchu, gestig ingevolge die "Mmabana Cultural Foundation Act, 1987", in die Provinsiale Inkomstefonds betaal word;
 - (4) word die Departement van Sport, Kuns, Kultuur, Wetenskap en Tegnologie vir alle doeleindes in regte die opvolger van die Mmabana Kulturelesentrum op Thaba Nchu, gestig ingevolge die "Mmabana Cultural Foundation Act, 1987", met betrekking tot alle transaksies, ooreenkomste, kontrakte, verrigtinge, aangeleenthede, handelinge of sake -
 - (i) afgehandel, wat voor hom gedien het, uitgevoer of gedoen is deur die Mmabana Kulturelesentrum op Thaba Nchu; of
 - (ii) wat nog uitstaande is en wat verband hou met die Mmabana Kulturelesentrum op Thaba Nchu,

voor die herroeping van die "Mmabana Cultural Foundation Act, 1987";

- (5) all moneys owing or payable by or to the Mmabana Cultural Centre in Thaba Nchu, established in terms of the Mmabana Cultural Foundation Act, 1987, in respect of debts, obligations, liabilities, rights or privileges incurred, acquired or arising for the purposes of or in connection with Mmabana Cultural Centre in Thaba Nchu prior to the repeal of the Mmabana Cultural Foundation Act, 1987, shall be owing or payable by or to the Department of Sport, Arts, Culture, Science and Technology.

5

Short title

3. This Act shall be called the Mmabana Cultural Foundation Act Repeal Act, 2005, and comes into operation on a date proclaimed by the Premier in the *Provincial Gazette*.

10

5 (5) alle gelde verskuldig of betaalbaar deur of aan die Mmabana Kulturelesentrum op Thaba Nchu, gestig ingevolge die "Mmabana Cultural Foundation Act, 1987", ten opsigte van skulde, verpligtinge, laste, regte of voorregte aangegaan, verkry of daaruit spruit vir die doeleindes van of in verband met die Mmabana Kulturelesentrum op Thaba Nchu voor die herroeping van die "Mmabana Cultural Foundation Act, 1987", verskuldig of betaalbaar wees deur of aan die Departement van Sport, Kuns, Kultuur, Wetenskap en Tegnologie.

10 **Kort titel**

3. Die Wet heet die Herroepingswet op die "Mmabana Cultural Foundation Act", 2005 en tree in werking op 'n dag geproklameer deur die Premier in die *Provinsiale Koerant*.