

“VLAGLIED” COPYRIGHT ACT

NO. 9 OF 1974

[ASSENTED TO 26 FEBRUARY, 1974] [DATE OF COMMENCEMENT: 6
MARCH, 1974]

(English text signed by the State President)

ACT

To validate the assignment to the Government of the Republic of South Africa of the copyright in a certain literary work of the late Cornelis Jakob Langenhoven under the title of “Vlaglied”, and to determine the effect of the said assignment.

WHEREAS it is deemed desirable that the copyright in the literary work of the late Cornelis Jakob Langenhoven (hereinafter referred to as the testator) known under the title “Vlaglied” shall be vested in the State;

AND WHEREAS the persons now living who have an interest in the estate of the testator have by the deed of assignment whereof a translation is set out in the schedule to this Act assigned all their rights, title and interest in connection with the copyright in the said literary work to the Government of the Republic of South Africa;

AND WHEREAS the said assignment has been accepted on behalf of the Government of the Republic of South Africa by the Honourable Pieter Willem Botha in his capacity as Minister of Defence of the Republic of South Africa;

AND WHEREAS the last will and testament of the testator does not authorize the said assignment;

AND WHEREAS it is expedient to validate the said assignment and to determine the effect thereof:

ARRANGEMENT OF SECTIONS

1. Validation and determination of effect of assignment to Government of copyright in “Vlaglied”
2. Short title Schedule.

1. Validation and determination of effect of assignment to Government of copyright in “Vlaglied”.

Notwithstanding anything to the contrary contained in the last will and testament of Cornelis Jakob Langenhoven, the assignors mentioned in the Schedule to this Act shall be deemed to have been duly authorized to

assign to the Government of the Republic of South Africa all copyright in the literary work known under the title of “Vlaglied”, and the deed of assignment whereof a translation is set out in that Schedule shall be deemed to be a duly registered assignment of such copyright in favour of the Government of the Republic of South Africa in accordance with the provisions of the Copyright Act, 1965 (Act No. 63 of 1965).

2. Short title.

This Act shall be called the “Vlaglied” Copyright Act, 1974.

Schedule

ASSIGNMENT TO THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA OF THE COPYRIGHT IN THE “VLAGLIED”

Whereas it is deemed desirable that the copyright in the literary work of the late Senator CORNELIS JAKOB LANGENHOVEN, known under the title “Vlaglied” and as set to music by F. J. Joubert, shall vest in the State;

AND whereas we—

MARGARITA RACHEL ENGELA BRÜMMER, born LANGENHOVEN and only child of the late Senator CORNELIS JAKOB LANGENHOVEN; Doctor GUILLAUME CORNELIS LANGENHOVEN BRÜMMER, son of Doctor Johan Nikolaas Brümmer and Margarita Rachel Engela Brümmer, and only grandchild of the late Senator Cornelis Jakob Langenhoven; JOHAN NIKOLAAS LANGENHOVEN BRÜMMER born on 21 September 1964; STEFAANS CONRAD BRÜMMER born on 15 July 1966; CORNELIS JAKOB LANGENHOVEN BRÜMMER born on 27 December 1967, the only great-grandchildren of the late Senator Cornelis Jakob Langenhoven and sons of the said Doctor Guillaume Cornelis Langenhoven Brümmer and Laetitia Brümmer, born Conradie and assisted by their father and natural guardian, the said Doctor Guillaume Cornelis Langenhoven Brümmer; Doctor JAN NAUDE DE VILLIERS, rector of and representing the University of Stellenbosch; and SARAH EVA GOLDBLATT, administratrix of the literary estate left by the late Senator Cornelis Jakob Langenhoven and owner of the copyright in and the performing rights of the musical composition of “Vlaglied” as composed by F. J. JOUBERT;

as heirs and/or potential heirs of the literary estate left by the late Senator Cornelis Jakob Langenhoven, and in our abovementioned capacities, are desirous of assigning all our rights, title and interest in the said literary work and musical composition to the Government of the Republic of South Africa;

And whereas the Honourable PIETER WILLEM BOTHA, in his capacity as Minister of Defence of the Republic of South Africa, is prepared to accept the assignment of the copyright in the said literary work and musical composition on behalf of the Government of the Republic of South Africa;

NOW THEREFORE we, the undersigned, do hereby, in our abovementioned capacities, assign to the Government of the Republic of South Africa the copyright, the performing rights and all other rights of a similar nature conferred by the laws in force in any part of the world, in respect of the literary work of the late Senator Cornelis Jakob Langenhoven entitled “Vlaglied” and the musical composition thereof by Mr. F. J. Joubert, for the full duration of the copyright, or so much of those rights as is in law capable of being assigned.

Signed at LADISMITH on the first day of September 1973.

AS WITNESSES:

1. F. Visagie
2. A. J. Joubert M. R. E. BRÜMMER

Signed at CAPE TOWN on the seventh day of SEPTEMBER 1973.

AS WITNESSES:

1. H. H. Biermann
2. A. E. Botha G. C. L. BRÜMMER.
- S. E. GOLDBLATT
Administratrix of the
literary estate
Langenhoven

Signed at CAPE TOWN on the seventh day of SEPTEMBER 1973.

AS WITNESSES:

1. H. H. Biermann
2. A. E. Botha J. N. DE VILLIERS

On behalf of the Government of the Republic of South Africa I, PIETER WILLEM BOTHA, do hereby in my capacity as Minister of Defence of the Republic of South Africa, accept with grateful appreciation this assignment to the Government of the Republic of South Africa of the copyright in “Vlaglied” and in the musical composition thereof by Mr. F. J. Joubert.

Signed at CAPE TOWN on the seventh day of SEPTEMBER 1973.

AS WITNESSES:

1. H. H. Biermann P. W. BOTHA
2. A. E. Botha Minister of Defence