



STAATSKOERANT

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DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1559.

18 Julie 1979.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 117 van 1979: Wysigingswet op Elektrisiteit, 1979.

DEPARTMENT OF THE PRIME MINISTER

No. 1559.

18 July 1979.

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

No. 117 of 1979: Electricity Amendment Act, 1979.

Act No. 117, 1979

ELECTRICITY AMENDMENT ACT, 1979.

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

 Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Electricity Act, 1958, so as to delete the requirement that at least one of the members of the Electricity Supply Commission shall give the whole of his time to the work of that commission; to make the power of that commission to supply electricity to the Industrial Development Corporation of South Africa, Limited, or to any other person, at any point on the border between the Republic and certain other territories, and to act in certain territories outside the Republic, in connection with certain matters, as the agent of that commission, subject to the prior approval of the Minister; to oblige the commission to submit to the Minister annual financial statements which shall as far as practicable be in accordance with those of companies; to increase the membership of the Electricity Control Board; and to provide that the members of that board shall as far as practicable be appointed from persons having sufficient knowledge of certain matters; and to provide for incidental matters.

(English text signed by the State President.)
(Assented to 2 July 1979.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of section 2 of Act 40 of 1958, as amended by section 1 of Act 9 of 1962.

1. Section 2 of the Electricity Act, 1958 (hereinafter referred to as the principal Act), is hereby amended by the deletion of subsection (4). 5

Amendment of section 4A of Act 40 of 1958, as inserted by section 2 of Act 10 of 1964 and substituted by section 1 of Act 21 of 1976.

2. Section 4A of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) The commission shall, in addition to the powers conferred upon it by section 4, have power with the prior approval of the Minister to— 10

(a) **[to]** supply electricity in bulk from any of its undertakings—

(i) to the corporation at any point on the border between the Republic and the territory of South West Africa, for use by itself in the said territory or for the purpose of making it available to others for use therein; or

(ii) to any other person (including any government or administration) at any point on the border between the Republic and any territory adjoining it, for use by that person in such territory or for the purpose of making it available to others for use therein;

WYSIGINGSWET OP ELEKTRISITEIT, 1979.

Wet No. 117, 1979

ALGEMENE VERDUIDELIKENDE NOTA:

Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordeninge aan.

Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Elektrisiteitswet, 1958, ten einde die vereiste dat minstens een lid van die Elektrisiteitsvoorsieningskommissie al sy tyd aan die werk van daardie kommissie moet wy, te skrap; die bevoegdheid van daardie kommissie om elektrisiteit aan die Nywerheidsontwikkelingskorporasie van Suid-Afrika, Beperk, of enige ander persoon beskikbaar te stel, op enige punt op die grens tussen die Republiek en sekere ander gebiede, en om in sekere gebiede as die agent van daardie korporasie in verband met sekere aangeleenthede op te tree, aan die voorafverkreë goedkeuring van die Minister onderworpe te stel; die kommissie te verplig om finansiële jaarstate aan die Minister voor te lê wat sover doenlik in ooreenstemming met dié van maatskappye moet wees; die ledetal van die Elektrisiteitsbeheerraad te vermeerder; en te bepaal dat die lede van daardie raad sover doenlik aangestel moet word uit persone wat voldoende kennis van sekere aangeleenthede het; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 2 Julie 1979.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Artikel 2 van die Elektrisiteitswet, 1958 (hieronder die artikel 2 van
5 Hoofwet genoem), word hierby gewysig deur subartikel (4) te skrap.
2. Artikel 4A van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:
- „(1) Benewens die bevoegdhede wat by artikel 4 aan die kommissie verleen is, het hy ook die bevoegdheid om met die voorafverkreë goedkeuring van die Minister—
- (a) **[om]** van enige van sy ondernemings elektrisiteit in groot maat te voorsien—
- (i) aan die korporasie by enige punt op die grens tussen die Republiek en die gebied Suidwes-Afrika, vir sy eie gebruik in genoemde gebied of ten einde dit vir ander vir gebruik daarin beskikbaar te stel;
- (ii) aan enige ander persoon (met inbegrip van enige regering of administrasie) by enige punt op die grens tussen die Republiek en enige gebied wat daaraan grens, vir gebruik deur daardie persoon in sodanige gebied of ten einde dit vir ander vir gebruik daarin beskikbaar te stel;

Act No. 117, 1979

ELECTRICITY AMENDMENT ACT, 1979.

Amendment of
section 19 of
Act 40 of 1958.

- (b) **[at the request or with the prior approval of the Minister, to]** supply and distribute electricity from any of its undertakings in the Republic in any territory outside the Republic, or to generate, supply and distribute electricity in any such territory which has requested such supply and distribution, or generation, supply and distribution, as the case may be; 5
- (c) **[to]** act as the agent of the corporation in any territory outside the Republic in regard to anything which the corporation may do in such territory in connection with the generation, supply or distribution of electricity.” 10

3. Section 19 of the principal Act is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph:

- “(a) a duly audited balance sheet **[and a complete statement of revenue and expenditure duly audited]**, an income statement and a statement of the source and application of the funds of the commission which shall to such extent as may be determined by the commission be in accordance with the applicable requirements in respect of the statements of companies prescribed in Schedule 4 of the Companies Act, 1973 (Act No. 61 of 1973);” 15 20

Amendment of
section 22 of
Act 40 of 1958,
as amended by
section 8 of
Act 21 of 1976.

4. Section 22 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection: 25

- “(1) (a) The Minister shall designate not less than **[three] five** and not more than **[five] seven** persons, of whom one or more may be persons employed in the public service, to be a board, called the Electricity Control Board. 30
- (b) The members of the board shall as far as practicable be appointed from persons having sufficient knowledge of electricity tariff matters, financial and cost accounting or economics.”.

Short title.

5. This Act shall be called the Electricity Amendment Act, 1979. 35

WYSIGINGSWET OP ELEKTRISITEIT, 1979.

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- (b) **Om op versoek van of met die vooraf verkree goedkeuring van die Minister** in enige gebied buite die Republiek elektrisiteit van enige van sy ondernemings in die Republiek te voorsien en te distribueer, of elektrisiteit te ontwikkel, te voorsien en te distribueer in so 'n gebied wat sodanige voorsiening en distribusie, of ontwikkeling, voorsiening en distribusie, na gelang van die geval, versoek het;
- (c) **Om** in enige gebied buite die Republiek as agent van die korporasie op te tree met betrekking tot enigiets wat die korporasie in sodanige gebied kan doen in verband met die ontwikkeling, voorsiening of distribusie van elektrisiteit."

3. Artikel 19 van die Hoofwet word hierby gewysig deur Wysiging van artikel 19 van Wet 40 van 1958.

- 15 paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:
- „(a) 'n behoorlik geouditeerde balansstaat, **[en 'n volledige opgawe van inkomste en uitgawes wat behoorlik geouditeer is]** 'n inkomtestaat en 'n staat van die bron en aanwending van die fondse van die kommissie wat in die mate wat die kommissie bepaal in ooreenstemming moet wees met die toepaslike vereistes wat ten opsigte van die finansiële jaarstate van maatskappye in Bylae 4 van die Maatskappywet, 1973 (Wet No. 61 van 1973), voorgeskryf word;”.

4. Artikel 22 van die Hoofwet word hierby gewysig deur Wysiging van artikel 22 van Wet 40 van 1958, soos gewysig deur artikel 8 van Wet 21 van 1976.

- subartikel (1) deur die volgende subartikel te vervang:
- „(1) (a) Die Minister moet minstens **[drie]** vyf en hoogstens **[vyf]** sewe persone, van wie een of meer persone in diens van die Staat mag wees, aanwys as 'n raad, bekend as die Elektrisiteitsbeheerraad.
- (b) Die lede van die raad moet sover doenlik aangestel word uit persone met voldoende kennis van aangeleenthede betreffende elektrisiteitstariewe, finansiële- en kostebe-rekening of ekonomie.”.

5. Hierdie Wet heet die Wysigingswet op Elektrisiteit, 1979. Kort titel.

