



# STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

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REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

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KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 518.

24 Maart 1982.

No. 518.

24 March 1982.

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

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

No. 43 van 1982: Wysigingswet op die Voorkoming van Korruptsie, 1982.

No. 43 of 1982: Prevention of Corruption Amendment Act, 1982.

Wet No. 43, 1982

WYSIGINGSWET OP DIE VOORKOMING VAN  
KORRUPSIE, 1982**ALGEMENE VERDUIDELIKENDE NOTA:**

**[** Woorde in vet druk tussen vierkantige hake dui skrapings uit bestaande verordenings aan.

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

**WET**

Tot wysiging van die Wet op die Voorkoming van Korruptsie, 1958, ten einde die strawwe wat vir oortredings van die Wet opgelê kan word, verder te reël; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Staatspresident geteken.)  
(Goedgekeur op 4 Maart 1982.)

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

Vervanging van artikel 2 van Wet 6 van 1958, soos gewysig deur artikel 36 van Wet 80 van 1964.

1. Artikel 2 van die Wet op die Voorkoming van Korruptsie, 1958 (Wet No. 6 van 1958), word hierby deur die volgende artikel vervang:

„Verbod op ontvang of aanbied van vergoeding deur of aan agente of verskaffing van valse dokumente aan prinsipale.

2. Iemand wat—
- (a) in die geval van 'n agent, op korrupte wyse van iemand anders 'n geskenk of vergoeding ontvang of verkry of tot die ontvangs daarvan instem of dit probeer verkry, hetsy vir homself of vir 'n ander persoon, by wyse van aansporing of beloning vir die verrig of nalaat van 'n handeling met betrekking tot die sake of besigheid van sy prinsipaal, of omdat hy dit verrig of nagelaat het, of vir die bewys aan of weerhou van enige persoon van 'n guns of onguns met betrekking tot die sake of besigheid van sy prinsipaal; of
- (b) op korrupte wyse 'n geskenk of vergoeding aan 'n agent gee of instem om dit te gee of dit aanbied, by wyse van aansporing of beloning om 'n handeling met betrekking tot sy prinsipaal se sake of besigheid te verrig of na te laat of omdat hy dit verrig of nagelaat het; of
- (c) wetens 'n kwitansie, rekening of ander dokument ten opsigte waarvan 'n prinsipaal 'n belang het en waarin 'n verklaring voorkom wat in 'n wesentlike opsig vals of onjuis of gebrekkig is, en wat na sy wete bedoel is om die prinsipaal te mislei, aan 'n agent gee of, in die geval van 'n agent, wetens daarvan gebruik maak met die bedoeling om sy prinsipaal te bedrieg,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met **[ 'n boete van hoogstens tweeduisend rand of gevangenisstraf vir 'n tydperk van hoogstens vyf jaar of met beide sodanige boete en sodanige gevangenisstraf ]** die strawwe wat regtens vir die misdryf omkoperij opgelê kan word.”

Kort titel.

2. Hierdie Wet heet die Wysigingswet op die Voorkoming van Korruptsie, 1982.

## PREVENTION OF CORRUPTION AMENDMENT ACT, 1982

Act No. 43, 1982

## 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 Prevention of Corruption Act, 1958, so as to further regulate the penalties which may be imposed for contraventions of the Act; and to provide for matters connected therewith.

*(English text signed by the State President.)*  
*(Assented to 4 March 1982.)*

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

1. The following section is hereby substituted for section 2 of the Prevention of Corruption Act, 1958 (Act No. 6 of 1958):

- 5 "Prohibition of acceptance or offer of consideration by or to agents or furnishing of false documents to principals.
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2. Any person who—
- (a) being an agent, corruptly accepts or obtains or agrees to accept or attempts to obtain from any person, either for himself or for any other person, any gift or consideration as an inducement or reward for doing or omitting to do or for having done or omitted to do any act in relation to his principal's affairs or business, or for showing or refraining from showing favour or disfavour to any person in relation to his principal's affairs or business; or
- (b) corruptly gives or agrees to give or offers any gift or consideration to any agent as an inducement or reward for doing or forbearing to do or for having done or forborne to do any act in relation to his principal's affairs or business; or
- (c) knowingly gives to any agent, or being an agent, knowingly uses with intent to deceive his principal, any receipt, account or other document in respect of which the principal is interested and which contains any statement which is false or erroneous or defective in any material particular, and which to his knowledge is intended to mislead his principal,
- shall be guilty of an offence and liable on conviction to **[a fine not exceeding two thousand rand or imprisonment for a period not exceeding five years or to both such fine and such imprisonment] the penalties which may by law be imposed for the crime of bribery.**"

Substitution of section 2 of Act 6 of 1958, as amended by section 36 of Act 80 of 1964.

35 2. This Act shall be called the Prevention of Corruption Short title.  
 Amendment Act, 1982.

