



REPUBLIEK VAN SUID-AFRIKA

STAATSKOERANT

GOVERNMENT GAZETTE

FOR THE REPUBLIC OF SOUTH AFRICA

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KANTOOR VAN DIE STAATSPRESIDENT

No. 1767.

26 Junie 1992

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

No. 78 van 1992: Konsolidasiewet op Finansiewette, 1992.

STATE PRESIDENT'S OFFICE

No. 1767.

26 June 1992

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

No. 78 of 1992: Finance Acts Consolidation Act, 1992.

WET

Tot samevatting van die bepalinge van die Finansiewette in die Bylae vermeld.

*(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 18 Junie 1992.)*

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

Toewysing van huurgeld ten opsigte van Staatsgrond in openbare oorde

1. Indien Staatsgrond geleë in 'n openbare oord bedoel in artikel 3 van die Ordonnansie op Openbare Oorde, 1969 (Ordonnansie No. 18 van 1969) (Transvaal), deur die Raad vir Openbare Oorde ingestel by artikel 5 van genoemde Ordonnansie (hieronder die Raad genoem), namens die Staat verhuur word kragtens die bevoegdheid aan die Raad verleen by artikel 7(1)(b) van die Wet op die Beskikking oor Staatsgrond, 1961 (Wet No. 48 van 1961), kan die Minister van Landbou, ondanks andersluidende bepalinge van die een of ander wet en met die instemming van die Minister van Staatsbesteding, gelas dat die betrokke huurgeld aan die Raad toeval. 5 10

Minister van Finansies kan ooreenkoms met versekeraar aangaan om versekeraar onder sekere versekeringskemas teen verliese te vrywaar

2. (1) Die Minister van Finansies kan, na oorlegpleging met die Minister van Verdediging, met 'n geregistreerde versekeraar soos omskryf in artikel 1 van die Versekeringswet, 1943 (Wet No. 27 van 1943), of met 'n organisasie wat aldus geregistreerde versekeraars verteenwoordig, 'n ooreenkoms aangaan ingevolge waarvan hy die Regering van die Republiek bind om sodanige versekeraar of organisasie, op die bedinge en voorwaardes wat in die ooreenkoms uiteengesit is, te vrywaar teen verliese wat sodanige versekeraar of organisasie gelyk het onder 'n skema wat ingestel is met die oogmerk om voorsiening te maak vir versekering op die lewens van, of vir voordele by die algehele of gedeeltelike permanente ongeskiktheid om enige arbeid te verrig van, persone wat diens doen in die Suid-Afrikaanse Weermag, of enige sodanige gedeelte daarvan as wat hy bepaal, insluitende enige hulpdiens wat vir die Suid-Afrikaanse Weermag ingestel is. 15 20 25

(2) Ondanks andersluidende bepalinge van die een of ander wet is geen seëlreg betaalbaar nie ten opsigte van enige versekeringspolis of ander stuk wat in verband met 'n skema soos in subartikel (1) bedoel, uitgereik of verly word.

Rentekoers ten opsigte van sekere lenings deur Staat aan dorpsraad van Richardsbaai toegestaan

3. Ondanks andersluidende bepalinge van die een of ander wet of die bedinge en voorwaardes van die betrokke leningsooreenkomste, is die rentekoers wat van toepassing is op alle lenings wat van 1 Mei 1973 tot en met 31 Maart 1980 deur die Staat aan die dorpsraad van die dorp Richardsbaai toegestaan is— 35

- (a) met ingang van die datums waarop daardie lenings onderskeidelik opgeneem is en tot en met 31 Maart 1980, 2 % per jaar; en
- (b) met ingang van 1 April 1980 en onderworpe aan die voorwaardes wat die Minister van Handel en Nywerheid en vir Ekonomiese Koördinerende met die instemming van die Minister van Staatsbesteding bepaal, dié rentekoers wat insgelyks bepaal word. 40

Wettiging van nie-betaling van sekere regte

4. Indien enige seëlreg of soortgelyke reg betaalbaar ingevolge die Wet op Seëlregte, 1968 (Wet No. 77 van 1968), of 'n herroepe wet, nie betaal is nie ten

ACT

To consolidate the provisions of the Finance Acts mentioned in the Schedule.

(English text signed by the State President.)
(Assented to 18 June 1992.)

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

Allocation of rental in respect of State land in public resorts

1. If State land situated in a public resort referred to in section 3 of the Public
5 Resorts Ordinance, 1969 (Ordinance No. 18 of 1969) (Transvaal), is leased by
the Board for Public Resorts established by section 5 of the said Ordinance
(hereinafter referred to as the Board), on behalf of the State under the powers
conferred upon the Board by section 7(1)(b) of the State Land Disposal Act,
1961 (Act No. 48 of 1961), the Minister of Agriculture may, notwithstanding any
10 provisions to the contrary in any other law contained, and with the concurrence
of the Minister of State Expenditure, direct that such rental shall accrue to the
Board.

Minister of Finance may enter into agreement with insurer to indemnify insurer against losses under certain insurance schemes

- 15 2. (1) The Minister of Finance may, after consultation with the Minister of
Defence, enter into an agreement with a registered insurer as defined in section
1 of the Insurance Act, 1943 (Act No. 27 of 1943), or with an organization
representing insurers so registered, in terms of which he binds the Government
of the Republic to indemnify such insurer or organization on the terms and
20 conditions set forth in such agreement, against losses sustained by such insurer
or organization, under a scheme established with the object of providing
insurance on the lives of, or for benefits on the total or partial permanent
disablement to perform any labour of, persons rendering service in the South
African Defence Force, or in any such portion thereof as he may determine,
25 including any auxiliary service established for the South African Defence Force.
(2) Notwithstanding any provisions to the contrary in any other law contained,
no stamp duty shall be payable in respect of any policy of insurance or other
document issued or executed in connection with a scheme referred to in
subsection (1).

30 Rate of interest in respect of certain loans granted to town board of Richards Bay by State

3. Notwithstanding any provisions to the contrary in any other law contained
or the terms and conditions of the loan agreements concerned, the rate of
interest applicable to all loans granted from 1 May 1973 up to and including
35 31 March 1980 to the town board of the township of Richards Bay by the State,
shall be—

- (a) with effect from the dates upon which those loans were respectively
taken up and up to and including 31 March 1980, 2 % per annum; and
40 (b) with effect from 1 April 1980 and subject to such conditions as the
Minister of Trade and Industry and for Economic Co-ordination may
with the concurrence of the Minister of State Expenditure determine,
such rate of interest as may likewise be determined.

Validation of non-payment of certain duties

4. If any stamp duty or similar duty payable in terms of the Stamp Duties Act,
45 1968 (Act No. 77 of 1968), or any repealed law, has not been paid in respect of

opsigte van die oorspronklike uitreiking aan die Staat voor die inwerkingtreding van hierdie Wet van enige handelseffekte deur—

- (a) die Nywerheid-ontwikkelingskorporasie van Suid-Afrika, Beperk; of
- (b) die Suid-Afrikaanse Yster en Staal Industriële Korporasie, Beperk,

word sodanige reg geag nie aldus betaalbaar te gewees het nie.

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Magtiging vir terugbetaling van sekere binnelandse geregistreerde effekte voor vervaldatum

5. Die Tesourie kan, ondanks die bepalings van artikel 24(1) van die Skatkiswet, 1975 (Wet No. 66 van 1975), binnelandse geregistreerde effekte wat aangewend is as gedeeltelike betaling by die aankoop van grond, geboue en klandisiewaarde ten opsigte van besighede in die proses van grondkonsolidasie of die oordrag van selfregering of onafhanklikheid aan die selfregerende gebiede en wat by aanbidding aan die Tesourie vir terugbetaling nog gehou word deur die persone aan wie dit deur die Tesourie toegeken is, of hul erfopvolgers, voor die vervaldatum teen sigwaarde terugbetaal.

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Oordrag van sekere verpligtinge teenoor die Leningsfonds ter Bevordering van Ekonomiese Samewerking aan die Ontwikkelingsbank van Suider-Afrika

6. Die verpligtinge van die Republieke van Transkei, Bophuthatswana, Venda en Ciskei teenoor die Leningsfonds ter Bevordering van Ekonomiese Samewerking ingestel by artikel 2 van die Wet op die Leningsfonds ter Bevordering van Ekonomiese Samewerking, 1968 (Wet No. 68 van 1968), ten opsigte van alle lenings ten bedrae van R176 063 700,02 ten opsigte waarvan by afsonderlike drieledige ooreenkomste tussen die Republiek van Suid-Afrika, die Ontwikkelingsbank van Suider-Afrika en die onderskeie Republieke van Transkei, Bophuthatswana, Venda en Ciskei ooreengekom is, word geag met ingang van 1 Februarie 1984 verpligtinge teenoor die Ontwikkelingsbank van Suider-Afrika te wees.

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Sekere verpligtinge en laste is verpligtinge en laste van Staat

7. (1) In hierdie artikel beteken—

- (a) "Openbare Beleggingskommissaris" die Openbare Beleggingskommissaris bedoel in die Wet op Openbare Beleggingskommissarisse, 1984 (Wet No. 45 van 1984); en
- (b) "spesiale beperkte rekening" 'n spesiale beperkte rekening soos omskryf in regulasies uitgevaardig deur die Staatspresident kragtens artikel 9 van die Wet op Betaalmiddels en Wisselkoerse, 1933 (Wet No. 9 van 1933).

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(2) Al die verpligtinge en laste van die Openbare Beleggingskommissaris met betrekking tot die gelde wat in 'n spesiale beperkte rekening inbetaal is of sal word, is verpligtinge en laste van die Staat.

Betaling van dividende deur Transnet Beperk aan Suid-Afrikaanse Spoorpendelkorporasie Beperk

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8. (1) Die Minister van Staatsbesteding kan, ondanks andersluidende bepalings van die een of ander wet, in oorleg met die Minister verantwoordelik vir die Suid-Afrikaanse Spoorpendelkorporasie Beperk bedoel in artikel 22(1) van die Wet op die Regsopvolging van die Suid-Afrikaanse Vervoerdienste, 1989 (Wet No. 9 van 1989), bepaal dat die dividende of 'n bepaalde gedeelte van die dividende wat die Staat as aandeelhouer van die Maatskappy bedoel in artikel 2 van genoemde Wet en wat Transnet Beperk heet, toeval, deur Transnet Beperk aan genoemde Korporasie oorbetal moet word.

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(2) Die bedrag aan dividende ingevolge subartikel (1) bepaal, word regstreeks aan genoemde Korporasie oorbetal, en die balans van die dividende, indien daar is, word in die Staatsinkomstefonds gestort.

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(3) Die bedrag bedoel in subartikel (2) word deur genoemde Korporasie aangewend om bedryfsverliese op spoorpendeldienste waaromtrent genoemde Korporasie en die Minister van Staatsbesteding ooreenkom, te bestry en gaan nie die bedrag van sodanige verliese te bowe nie.

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the original issue to the State before the commencement of this Act of any marketable securities by—

- (a) the Industrial Development Corporation of South Africa, Limited; or
- (b) the South African Iron and Steel Industrial Corporation, Limited,

5 such duty shall be deemed not to have been so payable.

Authorization for repayment of certain internal registered stock prior to due date

5. Notwithstanding the provisions of section 24(1) of the Exchequer Act, 1975 (Act No. 66 of 1975), the Treasury may, prior to the due date, repay at face value internal registered stock utilized as part payment in the purchase of land, buildings and goodwill in respect of businesses in the process of land consolidation or the granting of self-government or independence to the self-governing territories and which, on presentation to the Treasury for repayment, is still being held by the persons to whom it was allocated by the Treasury, or their hereditary successors.

15 Transfer of certain obligations towards the Economic Co-operation Promotion Loan Fund to the Development Bank of Southern Africa

6. The obligations of the Republics of Transkei, Bophuthatswana, Venda and Ciskei towards the Economic Co-operation Promotion Loan Fund established by section 2 of the Economic Co-operation Promotion Loan Fund Act, 1968 (Act No. 68 of 1968), in respect of all loans to the amount of R176 063 700,02 agreed upon in terms of separate tripartite agreements among the Republic of South Africa, the Development Bank of Southern Africa and the respective Republics of Transkei, Bophuthatswana, Venda and Ciskei, are deemed to be obligations towards the Development Bank of Southern Africa with effect from 1 February 1984.

Certain obligations and liabilities are obligations and liabilities of State

7. (1) In this section—

- (a) "Public Investment Commissioners" means the Public Investment Commissioners referred to in the Public Investment Commissioners Act, 1984 (Act No. 45 of 1984); and
- (b) "special restricted account" means a special restricted account as defined in regulations made by the State President under section 9 of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933).

(2) All the obligations and liabilities of the Public Investment Commissioners with regard to moneys paid into or to be paid into a special restricted account, shall be obligations and liabilities of the State.

Payment of dividends by Transnet Limited to South African Rail Commuter Corporation Limited

8. (1) The Minister of State Expenditure may, notwithstanding any provisions to the contrary in any other law contained, in consultation with the Minister responsible for the South African Rail Commuter Corporation Limited referred to in section 22(1) of the Legal Succession to the South African Transport Services Act, 1989 (Act No. 9 of 1989), determine that the dividends or any specified portion of the dividends accruing to the State as a shareholder of the Company referred to in section 2 of the said Act and which is called Transnet Limited, shall be paid by Transnet Limited to the said Corporation.

(2) The amount of dividends determined in terms of subsection (1) shall be paid directly to the said Corporation, and the balance of the dividends, if any, shall be deposited in the State Revenue Fund.

(3) The amount referred to in subsection (2) shall be utilized by the said Corporation to defray any operating loss on rail commuter services which may be agreed upon between the said Corporation and the Minister of State Expenditure, but shall not exceed the amount of such loss.

Herroeping van wette, en voorbehoud

9. (1) Behoudens die bepalings van subartikel (2) word die wette in die Bylae vermeld, hierby herroep vir sover in die derde kolom van dié Bylae aangedui word.

(2) Enigiets wat gedoen is ingevolge 'n bepaling van 'n wet wat by subartikel (1) herroep word, word geag kragtens die ooreenstemmende bepaling van hierdie Wet gedoen te gewees het. 5

Kort titel

10. Hierdie Wet heet die Konsolidasiewet op Finansiewette, 1992.

Repeal of laws, and saving

9. (1) Subject to the provisions of subsection (2) the laws mentioned in the Schedule are hereby repealed to the extent set out in the third column of the Schedule.

- 5 (2) Anything done in terms of a provision of a law repealed by subsection (1), shall be deemed to have been done under the corresponding provision of this Act.

Short title

10. This Act shall be called the Finance Acts Consolidation Act, 1992.

Bylae

WETTE HERROEP

No. en jaar	Kort titel	Omvang van herroeping
Wet 94 van 1978	Finansiewet, 1978	Die geheel.
Wet 100 van 1980	Tweede Finansiewet, 1980	Die geheel.
Wet 96 van 1982	Finansiewet, 1982	Die geheel.
Wet 79 van 1985	Finansiewet, 1985	Die geheel.
Wet 77 van 1986	Finansiewet, 1986	Die geheel.
Wet 109 van 1990	Finansiewet, 1990	Die geheel.

Schedule**LAWS REPEALED**

No. and year	Short title	Extent of repeal
Act 94 of 1978	Finance Act, 1978	The whole.
Act 100 of 1980	Second Finance Act, 1980	The whole.
Act 96 of 1982	Finance Act, 1982	The whole.
Act 79 of 1985	Finance Act, 1985	The whole.
Act 77 of 1986	Finance Act, 1986	The whole.
Act 109 of 1990	Finance Act, 1990	The whole.

