

EXTRAORDINARY



165
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GOVERNMENT NOTICE.

The following Government Notice is published for general information.

H. D. J. BODENSTEIN,
Secretary to the Prime Minister.

Prime Minister's Office,
Cape Town.

No. 535.

12th April, 1935.

It is notified that His Excellency the Governor-General has been pleased to assent to the following Act which is hereby published for general information:

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GOEWERMENTSKENNISGEWING.

Onderstaande Goewermentskennisgewing word vir algemene informasie gepubliseer.

H. D. J. BODENSTEIN,
Sekretaris van die Eerste Minister.

Kantoor van die Eerste Minister,
Kaapstad.

No. 535.

12 April, 1935.

Hierby word bekendgemaak dat dit Sy Eksellensie die Goewerneur-Generaal behaag het om sy goedkeuring te heg aan onderstaande Wette wat hiermee vir algemene informasie gepubliseer word:

	BLADSY
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No. 19, 1935.]

ACT

To amend the Building Societies Act, 1934.

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Amendment of
section 47 of Act
62 of 1934.

1. Section *forty-seven* of the Building Societies Act, 1934 (Act No. 62 of 1934), hereinafter referred to as the principal Act, is hereby amended—

- (a) by the insertion in sub-section (1) after the word "society" of the words "or any association of persons referred to in section *nine*"; and
- (b) by the insertion in sub-section (2) of the words "or association" after the word "society," wherever that word occurs in the sub-section.

Amendment of
section 58 of Act
62 of 1934.

2. Section *fifty-eight* of the principal Act is hereby amended by the substitution for sub-section (2) of the following sub-section:—

"(2) For that licence there shall be paid to the receiver of revenue concerned a duty equivalent to one per cent. of the net profit made by the society during the financial year which closed during the year preceding the year or portion of a year for which the licence is taken out, with a minimum of five shillings and a maximum of twenty pounds: Provided that—

- (a) in the case of a society that commences business after the commencement of this Act the duty payable for the licence for the first year or portion of a year during which it carries on business shall be one pound;
- (b) in the case of a society which at the commencement of this Act is carrying on business and which is registered on or after the first day of July in any year, the duty payable for the licence for the remainder of that year shall be one-half per cent. of the net profit made by the society during the financial year which closed during the year preceding the year in which the society is registered, with a minimum of two shillings and six pence and a maximum of ten pounds."

Amendment of
section 62 of Act
62 of 1934.

3. Section *sixty-two* of the principal Act is hereby amended by the addition at the end thereof of the following new sub-section:—

"(3) The provisions of the Companies' and Associations' Trustees Act, 1873 (Act No. 3 of 1873), of the Cape of Good Hope shall not apply to any registered society."

Amendment of
section 64 of Act
62 of 1934.

4. (1) Section *sixty-four* of the principal Act is hereby amended by the substitution for the words "the first day of January, 1935" of the words "a date to be fixed by the Governor-General by proclamation in the *Gazette*, except sub-section (1) of section *nine* and, for the purpose of the enforcement of that sub-section, sections *forty-seven* and *fifty-three*, which shall come into operation on the first day of March, 1935."

(2) No contract entered into and no other act done in connection with the carrying on of its business by any society after the thirty-first day of December, 1934, and before the first publication of this Act in the *Gazette* as a law, shall be invalid by reason of any of the provisions of the principal Act.

(3) Notwithstanding the provisions of any law, any building society may, after the commencement of this Act and before the date on which it is registered under the principal Act, and with the written approval of the Minister of Finance, issue such shares as are described in section *twenty-five* of the principal Act.

Short title and
commencement.

5. This Act may be cited as the Building Societies (Amendment) Act, 1935, and shall be deemed to have come into operation on the first day of January, 1935.

No. 19, 1935.

WET

Tot wysiging van die Bouverenigingswet, 1934.

DIT WORD BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

1. Artikel *sewen-en-veertig* van die Bouverenigingswet, 1934 (Wet No. 62 van 1934), wat hieronder die Hoofwet genoem word, word hiermee gewysig—

Wysiging van artikel 47 van Wet 62 van 1934.

- (a) deur in sub-artikel (1) na die woord „vereniging” die woorde „of enige assosiasie van persone bedoel in artikel *nege*” in te voeg; en
- (b) deur in sub-artikel (2) na die woord „vereniging,” waar ook al daardie woord in die sub-artikel voorkom, die woorde „of assosiasie” in te voeg.

2. Artikel *agt-en-vyftig* van die Hoofwet word hiermee gewysig deur sub-artikel (2) te vervang deur die volgende sub-artikel:—

Wysiging van artikel 58 van Wet 62 van 1934.

„(2) Vir daardie lisensie moet aan die betrokke ontvanger van inkomste betaal word ’n belasting van een persent van die netto wins behaal deur die vereniging in die loop van die boekjaar wat geëindig het gedurende die jaar wat die jaar of gedeelte van ’n jaar waarvoor die lisensie uitgeneem word voorafgegaan het, met ’n minimum van vyf sjielings en ’n maksimum van twintig pond: Met dien verstande dat—

- (a) in die geval van ’n vereniging wat besigheid begin na die inwerkingtreding van hierdie Wet, die belasting vir die lisensie vir die eerste jaar of gedeelte van ’n jaar wat hy besigheid verrig, een pond bedra;
- (b) in die geval van ’n vereniging wat by die inwerkingtreding van hierdie Wet besigheid dryf, en wat geregistreer word op of na die eerste dag van Julie in een of ander jaar, die belasting vir die lisensie vir die orige deel van die jaar ’n half persent van die netto wins behaal deur die vereniging in die loop van die boekjaar wat geëindig het gedurende die jaar wat die jaar waarin die vereniging geregistreer word voorafgegaan het, bedra, met ’n minimum van twee sjielings en ses pennies en ’n maksimum van tien pond.

3. Artikel *twee-en-sestig* van die Hoofwet word hiermee gewysig deur aan die end daarvan die volgende nuwe sub-artikel by te voeg:—

Wysiging van artikel 62 van Wet 62 van 1934.

„(3) Die bepalinge van ‘The Companies’ and Associations’ Trustees Act, 1873’ (Wet No. 3 van 1873), van die Kaap die Goeie Hoop is nie op ’n geregistreerde vereniging toepaslik nie.”

4. (1) Artikel *vier-en-sestig* van die Hoofwet word hiermee gewysig deur die woorde „op die eerste dag van Januarie 1935 in werking” te vervang deur die woorde „in werking op ’n dag deur die Goewerneur-generaal by proklamasie in die *Staatskoerant* vas te stel, behalwe sub-artikel (1) van artikel *nege* en, tot handhawing van daardie sub-artikel, artikels *sewen-en-veertig* en *drie-en-vyftig*, wat in werking tree op die eerste dag van Maart 1935.”

Wysiging van artikel 64 van Wet 62 van 1934.

(2) Geen kontrak aangegaan en geen ander daad verrig in verband met die drywe deur ’n vereniging van sy besigheid na die een-en-dertigste dag van Desember 1934, en voor die eerste afkondiging van hierdie Wet in die *Staatskoerant* as ’n wet, is, op grond van enige bepaling van die Hoofwet, ongeldig nie.

(3) Ondanks die bepalinge van enige wet, kan ’n bouvereniging na die inwerkingtreding van hierdie Wet en voor die datum waarop hy kragtens die Hoofwet geregistreer word, en met skriftelike toestemming van die Minister van Finansies, aandele uitreik wat in artikel *vyf-en-twintig* van die Hoofwet omskrywe word.

5. Hierdie Wet heet die Bouverenigings-Wysigingswet, 1935, en word geag op die eerste dag van Januarie 1935 in werking te getree het.

Kort titel en in werkingtreding.

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