

BUITENGEWONE



EXTRAORDINARY

Staatskoerant

VAN DIE UNIE VAN SUID-AFRIKA

THE UNION OF SOUTH AFRICA

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Alle Proklamasies, Goewermements- en Algemene Kennisgewings, wat vir die eerste maal gepubliseer word, is in die linker-bohoek met 'n ★ gemerk.

All Proclamations, Government and General Notices, published for the first time, are indicated by a ★ in the left-hand upper corner.

GOEWERMENSKENNISGEWING

DEPARTEMENT VAN FINANSIES.

Onderstaande Goewermementskennisgewing word vir algemene informasie gepubliseer:—

★ No. 1386.] [9 September 1939.
BUITENGEWONE FINANSIE-REGULASIES.

Dit word hierby vir algemene informasie bekendgemaak dat, onder die voorskrifte van die Buitengewone Finansiële-Regulasies, die Minister van Finansies die Suid-Afrikaanse Reserwebank aangestel het om enige magte of funksies wat ooreenkomstig paragrawe 2, 3 (1) en (2), 4 en 5 van die regulasies aan die Tesourie toevertrou is uit te voer.

Dit word verder bekendgemaak dat die banke hieronder genoem aangestel is as gemagtigde handelaars ooreenkomstig paragraaf 2 van die regulasies:—

Barclays Bank (Dominion, Colonial and Overseas).
Standaard Bank van Suid-Afrika, Bpk.
Nederlandse Bank van Suid-Afrika.

BUITENGEWONE FINANSIE-REGULASIES.

Kragtens die magte by artikel nege van die Wet op Betaalmiddels en Wisselkoerse, 1933, aan hom verleen, het Sy Eksellensie die Goewerneur-generaal die volgende regulasies gemaak:—

REGULASIES.

Woordbepalings.

1. Tensy uit die samehang anders blyk, beteken in hierdie regulasies

- „gemagtigde handelaar”, in verband met 'n transaksie wat betrekking het op goud, 'n persoon wat deur die Tesourie gemagtig is om in goud te handel, en in verband met 'n transaksie wat betrekking het op vreemde geld, 'n persoon wat deur die Tesourie gemagtig is om in vreemde geld te handel;
- „banknote”, banknote wat in die Unie wettige betaalmiddel is;
- „vreemde geld”, enige geld behalwe geld wat in die Unie wettige betaalmiddel is;
- „goud”, goud in enige vorm, behalwe in regulasies 2 en 3, in watter regulasies „goud” enige goud, met uitsondering van bewerkte goud, beteken;

GOVERNMENT NOTICE

DEPARTMENT OF FINANCE.

The following Government Notice is published for general information:—

★ No. 1386.] [9 September 1939.
EMERGENCY FINANCE REGULATIONS.

It is hereby notified for general information that, under the provisions of the Emergency Finance Regulations, the Minister of Finance has appointed the South African Reserve Bank to carry out any power or function assigned to the Treasury by paragraphs 2, 3 (1) and (2), 4 and 5 of these regulations.

It is further notified that the Banks specified hereunder have been appointed as authorized dealers in terms of paragraph 2 of the regulations:—

Barclays Bank (Dominion, Colonial and Overseas).
Standard Bank of South Africa, Limited.
Netherlands Bank of South Africa.

EMERGENCY FINANCE REGULATIONS.

His Excellency the Governor-General, under the powers conferred upon him by section nine of the Currency and Exchanges Act, 1933, has made the following regulations:—

REGULATIONS.

Definition of Terms.

1. In these regulations, unless the context otherwise indicates—

- “authorized dealer” means, in relation to any transaction in respect of gold, a person authorized by the Treasury to deal in gold, and in relation to any transaction in respect of foreign currency, a person authorized by the Treasury to deal in foreign currency;
- “bank notes” means bank notes which are legal tender in the Union;
- “foreign currency” means any currency other than currency which is legal tender in the Union;
- “gold” means gold in any form, except in regulations 2 and 3, in which “gold” means any gold other than wrought gold;

„eienaar”, in verband met geldwaardige papier, ook iemand wat die reg besit om daardie geldwaardige papier te verkoop of oor te dra, of wat in bewaring daarvan is, of wat dividende of rente daarop ontvang of die reg besit om dit te ontvang, hetsy namens homself of namens 'n ander, of wat enige ander belang daarin het;

„geldwaardige papier”, ook aandele, effekte, verbande, skuldbriewe, obligasies en skatkisbiljette, maar sluit nie in 'n wissel of 'n promesse nie;

„die geskikte amptenaar”, 'n doean- of aksynsamptenaar, 'n immigrasieamptenaar, 'n lid van die Suid-Afrikaanse Polisie of enigeen wat deur die Tesourie gemagtig is om as sulks op te tree;

„die Tesourie”, die Minister van Finansies of 'n ander Staatsminister wat namens hom optree, en in verband met 'n bevoegdheid of 'n werksaamheid wat deur hierdie regulasies aan die Tesourie opgedra is, en wat een of ander persoon deur die Minister gemagtig is om uit te oefen of te verrig, ook daardie persoon;

„oordra”, ook oordra by wyse van 'n lening of borg; en by toepassing van hierdie regulasies word iemand wat geldwaardige papiere uit 'n register wat binne die Unie is, op 'n register wat buite die Unie is, laat oorplaas, geag geldwaardige papiere uit die Unie na elders oor te dra.

Beperking op Aankoop, Verkoop en Leen van Vreemde Geld en Goud.

2. Sonder vergunning deur die Tesourie toegestaan, mag niemand, behalwe 'n gemagtigde handelaar, in die Unie vreemde geld of goud van enigemand, behalwe 'n gemagtigde handelaar, koop of leen nie, of vreemde geld of goud aan enigemand, behalwe 'n gemagtigde handelaar, verkoop of leen nie.

Beperking op Uitvoer van Geld, Goud en Geldwaardige Papiere, ens.

3. (1) Onderhewig aan vrystellings wat deur die Tesourie toegestaan mag word, mag niemand, sonder vergunning deur die Tesourie toegestaan—

(a) uit die Unie banknote, goud, geldwaardige papiere of vreemde geld uitneem of -stuur, of geldwaardige papiere uit die Unie na elders oordra; of

(b) 'n wissel of promesse trek of verhandel, geldwaardige papier oordra of 'n skuld erken, op so 'n wyse dat 'n reg (hetsy wesenlik of voorwaardelik) om in die Unie 'n betaling te ontvang geskep of oorgedra word as 'n teenprestasie—

(i) vir die ontvangs van betaling van 'n bedrag, of die verkryging van goed, buite die Unie; of

(ii) vir 'n reg (hetsy wesenlik of voorwaardelik) om buite die Unie betaling van 'n bedrag te ontvang of goed te verkry,

of enige betaling doen as so 'n teenprestasie.

(2) Paragraaf (1) van hierdie regulasie verbied nie die verrigting van enige handeling (binne die bestek van sy opdrag) deur iemand wat deur die Tesourie gemagtig is om in vreemde valuta te handel nie, en verbied nie die verrigting van enige handeling nie waaromtrent die Tesourie getuig dat dit nodig is vir die doel—

(a) om aan die redelike vereistes van 'n bedryf of besigheid wat binne die Unie beoefen of gedryf word, te voldoen; of

(b) om 'n kontrak wat voor die sesde dag van September 1939 aangegaan was, na te kom; of

(c) om redelike reiskoste of ander persoonlike onkoste te bestry.

(3) Enigeeen wat op die punt staan om die Unie te verlaat (wat in hierdie paragraaf „die reisiger” genoem word), moet, as die geskikte amptenaar dit verlang—

(a) verklaar of hy al dan nie enige banknote, goud, geldwaardige papiere of vreemde geld by hom het; en

(b) enige banknote, goud, geldwaardige papiere of vreemde geld wat hy by hom het, oorlê;

en die geskikte amptenaar en enigeen wat op sy bevel handel, kan die reisiger deursoek en enigiets wat die reisiger by hom het, ondersoek of deursoek, om vas te stel of hy al dan nie by hom banknote, goud, geldwaardige papiere of vreemde geld het, en kan enige banknote, goud, geldwaardige papiere of vreemde geld wat oorlê word, of by so 'n ondersoek of deursoek gevind word, in beslag neem, tensy òf—

(i) die geskikte amptenaar daarvan oortuig is dat ten opsigte van die banknote, goud, geldwaardige papiere of vreemde geld wat die reisiger by hom het, hy van die verbod wat by paragraaf (1) van hierdie regulasie opgelê is, vrygestel is; òf

(ii) die reisiger aan die geskikte amptenaar 'n sertifikaat toegestaan deur die Tesourie, oorlê, waaruit blyk dat die uitvoer deur die reisiger van banknote, goud, geldwaardige papiere of vreemde geld wat hy by hom het, geen oortreding van daardie paragraaf uitmaak nie.

Geen vrouspersoon word ingevolge hierdie paragraaf deursoek, nie, behalwe deur 'n vrouspersoon.

„owner”, in relation to any security, includes any person who has the right to sell or transfer that security, or who has the custody thereof, or who receives or has the right to receive, whether on his own behalf or on behalf of any other person, dividends or interest thereon, or who has any other interest therein;

„security” includes shares, stock, bonds, debentures, debenture stock and Treasury bills, but does not include a bill of exchange or promissory note;

„the appropriate officer” means any officer of customs or excise, any immigration officer, any member of the South African Police or any person authorized by the Treasury to act as such;

„the Treasury” means the Minister of Finance or any other Minister of State acting in his stead, and in relation to any power or function assigned to the Treasury by these regulations which any person has by such Minister been authorised to exercise or to perform, includes that person;

„transfer” includes transfer by way of loan or security; and for the purposes of these regulations a person shall be deemed to transfer securities from the Union elsewhere if he transfers securities from a register in the Union to a register outside the Union.

Restriction on Purchase, Sale and Loans of Foreign Currency and Gold.

2. Except with permission granted by the Treasury, no person other than an authorised dealer shall in the Union buy or borrow any foreign currency or any gold from, or sell or lend any foreign currency or any gold to, any person not being an authorised dealer.

Restriction on Export of Currency, Gold and Securities, etc.

3. (1) Subject to any exemption which may be granted by the Treasury, no person shall, except with permission granted by the Treasury,—

(a) take or send out of the Union any bank notes, gold, securities or foreign currency, or transfer any securities from the Union elsewhere; or

(b) draw or negotiate any bill of exchange or promissory note, transfer any security or acknowledge any debt, so that a right (whether actual or contingent) to receive a payment in the Union is created or transferred as consideration—

(i) for receiving a payment, or acquiring property, outside the Union, or

(ii) for a right (whether actual or contingent) to receive a payment, or acquire property, outside the Union,

or make any payment as such consideration.

(2) Paragraph (1) of this regulation shall not prohibit the doing of anything, within the scope of his authority, by a person authorised by the Treasury to deal in foreign exchange, and shall not prohibit the doing of anything which is certified by the Treasury to be necessary for the purpose—

(a) of meeting the reasonable requirements of a trade or business carried on in the Union; or

(b) of performing a contract made before the sixth day of September, 1939; or

(c) of defraying reasonable travelling or other personal expenses.

(3) Any person who is about to leave the Union (in this paragraph referred to as “the traveller”) shall, if requested so to do by the appropriate officer—

(a) declare whether or not he has with him any bank notes, gold, securities, or foreign currency; and

(b) produce any bank notes, gold, securities or foreign currency which he has with him;

and the appropriate officer and any person acting under his directions may search the traveller and examine or search any article which the traveller has with him, for the purpose of ascertaining whether he has with him any bank notes, gold, securities or foreign currency, and may seize any bank notes, gold, securities or foreign currency produced or found upon such examination or search unless either—

(i) the appropriate officer is satisfied that the traveller is, in respect of any bank notes, gold, securities or foreign currency which he has with him, exempt from the prohibition imposed by paragraph (1) of this regulation; or

(ii) the traveller produces to the appropriate officer a certificate granted by the Treasury which shows that the exportation by the traveller of any bank notes, gold, securities or foreign currency which he has with him does not involve a contravention of that paragraph.

No female shall be searched in pursuance of this paragraph except by a female.

(4) Die geskikte amptenaar en enigeen wat op sy bevel handel, kan goedere wat uit die Unie na 'n plek van bestemming buite die Unie versend word, ondersoek of deursoek, om vas te stel of banknote, goud, geldwaardige papiere of vreemde geld al dan nie saam met daardie goedere versend word, en kan enige banknote, goud, geldwaardige papiere of vreemde geld wat by so 'n ondersoek of deursoeking gevind word, in beslag neem, tensy die geskikte amptenaar daarvan oortuig is dat die Tesourie 'n sertifikaat toegestaan het waaruit blyk dat die versending aldus van die banknote, goud, geldwaardige papiere of vreemde geld geen oortreding van paragraaf (1) van hierdie regulasie uitmaak nie.

(5) By toepassing van hierdie regulasie, word wissels of promesses wat betaalbaar is in ander geld as wat in die Unie wettige betaalmiddel is, beskou as vreemde geld; en by toepassing van paragraaf (1) (a) van hierdie regulasie, word eiendomsbewyse wat op geldwaardige papiere betrekking het, beskou as geldwaardige papiere, en word vermelding in paragrafe (3) en (4) van hierdie regulasie beskou as insluitende vermelding van sodanige eiendomsbewyse.

Verkryging deur die Tesourie van Goud.

4. (1) Elke inwoner van die Unie wat by die inwerking-treding van hierdie regulasies geregtig is om goud wat binne die Unie is, te verkoop, of om die verkoping daarvan te bewerkstellig, moet binne dertig dae na bedoelde inwerking-treding, en elke inwoner van die Unie wat na bedoelde inwerking-treding geregtig word om goud wat binne die Unie is, te verkoop, of om die verkoping daarvan te bewerkstellig, moet binne dertig dae nadat hy aldus geregtig word, aan die Tesourie of aan iemand wat deur die Tesourie gemagtig is om kragtens hierdie regulasie op te tree, daardie goud te koop aanbied of laat aanbied; en die Tesourie of 'n aldus gemagtigde persoon kan daardie goud aankoop teen 'n prys wat die Tesourie mag vasstel, en wat na oordeel van die Tesourie nie minder is nie as die markprys van die goud op die datum van aankoping.

(2) Die bepalinge van paragraaf (1) van hierdie regulasie lê geen verpligting om goud te koop, aan te bied of te laat aanbied, aan iemand op nie—

(a) wat die Tesourie of 'n aldus gemagtigde persoon daarvan oortuig—

(i) dat al die belanghebbendes in daardie goud, behalwe persone wat alleen as trustees of alleen uit hoofde van 'n voor die sesde dag van September 1939 ontsane hipoteek, verpanding of las daarin belang het, dog met inbegrip van persone wat uit hoofde van 'n trust vir hul eie voordeel in die goud 'n belang het, nie in die Unie woonagtig is nie; of

(ii) dat die geld gehou word vir die doel om 'n kontrak wat voor gemelde datum aangegaan is, na te kom; of

(iii) dat die geld nodig is om aan die redelike vereistes van 'n bedryf of besigheid te voldoen wat anders as by wyse van in goud te handel binne die Unie beoefen of gedryf word; of

(b) wat ten opsigte van bedoelde goud deur die Tesourie of 'n aldus gemagtigde persoon van hierdie regulasie vrygestel is.

Verkryging deur die Tesourie van sekere Vreemde Geld, ens.

5. (1) Elke inwoner van die Unie wat by die inwerking-treding van hierdie regulasies geregtig is om vreemde geld wat binne die Unie is, te verkoop, of om die verkoping daarvan te bewerkstellig, moet binne dertig dae na bedoelde inwerking-treding, en elke inwoner van die Unie wat na bedoelde inwerking-treding geregtig word om goud wat binne die Unie is, te verkoop, of om die verkoping daarvan te bewerkstellig, moet binne dertig dae nadat hy aldus geregtig word, aan die Tesourie of aan iemand wat deur die Tesourie gemagtig is om kragtens hierdie regulasie op te tree, daardie geld te koop aanbied of laat aanbied; en die Tesourie of 'n aldus gemagtigde persoon kan bedoelde geld aankoop teen 'n prys wat die Tesourie mag vasstel, en wat na oordeel van die Tesourie nie minder is nie as die markprys van bedoelde geld op die datum van aankoping.

(2) Elke inwoner van die Unie wat by die inwerking-treding van hierdie regulasies geregtig is om 'n reg om, ten opsigte van 'n krediet of balans in 'n bank, buite die Unie betaling van 'n bedrag in vreemde geld te ontvang, oor te dra, of om die oordrag daarvan te bewerkstellig, moet binne dertig dae na bedoelde inwerking-treding, en elke inwoner van die Unie wat na bedoelde inwerking-treding geregtig word om so 'n reg oor te dra, of om die oordrag daarvan te bewerkstellig, moet binne dertig dae nadat hy aldus geregtig word, alles doen wat nodig is om daardie reg aan die Tesourie of aan iemand wat deur die Tesourie gemagtig is om kragtens hierdie regulasie op te tree, oor te dra. Die bedrag wat ter vergoeding van 'n ingevolge hierdie paragraaf gedane oordrag betaalbaar is, is so 'n bedrag as wat die Tesourie mag vasstel.

(4) The appropriate officer and any person acting under his directions may examine or search any goods consigned from the Union to a destination outside the Union, for the purpose of ascertaining whether there are being sent therewith any bank notes, gold, securities, or foreign currency, and may seize any bank notes, gold, securities or foreign currency found upon such examination or search unless the appropriate officer is satisfied that the Treasury has granted a certificate which shews that the sending as aforesaid of the bank notes, gold, securities or foreign currency does not involve a contravention of paragraph (1) of this regulation.

(5) For the purposes of this regulation, any bills of exchange or promissory notes payable otherwise than in currency which is legal tender in the Union shall be deemed to be foreign currency; and for the purposes of paragraph (1) (a) of this regulation, documents of title relating to securities shall be deemed to be securities, and references to securities in paragraphs (3) and (4) of this regulation shall be construed as including references to such documents of title.

Acquisition by Treasury of Gold.

4. (1) Every person resident in the Union who at the commencement of these regulations is entitled to sell, or to procure the sale of, any gold which is in the Union, shall within thirty days after that commencement, and every person resident in the Union who after the said commencement becomes entitled to sell, or to procure the sale of, any gold which is in the Union, shall within thirty days after becoming so entitled, offer that gold, or cause it to be offered, for sale to the Treasury or to a person authorised by the Treasury to act under this regulation; and the Treasury or a person so authorised may purchase that gold at such price as the Treasury may fix, being a price which, in the opinion of the Treasury, is not less than the market value of the gold on the day of purchase.

(2) The provisions of paragraph (1) of this regulation shall not impose upon any person an obligation to offer any gold for sale or to cause any gold to be offered for sale, if—

(a) he satisfies the Treasury or a person so authorised—

(i) that all the persons interested in that gold, other than persons interested therein merely as trustees or merely by virtue of any mortgage, pledge or charge which came into being before the sixth day of September, 1939, but including any persons beneficially interested in the gold under a trust, are not resident in the Union; or

(ii) that the gold is required for the purpose of performing a contract made before the said day; or

(iii) that the gold is held for the purpose of meeting the reasonable requirements of a trade or business carried on in the Union otherwise than by way of dealing in gold; or

(b) he is, in respect of that gold, exempted from this regulation by the Treasury or by a person so authorised.

Acquisition by Treasury of certain Foreign Currency, etc.

5. (1) Every person resident in the Union who at the commencement of these regulations is entitled to sell, or to procure the sale of, any foreign currency which is in the Union shall within thirty days of that commencement, and every person resident in the Union who after the said commencement becomes entitled to sell, or to procure the sale of, any foreign currency which is in the Union, shall within thirty days after becoming so entitled, offer that currency, or cause it to be offered, for sale to the Treasury, or to a person authorised by the Treasury to act under this regulation; and the Treasury or a person so authorised may purchase such currency at such price as the Treasury may fix, being a price which, in the opinion of the Treasury, is not less than the market value of that currency on the day of purchase.

(2) Every person resident in the Union who at the commencement of these regulations is entitled to assign, or to procure the assignment of, any right to receive outside the Union, in respect of any credit or balance at a bank, payment of any amount in a foreign currency shall, within thirty days after that commencement, and every person resident in the Union who after the said commencement becomes entitled to assign, or to procure the assignment of, any such right, shall within thirty days after becoming so entitled, do all things necessary for the purpose of assigning that right to the Treasury or to a person authorised by the Treasury to act under this regulation.

The sum payable as consideration for any assignment made in accordance with this paragraph shall be such as the Treasury may fix.

(3) Die bepalinge van paragrawe (1) en (2) van hierdie regulasie lê geen verpligting in verband met vreemde geld of 'n reg op die ontvangs van betaling van 'n bedrag, aan iemand op nie—

- (a) wat die Tesourie of iemand wat deur die Tesourie gemagtig is om kragtens hierdie artikel op te tree, daarvan oortuig dat al die belanghebbendes in daardie geld of daardie reg, al na die geval, behalwe persone wat alleen as trustees of alleen uit hoofde van 'n voor die sesde dag van September 1939 ontstane hipoteek, verpanding of las, daarin belang het, dog met inbegrip van persone wat uit hoofde van 'n trust vir hul eie voordeel in daardie geld of daardie reg 'n belang het, nie in die Unie woonagtig is nie; of
- (b) wat die Tesourie of 'n aldus gemagtigde persoon daarvan oortuig dat daardie geld of daardie reg, al na die geval, gehou word of nodig is—

- (i) om 'n kontrak wat voor die sesde dag van September 1939 aangegaan is, na te kom; of
- (ii) om aan die redelike vereistes van 'n bedryf of besigheid te voldoen wat anders as by wyse van in vreemde geld te handel binne die Unie beoefen of gedryf word; of
- (iii) om redelike reiskoste of ander persoonlike onkoste te bestry; of

- (c) wat ten opsigte van bedoelde geld of bedoelde reg, al na die geval, deur die Tesourie of 'n aldus gemagtigde persoon van hierdie regulasie vrygestel is.

Verkryging deur die Tesourie van sekere Geldwaardige Papiere.

6. (1) Die Tesourie kan by kennisgewing in die *Staatskoerant* die eienare van geldwaardige papiere wat in die kennisgewing vermeld word, en wat geldwaardige papiere is wat na oordeel van die Tesourie waarskynlik buite die Unie verhandelbaar is, gelas om aan die Suid-Afrikaanse Reserwebank in 'n vorm en op 'n wyse en binne 'n tydperk wat in die kennisgewing genoem word, 'n opgawe toe te send bevattende die besonderhede aangaande daardie geldwaardige papiere wat in die kennisgewing genoem word.

(2) Indien, na oordeel van die Tesourie, dit raadsaam is om aldus te handel, om die finansiële toestand van die Unie te versterk, kan hy by bevel enige sodanige voormelde geldwaardige papiere wat in die bevel vermeld word, aan homself oordra, teen 'n in die bevel vermelde prys, wat na oordeel van die Tesourie nie minder is nie as die markprys van die geldwaardige papiere op die datum van die bevel; en by uitreiking van so'n bevel—

- (a) gaan die eiendom van die geldwaardige papiere waarop die bevel betrekking het, dadelik op die Tesourie oor, onthef van enige hipoteek, verpanding of las, en kan die Tesourie met die geldwaardige papiere soos dit goedvind handel; en

- (b) moet die eienare van geldwaardige papiere waarop die bevel betrekking het, en enigiene wat daarvoor verantwoordelik is om registers of boeke waarin een of ander van daardie geldwaardige papiere geregistreer of ingeskryf is, te hou, of wat anders met die registrasie of inskrywing van een of ander van daardie geldwaardige papiere te maak het, alles doen wat nodig is of wat die Tesourie mag gelas om te verseker dat die geldwaardige papiere en alle eiendomsbewyse wat daarop betrekking het, aan die Tesourie oorhandig word of aan iemand wat die Tesourie mag aanwys, en in die geval van geregistreerde of ingeskrewe geldwaardige papiere, dat die geldwaardige papiere geregistreer of ingeskrywe word in naam van die Tesourie of van iemand wat die Tesourie mag aanwys.

(3) Die verpligting om volgens paragraaf (2) van hierdie regulasie 'n geldwaardige papier te oorhandig, sluit in 'n verpligting om alles te doen wat nodig is om te verseker dat dividende of rente wat op daardie geldwaardige papier op of na die datum van die bevel betaalbaar word, aan die Tesourie betaal word; en indien, in die geval van 'n geldwaardige papier wat aan te onder betaalbaar is, en wat ingevolge gemelde paragraaf oorhandig word, enige koepens wat 'n reg tot bedoelde dividende of rente gee, nie met die geldwaardige papier oorhandig word nie, word die prys wat daarvoor betaalbaar is, met soveel verminder as wat die Tesourie mag goedvind.

Met dien verstande dat wanneer die prys wat in die bevel met betrekking tot geldwaardige papiere genoem word, 'n prys is sonder een of ander dividend of sonder sekere rente, hierdie paragraaf op daardie dividend of rente, of op 'n koepens wat 'n reg daartoe gee, nie van toepassing is nie.

(4) 'n Sertifikaat deur 'n daartoe deur die Tesourie gemagtigde persoon onderteken, wat verklaar dat daarin vermelde geldwaardige papiere geldwaardige papiere is wat kragtens hierdie regulasie oorgedra is, word deur alle persone wat daarvoor verantwoordelik is om registers of boeke waarin die geldwaardige papiere geregistreer of ingeskryf is, te hou, of wat anders met die registrasie of inskrywing van daardie geldwaardige papiere te maak het, beskou as afdoende bewys dat die geldwaardige papiere aldus oorgedra is.

(5) Hierdie regulasie is nie op 'n geldwaardige papier van toepassing nie, as die Tesourie daarvan oortuig is dat te alle tye na die intreding van die sesde dag van September 1939, al die belanghebbendes in die geldwaardige papier, behalwe persone wat alleen as trustees of alleen uit hoofde van 'n voor voorgemelde datum ontstane hipoteek, verpanding of las,

daarin belang het, dog met inbegrip van persone wat uit hoofde van 'n trust vir hul eie voordeel daarin 'n belang het, nie in die Unie woonagtig was nie.

(3) The provisions of paragraphs (1) and (2) of this regulation shall not impose upon any person an obligation in respect of any foreign currency or right to receive payment of any amount if—

- (a) he satisfies the Treasury or a person authorised by the Treasury to act under this regulation that all the persons interested in that currency or that right, as the case may be, other than persons interested therein merely as trustees or merely by virtue of any mortgage, pledge or charge which came into being before the sixth day of September, 1939, but including any persons beneficially interested in that currency or that right under a trust, are not resident in the Union; or

- (b) he satisfies the Treasury or a person so authorised that that currency or that right, as the case may be, is held or is required for the purpose—

- (i) of performing a contract made before the sixth day of September, 1939; or
- (ii) of meeting the reasonable requirements of a trade or business carried on in the Union otherwise than by way of dealing in foreign exchange, or
- (iii) of defraying reasonable travelling or other personal expenses, or

- (c) he is, in respect of that currency or that right, as the case may be, exempted from this regulation by the Treasury or by a person so authorised.

Acquisition by Treasury of certain Securities.

6. (1) The Treasury may, by notice in the *Gazette* direct the owners of any securities specified in the notice, being securities which, in the opinion of the Treasury, are likely to be marketable outside the Union, to make to the South African Reserve Bank, in such form and manner and within such period as may be specified in the notice, a return giving such particulars with respect to those securities as may be specified in the notice.

(2) The Treasury, if it is of the opinion that it is expedient so to do for the purpose of strengthening the financial position of the Union, may by order transfer to itself any such securities as aforesaid specified in the order, at a price specified in the order, being a price which, in the opinion of the Treasury, is not less than the market value of the securities at the date of the order; and upon the making of such an order—

- (a) the securities to which the order relates shall forthwith vest in the Treasury free from any mortgage, pledge or charge, and the Treasury may deal with the securities as it thinks fit; and

- (b) the owners of any of the securities to which the order relates and any person who is responsible for keeping any registers or books in which any of those securities are registered or inscribed or who is otherwise concerned with the registration or inscription of any of those securities, shall do all such things as are necessary or as the Treasury may direct to be done for the purpose of ensuring that the securities and all documents of title relating thereto are delivered to the Treasury or to such person as the Treasury may direct, and, in the case of registered or inscribed securities, that the securities are registered or inscribed in the name of the Treasury or such person as the Treasury may direct.

(3) The duty to deliver any security under paragraph (2) of this regulation shall include a duty to do all such things as are necessary to ensure that any dividends or interest on that security becoming payable on or after the date of the order shall be paid to the Treasury; and if, in the case of any security payable to bearer which is delivered in pursuance of the said paragraph, any coupons conveying the right to any such dividends or interest are not delivered with the security, such reduction in the price payable therefor shall be made as the Treasury may think fit.

Provided that, if the price stated in the order in relation to any securities is ex any dividend or ex any interest, this paragraph shall not apply to that dividend or interest or to any coupon conveying the right thereto.

(4) A certificate signed by any person authorized in that behalf by the Treasury that any securities specified therein are securities transferred to the Treasury under this regulation shall be treated by all persons responsible for keeping any registers or books in which the securities are registered or inscribed, or who are otherwise concerned with the registration or inscription of those securities, as conclusive evidence that the securities have been so transferred.

(5) This regulation shall not apply to any security if the Treasury is satisfied that at all times since the beginning of the sixth day of September, 1939, all the persons interested in the security, other than persons interested therein merely as trustees or merely by virtue of any mortgage, pledge or charge which came into being before the said day, but including any persons beneficially interested therein under a trust, were not resident in the Union.

Beheer van Kapitaalluitgifte.

7. (1) Behalwe met toestemming van die Tesourie en in ooreenstemming met voorwaardes wat die Tesourie mag voorskryf, mag niemand 'n kapitaalluitgifte in die Unie doen, of 'n geldwaardige papier wat op sy vervaldatum in die Unie terugbetaalbaar is, hernuwe, of die vervaldatum daarvan uitstel:

Met dien verstande dat hierdie paragraaf nie van toepassing is nie op 'n uitgifte van aandele aan die onder-tekenaars van 'n akte van oprigting teen 'n vergoeding wat alles tesame nie honderd pond te bowe gaan nie.

(2) Niemand mag 'n prospektus of ander dokument uitgee nie waarin geldwaardige papiere vir inskrywing aangebied word, as daarin nie vermeld word nie dat die Tesourie sy toestemming verleen het tot die uitgifte van die geldwaardige papiere.

(3) By toepassing van hierdie regulasie word iemand geag 'n kapitaalluitgifte te doen, as hy—

(a) geldwaardige papiere uitgee (hetsy al dan nie vir kontant); of

(b) 'n geldlening ontvang onder die beding of met die verwagting dat die lening geheel of gedeeltelik terugbetaal sal of mag word deur die uitgifte van geldwaardige papiere of deur die oordrag van geldwaardige papiere wat na die aangaan van die lening uitgegee word.

Vrydom van Seëlbelasting.

8. Seëlbelasting word op 'n dokument wat alleen met die doel om aan die vereistes van hierdie regulasies te voldoen opgestel is, nie gehef nie.

Vorms.

9. Die Tesourie kan vir die doeleindes van hierdie regulasies vorms voorskryf wat hy raadsaam mag ag.

Strafbepaling.

10. Iedereen wat die bepalinge van een of ander van hierdie regulasies oortree of versuim om daaraan te voldoen, of die voorskrifte van 'n kennisgewing of bevel wat kragtens hierdie regulasie uitgevaardig is, of van 'n vergunning of vrystelling wat kragtens hierdie regulasies verleen is, oortree of versuim om daaraan te voldoen, of wat iemand by die uitoefening van 'n bevoegdheid of 'n werksaamheid wat aan hom deur of kragtens hierdie regulasies opgedra is, belemmer, of wat in 'n verklaring wat gemaak of 'n opgawe wat verstrekk word vir die doeleindes van hierdie regulasies, 'n onjuiste bewering maak (tensy hy bewys dat hy nie geweet het nie, en nie deur redelik versigtig te wees kon uitgevind het nie, dat die bewering onjuis was), is aan 'n misdryf skuldig en by veroordeling strafbaar met 'n geldboete van hoogstens vyf honderd pond of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar of met albei sodanige geldboete en sodanige gevangenisstraf.

DEPARTEMENT VAN BINNELANDSE SAKE.

Onderstaande Goewermmentskennisgewing word vir algemene informasie gepubliseer:—

★ No. 1387.] [9 September 1939.

Kragtens die bevoegdheid hom verleen by subartikel (2) van artikel drie van die Wet op Registrasie van Vreemdelinge, 1939 (Wet No. 26 van 1939), het die Minister van Binnelandse Sake bepaal dat elke polisiedistrik soos vermeld of omskryf in regulasie No. 1 van die regulasies gemaak ingevolge die Politiewet, 1912 (No. 14 van 1912), 'n registrasiedistrik is.

★ No. 1388.] [9 September 1939.

Kragtens die bevoegdheid hom verleen by subartikels (2) en (4) van artikel drie van die Wet op Registrasie van Vreemdelinge, 1939 (Wet No. 26 van 1939) het die Minister van Binnelandse Sake—

(a) die Distrikskommandant van Polisie vir elke polisiedistrik soos vermeld of omskryf in regulasie No. 1 van die regulasies gemaak ingevolge die Politiewet, 1912 (No. 14 van 1912) amptshalwe aangewys as die registrasiebeampte vir die registrasiedistrik wat ooreenstem met die polisiedistrik waarvan hy distrikskommandant is; en

(b) die polisiebeampte wat asdan in bevel is van enige polisie-stasie geleë binne enige registrasiedistrik amptshalwe aangewys as assistentregistrasiebeampte vir daardie registrasiedistrik.

★ No. 1389.] [9 September 1939.

Kragtens die bevoegdheid hom verleen by subartikel (1) van artikel drie van die Wet op Registrasie van Vreemdelinge, 1939 (Wet No. 26 van 1939) het die Minister van Binnelandse Sake die Kommissaris van Immigrasie en Asiatische Sake, of ander beampte wat wettiglik in sy plek ageer, tot Hoofregistrasiebeampte van Vreemdelinge vir die Unie benoem.

Control of Capital Issues.

7. (1) No person shall, except with the consent of the Treasury and in accordance with such conditions as the Treasury may impose, make an issue of capital in the Union or renew or postpone the date of maturity of any security maturing for repayment in the Union:

Provided that this paragraph shall not apply to the issue of shares for a consideration not exceeding one hundred pounds in all to the signatories of a memorandum of association.

(2) No person shall issue any prospectus or other document offering for subscription any securities which does not include a statement that the Treasury has consented to the issue of the securities.

(3) For the purposes of this regulation a person shall be deemed to make an issue of capital who—

(a) issues any securities (whether for cash or otherwise); or

(b) receives any money on loan on the terms, or in the expectation, that the loan will or may be repaid wholly or partly by the issue of any securities, or by the transfer of any securities issued after the making of the loan.

Exemption from Stamp Duty.

8. Stamp duty shall not be chargeable on any document made for the sole purpose of meeting the requirements of these regulations.

Forms.

9. The Treasury may prescribe such forms for the purposes of these regulations as it may think expedient.

Penalty.

10. Every person who contravenes or fails to comply with the provisions of any of these regulations, or contravenes or fails to comply with the terms of any notice or order issued or any permission or exemption granted under these regulations, or who obstructs any person in the execution of any power or function assigned to him by or under these regulations, or who makes any incorrect statement in any declaration made or return rendered for the purposes of these regulations (unless he proves that he did not know, and could not by the exercise of a reasonable degree of care have ascertained, that the statement was incorrect), shall be guilty of an offence and liable upon conviction to a fine not exceeding five hundred pounds or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.

DEPARTMENT OF INTERIOR.

The following Government Notices are published for general information:—

★ No. 1387.] [9 September 1939.

Under and by virtue of the authority vested in him by sub-section (2) of section three of the Aliens Registration Act, 1939 (Act No. 26 of 1939), the Minister of the Interior has prescribed that every police district, as mentioned in or defined in Regulation No. 1 of the Regulations made under the Police Act, 1912 (No. 14 of 1912), shall be a registration district.

★ No. 1388.] [9 September 1939.

Under and by virtue of the authority vested in him by sub-sections (2) and (4) of section three of the Aliens Registration Act, 1939 (Act No. 26 of 1939), the Minister of the Interior has designated—

(a) the District Commandant of Police for every police district, as mentioned in or defined in Regulation No. 1 of the Regulations made under the Police Act, 1912 (No. 14 of 1912), *ex officio*, the Registration Officer for the registration district corresponding to the police district for which he is the District Commandant; and

(b) the policeman for the time being in charge of any police station situated within any registration district, *ex officio*, an Assistant Registration Officer for that registration district.

★ No. 1389.] [9 September 1939.

Under and by virtue of the authority vested in him by sub-section (1) of section three of the Aliens Registration Act, 1939 (Act No. 26 of 1939), the Minister of the Interior has appointed the Commissioner for Immigration and Asiatic Affairs, or other officer lawfully acting for him, to be the Chief Registration Officer of Aliens for the Union.

SALE IN EXECUTION.

In the matter between EDWARD BLINMAN, Plaintiff, and ADA CHAIMOWITZ, married out of community of property to GEORGE CHAIMOWITZ, Defendant.

In execution of the judgment of the Supreme Court of South Africa (Witwatersrand Local Division), in the above suit, a sale without reserve, will be held in front of the Magistrate's Court, Johannesburg, on Saturday, 16th September, 1939, at 11 a.m., of the following properties of the Defendant:—

Certain Stands Nos. 5545 and 5546, situate on Claim and Bruce Streets, Johannesburg, in the Mining District of Johannesburg, held by Defendant under Deed of Transfer No. 861/15, dated 23rd October, 1915.

The following information has been supplied but nothing is guaranteed in this respect:—

Stand No. 5545 is vacant.

On Stand No. 5546 are:—

(1) Brick cottage containing 5 rooms, dining room, kitchen, pantry and bathroom.

(2) Two wood and iron buildings containing two and one room respectively.

(3) Wood and iron garage and lean-to.

Terms: Cash against transfer to be secured by a Bank Guarantee to be filed within seven days from date of sale.

T. O'HAGAN,
Sheriff of the Transvaal.

Pretoria, 9th September, 1939. 9-15

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OF THE

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Advertisers should observe that the closing hour for the acceptance of "copy" for the Union Gazette is 4 p.m. on Wednesday of each week preceding publication. When Public Holidays affect publication, a special notice will appear in the Gazette notifying any change in the closing hour.

Only Legal Advertisements are accepted for publication in the Gazette, and are subject to the approval of the Government Printer, who can refuse to accept or decline further publication of any advertisement.

The Government Printer reserves to himself the right to edit "copy".

No responsibility can be accepted for losses arising from omissions or typographical errors.

Manuscript of advertisements should be written on one side of the paper only and not as part of the covering letter. **All proper names must be plainly inscribed;** in the event of any name being incorrectly printed as a result of indistinct writing, the advertisement can be republished only on payment of the cost of another insertion.

No Advertisement can be inserted unless it is Prepaid.

All cheques, bank drafts, postal orders, or money orders must be made payable to the Government Printer, Pretoria, and crossed "South African Reserve Bank". **Cheques will only be accepted when initiated by the Bank.**

SUBSCRIPTION RATES.

The subscription rates to the Union Gazette (including Official Gazette of the High Commissioner, Gazettes Extraordinary, and Supplements, with Quarterly Index) are as follows:—

£1 for six months (post free).
£2 for twelve months (post free).
Price per single copy, 6d.

Subscriptions are payable in advance to the Government Printer, Pretoria, and may commence from the 1st of any month, but cannot be accepted for a shorter period than six months.

J. J. KRUGER,
Government Printer.

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