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DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1072.

23 June 1976.

No. 1072.

23 Junie 1976.

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

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

No. 81 of 1976: Gold Mines Assistance Amendment Act, 1976.

No. 81 van 1976: Wysigingswet op Bystand aan Goudmyne, 1976.

Wet No. 81, 1976

WYSIGINGSWET OP BYSTAND AAN GOUDMYNE, 1976

WET

Tot wysiging van die bepalings van die Wet op Bystand aan Goudmyne, 1968, ten einde voorsiening te maak dat die bedrag betaalbaar ingevolge artikel 3 (1) van genoemde Wet aan 'n maatskappy wat gedurende 'n jaar van aanslag goudmynbedrywighede op 'n ondersteunde goudmyn beoefen het, in sekere gevalle nie 'n deur die Minister bepaalde persentasie van die inkomste deur daardie maatskappy gedurende die jaar van aanslag verkry uit die verkoop van goud, uraan en ander minerale wat tesame daarmee uit daardie myn gewin word, oorskry nie; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

*(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 14 Junie 1976.)*

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

Wysiging van
artikel 3 van
Wet 82 van 1968.

1. Artikel 3 van die Wet op Bystand aan Goudmyne, 1968 (hieronder die Hoofwet genoem), word hierby gewysig deur die voorbehoudsbepaling by subartikel (1) deur die volgende voorbehoudsbepalings te vervang:

„Met dien verstande dat die bedrag ingevolge hierdie subartikel ten opsigte van 'n jaar van aanslag betaal, nie vyf-en-twintig persent, of sodanige kleiner persentasie as wat die Minister in elke besondere geval ten opsigte van 'n spesifieke jaar van aanslag mag bepaal in oorleg met die Minister van Finansies en met inagneming van 'n aanbeveling deur die Mynverhuringsraad gedoen, van die myninkomste deur die maatskappy verkry gedurende die jaar van aanslag uit die verkoop van goud, uraan en ander minerale wat tesame daarmee uit bedoelde myn gewin word, oorskry nie: Met dien verstande voorts dat die Minister die maatskappy wat die myn eksploiteer in kennis moet stel dat die bedrag betaalbaar ingevolge hierdie subartikel met ingang van die eerste dag van die jaar van aanslag van die maatskappy, wat minstens ses maande na die datum van sodanige kennisgewing begin, beperk sal word tot 'n bedrag wat nie die bedrag bereken deur die bedoelde kleiner persentasie, soos deur die Minister bepaal, op die myninkomste bedoel in hierdie subartikel toe te pas, oorskry nie, en indien die maatskappy aldus in kennis gestel is, is die bedrag betaalbaar ingevolge hierdie subartikel met ingang van bedoelde dag aldus beperk.”.

Wysiging van
artikel 6 van Wet
82 van 1968, soos
gewysig deur
artikel 2 van Wet
29 van 1975.

2. Artikel 6 van die Hoofwet word hierby gewysig deur paragraaf (ii) van die voorbehoudsbepaling by paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:

„(ii) die aftrekking van bedoelde kapitaaluitgawe (na uitsluiting van die uitgawe aangegaan op 'n projek in paragraaf (i) van hierdie voorbehoudsbepaling bedoel)

GOLD MINES ASSISTANCE AMENDMENT ACT, 1976

Act No. 81, 1976

ACT

To amend the provisions of the Gold Mines Assistance Act, 1968, in order to provide that the amount payable in terms of section 3 (1) of the said Act to a company carrying on gold mining operations on an assisted gold mine during a year of assessment, shall in certain cases not exceed a percentage, determined by the Minister, of the income derived by that company during the year of assessment from sales of gold, uranium and other minerals that may be won in conjunction therewith from that mine; and to provide for incidental matters.

(English text signed by the State President.)
(Assented to 14 June 1976.)

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

1. Section 3 of the Gold Mines Assistance Act, 1968 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the proviso to subsection (1) of the following provisos:

Amendment of
section 3 of
Act 82 of 1968.

“Provided that the amount paid under this subsection in respect of any year of assessment shall not exceed twenty-five per cent, or such lesser percentage as the Minister in consultation with the Minister of Finance and having regard to any recommendation made by the Mining Leases Board may in each particular case in respect of any specific year of assessment determine, of the mining income derived by the company during the year of assessment from sales of gold, uranium and such other minerals as may be won in conjunction therewith from such mine: Provided further that the Minister shall notify the company operating the mine that the amount payable under this subsection will, with effect from the first day of the year of assessment of the company commencing at least six months after the date of such notification, be limited to an amount not exceeding the amount calculated by applying the said lesser percentage as determined by the Minister, to the mining income referred to in this subsection, and if the company has been so notified the amount payable under this subsection shall with effect from the said day be so limited.”.

2. Section 6 of the principal Act is hereby amended by the substitution for paragraph (ii) of the proviso to paragraph (a) of subsection (2), of the following paragraph:

Amendment of
section 6 of
Act 82 of 1968,
as amended by
section 2 of
Act 29 of 1975.

“(ii) the deduction of such capital expenditure (after the exclusion of expenditure incurred on a project referred to in paragraph (i) of this proviso) shall be restricted

Wet No. 81, 1976

WYSIGINGSWET OP BYSTAND AAN GOUDMYNE, 1976

beperk word tot 'n bedrag wat genoeg is om tot gevolg te hê dat 'n betaling ingevolge artikel 3 bereken word wat nie vyf-en-twintig persent, of sodanige kleiner persentasie as wat ingevolge die eerste voorbehoudsbepaling by artikel 3 (1) bepaal word, van die inkomste verkry deur die maatskappy gedurende die jaar van aanslag uit verkope van goud, uraan en ander minerale wat tesame daarmee uit bedoelde myn gewin word, te bowe gaan nie;"

Kort titel.

3. Hierdie Wet heet die Wysigingswet op Bystand aan Goudmyne, 1976.

ACT

To amend the provisions of the Gold Mines Assistance Act, 1968, in order to provide that the amount payable in terms of section 3 (1) of the said Act to a company carrying on gold mining operations on an assessed gold mine during a year of assessment, shall in certain cases not exceed a percentage, determined by the Minister of the income derived by that company, during the year of assessment, from sales of gold, uranium and other minerals that may be won in conjunction therewith from that mine, and to provide for incidental matters.

(English text signed by the State President)
(Assented to 14 June 1976)

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

1. Section 3 of the Gold Mines Assistance Act, 1968 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the proviso to subsection (1) of the following proviso:

"Provided that the amount paid under this subsection in respect of any year of assessment shall not exceed twenty-five per cent, or such lesser percentage as the Minister in consultation with the Minister of Finance and having regard to any recommendation made by the Mining Leases Board may in each particular case in respect of any specific year of assessment determine, of the mining income derived by the company during the year of assessment from sales of gold, uranium and such other minerals as may be won in conjunction therewith from such mine. Provided further that the Minister shall notify the company operating the mine that the amount payable under this subsection will, with effect from the first day of the year of assessment of the company, commencing at least six months after the date of such notification, be limited to an amount not exceeding the amount calculated by applying the said lesser percentage as determined by the Minister, to the mining income referred to in this subsection, and if the company has been so notified the amount payable under this subsection shall with effect from the said day be so limited."

2. Section 6 of the principal Act is hereby amended by the substitution for paragraph (ii) of the proviso to paragraph (a) of subsection (2) of the following paragraph:—
(ii) the deduction of such capital expenditure (after the exclusion of expenditure incurred on a project referred to in paragraph (i) of this proviso) shall be restricted

GOLD MINES ASSISTANCE AMENDMENT ACT, 1976

Act No. 81, 1976

to an amount sufficient to result in the calculation of a payment under section 3 not exceeding twenty-five per cent, or such lesser percentage as may be determined in terms of the first proviso to section 3 (1), of the income derived by the company during the year of assessment from sales of gold, uranium and other minerals that may be won in conjunction therewith from such mine;”.

3. This Act shall be called the Gold Mines Assistance Short title. Amendment Act, 1976.

(to an amount sufficient to result in the calculation of a payment under section 7 not exceeding twenty-five per cent of such lesser percentage as may be determined in terms of the first proviso in section 3 (1), of the income derived by the company during the year of assessment from sales of gold, uranium and other minerals that may be won in conjunction therewith from such mine."

3. This Act shall be called the Gold Mines Assistance Act, 1976.