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DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

No. 1210.

6 Julie 1977.

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

No. 102 van 1977: Wysigingswet op Elektrisiteit, 1977.

No. 1210.

6 July 1977.

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

No. 102 of 1977: Electricity Amendment Act, 1977.

Act No. 102, 1977

ELECTRICITY AMENDMENT ACT, 1977.

ACT

To amend the provisions of the Electricity Act, 1958, relating to the amounts to be paid into the reserve fund and the capital development fund; to provide that certain moneys be utilized for such purposes and in such manner as the Minister of Economic Affairs may determine; regarding the requirements in respect of applications for certain licences; to effect certain textual improvements; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 22 June 1977.)*

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

Amendment of section 13 of Act 40 of 1958, as substituted by section 2 of Act 49 of 1971 and amended by section 1 of Act 60 of 1974.

1. Section 13 of the Electricity Act, 1958 (hereinafter referred to as the principal Act), is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) The annual amounts so set aside and paid into the reserve fund and the capital development fund, apart from interest or profits earned on investments of the funds, shall in the aggregate not exceed six per cent of the aggregate amount of the commission's unredeemed loans up to the end of the current financial year, and no such payments shall be made which would increase the sum in the reserve fund and the capital development fund, apart from interest and profits earned on investments of the funds, as provided for in subsection (3), to more than seven and one-half per cent and thirty per cent, respectively, of the said aggregate amount: Provided that when any loan repayment has been made as a result whereof the amount in the reserve fund, apart from such interest and profits, exceeds seven and one-half per cent of the aggregate of the loans still unredeemed, such excess shall continue to be available for the purpose of subsection (1) (a), but shall thereafter not be taken into account in any calculation under this subsection.”.

Insertion of section 13A in Act 40 of 1958.

2. The following section is hereby inserted in the principal Act after section 13:

“Separate fund for determined purposes.

13A. If the Minister deems it necessary in the public interest, he may from time to time—

- (a) after consultation with the board, instruct the commission to pay into a separate fund an amount not exceeding three per cent of the total annual income of the commission in respect of electricity supplied by it;
- (b) with the concurrence of the Minister of Finance, determine the purposes for and the manner in which the moneys in the fund referred to in paragraph (a) shall be utilized, including the investment of any such moneys.”.

WET

Tot wysiging van die bepalings van die Elektrisiteitswet, 1958, betreffende die bedrae wat in die reserwefonds en die kapitaalontwikkelingsfonds gestort moet word; om voorsiening te maak dat sekere gelde aangewend word vir die doeleindes en op die wyse wat deur die Minister van Ekonomiese Sake bepaal word; betreffende die vereistes ten opsigte van aansoeke om sekere lisensies; om sekere teksverbeterings aan te bring; en om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 22 Junie 1977.)

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

1. Artikel 13 van die Elektrisiteitswet, 1958 (hieronder die Hoofwet genoem), word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Die jaarlikse bedrae aldus afgesonder en in die reserwefonds en die kapitaalontwikkelingsfonds gestort, afgesien van rente of winste verdien op beleggings van die fondse, mag gesamentlik hoogstens ses persent bedra van die totale bedrag van die ongedelgde lenings van die kommissie tot aan die einde van die lopende boekjaar, en geen sodanige stortings mag gedoen word wat die bedrae in die reserwefonds en die kapitaalontwikkelingsfonds, afgesien van die rente en winste, wat uit die belegging van die fondse soos in subartikel (3) bepaal, verdien word tot meer as onderskeidelik sewe-en-'n-half persent en dertig persent van die genoemde totale bedrag sou verhoog nie: Met dien verstande dat wanneer 'n terugbetaling van 'n lening gedoen is as gevolg waarvan die bedrag in die reserwefonds, afgesien van sodanige rente en winste sewe-en-'n-half persent van die totaal van die ongedelgde lenings oorskry, sodanige oorskot vir die doeleindes van subartikel (1) (a) beskikbaar bly, maar daarna nie in aanmerking geneem mag word in enige berekening ingevolge hierdie subartikel nie.”

Wysiging van artikel 13 van Wet 40 van 1958, soos vervang deur artikel 2 van Wet 49 van 1971 en gewysig deur artikel 1 van Wet 60 van 1974.

2. Die volgende artikel word hierby in die Hoofwet na artikel 13 ingevoeg:

„Afsonderlike fondse vir bepaalde doeleindes.

13A. Indien die Minister dit in die openbare belang nodig ag, kan hy van tyd tot tyd—

- (a) na oorleg met die raad, die kommissie gelas om 'n bedrag van hoogstens drie persent van die totale jaarlikse inkomste van die kommissie ten opsigte van elektrisiteit deur hom voorsien, in 'n afsonderlike fonds te stort;
- (b) met die instemming van die Minister van Finansies, die doeleindes waarvoor en die wyse waarop die geld in die fonds bedoel in paragraaf (a) aangewend moet word, bepaal, met inbegrip van die belegging van enige sodanige geld.”

Invoeging van artikel 13A in Wet 40 van 1958.

Act No. 102, 1977**ELECTRICITY AMENDMENT ACT, 1977.**

Amendment of
section 14 of
Act 40 of 1958.

3. Section 14 of the principal Act is hereby amended by the substitution in paragraph (c) of subsection (1) for the expression "section *thirteen*" of the expression "sections 13 and 13A".

Amendment of
section 24 of
Act 40 of 1958,
as amended by
section 3 of
Act 9 of 1962.

4. Section 24 of the principal Act is hereby amended by the substitution in subsection (3) for all the words preceding paragraph (a) of the following words:—

"Except in so far as the board determines otherwise, every such application shall state—".

Substitution for
"Gigawatt hour"
of "gigawatt
hour" in Act 40
of 1958.

5. The principal Act is hereby amended by the substitution for the expression "Gigawatt hour" wherever it occurs of the expression "gigawatt hour".

Short title.

6. This Act shall be called the Electricity Amendment Act, 1977.

WYSIGINGSWET OP ELEKTRISITEIT, 1977.

Wet No. 102, 1977

3. Artikel 14 van die Hoofwet word hierby gewysig deur in paragraaf (c) van subartikel (1) die uitdrukking „artikel *dertien*” deur die uitdrukking „artikels 13 en 13A” te vervang. Wysiging van artikel 14 van Wet 40 van 1958.
4. Artikel 24 van die Hoofwet word hierby gewysig deur in subartikel (3) al die woorde wat paragraaf (a) voorafgaan, deur die volgende woorde te vervang:—
„Behalwe vir sover die raad anders bepaal, moet in elke sodanige aansoek vermeld word—”. Wysiging van artikel 24 van Wet 40 van 1958, soos gewysig deur artikel 3 van Wet 9 van 1962.
5. Die Hoofwet word hierby gewysig deur die uitdrukking „Gigawatt-uur”, oral waar dit voorkom, te vervang deur die uitdrukking „gigawatt-uur”. Vervanging van „Gigawatt-uur” deur „gigawatt-uur” in Wet 40 van 1958.
6. Hierdie Wet heet die Wysigingswet op Elektrisiteit, 1977. Kort titel.

