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VAN DIE REPUBLIEK VAN SUID-AFRIKA

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GOVERNMENT GAZETTE

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KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 1358.

4 Julie 1984

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

No. 73 van 1984: Wysigingswet op die Staatsoliefonds, 1984.

No. 1358.

4 July 1984

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

No. 73 of 1984: State Oil Fund Amendment Act, 1984.

Wet No. 73, 1984

WYSIGINGSWET OP DIE STAATSOLIEFONDS, 1984

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vet druk tussen vierkantige hake dui skappings uit bestaande verordenings aan.

_____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Wet op die Staatsoliefonds, 1977, ten einde ander voorsiening te maak ten opsigte van die bedrag wat ten laste van die Staatsinkomstefonds in die Staatsoliefonds gestort moet word; die aanwending van en beskikking oor geld in die Staatsoliefonds verder te reël; verdere voorsiening te maak vir geld wat in die Egalisasiefonds gestort moet word en vir die belegging van daardie geld; en 'n sekere benaming te vervang; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 19 Junie 1984.)

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

Wysiging van
artikel 1 van
Wet 38 van 1977,
soos gewysig deur
artikel 1 van
Wet 74 van 1979.

1. Artikel 1 van die Wet op die Staatsoliefonds, 1977 (hieronder die Hoofwet genoem), word hierby gewysig—

(a) deur paragraaf (a) van subartikel (1) deur die volgende 5
paragraaf te vervang:

“(a) ten laste van die Staatsinkomstefonds [—

(i) 'n bedrag van 7,4 sent van die doeane- of aksynsreg op 'n kilogram vervloeiende petroleumgas in die Staatsinkomstefonds gestort; 10

(ii) 'n bedrag van 4 sent van die doeane- of aksynsreg op 'n liter petrol, [vliegtuigspiritus, kerosene,] distillaatbrandstof of residu-brandolie in die Staatsinkomstefonds gestort, ten opsigte waarvan geen korting of terugbe- 15
taling van toepassing is nie [; en

(iii) 'n bedrag van 1 sent van die doeane- of aksynsreg op 'n liter kerosene, distillaatbrandstof of residu-brandolie in die Staatsinkomstefonds gestort, ten opsigte waarvan 'n gedeeltelike 20
korting of terugbetaling van toepassing is en wat, na toepassing van die korting of terugbetaling, nie minder as 1 sent is nie];”;

(b) deur die woord “en” aan die einde van subparagraaf (i) 25
van paragraaf (a) van subartikel (2) te skrap;

(c) deur die volgende subparagraaf na genoemde subparagraaf (i) in te voeg:

“(iA) die verkryging, opwekking, vervaardiging, be-
marking of verspreiding van enige ander vorm van
energie, en navorsing wat daarmee in verband 30
staan;”;

(d) deur paragraaf (b) van subartikel (2) deur die volgende paragraaf te vervang:

“(b) sodanige gelde wat na die oordeel van die Minister
van Minerale- en Energiesake— 35

STATE OIL FUND AMENDMENT ACT, 1984

Act No. 73, 1984

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

 Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the State Oil Fund Act, 1977, so as to make other provision in respect of the amount to be paid into the State Oil Fund as a charge to the State Revenue Fund; to further regulate the utilization and disposal of moneys in the State Oil Fund; to make further provision for moneys to be paid into the Equalization Fund and for the investment of those moneys; and to replace a certain designation; and to provide for matters connected therewith.

*(English text signed by the State President.)
(Assented to 19 June 1984.)*

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

1. Section 1 of the State Oil Fund Act, 1977 (hereinafter referred to as the principal Act), is hereby amended—

5 (a) by the substitution for paragraph (a) of subsection (1) of the following paragraph:

“(a) as a charge to the State Revenue Fund [—

10 (i) **an amount of 7,4 cents of the customs or excise duty on a kilogram of liquefied petroleum gas paid into the State Revenue Fund;**

(ii) **an amount of 4 cents of the customs or excise duty on a litre of petrol, [aviation spirit, kerosene,] distillate fuel or residual fuel oil paid into the State Revenue Fund, in respect of which no rebate or refund is applicable [; and**

15 (iii) **an amount of 1 cent of the customs or excise duty on a litre of kerosene, distillate fuel or residual fuel oil paid into the State Revenue Fund, in respect of which a partial rebate or refund is applicable and which, after application of the rebate or refund, is not less than 1 cent];”;**

(b) by the deletion of the word “and” at the end of subparagraph (i) of paragraph (a) of subsection (2);

25 (c) by the insertion after the said subparagraph (i) of the following subparagraph:

“(iA) the acquisition, generation, manufacture, marketing or distribution of any other form of energy, and research connected therewith;” and

30 (d) by the substitution for paragraph (b) of subsection (2) of the following paragraph:

“(b) any such moneys which in the opinion of the Minister of Mineral and Energy Affairs—

Amendment of section 1 of Act 38 of 1977, as amended by section 1 of Act 74 of 1979.

Wet No. 73, 1984

WYSIGINGSWET OP DIE STAATSOLIEFONDS, 1984

- (i) nie onmiddellik nodig is vir 'n doel in paragraaf (a) genoem nie, word belê **[by die Staatskuldkommissaris of]** op die **[ander]** wyse wat genoemde Minister **[in oorleg]** met die instemming van die Minister van Finansies bepaal; 5
- (ii) nie vir so 'n doel nodig is nie, word in die Staatsinkomstefonds gestort.”

Wysiging van artikel 1A van Wet 38 van 1977, soos ingevoeg deur artikel 1 van Wet 30 van 1979 en gewysig deur artikel 2 van Wet 74 van 1979 en artikel 1 van Wet 68 van 1980.

2. Artikel 1A van die Hoofwet word hierby gewysig—
- (a) deur die woord “en” aan die einde van paragraaf (a) van subartikel (3A) te skrap; 10
- (b) deur die volgende paragraaf by subartikel (3A) te voeg:
- “(c) met die instemming van die Minister van Minerale- en Energiesake en die Minister van Nywerheids- wese, Handel en Toerisme, die gelde verkry deur die “SFF Association” uit die verkoop van produkte wat deur die Minister van Minerale- en Energiesake bepaal word.”; en 15
- (c) deur paragraaf (b) van subartikel (4) deur die volgende paragraaf te vervang: 20
- “(b) wat nie onmiddellik nodig is vir 'n doel in paragraaf (a) genoem nie, word belê **[by die Staatskuldkommissaris of]** op die **[ander]** wyse wat die Minister van **[Ekonomiese Sake]** Minerale- en Energiesake **[in oorleg]** met die instemming van die Minister van Finansies bepaal.”. 25

Wysiging van artikel 1B van Wet 38 van 1977, soos ingevoeg deur artikel 1 van Wet 30 van 1979.

3. Artikel 1B van die Hoofwet word hierby gewysig deur paragraaf (b) deur die volgende paragraaf te vervang:
- “(b) sonder wettige rede weier of versuim om te voldoen aan enige redelike eis om inligting wat gerig is deur 'n persoon wat kragtens 'n kennisgewing ingevolge artikel 1A verantwoordelik is vir die invordering van 'n heffing, of deur 'n beampte in diens van die “SFF Association” of van die Departement van Nywerheids- wese en Handel of van die Departement van Minerale- en Energiesake;”. 35

Vervanging van sekere uitdrukking.

4. Die Hoofwet word hierby gewysig deur die uitdrukking “Ekonomiese Sake”, waar dit ook al voorkom, deur die uitdrukking “Minerale- en Energiesake” te vervang.

Kort titel en inwerkingtreding.

5. Hierdie Wet heet die Wysigingswet op die Staatsoliefonds, 1984, en word geag op 1 April 1984 in werking te getree het. 40

STATE OIL FUND AMENDMENT ACT, 1984

Act No. 73, 1984

- (i) are not immediately required for a purpose mentioned in paragraph (a), shall be invested **[with the Public Debt Commissioners or]** in such **[other]** manner as the said Minister **[in consultation]** with the concurrence of the Minister of Finance may determine;
- (ii) are not required for any such purpose, shall be paid into the State Revenue Fund.”

2. Section 1A of the principal Act is hereby amended—

- (a) by the deletion of the word “and” at the end of paragraph (a) of subsection (3A);
- (b) by the addition to subsection (3A) of the following paragraph:

“(c) with the concurrence of the Minister of Mineral and Energy Affairs and the Minister of Industries, Commerce and Tourism, the moneys obtained by the SFF Association from the sale of products determined by the Minister of Mineral and Energy Affairs.”; and

- (c) by the substitution for paragraph (b) of subsection (4) of the following paragraph:

“(b) that are not immediately required for a purpose referred to in paragraph (a), shall be invested **[with the Public Debt Commissioners or]** in such **[other]** manner as the Minister of **[Economic Affairs]** Mineral and Energy Affairs **[may in consultation]** with the concurrence of the Minister of Finance may determine.”

Amendment of section 1A of Act 38 of 1977, as inserted by section 1 of Act 30 of 1979 and amended by section 2 of Act 74 of 1979 and section 1 of Act 68 of 1980.

3. Section 1B of the principal Act is hereby amended by the substitution for paragraph (b) of the following paragraph:

- “(b) without lawful reason refuses or fails to comply with any reasonable demand for information made by a person who is responsible in terms of a notice under section 1A for the collection of any levy, or by an officer in the service of the SFF Association or of the Department of Industries and Commerce or of the Department of Mineral and Energy Affairs.”

Amendment of section 1B of Act 38 of 1977, as inserted by section 1 of Act 30 of 1979.

4. The principal Act is hereby amended by the substitution for the expression “Economic Affairs”, wherever it occurs, of the expression “Mineral and Energy Affairs”.

Substitution of certain expression.

5. This Act shall be called the State Oil Fund Amendment Act, 1984, and shall be deemed to have come into operation on 1 April 1984.

Short title and commencement.

