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STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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No. 9363

KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 1691.

15 Augustus 1984

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

No. 113 van 1984: Finansiewet, 1984.

No. 1691.

15 August 1984

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

No. 113 of 1984: Finance Act, 1984.

Wet No. 113, 1984

FINANSIEWET, 1984

ALGEMENE VERDUIDELIKENDE NOTA:

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

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

WET

Om sekere bedrae geld vir die Spesiale Verdedigingsrekening te bewillig; die Staatsinkomsterekening met sekere ongemagtigde uitgawes te belas; voorsiening te maak vir die omskepping van sekere voorskotte aan die Landsvoorradeverkrygingsfonds tot bewilligde geld vir daardie Fonds en om 'n verdere bedrag vir genoemde Fonds te bewillig; voorsiening te maak vir die omskepping van leningskuld van die Suid-Afrikaanse Ontwikkelingskorporasie vir Uitvindings in aan-delekapitaal; voorsiening te maak vir die vermindering van die netto batewaarde van sekere bates wat op 1 Desember 1981 deur die Kleinsake-ontwikkelingskorporasie, Beperk, oorgeneem is; die Wet op Bystand aan Goudmyne, 1968, te wysig ten einde die finansiële bystand aan maatskappye wat goudmynbedrywighede op ondersteunde goudmyne beoefen, te beperk; die Wet op die Staatstenderraad, 1968, te wysig ten einde die bevoegdhede van die Staatstenderraad verder te reël; die Wet op die Spesiale Verdedigingsrekening, 1974, te wysig ten einde verdere voorsiening te maak vir bedrae waarmee die Spesiale Verdedigingsrekening gekrediteer moet word; die Wet op Finansiële Reëlins met die Transkei, 1976, te wysig ten einde 'n verouderde bepaling te herroep en die betaling van sekere bedrae aan die Transkei verder te reël; die Konsolidasiewet op Finansie- en Finansiële Reëlinswette, 1977, te wysig ten einde voorsiening te maak vir die betaling van geld aan die Internasionale Ontwikkelingsgenootskap; die Wet op Finansiële Reëlins met Bophuthatswana, 1977, te wysig ten einde 'n verouderde bepaling te herroep en die betaling van sekere bedrae aan Bophuthatswana verder te reël; die Finansiëwet, 1978, te wysig ten einde die bevoegdheid van die Minister van Finansies om die Regering deur middel van 'n ooreenkoms ten opsigte van sekere verliese gely deur sekere versekeraars te verbind, uit te brei en die aangaan van sekere versekeringsooreenkomste te verbied; en die Wet op Finansiële Reëlins met Venda, 1979, en die Wet op Finansiële Reëlins met Ciskei, 1981, te wysig ten einde sekere verouderde bepalinge te herroep en die betaling van sekere bedrae geld aan onderskeidelik Venda en Ciskei verder te reël; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 12 Julie 1984.)

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

Bewilliging van sekere bedrae geld vir Spesiale Verdedigingsrekening.

1. Daar word hierby uit die Staatsinkomstefonds, ten laste van die Staatsinkomsterekening, vir die Spesiale Verdedigingsrekening ingestel by artikel 1 van die Wet op die Spesiale Verdedigingsrekening, 1974 (Wet No. 6 van 1974), bewillig— 5

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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 appropriate certain amounts of money for the Special Defence Account; charge the State Revenue Account with certain unauthorized expenditure; provide for the conversion of certain advances to the National Supplies Procurement Fund into appropriated moneys for that Fund and to appropriate a further amount for the said Fund; provide for the conversion of loan liability of the South African Inventions Development Corporation into share capital; provide for the reduction of the net asset value of certain assets taken over by the Small Business Development Corporation, Limited, on 1 December 1981; amend the Gold Mines Assistance Act, 1968, so as to limit the financial assistance to companies carrying on gold mining operations on assisted gold mines; amend the State Tender Board Act, 1968, so as to further regulate the powers of the State Tender Board; amend the Defence Special Account Act, 1974, so as to make further provision for amounts to be credited to the Special Defence Account; amend the Financial Arrangements with the Transkei Act, 1976, so as to repeal an obsolete provision and to further regulate the payment of certain amounts to the Transkei; amend the Finance and Financial Adjustments Acts Consolidation Act, 1977, so as to provide for the payment of moneys to the International Development Association; amend the Financial Arrangements with Bophuthatswana Act, 1977, so as to repeal an obsolete provision and to further regulate the payment of certain amounts to Bophuthatswana; amend the Finance Act, 1978, so as to extend the power of the Minister of Finance to bind the Government by means of an agreement in respect of certain losses suffered by certain insurers and to prohibit the entering into of certain insurance contracts; and amend the Financial Arrangements with Venda Act, 1979, and the Financial Arrangements with Ciskei Act, 1981, so as to repeal certain obsolete provisions and to further regulate the payment of certain amounts to Venda and Ciskei, respectively; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 12 July 1984.)

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

1. There is hereby appropriated from the State Revenue Fund, as a charge against the State Revenue Account, for the Special Defence Account established by section 1 of the Defence Special Account Act, 1974 (Act No. 6 of 1974)—

Appropriation of certain amounts of money for Special Defence Account.

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- (a) 'n bedrag van R60 000 000 ten opsigte van die verpligtinge wat kragtens artikel 1A van daardie Wet aangegaan is in die boekjaar wat op 31 Maart 1984 geëindig het; en
- (b) 'n bedrag geld gelyk aan die surplus in die Staatsinkomsterekening op 31 Maart 1984, soos deur die Ouditeur-generaal gesertifiseer, min die bedrag geld in paragraaf (a) bedoel.

Bestryding van ongemagtigde uitgawes uit Staatsinkomsterekening.

2. (1) Die Staatsinkomsterekening word hierby belas met die bedrag van R2 679 900,16 tot dekking van sekere uitgawes bo en 10 behalwe die bedrae beskikbaar gestel vir die diens van die Republiek vir die boekjare wat op 31 Maart 1982 en 31 Maart 1983 geëindig het.

(2) Die uitgawes in subartikel (1) bedoel, word uiteengesit in die Bylae en word nader beskryf op bladsy 7 van Deel I van die 15 Verslag van die Ouditeur-generaal vir die boekjaar wat op 31 Maart 1983 geëindig het, wat aan die Volksraad voorgelê is, en in die Eerste Verslag van die Gekose Komitee oor Openbare Rekenings (oor Ongemagtigde Uitgawe), 1984.

Omskepping van sekere voorskotte uit Stabilisasierekening tot bewilligde geld, en bewilliging van sekere bedrae geld, vir Landsvoorradeverkrygingsfonds.

3. (1) Die bedrag van R1 925 000 000 wat voor of op 31 Maart 20 1984 kragtens artikel 18 (3) (b) van die Skatkis- en Ouditwet, 1975 (Wet No. 66 van 1975), uit die Stabilisasierekening aan die Landsvoorradeverkrygingsfonds, ingestel by artikel 12 van die Wet op die Verkryging van Landsvoorrade, 1970 (Wet No. 89 van 1970), voorgeskiet is, word geag met ingang van 1 April 25 1984 uit die Staatsinkomstefonds, ten laste van die Staatsinkomsterekening, vir genoemde Landsvoorradeverkrygingsfonds bewillig te gewees het, en is nie terugbetaalbaar nie.

(2) Daar word hierby uit die Staatsinkomstefonds, ten laste van die Staatsinkomsterekening, vir genoemde Landsvoorrade- 30 verkrygingsfonds 'n bedrag van R75 000 000 bewillig.

Omskepping van leningskuld van Suid-Afrikaanse Ontwikkelingskorporasie vir Uitvindings in aandeelkapitaal.

4. (1) Die bedrag van R4 030 000 wat gedurende die tydperk 22 Maart 1977 tot 9 November 1983 deur die Staat aan die Suid-Afrikaanse Ontwikkelingskorporasie vir Uitvindings ingestel by artikel 2 van die Wet op die Ontwikkeling van Uitvindings, 1962 35 (Wet No. 31 van 1962), geleen is, word geag geld te wees wat aan genoemde korporasie deur die Staat betaal is ten opsigte van aandele in daardie korporasie wat ingevolge artikel 10 (1) (b) van genoemde Wet aan die Wetenskaplike en Nywerheidsnavorsingsraad bedoel in artikel 2 van die Wet op die Wetenskap- 40 like Navorsingsraad, 1962 (Wet No. 32 van 1962), toegeken is.

(2) Geen rente is met ingang van 1 April 1984 deur genoemde korporasie ten opsigte van genoemde bedrag aan die Staat betaalbaar nie.

Vermindering van waarde van bates deur Kleinsake-ontwikkelingskorporasie, Beperk, verkry.

5. Ondanks die bepalinge van artikels 3 en 4 van die Klein- 45 sake-ontwikkelingswet, 1981 (Wet No. 112 van 1981), word die bedrag van die netto batewaarde van al die bates, regte, laste en verpligtinge van die Ontwikkelings- en Finansieringskorporasie en van die Indiër-nywerheidsontwikkelingskorporasie bedoel in artikel 2 (1) van genoemde Wet wat uit hoofde van die bepalinge 50 van daardie Wet op 1 Desember 1981 op die Kleinsake-ontwikkelingskorporasie, Beperk, oorgegaan het, geag op daardie datum R46 201 769 te beloop het.

Wysiging van artikel 1 van Wet 82 van 1968, soos gewysig deur artikel 15 van Wet 91 van 1971.

6. Artikel 1 van die Wet op Bystand aan Goudmyne, 1968, word hierby gewysig deur die omskrywing van "mynwins" te 55 skrap.

Wysiging van artikel 3 van Wet 82 van 1968, soos gewysig deur artikel 1 van Wet 81 van 1976.

7. (1) Artikel 3 van die Wet op Bystand aan Goudmyne, 1968, word hierby gewysig deur in subartikel (1) die woorde wat die eerste voorbehoudsbepaling voorafgaan deur die volgende woorde te vervang: 60
"Indien [, in die geval van] 'n maatskappy wat gedurende 'n jaar van aanslag goudmynbedrywighede op 'n ondersteunde

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- (a) an amount of R60 000 000 in respect of the commitments entered into under section 1A of that Act during the financial year which ended on 31 March 1984; and
- 5 (b) an amount of money equal to the surplus in the State Revenue Account on 31 March 1984, as certified by the Auditor-General, less the amount of money referred to in paragraph (a).

2. (1) The State Revenue Account is hereby charged with the amount of R2 679 900,16 to defray certain expenditure over and above the amounts appropriated for the service of the Republic for the financial years which ended on 31 March 1982 and 31 March 1983.

Defraying of unauthorized expenditure from State Revenue Account.

(2) The expenditure referred to in subsection (1) is set forth in the Schedule and is more fully described on page 7 of Part I of the Report of the Auditor-General for the financial year which ended on 31 March 1983, which has been submitted to the House of Assembly, and in the First Report of the Select Committee on Public Accounts (on Unauthorized Expenditure), 1984.

20 3. (1) The amount of R1 925 000 000 advanced under section 18 (3) (b) of the Exchequer and Audit Act, 1975 (Act No. 66 of 1975), from the Stabilization Account before or on 31 March 1984 to the National Supplies Procurement Fund, established by section 12 of the National Supplies Procurement Act, 1970 (Act No. 89 of 1970), shall be deemed to have been appropriated from the State Revenue Fund, as a charge against the State Revenue Account, for the said National Supplies Procurement Fund with effect from 1 April 1984, and shall not be repayable.

Conversion of certain advances from Stabilization Account into appropriated moneys, and appropriation of certain amounts of money, for National Supplies Procurement Fund.

(2) There is hereby appropriated from the State Revenue Fund, as a charge against the State Revenue Account, for the said National Supplies Procurement Fund an amount of R75 000 000.

35 4. (1) The amount of R4 030 000 loaned during the period 22 March 1977 to 9 November 1983 by the State to the South African Inventions Development Corporation established by section 2 of the Inventions Development Act, 1962 (Act No. 31 of 1962), shall be deemed to be money paid to the said corporation by the State in respect of shares in that corporation allotted in terms of section 10 (1) (b) of the said Act to the Council for Scientific and Industrial Research referred to in section 2 of the Scientific Research Council Act, 1962 (Act No. 32 of 1962).

Conversion of loan liability of South African Inventions Development Corporation into share capital.

(2) No interest shall be payable to the State by the said corporation in respect of the said amount with effect from 1 April 1984.

45 5. Notwithstanding the provisions of sections 3 and 4 of the Small Business Development Act, 1981 (Act No. 112 of 1981), the amount of the net asset value of all the assets, rights, liabilities and obligations of the Development and Finance Corporation and the Indian Industrial Development Corporation referred to in section 2 (1) of the said Act which, pursuant to the provisions of that Act, vested on 1 December 1981 in the Small Business Development Corporation, Limited, shall be deemed

Reduction of value of assets acquired by Small Business Development Corporation, Limited.

55 6. Section 1 of the Gold Mines Assistance Act, 1968, is hereby amended by the deletion of the definition of "mining profit".

Amendment of section 1 of Act 82 of 1968, as amended by section 15 of Act 91 of 1971.

7. (1) Section 3 of the Gold Mines Assistance Act, 1968, is hereby amended by the substitution in subsection (1) for the words preceding the first proviso of the following words:

Amendment of section 3 of Act 82 of 1968, as amended by section 1 of Act 81 of 1976.

60 "If [, in the case of] any company which has during any year of assessment carried on gold mining operations on an

goudmyn beoefen het, [die mynwins deur die maatskappy gedurende die jaar van aanslag uit bedoelde myn verkry, minder is as agt en sewe-en-veertig agt-en-sestigste persent van die myninkomste deur die maatskappy gedurende bedoelde jaar uit daardie myn verkry, of indien die maatskappy] gedurende bedoelde jaar 'n mynverlies ten opsigte van daardie myn gelyk het, word daar, mits 'n sertifikaat ten opsigte van bedoelde jaar volgens voorskrif van artikel 5 verstrekt is, aan die maatskappy uit fondse deur die Parlement bewillig 'n bedrag betaal gelyk aan [—

- (a) indien 'n mynwins soos voormeld verkry is, ses en een honderdste persent van die myninkomste deur die maatskappy gedurende die jaar van aanslag uit daardie myn verkry, min agt-en-sestig persent van bedoelde mynwins; of
- (b) indien 'n mynverlies soos voormeld gelyk is, die totaal van 'n bedrag gelyk aan ses en een honderdste persent van die myninkomste deur daardie maatskappy gedurende die jaar van aanslag uit daardie myn verkry en 'n bedrag gelyk aan agt-en-sestig persent van bedoelde mynverlies, of 'n bedrag

gelyk aan daardie mynverlies, watter bedrag ook al die kleinste is, min inkomste waarop belasting ingevolge die Inkomstebelastingwet bereken is ten opsigte van inkomste deur die maatskappy verkry uit 'n ander bron as uit die myn van goud, na aftrekking van belasting wat ten opsigte van daardie inkomste betaal of betaalbaar is:”.

(2) Subartikel (1) word geag in werking te getree het op die datum waarop 'n jaar van aanslag, soos omskryf in artikel 1 van die Wet op Bystand aan Goudmyne, 1968, wat op of na 1 April 1983 'n aanvang geneem het of neem, vir die eerste keer op of na 1 April 1983 'n aanvang geneem het.

Wysiging van artikel 6 van Wet 82 van 1968, soos gewysig deur artikel 2 van Wet 29 van 1975 en artikel 2 van Wet 81 van 1976.

8. (1) Artikel 6 van die Wet op Bystand aan Goudmyne, 1968, word hierby gewysig—

- (a) deur in subartikel (2) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:
- “By die vasstelling van die [mynwins verkry of die] mynverlies gelyk deur 'n maatskappy gedurende 'n jaar van aanslag ten opsigte van 'n ondersteunde goudmyn—”; en

- (b) deur paragraaf (ii) van die voorbehoudsbepaling by paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:

“(ii) die aftrekking van bedoelde kapitaalluitgawe (na uitsluiting van die uitgawe aangegaan op 'n projek in paragraaf (i) van hierdie voorbehoudsbepaling bedoel) 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, of tot 'n bedrag gelyk aan tien persent van die myninkomste van daardie maatskappy gedurende daardie jaar van aanslag, watter bedrag ook al die kleinste is;”.

(2) Subartikel (1) word geag in werking te getree het op die datum waarop 'n jaar van aanslag, soos omskryf in artikel 1 van die Wet op Bystand aan Goudmyne, 1968, wat op of na 1 April 1983 'n aanvang geneem het of neem, vir die eerste keer op of na 1 April 1983 'n aanvang geneem het.

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- assisted gold mine **[, the mining profit derived by the company from such mine during the year of assessment is less than eight and fifty-seven sixty-eighths per cent of the mining income derived by the company from such mine during the said year, or if the company]** has during such year incurred a mining loss in respect of such mine, there shall, provided a certificate in respect of such year has been furnished as prescribed by section 5, be paid to such company out of funds voted by Parliament, an amount equal to **[—**
- 5
- 10 (a) **if a mining profit has been derived as aforesaid, six and one hundredth per cent of the mining income derived by such company from such mine during the year of assessment, less sixty-eight per cent of such mining profit; or**
- 15 (b) **if a mining loss has been incurred as aforesaid,]** the aggregate of a sum equal to six and one hundredth per cent of the mining income derived by such company from such mine during the year of assessment and a sum equal to sixty-eight per cent of such mining loss, **or an amount**
- 20 **equal to that mining loss, whichever amount is the smaller, less income on which tax has been calculated in terms of the Income Tax Act in respect of income derived by the company from any source other than**
- 25 **from the mining of gold, after deduction of tax paid or payable in respect of that income:”.**

(2) Subsection (1) shall be deemed to have come into operation on the date on which a year of assessment, as defined in section 1 of the Gold Mines Assistance Act, 1968, which commenced or commences on or after 1 April 1983, commenced for the first time on or after 1 April 1983.

8. (1) Section 6 of the Gold Mines Assistance Act, 1968, is hereby amended—
- 35 (a) by the substitution in subsection (2) for the words preceding paragraph (a) of the following words:
- “In the determination of the **[mining profit derived or the]** mining loss incurred by any company during any year of assessment in respect of any assisted gold mine—”; and
- 40 (b) 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 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, or to an amount equal to ten per cent of the mining income of that company during that year of assessment, whichever amount is the smaller;”.
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- 55

Amendment of section 6 of Act 82 of 1968, as amended by section 2 of Act 29 of 1975 and section 2 of Act 81 of 1976.

(2) Subsection (1) shall be deemed to have come into operation on the date on which a year of assessment, as defined in section 1 of the Gold Mines Assistance Act, 1968, which commenced or commences on or after 1 April 1983, commenced for the first time on or after 1 April 1983.

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Wysiging van artikel 4 van Wet 86 van 1968, soos gewysig deur artikel 11 van Wet 102 van 1969, artikel 2 van Wet 74 van 1971, artikel 15 van Wet 63 van 1973 en artikel 17 van Wet 102 van 1976.

9. Artikel 4 van die Wet op die Staatstenderraad, 1968, word hierby gewysig—

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

“(c) leweransies en dienste wat aangebied word of ingevolge 'n ooreenkoms wat kragtens hierdie artikel aangegaan is, gelewer word of is, en enigiets wat te huur aangebied word, inspekteer en toets of laat inspekteer en toets;” en

(b) deur na paragraaf (e) van subartikel (1) die volgende paragraaf in te voeg:

“(eA) namens die Staat terugtree uit 'n ooreenkoms wat kragtens hierdie artikel aangegaan is en, in 'n gepaste geval, skadevergoeding eis;”.

10. (1) Artikel 1 van die Wet op die Spesiale Verdedigingsrekening, 1974, word hierby gewysig deur na paragraaf (c) die volgende paragraaf in te voeg:

“(cA) die opbrengs verkry uit die verkoop, ooreenkomstig die bepalings van die een of ander wet, van krygstuig, soos in artikel 1 van die Wet op Krygstuigontwikkeling en -vervaardiging, 1968 (Wet No. 57 van 1968), omskryf, wat ooreenkomstig die bepalings van artikel 2 (2) (a) van hierdie Wet aangekoop is;”.

(2) Subartikel (1) word geag op 1 April 1982 in werking te getree het.

Herroeping van artikel 1 van Wet 106 van 1976.

11. Artikel 1 van die Wet op Finansiële Reëlins met die Transkei, 1976, word hierby herroep.

Wysiging van artikel 2 van Wet 106 van 1976.

12. (1) Artikel 2 van die Wet op Finansiële Reëlins met die Transkei, 1976, word hierby gewysig deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:

“(a) bedrae wat, na die mening van die Minister van Finansies, saam gelyk is aan die bedrag van die belasting en ander geld wat in 'n boekjaar ingevolge die **[Wet op Swart Belasting, 1969 (Wet No. 92 van 1969)] Inkomstebelastingwet, 1962 (Wet No. 58 van 1962), of 'n ander wet** deur Transkeise burgers in die Republiek van Suid-Afrika betaal word;”.

(2) Subartikel (1) word geag op 1 Maart 1984 in werking te getree het.

Wysiging van artikel 58 van Wet 11 van 1977.

13. Artikel 58 van die Konsolidasiewet op Finansiële en Finansiële Reëlinswette, 1977, word hierby gewysig—

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

“(a) om betaling van enige geld deur die Republiek aan die Internasionale Monetêre Fonds, **[en]** die Internasionale Bank vir Rekonstruksie en Ontwikkeling en die Internasionale Ontwikkelingsgenootskap verskuldig (uitgesonderd bedrae ten opsigte van minimum goudbydraes verskuldig), te verseker deur die uitreiking aan die Suid-Afrikaanse Reserwebank, as bewaarder, van spesiale Tesouriepromesses wat nie verhandelbaar en nie rentedraend is nie en teen hul nominale waarde op aanvraag betaalbaar is;” en

(b) deur paragraaf (c) van subartikel (1) deur die volgende paragraaf te vervang:

“(c) om enige terugbetaling van bydraes of ander geld deur genoemde Fonds, **[of]** Internasionale Bank of Internasionale Ontwikkelingsgenootskap beskikbaar gestel, ten bate van die Staatsinkomsterekening aan te neem.”.

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9. Section 4 of the State Tender Board Act, 1968, is hereby amended—

- (a) by the substitution for paragraph (c) of subsection (1) of the following paragraph:
- 5 “(c) inspect and test or cause to be inspected and tested supplies and services which are offered or which are or have been furnished in terms of an agreement concluded under this section, and anything offered for hire;”; and
- 10 (b) by the insertion after paragraph (e) of subsection (1) of the following paragraph:
- “(eA) on behalf of the State, resile from any agreement concluded under this section and, in an appropriate case, claim damages;”.

Amendment of section 4 of Act 86 of 1968, as amended by section 11 of Act 102 of 1969, section 2 of Act 74 of 1971, section 15 of Act 63 of 1973 and section 17 of Act 102 of 1976.

15 10. (1) Section 1 of the Defence Special Account Act, 1974, is hereby amended by the insertion after paragraph (c) of the following paragraph:

- “(cA) the proceeds derived from the sale, in accordance with the provisions of any law, of armaments, as defined in section 1 of the Armaments Development and Production Act, 1968 (Act No. 57 of 1968), which have been purchased in accordance with the provisions of section 2 (2) (a) of this Act;”.
- 20

Amendment of section 1 of Act 6 of 1974, as substituted by section 21 of Act 102 of 1976 and amended by section 1 of Act 17 of 1981.

(2) Subsection (1) shall be deemed to have come into operation on 1 April 1982.

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11. Section 1 of the Financial Arrangements with the Transkei Act, 1976, is hereby repealed.

Repeal of section 1 of Act 106 of 1976.

12. (1) Section 2 of the Financial Arrangements with the Transkei Act, 1976, is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph:

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- “(a) amounts which are, in the opinion of the Minister of Finance, in the aggregate equal to the amount of the taxes and other moneys which are paid by Transkeian citizens in the Republic of South Africa in any financial year in terms of the **[Black Taxation Act, 1969 (Act No. 92 of 1969)] Income Tax Act, 1962 (Act No. 58 of 1962)**, or any other law;”.
- 35

Amendment of section 2 of Act 106 of 1976.

(2) Subsection (1) shall be deemed to have come into operation on 1 March 1984.

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13. Section 58 of the Finance and Financial Adjustments Acts Consolidation Act, 1977, is hereby amended—

- (a) by the substitution for paragraph (a) of subsection (1) of the following paragraph:
- 45 “(a) to secure payment of any moneys due by the Republic to the International Monetary Fund, **[and]** the International Bank for Reconstruction and Development and the International Development Association (other than amounts due in respect of minimum gold subscriptions), by the issue to the South African Reserve Bank, as depository, of special Treasury promissory notes which shall be non-negotiable, non-interest bearing and payable at their face value on demand;”; and
- 50 (b) by the substitution for paragraph (c) of subsection (1) of the following paragraph:
- 55 “(c) to accept for the credit of the State Revenue Account any refund of subscriptions or other moneys made available by the said Fund, **[or]** International Bank or International Development Association.”.
- 60

Amendment of section 58 of Act 11 of 1977.

Wet No. 113, 1984

FINANSIEWET, 1984

Herroeping van
artikel 1 van
Wet 93 van 1977.

14. Artikel 1 van die Wet op Finansiële Reëlins met Bophuthatswana, 1977, word hierby herroep.

Wysiging van
artikel 2 van
Wet 93 van 1977.

15. (1) Artikel 2 van die Wet op Finansiële Reëlins met Bophuthatswana, 1977, word hierby gewysig deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang: 5

“(a) bedrae wat, na die mening van die Minister van Finansies, saam gelyk is aan die bedrag van die belasting en ander geld wat in ’n boekjaar ingevolge die **[Wet op Swart Belasting, 1969 (Wet No. 92 van 1969)]** Inkomstebelastingwet, 1962 (Wet No. 58 van 1962), of ’n ander wet deur Bophuthatswana-burgers in die Republiek van Suid-Afrika betaal word;” 10

(2) Subartikel (1) word geag op 1 Maart 1984 in werking te getree het.

Wysiging van
artikel 6 van
Wet 94 van 1978.

16. (1) Artikel 6 van die Finansiewet, 1978, word hierby gewysig— 15

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

“(a) die Regering van die Republiek bind om aan sodanige versekeraar ten opsigte van elke kalenderjaar 20 ’n bedrag te betaal gelyk aan die bedrag, soos bepaal op die grondslag wat in die ooreenkoms uiteengesit is, van die verlies, indien enige, wat die versekeraar in sodanige jaar gelyk het onder versekeringspolis se waarkragtens die versekeraar die 25 verpligting aanvaar het om die eienaars van sodanige polis se teen verlies van of skade aan eiendom, of gevolglike verlies wat uit bedoelde verlies of skade voortspruit in die mate wat die Minister van 30 Finansies van tyd tot tyd bepaal, te vrywaar;”

(b) deur na subartikel (1) die volgende subartikel in te voeg:

“(1A) (a) Niemand, hetsy as versekeraar of versekerde, mag ’n versekeringsooreenkoms binne of buite die Republiek aangaan nie waarkragtens die 35 versekeraar ten opsigte van eiendom wat in die Republiek, met inbegrip van die territoriale waters van die Republiek, geleë is, die verpligting aanvaar om ingevolge die polis wat uit hoofde van die ooreenkoms uitgereik word die eienaar van die polis te vrywaar teen verlies van of skade aan eiendom, met inbegrip van gevolglike verlies in paragraaf (a) van subartikel (1) bedoel, tensy— 40

(i) die versekeraar ’n geregistreerde versekeraar is wat ’n ooreenkoms in subartikel (1) beoog, aangegaan het; of 45

(ii) die versekeraar in subparagraaf (i) bedoel, skriftelik verklaar het dat hy nie bereid is nie om daardie verpligting of enige gedeelte van daardie verpligting of ’n ander verpligting in verband met daardie eiendom, hetsy op die voorwaardes in die versekeringsooreenkoms beoog of op enige ander voorwaardes, te aanvaar. 50

(b) Iemand wat die bepalings van paragraaf (a) oortree, is aan ’n misdryf skuldig en by skuldigbevinding strafbaar met ’n boete van hoogstens R10 000 of gevangenisstraf van hoogstens twee jaar of met sowel daardie boete as daardie gevangenisstraf;” 55

(c) deur in subartikel (2) die woorde wat op paragraaf (d) volg, te skrap. 60

(2) Subartikel (1) tree in werking op ’n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

FINANCE ACT, 1984

Act No. 113, 1984

14. Section 1 of the Financial Arrangements with Bophuthatswana Act, 1977, is hereby repealed.

Repeal of
section 1 of
Act 93 of 1977.

15. (1) Section 2 of the Financial Arrangements with Bophuthatswana Act, 1977, is hereby amended by the substitution for 5 paragraph (a) of subsection (1) of the following paragraph:

Amendment of
section 2 of
Act 93 of 1977.

“(a) amounts which are, in the opinion of the Minister of Finance, in the aggregate equal to the amount of the taxes and other moneys which are paid by Bophuthatswana citizens in the Republic of South Africa in any
10 financial year in terms of the **[Black Taxation Act, 1969 (Act No. 92 of 1969)] Income Tax Act, 1962 (Act No. 58 of 1962)**, or any other law;”.

(2) Subsection (1) shall be deemed to have come into operation on 1 March 1984.

15 16. (1) Section 6 of the Finance Act, 1978, is hereby amended—

Amendment of
section 6 of
Act 94 of 1978.

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

“(a) binds the Government of the Republic to pay to
20 such insurer in respect of every calendar year an amount equal to the amount, as determined on the basis set forth in such agreement, of the loss, if any, sustained by the insurer in such year under
25 policies of insurance in terms of which the insurer assumed the obligation to indemnify the owners of such policies against loss of or damage to property,
or consequential loss resulting from such loss or damage to the extent determined by the Minister of Finance from time to time;”;

30 (b) by the insertion after subsection (1) of the following subsection:

“(1A) (a) No person, whether as insurer or insured,
shall within or outside the Republic enter into an insurance contract in terms of which the insurer assumes the obligation in respect of property situated in the Republic, including the territorial waters of the Republic, to indemnify, in terms of the policy issued by virtue of such contract, the owner of such policy against loss of or damage to property, including consequential loss referred to in paragraph (a) of subsection (1), unless—

(i) the insurer is a registered insurer who has entered into an agreement contemplated in subsection (1); or

45 (ii) the insurer referred to in subparagraph (i) has declared in writing that he is not prepared to assume such obligation or any part of such obligation or any other obligation in connection with such property, whether on the conditions contemplated in such insurance contract or on any other conditions.

(b) Any person who contravenes the provisions of paragraph (a) shall be guilty of an offence and liable on conviction to a fine not exceeding R10 000 or imprisonment for a period not exceeding two
55 years or to both that fine and that imprisonment.”;
and

(c) by the deletion in subsection (2) of the words following upon paragraph (d).

60 (2) Subsection (1) shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

Wet No. 113, 1984

FINANSIEWET, 1984

Herroeping van
artikel 1 van
Wet 105 van 1979.

17. Artikel 1 van die Wet op Finansiële Reëlins met Venda, 1979, word hierby herroep.

Wysiging van
artikel 2 van
Wet 105 van 1979.

18. (1) Artikel 2 van die Wet op Finansiële Reëlins met Venda, 1979, word hierby gewysig deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang: 5

“(a) bedrae wat, na die mening van die Minister van Finansasies, saam gelyk is aan die bedrag van die belasting en ander geld wat in ’n boekjaar ingevolge die **[Wet op Swart Belasting, 1969 (Wet No. 92 van 1969)] Inkomstebelastingwet, 1962 (Wet No. 58 van 1962)**, of ’n ander wet deur Venda-burgers in die Republiek van Suid-Afrika betaal word;” 10

(2) Subartikel (1) word geag op 1 Maart 1984 in werking te getree het.

Herroeping van
artikel 1 van
Wet 118 van 1981.

19. Artikel 1 van die Wet op Finansiële Reëlins met Ciskei, 1981, word hierby herroep.

Wysiging van
artikel 2 van
Wet 118 van 1981.

20. (1) Artikel 2 van die Wet op Finansiële Reëlins met Ciskei, 1981, word hierby gewysig deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:

“(a) bedrae wat, na die mening van die Minister van Finansasies, saam gelyk is aan die bedrag van die belasting en ander geld wat in ’n boekjaar ingevolge die **[Wet op Swart Belasting, 1969 (Wet No. 92 van 1969)] Inkomstebelastingwet, 1962 (Wet No. 58 van 1962)**, of ’n ander wet deur Ciskei-burgers in die Republiek van Suid-Afrika betaal word;” 20

(2) Subartikel (1) word geag op 1 Maart 1984 in werking te getree het.

Kort titel.

21. Hierdie Wet heet die Finansiewet, 1984.

Bylae

Titel van Begrotingspos, en boekjaar	Bedrag
	R
Binnelandse Aangeleenthede, 1982-'83	2 666 219,75
Weermag, 1981-'82 en 1982-'83	13 680,41
	2 679 900,16

FINANCE ACT, 1984

Act No. 113, 1984

17. Section 1 of the Financial Arrangements with Venda Act, 1979, is hereby repealed. Repeal of section 1 of Act 105 of 1979.
18. (1) Section 2 of the Financial Arrangements with Venda Act, 1979, is hereby amended by the substitution for paragraph 5 (a) of subsection (1) of the following paragraph: Amendment of section 2 of Act 105 of 1979.
- 10 “(a) amounts which are, in the opinion of the Minister of Finance, in the aggregate equal to the amount of the taxes and other moneys which are paid by Venda citizens in the Republic of South Africa in any financial year in terms of the **[Black Taxation Act, 1969 (Act No. 92 of 1969)] Income Tax Act, 1962 (Act No. 58 of 1962), or any other law;**”.
- (2) Subsection (1) shall be deemed to have come into operation on 1 March 1984.
- 15 19. Section 1 of the Financial Arrangements with Ciskei Act, 1981, is hereby repealed. Repeal of section 1 of Act 118 of 1981.
- 20 20. (1) Section 2 of the Financial Arrangements with Ciskei Act, 1981, is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph: Amendment of section 2 of Act 118 of 1981.
- 25 “(a) amounts which are, in the opinion of the Minister of Finance, in the aggregate equal to the amount of the taxes and other moneys which are paid by Ciskei citizens in the Republic of South Africa in any financial year in terms of the **[Black Taxation Act, 1969 (Act No. 92 of 1969)] Income Tax Act, 1962 (Act No. 58 of 1962), or any other law;**”.
- (2) Subsection (1) shall be deemed to have come into operation on 1 March 1984.
21. This Act shall be called the Finance Act, 1984. Short title.

Schedule

Title of Vote, and financial year	Amount
Internal Affairs, 1982-'83	R 2 666 219,75
Defence, 1981-'82 and 1982-'83	13 680,41
	2 679 900,16