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OF THE REPUBLIC OF SOUTH AFRICA

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STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 908.

24 April 1985

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

No. 48 of 1985: Foreign States Immunities Amendment Act, 1985.

No. 908.

24 April 1985

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

No. 48 van 1985: Wysigingswet op die Immuniteite van Vreemde State, 1985.

Act No. 48, 1985

FOREIGN STATES IMMUNITIES AMENDMENT ACT, 1985

GENERAL EXPLANATORY NOTE:

Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Foreign States Immunities Act, 1981, so as to make it clear that the property of foreign states shall not be subject to attachment in order to found jurisdiction; and to provide for matters connected therewith.

*(English text signed by the State President.)
(Assented to 12 April 1985.)*

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

Amendment of
section 14 of
Act 87 of 1981.

1. Section 14 of the Foreign States Immunities Act, 1981, is hereby amended by the substitution for paragraph (b) of subsection (1) of the following paragraph:

“(b) the property of a foreign state shall not be subject to any process—
(i) for its attachment in order to found jurisdiction;
(ii) for the enforcement of a judgment or an arbitration award; or
(iii) in an action *in rem*, for its attachment or sale.”.

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Short title.

2. This Act shall be called the Foreign States Immunities Amendment Act, 1985.

WYSIGINGSWET OP DIE IMMUNITEITE VAN VREEMDE STATE,
1985

Wet No. 48, 1985

ALGEMENE VERDUIDELIKENDE NOTA:

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

WET

Tot wysiging van die Wet op die Immuniteite van Vreemde State, 1981, ten einde dit duidelik te stel dat die eiendom van vreemde state nie vir inbeslagneming ten einde jurisdiksie te vestig, vatbaar is nie; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

*(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 12 April 1985.)*

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

1. Artikel 14 van die Wet op die Immuniteite van Vreemde State, 1981, word hierby gewysig deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:

Wysiging van
artikel 14 van
Wet 87 van 1981.

- 10 “(b) is die eiendom van 'n vreemde staat nie vatbaar nie vir geregtelike proses—
- (i) vir die inbeslagneming daarvan ten einde jurisdiksie te vestig;
 - (ii) vir die tenuitvoerlegging van 'n vonnis of arbitrasietoekenning; of
 - (iii) in 'n aksie *in rem*, vir die inbeslagneming of verkoop daarvan.”.

2. Hierdie Wet heet die Wysigingswet op die Immuniteite van Vreemde State, 1985. Kort titel.

