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STAATSKOERANT

GOVERNMENT GAZETTE

FOR THE REPUBLIC OF SOUTH AFRICA

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KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 771.

11 Maart 1992

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

No. 5 van 1992: Wysigingswet op Rekenaargetuïenis, 1992.

No. 771.

11 March 1992

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

No. 5 of 1992: Computer Evidence Amendment Act, 1992.

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

Tot wysiging van die Wet op Rekenaargetuïenis, 1983, ten einde die omskrywing van "openbare instelling" uit te brei; en ander voorsiening te maak ten opsigte van strawwe; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 3 Maart 1992.)

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

Wysiging van artikel 1 van Wet 57 van 1983

1. Artikel 1 van die Wet op Rekenaargetuïenis, 1983, word hierby gewysig deur in subartikel (1) die omskrywing van "openbare instelling" deur die volgende omskrywing te vervang: 5

"'openbare instelling' 'n Staatsdepartement, provinsiale administrasie, [of] plaaslike owerheid soos omskryf in artikel 1 van die Wet op die Bevordering van Plaaslike Owerheidsaangeleenthede, 1983 (Wet No. 91 van 1983), die Raad op Plaaslike Bestuursaangeleenthede ingestel by artikel 2 van die Wet op die Raad op Plaaslike Bestuursaangeleenthede (Volksraad), 1989 (Wet No. 84 van 1989), [of] 'n finansiële instelling soos omskryf in artikel 1 van die Wet op Inspeksie van Finansiële Instellings, [1962 (Wet No. 68 van 1962)] 1984 (Wet No. 38 van 1984), die Land- en Landboubank van Suid-Afrika bedoel in artikel 3 van die Landbankwet, 1944 (Wet No. 13 van 1944), 'n onderlinge bouvereniging soos omskryf in artikel 1 van die Wet op Onderlinge Bouverenigings, 1965 (Wet No. 24 van 1965), of 'n depositonemende instelling soos omskryf in artikel 1 van die Wet op Depositonemende Instellings, 1990 (Wet No. 94 van 1990);". 10 15 20

Wysiging van artikel 5 van Wet 57 van 1983

2. Artikel 5 van die Wet op Rekenaargetuïenis, 1983, word hierby gewysig deur paragraaf (b) deur die volgende paragraaf te vervang: 25
“(b) by skuldigbevinding strafbaar met 'n boete [van hoogstens R4 000] of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar, of met [sodanige] 'n boete sowel as sodanige gevangenisstraf.”.

Kort titel

3. Hierdie Wet heet die Wysigingswet op Rekenaargetuïenis, 1992.

GENERAL EXPLANATORY NOTE:

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

_____ Words underlined with a solid line indicate insertions in existing enactments.

ACT

To amend the Computer Evidence Act, 1983, so as to extend the definition of "public institution"; and to make other provision in respect of penalties; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 3 March 1992.)

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

Amendment of section 1 of Act 57 of 1983

1. Section 1 of the Computer Evidence Act, 1983, is hereby amended by the substitution in subsection (1) for the definition of "public institution" of the following definition:

10 " 'public institution' means any department of State, provincial administration, **[or]** local authority as defined in section 1 of the Promotion of Local Government Affairs Act, 1983 (Act No. 91 of 1983), the Local Government Affairs Council established by section 2 of the Local Government Affairs Council Act (House of Assembly), 1989 (Act No. 84 of 1989), **[or]** any financial institution as defined in section 1 of the Inspection of Financial Institutions Act, **[1962 (Act No. 68 of 1962)]** 1984 (Act No. 38 of 1984), the Land and Agricultural Bank of South Africa referred to in section 3 of the Land Bank Act, 1944 (Act No. 13 of 1944), any mutual building society as defined in section 1 of the Mutual Building Societies Act, 1965 (Act No. 24 of 1965), or any deposit-taking institution as defined in section 1 of the Deposit-taking Institutions Act, 1990 (Act No. 94 of 1990);".

20 Amendment of section 5 of Act 57 of 1983

2. Section 5 of the Computer Evidence Act, 1983, is hereby amended by the substitution for paragraph (b) of the following paragraph:

25 "(b) liable on conviction to a fine **[not exceeding R4 000]** or to imprisonment for a period not exceeding two years, or to both **[such]** a fine and such imprisonment."

Short title

3. This Act shall be called the Computer Evidence Amendment Act, 1992.

GENERAL EXPLANATORY NOTE:

Words in bold type in square brackets indicate omissions from existing enactments.
Words underlined with a solid line indicate insertions in existing enactments.

ACT

To amend the Computer Evidence Act, 1983, so as to extend the definition of "public institution"; and to make other provision in respect of penalties; and to provide for matters connected therewith.

(Affairs not signed by the State President.)
(Assented to 3 March 1983.)

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

Amendment of section 1 of Act 27 of 1983

1. Section 1 of the Computer Evidence Act, 1983, is hereby amended by the substitution in subsection (1) for the definition of "public institution" of the following definition:

"public institution" means any department of state, provincial administration, [or] local authority as defined in section 1 of the Promotion of Local Government Affairs Act, 1983 (Act No. 91 of 1983), the Local Government Affairs Council established by section 2 of the Local Government Affairs Council Act (House of Assembly), 1989 (Act No. 84 of 1989), [or] any financial institution as defined in section 1 of the Inspection of Financial Institutions Act, 1962 (Act No. 68 of 1962); 1984 (Act No. 38 of 1984), the Land and Agricultural Bank of South Africa referred to in section 3 of the Land Bank Act, 1944 (Act No. 12 of 1944), any mutual building society as defined in section 1 of the Mutual Building Societies Act, 1965 (Act No. 24 of 1965), or any deposit-taking institution as defined in section 1 of the Deposit-taking Institutions Act, 1990 (Act No. 94 of 1990)."

Amendment of section 2 of Act 27 of 1983

2. Section 2 of the Computer Evidence Act, 1983, is hereby amended by the substitution for paragraph (b) of the following paragraph:

(b) liable on conviction to a fine [not exceeding R4 000] or to imprisonment for a period not exceeding two years, or to both [such a fine and such imprisonment]."

Short title

3. This Act shall be called the Computer Evidence Amendment Act, 1983.