

NASIONALE GESAG
STAATSGESET
STATE ACT
ADMPT. OF SWA
GEPUBLIEERD
OP 31 AUGUSTUS 1985
NATIONAL EDITION
OFFICIAL GAZETTE

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EXTRAORDINARY

OF SOUTH WEST AFRICA

BUITENGEWONE

OFFISIELLE KOERANT

VAN SUIDWES-AFRIKA

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Government Notice

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DEPARTMENT OF GOVERNMENTAL AFFAIRS

No. 49

1985

PROMULGATION OF ACT OF NATIONAL ASSEMBLY

The following Act, which has been adopted by the National Assembly and signed by the Administrator-General in terms of the South West Africa Legislative and Executive Authority Establishment Proclamation, 1985 (Proclamation R.101 of 1985), is hereby published in terms of section 18 of that Proclamation: —

No. 2 of 1985: Stamp Duties Amendment Act, 1985.

DEPARTEMENT VAN OWERHEIDSAKE

No. 49

1985

AFKONDIGING VAN WET VAN NASIONALE VERGADERING

Die volgende Wet, wat ingevolge die Proklamasie op die Instelling van Wetgewende en Uitvoerende Gesag vir Suidwes-Afrika, 1985 (Proklamasie R.101 van 1985), deur die Nasionale Vergadering aangeneem en deur die Administrateur-generaal onderteken is, word hierby afgekondig ingevolge artikel 18 van daardie Proklamasie: —

No. 2 van 1985: Wysigingswet op Seëlregte, 1985.

Act No. 2,1985

STAMP DUTIES AMENDMENT ACT, 1985

*(Afrikaans text signed by the Administrator-General
on 30 August 1985)*

ACT

To amend the Stamp Duties Act, 1968, so as to replace certain obsolete designations; to provide for further exemptions from the payment of stamp duty; to provide for the payment of stamp duty in respect of certain redemptions of shares; to effect a certain textual amendment; to further define "arbitrage transaction" for certain purposes; to provide for certain further exemptions from stamp duty on marketable securities; to provide further as to the imposition of a penalty for certain acts in connection with marketable securities; to provide further for the payment of stamp duty in connection with the alteration of share capital or shares or the reduction of share capital under certain schemes; to increase the stamp duty payable in respect of certain instruments; to define the expressions "hire-purchase agreement or contract" and "financial lease"; to do away with an exemption from stamp duty in respect of the registration of transfer of certain marketable securities; to provide for a further exemption from stamp duty in respect of the transfer of certain debentures; and to regulate the late payment of stamp duty in certain circumstances; and to provide for incidental matters.

BE IT ENACTED by the National Assembly, as follows:-

1. Section 1 of the Stamp Duties Act, 1968 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of "Secretary" of the following definition:

"'Secretary' means the Secretary for Finance;"

2. (1) Section 4 of the principal Act is hereby amended —

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

"(a) any instrument if the duty thereon would be legally payable and borne by the Government, including any provincial administration, the

Amendment of section 1 of
Act 77 of 1968, as amended
by section 16 of Act 103
of 1969, section 5 of
Act 66 of 1973 and section
7 of Act 88 of 1974.

Amendment of section 4 of
Act 77 of 1968, as amended
by section 17 of Act 103
of 1969, section 5 of Act
72 of 1970, section 6 of
Act 66 of 1973, section 8
of Act 88 of 1974 and sec-
tion 4 of Act 95 of 1978.

WYSIGINGSWET OP SEËLREGTE, 1985

Wet No. 2, 1985

(Afrikaanse teks deur die Administrateur-generaal onderteken op 30 Augustus 1985)

WET

Tot wysiging van die Wet op Seëlreg, 1968, ten einde sekere verouderde benamings te vervang; voorsiening te maak vir verdere vrystellings van die betaling van seëlreg; voorsiening te maak vir die betaling van seëlreg ten opsigte van sekere aflossings van aandele; 'n sekere teksverandering aan te bring; "arbitrasie-transaksie" vir sekere doeleindes nader te omskryf; voorsiening te maak vir sekere verdere vrystellings van seëlregte op handelseffekte; verdere voorsiening te maak met betrekking tot die oplegging van 'n boete vir sekere handelinge in verband met handelseffekte; verdere voorsiening te maak vir die betaling van seëlreg in verband met die wysiging van aandelekapitaal of aandele of die vermindering van aandelekapitaal ingevalle sekere skemas; die seëlreg betaalbaar ten opsigte van sekere stukke te verhoog; die uitdrukings "bruikhuur" en "muurkoopooreenkoms of kontrak" te omskryf; weg te doen met 'n vrystelling van seëlreg ten opsigte van die registrasie van oordrag van sekere handelseffekte; voorsiening te maak vir 'n verdere vrystelling van seëlreg ten opsigte van die oordrag van sekere skuldbrieve; en die laat betaling van seëlregte in sekere omstandighede te reël; en om vir bykomstige aangeleenthede voorsiening te maak.

DAAR WORD BEPAAL deur die Nasionale Vergadering, soos volg:

1. Artikel 1 van die Wet op Seëlregte, 1968 (hieronder die Hoofwet genoem), word hierby gewysig deur die omskrywing van "Sekretaris" deur die volgende omskrywing te vervang:

Wysiging van artikel 1 van Wet 77 van 1968, soos gewysig deur artikel 16 van Wet 103 van 1969, artikel 5 van Wet 66 van 1973 en artikel 7 van Wet 88 van 1974.

"Sekretaris" die Sekretaris van Finansies;".

2. (1) Artikel 4 van die Hoofwet word hierby gewysig —

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

"(a) 'n stuk, indien die seëlreg daarop wettiglik deur die Regering, met inbegrip van 'n provinsiale administrasie, die Suid-Afrikaanse Vervoerdienste

Wysiging van artikel 4 van Wet 77 van 1968, soos gewysig deur artikel 17 van Wet 103 van 1969, artikel 5 van Wet 72 van 1970, artikel 6 van Wet 66 van 1973, artikel 8 van Wet 88 van 1974 en artikel 4 van Wet 95 van 1978.

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South African Transport Services and a representative authority as defined in section 1 of the Representative Authorities Proclamation, 1980 (Proclamation AG. 8 of 1980), or by the government of any other country;"; and

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

"(b) any instrument if the duty thereon would be legally payable and borne by —

(i) any divisional council, rural council, municipal council, town council, village council, town board, local board, village management board, health committee or other committee of a similar nature; or

(ii) the Peri-Urban Development Board established by section 2 of the Peri-Urban Development Board Ordinance, 1970 (Ordinance No. 19 of 1970), any district council or any local or general council established or deemed to have been established under the Black Affairs Act, 1959 (Act No. 55 of 1959), an Administration Board established under the Black Affairs Administration Act, 1971 (Act No. 45 of 1971); or

(iii) the Rand Water Board, or any regional water services corporation constituted under section 7 of the Water Services Ordinance, 1963 (Ordinance No. 27 of 1963), of Natal, or any water board established under Chapter VII of the Water Act, 1956 (Act No. 54 of 1956); or

(iv) the S.W.A. Water and Electricity Corporation (Proprietary) Limited mentioned 1980 (Act No. 14 of 1980), or the Electricity Supply Commission; or

(v) the Evaton Black Township Liaison Committee as constituted under Part II of Schedule B to Proclamation No. 54 of 1959, or the body established under section 2 of the Transvaal Board for the Development of Peri-Urban Areas Ordinance, 1943 (Ordinance No. 20 of 1943), of the Transvaal; or

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en 'n verteenwoordigende owerheid soos in artikel 1 van die Proklamasie op Verteenwoordigende Owerhede, 1980 (Proklamasie AG. 8 van 1980), omskryf, of deur die regering van 'n ander land betaalbaar sou wees en gedra sou moet word;"; en

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

"(b) 'n stuk, indien die seëlreg daarop wettiglik deur —

- (i) 'n afdelingsraad, landelike raad, munisipale raad, stadsraad, dorpsraad, stadskomitee, plaaslike bestuursraad, dorpsbestuursraad, gesondheidskomitee of ander komitee van 'n soortgelyke aard; of
- (ii) die Raad vir Buitestedelike Ontwikkeling ingestel by artikel 2 van die Ordonnansie op die Raad vir Buitestedelike Ontwikkeling, 1970 (Ordonnansie No. 19 van 1970), 'n distriksraad of 'n plaaslike of algemene raad ingestel of geag ingestel te wees kragtens die Wet op Swart Sake, 1959 (Wet No. 55 van 1959), 'n Administrasieraad ingestel kragtens die Wet op die Administrasie van Swart Sake, 1971 (Wet No. 45 van 1971); of
- (iii) die Randwaterraad, of 'n streekwaterdienskorporasie ingestel kragtens artikel 7 van die Ordonnansie op Waterdienste, 1963 (Ordonnansie No. 27 van 1963), van Natal, of 'n waterraad ingestel kragtens Hoofstuk VII van die Waterwet, 1956 (Wet No. 54 van 1956); of
- (iv) die S.W.A. Water- en Elektrisiteitskorporasie (Eiendoms) Beperk vermeld in artikel 1 van die Wet op Bevoegdhede van die S.W.A. Water- en Elektrisiteitskorporasie, 1980 (Wet No. 14 van 1980), of die Elektrisiteitsvoorsieningskommissie; of
- (v) die Skakelkomitee vir Evaton-Bantoedorp soos ingestel kragtens Deel II van Bylae B by Proklamasie No. 54 van 1959, of die liggaam ingestel ingevolge artikel 2 van die Ordonnansie op die Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede, 1943 (Ordonnansie No. 20 van 1943), van Transvaal; of

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(vi) the South West African Building Society registered in terms of the provisions of the Building Societies Act, 1965 (Act No. 24 of 1965), on 21 November 1978, the National Building and Investment Corporation of South West Africa, Limited, established by section 2 of the National Building and Investment Corporation of South West Africa, 1978 (Proclamation AG. 60 of 1978), or the First National Development Corporation of South West Africa, Limited, established by section 2 of the First National Development Corporation of South West Africa Proclamation, 1978 (Proclamation AG. 61 of 1978); or

(vii) the Natal Parks, Game and Fish Preservation Board constituted under the Nature Conservation Ordinance, 1974 (Ordinance No. 15 of 1974), of Natal, or the National Parks Board of Trustees established in terms of the National Parks Act, 1976 (Act No. 57 of 1976);”.

(2) Paragraph (a) of subsection (1) shall be deemed to have come into operation on 1 June 1980.

3. Section 7 of the principal Act is hereby amended by the substitution for paragraph (hA) of the following paragraph:

“(hA) in the case of the cancellation or redemption of company shares, as contemplated in Item 15(4) of Schedule 1, the company of which the shares are cancelled or redeemed;”.

4. Section 22 of the principal Act is hereby amended by the substitution for subsection (7) of the following subsection:

“(7) The duty on a lease shall be denoted on the original instrument, which shall be retained by the lessor.”.

5. Section 23 of the principal Act is hereby amended —

(a) by the substitution in subsection (1) for the definition of “arbitrage transaction” of the following definition:

Amendment of section 7 of Act 77 of 1968, as amended by section 18 of Act 103 of 1969, section 10 of Act 89 of 1972, section 8 of Act 66 of 1973 and section 3 of Act 70 of 1975.

Amendment of section 22 of Act 77 of 1968, as amended by section 19 of Act 103 of 1969, section 11 of Act 114 of 1977 and section 6 of Act 95 of 1978.

Amendment of section 23 of Act 77 of 1968, as amended by section 20 of Act 103 of 1969, section 13 of Act 92 of 1971, section 11 of Act 89 of 1972, section 10 of Act 66 of 1973 and section 10 of Act 88 of 1974.

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- (vi) die Suidwes-Afrikaanse Bouvereniging geregistreer op 21 November 1978 ingevolge die bepalings van die Bouverenigingswet, 1965 (Wet No. 24 van 1965), die Nasionale Bou- en Beleggingskorporasie van Suidwes-Afrika, Beperk, ingestel by artikel 2 van die Proklamasie op die Nasionale Bou- en Beleggingskorporasie van Suidwes-Afrika, 1978 (Proklamasie AG. 60 van 1978), of die Eerste Nasionale Ontwikkelingskorporasie van Suidwes-Afrika, Beperk, ingestel by artikel 2 van die Proklamasie op die Eerste Nasionale Ontwikkelingskorporasie van Suidwes-Afrika, 1978 (Proklamasie AG. 61 van 1978); of
- (vii) die Raad vir die Bewaring van Natalse Parke, Wild en Vis ingestel ingevolge die Ordonnansie op Natuurbewaring, 1974 (Ordonnansie No. 15 van 1974), van Natal, of die Raad van Kuratore vir Nasionale Parke ingestel ingevolge die Wet op Nasionale Parke, 1976 (Wet No. 57 van 1976),

betaalbaar sou wees en gedra sou moet word;”.

(2) Paragraaf (a) van subartikel (1) word geag op 1 Junie 1980 in werking te getree het.

3. Artikel 7 van die Hoofwet word hierby gewysig deur paragraaf (hA) deur die volgende paragraaf te vervang:

“(hA) in die geval van die intrekking of aflossing van maatskappy-aandele, soos in Item 15(4) van Bylae 1 beoog, die maatskappy waarvan die aandele ingetrek of afgelos word;”.

4. Artikel 22 van die Hoofwet word hierby gewysig deur subartikel (7) deur die volgende subartikel te vervang:

“ (7) Die seëlreg op 'n huurooreenkoms moet op die oorspronklike stuk aangedui word en dié stuk moet deur die verhuurder behou word.”.

5. Artikel 23 van die Hoofwet word hierby gewysig —

(a) deur in subartikel (1) die omskrywing van “arbitrasie-transaksie” deur die volgende omskrywing te vervang:

Wysiging van artikel 7 van Wet 77 van 1968, soos gewysig deur artikel 18 van Wet 103 van 1969, artikel 10 van Wet 89 van 1972, artikel 8 van Wet 66 van 1973 en artikel 3 van Wet 70 van 1975.

Wysiging van artikel 22 van Wet 77 van 1968, soos gewysig deur artikel 19 van Wet 103 van 1969, artikel 11 van Wet 114 van 1977 en artikel 6 van Wet 95 van 1978.

Wysiging van artikel 23 van Wet 77 van 1968, soos gewysig deur artikel 20 van Wet 103 van 1969, artikel 13 van Wet 92 van 1971, artikel 11 van Wet 89 van 1972, artikel 10 van Wet 66 van 1973 en artikel 10 van Wet 88 van 1974.

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“‘arbitrage transaction’ means a purchase or sale, by a broker, of any marketable security listed by a recognized stock exchange in the Republic and dealt in on the market in any other country, if such purchase or sale is, in accordance with the practice of that exchange in relation to arbitrage, effected in order to take advantage of the difference in the prices of such marketable security on the markets in the Republic and such other country and, in consequence of such purchase or sale, the ownership of the marketable security passes from a person in the Republic to a person in any country or territory other than a country or territory referred to in subparagraph (i) of paragraph (nA) of the ‘Exemptions from the duty under paragraph (3)’ in Item 15 of Schedule 1, or vice versa;”;

(b) by the insertion after subparagraph (vii) of paragraph (b) of subsection (4) of the following subparagraph:

“(viiA) where exemption from duty is claimed under paragraph (nA) of the Exemptions to Item 15(3) of Schedule 1 —

(aa) such instrument bears an endorsement by the buying broker concerned in the relevant arbitrage transaction, made in such form as the Secretary may approve, to the effect that the registration of transfer is effected in consequence of such arbitrage transaction and that the purchaser referred to in the said paragraph is not resident in any country or territory referred to in subparagraph (i) of the said paragraph; and

(bb) the scrip, certificate, warrant or other instrument by which the ownership of or title to such marketable security is represented bears such endorsement or stamp made or impressed by an authorized dealer in foreign exchange as may be required by the Exchange Control Regulations, 1961, and the Orders and Rules, 1961, made under and by virtue of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933); or”;

(c) by the substitution for paragraph (b) of subsection (8) of the following paragraph:

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“‘arbitrasie-transaksie’ ’n koop of verkoop deur ’n makelaar van handelseffekte genoteer deur ’n erkende effektebeurs in die Republiek en verhandel op die mark in ’n ander land, indien so ’n koop of verkoop, ooreenkomsdig die gebruik van daardie beurs met betrekking tot arbitrasie, bewerkstellig word ten einde voordeel te trek uit die verskil in die pryse van dié handelseffekte op die marke in die Republiek en bedoelde ander land en as gevolg van so ’n koop of verkoop, die eiendomsreg in die handelseffekte van ’n persoon in die Republiek na ’n persoon in ’n land of gebied, uitgesonderd ’n land of gebied bedoel in subparagraaf (i) van paragraaf (nA) van die ‘Vrystellings van die seëlreg ingevolge paragraaf 3’ in Item 15 van Bylae 1, of andersom, oorgaan;”;

(b) deur die volgende subparagraaf na subparagraaf (vii) van paragraaf (b) van subartikel (4) in te voeg:

“(viiA) waar aanspraak gemaak word op ’n vrystelling van seëlreg ingevolge paragraaf (nA) van die Vrystellings by Item 15(3) van Bylae 1 —

(aa) die oordragstuk ’n endossement deur die kopende makelaar wat by die betrokke arbitrasie-transaksie betrokke is, dra, wat in ’n vorm is wat deur die Sekretaris goedgekeur is, ten effekte dat die registrasie van oordrag bewerkstellig word as gevolg van bedoelde arbitrasie-transaksie en dat die koper bedoel in genoemde paragraaf nie woonagtig is nie in ’n land of gebied bedoel in subparagraaf (i) van genoemde paragraaf; en

(bb) die aandelesertifikaat, sertifikaat, waarsborg of ander stuk wat die eiendomsreg in of aanspraak op bedoelde handelseffekte verteenwoordig, die endossement of afdruk dra wat deur ’n gemagtigde handelaar in vreemde valuta aangebring of gestempel is soos vereis deur die Deviesebeheerregulasies, 1961, en die Bevele en Reëls, 1961, wat kragtens en uit hoofde van die Wet op Betaalmiddels en Wisselkoerse, 1933 (Wet No. 9 van 1933), uitgevaardig is of’;

(c) deur paragraaf (b) van subartikel (8) deur die volgende paragraaf te vervang:

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“(b) makes any endorsement on any instrument of transfer for the purposes of subsection 4(b)(ii), (v), (vi), (vii) or (viiA) which is false or incorrect or fails to comply with the provisions of subsection (5); or”;

(d) by the substitution for subsection (10) of the following subsection:

“(10) If any compromise, arrangement or reconstruction of any company or its affairs (including the amalgamation of two or more companies) has been made or effected under any scheme involving —

(a) any alteration of share capital or shares in terms of section 75, or a reduction of share capital in terms of section 83 or 84, of the Companies Act, 1973 (Act 61 of 1973);

(b) the conversion of any shares to redeemable preference shares and the redemption of such shares in terms of section 98 or 99 of the said Act;

(c) any compromise or arrangement in terms of the provisions of sections 311 to 313 of the said Act;

(d) any take-over offer in terms of the provisions of sections 314 to 321 of the said Act; or

(e) any procedure in terms of any combination of the said provisions,

and under that scheme any shares issued by any company are cancelled or redeemed with or without return of capital and —

(i) any shares in any other company are, with or without subscription, issued or to be issued to the person holding the first-mentioned shares at the time of cancellation or redemption thereof; or

(ii) such person receives or is to receive any cash or other asset from anybody,

the said person shall, for the purposes of the duty under Item 15(4) of Schedule 1, be deemed to have disposed of the shares cancelled or redeemed as aforesaid and to have disposed of such shares for a consideration equal in value to the market value of those shares immediately prior to their cancellation or redemption or, where paragraph (b) is applicable, immediately prior to the conversion contemplated in that paragraph, such value being determined as though such shares had not been and were not about

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- “(b) ’n endossement op ’n oordragstuk vir die doelendes van subartikel (4)(b)(ii), (v), (vi), (vii) of (viiA) aanbring wat vals of onjuis is of versuim om die bepalings van subartikel (5) na te kom; of”;
- (d) deur subartikel (10) deur die volgende subartikel te vervang:

“ (10) Indien ’n skikking, reëeling of rekonstruksie van ’n maatskappy of sy sake (met inbegrip van die amalgamasie van twee of meer maatskappye) aangegaan of uitgevoer is ingevolge ’n plan wat behels —

- (a) ’n wysiging van aandelekapitaal of aandele ingevolge artikel 75, of ’n vermindering van aandelekapitaal ingevolge artikel 83 of 84, van die Maatskappywet, 1973 (Wet 61 van 1973);
- (b) die omskepping van enige aandele in aflosbare voorkeuraandele en die aflossing van bedoelde aandele kragtens artikel 98 of 99 van genoemde Wet;
- (c) ’n skikking of reëeling ingevolge die bepalings van artikels 311 tot 313 van genoemde Wet;
- (d) ’n oornname-aanbod ingevolge die bepalings van artikels 314 tot 321 van genoemde Wet; of
- (e) ’n prosedure ingevolge ’n kombinasie van genoemde bepalings,

en ingevolge daardie plan, uitgereikte aandele van ’n maatskappy ingetrek of afgelos word met of sonder terugbetaling van kapitaal en —

- (i) aandele in ’n ander maatskappy met of sonder inskrywing uitgereik word of uitgereik moet word aan die persoon wat eersbedoelde aandele besit ten tyde van die intrekking of aflossing daarvan; of
- (ii) bedoelde persoon kontant of ’n ander bate van iemand ontvang of moet ontvang,

word, vir die doeleindes van die seëlreg ingevolge Item 15(4) van Bylae 1, bedoelde persoon geag die aldus ingetrekte of afgeloste aandele te vervreem het en dié aandele te vervreem het teen ’n vergoeding waarvan die waarde gelyk is aan die markwaarde van daardie aandele onmiddellik voor die intrekking of aflossing daarvan of, waar paragraaf (b) van toepassing is, onmiddellik voor die in daardie paragraaf bedoelde omskepping, maar daardie waarde word vasgestel asof bedoelde aandele nie ingetrek of afge-

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to be cancelled or redeemed and as though the said scheme had not been put into operation.”;

- (e) by the substitution for subsection (11) of the following subsection:

“(11) The duty payable under Item 15(4) of Schedule 1 shall be denoted on a copy of any application to court, take-over offer or resolution, as the case may be, required in respect of any scheme referred to in subsection (10), and the company of which the shares in question are cancelled or redeemed shall endorse on such copy the market value of such shares as determined in accordance with the said subsection and, in the case of any take-over offer, the date of the final acceptance of such offer and shall retain such copy, which shall at all reasonable times during a period of three years after the relevant date referred to in subsection (13) be open for inspection by any person acting under the authority of the Secretary.”;

- (f) by the substitution for subsection (12) of the following subsection:

“(12) Where, in terms of any scheme referred to in subsection (10), a capital reserve is created in any company by reason of the cancellation or redemption of shares, and other shares are issued by that company under that scheme and are subscribed for out of such reserve, the duty payable under Item 15(4) of Schedule 1 in respect of the said cancellation or redemption shall be reduced by the amount of duty paid under Item 15(1) or (2) in respect of the issue of the said other shares.”; and

- (g) by the substitution for subsection (13) of the following subsection:

“(13) The copy of any document referred to in subsection (11) shall be stamped in accordance with the provisions of this Act as though it were an instrument which had been executed —

- (a) in the case of any application to court, on the date of the order of court granted in respect of such application; or
- (b) in the case of any take-over offer, on the date of the final acceptance of such offer; or
- (c) in the case of any resolution, on the date of such resolution,

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los was nie en asof hulle nie op die punt gestaan het om ingetrek of afgelos te word nie en asof bedoelde plan nie in werking gestel is nie.”;

- (e) deur subartikel (11) deur die volgende subartikel te vervang:

“ (11) Die seëlreg wat ingevolge Item 15(4) van Bylae 1 betaalbaar is, word aangedui op 'n afskrif van 'n aansoek aan die hof, oornname-aanbod of besluit, na gelang van die geval, wat nodig is ten opsigte van 'n in subartikel (10) bedoelde plan, en die maatskappy waarvan die betrokke aandele ingetrek of afgelos word, endosseer op bedoelde afskrif die markwaarde van daardie aandele, soos volgens voor-skrif van genoemde subartikel vasgestel, en, in die geval van 'n oornname-aanbod, die datum van die finale aanvaarding van bedoelde aanbod en behou daardie afskrif, wat te alle redelike tye gedurende 'n tydperk van drie jaar na die betrokke datum in subartikel (13) bedoel beskikbaar moet wees vir insae deur iemand wat op gesag van die Sekretaris handel.”;

- (f) deur subartikel (12) deur die volgende subartikel te vervang:

“ (12) Waar, ingevolge 'n plan in subartikel (10) bedoel, 'n kapitaal-reserwe in 'n maatskappy geskep word omrede van die intrekking of aflossing van aandele, en ander aandele ingevolge daardie plan deur daardie maatskappy uitgereik word en uit daardie reserwe ingeskryf word, word die seëlreg wat ingevolge Item 15(4) van Bylae 1 ten opsigte van bedoelde intrekking of aflossing betaalbaar is, met die bedrag van die seëlreg wat ingevolge Item 15(1) of (2) ten opsigte van die uitreiking van bedoelde ander aandele betaal is, verminder.”; en

- (g) deur subartikel (13) deur die volgende subartikel te vervang:

“ (13) Die afskrif van 'n dokument in subartikel (11) bedoel, word ooreenkomstig die bepalings van hierdie Wet geseël asof dit 'n stuk was wat verly is —

(a) in die geval van 'n hofaansoek, op die datum van die hofbevel ten opsigte van bedoelde aansoek toegestaan; of

(b) in die geval van 'n oornname-aanbod, op die datum van die finale aanvaarding daarvan; of

(c) in die geval van 'n besluit, op die datum van bedoelde besluit,

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or on such later date as the Secretary, having regard to the circumstances of the case, may approve.”.

Amendment of section 24 of Act 77 of 1968, as amended by section 21 of Act 103 of 1969, section 11 of Act 88 of 1974 and section 4 of Act 70 of 1975.

Amendment of Item 2 of Schedule 1 to Act 77 of 1968, as amended by section 8 of Act 72 of 1970, section 11 of Act 66 of 1973, section 14 of Act 88 of 1974 and section 13 of Act 114 of 1977.

Amendment of Item 3 of Schedule 1 to Act 77 of 1968.

Amendment of Item 5 of Schedule 1 to Act 77 of 1968, as amended by section 24 of Act 103 of 1969, section 16 of Act 88 of 1974 and section 14 of Act 114 of 1977.

6. Section 24 of the principal Act is hereby amended by the substitution in the proviso to paragraph (a) of subsection (4) for the words “ten thousand rand”, wherever they occur, of the expression “R25 000”.

7. Item 2 of Schedule 1 to the principal Act is hereby amended by the substitution in the column under the heading “Amount of Duty” for the expression “0,50” of the expression “1,00”.

8. Item 3 of Schedule 1 to the principal Act is hereby amended by the substitution in the column under the heading “Amount of Duty” for the expression “2,00” of the expression “5,00”.

9. (1) Item 5 of Schedule 1 to the principal Act is hereby amended by the substitution for paragraph (1) of the following paragraph:

“(1) Cheque 0,05”.

(2) Where —

(a) stamp duty has been paid in the manner contemplated in paragraph (iii) of the proviso to section 5(1) of the principal Act in respect of unused cheque forms held by any person on 31 August 1985;

(b) that duty has been paid at the rate of three cents per cheque form; and

(c) that person uses the cheque forms after the said date or intends so to use those forms,

the additional duty of two cents per cheque which is in consequence of the amendment effected by subsection (1) chargeable in respect of cheques executed on those forms shall, subject to the provisions of subsection (4), be paid in the manner arranged by the Secretary for Finance and the banker upon whom the cheques are drawable.

(3) In any arrangement by the Secretary for Finance and a banker in terms of subsection (2), the banker may be authorized —

(a) to receive payment of the additional duty from the person concerned, so as to enable the banker to pay that duty to the Secretary for Finance; and

(b) to request any customer who he has reason to believe may be liable for the payment of the additional duty, to furnish to him such statement or auditor's certificate as to the stock of unused cheque forms held by the customer on 31 August 1985 as may be re-

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of op die latere datum wat die Sekretaris, met inagneming van die omstandighede van die geval, goedkeur.”.

6. Artikel 24 van die Hoofwet word hierby gewysig deur in die voorbehoudsbepaling by paragraaf (a) van subartikel (4) die woorde “tienduisend rand”, waar hulle ook al voorkom, deur die uitdrukking “R25 000” te vervang.

Wysiging van artikel 24 van Wet 77 van 1968, soos gewysig deur artikel 21 van Wet 103 van 1969, artikel 11 van Wet 88 van 1974 en artikel 4 van Wet 70 van 1975.

7. Item 2 van Bylae 1 by die Hoofwet word hierby gewysig deur in die kolom onder die oopskrif “Bedrag van Seëlreg” die uitdrukking “0,50” deur die uitdrukking “1,00” te vervang.

Wysiging van Item 2 van Bylae 1 by Wet 77 van 1968, soos gewysig deur artikel 8 van Wet 72 van 1970, artikel 11 van Wet 66 van 1973, artikel 14 van Wet 88 van 1974 en artikel 13 van Wet 114 van 1977.

8. Item 3 van Bylae 1 by die Hoofwet word hierby gewysig deur in die kolom onder die oopskrif “Bedrag van Seëlreg” die uitdrukking “2,00” deur die uitdrukking “5,00” te vervang.

Wysiging van Item 3 van Bylae 1 by Wet 77 van 1968.

9. (1) Item 5 van Bylae 1 by die Hoofwet word hierby gewysig deur paragraaf (1) deur die volgende paragraaf te vervang:

“(1) Tjek 0,05”.

(2) Waar —

(a) seëlreg betaal is op die wyse beoog in paragraaf (iii) van die voorbehoudsbepaling by artikel 5(1) van die Hoofwet ten opsigte van ongebruikte tjekvorms deur enige persoon op 31 Augustus 1985 besit;

(b) daardie seëlreg betaal is teen die koers van drie sent per tjekvorm; en

(c) daardie persoon die tjekvorms na genoemde datum gebruik of van voorname is om daardie vorms aldus te gebruik,

word die addisionele seëlreg van twee sent per tjek wat as gevolg van die wysiging aangebring deur subartikel (1) hefbaar is ten opsigte van tjeks wat op daardie vorms verly word, behoudens die bepalings van subartikel (4), betaal op die wyse gereël deur die Sekretaris van Finansies en die bankier op wie die tjeks getrek word.

(3) In enige reëling deur die Sekretaris van Finansies en 'n bankier ingevolge subartikel (2) kan die bankier gemagtig word —

(a) om betaling van die addisionele seëlreg van die betrokke persoon te ontvang, ten einde die bankier in staat te stel om daardie seëlreg aan die Sekretaris van Finansies te betaal; en

(b) om 'n klant wat hy rede het om te vermoed aanspreeklik mag wees vir die betaling van die addisionele seëlreg, te versoek om aan hom die staat of ouditeurcertifikaat betreffende die voorraad

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quired for the determination of the amount of the additional duty payable.

(4) Where the Secretary for Finance is satisfied that it would be uneconomical to recover any additional duty referred to in subsection (2) having regard to the amount of that duty, he may inform the banker concerned that such amount need not be recovered, in which event the additional duty shall be deemed not to be chargeable in terms of the principal Act.

(5) Where a person uses a cheque form referred to in subsection (2) on or after 1 February 1986 for the execution of a cheque in respect of which the additional duty referred to in that subsection is chargeable and has not been paid, that cheque shall, until the additional duty has been paid, be deemed for the purposes of the principal Act not to be duly stamped.

10. Item 11 of Schedule 1 to the principal Act is hereby amended —

(a) by the substitution in the column under the heading “Amount of Duty” for the expression “0,20” of the expression “0,40”; and

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

“(d) Any triptyques, Carnet de Passages en Douane, A.T.A. carnets, temporary import permits and tourist baggage receipts relating to any goods imported under the provisions of Schedule No. 4 to the Customs and Excise Act, 1964 (Act No. 91 of 1964).”.

11. Item 12 of Schedule 1 to the principal Act is hereby amended by the substitution in the column under the heading “Amount of Duty” for the expression “0,20” of the expression “0,40”.

12. Item 13 of Schedule 1 to the principal Act is hereby amended by the substitution in the column under the heading “Amount of Duty” for the expression “0,05” of the expression “0,10”.

13. The following Item is hereby substituted for Item 13A of Schedule 1 to the principal Act:

“ 13A. *Hire-purchase agreement or contract or financial lease* in respect of goods, wares or merchandise (other than livestock or agricultural produce):

where the amount payable under such instrument in respect of such goods, wares or merchandise (including any interest and finance or other charges) —

Amendment of Item 11 of Schedule 1 to Act 77 of 1968, as amended by section 12 of Act 89 of 1972 and section 16 of Act 114 of 1977.

Amendment of Item 13 of Schedule 1 to Act 77 of 1968.

Substitution of Item 13A of Schedule 1 to Act 77 of 1968, as substituted by section 18 of Act 114 of 1977.

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ongebruikte tjekvorms deur die klant op 31 Augustus 1985 besit, te verstrek wat nodig is vir die vasstelling van die bedrag van die addisionele seëlreg wat betaalbaar is.

(4) Waar die Sekretaris van Finansies oortuig is dat dit oneconomies sou wees om enige addisionele seëlreg bedoel in subartikel (2) te verhaal met inagneming van die bedrag van daardie seëlreg, kan hy die betrokke bankier in kennis stel dat daardie bedrag nie verhaal hoef te word nie, in welke geval die addisionele seëlreg geag word nie ingevolge die Hoofwet hefbaar te wees nie.

(5) Waar 'n persoon op of na 1 Februarie 1986 'n tjekvorm bedoel in subartikel (2) gebruik vir die verlyding van 'n tjek ten opsigte waarvan die addisionele seëlreg bedoel in daardie subartikel hefbaar is en nie betaal is nie, word die tjek, totdat die addisionele seëlreg betaal is, by die toepassing van die Hoofwet geag nie behoorlik geseël te wees nie.

10. Item 11 van Bylae 1 by die Hoofwet word hierby gewysig —

(a) deur in die kolom onder die opskrif "Bedrag van Seëlreg" die uitdrukking "0,20" deur die uitdrukking "0,40" te vervang; en

(b) deur paragraaf (d) deur die volgende paragraaf te vervang:

"(d) Enige triptieke, Carnet de Passages en Douane, A.T.A. carnets, tydelike invoerpermitte en toeristebagasiekwitansies met betrekking tot goederre ingevoer kragtens die bepalings van Bylae No. 4 by die Doeane- en Aksynswet, 1964 (Wet No. 91 van 1964).".

11. Item 12 van Bylae 1 by die Hoofwet word hierby gewysig deur in die kolom onder die opskrif "Bedrag van Seëlreg" die uitdrukking "0,20" deur die uitdrukking "0,40" te vervang.

12. Item 13 van Bylae 1 by die Hoofwet word hierby gewysig deur in die kolom onder die opskrif "Bedrag van Seëlreg" die uitdrukking "0,05" deur die uitdrukking "0,10" te vervang.

13. Item 13A van Bylae 1 by die Hoofwet word hierby deur die volgende Item vervang:

" 13A. *Huurkoopooreenkoms of -kontrak of bruikhuur* ten opsigte van goedere, koopware of handelsware (behalwe lewendre hawe of landbouprodukte):

waar die bedrag wat ingevolge die stuk ten opsigte van bedoelde goedere, koopware of handelsware (met inbegrip van enige rente en finansierings- of ander koste) —

Wysiging van Item 11 van Bylae 1 by Wet 77 van 1968, soos gewysig deur artikel 12 van Wet 89 van 1972 en artikel 16 van Wet 114 van 1977.

Wysiging van Item 12 van Bylae 1 by Wet 77 van 1968, soos gewysig deur artikel 15 van Wet 66 van 1973 en artikel 17 van Wet 114 van 1977.

Wysiging van Item 13 van Bylae 1 by Wet 77 van 1968.

Vervanging van Item 13A van Bylae 1 by Wet 77 van 1968, soos vervang deur artikel 18 van Wet 114 van 1977.

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- (iii) the S.W.A. Water and Electricity Corporation (Proprietary) limited referred to in section 4(1)(b) or the Electricity Supply Commission;
- (iv) the Land and Agricultural Bank of South West Africa established by section 3 of the Land Bank Act, 1944 (Act No. 13 of 1944), or the Land and Agricultural Bank of South Africa;
- (v) the South African Reserve Bank;
- (vi) the South African Gas Distribution Corporation Limited;
- (vii) the Uranium Enrichment Corporation of South Africa Limited;
- (viii) a water board established under Chapter VII of the Water Act, 1956 (Act No. 54 of 1956);
- (ix) a regional water services corporation constituted under section 7 of the Water Services Ordinance, 1963 (Ordinance No. 27 of 1963), of Natal;
- (x) the First National Development Corporation of South West Africa, Limited, referred to in section 4(1)(b) or the Corporation for Economic Development Limited;
- (xi) a building society;
- (xii) the National Building and Investment Corporation of South West Africa, Limited, referred to in section 4(1)(b) or the National Housing Commission referred to in section 5 of the Housing Act, 1966 (Act No. 4 of 1966); or
- (xiii) any university established by an Act of Parliament or any technicon established or deemed to have been established by or declared to be such under an Act of Parliament.”;
- (b) by the substitution in paragraph (3)(c) for the words preceding subparagraph (i) of the following words:
- “if the marketable security was sold or disposed of after 31 March 1977 but not later than 31 August 1985 and the date of the sale or disposal is noted on the relevant instrument of transfer referred to in section 23 of this Act by the transferee or his agent and such note is signed by the transferee or his agent.”;

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- (iii) die S.W.A. Water- en Elektrisiteitskorporasie (Eiendoms) Beperk, in artikel 4(1)(b) bedoel, of die Elektrisiteitsvoorsieningskommissie;
- (iv) die Land- en Landboubank van Suidwes-Afrika ingestel by artikel 3 van die Landbouwet, 1944 (Wet No. 13 van 1944), of die Land- en Landboubank van Suid-Afrika;
- (v) die Suid-Afrikaanse Reserwebank;
- (vi) die Suid-Afrikaanse Gasdistribusiekorporasie Beperk;
- (vii) die Uraanvervrykingskorporasie van Suid-Afrika Beperk;
- (viii) 'n waterraad wat kragtens Hoofstuk VII van die Waterwet, 1956 (Wet No. 54 van 1956), ingestel is;
- (ix) 'n streekwaterdienskorporasie wat kragtens artikel 7 van die Ordonnansie op Waterdienste, 1963 (Ordonnansie No. 27 van 1963), van Natal, gestig is;
- (x) die Eerste Nasionale Ontwikkelingskorporasie van Suidwes-Afrika, Beperk, in artikel 4(1)(b) bedoel, of die Ekonomiese Ontwikkelingskorporasie Beperk;
- (xi) 'n bouvereniging;
- (xii) die Nasionale Bou- en Beleggingskorporasie van Suidwes-Afrika, Beperk, in artikel 4(1)(b) bedoel, of die Nasionale Behuisingskommissie in artikel 5 van die Behuisingswet, 1966 (Wet No. 4 van 1966), bedoel; of
- (xiii) 'n universiteit by 'n Wet van die Parlement ingestel of 'n technikon by of kragtens 'n Wet van die Parlement ingestel of geag aldus ingestel te wees of as sodanig verklaar:";

- (b) deur in paragraaf (3)(c) die woorde wat subparagraaf (i) voorafgaan deur die volgende woorde te vervang:

"indien die handelseffekte verkoop of vervreem is na 31 Maart 1977 maar nie later nie as 31 Augustus 1985 en die datum van die verkoop of vervreemding op die betrokke oordragstuk in artikel 23 van hierdie Wet bedoel, aangeteken is deur die oordagnemer of sy verteenwoordiger en daardie aantekening deur die oordagnemer of sy verteenwoordiger onderteken is:";

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(c) by the addition to paragraph (3) of the following subparagraph:

"(d) in any other case:

(i) if transfer is registered before the expiry of a period of six months from the date of execution of the relevant instrument of transfer referred to in section 23 of this Act: for every R10, or part thereof, of the amount or value of the consideration given or, where no consideration is given or the consideration given is less than the value of the marketable security transferred, of the value of the marketable security transferred

0,10

(ii) if transfer is registered after the expiry of the said period

Three times the duty which would have been payable under (d)(i) if transfer had been registered before the expiry of the said period of six months.";

(d) by the substitution for paragraph (b) of "Exemptions from the duty under paragraph (3)" of the following paragraph:

"(b) Any registration of transfer of any marketable security held by any executor of the estate of a deceased person, or by any administrator or trustee under a trust created by will or written instrument or deed (other than a trust under which the administrator or

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- (c) deur die volgende subparagraaf by paragraaf (3) te voeg:

"(d) in enige ander geval:

(i) indien oordrag geregistreer word binne 'n tydperk van ses maande vanaf die datum van verlyding van die betrokke oordragstuk in artikel 23 van hierdie Wet bedoel: vir elke R10, of deel daarvan, van die bedrag of waarde van die vergoeding gegee of, waar geen vergoeding gegee word nie of die vergoeding gegee minder is as die waarde van die handelseffekte wat oorgedra word, van die waarde van die handelseffekte wat oorgedra word 0,10

(ii) indien oordrag na verstryking van genoemde tydperk geregistreer word.

Drie maal die seëlreg wat ingevolge (d)(i) betaalbaar sou gewees het indien oordrag binne bedoelde tydperk van ses maande geregistreer was.";

- (d) deur paragraaf (b) van "Vrystellings van die seëlreg ingevolge paragraaf (3)" deur die volgende paragraaf te vervang:

"(b) 'n Registrasie van oordrag van handelseffekte wat gehou word deur 'n eksekuteur van die boedel van 'n oorlede persoon, of deur 'n administrator of trustee ingevolge 'n trust by testament of geskrewe stuk of akte geskep (behalwe 'n trust waarvolgens die ad-

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trustee is the nominee of any person in relation to the marketable security), if such transfer is necessitated by a change of executors, administrators or trustees and no change in the beneficial interest of any person in the said marketable security is effected.”;

- (e) by the insertion after paragraph (n) of the “Exemptions from the duty under paragraph (3)” of the following paragraph:

“(nA) Any registration of transfer of any marketable security into the name of a person (hereinafter referred to as the purchaser) or of a nominee company acting as nominee of the purchaser, if the purchaser has become the owner of such marketable security in consequence of the purchase by a broker of such marketable security under an arbitrage transaction concluded on or after 1 September 1985, and —

- (i) the purchaser is not resident in South West Africa, the Republic, Botswana, Lesotho, Swaziland or any country which formerly formed part of the Republic; and
- (ii) any regulation, order or rule regarding currency made under the Currency and Exchanges Act, 1933 (Act No. 9 of 1933), which is applicable in connection with the acquisition of the marketable security by the purchaser, has been complied with.”;

- (f) by the deletion of paragraph (o) appearing under the heading “Exemptions from the duty under paragraph (3)” in the said paragraph (3);

- (g) by the addition to the paragraphs appearing under the said heading of the following paragraph:

“(p) Any registration of transfer of any interest-bearing debentures, including debenture stock, debenture bonds and any other securities of a company, whether constituting a charge on the assets of the company or not, listed by any recognized stock exchange in the Republic.”;

- (h) by the substitution for paragraph (4) of the following paragraph:

“(4) In respect of the cancellation or redemption of any company shares which any person is in terms of section 23(10) of this Act deemed to have disposed of: for every R10

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ministrateur of trustee die genomineerde van 'n persoon is met betrekking tot die handelseffekte), indien dié oordrag deur 'n verandering van eksekuteurs, administrateurs of trustees genoodsaak word en geen verandering in die voordeleige belang van iemand in die bedoelde handelseffekte bewerkstellig word nie.”;

(e) deur die volgende paragraaf na paragraaf (n) van die “Vrystellings van die seëlreg ingevolge paragraaf (3)” in te voeg:

“(nA) 'n Registrasie van oordrag van handelseffekte in die naam van 'n persoon (hieronder die koper genoem) of van 'n genomineerde maatskappy wat optree as die genomineerde van die koper, indien die koper die eienaar van bedoelde handelseffekte geword het as gevolg van die koop van daardie handelseffekte deur 'n makelaar ingevolge 'n arbitrasie-transaksie gesluit op of na 1 September 1985, en —

(i) die koper nie woonagtig is nie in Suidwes-Afrika, die Republiek, Botswana, Lesotho, Swaziland of enige land wat voorheen deel van die Republiek uitgemaak het; en

(ii) daar voldoen is aan enige regulasie, bevel of reël betreffende betaalmiddels wat ingevolge die Wet op Betaalmiddels en Wisselkoerse, 1933 (Wet No. 9 van 1933), uitgevaardig is en van toepassing is in verband met die verkryging van die handelseffekte deur die koper.”;

(f) deur in genoemde paragraaf (3) paragraaf (o) wat verskyn onder die opskrif “Vrystellings van die seëlreg ingevolge paragraaf (3)” te skrap;

(g) deur die volgende paragraaf by te voeg by die paragrawe wat onder genoemde opskrif verskyn:

“(p) 'n Registrasie van oordrag van rentedraende skuldbrieve, met inbegrip van skuldbriefeffekte, skuldbriefverbande en enige ander sekuriteite van 'n maatskappy, hetsy dit 'n las teen die bates van die maatskappy uitmaak al dan nie, wat deur 'n erkende effektebeurs in die Republiek genoteer is.”;

(h) deur paragraaf (4) deur die volgende paragraaf te vervang:

“ (4) Ten opsigte van die intrekking of aflossing van maatskappy-aandele wat 'n persoon ingevolge artikel 23(10) van hierdie Wet geag word te vreem het: vir elke R10 of deel

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or part thereof of the value of
the consideration referred to in
the said section 23(10) R c

0,10"; and

(i) by the substitution for subparagraphs (ii) and (iii) of paragraph (5) of the following subparagraphs:

"(ii) if the date of acquisition of such marketable security falls on or after 1 April 1977, but not later than 31 August 1985, and the relevant deed or declaration referred to in section 23(15) of this Act is duly stamped before the expiry of a period of six months from the date of such acquisition: for every R10, or part thereof, of the amount or value of the consideration given or, where no consideration is given, of the value of the marketable security

0,15

(iii) if the date of acquisition of such marketable security falls on or after 1 September 1985 and the relevant deed or declaration referred to in section 23(15) of this Act is duly stamped before the expiry of a period of six months from the date of such acquisition: for every R10, or part thereof, of the amount or value of the consideration given or, where no consideration is given, of the value of the marketable security

0,10

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daarvan van die waarde van die vergoeding in genoemde artikel 23(10) bedoel..... R c

0,10"; en

- (i) deur subparagrawe (ii) en (iii) van paragraaf (5) deur die volgende subparagrawe te vervang:

"(ii) indien die datum van verkryging van bedoelde handelseffekte op of na 1 April 1977, maar nie later nie as 31 Augustus 1985, val en die betrokke akte of verklaring bedoel in artikel 23(15) van hierdie Wet behoorlik geseël word voor die verstryking van 'n tydperk van ses maande vanaf die datum van sodanige verkryging: vir elke R10, of deel daarvan, van die bedrag of waarde van die vergoeding gegee of, waar geen vergoeding gegee word nie, van die waarde van die handelseffekte.....

0,15

(iii) indien die datum van verkryging van bedoelde handelseffekte op of na 1 September 1985 val en die betrokke akte of verklaring bedoel in artikel 23(15) van hierdie Wet behoorlik geseël word voor die verstryking van 'n tydperk van ses maande vanaf die datum van sodanige verkryging: vir elke R10, of deel daarvan, van die bedrag of waarde van die vergoeding gegee of, waar geen vergoeding gegee word nie, van die waarde van die handelseffekte

0,10

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(iv) If the relevant deed or declaration is not duly stamped within the period of six months referred to in subparagraph (i), (ii) or (iii), as the case may be....

Three times the duty which would have been payable under (i), (ii) or (iii) (whichever is applicable), if the deed or declaration had been duly stamped within the period of six months referred to in subparagraph (i), (ii) or (iii) as the case may be".

(2) Subsection (1)(f) shall come into operation on 1 March 1986.

Amendment of Item 17 of Schedule 1 to Act 77 of 1968.

15. Item 17 of Schedule 1 to the principal Act is hereby amended by the substitution in the column under the heading "Amount of Duty" for the expression "5,00" of the expression "10,00".

Amendment of Item 19 of Schedule 1 to Act 77 of 1968, as amended by section 23 of Act 88 of 1974.

16. Item 19 of Schedule 1 to the principal Act is hereby amended by the substitution in the column under the heading "Amount of Duty" for the expression "0,50" of the expression "1,00".

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<p>(iv) indien die betrokke akte of verklaring nie binne die tydperk van ses maande bedoel in sub-paragraaf (i), (ii) of (iii), na gelang van die geval, behoorlik geseël word nie</p> <p>(v) indien die betrokke akte of verklaring nie binne die tydperk van ses maande bedoel in sub-paragraaf (i), (ii) of (iii), na gelang van die geval, behoorlik geseël word nie</p> <p>(vi) indien die betrokke akte of verklaring nie binne die tydperk van ses maande bedoel in subparagraaf (i), (ii) of (iii), na gelang van die geval, behoorlik geseël word nie</p>	<p>Drie maal die seëlreg wat ingevolge (i), (ii) of (iii) betaalbaar sou gewees het (watter ook al van toepassing is), indien die akte of verklaring binne die tydperk van ses maande bedoel in subparagraaf (i), (ii) of (iii), na gelang van die geval, behoorlik geseël was."</p>
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(2) Subartikel (1)(f) tree op 1 Maart 1986 in werking.

15. Item 17 van Bylae 1 by die Hoofwet word hierby gewysig deur in die kolom onder die opskrif "Bedrag van Seëlreg" die uitdrukking "5,00" deur die uitdrukking "10,00" te vervang.

Wysiging van Item 17 van Bylae 1 by Wet 77 van 1968.

16. Item 19 van Bylae 1 by die Hoofwet word hierby gewysig deur in die kolom onder die opskrif "Bedrag van Seëlreg" die uitdrukking "0,50" deur die uitdrukking "1,00" te vervang.

Wysiging van Item 19 van Bylae 1 by Wet 77 van 1968, soos gewysig deur artikel 23 van Wet 88 van 1974.

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Amendment of Item 20 of Schedule 1 to Act 77 of 1968, as amended by section 27 of Act 103 of 1969, section 19 of Act 66 of 1973 and section 24 of Act 88 of 1974.

17. Item 20 of Schedule 1 to the principal Act is hereby amended by the substitution for subitems (1) and (2) of the following subitems:

" (1) Where such instrument secures the payment of any money debt and the amount secured is stated in such instrument: for every R100 or part thereof of such amount... 0,05

Subject to a maximum duty of R20.

(2) Where such instrument secures the payment of any money debt and the amount secured is not stated in such instrument..... 20,00".

Late payment of certain stamp duties.

18. Where in consequence of any amendment effected by this Act to the principal Act, any amount of stamp duty which is required to be denoted on any instrument became payable before the commencement of this Act and that amount would not, but for the amendment, have been chargeable under the principal Act, the instrument may be stamped for that amount within a period of one month after the commencement of this Act, and the provisions of sections 8, 9 and 10 of the principal Act shall in relation to that amount be applied as though any period allowed under those provisions for the stamping of the instrument or the defacing of adhesive stamps affixed to the instrument were that period of one month.

Short title and commencement.

19. This Act shall be called the Stamp Duties Amendment Act, 1985, and shall, save as provided in sections 2(2) and 14(2), come into operation on 1 September 1985.

WYSIGINGSWET OP SEËLREGTE, 1985**Wet No. 2, 1985**

17. Item 20 van Bylae 1 by die Hoofwet word hierby gewysig deur subitems (1) en (2) deur die volgende sub-items te vervang:

Wysiging van Item 20 van Bylae 1 by Wet 77 van 1968, soos gewysig deur artikel 27 van Wet 103 van 1969, artikel 19 van Wet 66 van 1973 en artikel 24 van Wet 88 van 1974.

“ (1) Waar bedoelde stuk die betaling van 'n geldskuld sekureer en die gesekureerde bedrag in daardie stuk vermeld word: vir elke R100 of deel daarvan van daardie bedrag ... 0,05

Onderworpe aan 'n maksimum seëlreg van R20.

(2) Waar bedoelde stuk die betaling van 'n geldskuld sekureer en die gesekureerde bedrag nie in daardie stuk aangegeven word nie..... 20,00”.

18. Waar, as gevolg van 'n wysiging deur hierdie Wet aan die Hoofwet aangebring, 'n bedrag aan seëlreg wat op 'n stuk aangedui moet word, voor die inwerkingtreding van hierdie Wet betaalbaar geword het en die bedrag, indien die wysiging nie aangebring was nie, nie ingevolge die Hoofwet betaalbaar sou gewees het nie, kan die stuk binne 'n tydperk van een maand na die inwerkingtreding van hierdie Wet vir daardie bedrag geseël word, en die bepalings van artikels 8, 9 en 10 van die Hoofwet word met betrekking tot die bedrag toegepas asof enige tydperk ingevolge daardie bepalings toegelaat vir die seël van die stuk of die rojering van plakseëls wat op die stuk geplak is, daardie tydperk van een maand is.

Laat betaling van sekere seëlregte.

19. Hierdie Wet heet die Wysigingswet op Seëlregte, 1985, en tree, behoudens die bepalings van artikels 2(2) en 14(2), op 1 September 1985 in werking.

Kort titel en inwerkingtreding.

