

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette

Staatskoerant

Selling price • Verkoopprys
(GST excluded/AVB uitgesluit)

Local **60c** Plaaslik

Other countries **85c** Buiteland

As 'n Nuusblad by die Poskantoor Geregistreer

Registered at the post office as a Newspaper

Post free • Posvry

Vol. 290

PRETORIA, 1

AUGUST
AUGUSTUS 1989

No. 12040

GOVERNMENT NOTICE

DEPARTMENT OF FINANCE

No. 1697

1 August 1989

NOTICE IN TERMS OF THE USURY ACT, 1968 (ACT NO. 73 OF 1968)

In terms of section 15A of the Usury Act, 1968 (Act No. 73 of 1968), I, Barend Jacobus du Plessis, Minister of Finance, hereby amend Government Notice No. 2262 of 4 November 1988, published in *Government Gazette* No. 11563 of 4 November 1988, by—

1. the substitution in subparagraph (1) of paragraph 2 for the expression preceding item (a) of the following expression:

“(1) Subject to the provisions of paragraphs (a), (c), (d) and (e) of section 3 (2A) of the Act, leasing transactions in terms of which—”;
2. the insertion in paragraph 2 of the following subparagraph:

“(4) Leasing transactions in terms of which—
 - (a) the lease payments are wholly or partly deductible from the income of the lessee under Part I of Chapter II of the Income Tax Act, 1962 (Act No. 58 of 1962), as amended;
 - (b) the ownership of the leased goods shall not pass to the lessee at any time during or after expiry of the lease period or after the termination of the transaction; and
 - (c) the lessee is not liable for or guarantees an amount in respect of the value of the leased goods at any time during or after expiry of the lease period or after termination of the transaction.”.

B. J. DU PLESSIS,
Minister of Finance.

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GOEWERMENTSKENNISGEWING

DEPARTEMENT VAN FINANSIES

No. 1697

1 Augustus 1989

KENNISGEWING INGEVOLGE DIE WOEKER-WET, 1968 (WET NO. 73 VAN 1968)

Kragtens artikel 15A van die Woekerwet, 1968 (Wet No. 73 van 1968), wysig ek, Barend Jacobus du Plessis, Minister van Finansies, hierby Goewermentskennisgewing No. 2262 van 4 November 1988, gepubliseer in *Staatskoerant* No. 11563 van 4 November 1988, deur—

1. in subparagraph (1) van paragraaf 2 die uitdrukking wat item (a) voorafgaan, deur die volgende uitdrukking te vervang:

“(1) Behoudens die bepalings van paragrawe (a), (c), (d) en (e) van artikel 3 (2A) van die Wet, huurtransaksies ingevolge waarvan—”;
2. in paragraaf 2 die volgende subparagraph by te voeg:

“(4) Huurtransaksies ingevolge waarvan—
 - (a) die huurbetalings geheel of gedeeltelik van die inkomste van die huurder afgetrek kan word kragtens Deel I van Hoofstuk II van die Inkomstebelastingwet, 1962 (Wet No. 58 van 1962), soos gewysig;
 - (b) die eiendomsreg van die verhuurde goedere nie op die huurder oorgaan op enige tydstip gedurende of na versstryking van die huurtermyn of na die beëindiging van die transaksie nie; en
 - (c) die huurder nie op enige tydstip gedurende of na versstryking van die huurtermyn of na beëindiging van die transaksie aanspreeklik is vir, of 'n bedrag moet waarborg ten opsigte van, die waarde van die verhuurde goedere nie.”.

B. J. DU PLESSIS,
Minister van Finansies.

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