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GOVERNMENT GAZETTE

STAATSKOERANT

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KAAPSTAD, 30 JUNIE 1969.

DEPARTMENT OF THE PRIME MINISTER.

No. 1104.

30th June, 1969.

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

No. 102 of 1969: Finance Act, 1969.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 1104.

30 Junie 1969.

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

No. 102 van 1969: Finansiewet, 1969.

ACT

To provide for the disposal of certain surplus State revenues; for the transfer of a certain amount from the Revenue Account to the Loan Account; for the transfer of certain State property to the Council for Scientific and Industrial Research; for the granting of exemption from the liability to pay certain fees of office to an authority or person referred to in section 4 of the Stamp Duties Act, 1968; to grant to the Minister of Finance the power to enter into a certain commitment towards the International Development Association; for the receipt and utilization by the Treasury of special drawing rights allocated to the Government of the Republic by the International Monetary Fund, and to determine the duties and functions of the South African Reserve Bank in respect of such rights transferred to it by the Treasury; to amend the provisions of the Exchequer and Audit Act, 1956, so as to provide for the payment of an increased salary to the Controller and Auditor-General; to amend the provisions of the Post Office Act, 1958, so as to provide for the payment into the Consolidated Revenue Fund of certain amounts standing to the credit of certain depositors; to amend the provisions of the General Loans Act, 1961, so as to enable the State President to borrow certain sums during the period a Part Appropriation Act is in operation; to amend the provisions of the State Tender Board and State Procurement Board Act, 1968, so as to require the approval of the Postal Administration in respect of certain exemptions, condonations, settlements or amendments; to amend the provisions of the South-West Africa Affairs Act, 1969, in respect of the amounts which shall be paid into the Consolidated Revenue Fund to the credit of the South-West Africa Account, and in respect of the amounts which shall be paid into the Revenue Fund of the territory of South-West Africa; to provide for the defrayment of the revenue deficit in the Railway and Harbour Fund; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 20th June, 1969.)*

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

PART I.

MATTERS AFFECTING THE CONSOLIDATED REVENUE FUND.

Disposal of
certain surplus
State revenues.

1. From the surplus in the Revenue Account as at the thirty-first day of March, 1969, as certified by the Controller and Auditor-General, there shall be paid to the credit of the Economic Co-operation Promotion Loan Fund, an amount of five million rand.

WET

Om voorsiening te maak vir die besteding van sekere surplus-staatsinkomste; vir die oordrag van 'n sekere bedrag van die Inkomsterekening na die Leningsrekening; vir die oordrag van sekere Staatseiendom aan die Wetenskaplike en Nywerheidsnavorsingsraad; vir die verlening aan 'n gesag of persoon in artikel 4 van die Wet op Seëlregte, 1968, vermeld van vrystelling van die verpligting om sekere kantoorbelasting te betaal; om aan die Minister van Finansies die bevoegdheid te verleen om 'n sekere verpligting teenoor die Internasionale Ontwikkelingsgenootskap aan te gaan; vir die ontvangs en aanwending deur die Tesourie van spesiale trekkingsregte deur die Internasionale Monetêre Fonds aan die Republiek toegeken, en om die pligte en werksaamhede van die Suid-Afrikaanse Reserwebank te bepaal ten opsigte van sodanige regte wat deur die Tesourie aan hom oorgedra is; tot wysiging van die bepalings van die Skatkis- en Ouditwet, 1956, ten einde voorsiening te maak vir die betaling van 'n verhoogde salaris aan die Kontroleur en Ouditeur-generaal; om die bepalings van die Poswet, 1958, te wysig ten einde voorsiening te maak vir die betaling in die Gekonsolideerde Inkomstefonds van sekere bedrae wat op krediet van sekere deponerders staan; om die bepalings van die Algemene Leningswet, 1961, te wysig ten einde die Staatspresident te magtig om gedurende die typerk wat 'n Gedelidelike Begrotingswet in werking is sekere bedrae teleen; om die bepalings van die Wet op die Staatstenderaad en die Staatsverkrygingsraad, 1968, te wysig ten einde die goedkeuring van die Posadministrasie te vereis ten opsigte van sekere vrystellings, kondonering, skikkings of wysigings; tot wysiging van die Wet op Aangeleenthede met betrekking tot Suidwes-Afrika, 1969, ten opsigte van die bedrae wat in die Gekonsolideerde Inkomstefonds gestort moet word in die kredit van die Suidwes-Afrikarekening, en ten opsigte van die bedrae wat in die Inkomstefonds van die gebied Suidwes-Afrika gestort moet word; om voorsiening te maak vir die bestryding van die inkomste-tekort in die Spoorweg- en Hawefonds; en om vir bykomstige aangeleenthede voorsiening te maak.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 20 Junie 1969.)*

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

DEEL I.

AANGELEENTHEDE WAT DIE GEKONSOLIDEERDE INKOMSTEFONDS RAAK.

1. Uit die surplus in die Inkomsterekening op die een-en-dertigste dag van Maart 1969, soos deur die Kontroleur en Ouditeur-generaal gesertifiseer, word daar aan die Leningsfonds ter Bevordering van Ekonomiese Samewerking 'n bedrag van vyfmiljoen rand oorbetaal.

Besteding van sekere surplus-staatsinkomste.

Act No. 102, 1969

FINANCE ACT, 1969.

Transfer of certain amount from the Revenue Account to the Loan Account.

2. There shall be transferred from the Revenue Account to the Loan Account on or before the thirty-first day of March, 1970, an amount of ten million rand.

Transfer of certain State property to the Council for Scientific and Industrial Research.

3. (1) All movable and immovable property vesting in the State, which on the first day of April, 1969, was used exclusively in connection with the institution known as the Magnetic Observatory, is hereby transferred with effect from that date 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).

(2) The officer in charge of any deeds registry in which immovable property transferred by subsection (1) is registered shall, on production to him of the title deeds of such property and a declaration signed by the Minister of Agriculture that such property has been so transferred, endorse the transfer on the said title deeds and make suitable entries of the transfer in the records in his office.

(3) No transfer duty, stamp duty or other fee shall be payable in connection with the transfer of any immovable property in terms of this section.

Exemption from the payment of fees of office.

4. No fees of office levied under the Companies Act, 1926 (Act No. 46 of 1926), the Patents Act, 1952 (Act No. 37 of 1952), the Trade Marks Act, 1963 (Act No. 62 of 1963), the Copyright Act, 1965 (Act No. 63 of 1965), and the Designs Act, 1967 (Act No. 57 of 1967), shall be payable by an authority or person referred to in section 4 of the Stamp Duties Act, 1968 (Act No. 77 of 1968).

Authority to enter into a commitment to pay the Republic's contributions to the International Development Association.

5. The Minister of Finance is authorized to enter into a commitment towards the International Development Association for the payment on demand to the Association by the South African Government of two amounts, each of which equals one million United States dollars, being the balance of the Republic's contribution towards the Second Replenishment of the funds of the Association.

Provisions applicable to allocations of special drawing rights to the Republic and transactions in such drawing rights.

6. (1) Notwithstanding anything to the contrary contained in any other law, the Treasury may from time to time receive the allocations by the International Monetary Fund to the Republic of special drawing rights, as defined in section 1 of the South African Reserve Bank Act, 1944 (Act No. 29 of 1944).

(2) The special drawing rights referred to in subsection (1) shall be transferred to the South African Reserve Bank by the Treasury and the said Reserve Bank shall reimburse the Treasury with the equivalent in South African currency of the total amount of the value of such rights thus transferred by the Treasury.

(3) The amount accruing to the Treasury in terms of subsection (2), shall be credited to the Loan Account and transferred to the said Reserve Bank for the credit of an account (referred to in this section as the Special Drawing Rights Deposit Account) to be established and managed by the said Reserve Bank on behalf of the Treasury.

(4) Any expenditure, assessments, charges or interest payable relating to transactions of the Republic in respect of special drawing rights, shall be debited by the said Reserve Bank to an account (referred to in this section as the Drawing Rights Expense Account) to be established and managed by the said Reserve Bank on behalf of the Treasury.

(5) Any interest earned or any other revenue obtained relating to transactions of the Republic in respect of special drawing rights, shall be received on behalf of the Treasury by the said Reserve Bank and credited to an account (referred to in this

FINANSIEWET, 1969.

Wet No. 102, 1969

2. Van die Inkomsterekening word daar op of voor die een-en-dertigste dag van Maart 1970 'n bedrag van tienmiljoen rand na die Leningsrekening oorgedra.

Oordrag van sekere bedrag van die Inkomsterekening na die Leningsrekening.

3. (1) Alle roerende en onroerende eiendom wat aan die Staat behoort en op die eerste dag van April 1969 uitsluitend in verband met die instelling bekend as die Magnetiese Observatory gebruik is, word hierby met ingang van daardie datum oorgedra aan die Wetenskaplike en Nywerheidsnavorsingsraad vermeld in artikel 2 van die Wet op die Wetenskaplike Navorsingsraad, 1962 (Wet No. 32 van 1962).

Oordrag van sekere Staats-eiendom aan die Wetenskaplike en Nywerheidsnavorsingsraad.

(2) Die beampete aan die hoof van 'n registrasiekantoor van aktes waarin onroerende eiendom geregistreer is wat by subartikel (1) oorgedra is, moet by voorlegging aan hom van die titelbewyse van bedoelde eiendom, en 'n verklaring, deur die Minister van Landbou onderteken, dat bedoelde eiendom aldus oorgedra is, die oordrag op gemelde titelbewyse endosseer en gepaste inskrywings van die oordrag in die stukke in sy kantoor doen.

(3) Geen herereg, seëlreg of ander gelde is in verband met die oordrag van onroerende eiendom ingevolge hierdie artikel betaalbaar nie.

4. Geen kantoorgelde gehef kragtens die Maatskappywet, 1926 (Wet No. 46 van 1926), die Wet op Patente, 1952 (Wet No. 37 van 1952), die Wet op Handelsmerke, 1963 (Wet No. 62 van 1963), die Wet op Outeursreg, 1965 (Wet No. 63 van 1965), en die Wet op Modelle, 1967 (Wet No. 57 van 1967), is betaalbaar nie deur 'n gesag of persoon vermeld in artikel 4 van die Wet op Seëlregte, 1968 (Wet No. 77 van 1968).

Vrystelling van die betaling van kantoorgelde.

5. Die Minister van Finansies word gemagtig om 'n verpligting teenoor die Internasionale Ontwikkelingsgenootskap aan te gaan vir die betaling op aanvraag aan die Genootskap deur die Suid-Afrikaanse Regering van twee bedrae waarvan elkeen gelykstaande is met eenmiljoen Verenigde State-dollars, synde die restant van die Republiek se bydrae tot die Tweede Aanvulling van die fondse van die Genootskap.

Magtiging om 'n verpligting aan te gaan om die Republiek se bydraes aan die Internasionale Ontwikkelingsgenootskap te betaal.

6. (1) Ondanks andersluidende wetsbepalings, kan die Tesourie van tyd tot tyd die toekennings deur die Internasionale Monetêre Fonds van spesiale trekkingsregte, soos omskryf in artikel 1 van die Wet op die Suid-Afrikaanse Reserwebank, 1944 (Wet No. 29 van 1944), aan die Republiek, ontvang.

Bepalings van toepassing op toekennings van spesiale trekkingsregte aan die Republiek en transaksies in sodanige trekkingsregte.

(2) Die in subartikel (1) bedoelde spesiale trekkingsregte word deur die Tesourie aan die Suid-Afrikaanse Reserwebank oorgedra en daardie Reserwebank moet die Tesourie vergoed met die ekwivalent in Suid-Afrikaanse betaalmiddels van die totale bedrag van die waarde van sodanige regte wat deur die Tesourie aldus oorgedra is.

(3) Die bedrag wat ingevolge subartikel (2) aan die Tesourie toeval, word op kredit van die Leningsrekening geplaas en aan die gemelde Reserwebank oorgedra vir kredit van 'n rekening (in hierdie artikel die Depositorekening vir Spesiale Trekkingsregte genoem) wat deur die gemelde Reserwebank ten behoeve van die Tesourie ingestel en bestuur moet word.

(4) Die uitgawe, heffings, aanslae of rente betaalbaar met betrekking tot transaksies van die Republiek ten opsigte van spesiale trekkingsregte word deur die gemelde Reserwebank gedebiteer aan 'n rekening (in hierdie artikel die Trekkingsregte Uitgawerekening genoem) wat deur die gemelde Reserwebank ten behoeve van die Tesourie ingestel en bestuur moet word.

(5) Die rente verdien of enige ander inkomste verkry met betrekking tot transaksies van die Republiek ten opsigte van spesiale trekkingsregte word deur die gemelde Reserwebank ten

Act No. 102, 1969

FINANCE ACT, 1969.

section as the Drawing Rights Revenue Account) to be established and managed by the said Reserve Bank on behalf of the Treasury.

(6) Any expenditure incurred, loss sustained or profit gained as contemplated by subsections (4) and (5) and relating to transactions of the Republic in respect of special drawing rights, shall be for the account of the Revenue Account of the Consolidated Revenue Fund.

(7) Moneys in the Special Drawing Rights Deposit Account may at any time be utilized by the Treasury to take over special drawing rights from the said Reserve Bank in order to redeem allocations of special drawing rights received by the Republic from the International Monetary Fund.

(8) Notwithstanding anything to the contrary contained in the Exchequer and Audit Act, 1956 (Act No. 23 of 1956), the Treasury is hereby authorized to issue from time to time to the accounting officer concerned, as a charge to the Loan Account for the purposes of subsection (3), and as a charge to the Revenue Account for the purposes of subsection (6), out of the credits to be made available to the Treasury by the Controller and Auditor-General on the Exchequer Account, such sums of money as are required for the purposes of subsections (3) and (6).

(9) Any moneys which are utilized in terms of the provisions of subsections (3) and (6), shall be deemed to have been appropriated in terms of an Appropriation Act.

(10) The Controller and Auditor-General may accept as correct a certificate by the auditors of the said Reserve Bank, that any statement of account to which the certificate relates is a true and complete statement of all transactions, receipts and payments by the said Reserve Bank by virtue of the provisions of this section during the period covered by such statement.

(11) Any balances on the accounts referred to in subsections (4) and (5), may be carried forward until such times as either the Treasury or the said Reserve Bank deems it desirable that a settlement of the outstanding balances shall be effected.

(12) The Minister of Finance shall as soon as possible after the thirty-first day of March of each year lay on the Table of the Senate and of the House of Assembly a statement in which the receipts of and expenditure from the accounts established in terms of this section, are shown in respect of the year ending on the said date.

Special drawing rights held by the South African Reserve Bank.

7. (1) All assets in special drawing rights acquired by the South African Reserve Bank (hereinafter referred to as the Bank) after the commencement of the Finance Act, 1969, shall be for the profit or loss of the Government of the Republic.

(2) The Bank shall render to the Treasury at such times as the Treasury shall direct, a statement or statements in which its transactions in respect of special drawing rights in terms of paragraph (hA) of section 8 (1) of the South African Reserve Bank Act, 1944 (Act No. 29 of 1944), are reflected.

(3) Any loss sustained by the Bank as a result of the depreciation of special drawing rights in relation to South African currency or the appreciation of South African currency in relation to such special drawing rights, shall be a charge against the Consolidated Revenue Fund, and any profit gained by the Bank as a result of the appreciation of special drawing rights in relation to South African currency or the depreciation of South African currency in relation to such special drawing rights, shall be held for the benefit of the Consolidated Revenue Fund.

(4) Any profit or loss contemplated by this section may be carried forward until such times as either the Treasury or the Bank deems it desirable that a settlement of the outstanding balance shall be effected.

FINANSIEWET, 1969.

Wet No. 102, 1969

behoewe van die Tesourie ontvang en gekrediteer aan 'n rekening (in hierdie artikel die Trekkingsregte Inkomsterekening genoem) wat deur die gemelde Reserwebank ten behoeve van die Tesourie ingestel en bestuur moet word.

(6) Die uitgawe aangegaan, verlies gely of wins gemaak soos beoog deur subartikels (4) en (5) met betrekking tot transaksies van die Republiek ten opsigte van spesiale trekkingsregte, is vir die rekening van die Inkomsterekening van die Gekonsolideerde Inkomstefonds.

(7) Gelde in die Depositorekening vir Spesiale Trekkingsregte kan te eniger tyd deur die Tesourie aangewend word om spesiale trekkingsregte van die gemelde Reserwebank oor te neem ten einde toekennings van spesiale trekkingsregte ontvang deur die Republiek van die Internasionale Monetêre Fonds, af te los.

(8) Ondanks andersluidende bepalings van die Skatkis- en Ouditwet, 1956 (Wet No. 23 van 1956), word die Tesourie hierby gemagtig om van tyd tot tyd ten laste van die Leningsrekening vir die doeleindeste van subartikel (3), en ten laste van die Inkomsterekening vir die doeleindeste van subartikel (6), uit die kredits aan die Tesourie deur die Kontroleur en Ouditeur-generaal in die Skatkisrekening toegestaan te word, aan die betrokke rekenpligtige amptenaar die bedrae geld uit te reik wat benodig word vir die doeleindeste van subartikels (3) en (6).

(9) Gelde wat kragtens die bepalings van subartikels (3) en (6) aangewend word, word geag ingevolge 'n Begrotingswet bewillig te gewees het.

(10) Die Kontroleur en Ouditeur-generaal kan 'n sertifikaat van die ouditeurs van die gemelde Reserwebank dat 'n rekeningstaat waarop die sertifikaat betrekking het 'n ware en volledige staat is van die transaksies, ontvangste en uitbetalings deur die gemelde Reserwebank kragtens die bepalings van hierdie artikel gedurende die tydperk deur die staat gedeck, as huis aanneem.

(11) Balanse op die rekenings in subartikels (4) en (5) genoem, kan oorgedra word tot die tye wat of die Tesourie of die gemelde Reserwebank dit wenslik ag dat 'n vereffening van die uitstaande balans moet geskied.

(12) Die Minister van Finansies moet so gou doenlik na die een-en-dertigste dag van Maart in elke jaar 'n staat, waarin die ontvangste van en uitbetalings uit die rekenings wat ingevolge hierdie artikel ingestel word vir die jaar eindigende op bedoelde datum, aangetoon word, in die Senaat en in die Volksraad ter Tafel lê.

7. (1) Alle bates in spesiale trekkingsregte wat na die inwerking-treding van die Finansiewet, 1969, deur die Suid-Afrikaanse Reserwebank (hierna die Bank genoem) verkry word, kom ten bate of ten laste van die Regering van die Republiek.

Spesiale trekkingsregte gehou deur die Suid-Afrikaanse Reserwebank.

(2) Die Bank stuur, op die tye wat die Tesourie gelas, 'n opgawe of opgawes aan die Tesourie waarin sy transaksies in verband met spesiale trekkingsregte ingevolge paragraaf (hA) van artikel 8 (1) van die Wet op die Suid-Afrikaanse Reserwebank, 1944 (Wet No. 29 van 1944), weergegee word.

(3) 'n Verlies wat deur die Bank as gevolg van die waardevermindering van spesiale trekkingsregte in verhouding tot die betaalmiddels van die Republiek of as gevolg van die waardevermeerdering van die betaalmiddels van die Republiek in verhouding tot die waarde van sodanige spesiale trekkingsregte gely word, kom ten laste van die Gekonsolideerde Inkomstefonds, en 'n wins wat deur die Bank as gevolg van die waardevermeerdering van spesiale trekkingsregte in verhouding tot die betaalmiddels van die Republiek of as gevolg van die waardevermindering van die betaalmiddels van die Republiek in verhouding tot die waarde van sodanige spesiale trekkingsregte gemaak word, word ten bate van die Gekonsolideerde Inkomstefonds gehou.

(4) 'n Wins of verlies deur hierdie artikel beoog, kan oorgedra word tot die tye wat of die Tesourie of die Bank dit wenslik ag dat 'n vereffening van die uitstaande balans moet geskied.

Act No. 102, 1969

FINANCE ACT, 1969.

(5) Any loss contemplated by this section shall be defrayed from moneys appropriated by Parliament for the purpose.

(6) The Controller and Auditor-General may accept as correct a certificate by the auditors of the Bank, certifying that a statement to which the certificate refers, is a true and complete statement of all the Bank's transactions, receipts and expenditure during the period covered by the statement and referred to in the section.

Substitution of
section 4 of
Act 23 of 1956,
as substituted by
section 4 of
Act 23 of 1966.

8. (1) The following section is hereby substituted for section 4 of the Exchequer and Audit Act, 1956:

"Salary and allowances payable to the Controller and Auditor-General an annual salary of eleven thousand four hundred rand which amount shall be a charge on and shall be payable out of the Consolidated Revenue Fund and in addition thereto there shall be payable to him such sums (including reimbursive payments) and such allowances as would have been payable to him if he were an officer in the public service.".

(2) Subsection (1) shall be deemed to have come into operation on the first day of April, 1969.

Substitution of
section 69 of
Act 44 of 1958,
as amended by
section 19 of
Act 80 of 1959
and section 15 of
Act 76 of 1961.

9. (1) The following section is hereby substituted for section 69 of the Post Office Act, 1958:

"Amounts standing to credit of any depositor may be paid into the Consolidated Revenue Fund if no deposit or withdrawal made during period of seven years. 69. The Postmaster-General may, after the expiration of a period of seven years from the date upon which the last deposit or withdrawal was made by any depositor, pay into the Consolidated Revenue Fund the amount standing to the credit of that depositor: Provided that if, after any such amount has thus been paid into the Consolidated Revenue Fund, application for repayment thereof is made by the depositor or any person legally authorized to claim on his behalf, the Postmaster-General shall pay such amount out of the accruing revenue of the department and an equivalent amount shall be paid into the revenue of the department from the Consolidated Revenue Fund.".

(2) Any amount paid into the revenue of the Department of Posts and Telegraphs on or after the first day of April, 1968, in terms of the provisions of section 69 of the Post Office Act, 1958, as they existed before the commencement of this Act, shall be paid into the Consolidated Revenue Fund, and an amount equivalent to any amount paid to a depositor, or any person legally authorized to claim on his behalf, out of the accruing revenue of the said Department on or after the said date in terms of the said section as it existed before the commencement of this Act, shall be paid into the revenue of the said Department from the Consolidated Revenue Fund.

Substitution of
section 2 of
Act 16 of 1961.

10. The following section is hereby substituted for section 2 of the General Loans Act, 1961:

"Borrowing of moneys to meet authorized loan expenditure. 2. Whenever any loan expenditure is sanctioned by any Appropriation Act, the State President may borrow such sums as may, in addition to the amount at the credit of or accruing to the loan account, be required to defray such expenditure: Provided that

FINANSIEWET, 1969.

Wet No. 102, 1969

(5) 'n Verlies deur hierdie artikel beoog, word bestry uit gelde wat vir die doel deur die Parlement beskikbaar gestel word.

(6) Die Kontroleur en Ouditeur-generaal kan as huis aanneem 'n sertifikaat van die ouditeurs van die Bank, wat verklar dat 'n staat, waarop die sertifikaat betrekking het, 'n ware en volledige opgawe is van al die Bank se transaksies, ontvangste en uitgawes, gedurende die tydperk waaroer die staat gaan en in hierdie artikel vermeld.

8. (1) Artikel 4 van die Skatkis- en Ouditwet, 1956, word hereby deur die volgende artikel vervang:

„Salaris en toelaes aan Kontroleur- en Ouditeur-generaal betaalbaar. 4. Aan die Kontroleur en Ouditeur-generaal word 'n jaarlikse salaris van elfduisend vierhonderd rand betaal, wat ten laste van die Gekonsolideerde Inkostefonds kom en daaruit betaal word, en daarbenewens word aan hom betaal die bedrae (met inbegrip van vergoedingsbetalings) en toelaes wat aan hom betaalbaar sou gewees het as hy 'n amptenaar in die Staatsdiens was.”

(2) Subartikel (1) word geag op die eerste dag van April 1969 in werking te getree het.

9. (1) Artikel 69 van die Poswet, 1958, word hereby deur die volgende artikel vervang:

„Bedrae wat op krediet van 'n deponeerder staan, kan in die Gekonsolideerde Inkostefonds betaal word indien vir sewe jaar geen bedrag gestort of onttrek is nie. 69. Die Posmeester-generaal kan, na verloop van 'n tydperk van sewe jaar vanaf die datum waarop die laaste bedrag deur 'n deponeerder gestort of onttrek is, die bedrag wat op krediet van daardie deponeerder staan, in die Gekonsolideerde Inkostefonds betaal: Met dien verstande dat indien, nadat so 'n bedrag aldus in die Gekonsolideerde Inkostefonds betaal is, aansoek om terugbetaling daarvan gedoen word deur die deponeerder of iemand wat regtens gemagtig is om dit namens hom te vorder, die Posmeester-generaal daardie bedrag uit die oplopende inkomste van die departement betaal en 'n gelykstaande bedrag uit die Gekonsolideerde Inkostefonds in die inkomste van die departement betaal word.”

(2) 'n Bedrag wat op of na die eerste dag van April 1968 ingevolge die bepalings van artikel 69 van die Poswet, 1958, soos dit bestaan het voor die inwerkingtreding van hierdie Wet, in die inkomste van die Departement van Pos- en Telegraafwese betaal is, word in die Gekonsolideerde Inkostefonds betaal, en 'n bedrag gelykstaande met 'n bedrag wat op of na gemelde datum ingevolge bedoelde artikel soos dit voor die inwerkingtreding van hierdie Wet bestaan het uit die oplopende inkomste van bedoelde departement betaal is aan 'n deponeerder of 'n persoon wat regtens gemagtig is om dit namens hom te vorder, word uit die Gekonsolideerde Inkostefonds in die inkomste van bedoelde Departement betaal.

10. Artikel 2 van die Algemene Leningswet, 1961, word hereby deur die volgende artikel vervang:

„Leen van geld om gemagtigde lenings-uitgawes te dek. 2. Wanneer leningsuitgawes deur 'n Begrotings-wet gemagtig word, kan die Staatspresident die geld benodig om daardie uitgawes te bestry, leen vir sover dit die bedrag te bowe gaan wat op krediet van die leningsrekening staan of daaraan toekom: Met dien verstande dat die Staatspresident gedurende die tydperk wat 'n Gedeeleltelike Begrotings-

Act No. 102, 1969

FINANCE ACT, 1969.

during the period a Part Appropriation Act is in operation the State President may, in addition to the amount at the credit of or accruing to the loan account, borrow such sums, not exceeding seventy-five per cent of the amount appropriated for expenditure from the loan account for the preceding financial year, as he may deem desirable.”.

Amendment of
section 4 of
Act 86 of 1968.

11. Section 4 of the State Tender Board and State Procurement Board Act, 1968, is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) No exemption, condonation, settlement or amendment which may be to the prejudice of the State shall be granted, negotiated or made under paragraphs (f) and (g) of subsection (1) without the prior approval of—

(a) the Postal Administration, in the case of an agreement concluded on behalf of the State for the procurement of supplies or services for the State for use and utilization in the Department of Posts and Telegraphs or for the disposal of State stores used or utilized in the said Department; and

(b) the Treasury, in the case of any other agreement.”.

Amendment of
section 22 of
Act 25 of 1969.

12. (1) Section 22 of the South-West Africa Affairs Act, 1969, is hereby amended—

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

“(1) There shall, subject to the provisions of this section, be paid into the Consolidated Revenue Fund to the credit of an account to be called the ‘South-West Africa Account’—

(a) all revenue from the territory relating to scheduled matters;

(b) all interest which may be received by the Minister of Finance from the Land and Agricultural Bank of South Africa on that portion of the capital of the former Land and Agricultural Bank of South-West Africa, which consists of Administration loans;

(c) moneys appropriated by Parliament for the said account;

(d) moneys accruing to the said account from any other source,

and the said account shall be credited annually with an amount calculated in accordance with a percentage, to be determined by the Minister of Finance in consultation with the Administrator-in-Executive-Committee, of the gross amount of revenue of the Republic under the provisions of the Customs and Excise Act, 1964 (Act No. 91 of 1964), after deduction of payments by the Government of the Republic under the provisions of section 51 (2) of that Act and after deduction of the gross amount of revenue collected as sales duty under the provisions of that Act.”.

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

“(4A) Of the gross amount of revenue collected as sales duty under the provisions of the Customs and Excise Act, 1964 (Act No. 91 of 1964), there shall be paid annually, as a charge on the Consolidated Revenue Fund, into the Revenue Fund of the territory, an amount calculated in accordance with a percentage, to be determined by the Minister of Finance in consultation with the Administrator-in-Executive-Committee, of the said gross amount.”.

FINANSIEWET, 1969.

Wet No. 102, 1969

wet in werking is, bo en behalwe die bedrag wat op krediet van die leningsrekening staan of daaraan toekom, die somme geld kanleen wat hy wenslik ag, maar nie meer as vyf-en-sewentig persent van die bedrag bewillig vir leningsuitgawes ten opsigte van die voorafgaande boekjaar nie.”.

11. Artikel 4 van die Wet op die Staatstenderraad en die Wysiging van Staatsverkrygingsraad, 1968, word hierby gewysig deur sub-artikel 4 van artikel (2) deur die volgende subartikel te vervang:

Wet 86 van 1968.

„(2) Geen vrystelling, kondonering, skikking of wysiging wat tot nadeel van die Staat kan strek, word kragtens paragrawe (f) en (g) van subartikel (1) verleen, aangegaan of gemaak nie sonder die vooraf verkreeë goedkeuring van—

- (a) die Posadministrasie, in die geval van 'n ooreenkoms namens die Staat gesluit vir die verskaffing van leweraansies of dienste aan die Staat vir gebruik en aanwending in die Departement van Pos- en Telegraafwese, of vir die vervreemding van Staatsvoorrade wat in daardie Departement gebruik of aangewend is;
- (b) die Tesourie, in die geval van 'n ander ooreenkoms.”.

12. (1) Artikel 22 van die Wet op Aangeleenthede met betrekking tot Suidwes-Afrika, 1969, word hierby gewysig— artikel 22 van Wet 25 van 1969.

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

„(1) Daar word, behoudens die bepalings van hierdie artikel, gestort in die Gekonsolideerde Inkomstefonds, in die kredit van 'n rekening die ‚Suidwes-Afrikarekening' genoem—

- (a) alle inkomste uit die gebied wat op gelyste aangeleenthede betrekking het;
- (b) alle rente wat deur die Minister van Finansies van die Land- en Landboubank van Suid-Afrika ontvang word op daardie gedeelte van die kapitaal van die voormalige Land- en Landboubank van Suidwes-Afrika, wat bestaan uit Administrasie-lenings;

(c) gelde deur die Parlement vir bedoelde rekening bewillig;

(d) gelde wat bedoelde rekening uit enige ander bron toeval,

en bedoelde rekening word jaarliks gekrediteer met 'n bedrag bereken oorekomstig 'n deur die Minister van Finansies in oorleg met die Administrateur-in-uitvoerende-komitee bepaalde persentasie van die bruto bedrag van inkomste van die Republiek ingevolge die bepalings van die Doeane- en Aksynswet, 1964 (Wet No. 91 van 1964), na aftrekking van betalings deur die Regering van die Republiek kragtens die bepalings van artikel 51 (2) van daardie Wet en na aftrekking van die bruto bedrag van inkomste ingevorder as verkoopreg kragtens die bepalings van daardie Wet.”.

(b) deur die volgende subartikel na subartikel (4) in te voeg:

„(4A) Van die bruto bedrag inkomste ingevorder as verkoopreg kragtens die bepalings van die Doeane- en Aksynswet, 1964 (Wet No. 91 van 1964), word jaarliks ten laste van die Gekonsolideerde Inkomstefonds in die Inkomstefonds van die gebied 'n bedrag gestort, bereken oorekomstig 'n deur die Minister van Finansies in oorleg met die Administrateur-in-uitvoerende-komitee bepaalde persentasie van bedoelde bruto bedrag.”.

Act No. 102, 1969

FINANCE ACT, 1969.

(2) Subsection (1) shall be deemed to have come into operation on the first day of April, 1969.

PART II.

MATTERS AFFECTING THE RAILWAY AND HARBOUR FUND.

**Defrayment of
revenue deficit of
Railway and
Harbour Fund.**

13. The revenue deficit of the Railway and Harbour Fund in respect of the financial year ended on the thirty-first day of March, 1969, as certified by the Controller and Auditor-General, shall be defrayed from the fund established under section 104 of the Republic of South Africa Constitution Act, 1961 (Act No. 32 of 1961).

Short title.

14. This Act shall be called the Finance Act, 1969.

FINANSIEWET, 1969.

Wet No. 102, 1969

(2) Subartikel (1) word geag op die eerste dag van April 1969 in werking te getree het.

DEEL II.

AANGELEENTHEDE WAT DIE SPOORWEG- EN HAWEFONDS RAAK.

13. Die inkomste-tekort in die Spoorweg- en Hawefonds ten Bestryding van opsigte van die boekjaar wat op die een-en-dertigste dag van Maart 1969 geëindig het, soos deur die Kontroleur en Ouditeur-generaal gesertifiseer, word bestry uit die fonds wat ingevolge artikel 104 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet No. 32 van 1961), ingestel is.

14. Hierdie Wet heet die Finansiewet, 1969.

Kort titel.