



STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA
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GOVERNMENT GAZETTE

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PRETORIA, 1 JUNE 1977
1 JUNIE

[No. 5580

PROCLAMATION

*by the State President of the Republic
of South Africa*

No. R. 110, 1977

**COMMENCEMENT OF THE ESTATE AGENTS ACT,
1976 (ACT 112 OF 1976)**

In terms of section 37 of the Estate Agents Act, 1976 (Act 112 of 1976), I hereby declare that the said Act shall come into operation on a date 60 days from the date of publication of this Proclamation.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Second day of April, One thousand Nine hundred and Seventy-seven.

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

J. C. HEUNIS.

PROKLAMASIE

*van die Staatspresident van die Republiek van
Suid-Afrika*

No. R. 110, 1977

**INWERKINGTREDING VAN DIE WET OP
EIENDOMSAGENTE, 1976 (WET 112 VAN 1976)**

Kragtens artikel 37 van die Wet op Eiendomsagente (Wet 112 van 1976) verklaar ek hierby dat genoemde Wet in werking tree op 'n datum 60 dae vanaf datum van publikasie van hierdie proklamasie.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hierdie Tweede dag van April Eenduisend Negehonderd Sewe-en-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

J. C. HEUNIS.

GOVERNMENT NOTICE

DEPARTMENT OF COMMERCE

No. R. 989

1 June 1977

ESTATE AGENTS BOARD

ISSUE OF FIDELITY FUND CERTIFICATES

The Minister of Economic Affairs has, after consultation with the Estate Agents Board, made the following regulations under sections 33 (1) and (2) of the Estate Agents Act, 1976 (Act 112 of 1976):

1.1 In these regulations, unless the context otherwise indicates—

“the Act” means the Estate Agents Act, 1976 (Act 112 of 1976); and

“these regulations” include the Schedules thereto;

1.2 words and expressions defined or used in the Act have the same meaning.

2. Every estate agent or prospective estate agent shall for the 1977 calendar year and thereafter annually pay to the Board a levy of R25 and shall for the 1977 calendar year and thereafter annually pay to the Fund a contribution of R100.

60735—A

GOEWERMENSKENNISGEWING

DEPARTEMENT VAN HANDEL

No. R. 989

1 Junie 1977

RAAD VIR EIENDOMSAGENTE

**UITREIKING VAN GETROUHEIDSFONDS-
SERTIFIKATE**

Die Minister van Ekonomiese Sake het, na oorleg met die Raad vir Eiendomsagente, die volgende regulasies ingevolge artikel 33 (1) en (2) van die Wet op Eiendomsagente, 1976 (Wet 112 van 1976), uitgevaardig:

1.1 In hierdie regulasies, tensy uit die samehang anders blyk—

beteken “die Wet” die Wet op Eiendomsagente, 1976 (Wet 112 van 1976); en

beteken “hierdie regulasies” ook die Bylaes daarvan;

1.2 het woorde en uitdrukkings wat in die Wet omskryf of gebruik word dieselfde betekenis.

2. Elke eiendomsagent of voornemende eiendomsagent moet vir die 1977-kalenderjaar en daarna jaarliks 'n heffing van R25 aan die Raad betaal en moet vir die 1977-kalenderjaar en daarna jaarliks 'n bydrae van R100 aan die fonds betaal.

5580—1

3.1 Every person who intends to operate as an estate agent from the date of commencement of the Act shall before 30 June 1977 apply in writing to the Board on the form set out in Schedule A hereto for the issue to him of a fidelity fund certificate in respect of the calendar year ending 31 December 1977 and thereafter every estate agent shall not later than 1 October of every year apply on the form set out in Schedule A hereto for the issue to him of a fidelity fund certificate in respect of the succeeding calendar year.

3.2 Any person who intends to operate as an estate agent in the course of any calendar year shall apply on the form set out in Schedule A hereto for the issue to him of a fidelity fund certificate in respect of the remainder of that year.

4. The applications referred to in regulation 3 shall be accompanied by the levies and the contributions referred to in regulation 2.

5. In every calendar year commencing after 31 December 1977, each application for the issue of a fidelity fund certificate for that particular year shall, if such application is made on or before 30 June of that year, be accompanied by the full amount of the levy and contribution referred to in regulation 2, and if such application is made after 30 June of any year, it shall be accompanied by one half of the amount of such levy and contribution.

6. Any change in the amount of the levy and contribution payable in respect of any year shall be published in the *Gazette* not later than 31 August of the preceding year.

7. If the Board is satisfied that the applicant concerned complies with the requirements of the Act and that the application is in order, the Board shall issue to the applicant a fidelity fund certificate in the form of Schedule B hereto, which shall be valid until 31 December of the year to which the application relates.

8.1 Any company operating as an estate agent is hereby exempted from the payment of the levy and the contribution referred to in regulation 2, provided a fidelity fund certificate has been issued to each of its directors.

8.2 Notwithstanding the provisions of regulation 8.1, such company shall in its own name apply under these regulations for the issue to it of a fidelity fund certificate.

8.3 Such fidelity fund certificate shall be issued to the company free of charge and shall be displayed in a prominent position to the satisfaction of the Board on the premises of the company concerned.

9. The owner of a fidelity fund certificate shall inform the Board within 14 days of any change in the information supplied to the Board when he applied for the issue to him of such certificate and, if the information appearing on the fidelity fund certificate is no longer applicable or has changed, such certificate shall forthwith be forwarded to the Board for appropriate amendment thereof or for the issue of a new certificate in substitution therefor.

10. Every fidelity fund certificate issued under these regulations shall remain the property of the Board.

11.1 If a fidelity fund certificate was issued to any person referred to in paragraph (c) (ii) of the definition of "estate agent" in section 1 of the Act, and such person ceases to be employed by the employer mentioned in such certificate, that employer shall, within 14 days of such person ceasing to be in his employ, return such certificate to the

3.1 Elke persoon wat voornemens is om vanaf die datum van inwerkingtreding van die Wet as eiendomsagent op te tree, moet voor 30 Junie 1977 op die vorm uiteengesit in Bylae A hiervan skriftelik aansoek doen by die Raad om die uitreiking aan hom van 'n getrouheidsfondssertifikaat met betrekking tot die kalenderjaar wat op 31 Desember 1977 eindig, en daarna moet elke eiendomsagent nie later nie as 1 Oktober van elke jaar op die vorm uiteengesit in Bylae A hiervan aansoek doen om die uitreiking aan hom van 'n getrouheidsfondssertifikaat met betrekking tot die daaropvolgende kalenderjaar.

3.2 Iemand wat voornemens is om in die loop van 'n kalenderjaar as eiendomsagent op te tree, moet op die vorm uiteengesit in Bylae A hiervan aansoek doen om die uitreiking aan hom van 'n getrouheidsfondssertifikaat met betrekking tot die oorblywende gedeelte van daardie jaar.

4. Die aansoeke bedoel in regulasie 3, moet vergesel gaan van die heffings en die bydraes bedoel in regulasie 2.

5. In elke kalenderjaar wat na 31 Desember 1977 begin, moet elke aansoek om die uitreiking van 'n getrouheidsfondssertifikaat, vir daardie besondere jaar, indien sodanige aansoek gedoen word voor of op 30 Junie van daardie jaar, vergesel wees van die volle bedrag van die heffing en bydrae bedoel in regulasie 2, en indien sodanige aansoek gedoen word na 30 Junie van enige jaar, moet dit vergesel wees van die helfte van die bedrag van sodanige heffing en bydrae.

6. Enige verandering van die bedrag van die heffing en bedrae betaalbaar met betrekking tot enige jaar moet in die *Staatskoerant* gepubliseer word, nie later nie as 31 Augustus van die voorafgaande jaar.

7. Indien die Raad oortuig is dat die betrokke applikant aan die vereistes van die Wet voldoen en dat die aansoek in orde is, moet die Raad 'n getrouheidsfondssertifikaat, in die vorm van Bylae B hiervan, wat geldig is tot 31 Desember van die jaar waarop die aansoek betrekking het, aan die applikant uitreik.

8.1 'n Maatskappy wat as 'n eiendomsagent optree, word hierby vrygestel van die betaling van die heffing en die bydrae bedoel in regulasie 2, mits 'n getrouheidsfondssertifikaat aan elkeen van sy direkteure uitgereik is.

8.2 Ondanks die bepalings van regulasie 8.1, moet so 'n maatskappy op sy eie naam ingevolge hierdie regulasies aansoek doen om die uitreiking aan hom van 'n getrouheidsfondssertifikaat.

8.3 Sodanige getrouheidsfondssertifikaat word gratis aan die maatskappy uitgereik en moet tot bevrediging van die Raad op 'n opvallende plek op die perseel van die betrokke maatskappy ten toon gestel word.

9. Die houer van 'n getrouheidsfondssertifikaat moet die Raad binne 14 dae verwittig van enige verandering in die inligting wat aan die Raad verstrekk is toe hy aansoek gedoen het om die uitreiking aan hom van sodanige sertifikaat en, indien die inligting wat voorkom op die getrouheidsfondssertifikaat wat aan hom uitgereik is nie meer toepaslik is nie of verander het, moet sodanige sertifikaat onverwyld aan die Raad gestuur word vir die paslike wysiging daarvan of vir die uitreiking van 'n nuwe sertifikaat ter vervanging daarvan.

10. Elke getrouheidsfondssertifikaat wat kragtens hierdie regulasies uitgereik is, bly die eiendom van die Raad.

11.1 Indien 'n getrouheidsfondssertifikaat uitgereik is aan iemand bedoel in paragraaf (c) (ii) van die omskrywing van "eiendomsagent" in artikel 1 van die Wet, en so iemand ophou om in diens te wees van die werkgewer vermeld in sodanige sertifikaat, moet daardie werkgewer daardie sertifikaat binne 14 dae nadat so iemand opgehou het om in sy diens te wees aan die Raad terugstuur,

Board, together with a letter informing the Board of such termination of employment and, if such information is available, stating with whom that person is taking up employment.

11.2 If the employer concerned is unable for any reason to return the employee's fidelity fund certificate as contemplated in regulation 11.1, the employer shall within 14 days of the termination of employment inform the Board of that fact, stating why he is unable to return such fidelity fund certificate and furnishing all available information concerning the whereabouts of such employee.

12. A written request to the Board to furnish its reasons for refusing to issue a fidelity fund certificate to the person making such request shall be accompanied by an amount of R10.

13. Government Notice R. 956 of 24 May 1977 is hereby withdrawn.

tesame met 'n brief waarin die Raad verwittig word van die feit van sodanige diensbeëindiging, met vermelding, indien dié inligting bekend is, van die persoon by wie die werknemer in diens tree.

11.2 Indien die betrokke werkgewer om die een of ander rede nie in staat is om die werknemer se getrouheidsfondssertifikaat terug te stuur soos beoog in regulasie 11.1 nie, moet die werkgewer binne 14 dae na beëindiging van diens die Raad van daardie feit verwittig en die redes verstrek waarom hy nie in staat is om daardie getrouheidsfondssertifikaat terug te stuur nie, asook alle beskikbare inligting oor waar die betrokke werknemer hom bevind.

12. 'n Skriftelike versoek aan die Raad om die verstreking van redes waarom die Raad geweier het om 'n getrouheidsfondssertifikaat uit te reik aan die persoon wat daardie versoek rig, moet vergesel gaan van 'n bedrag van R10.

13. Goewermentskennisgewing R. 956 van 24 Mei 1977 word hierby herroep.

SCHEDULE A

The Estate Agents Board
Fifth Floor, Auction House
111 Fox Street (P.O. Box 315), Johannesburg, 2000
Telephone 838-6447.

APPLICATION FOR THE ISSUE OF A FIDELITY FUND CERTIFICATE FOR THE YEAR ENDING 31 DECEMBER 19.....

1. Full names of applicant: Surname/Firm/Company.....
First names.....
2. Date of birth.....
3. Identity number.....
4. Nationality..... (If an alien, permanent residence permit or photocopy thereof must be attached).
5. Date since which operating as estate agent.....
6. Residential address..... Code.....
7. Business address..... Phone No..... Code.....
8. Postal address..... Code.....
9. Name of firm or company.....
10. Street address of firm or company..... Code.....
11. Full names of all directors or partners or proprietors of such firm/company.....
12. Have you at any time by reason of improper conduct been dismissed from a position of trust? (Yes or No)..... If Yes attach particulars to this form.
13. Have you at any time been convicted of an offence involving an element of dishonesty? (Yes or No)..... If Yes attach details to this form.
14. Are you an unrehabilitated insolvent? (Yes or No)..... If Yes attach details to this form.
15. Have you or any co-director of a company of which you were a director, or you or any partner in a partnership, ever been found guilty of improper conduct by the Estate Agents Board (Yes or No)..... If Yes attach details to this form.
16. Do you employ any staff (Yes or No)..... If you are an employer have you arranged fidelity insurance in terms of section 26 (b) of the Estate Agents Act?..... If so, please give details as follows:
 (i) Name of insurers.....
 (ii) Amount of insurance.....
 (iii) Due date of policy.....
 (iv) Policy number.....
17. Are you a director, partner, proprietor or employee?.....
18. Name and branch of bank/s where trust account/s is/are kept..... Account/s number/s.....
19. Name and address of your auditor.....

Date..... Signature.....

The deponent has attested before me that the answers given above are true and correct.

Signed at....., this..... day of..... 19.....

Commissioner of Oaths

(Afrikaans keersy)

Fees payable by cheque, which must be attached to this form:
Board levy for 1977, R25; Fidelity Fund Contribution for 1977, R100, Total R125.
Cheques to be made payable to the Estate Agents Board (cross the cheque, please).

FOR OFFICE USE

Payment received?..... Form in order?..... If not, action taken.....
Fidelity Fund Certificate issued.....19.....
Approved by.....

BYLAE A

Die Raad vir Eiendomsagente
Vyfde Verdieping, Auctiongebou
Foxstraat 111 (Posbus 315), Johannesburg, 2000
Telefoon 838-6447.

AANSOEK OM DIE UITREIKING VAN 'N GETROUHEIDSFONDSSERTIFIKAAT VIR DIE JAAR EINDIGENDE
31 DESEMBER 19.....

1. Volle naam van die applikant: Van/Firma/Maatskappy.....
Voorname.....
2. Geboortedatum.....
3. Identiteitsnommer.....
4. Nasionaliteit..... (In geval van 'n vreemdeling moet 'n permanente verblyfpermit of 'n fotokopie daarvan aangeheg word).
5. Datum waarop as eiendomsagent begin is.....
6. Huisadres.....
7. Besigheidsadres..... Telefoon..... Kode.....
8. Posadres..... Kode.....
9. Naam van firma of maatskappy.....
10. Firma of maatskappy se straatadres..... Kode.....
11. Volle name van alle direkteure of vennote of eienaars van sodanige firma/maatskappy.....
12. Is u te eniger tyd weens onbehoorlike gedrag ontslaan uit 'n vertouensposisie? (Ja of Nee)..... Indien Ja, heg besonderhede by hierdie vorm aan.
13. Is u te eniger tyd skuldig bevind weens 'n misdryf waarvan oneerlikheid 'n element is? (Ja of Nee)..... Indien Ja, heg besonderhede by hierdie vorm aan.
14. Is u 'n ongerehabiliteerde insolvent? (Ja of Nee)..... Indien Ja, heg besonderhede by hierdie vorm aan.
15. Is u of 'n mededirekteur van 'n maatskappy waarvan u 'n direkteur was, of u of 'n vennoot in 'n vennootskap al ooit deur die Raad vir Eiendomsagente skuldig bevind aan onbehoorlike gedrag? (Ja of Nee)..... Indien Ja, heg besonderhede by hierdie vorm aan.
16. Het u enige personeel in u diens? (Ja of Nee)..... Indien u 'n werkgewer is, het u getrouheidsfondsversekering gereël ingevolge artikel 26 (b) van die Wet op Eiendomsagente? Indien wel, verstrek asseblief die volgende besonderhede:
 (i) Naam van versekeraars.....
 (ii) Versekeringsbedrag.....
 (iii) Vervaldatum van polis.....
 (iv) Polisnommer.....
17. Is u 'n direkteur, vennoot, eienaar of werknemer?.....
18. Naam en tak van bank/e waar trustrekening/e gehou word.....
Rekeningnommer/s.....
19. Naam en adres van u ouditeur.....

Datum.....
 Die deponent het voor my attesteer dat die antwoorde hierbo gegee, waar en korrek is.
 Gedateer te....., op hede diedag van.....19.....
 Handtekening
 Kommissaris van Ede

(English reverse side)

Gelde betaalbaar per tjek wat by hierdie vorm aangeheg moet word:
 Raadsheffing vir 1977, R25; Getrouheidsfondsbydrae vir 1977, R100, Totaal R125.
 Tjeks moet uitgemaak word aan die Raad vir Eiendomsagent (kruis die tjek, asseblief).

VIR KANTOORGEBRUIK

Betaling ontvang?..... Form in orde?..... Indien nie, stappe gedoen.....
 Getrouheidsfondssertifikaat uitgereik.....19.....
 Goedgekeur deur.....

SCHEDULE/BYLAE B

CERTIFICATE—SERTIFIKAAT

Valid for year ending 31 December 19.....
 Geldig vir jaar eindigende 31 Desember 19.....

ESTATE AGENTS FIDELITY FUND—EIENDOMSAGENTE-GETROUHEIDSFONDS

Full names/Volle naam.....
 Name of firm/company/Naam van firma/maatskappy.....
 Address/Adres.....

This is to certify that the person whose name appears on this Certificate has complied with the provisions of section 16 of Act 112 of 1976, is a member of the said Fund, has paid his contributions to the said Fund for the period indicated above, as in full, and shall retain his membership of the said Fund for as long as he is associated with the above-named firm/company.

Hierby word gesertifiseer dat die persoon wie se naam op hierdie Sertifikaat verskyn, aan die bepalings van artikel 16 van Wet 112 van 1976 voldoen, dat hy lid is van die Eiendomsagente-getrouheidsfonds, dat hy sy bydraes tot genoemde Fonds ten volle betaal het vir die tydperk hierbo aangedui, en dat hy lid van genoemde Fonds bly so lank as wat hy 'n verbintenis het met bovermelde firma/maatskappy.

For and on behalf of the Estate Agent Board.
 Vir en namens die Raad vir Eiendomsagente.

Secretary/Sekerataris

This Certificate is not valid unless it bears the seal of the Estate Agents Board.
 Hierdie sertifikaat is ongeldig indien die seël van die Raad vir Eiendomsagente nie daarop aangebring is nie.

Registered mail carries no insurance.

Send valuables by
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Money by means of a **POSTAL ORDER** or
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◆
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en
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POSWISSEL.

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———*dis vinniger!*

◆
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deur

F. VON BREITENBACH

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Verkrygbaar by Die Staatsdrukker, Pretoria en Kaapstad

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