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STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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KANTOOR VAN DIE EERSTE MINISTER

No. 453. 17 Maart 1982.

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

No. 31 van 1982: Wysigingswet op die Verkryging van Landsvoorrade, 1982.

OFFICE OF THE PRIME MINISTER

No. 453. 17 March 1982.

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

No. 31 of 1982: National Supplies Procurement Amendment Act, 1982.

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Wet No. 31, 1982 WYSIGINGSWET OP DIE VERKRYGING VAN LANDSVOORRADE, 1982

ALGEMENE VERDUIDELIKENDE NOTA:

[ ] Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

______ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Wet op die Verkryging van Landsvoorrade, 1970, ten einde sekere verouderde uitdrukkings te vervang en voorsiening te maak vir die uitoefening of verrigting ook deur ander Ministers van bevoegdhede en werksaamhede wat aan die Minister van Nywerheidswese, Handel en Toerisme verleen of toegewys is; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 25 Februarie 1982.)

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

Wysiging van artikel 1 van Wet 89 van 1970, soos gewysig deur artikel 1 van Wet 89 van 1974.

1. Artikel 1 van die Wet op die Verkryging van Landsvoorrade, 1970 (hieronder die Hoofwet genoem), word hierby gewysig deur die omskrywing van „Minister" deur die volgende omskrywing te vervang:

„ 'Minister' die Minister van **[Ekonomiese Sake]** Nywerheidswese, Handel en Toerisme;".

Invoeging van artikel 1A in Wet 89 van 1970.

2. Die volgende artikel word hierby in die Hoofwet na artikel 1 ingevoeg:

„Uitoefening of verrigting van bevoegdhede en werksaamhede van die Minister deur ander Ministers.

1A. (1) Die bevoegdhede en werksaamhede wat by hierdie Wet, uitgesonderd hierdie artikel en artikels 12, 13 en 14, aan die Minister van Nywerheidswese, Handel en Toerisme verleen of toegewys is, kan ooreenkomstig reëlings deur hom en enige ander Minister getref en met betrekking tot goedere of dienste bepaal deur reëlings aldus getref, ook deur daardie ander Minister uigeoefen of verrig word asof verwysings in hierdie Wet, uitgesonderd genoemde artikels, na die Minister van Nywerheidswese, Handel en Toerisme verwysings ook na daardie ander Minister was.

(2) Reëlings kragtens subartikel (1) getref, moet voorsiening maak vir behoorlike koördinering van alle stappe kragtens hierdie Wet gedoen deur of op gesag of onder die beheer van verskillende Ministers.

(3) Indien 'n bevoegdheid of werksaamheid in subartikel (1) bedoel deur 'n ander Minister as die Minister van Nywerheidswese, Handel en Toerisme uitgeoefen of verrig is, word vermoed, tensy die teendeel bewys word, dat die betrokke ander Minister die bevoegdheid of werksaamheid uitgeoefen of verrig het ooreenkomstig reëlings deur hom en die Minister van Nywerheidswese, Handel en Toerisme kragtens daardie subartikel getref.".

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GENERAL EXPLANATORY NOTE:

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

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

ACT

To amend the National Supplies Procurement Act, 1970, so as to replace certain obsolete expressions and provide for the exercise or performance also by other Ministers of powers and functions conferred upon or assigned to the Minister of Industries, Commerce and Tourism; and to provide for incidental matters.

(English text signed by the State President.)
(Assented to 25 February 1982.)

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

Amendment of section 1 of Act 89 of 1970, as amended by section 1 of Act 89 of 1974.

1. Section 1 of the National Supplies Procurement Act, 1970 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of "Minister" of the following definition:

"'Minister' means the Minister of **[Economic Affairs]** Industries, Commerce and Tourism;".

Insertion of section 1A in Act 89 of 1970.

2. The following section is hereby inserted in the principal Act after section 1:

"Exercise or performance of powers and functions of the Minister by other Ministers.

1A. (1) The powers and functions conferred upon or assigned to the Minister of Industries, Commerce and Tourism by this Act, excluding this section and sections 12, 13 and 14, may be exercised or performed, in accordance with arrangements made by him and any other Minister and in relation to goods or services determined by arrangements so made, also by such other Minister as if references in this Act, excluding the said sections, to the Minister of Industries, Commerce and Tourism were references also to such other Minister.

(2) Arrangements made under subsection (1) shall provide for the proper co-ordination of all steps taken under this Act by or on the authority or under the control of different Ministers.

(3) If any power or function referred to in subsection (1) has been exercised or performed by any Minister other than the Minister of Industries, Commerce and Tourism, it shall be presumed, unless the contrary is proved, that the other Minister concerned exercised or performed the power or function in accordance with arrangements made by him and the Minister of Industries, Commerce and Tourism under that subsection.".

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Wet No. 31, 1982

WYSIGINGSWET OP DIE VERKRYGING VAN LANDSVOORRADE, 1982

Wysiging van artikel 12 van Wet 89 van 1970, soos gewysig deur artikel 19 van Wet 63 van 1973.

3. Artikel 12 van die Hoofwet word hierby gewysig—

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

,,*(f)* gelde aan die fonds voorgeskiet ingevolge artikel 10 (1) *(b)* of 18 (3) *(b)* van die Skatkis- en Ouditwet, 1975 (Wet No. 66 van 1975);"; en

(b) deur in subartikel (2) die woorde ,,Sekretaris van Nywerheidswese" en die uitdrukking ,,1956" deur onderskeidelik die woorde ,,Direkteur-generaal: Nywerheidswese, Handel en Toerisme" en die uitdrukking ,,1975" te vervang.

Wysiging van artikel 13 van Wet 89 van 1970.

4. Artikel 13 van die Hoofwet word hierby gewysig—

(a) deur in subartikel (1) die woorde ,,Openbare Skuldkommissarisse" deur die woorde ,,Staatskuldkommissarisse" te vervang; en

(b) deur in subartikel (3) die woorde ,,Gekonsolideerde Inkomstefonds" deur die woord ,,Staatsinkomstefonds" te vervang.

Vervanging van artikel 18 van Wet 89 van 1970, soos gewysig deur artikel 2 van Wet 70 van 1976.

5. Artikel 18 van die Hoofwet word hierby deur die volgende artikel vervang:

,,Voorbehoud. **18.** (1) Die bepalings van hierdie Wet doen in geen opsig afbreuk nie aan die bevoegdhede en werksaamhede van—

(a) die Minister van Vervoerwese kragtens die Suid-Afrikaanse Vervoerdienstewet, 1981 (Wet No. 65 van 1981);

(b) die Minister van Nywerheidswese, Handel en Toerisme kragtens die Wet op In- en Uitvoerbeheer, 1963 (Wet No. 45 van 1963);

(c) die Pryskontroleur kragtens die Wet op Prysbeheer, 1964 (Wet No. 25 van 1964);

(d) die Minister van Verdediging of die Krygstuigkorporasie van Suid-Afrika, Beperk, kragtens die Wet op Krygstuigontwikkeling en -vervaardiging, 1968 (Wet No. 57 van 1968);

(e) die Minister van Landbou en Visserye, die Direkteur-generaal: Landbou en Visserye of die Nasionale Bemarkingsraad kragtens die Bemarkingswet, 1968 (Wet No. 59 van 1968).

(2) Vir sover die uitoefening van die Minister se bevoegdhede kragtens—

(a) hierdie Wet betrekking het op 'n aangeleentheid wat kragtens die Bemarkingswet, 1968, aan die Minister van Landbou en Visserye, die Direkteur-generaal: Landbou en Visserye of die Nasionale Bemarkingsraad opgedra is, oefen hy dit in oorleg met die Minister van Landbou en Visserye uit;

(b) artikel 2A betrekking het op 'n aangeleentheid wat kragtens—

(i) die Wet op Padvervoer, 1977 (Wet No. 74 van 1977), aan die Minister van Vervoerwese, die Nasionale Vervoerkommissie of 'n plaaslike padvervoerraad;

(ii) die Wet op Lugdienste, 1949 (Wet No. 51 van 1949), aan die Minister van Vervoerwese of die Nasionale Vervoerkommissie; of

(iii) die Suid-Afrikaanse Vervoerdienstewet, 1981, aan die Minister van Vervoerwese, die Suid-Afrikaanse Vervoerdienste of die Raad van Suid-Afrikaanse Vervoerdienste,

opgedra is, oefen hy dit in oorleg met die Minister van Vervoerwese uit.".

Kort titel.

6. Hierdie Wet heet die Wysigingswet op die Verkryging van Landsvoorrade, 1982.

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Amendment of section 12 of Act 89 of 1970, as amended by section 19 of Act 63 of 1973.

3. Section 12 of the principal Act is hereby amended—

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

"*(f)* moneys advanced to the fund in terms of section 10 (1) *(b)* or 18 (3) *(b)* of the Exchequer and Audit Act, 1975 (Act No. 66 of 1975);"; and

(b) by the substitution in subsection (2) for the words "Secretary for Industries" and the expression "1956" of the words "Director-General: Industries, Commerce and Tourism" and the expression "1975", respectively.

Amendment of section 13 of Act 89 of 1970.

4. Section 13 of the principal Act is hereby amended—

(a) by the substitution in the Afrikaans text of subsection (1) for the words "Openbare Skuldkommissarisse" of the word "Staatskuldkommissarisse"; and

(b) by the substitution in subsection (3) for the word "Consolidated" of the word "State".

Substitution of section 18 of Act 89 of 1970, as amended by section 2 of Act 70 of 1976.

5. The following section is hereby substituted for section 18 of the principal Act:

"Savings. **18.** (1) Nothing in this Act contained shall in any way derogate from the powers and functions of—

(a) the Minister of Transport Affairs under the South African Transport Services Act, 1981 (Act No. 65 of 1981);

(b) the Minister of Industries, Commerce and Tourism under the Import and Export Control Act, 1963 (Act No. 45 of 1963);

(c) the Price Controller under the Price Control Act, 1964 (Act No. 25 of 1964);

(d) the Minister of Defence or the Armaments Corporation of South Africa, Limited, under the Armaments Development and Production Act, 1968 (Act No. 57 of 1968);

(e) the Minister of Agriculture and Fisheries, the Director-General: Agriculture and Fisheries or the National Marketing Council under the Marketing Act, 1968 (Act No. 59 of 1968).

(2) The Minister shall, in so far as the exercise of his powers under—

(a) this Act relates to a matter entrusted under the Marketing Act, 1968, to the Minister of Agriculture and Fisheries, the Director-General: Agriculture and Fisheries or the National Marketing Council, exercise such powers in consultation with the Minister of Agriculture and Fisheries;

(b) section 2A relates to a matter entrusted under—

(i) the Road Transportation Act, 1977 (Act No. 74 of 1977), to the Minister of Transport Affairs, the National Transport Commission or a local road transportation board;

(ii) the Air Services Act, 1949 (Act No. 51 of 1949), to the Minister of Transport Affairs or the National Transport Commission; or

(iii) the South African Transport Services Act, 1981, to the Minister of Transport Affairs, the South African Transport Services or the South African Transport Services Board,

exercise such powers in consultation with the Minister of Transport Affairs.".

Short title.

6. This Act shall be called the National Supplies Procurement Amendment Act, 1982.