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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. 367. 7 Maart 1984

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

No. 11 van 1984: Verjaringswysigingswet, 1984.

OFFICE OF THE PRIME MINISTER

No. 367. 7 March 1984

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

No. 11 of 1984: Prescription Amendment Act, 1984.

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ALGEMENE VERDUIDELIKENDE NOTA:

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

WET

Tot wysiging van die Verjaringswet, 1969, ten einde verdere voorsiening te maak vir die bepaling van die tyd wanneer verjaring ten opsigte van 'n skuld begin loop.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 22 Februarie 1984.)

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

Wysiging van artikel 12 van Wet 68 van 1969.

1. Artikel 12 van die Verjaringswet, 1969, word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

„(3) 'n Skuld **[wat nie uit ooreenkoms ontstaan nie,]** word nie geag opeisbaar te wees voordat die skuldeiser van die identiteit van die skuldenaar en van die feite waaruit die skuld ontstaan, kennis dra nie: Met dien verstande dat 'n skuldeiser geag word sodanige kennis te dra indien hy dit deur die beoefening van redelike sorg kon bekom het.".

Kort titel.

2. Hierdie Wet heet die Verjaringswysigingswet, 1984.

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GENERAL EXPLANATORY NOTE:

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

ACT

To amend the Prescription Act, 1969, so as to make further provision for the determination of the time when prescription in respect of a debt begins to run.

(English text signed by the State President.)
(Assented to 22 February 1984.)

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

Amendment of section 12 of Act 68 of 1969.

1. Section 12 of the Prescription Act, 1969, is hereby amended by the substitution for subsection (3) of the following subsection:

"(3) A debt **[which does not arise from contract]** shall not be deemed to be due until the creditor has knowledge of the identity of the debtor and of the facts from which the debt arises: Provided that a creditor shall be deemed to have such knowledge if he could have acquired it by exercising reasonable care.".

Short title.

2. This Act shall be called the Prescription Amendment Act, 1984.