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STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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No. 9186

KANTOOR VAN DIE EERSTE MINISTER

No. 754. 18 April 1984

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

No. 53 van 1984: Wysigingswet op Nywerheid-ontwikkeling, 1984.

OFFICE OF THE PRIME MINISTER

No. 754. 18 April 1984

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

No. 53 of 1984: Industrial Development Amendment Act, 1984.

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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 Nywerheid-ontwikkelingswet, 1940, ten einde die omskrywing van "Minister" te wysig; en die Nywerheid-ontwikkelingskorporasie van Suid-Afrika, Beperk, te magtig om aan sekere persone geld te leen of voor te skiet, om sekere waarborge te verstrek en, met die instemming van die Minister van Nywerheidswese, Handel en Toerisme, sekere ooreenkomste met die regerings van sekere state aan te gaan; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 30 Maart 1984.)

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

Wysiging van artikel 1 van Wet 22 van 1940, soos gewysig deur artikel 1 van Wet 67 van 1961 en artikel 1 van Wet 52 van 1964.

1. Artikel 1 van die Nywerheid-ontwikkelingswet, 1940 (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;".

Wysiging van artikel 4 van Wet 22 van 1940, soos gewysig deur artikel 2 van Wet 67 van 1961, artikel 3 van Wet 52 van 1964, artikel 1 van Wet 47 van 1975 en artikel 2 van Wet 96 van 1980.

2. Artikel 4 van die Hoofwet word hierby gewysig—

(a) deur paragraaf *(b)* deur die volgende paragraaf te vervang:

"*(b)* aan enige maatskappy of ander persoon wat betrokke is in **[of voornemens is om]** enige in artikel 3 bedoelde nywerheid of nywerheidsonderneming of voornemens is om so 'n nywerheid of nywerheidsonderneming te stig of uit te brei of te moderniseer, geld te leen of voor te skiet of, in die geval van so 'n maatskappy, 'n belang daarin te verkry of dit van kapitaal te voorsien of deur garansie of andersins met die inskrywing van kapitaal daarvoor te help;"; en

(b) deur in paragraaf *(e)* die woorde wat subparagraaf (i) voorafgaan deur die volgende woorde te vervang:

"enige aanvaarde verpligting ten opsigte van die finansiëring van enige maatskappy of ander persoon, of die uitvoering deur enige maatskappy of ander persoon van 'n kontrak, te waarborg of om enige maatskappy of ander persoon skadeloos te stel ten opsigte van die koste verbonde aan gedinge, of ten opsigte van enige verlies of skade, wat voortspruit uit—".

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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 Industrial Development Act, 1940, so as to amend the definition of "Minister"; and to empower the Industrial Development Corporation of South Africa, Limited, to lend or advance money to certain persons, to furnish certain guarantees and, with the concurrence of the Minister of Industries, Commerce and Tourism, to enter into certain agreements with the governments of certain states; and to provide for matters connected therewith.

(English text signed by the State President.)
(Assented to 30 March 1984.)

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 22 of 1940, as amended by section 1 of Act 67 of 1961 and section 1 of Act 52 of 1964.

1. Section 1 of the Industrial Development Act, 1940 (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;".

Amendment of section 4 of Act 22 of 1940, as amended by section 2 of Act 67 of 1961, section 3 of Act 52 of 1964, section 1 of Act 47 of 1975 and section 2 of Act 96 of 1980.

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

(a) by the substitution for paragraph *(b)* of the following paragraph:

"*(b)* to lend or advance money to **[to acquire an interest in, or to provide, or by underwriting or otherwise to assist in the subscription of, capital for]** any company or other person engaged in or proposing to establish or to expand or modernize any **[such]** industry or industrial undertaking **[as is]** referred to in section 3, or, in the case of any such company, to acquire an interest in it or to provide, or by underwriting or otherwise to assist in the subscription of, capital for it;" and

(b) by the substitution in paragraph *(e)* for the words preceding subparagraph (i) of the following words:

"to guarantee any undertaking given in relation to the financing of any company or other person, or the performance of any contract by any company or other person, or to indemnify any company or other person in respect of the costs attaching to suits, or in respect of any loss or damage, arising from—".

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Invoeging van artikel 5*quin* in Wet 22 van 1940.

3. Die volgende artikel word hierby in die Hoofwet na artikel 5*quat* ingevoeg:

"Aangaan van ooreenkomste met regerings van sekere state.

5*quin*. Ondanks andersluidende bepalings van hierdie Wet kan die korporasie—

(a) met die doel dat in die ekonomiese behoeftes van 'n staat waarvan die gebied voorheen deel van die Republiek uitgemaak het, voorsien word en nywerheidsontwikkeling in die betrokke staat ooreenkomstig gesonde handelsbeginsels ontwerp, bespoedig en voortgesit word; en

(b) met die instemming van die Minister,

'n ooreenkoms met die regering van die betrokke staat aangaan en, ten einde aan die ooreenkoms gevolg te gee, in die betrokke staat of elders enige werksaamheid verrig wat hy ingevolge hierdie Wet in die Republiek sou kon verrig.".

Kort titel.

4. Hierdie Wet heet die Wysigingswet op Nywerheid-ontwikkeling, 1984.

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3. The following section is hereby inserted in the principal Act after section 5*quat*:

Insertion of section 5*quin* in Act 22 of 1940.

"Entering into agreements with governments of certain states.

5*quin*. Notwithstanding anything to the contrary in this Act contained, the corporation may—

(a) to the end that the economic requirements of any state the territory of which was formerly part of the Republic may be met and industrial development within the state concerned may be planned, expedited and conducted on sound business principles; and

(b) with the concurrence of the Minister,

enter into an agreement with the government of the state concerned and, in order to give effect to the agreement, in the state concerned or elsewhere perform any function which it could have performed in the Republic in terms of this Act.".

4. This Act shall be called the Industrial Development Amendment Act, 1984.

Short title.