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REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

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GOEWERMENTSKENNISGEWING

DEPARTEMENT VAN FINANSIES

No. R. 2305 **3 Oktober 1985**

WET OP BETAALMIDDELS EN WISSELKOERSE, 1933

(WET 9 VAN 1933)

Die Staatspresident het kragtens artikel 9 van die Wet op Betaalmiddels en Wisselkoerse, 1933 (Wet 9 van 1933), die regulasies vervat in die Bylae uitgevaardig.

BYLAE

1. In hierdie regulasies beteken "die Regulasies" die Regulasies afgekondig by Proklamasie R. 157 van 1985 gedateer 1 September 1985.

2. Regulasie 1 van die Regulasies word hierby gewysig—

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

"(a) 'n ooreenkoms aangegaan deur 'n invoerder vir die invoer van goedere of dienste, met inbegrip van betalings vir vrag-, assuransie- en ander kostes in verband met sodanige invoer, mits—

(i) sodanige goedere of dienste nie voor 1 Januarie 1985 in die Republiek gelewer of verleen is nie; en

(ii) (aa) betaling gedoen word kragtens 'n dokumentêre kredietbrief of kragtens enige aksep of wissel wat kragtens sodanige kredietbrief getrek is; of

(bb) betaling gedoen word direk aan die buitelandse verskaffer van sodanige goedere of dienste of aan 'n invorderingsbank namens hom; of

(cc) betaling gedoen word kragtens 'n dokumentêre wissel wat deur die invoerder van sodanige goedere of dienste, of deur 'n bank namens hom, geaksepteer is;";

GOVERNMENT NOTICE

DEPARTMENT OF FINANCE

No. R. 2305 **3 October 1985**

CURRENCY AND EXCHANGES ACT, 1933
(ACT 9 OF 1933)

The State President has in terms of section 9 of the Currency and Exchanges Act, 1933 (Act 9 of 1933), made the regulations contained in the Schedule.

SCHEDULE

1. In these regulations "the Regulations" means the Regulations published by Proclamation R. 157 of 1985 dated 1 September 1985.

2. Regulation 1 of the Regulations is hereby amended—

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

"(a) an agreement entered into by an importer for the importation of goods or services, including payment for freight, insurance and other costs relating to such imports, provided—

(i) such goods or services were not received in the Republic prior to 1 January 1985, and

(ii) (aa) payment is made in terms of a documentary letter of credit or in terms of any acceptance or bill drawn under such letter of credit; or

(bb) payment is made directly to the foreign supplier of such goods and services or to a collecting banker on his behalf; or

(cc) payment is made in terms of a documentary bill accepted by the importer of such goods or services or by a banker on behalf of such importer;";

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

"(b) rente ooreenkomstig 'n koers en redelike koste betaalbaar op uitstaande lenings soos deur die Minister van Finansies, of 'n persoon deur hom aangewys, goedgekeur;";

(c) deur paragraaf (c) deur die volgende paragraaf te vervang:

"(c) (i) toonderskuldbriewe of toonderpromesses wat op 28 Augustus 1985 gelys of genoteer was op enige effektebeurs en wat deur of ten behoewe van die Staat of enige ander persoon uitgereik is; of

(ii) toonderskuldbriewe of toonderpromesses, soos deur die Minister van Finansies of 'n persoon deur hom aangewys goedgekeur, wat deur of ten behoewe van die staat of enige ander persoon uitgereik is;";

(d) deur paragraaf (d) deur die volgende paragraaf te vervang:

"(d) daardie gedeeltes van lenings wat deur 'n buitelandse regering of 'n agentskap van sodanige regering gewaarborg is;";

(e) deur paragraaf (f) deur die volgende paragraaf te vervang:

"(f) die finansiële verpligtinge van die Suid-Afrikaanse Reserwebank mits sodanige verpligtinge nie voortspruit uit 'n spesiale beperkte rekening soos omskryf in die Deviesebeheerregulasies afgekondig by Goewermentskennisgewing R. 1111 van 1 Desember 1961, soos gewysig, of uit 'n valuta vryvloeiwaarborg uitgereik deur die Suid-Afrikaanse Reserwebank nie;";

(f) deur paragraaf (g) deur die volgende paragraaf te vervang:

"(g) (i) nuwe lenings, met inbegrip van rente en kostes daarop, alles soos deur die Minister van Finansies, of deur 'n persoon deur hom aangewys, goedgekeur, wat op of na 2 September 1985 aan enige persoon in die Republiek verleen is en wat nie ter vervanging van 'n bestaande lening is nie; of

(ii) daardie gedeeltes van lenings, met inbegrip van rente en kostes daarop, wat aan enige persoon in die Republiek verleen is voor 2 September 1985, en wat op of na 2 September 1985 met die goedkeuring van die Minister van Finansies of 'n persoon deur hom aangewys, deur die lener getrek word of aan die lener betaal word;"; en

(g) deur paragraaf (i) deur die volgende paragraaf te vervang:

"(i) enige betaling van 'n lopende aard soos gemagtig kragtens die bepalings van die Deviesebeheerregulasies afgekondig by Goewermentskennisgewing R. 1111 van 1 Desember 1961, soos gewysig."

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

"(b) interest in accordance with a rate and reasonable costs payable on outstanding loans as approved by the Minister of Finance or a person designated by him;";

(c) by the substitution for paragraph (c) of the following paragraph:

"(c) (i) bearer bonds or bearer notes listed or quoted on any stock exchange on 28 August 1985, issued by or on behalf of the State or any other person; or

(ii) bearer bonds or bearer notes, as approved by the Minister of Finance or a person designated by him, issued by or on behalf of the State or any other person;"

(d) by the substitution for paragraph (d) of the following paragraph:

"(d) such portions of loans as are guaranteed by a foreign government or an agency of such government;";

(e) by the substitution for paragraph (f) of the following paragraph:

"(f) the financial obligations of the South African Reserve Bank; provided that such obligations do not arise from a special restricted account as defined in the Exchange Control Regulations published by Government Notice R. 1111 of 1 December 1961, as amended, or from a currency transfer guarantee issued by the South African Reserve Bank;"

(f) by the substitution for paragraph (g) of the following paragraph:

"(g) (i) new loans, including interest and costs thereon, all as approved by the Minister of Finance or a person designated by him, granted on or after 2 September 1985 to any person in the Republic and which are not for the replacement of an existing loan; or

(ii) such portions of loans, including interest and costs thereon, granted to any person in the Republic prior to 2 September 1985, which are drawn by or paid to the borrower on or after 2 September 1985 with the approval of the Minister of Finance or a person designated by him;"; and

(g) by the substitution for paragraph (i) of the following paragraph:

"(i) any payment of a current nature as authorized under the Exchange Control Regulatuions published by Government Notice R. 1111 of 1 December 1961, as amended.".

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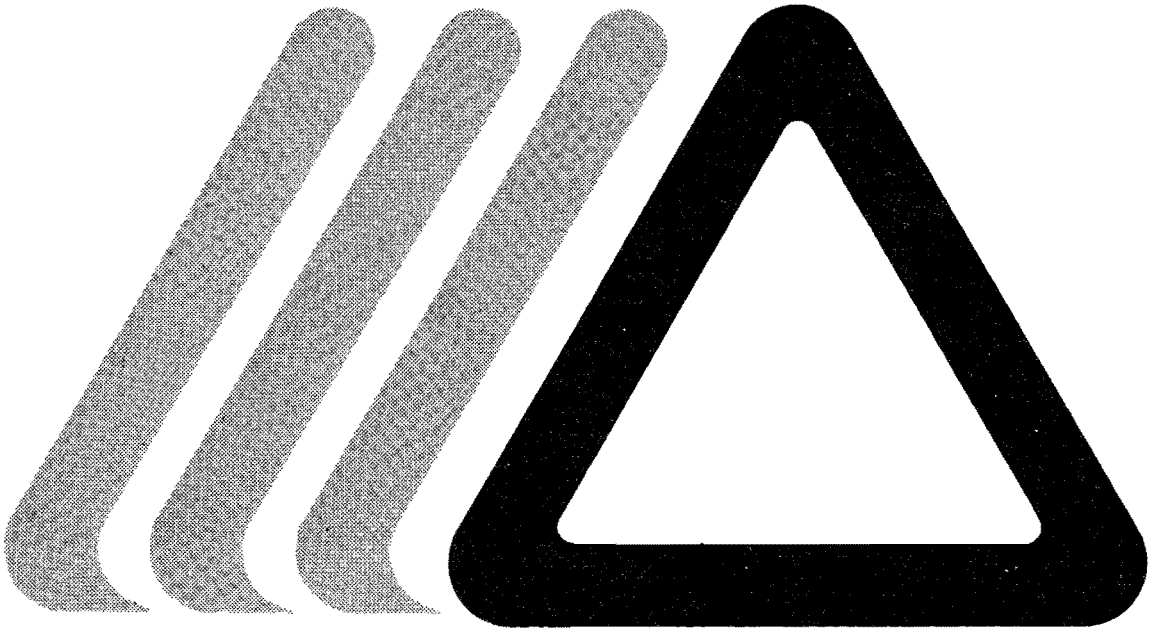
Drink en bestuur is 'n kriminele oortreding



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