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GOVERNMENT NOTICES.

DEPARTMENT OF FINANCE.

No. R. 1111.] [1 December 1961.

EXCHANGE CONTROL REGULATIONS, 1961.

It is hereby notified that the State President has, in terms of section *nine* of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933), made the Exchange Control Regulations as contained in the Schedule in this Notice.

SCHEDULE.

DEFINITION OF TERMS.

1. In these regulations, unless the context otherwise indicates—

"appropriate officer" means any officer of customs or excise, any immigration officer, any member of the South African Police or any person authorised by the Treasury to act as such;

"authorised dealer" means, in respect of any transaction in respect of gold, a person authorised by the Treasury to deal in gold, and in respect of any transaction in respect of foreign exchange, a person authorised by the Treasury to deal in foreign exchange;

"bond" includes any mortgage bond or notarial bond registered or registrable in any registration office in the Republic;

"Consolidated Revenue Fund" in the application of these regulations to the Territory of South-West Africa and the port and settlement of Walvis Bay, means the revenue fund of the said Territory;

"foreign currency" means any currency other than currency which is legal tender in the Republic;

"*Gazette*" in the application of these regulations to the Republic means the *Government Gazette*, and in their application to the Territory of South-West Africa and the port and settlement of Walvis Bay, means the *Official Gazette* of the said Territory;

"gold" means gold in any form, except in regulations 2 and 5 in which "gold" means any gold other than wrought gold;

"owner" in respect of any security, includes any person who has the right to dispose of or transfer that security, or who has the custody thereof, or who receives or has the right to receive, whether on his own behalf or on behalf of any other person, dividends or interest thereon, or who has any other interest therein;

GOEWERMENTSKENNISGEWINGS.

DEPARTEMENT VAN FINANSIES

No. R. 1111.] [1 Desember 1961.

DEVIESEBEHEERREGULASIES, 1961.

Hierby word bekendgemaak dat die Staatspresident, kragtens artikel *nege* van die Wet op Betaalmiddels en Wisselkoerse, 1933 (Wet No. 9 van 1933), die Deviesebeheerregulasies uitgevaardig het soos vervat in die Bylae van hierdie kennisgewing.

BYLAE.

WOORDBEPALING.

1. Tensy dit uit die samehang anders blyk, beteken in hierdie regulasies—

„bevoegde amptenaar", 'n doeane- of aksynsbeampte, 'n immigrasiebeampte, 'n lid van die Suid-Afrikaanse Polisie of iemand wat deur die Tesourie gemagtig is om as sodanig op te tree;

„eienaar", ten opsigte van geldwaardige papiere, ook iemand wat die reg besit om sulke geldwaardige papiere weg te doen of oor te dra, of wat hulle in bewaring hou, of wat diwidende of rente daarop, hetsy vir eie rekening of namens iemand anders, ontvang of wat die reg daartoe het, of wat enige ander belang daarin het;

„Gekonsolideerde Inkomstefonds", by die toepassing van hierdie regulasies op die Gebied Suidwes-Afrika en die hawe en nedersetting Walvisbaai, die inkomstefonds van genoemde Gebied;

„geldwaardige papiere", aandele, effekte, verbande, skuldbriewe, obligasies, eenheidsertifikate, asook 'n brief of ander dokument wat enige bewys van regte ten aansien van 'n geldwaardige papier verleen of bevat;

„gemagtigde handelaar", ten opsigte van enige transaksie wat in verband met goud staan, iemand wat deur die Tesourie gemagtig is om in goud handel te drywe en, ten opsigte van enige transaksie wat in verband met deviese staan, iemand wat deur die Tesourie gemagtig is om in deviese handel te drywe;

„goud", goud in alle vorme, behalwe in regulasies 2 en 5 waar „goud" ander goud as bewerkte goud beteken;

„oordra", ook oordrag by wyse van lening of sekerheidstelling, en vir die toepassing van hierdie regulasies word iemand geag geldwaardige papiere aan iemand buite die Republiek oor te dra as hy geldwaardige papiere van 'n register binne die Republiek na 'n register buite die Republiek oordra;

"Republic of South Africa" in the application of these regulations to the Territory of South-West Africa and the port and settlement of Walvis Bay, includes the said Territory and the said port and settlement;

"security" means shares, stock, bonds, debentures, debenture stock, unit certificates and includes any letter or other document conferring or containing any evidence of rights in respect of any security;

"sterling area" includes the Republic of South Africa, the Territory of South-West Africa and such other territories as the Treasury may by notice in the *Gazette* declare to be included in the sterling area;

"transfer" includes transfer by way of loan or security, and for the purposes of these regulations a person shall be deemed to transfer securities from the Republic elsewhere if he transfers securities from a register in the Republic to a register outside the Republic;

"Treasury" means the Minister of Finance and in respect of any power or function assigned to the Treasury by these regulations, includes any person authorised by such Minister to exercise or to perform such power or function.

RESTRICTION ON PURCHASE, SALE AND LOAN OF FOREIGN CURRENCY AND GOLD.

2. (1) Except with permission granted by the Treasury, and in accordance with such conditions as the Treasury may impose, no person other than an authorised dealer shall buy or borrow any foreign currency or any gold from, or sell or lend any foreign currency or any gold to any person not being an authorised dealer.

(2) An authorised dealer shall not buy or borrow or sell or lend any foreign currency or gold except on such conditions as the Treasury may determine and the Treasury may, in its discretion, by order prohibit any or all authorised dealers from selling or lending foreign currency or gold to any specified person or persons.

(3) Every person other than an authorised dealer desiring to buy or borrow or sell or lend foreign currency or gold shall make application to an authorised dealer and shall furnish such information and submit such documents as the authorised dealer may require for the purpose of ensuring compliance with any conditions determined under sub-regulation (2) of this regulation.

(4) No person other than an authorised dealer shall—

(*a*) use or apply any foreign currency or gold acquired from an authorised dealer for or to any purpose other than that stated in his application to be the purpose for which it was required; or

(*b*) do any act calculated to lead to the use or application of such foreign currency or gold for or to any purpose other than that so stated.

(5) If a person has, as a result of an application in terms of sub-regulation (3) of this regulation, obtained from an authorised dealer any gold or foreign currency and no longer requires all or any part of such gold or foreign currency for the purpose stated in his application, he shall forthwith offer for sale to the Treasury or an authorised dealer that gold or foreign currency which is not so required, which may be repurchased at the price at which it was sold to him or such other price as the Treasury may determine.

RESTRICTION ON EXPORT OF CURRENCY, GOLD, SECURITIES, ETC.

3. (1) Subject to any exemption which may be granted by the Treasury or a person authorised by the Treasury, no person shall, without permission granted by the Treasury or a person authorised by the Treasury and in accordance with such conditions as the Treasury or such authorised person may impose—

(*a*) take or send out of the Republic any bank-notes, gold, securities or foreign currency, or transfer any securities from the Republic elsewhere; or

„Republiek van Suid-Afrika", by die toepassing van hierdie regulasies op die Gebied Suidwes-Afrika en die hawe en nedersetting Walvisbaai, ook genoemde Gebied en genoemde hawe en nedersetting;

„*Staatskoerant*", by die toepassing van hierdie regulasies op die Republiek, die *Staatskoerant* en, by die toepassing daarvan op die Gebied Suidwes-Afrika en die hawe en nedersetting Walvisbaai, die *Offisiële Koerant* van genoemde Gebied;

„sterlinggebied", die Republiek van Suid-Afrika en die Gebied Suidwes-Afrika en sulke ander gebiede as wat die Tesourie by kennisgewing in die *Staatskoerant* verklaar in die sterlinggebied inbegrepe te wees;

„Tesourie", die Minister van Finansies en, ten opsigte van enige bevoegdheid of funksie wat ingevolge hierdie regulasies aan die Tesourie toegewys is, ook iemand wat deur die Minister gemagtig is om sodanige bevoegdheid of funksie uit te oefen.

„verband" ook 'n verbandakte of notariële verband wat in 'n registrasiekantoor in die Republiek geregistreer is of registreerbaar is;

„vreemde valuta", enige geld wat nie in die Republiek wettige betaalmiddel is nie;

BEPERKING OP DIE AANKOOP, VERKOOP EN LEEN VAN VREEMDE VALUTA EN GOUD.

2. (1) Behalwe met die vergunning van die Tesourie en ooreenkomstig die voorwaardes wat die Tesourie mag stel, mag niemand, behalwe 'n gemagtigde handelaar, vreemde valuta of goud koop of leen van, vreemde valuta of goud verkoop of leen aan, iemand wat nie 'n gemagtigde handelaar is nie.

(2) Behalwe op voorwaardes wat die Tesourie mag stel, mag geen gemagtigde handelaar enige vreemde valuta of goud koop of leen of verkoop of uitleen nie en die Tesourie kan na goeddunke, by wyse van 'n bevel, alle gemagtigde handelaars of enigeen van hulle verbied om vreemde valuta of goud aan enige bepaalde persoon of persone te verkoop of te leen.

(3) Enigeen wat nie 'n gemagtigde handelaar is nie en wat vreemde valuta of goud wil koop of leen of verkoop of uitleen, moet by 'n gemagtigde handelaar aansoek doen en moet die inligting verstrek en die dokumente indien wat die gemagtigde handelaar mag verlang ten einde nakoming van die voorwaarde of voorwaardes gestel by subregulasie (2) van hierdie regulasie te verseker.

(4) Niemand wat nie 'n gemagtigde handelaar is nie, mag—

(*a*) vreemde valuta of goud wat hy van 'n gemagtigde handelaar verkry het vir 'n ander doel gebruik of aanwend as dié wat hy in sy aansoek vermeld het as die doel waarvoor hy dit wou hê nie; of

(*b*) enigiets doen wat daarop bereken is om te lei tot die gebruik of aanwending van sodanige vreemde valuta of goud vir 'n ander doel as dié wat hy in voormelde aansoek vermeld het nie.

(5) As iemand as gevolg van 'n aansoek ingevolge subregulasie (3) van hierdie regulasie van 'n gemagtigde handelaar goud of vreemde valuta verkry het en al, of enige deel van, sodanige goud of vreemde valuta nie meer vir die doel in sy aansoek vermeld, nodig het nie, moet hy onverwyld die goud of vreemde valuta, wat nie nodig is nie, aan die Tesourie of 'n gemagtigde handelaar te koop aanbied; dit mag teruggekoop word teen die prys waarteen dit aan hom verkoop is of sodanige ander prys as wat die Tesourie mag bepaal.

BEPERKING OP DIE UITVOER VAN GELD, GOUD, GELDWAARDIGE PAPIERE, ENS.

3. (1) Behoudens enige vrystelling wat deur die Tesourie of 'n persoon deur die Tesourie gemagtig, verleen mag word, mag niemand, behalwe met die toestemming van die Tesourie of van 'n persoon deur die Tesourie gemagtig, en ooreenkomstig die voorwaardes wat die Tesourie of die aldus gemagtigde persoon mag stel—

(*a*) enige banknote, goud, geldwaardige papiere of vreemde valuta uit die Republiek neem of stuur nie, of enige geldwaardige papiere aan iemand buite die Republiek oordra nie; of

(b) send, consign or deliver any bank-notes, gold, securities or foreign currency to any person for the purpose of taking, sending or removing such bank-notes, gold, securities or foreign currency out of the Republic; or

(c) make any payment to, or in favour, or on behalf of a person resident outside the Republic, or place any sum to the credit of such person; or

(d) draw or negotiate any bill of exchange or promissory note, transfer any security or acknowledge any debt, so that a right (whether actual or contingent) on the part of such person or any other person to receive a payment in the Republic is created or transferred as consideration—

(i) for the receiving by such person or any other person of a payment or the acquisition by such person or any other person of property, outside the Republic; or

(ii) for a right (whether actual or contingent) on the part of such person or any other person to receive a payment or acquire property outside the Republic;

or make or receive any payment as such consideration; or

(e) make a loan or grant credit to any person in the Republic, or guarantee such loan or credit, where, as security for the repayment of the loan or credit, the lender or guarantor relies on any security, guarantee or undertaking, explicit or implied, furnished by a person or persons resident outside the Republic.

(2) Nothing in sub-regulation (1) contained shall prohibit the doing by a person authorised by the Treasury of anything within the scope of his authority.

(3) Every person who is about to leave the Republic and every person in any port or other place recognised as a place of departure from the Republic, who is requested to do so by the appropriate officer shall—

(a) declare whether or not he has with him any bank-notes, gold, securities or foreign currency; and

(b) produce any bank-notes, gold, securities or foreign currency which he has with him;

and the appropriate officer and any person acting under his directions may search such person and examine or search any article which such person has with him, for the purpose of ascertaining whether he has with him any bank-notes, gold, securities or foreign currency, and may seize any bank-notes, gold, securities or foreign currency produced or found upon such examination or search unless either—

(i) the appropriate officer is satisfied that such person is, in respect of any bank-notes, gold, securities or foreign currency which he has with him, exempt from the prohibition imposed by sub-regulation (1); or

(ii) such person produces to the appropriate officer a certificate granted by the Treasury which shows that the exportation by such person of any bank-notes, gold, securities or foreign currency, which he has with him does not involve a contravention of that sub-regulation.

No female shall be searched in pursuance of this sub-regulation except by a female.

(4) The appropriate officer and any person acting under his directions may examine or search any goods consigned or letters or parcels sent from the Republic to a destination outside the Republic, for the purpose of ascertaining whether there are being sent therewith any bank-notes, gold, securities, or foreign currency, and may seize any bank-notes, gold, securities or foreign currency found upon such examination or search, unless the

(b) enige banknote, goud, geldwaardige papiere of vreemde valuta aan iemand anders stuur, versend of oordra met die doel om sodanige banknote, goud, geldwaardige papiere of vreemde valuta uit die Republiek te neem, te stuur of te verwyder nie; of

(c) enige betaling aan of ten gunste of ten behoewe van iemand wat buite die Republiek woonagtig is, doen of so iemand met enige bedrag krediteer nie; of

(d) 'n wissel of promesse trek of verhandel, geldwaardige papiere oordra of 'n skuld erken nie wat tot gevolg sal hê dat daar 'n reg (hetsy werklik of voorwaardelik) aan die kant van so iemand of enige ander persoon geskep of oorgedra word om 'n betaling binne die Republiek te ontvang as teenprestasie—

(i) vir die ontvangs deur so iemand of enige ander persoon van 'n betaling of die verkryging deur so iemand of enige ander persoon van eiendom buite die Republiek; of

(ii) vir die reg (hetsy werklik of voorwaardelik) aan die kant van so iemand of enige ander persoon om buite die Republiek 'n betaling te ontvang of eiendom te verkry;

of 'n betaling vir sodanige teenprestasie doen of ontvang nie; of

(e) 'n lening maak of krediet toestaan nie aan enigeen binne die Republiek, of so 'n lening of krediet waarborg nie, waar die lener of borg op enige sekerheid of waarborg wat gegee is of verbintenis wat aangegaan is, uitdruklik of stilswyend, deur 'n persoon of persone wat buite die Republiek woonagtig is, as sekerheidstelling vir terugbetaling van die lening of krediet, staatmaak.

(2) Subregulasie (1) verbied niemand wat deur die Tesourie daartoe gemagtig is om binne die bestek van sy magtiging te handel nie.

(3) Iedereen wat op die punt staan om die Republiek te verlaat en iedereen in enige hawe of ander erkende plek van vertrek uit die Republiek van wie die bevoegde amptenaar dit verlang, moet—

(a) verklaar of hy enige banknote, goud, geldwaardige papiere of vreemde valuta by hom het of nie; en

(b) enige banknote, goud, geldwaardige papiere of vreemde valuta wat hy by hom het, te voorskyn bring;

en die bevoegde amptenaar, sowel as enigeen wat in opdrag van hom handel, kan so iemand visenteer en enige artikel wat hy by hom het, ondersoek om vas te stel of hy banknote, goud, geldwaardige papiere of vreemde valuta by hom het en hy kan beslag lê op enige banknote, goud, geldwaardige papiere of vreemde valuta wat te voorskyn gebring of wat na so 'n ondersoek of visentering gevind is, tensy òf—

(i) die bevoegde amptenaar daarvan oortuig is dat so iemand ten opsigte van enige banknote, goud, geldwaardige papiere of vreemde valuta wat hy by hom het, vrygestel is van die verbod vervat in subregulasie (1); òf

(ii) so iemand aan die bevoegde amptenaar 'n sertifikaat toon wat deur die Tesourie uitgereik is en waaruit blyk dat die uitvoer van enige banknote, goud, geldwaardige papiere of vreemde valuta, wat hy by hom het, nie 'n oortreding van daardie subregulasie is nie.

Geen vrouspersoon mag ingevolge hierdie subregulasie deur iemand anders as 'n vrouspersoon gevisenteer word nie.

(4) Die bevoegde amptenaar en enigeen wat in opdrag van hom handel, kan goedere versend of briewe of pakkies gestuur uit die Republiek na 'n plek buite die Republiek ondersoek of visenteer om vas te stel of enige banknote, goud, geldwaardige papiere of vreemde valuta daarin aanwesig is en hy kan beslag lê op enige banknote, goud, geldwaardige papiere of vreemde valuta wat as gevolg van so 'n ondersoek of visentering gevind word tensy die

appropriate officer is satisfied that the Treasury has granted a certificate which shows that the sending as aforesaid of the bank-notes, gold, securities or foreign currency does not involve a contravention of sub-regulation (1), and that such certificate was not granted in reliance on any incorrect statement.

(5) All bank-notes, gold, securities and foreign currency seized under sub-regulation (3) or (4) shall be forfeited for the benefit of the Consolidated Revenue Fund: Provided that the Treasury may, in its discretion, direct that any bank-notes, gold, securities or foreign currency so seized, be refunded or returned, in whole or in part, to the person from whom they were taken, or who was entitled to have the custody or possession of them at the time when they were seized.

(6) For the purposes of this regulation, any bills of exchange or promissory notes payable otherwise than in currency which is legal tender in the Republic shall be deemed to be foreign currency; and for the purposes of sub-regulation (1) (*a*), documents of title relating to securities shall be deemed to be securities, and references to securities in sub-regulations (3), (4) and (5) shall be construed as including references to such documents of title.

BLOCKED ACCOUNTS.

4. (1) In this regulation "blocked account" means an account opened with an authorised dealer for the purposes specified in the succeeding sub-regulations.

(2) Whenever a person in the Republic is under a legal obligation to make a payment to a person outside the Republic but is precluded from effecting the payment as a result of any restrictions imposed by or under these regulations, the Treasury may order such person to make the payment to a blocked account.

(3) The Treasury may by notice in the *Gazette* direct, in respect of—

(*a*) persons resident in a particular country; or

(*b*) any particular person whom the Treasury has reasonable grounds to suspect of having contravened any provision of these regulations relating to foreign exchange,

that all sums due by any other persons to persons referred to in (*a*) or (*b*) (hereinafter referred to as a "creditor") shall be paid into a blocked account.

(4) Whenever such direction has been given—

(*a*) any person who holds or may thereafter hold moneys on behalf of any creditor [as defined in sub-regulation (3)], or who is or may thereafter become indebted to such creditor, shall forthwith, or as the case may be, on the date upon which such moneys become due or such debt becomes payable, pay the said moneys or the sum representing such debt into the said blocked account;

(*b*) no person shall, without permission of the Treasury and in accordance with such conditions as the Treasury may impose, make any payment on behalf of any creditor as defined in sub-regulation (3);

(*c*) any person who owes money to such creditor but is not under a legal obligation to make a payment, unless called upon by his creditor to do so, shall forthwith report to the Treasury, in writing, the amount of his indebtedness to the said creditor and the conditions on which the amount will become payable. The Treasury may thereupon, if the amount is payable at call, order him to pay the amount forthwith into a blocked account, or, if the amount is payable within a specified period after notice, order him to pay the amount into a blocked account within such period;

bevoegde amptenaar oortuig is dat die Tesourie 'n sertifikaat uitgereik het waaruit blyk dat sodanige versending van banknote, goud, geldwaardige papiere of vreemde valuta nie 'n oortreding van subregulasie (1) is nie en dat so 'n sertifikaat nie op grond van 'n onjuiste verklaring uitgereik is nie.

(5) Alle banknote, goud, geldwaardige papiere en vreemde valuta waarop kragtens subregulasie (3) of (4) beslag gelê is, word tot voordeel van die Gekonsolideerde Inkomstefonds verbeur; met dien verstande dat die Tesourie, na goeddunke, kan beveel dat die banknote, goud, geldwaardige papiere of vreemde valuta waarop aldus beslag gelê is, aan die persoon van wie hulle geneem is of wat ten tyde van die beslaglegging geregtig was om hulle in sy bewaring of besit te hê, geheel of gedeeltelik terugbetaal of teruggegee moet word.

(6) Vir die toepassing van hierdie regulasies word wissels en promesses betaalbaar in geld wat nie wettige betaalmiddel in die Republiek is nie, as vreemde valuta beskou; en vir die toepassing van subregulasie (1) (*a*) word eiendomsbewyse wat betrekking het op geldwaardige papiere as geldwaardige papiere beskou, en enige verwysing in subregulasies (3), (4) en (5) na geldwaardige papiere word geag verwysings na sodanige eiendomsbewyse in te sluit.

GEBLOKKEERDE REKENINGS.

4. (1) In hierdie regulasie beteken 'n „geblokkeerde rekening" 'n rekening wat by 'n gemagtigde handelaar geopen is vir die doeleindes vermeld in die navolgende subregulasies.

(2) Wanneer iemand in die Republiek wetlik verplig is om 'n betaling aan iemand buite die Republiek te doen maar hy verhinder word om so 'n betaling te doen vanweë beperkings wat by of ingevolge hierdie regulasies opgelê is, kan die Tesourie so iemand beveel om die betrokke bedrag in 'n geblokkeerde rekening te betaal.

(3) Ten opsigte van—

(*a*) persone wat in 'n bepaalde land woonagtig is, of

(*b*) enige bepaalde persoon wat deur die Tesourie op redelike gronde verdink word van 'n oortreding van enige bepaling van hierdie regulasies betreffende vreemde valuta,

kan die Tesourie by kennisgewing in die *Staatskoerant* beveel dat alle bedrae verskuldig deur enige ander persone aan persone wat in (*a*) en (*b*) genoem word (hieronder 'n „krediteur" genoem) in 'n geblokkeerde rekening betaal word.

(4) Sodra so 'n bevel uitgereik is—

(*a*) moet enigeen wat geld ten behoewe van 'n krediteur [soos in subregulasie (3) omskryf], hou of in die toekoms mag hou of wat by so 'n krediteur in die skuld staan of in die toekoms mag staan, onverwyld of op die dag wanneer sodanige geld verskuldig of sodanige skuld betaalbaar word, na gelang van die geval, die gemelde bedrae of die bedrag wat sodanige skuld verteenwoordig in voormelde geblokkeerde rekening betaal;

(*b*) mag niemand sonder vergunning van die Tesourie en ooreenkomstig die voorwaardes wat die Tesourie mag stel enige betaling ten behoewe van enige krediteur, soos in subregulasie (3) omskryf, doen nie;

(*c*) moet enigeen wat geld aan so 'n krediteur skuld maar nie wetlik verplig is om dit te betaal nie tensy hy deur sy krediteur aangesê is om dit te doen, onverwyld die Tesourie skriftelik in kennis stel van die bedrag wat hy aan genoemde krediteur verskuldig is en die voorwaardes waarop die bedrag betaalbaar sal word. Die Tesourie kan hom vervolgens beveel, mits die bedrag onmiddellik betaalbaar is, om sonder versuim die bedrag in 'n geblokkeerde rekening te betaal, of indien die bedrag binne 'n bepaalde tydperk na kennisgewing betaalbaar is, beveel om die bedrag binne sodanige tydperk in 'n geblokkeerde rekening te betaal;

(*d*) no person shall, without the permission of the Treasury and in accordance with such conditions as the Treasury may impose, undertake any transaction in respect of property or assets belonging to or directly or indirectly controlled by any creditor as defined in sub-regulation (3), or take any action whereby any moneys which would otherwise have accrued to such creditor, cease to become due to him or whereby any obligation resting upon such person to pay any moneys due or payable to such creditor into a blocked account would otherwise be evaded.

(5) Any payment made to a blocked account in terms of this regulation shall, to the extent of the sum paid, operate as a valid discharge to the person making payment.

(6) Where the liability to make the payment is a liability to make the payment in currency other than Republic currency, the amount of the liability in Republic currency and the extent of the discharge shall be ascertained by converting the amount into Republic currency at a rate fixed by the Treasury.

(7) No sum standing to the credit of a blocked account shall be dealt with in any way except with permission granted by the Treasury or a person authorised by the Treasury and in accordance with such conditions as the Treasury or such authorised person may impose.

(8) The Treasury may grant exemptions from the provisions of this regulation and may authorise the refund to any person of moneys paid by him into a blocked account. To the extent of such refund no payment shall be deemed to have been made for the purposes of sub-regulation (5).

ACQUISITION BY TREASURY OF GOLD.

5. (1) Every person resident in the Republic who becomes entitled to sell or to procure the sale of any gold shall, within thirty days after becoming so entitled, offer that gold or cause it to be offered, for sale to the Treasury or to a person authorised by the Treasury to act under this regulation; and the Treasury or a person so authorised may purchase that gold at such price as the Treasury may fix, being a price which, in the opinion of the Treasury, is not less than the market value of the gold on the day of purchase.

(2) (*a*) The provisions of sub-regulation (1) of this regulation shall not impose upon any person an obligation to offer any gold for sale or to cause any gold to be offered for sale, if he is, in respect of that gold, exempted from this regulation by the Treasury or by a person so authorised.

(*b*) The Treasury or a person so authorised may withdraw any exemption granted in terms of paragraph (*a*) of this sub-regulation.

(3) In any criminal proceedings against any person for failure to comply with sub-regulation (1)—

(*a*) if there is produced to the Court any document of which such person is proved or has admitted himself to be the author and which contains a statement by such person from which it may reasonably be inferred that any gold is held by him or on his behalf or in his name, it shall be presumed, until the contrary is proved, that such person is entitled to sell or to procure the sale of the gold in question;

(*b*) if it is proved that such person is entitled to sell or to procure the sale of any gold it shall be presumed, until the contrary is proved, that the gold in question has not been offered for sale to the Treasury or to a person authorised by the Treasury within the period required by sub-regulation (1).

(*d*) mag niemand, behalwe met die vergunning van die Tesourie en ooreenkomstig die voorwaardes wat die Tesourie mag stel, enige transaksie aangaan ten opsigte van eiendom en bate wat aan enige krediteur, soos omskryf in subregulasie (3), behoort of wat regstreeks of onregstreeks deur hom beheer word, of enige stappe doen wat tot gevolg sal hê dat geld wat andersins so 'n krediteur sou toekom nie meer aan hom verskuldig sal wees nie, of dat enige verpligting wat op sodanige persoon rus om geld wat aan sodanige krediteur verskuldig of betaalbaar is in 'n geblokkeerde rekening te betaal andersins ontduik sal word.

(5) Enige inbetaling in 'n geblokkeerde rekening kragtens hierdie regulasie is vir die betaler daarvan 'n regsgeldige kwyting tot die bedrag van sodanige inbetaling.

(6) Waar die aanspreeklikheid om 'n betaling te doen 'n aanspreeklikheid is om in ander geld as Republiekgeld te betaal, word die bedrag van die aanspreeklikheid in terme van Republiekgeld en die mate van kwyting, bereken deur die bedrag in Republiekgeld om te sit volgens 'n koers wat deur die Tesourie vasgestel word.

(7) Behalwe met die vergunning van die Tesourie of iemand wat die Tesourie daartoe gemagtig het en ooreenkomstig die voorwaardes wat die Tesourie of so iemand mag stel, mag daar op generlei wyse met enige bedrag waarmee die geblokkeerde rekening gekrediteer is, gehandel word nie.

(8) Die Tesourie kan vrystelling toestaan van die bepalings van hierdie regulasie en kan magtiging verleen vir die terugbetaling aan die persoon van gelde wat hy in die geblokkeerde rekening betaal het. Tot die bedrag van sodanige terugbetaling word beskou dat geen betaling vir die toepassing van subregulasie (5) gedoen is nie.

VERKRYGING VAN GOUD DEUR DIE TESOURIE.

5. (1) Iedereen wat in die Republiek woonagtig is en die reg verkry om goud te verkoop of die verkoop daarvan te bewerkstellig, moet binne dertig dae nadat hy sodanige reg verkry het, daardie goud aan die Tesourie, of aan iemand wat die Tesourie gemagtig het om kragtens hierdie regulasie te handel, te koop aanbied of laat aanbied; en die Tesourie of iemand wat daartoe gemagtig is, kan die goud aankoop teen 'n prys wat die Tesourie mag bepaal en wat volgens die oordeel van die Tesourie nie laer is as die markwaarde van die goud op die dag van aankoop nie.

(2) (*a*) Die bepalings van subregulasie (1) van hierdie regulasie verplig niemand om goud te koop, aan te bied of te laat aanbied nie as hy ten opsigte van daardie goud van die bepalings van hierdie regulasie deur die Tesourie of iemand wat daartoe gemagtig is, vrygestel is.

(*b*) Die Tesourie, of iemand wat daartoe gemagtig is, mag enige vrystelling wat kragtens paragraaf (*a*) van hierdie subregulasie verleen is, intrek.

(3) As daar in 'n strafregtelike proses teen iemand wat versuim het om aan subregulasie (1) te voldoen—

(*a*) aan die hof 'n dokument voorgelê word waarvan so iemand, volgens bewys of eie erkenning, die outeur is en wat 'n verklaring van so iemand bevat waarvan redelik afgelei kan word dat goud deur hom of ten behoewe van hom of op sy naam gehou word, dan word vermoed, totdat die teendeel bewys word, dat so iemand die reg het om die betrokke goud te verkoop of die verkoop daarvan te bewerkstellig;

(*b*) bewys word dat so iemand die reg het om goud te verkoop of die verkoop daarvan te bewerkstellig, dan word vermoed, totdat die teendeel bewys word, dat die betrokke goud nie binne die tydperk by subregulasie (1) bepaal, aan die Tesourie of aan iemand wat die Tesourie gemagtig het, te koop aangebied is nie.

ACQUISITION BY THE TREASURY OF FOREIGN CURRENCY.

6. (1) Every person resident in the Republic who becomes entitled to sell or to procure the sale of any foreign currency, shall within thirty days after becoming so entitled, make or cause to be made, a declaration in writing of such foreign currency to the Treasury or to an authorised dealer.

(2) Every person resident in the Republic who becomes entitled to assign or to procure the assignment of any right to receive outside the Republic, in respect of any credit or of any balance at a bank, payment of any amount in a foreign currency shall, within thirty days after becoming so entitled, make or cause to be made, a declaration in writing of such right to the Treasury or to an authorised dealer.

(3) Any person who has, in terms of sub-regulation (1) or (2), made a declaration in writing to the Treasury or to an authorised dealer, shall be deemed to have offered such foreign currency or such right, as the case may be, for sale to the Treasury or to such authorised dealer and the Treasury or such authorised dealer may purchase such foreign currency or such right at a price which, in the case of foreign currency, shall not be less than the market value of that currency on the day of purchase and, in the case of a right, shall be such as the Treasury may fix.

(4) Any person from whom the Treasury or an authorised dealer purchases foreign currency or a right in terms of this regulation shall do all things necessary for the purpose of transferring that foreign currency or assigning that right to the Treasury or to such authorised dealer.

(5) No person who is entitled (whether actually or contingently) to receive a payment in a foreign currency shall, except with permission granted by or on behalf of the Treasury and in accordance with such conditions as may be imposed by the Treasury or on its behalf do, or refrain from doing, any act with intent to secure that—

(*a*) the receipt by him of the whole or any part of the payment in such currency is delayed;

(*b*) the payment ceases, in whole or in part, to be receivable by him or receivable in that currency;

(*c*) the contingency on which the right to receive payment as aforesaid is dependent (including the declaration of a dividend or profit by a company in which such person has an interest), does not eventuate.

(6) Any foreign currency or any right in respect of which a declaration has been made in terms of sub-regulation (1) or (2) but which has not been purchased by the Treasury or by a person authorised by the Treasury to act under this regulation shall not be sold, transferred or otherwise disposed of without the permission of the Treasury and in accordance with such conditions as the Treasury may impose.

(7) The provisions of sub-regulations (3), (4) and (6) shall not impose upon any person an obligation in respect of any foreign currency or any right if he is, in respect of that currency or that right, as the case may be, exempted from this regulation by the Treasury.

(8) The Treasury may withdraw any exemption granted in terms of sub-regulation (7).

(9) For the purposes of this regulation any person who has at any time since the commencement of these regulations been in the Republic shall be deemed, until the contrary is proved, to have been and still to be resident in the Republic.

(10) (*a*) Subject to any exemption which may be granted by the Treasury, no person shall export from the Republic goods which exceed in value twenty rand or such greater amount as the Treasury may determine, unless the relative bill of entry export in respect of such goods is

VERKRYGING VAN VREEMDE VALUTA DEUR DIE TESOURIE.

6. (1) Iedereen wat in die Republiek woonagtig is en die reg verkry om vreemde valuta te verkoop of die verkoop daarvan te bewerkstellig, moet binne dertig dae nadat hy sodanige reg verkry het aan die Tesourie of aan 'n gemagtigde handelaar 'n skriftelike opgawe van sodanige vreemde valuta verstrek of laat verstrek.

(2) Iedereen wat in die Republiek woonagtig is en geregtig word om, ten opsigte van enige krediet of balans in 'n bank 'n oordrag te maak of te bewerkstellig van 'n reg op betaling in vreemde valuta buite die Republiek, moet binne dertig dae nadat hy aldus geregtig geword het, aan die Tesourie of 'n gemagtigde handelaar 'n skriftelike verklaring van sodanige reg maak of laat maak.

(3) As iemand aan die Tesourie of 'n gemagtigde handelaar 'n skriftelike verklaring ingevolge subregulasie (1) of (2) gemaak het, word dit beskou dat hy sodanige vreemde valuta of sodanige reg, na gelang van die geval, aan die Tesourie of aan sodanige gemagtigde handelaar te koop aangebied het, en die Tesourie of sodanige gemagtigde handelaar kan daardie vreemde valuta of reg aankoop teen 'n prys wat, in die geval van die vreemde valuta, nie minder mag wees as die markwaarde van daardie valuta op die dag van aankoop nie en, in die geval van 'n reg, sodanig is as wat die Tesourie mag bepaal.

(4) Enigeen van wie die Tesourie of 'n gemagtigde handelaar vreemde valuta of 'n reg ingevolge hierdie regulasie koop, moet alle stappe doen wat nodig is ten einde daardie vreemde valuta of daardie reg aan die Tesourie of aan sodanige gemagtigde handelaar oor te dra.

(5) Niemand wat geregtig is (hetsy werklik of voorwaardelik) om betaling in vreemde valuta te ontvang mag, behalwe met vergunning van of namens die Tesourie en ooreenkomstig die voorwaardes wat die Tesourie of iemand namens die Tesourie mag stel, enigiets doen of versuim om te doen met die bedoeling om die volgende te bereik:—

(*a*) dat sy ontvangs van die volle of slegs 'n deel van die betaling in sodanige valuta vertraag word;

(*b*) dat sy ontvangs van betaling, of van betaling in daardie valuta, geheel of gedeeltelik gestaak word;

(*c*) dat die gebeurtenis waarop die reg berus om voormelde betaling te ontvang (met inbegrip van die verklaring van 'n diwidend of wins deur 'n maatskappy waarin so iemand 'n belang het) nie voorval nie.

(6) Enige vreemde valuta of enige reg in verband waarmee 'n verklaring ingevolge subregulasie (1) of (2) gemaak is, maar wat die Tesourie of iemand wat deur die Tesourie gemagtig is om kragtens hierdie regulasie te handel, nog nie aangekoop het nie, mag nie sonder die vergunning van die Tesourie en ooreenkomstig die voorwaardes wat die Tesourie mag stel, verkoop, oorgedra of andersins weggedoen word nie.

(7) Die bepalings van subregulasies (3), (4) en (6) lê niemand 'n verpligting ten opsigte van enige vreemde valuta of enige reg op nie as hy, ten opsigte van daardie valuta of daardie reg, na gelang van die geval, van die bepalings van hierdie regulasie deur die Tesourie vrygestel is.

(8) Die Tesourie mag enige vrystelling wat kragtens subregulasie (7) verleen is, intrek.

(9) Vir die toepassing van hierdie regulasie word daar beskou, totdat die teendeel bewys word, dat enigeen wat te eniger tyd sedert die inwerkingtreding van hierdie regulasies in die Republiek was, in die Republiek woonagtig was en nog woonagtig is.

(10) (*a*) Behoudens enige vrystelling wat deur die Tesourie verleen mag word, mag niemand goedere vanuit die Republiek uitvoer nie wat twintig rand in waarde te bowe gaan of sodanige groter bedrag as wat die Tesourie mag bepaal, tensy die betrokke inklaringsbrief-uitvoer ten

accompanied by a declaration in such form as may be prescribed by the Treasury, duly completed and signed by the consignor or a person duly authorised by him and attested by an authorised dealer; provided that—

(i) where the goods are forwarded through the post, a declaration in the said form so completed, signed and attested, shall be furnished to the postmaster at the time the parcel is handed in at the post office; and

(ii) where goods are exported to countries outside the Republic from stations where there are no customs officers, a copy of the relative declaration shall be handed to the attesting authorised dealer for submission to the South African Reserve Bank.

(*b*) The Treasury may direct that the said declaration shall be completed in respect of any commodity or article, irrespective of its value.

(*c*) For the purposes of this sub-regulation "value" shall mean—

(i) for customs purposes, the value as defined in section *one hundred and eight* of the Customs Act, 1955 (No. 55 of 1955); and

(ii) for the purposes of an authorised dealer, the full proceeds of the goods exported.

(11) If in any criminal proceedings against any person for a contravention of sub-regulation (1) of this regulation there is produced to the Court any document of which such person is proved or has admitted himself to be the author and which contains a statement by such person from which it may reasonably be inferred that any foreign currency is held by him or in his name or on his behalf, it shall be presumed, until the contrary is proved, that such person is entitled to sell or to procure the sale of the foreign currency in question.

(12) If in any criminal proceedings against any person for a contravention of sub-regulation (2) of this regulation there is produced to the Court any document of which such person is proved or has admitted himself to be the author and which contains a statement by such person from which it may reasonably be inferred that any amount is standing to his credit outside the Republic or that he has any balance at a bank outside the Republic, it shall be presumed, until the contrary is proved, that such person is entitled to assign or to procure the assignment of such a right as is referred to in the said sub-regulation (2).

(13) If in any criminal proceedings against any person for a contravention of sub-regulation (1) or (2) of this regulation, it is proved that such person is entitled to sell or to procure the sale of or to assign or to procure the assignment of any foreign currency, it shall be presumed, until the contrary is proved, that a declaration in writing has not been made to the Treasury or to an authorised dealer within the period required by sub-regulation (1) or (2), as the case may be.

DECLARATION OF FOREIGN ASSETS AND LIABILITIES.

7. (1) Every person resident in the Republic who is, or becomes, entitled to sell or to procure the sale of any foreign asset, shall within thirty days after becoming so entitled, make or cause to be made, a declaration in writing in the form prescribed by the Treasury of such foreign asset to the Treasury or to an authorised dealer. Such declaration shall state when and how such foreign asset was acquired, where it is held and whether and to what extent it is held in cover for or in respect of any foreign liability.

(2) Any foreign asset in respect of which a declaration has been made in terms of sub-regulation (1) of this regulation shall not be sold, transferred or otherwise disposed of without the permission of the Treasury, and in accordance with such conditions as the Treasury may impose.

opsigte van gemelde goedere vergesel gaan van 'n verklaring, in 'n vorm wat die Tesourie mag voorskryf, wat behoorlik deur die afsender, of 'n persoon wat deur hom daartoe gemagtig is, ingevul en onderteken en deur 'n gemagtigde handelaar geattesteer is; met dien verstande dat—

(i) waar goedere oor die pos gestuur word, 'n verklaring, in voormelde vorm ingevul, onderteken en geattesteer, aan die posmeester verstrek moet word wanneer die pakkie by die poskantoor ingelewer word; en

(ii) waar goedere uitgevoer word na lande buite die Republiek vanaf stasies waar daar geen doeanebeamptes is nie, 'n afskrif van die betrokke verklaring aan die attesterende gemagtigde handelaar vir voorlegging aan die Suid-Afrikaanse Reserwebank oorhandig moet word.

(*b*) Die Tesourie kan gelas dat voormelde verklaring ingevul moet word ten opsigte van enige handels- of ander artikel, afgesien van die waarde daarvan.

(*c*) Vir die toepassing van hierdie subregulasie beteken „ waarde "—

(i) vir doeanedoeleindes, die waarde soos omskryf in artikel *honderd-en-agt* van die Doeanewet, 1955 (No. 55 van 1955); en

(ii) vir die doeleindes van 'n gemagtigde handelaar, die volle opbrengs van die goedere uitgevoer.

(11) As daar in 'n strafregtelike proses teen iemand wat subregulasie (1) van hierdie regulasie oortree het, aan die hof 'n dokument voorgelê word waarvan so iemand, volgens bewys of eie erkenning, die outeur is en wat 'n verklaring van so iemand bevat waarvan redelik afgelei kan word dat vreemde valuta deur hom of op sy naam of ten behoewe van hom gehou word, dan word vermoed, totdat die teendeel bewys word, dat so iemand die reg het om die betrokke vreemde valuta te verkoop, of die verkoop daarvan te bewerkstellig.

(12) As daar in 'n strafregtelike proses teen iemand wat subregulasie (2) van hierdie regulasie oortree het aan die hof 'n dokument voorgelê word waarvan so iemand volgens bewys of eie erkenning die outeur is en wat 'n verklaring van so iemand bevat waarvan redelik afgelei kan word dat hy met 'n bedrag buite die Republiek gekrediteer staan of dat hy 'n bankbalans buite die Republiek het, dan word vermoed, totdat die teendeel bewys word, dat so iemand geregtig is om so 'n reg as wat in voornoemde subregulasie (2) vermeld word, oor te dra of die oordrag daarvan te bewerkstellig.

(13) As daar in 'n strafregtelike proses teen iemand wat subregulasie (1) of (2) van hierdie regulasie oortree het, bewys word dat so iemand die reg het om enige vreemde valuta te verkoop of die verkoop daarvan te bewerkstellig, dit oor te dra of die oordrag daarvan te bewerkstellig, dan word vermoed, totdat die teendeel bewys word, dat 'n skriftelike verklaring nie aan die Tesourie of aan 'n gemagtigde handelaar binne die tydperk by subregulasie (1) of (2), na gelang van die geval, bepaal, gedoen is nie.

VERKLARING VAN VREEMDE BATES EN LASTE.

7. (1) Iedereen wat in die Republiek woonagtig is en geregtig is of geregtig word om enige vreemde bate te verkoop of die verkoop daarvan te bewerkstellig, moet binne dertig dae nadat hy aldus geregtig geword het aan die Tesourie of aan 'n gemagtigde handelaar 'n skriftelike verklaring van sodanige vreemde bate verstrek of laat verstrek op die wyse voorgeskryf deur die Tesourie. Dié verklaring moet meld wanneer en op welke wyse dié vreemde bate verkry is, waar dit gehou word en of, en in watter mate, dit gehou word as dekking vir of ten opsigte van enige vreemde verpligting.

(2) Enige vreemde bate in verband waarmee 'n verklaring ingevolge subregulasie (1) van hierdie regulasie verstrek is, mag nie sonder vergunning van die Tesourie, en ooreenkomstig die voorwaardes wat die Tesourie mag stel, verkoop, oorgedra of andersins weggedoen word nie.

(3) The provisions of sub-regulation (2) of this regulation shall not impose upon any person an obligation in respect of any foreign asset if he is, in respect of that asset, exempted from this regulation by the Treasury.

(4) The Treasury may withdraw any exemption granted in terms of sub-regulation (3) of this regulation.

(5) For the purposes of this regulation any person who has at any time since the date of publication thereof been in the Republic shall be deemed, until the contrary is proved, to have been and still to be resident in the Republic.

POWER TO PRESCRIBE CURRENCIES IN RESPECT OF CERTAIN TRANSACTIONS.

8. (1) The Treasury may from time to time prescribe, by notice in the *Gazette* or by instructions to authorised dealers, the currency or currencies or the manner in which payment may or may not be made in connection with imports or exports or other transactions involving payments between persons in the Republic and persons outside the Republic, and no person shall, except with the permission of the Treasury or an authorised dealer, and in accordance with such conditions as the Treasury or authorised dealer may impose, make or receive payment otherwise than in the currency or currencies or in the manner so prescribed.

(2) Without prejudice to the generality of the provisions of sub-regulation (1), any notice and any instructions under the said sub-regulation may relate to payments (including any particular payment)—

(*a*) in connection with the import or export of any commodity specified in the notice or instructions—

(i) to or from all countries; or

(ii) to or from all countries except any country specified in the notice or instructions; or

(iii) to or from any country so specified; or

(*b*) in connection with any particular transaction.

(3) The provisions of sub-regulation (10) of regulation 6 shall apply *mutatis mutandis* to the export from the Republic of any commodity to a country in connection with the export of which commodity to that country the Treasury has in terms of sub-regulation (2) above prescribed the currency or currencies or the manner in which payment may or may not be made.

LIMITATION OF OPTIONAL PORTS OF DESTINATION.

9. (1) No person may, except with permission granted by the Treasury or by an authorised dealer and in accordance with such conditions as the Treasury or authorised dealer may impose, consign any goods to any destination other than that specified in the Declaration in regard to Foreign Exchange Proceeds of Exports prescribed in terms of sub-regulation (10) (*a*) of regulation 6, unless the other destination is in the same monetary area, or give or accept instructions after the despatch of the goods for the diversion thereof to any other destination unless such other destination is in the same monetary area.

(2) If in any criminal proceedings under this regulation it is proved that goods have been diverted to a country other than that designated as the destination of such goods on the prescribed documents submitted to and accepted by the Republic authorities to cover the outward consignment of such goods, then it shall be presumed, until the contrary is proved, that the goods were consigned to and received in such other country and not the country designated on such documents.

(3) Die bepalings van subregulasie (2) van hierdie regulasie lê niemand 'n verpligting ten opsigte van enige vreemde bate op nie as hy, ten opsigte van daardie vreemde bate, van die bepalings van hierdie regulasie deur die Tesourie vrygestel is.

(4) Die Tesourie mag enige vrystelling wat kragtens subregulasie (3) van hierdie regulasie verleen is, intrek.

(5) Vir die toepassing van hierdie regulasie word, totdat die teendeel bewys word, geag dat enigeen wat te eniger tyd sedert die datum van publikasie van hierdie regulasie in die Republiek was, in die Republiek woonagtig was en nog woonagtig is.

BEVOEGDHEID OM BETAALMIDDELS TEN OPSIGTE VAN SEKERE TRANSAKSIES VOOR TE SKRYF.

8. (1) Die Tesourie kan, wat betref in- en uitvoer of ander transaksies wat betaling tussen persone in die Republiek en persone buite die Republiek meebring, van tyd tot tyd deur middel van kennisgewings in die *Staatskoerant* of by wyse van instruksies aan gemagtigde handelaars, voorskryf in watter betaalmiddel of betaalmiddels of op watter wyse betaling gedoen of nie gedoen moet word nie, en niemand mag, behalwe met die vergunning van die Tesourie of 'n gemagtigde handelaar en ooreenkomstig die voorwaardes wat die Tesourie of gemagtigde handelaar mag stel, betaling in 'n ander betaalmiddel of betaalmiddels of op 'n ander wyse as dié wat aldus voorgeskryf is, doen of ontvang nie.

(2) Sonder om afbreuk te doen aan die algemene strekking van die bepalings van subregulasie (1) kan 'n kennisgewing en instruksies kragtens genoemde subregulasie betrekking hê op betalings (insluitende enige besondere betaling)—

(*a*) in verband met die invoer of uitvoer van 'n handelsartikel in die kennisgewing of instruksies gespesifiseer—

(i) uit of na alle lande; of

(ii) uit of na alle lande uitgesonderd 'n land in die kennisgewing of instruksies gespesifiseer; of

(iii) uit of na 'n land aldus gespesifiseer; of

(*b*) in verband met enige besondere transaksie.

(3) Die bepalings van subregulasie (10) van regulasie 6 is *mutatis mutandis* van toepassing op die uitvoer vanuit die Republiek van 'n handelsartikel na 'n land in verband met die uitvoer waarvan na daardie land die Tesourie kragtens subregulasie (2) hierbo die betaalmiddel of betaalmiddels of die wyse waarop betaling gedoen of nie gedoen moet word nie, voorgeskryf het.

BEPERKING VAN ALTERNATIEWE BESTEMMINGHAWENS.

9. (1) Behalwe met die toestemming van die Tesourie of van 'n gemagtigde handelaar en ooreenkomstig die voorwaardes wat die Tesourie of die gemagtigde handelaar mag stel, mag niemand goedere na enige ander bestemming versend as dié vermeld in die Verklaring in sake Vreemde Valuta-opbrengs van Uitvoere, voorgeskryf ingevolge subregulasie (10) (*a*) van regulasie 6 nie, tensy die ander bestemming in dieselfde monetêre gebied is; of nadat die goedere versend is, opdrag gee of aanvaar vir die verandering van die bestemming daarvan nie tensy sodanige bestemming in dieselfde monetêre gebied is.

(2) As daar in enige strafregtelike proses ingevolge hierdie regulasie bewys word dat goedere gestuur is na 'n ander land as dié aangegee as die bestemming van sodanige goedere op die voorgeskrewe dokumente wat ingedien en deur die Republiek-owerhede aanvaar is ter dekking van die uitstuur van sodanige goedere, dan word daar vermoed, totdat die teendeel bewys word, dat die goedere versend is na en ontvang is in sodanige ander land en nie die land wat op die dokumente aangegee word nie.

RESTRICTION ON EXPORT OF CAPITAL.

10. (1) No person shall, except with permission granted by the Treasury or by an authorised dealer and in accordance with such conditions as the Treasury or the authorised dealer may impose—

(*a*) export from the Republic during any period of twelve months a total quantity of goods which exceeds in value twenty rand or such greater amount as the Treasury may determine, if—

(i) no payment for such goods has been or is to be received in the Republic from a person outside the Republic; or

(ii) such goods are exported at a price which is less than the value thereof; or

(iii) the period within which payment for such goods is to be made exceeds six months from the date of shipment from the Republic or such shorter period as an authorised dealer may determine in respect of such goods;

(*b*) take out of the Republic goods, including personal apparel, household effects, and jewellery which have a value in excess of six hundred rand or of such greater amount as the Treasury may determine;

(*c*) enter into any transaction whereby capital or any right to capital is directly or indirectly exported from the Republic.

(2) The provisions of sub-regulations (3), (4) and (5) of regulation 3 shall apply *mutatis mutandis* to goods referred to in sub-regulation (1) (*b*) of this regulation.

(3) For the purposes of this regulation "value" shall mean the value for customs purposes as defined in section *one hundred and eight* of the Customs Act, 1955 (No. 55 of 1955).

ASSIGNMENT TO TREASURY OF RIGHT TO EXPORTED GOODS.

11. (1) Whenever a person has exported goods from the Republic and has failed to sell such goods within six months from the date of shipment from the Republic, or within such shorter period as may have been determined in terms of sub-regulation (1) (*a*) (iii) of regulation 10, without having permission in terms of sub-regulation (1) of regulation 10 aforesaid to export such goods without sale, or without payment within the period mentioned by sub-regulation (1) (*a*) (iii) aforesaid, then in such event such person shall within fourteen days from the date of expiry of the said period report in writing to the Treasury or to an authorised dealer that the said goods have not been sold, and the Treasury may thereupon order such person to assign to the Treasury or to a person authorised by the Treasury his right to the said goods.

The sum payable as consideration for any assignment in terms of this regulation shall be such sum as may be determined by or on behalf of the Treasury, but shall not be less than the amount realised by the Treasury after deduction of the cost of realisation.

(2) After the date on which this regulation comes into force, no person shall export any goods on conditions which would preclude him from giving effect to an order issued in terms of sub-regulation (1).

GOODS PURCHASED OUTSIDE THE REPUBLIC.

12. (1) Whenever a person in the Republic has purchased goods in any country outside the Republic and has paid for or made a payment on account of such goods, but the said goods have not been consigned to the Republic within four months from the date on which such payment was made, such person shall within fourteen days from the date of expiry of the said period of four months report in writing to the Treasury or to an authorised

BEPERKING OP DIE UITVOER VAN KAPITAAL.

10. (1) Behalwe met die vergunning van die Tesourie of 'n gemagtigde handelaar en ooreenkomstig die voorwaardes wat die Tesourie of die gemagtigde handelaar mag stel, mag niemand—

(*a*) gedurende enige tydperk van twaalf maande goedere, wat in geheel twintig rand in waarde te bowe gaan of sodanige groter bedrag as wat die Tesourie mag bepaal, vanuit die Republiek uitvoer nie, as—

(i) daar nie in die Republiek betaling vir sodanige goedere van 'n persoon buite die Republiek ontvang is of sal word nie; of

(ii) sodanige goedere uitgevoer word teen 'n prys wat laer is as die waarde daarvan; of

(iii) die tydperk waarin betaling vir sodanige goedere moet geskied meer as ses maande is, gereken vanaf die datum van verskeping vanuit die Republiek, of so 'n korter tydperk as wat 'n gemagtigde handelaar ten opsigte van sodanige goedere mag bepaal;

(*b*) goedere, insluitende klerasie, huishoudelike benodigdhede en juweliersware wat seshonderd rand in waarde te bowe gaan of sodanige groter bedrag as wat die Tesourie mag bepaal, uit die Republiek neem nie;

(*c*) enige transaksie aangaan wat tot gevolg sal hê dat kapitaal of enige reg of kapitaal regstreeks of onregstreeks vanuit die Republiek uitgevoer word nie.

(2) Die bepalings van subregulasies (3), (4) en (5) van regulasie 3 is *mutatis mutandis* van toepassing op goedere genoem in subregulasie (1) (*b*) van hierdie regulasie.

(3) Vir die toepassing van hierdie regulasie beteken „waarde" die waarde vir doeanedoeleindes soos omskryf in artikel *honderd-en-agt* van die Doeanewet, 1955 (No. 55 van 1955).

OORDRAG AAN TESOURIE VAN REG OP UITGEVOERDE GOEDERE.

11. (1) Wanneer iemand goedere vanuit die Republiek uitgevoer en in gebreke gebly het om daardie goedere te verkoop binne ses maande vanaf die datum van verskeping uit die Republiek of binne sodanige korter tydperk as wat by subregulasie (1) (*a*) (iii) van regulasie 10 vasgestel mag word, en hy nie kragtens subregulasie (1) van voormelde regulasie 10 vergun is om sulke goedere uit te voer sonder om hulle te verkoop of sonder om betaling daarvoor binne die tydperk vermeld in voornoemde subregulasie (1) (*a*) (iii) te ontvang nie, dan in so 'n geval, moet hy binne veertien dae na verstryking van voormelde tydperk die Tesourie of 'n gemagtigde handelaar skriftelik in kennis stel dat sulke goedere nie verkoop is nie, en die Tesourie kan dan so iemand beveel om sy reg op sodanige goedere aan die Tesourie, of aan iemand wat die Tesourie daartoe gemagtig het, oor te dra.

Die bedrag betaalbaar as teenprestasie vir 'n oordrag kragtens hierdie regulasie moet so 'n bedrag wees as wat deur of namens die Tesourie vasgestel mag word, maar dit mag nie minder wees nie as die bedrag deur die Tesourie gerealiseer nadat die realiseringskoste afgetrek is.

(2) Na die datum van inwerkingtreding van hierdie regulasie mag niemand goedere uitvoer op voorwaardes wat dit vir hom onmoontlik sal maak om uitvoering te gee aan 'n bevel wat ingevolge subregulasie (1) uitgereik word nie.

GOEDERE WAT BUITE DIE REPUBLIEK AANGEKOOP IS.

12. (1) Wanneer iemand in die Republiek goedere in 'n land buite die Republiek aangekoop het en geheel of gedeeltelik daarvoor betaal het, maar vermelde goedere nie binne vier maande na die datum van sodanige betaling na die Republiek versend word nie, dan moet so iemand binne veertien dae na verstrykingsdatum van voormelde tydperk van vier maande die Tesourie of 'n gemagtigde handelaar skriftelik in kennis stel dat die goedere nie na

dealer that the goods have not been consigned to the Republic and the Treasury may thereupon order such person to assign to the Treasury or to a person authorised by the Treasury his right to the said goods.

The sum payable in consideration for any assignment made in accordance with this regulation shall be such as the Treasury may fix but shall not be less than the amount realised by the Treasury after deduction of the cost of realisation.

(2) After the date on which this regulation comes into force no person shall purchase any goods on conditions which would preclude him from giving effect to an order issued in terms of sub-regulation (1).

(3) If in any criminal proceedings against any person for failure to make a report to the Treasury or to an authorised dealer as required by sub-regulation (1), it is proved that such person was unable, after the expiration of a period of six months from the date upon which any payment referred to in the said sub-regulation was made by him, to produce a bill of entry import in respect of the goods in question after having been called upon to do so by the Treasury or by an authorised dealer, it shall be presumed, until the contrary is proved, that the goods in question were not consigned to the Republic within four months from the said date.

(4) No person in the Republic who has purchased any means of transport outside the Republic shall, after such means of transport has been consigned and brought to the Republic, permit such means of transport to leave the Republic for the conveyance of any persons or goods for reward outside the Republic except with the consent of the Treasury and subject to such conditions as the Treasury may impose.

For the purposes of this sub-regulation "means of transport" includes any ship, aircraft, motor vehicle, tractor or roller.

PROHIBITION OF EXPORT OF GOODS IMPORTED FROM COUNTRIES OUTSIDE THE STERLING AREA.

13. (1) No person shall, except with permission granted by the Treasury or an authorised dealer, and in accordance with such conditions as the Treasury may impose, export from the Republic any article imported from any country outside the sterling area.

(2) For the purposes of this regulation an article manufactured in the Republic in whole or in part from imported products, materials or parts, shall be deemed to be of South African origin and be deemed not to have been imported from a country outside the sterling area.

(3) In this regulation "manufactured" includes processed or assembled.

RESTRICTION ON DEALINGS IN SECURITIES BELONGING TO NON-RESIDENTS.

14. (1) No person shall, without permission granted by the Treasury or a person authorised by the Treasury and in accordance with such conditions as the Treasury or such authorised person may impose—

(*a*) acquire or dispose of in any way any controlled security;

(*b*) act as nominee for a non-resident or appoint a non-resident as nominee in respect of any dealings in securities;

(*c*) make any entry in a security register which involves the transfer of a security into or out of the name of a non-resident;

(*d*) change an address of a non-resident in any security register except a change to an address in the same monetary area as that currently recorded in the register;

(*e*) enter in a security register or do any act with intent to secure the entry in such register of an address in the Republic if he knows or has reason to believe that the purchaser of the security is a non-resident or that a non-resident has an interest in the security;

die Republiek versend is nie, en die Tesourie kan dan so iemand beveel om sy reg op sulke goedere aan die Tesourie of aan iemand wat die Tesourie daartoe gemagtig het, oor te dra.

Die bedrag betaalbaar as teenprestasie vir 'n oordrag kragtens hierdie regulasie moet sodanige bedrag wees as wat die Tesourie mag vasstel, maar dit mag nie minder wees nie as die bedrag deur die Tesourie gerealiseer nadat die realiseringskoste afgetrek is.

(2) Na die datum van inwerkingtreding van hierdie regulasie mag niemand goedere aankoop op voorwaardes wat hom sal belet om uitvoering te gee aan 'n bevel wat ingevolge subregulasie (1) uitgereik word nie.

(3) As daar in enige strafregtelike proses teen iemand wat versuim het om volgens voorskrif van subregulasie (1) die Tesourie of 'n gemagtigde handelaar in kennis te stel, bewys word dat so iemand, na die verstryking van ses maande gereken vanaf die datum waarop hy enige betaling genoem in voormelde subregulasie gedoen het, nie in staat was om 'n inklaringsbrief-invoer ten opsigte van die betrokke goedere voor te lê nie nadat die Tesourie of 'n gemagtigde handelaar hom aangesê het om dit te doen, dan word vermoed, totdat die teendeel bewys word, dat die betrokke goedere nie na die Republiek binne vier maande vanaf voormelde datum versend is nie.

(4) Behalwe met die toestemming van die Tesourie en onderworpe aan die voorwaardes wat die Tesourie mag stel, mag niemand in die Republiek wat enige vervoermiddel buite die Republiek aangekoop het, toelaat dat sodanige vervoermiddel, nadat dit na die Republiek versend en gebring is, uit die Republiek geneem of gestuur word vir vervoer teen beloning buite die Republiek van enigeen of enige goedere nie.

Vir die toepassing van hierdie subregulasie sluit „vervoermiddel" enige skip, lugvaartuig, motorvoertuig, trekker of roller in.

VERBOD OP UITVOER VAN GOEDERE INGEVOER VAN LANDE BUITE DIE STERLINGGEBIED.

13. (1) Behalwe met die vergunning van die Tesourie of 'n gemagtigde handelaar en ooreenkomstig die voorwaardes wat die Tesourie mag stel, mag niemand enige artikel uitvoer vanuit die Republiek wat ingevoer is van enige land buite die sterlinggebied nie.

(2) Vir die toepassing van hierdie regulasie word 'n artikel wat geheel of gedeeltelik in die Republiek van ingevoerde produkte, stowwe of onderdele vervaardig is, beskou as van Suid-Afrikaanse oorsprong en nie ingevoer van 'n land buite die sterlinggebied te wees nie.

(3) In hierdie regulasie sluit „vervaardig" bewerk of saamgestel in.

BEPERKING OP TRANSAKSIES IN GELDWAARDIGE PAPIERE WAT AAN NIE-INWONERS BEHOORT.

14. (1) Behalwe met die toestemming van die Tesourie of van 'n persoon deur die Tesourie gemagtig, en ooreenkomstig die voorwaardes wat die Tesourie of die aldus gemagtigde persoon mag stel, mag niemand—

(*a*) enige beheerde geldwaardige papier verkry of op enige manier wegdoen nie;

(*b*) as genomineerde namens 'n nie-inwoner optree of 'n nie-inwoner as genomineerde aanstel ten opsigte van enige transaksies in geldwaardige papiere nie;

(*c*) enige inskrywing in 'n register van geldwaardige papiere maak wat die oordrag van 'n geldwaardige papier op naam van 'n nie-inwoner of van hom af ten gevolge het nie;

(*d*) 'n adres van 'n nie-inwoner in 'n register van geldwaardige papiere verander nie, behalwe 'n verandering in 'n adres in dieselfde monetêre gebied as dié wat in die register aangeteken is;

(*e*) 'n adres in die Republiek in 'n register van geldwaardige papiere inskryf of enigiets doen met die bedoeling om inskrywing in so 'n register te bewerkstellig nie, indien hy weet of rede het om aan te neem dat die koper van die geldwaardige papier 'n nie-inwoner is of dat 'n nie-inwoner belang by die geldwaardige papier het;

(*f*) transfer a security owned by a non-resident or in which a non-resident has an interest from a United Kingdom register or from the London section of a register to a South African register or section of a South African register.

(2) (*a*) Any person who holds, possesses or has in his custody any controlled securities shall submit such securities to an authorised dealer within thirty days from the date of commencement of this regulation or within thirty days from the date on which he becomes the holder of such securities or on which such securities come into his possession or are placed in his custody whichever is the later date.

(*b*) The securities submitted in terms of paragraph (*a*) must be accompanied by a list giving the following particulars:—

(i) Full name and country of residence of owner or person interested in the securities, together with a signed declaration by the holder that to the best of his knowledge, the owner or interested person is actually resident in the country stated.

(ii) Name of company or body which issued the securities.

(iii) Total number of securities.

(iv) Full name and residential address of person in possession of the securities or who has the securities in his custody.

For the purpose of facilitating identification of controlled securities the Treasury may direct authorised dealers to affix to the securities so submitted to them their stamp together with such endorsement as the Treasury may determine.

(3) For the purposes of this regulation—

(*a*) "controlled security" means—

(i) any security which is registered in the name of a non-resident, or of which a non-resident is the owner, or in which a non-resident has an interest;

(ii) any security acquired from a non-resident or acquired outside the Republic, by any person, irrespective of the residence of such person;

(*b*) "non-resident" means a person resident outside the Republic;

(*c*) "nominee" means a person through whose agency all or any of the rights of the owner of a security are exercised.

PROHIBITION OF DEALINGS IN BEARER SECURITIES AND BEARER OPTIONS.

15. (1) No person shall pay any dividend or interest coupon issued in respect of any bearer security irrespective of whether such coupon became payable before or becomes payable after the commencement of this regulation.

(2) No person shall issue any bearer option or extend the currency period of any existing bearer option.

(3) No person shall dispose of, acquire or otherwise deal in—

(*a*) any bearer security;

(*b*) any bearer option issued after the date of publication of this Proclamation in the *Gazette*.

(4) The owner of any bearer security may with the permission of the Treasury and in accordance with such conditions as the Treasury may impose, convert such security into a registered security.

(5) Application for permission to convert any bearer security into any registered security shall be accompanied by a sworn declaration in such form as the Treasury may prescribe, duly completed by the owner of the security or his authorised agent.

(*f*) 'n geldwaardige papier wat aan 'n nie-inwoner behoort of waarby 'n nie-inwoner belang het, oordra van 'n Verenigde Koninkryk-register of van die Londense afdeling van 'n register na 'n Suid-Afrikaanse register of na 'n afdeling van 'n Suid-Afrikaanse register nie.

(2) (*a*) Iedereen wat beheerde geldwaardige papiere hou, besit of in sy bewaring het, moet dié geldwaardige papiere aan 'n gemagtigde handelaar stuur binne dertig dae na die datum van inwerkingtreding van hierdie regulasie, of binne dertig dae na die datum waarop hy die houer van dié geldwaardige papiere geword het of waarop sodanige geldwaardige papiere in sy besit gekom het of in sy bewaring geplaas is, naamlik die laatste datum.

(*b*) Die geldwaardige papiere wat ingevolge paragraaf (*a*) gestuur word, moet vergesel gaan van 'n lys wat die volgende besonderhede verstrek:—

(i) Die volle naam en die land van verblyf van die eienaar of persoon wat by die geldwaardige papiere belang het, saam met 'n ondertekende verklaring deur die houer dat die eienaar of belanghebbende persoon na sy beste wete werklik in genoemde land woonagtig is.

(ii) Die naam van die maatskappy of die liggaam wat die geldwaardige papiere uitgereik het.

(iii) Die totale getal geldwaardige papiere.

(iv) Die volle naam en die woonadres van die persoon in wie se besit of bewaring die geldwaardige papiere is.

Ten einde uitkenning van beheerde geldwaardige papiere te vergemaklik, kan die Tesourie gemagtigde handelaars gelas om op die geldwaardige papiere wat aldus aan hulle gestuur word, hul stempel af te druk en om enige aantekening wat die Tesourie mag bepaal, daarop aan te bring.

(3) Vir die toepassing van hierdie regulasie beteken—

(*a*) „beheerde geldwaardige papier"—

(i) enige geldwaardige papier wat op naam van 'n nie-inwoner geregistreer is, of waarvan 'n nie-inwoner die eienaar is, of waarby 'n nie-inwoner belang het;

(ii) enige geldwaardige papier wat van 'n nie-inwoner of wat buite die Republiek deur enige persoon verkry is, afgesien van die woonplek van sodanige persoon;

(*b*) „nie-inwoner", 'n persoon wat buite die Republiek woonagtig is;

(*c*) „genomineerde", 'n persoon deur wie se bemiddeling alle of enige regte van die eienaar van die geldwaardige papier uitgeoefen word.

VERBOD OP TRANSAKSIES IN GELDWAARDIGE TOONDERPAPIERE EN TOONDEROPSIES.

15. (1) Niemand mag 'n diwidend- of rentekoepon wat ten opsigte van 'n geldwaardige toonderpapier uitgereik is, betaal nie, ongeag of sodanige koepon betaalbaar geword het voor of betaalbaar word na die inwerkingtreding van hierdie regulasie.

(2) Niemand mag 'n toonderopsie uitreik of die looptyd van 'n bestaande toonderopsie verleng nie.

(3) Niemand mag—

(*a*) 'n geldwaardige toonderpapier;

(*b*) 'n toonderopsie uitgereik na die datum van afkondiging van hierdie Proklamasie in die *Staatskoerant*,

wegdoen, verkry of op 'n ander wyse daarin handel nie.

(4) Die eienaar van 'n geldwaardige toonderpapier kan met vergunning van die Tesourie en ooreenkomstig die voorwaardes wat die Tesourie mag stel, die geldwaardige papier in 'n geregistreerde geldwaardige papier omsit.

(5) Aansoek om vergunning om 'n geldwaardige toonderpapier in 'n geregistreerde geldwaardige papier om te sit moet vergesel gaan van 'n beëdigde verklaring, in die vorm wat die Tesourie bepaal, wat behoorlik deur die eienaar van die geldwaardige papier of sy gemagtigde agent voltooi moet wees.

(6) (*a*) The Treasury or a person authorised by the Treasury may grant exemptions from the provisions of sub-regulations (1), (2) and (3).

(*b*) The provisions of sub-regulation (5) shall apply *mutatis mutandis* in respect of applications for exemption under paragraph (*a*) of this sub-regulation relating to bearer securities or to dividend or interest coupons issued in respect of such bearer securities.

(7) The provisions of this regulation shall apply in respect of all bearer securities and bearer options irrespective of whether such securities or options were or are issued inside or outside the Republic.

(8) For the purposes of this regulation " option " means the right to subscribe for or take up the whole or any part of an issue of capital.

CONTROL OF CAPITAL ISSUES.

16. (1) Except with the consent of the Treasury and in accordance with such conditions as the Treasury may impose, no person shall during any period of twelve months—

(*a*) make in the Republic an issue or issues of capital which amount in the aggregate to more than ten thousand rand; or

(*b*) renew or postpone the date of maturity of securities maturing for repayment in the Republic which amount in the aggregate to more than ten thousand rand.

(2) The Treasury may from time to time by notice in the *Gazette*—

(*a*) exempt particular classes of issuers of capital, either generally, or in respect of particular classes of issues of capital, from the operation of sub-regulation (1); or

(*b*) increase, either generally or in respect of particular classes of issues or issuers of capital, the aggregate exemption limit of ten thousand rand prescribed in sub-regulation (1);

and may by similar notice withdraw any such aforementioned notice or reduce to not less than ten thousand rand any exemption limit prescribed in any such aforementioned notice as the case may be.

(3) For the purposes of this regulation—

(*a*) a person shall be deemed to make an issue of capital who—

(i) raises capital in the Republic by the issue, whether within or outside the Republic, of any securities or who issues any securities whether for cash or otherwise; or

(ii) receives any money on loan on the terms or in the expectation that the loan will or may be repaid wholly or partly by the issue of securities or by the transfer of any securities issued after the making of the loan;

(*b*) the amount of capital issued or to be issued shall be deemed to be the amount to be raised by the issue or the total nominal value of the securities whichever is the greater.

(4) The raising of any loan by any local authority shall be deemed to constitute an issue of capital whether or not securities are issued or transferred in connection with such loan.

(5) No local authority shall without the written consent of the Treasury raise any loan outside the Republic.

(6) If in any advertisement, prospectus or other document which offers for subscription any securities there be included any statement intimating or purporting to convey that the Treasury has approved or consented to the issue

(6) (*a*) Die Tesourie of iemand deur die Tesourie gemagtig, kan vrystelling verleen van die bepalings van subregulasies (1), (2) en (3).

(*b*) Die bepalings van subregulasie (5) is *mutatis mutandis* van toepassing ten opsigte van aansoeke om vrystelling kragtens paragraaf (*a*) van hierdie subregulasie wat betrekking het op geldwaardige toonderpapiere of op diwidend- of rentekoepons uitgereik in verband met sodanige geldwaardige toonderpapiere.

(7) Die bepalings van hierdie regulasie is van toepassing op alle geldwaardige toonderpapiere en toonderopsies, ongeag of die geldwaardige papiere of opsies binne of buite die Republiek uitgereik is of word.

(8) Vir die toepassing van hierdie regulasie beteken „ opsie " die reg om in te skryf op 'n hele kapitaaluitgifte of op 'n gedeelte daarvan.

BEHEER OOR KAPITAALUITGIFTES.

16. (1) Behalwe met die vergunning van die Tesourie en ooreenkomstig die voorwaardes wat die Tesourie mag stel, mag niemand gedurende enige tydperk van twaalf maande—

(*a*) 'n uitgifte of uitgiftes van kapitaal binne die Republiek doen wat altesaam op meer as tienduisend rand te staan kom nie; of

(*b*) die aflosdatum van geldwaardige papiere wat binne die Republiek by verstryking van hul looptyd aflosbaar word en in geheel op meer as tienduisend rand te staan kom, hernu of verleng nie.

(2) Die Tesourie kan van tyd tot tyd by kennisgewing in die *Staatskoerant*—

(*a*) besondere klasse uitgewers van kapitaal, òf in die algemeen òf met betrekking tot bepaalde soorte uitgiftes van kapitaal, vrystel van die bepalings van subregulasie (1); of

(*b*) die vrystellingsperk van tienduisend rand wat in subregulasie (1) voorgeskryf is òf in die algemeen òf met betrekking tot bepaalde klasse uitgiftes of uitgewers van kapitaal, verhoog;

en kan by soortgelyke kennisgewing enige kennisgewing van voormelde aard herroep of enige vrystellingsperk wat in so 'n kennisgewing voorgeskryf is, verminder tot 'n bedrag van nie minder as tienduisend rand nie, al na die geval.

(3) Vir die toepassing van hierdie regulasie—

(*a*) word iemand geag 'n uitgifte van kapitaal te doen as hy—

(i) deur die uitgifte, binne of buite die Republiek, van geldwaardige papiere, kapitaal binne die Republiek opneem of as hy geldwaardige papiere, hetsy vir kontant al dan nie, uitgee; of

(ii) 'n geldlening ontvang op voorwaarde of in die verwagting dat die volle of 'n gedeelte van die lening terugbetaal sal of kan word deur die uitgifte van geldwaardige papiere of deur die oordrag van geldwaardige papiere wat na die sluiting van die lening uitgegee is;

(*b*) word die kapitaalbedrag wat uitgereik is of sal word, geag die bedrag te wees wat verkry sal word deur die uitgifte of die totale nominale waarde van die geldwaardige papiere, naamlik die grootste bedrag.

(4) Die sluiting van enige lening deur enige plaaslike bestuur sal as 'n uitgifte van kapitaal beskou word, ongeag of geldwaardige papiere ten opsigte van die lening uitgereik of oorgedra word, al dan nie.

(5) Geen plaaslike bestuur mag sonder die skriftelike vergunning van die Tesourie 'n lening buite die Republiek sluit nie.

(6) As 'n advertensie, prospektus of ander dokument waarin enige geldwaardige papiere vir inskrywing aangebied word, 'n verklaring bevat wat te kenne gee of, na dit wil voorkom, te kenne gee dat die Tesourie die uitgifte

of the securities, such statement shall be included only at the top or commencement of the advertisement, prospectus or other document and shall be made and qualified in the following words: —

"The Treasury has consented under Exchange Control Regulation 16 to the issue of the securities referred to hereunder but that consent does not imply that the Treasury has investigated or is responsible in any way for the soundness of the proposals involved or for the correctness of any statements made or opinions or estimates given in connection with such proposals."

BUSINESSES CONTROLLED BY PERSONS OUTSIDE THE REPUBLIC.

17. Where the control of any business is established outside the Republic, any transaction with a branch or subsidiary of such business in the Republic shall be treated as if the said branch or subsidiary were a separate person. The manager or controller of such branch or subsidiary in the Republic shall assume the same obligations under these regulations as he would have been required to assume if the said branch or subsidiary were independent of control from outside the Republic.

PROVISION OF SECURITY.

18. (1) The Treasury or a person authorised by the Treasury, may order any person to provide security, in such form and in such amount as the Treasury may determine, that he will comply, either generally or in respect of any particular transaction, with the provisions of any of these regulations specified by the Treasury or by a person authorised by the Treasury.

(2) Where any person who has provided security in terms of this regulation, has failed to comply with the provisions of the regulations in respect of which the security has been provided, the Treasury may direct that the said security shall be forfeited for the benefit of the Consolidated Revenue Fund.

The forfeiture of such security shall not prevent any other action against the person concerned for his failure to comply with the provisions of these regulations.

FURNISHING OF INFORMATION.

19. (1) The Treasury, or any person authorised by the Treasury, may order any person to furnish any information at such person's disposal which the Treasury or such authorised person deems necessary for the purposes of these regulations and any person generally or specifically appointed by the Treasury for the purpose may enter the residential or business premises of a person so ordered and may inspect any books or documents belonging to, or under the control of such person.

(2) If any person makes any statement in any information furnished in compliance with such an order which is in conflict with any other statement previously made by him in giving information required in connection with the subject matter of such order, he shall be deemed to have made an incorrect statement in terms of regulation 22 and may, on an indictment, summons or charge alleging that he made the two conflicting statements, be convicted of making an incorrect statement in contravention of the said regulation 22 upon proof of the two statements in question and without proof as to which of the said statements was incorrect, unless he proves that when he made each statement he believed it to be true.

EXEMPTION FROM STAMP DUTY.

20. Stamp duty shall not be chargeable on any document made for the sole purpose of meeting the requirements of these regulations.

goedgekeur het of daarin toegestem het, dan mag so 'n verklaring slegs as 'n aanhef of aan die begin van die advertensie, prospektus of ander dokument verskyn en moet dit in die volgende bewoording opgestel en gekwalifiseer wees: —

„Kragtens Deviesebeheerregulasie 16 het die Tesourie toestemming verleen tot die uitgifte van die geldwaardige papiere waarvan hieronder melding gemaak word, maar sodanige toestemming beteken nie dat die Tesourie ondersoek ingestel het na of op enigerlei wyse verantwoordelik is vir die betroubaarheid van die voorstelle wat gedoen word of vir die juistheid van verklarings, opinies of skattings wat in verband met die voorstelle gemaak of gegee is nie."

BESIGHEDE WAT DEUR PERSONE BUITE DIE REPUBLIEK BEHEER WORD.

17. Waar 'n besigheid vanaf 'n plek buite die Republiek beheer word, word alle transaksies met 'n tak of ondergeskikte maatskappy van sodanige besigheid in die Republiek behandel asof so 'n tak of ondergeskikte maatskappy 'n afsonderlike persoon is. Die bestuurder of kontroleur van so 'n tak of ondergeskikte maatskappy in die Republiek moet dieselfde verpligtings ingevolge hierdie regulasies aanvaar as hy sou moes aanvaar het as voornoemde tak of ondergeskikte maatskappy onafhanklik was van beheer van 'n plek buite die Republiek.

SEKERHEIDSTELLING.

18. (1) Die Tesourie of iemand wat die Tesourie gemagtig het, kan enigeen beveel om in 'n vorm en tot 'n bedrag wat die Tesourie bepaal, sekerheid te stel dat hy, òf in die algemeen òf met betrekking tot 'n bepaalde transaksie, sal voldoen aan die bepalings van enigeen van hierdie regulasies wat deur die Tesourie of deur iemand wat die Tesourie daartoe gemagtig het, voorgeskryf mag word.

(2) Waar iemand wat ingevolge hierdie regulasie sekerheid gestel het, in gebreke gebly het om aan die bepalings van daardie regulasies ten aansien waarvan sekerheid gestel is, te voldoen, kan die Tesourie beveel dat die betrokke sekerheid tot voordeel van die Gekonsolideerde Inkomstefonds verbeur word.

Die verbeurdverklaring van voormelde sekerheid stuit nie die instelling van enige ander aksie teen die betrokke persoon weens sy versuim om aan die bepalings van hierdie regulasies te voldoen nie.

VERSTREKKING VAN INLIGTING.

19. (1) Die Tesourie of enige persoon wat die Tesourie daartoe gemagtig het, kan enigeen beveel om inligting waaroor hy beskik en wat volgens die oordeel van die Tesourie of voornoemde gemagtigde persoon nodig is vir die toepassing van hierdie regulasies, te verstrek en enigeen wat in die algemeen of in die besonder deur die Tesourie vir dié doel aangestel is, kan die woon- of besigheidspersele van die persoon aan wie so 'n bevel uitgereik is, betree en enige boek of dokument wat aan so 'n persoon behoort of onder sy beheer is, ondersoek.

(2) As iemand by die verstrekking van inligting ooreenkomstig so 'n bevel 'n verklaring doen wat strydig is met 'n verklaring wat hy tevore gedoen het toe hy inligting wat in verband met die onderwerp van sodanige bevel nodig was, verstrek het, word hy geag 'n onjuiste verklaring ingevolge regulasie 22 te gedoen het en op 'n akte van beskuldiging, dagvaarding of aanklag waarin beweer word dat hy twee strydige verklarings gemaak het, kan hy skuldig bevind word aan die doen van 'n onjuiste verklaring in stryd met voormelde regulasie 22 by bewys dat die twee betrokke verklarings gedoen is en sonder bewys van watter een van die twee verklarings onjuis was, tensy hy bewys dat toe hy die verklarings gedoen het, hy in die juistheid van elkeen geglo het.

VRYSTELLING VAN SEËLREG.

20. Geen seëlreg mag gehef word nie op enige dokument wat enkel en alleen met die doel om aan die vereistes van hierdie regulasies te voldoen, opgestel is.

FORMS.

21. The Treasury may prescribe such forms for the purposes of these regulations as it may think expedient.

PENALTY.

22. Every person who contravenes or fails to comply with the provisions of any of these regulations, or contravenes or fails to comply with the terms of any notice or order or direction issued or any permission or exemption granted under these regulations, or who obstructs any person in the execution of any power or function assigned to him by or under these regulations, or who makes any incorrect statement in any declaration made or return rendered for the purposes of these regulations (unless he proves that he did not know, and could not by the exercise of a reasonable degree of care have ascertained, that the statement was incorrect) or refuses or neglects to furnish any information which he is required to furnish under these regulations, shall be guilty of an offence and liable upon conviction to a fine not exceeding ten thousand rand or to imprisonment for a period not exceeding five years or to both such fine and such imprisonment; provided that where he is convicted of an offence against any of these regulations in relation to any security, foreign currency, gold, bank-note, cheque, postal order, bill, note, debt, payment or goods, the fine which may be imposed on him shall be a fine not exceeding ten thousand rand, or a sum equal to the value of the security, foreign currency, gold, bank-note, postal order, bill, note, debt, payment or goods, whichever shall be greater.

WITHDRAWAL OF REGULATIONS.

23. (1) The regulations published under Government Notices Nos. 2800 of the 2nd November, 1951, 797 of the 6th June, 1958, 194 of the 6th February, 1959, and *Extraordinary Government Gazette* Notice No. 84 of 16th June, 1961, are hereby withdrawn.

(2) Any certificate issued, exemption, permission or consent granted, order given, period fixed, return, declaration, report, or appointment rendered or made, security provided, information furnished or act done under or in terms of the provisions of any regulation withdrawn by this regulation, shall be deemed to have been issued, granted, given, fixed, rendered, made, provided, furnished or done under or in terms of the corresponding provisions of these regulations; provided that the provisions of this sub-regulation shall not apply in respect of any power or function, vested in the Treasury by any regulation so withdrawn, which the Treasury exercised through the medium of a notice in the *Gazette*.

VORMS.

21. Die Tesourie kan vir die toepassing van hierdie regulasies sodanige vorms voorskryf as wat hy gerade mag ag.

STRAFBEPALINGS.

22. Elkeen wat die bepalings van enigeen van hierdie regulasies oortree of versuim om daaraan te voldoen, of die voorskrifte van 'n kennisgewing of bevel wat kragtens hierdie regulasies uitgevaardig is, of van 'n vergunning of vrystelling wat kragtens hierdie regulasies verleen is, oortree of versuim om daaraan te voldoen, of wat iemand belemmer in die uitoefening van 'n bevoegdheid of 'n funksie wat by of kragtens hierdie regulasies aan hom verleen of toegewys is, of wat in 'n verklaring wat gemaak of 'n opgawe wat verstrek word vir die toepassing van hierdie regulasies, 'n onjuiste verklaring maak (tensy hy bewys dat hy nie geweet het en nie deur redelik versigtig te wees kon uitgevind het dat die verklaring onjuis was nie) of wat weier of nalaat om inligting te verstrek wat hy ingevolge hierdie regulasies moet verstrek, begaan 'n oortreding en is by skuldigbevinding strafbaar met 'n boete van hoogstens tienduisend rand of met gevangenisstraf vir 'n tydperk van hoogstens vyf jaar of met sowel die boete as die gevangenisstraf; met dien verstande dat waar iemand skuldig bevind word aan 'n oortreding van hierdie regulasies met betrekking tot 'n geldwaardige papier, vreemde valuta, goud, 'n banknoot, tjek, posorder, wissel, bewys, skuld, betaling of goedere, die boete wat hom opgelê kan word, 'n boete van hoogstens tienduisend rand is, of 'n bedrag wat gelyk staan aan die waarde van die geldwaardige papier, vreemde valuta, goud, banknoot, posorder, wissel, bewys, skuld, betaling of goedere, naamlik die grootste bedrag.

INTREKKING VAN REGULASIES.

23. (1) Die regulasies gepubliseer by Goewermentskennisgewings Nos. 2800 van 2 November 1951, 797 van 6 Junie 1958, 194 van 6 Februarie 1959 en Buitengewone Staatskoerantkennisgewing No. 84 van 16 Junie 1961, word hierby ingetrek.

(2) 'n Sertifikaat uitgereik, vrystelling of toestemming verleen, bevel gegee, tydperk vasgestel, opgawe, verklaring, verslag of aanstelling ingedien of gedoen, sekerheid gestel, inligting verstrek of handeling gedoen kragtens die bepalings van 'n regulasie wat by hierdie regulasie ingetrek is, word geag uitgereik, verleen, gegee, ingedien, gedoen, gestel, of verstrek te wees kragtens die ooreenstemmende bepalings van hierdie regulasies; met dien verstande dat die bepalings van hierdie subregulasie nie van toepassing is op 'n bevoegdheid of funksie wat die Tesourie kragtens 'n aldus ingetrokke regulasie besit het en wat die Tesourie by wyse van 'n kennisgewing in die *Staatskoerant* uitgeoefen of vervul het nie.

No. R. 1112.] [1 December 1961.

ORDERS AND RULES UNDER THE EXCHANGE CONTROL REGULATIONS ISSUED UNDER GOVERNMENT NOTICE No. R. 1111 OF 1ST DECEMBER, 1961.

DEFINITION OF STERLING AREA.

1. In addition to the territories, viz. the Republic of South Africa and South-West Africa, mentioned in regulation 1, the following areas are hereby declared to be included in the sterling area: —

Any part of the British Commonwealth of Nations, excluding Canada, any Trust Territory administered by a member government of the Commonwealth, any British Protectorate or Protected State, Iceland, Burma, Eire, the Hashemite Kingdom or Jordan, and Libya.

APPOINTMENT OF THE SOUTH AFRICAN RESERVE BANK TO CARRY OUT CERTAIN FUNCTIONS ASSIGNED TO THE TREASURY.

2. The Minister of Finance has appointed the South African Reserve Bank to carry out any power or function assigned to the Treasury by regulations 2, 3 (1), 4 (2), 5, 6 and 14 (1), and has in terms of regulation 19, also authorised the said bank to order any person to furnish information required by it for the purposes of and in connection with its functions under the regulations.

APPOINTMENT OF AUTHORISED DEALERS.

3. (*a*) The banks specified hereunder have been appointed as authorised dealers for the purposes of the regulations: —

The Accepting Bank for Industry Limited.
Barclays Bank D.C.O.
The Chase Manhattan Bank (South Africa) Limited.
The First National City Bank of New York (South Africa) Limited.
French Bank of Southern Africa Limited.
Netherlands Bank of South Africa Limited.
Philip Hill Acceptance Company Limited.
The South African Bank of Athens, Limited.
The Standard Bank of South Africa, Limited.
Union Acceptances Limited.
Volkskas Limited.

(*b*) The Minister has, in terms of regulation 19, also authorised the banks referred to in sub-paragraph (*a*) to order any person to furnish information required by them for the purposes of, and in connection with, their functions under the regulations.

EXEMPTION OF SOUTH-WEST AFRICA, BASUTOLAND, BECHUANALAND PROTECTORATE AND SWAZILAND FROM THE PROVISIONS OF REGULATION 3.

4. In terms of regulation 3, exemption is hereby granted from the obligation to obtain the permission of the Treasury—

(*a*) to take or send out of the Republic any bank-notes to the Territory of South-West Africa, Basutoland, Bechuanaland Protectorate and Swaziland;

(*b*) to draw or negotiate any bill of exchange or promissory note, transfer any security or acknowledge any debt, so that a right (whether actual or contingent) on the part of such person or any other person to receive a payment in the Republic is created or transferred as consideration for—

(i) the receiving by such person or any other person of a payment or the acquisition by such person or any other person of property in the Territory of South-West Africa, Basutoland, Bechuanaland Protectorate and Swaziland; or

(ii) a right (whether actual or contingent) on the part of such person or any other person to receive a payment or acquire property in the Territory of South-West Africa, Basutoland, Bechuanaland Protectorate and Swaziland;

or to make or receive any payment as such consideration.

No. R. 1112.] [1 Desember 1961.

BEVELE EN REËLS KRAGTENS DIE DEVIESE-BEHEERREGULASIES UITGEVAARDIG BY GOEWERMENTSKENNISGEWING No. 1111 VAN 1 DESEMBER 1961.

OMSKRYWING VAN STERLINGGEBIED.

1. Hierby word verklaar dat, benewens die gebiede, nl. die Republiek van Suid-Afrika en Suidwes-Afrika waarvan in regulasie 1 melding gemaak word, onderstaande gebiede by die sterlinggebied inbegrepe is: —

Enige deel van die Britse Gemenebes van Nasies met uitsondering van Kanada, iedere Trustgebied geadministreer deur die Regering van 'n Gemenebeslid, iedere Britse Protektoraat of Beskermende Staat, Ysland, Birma, Eire, die Hasjimitiese Koninkryk Jordanië en Libië.

AANSTELLING VAN DIE SUID-AFRIKAANSE RESERWEBANK OM SEKERE FUNKSIES, WAT AAN DIE TESOURIE TOEGEWYS IS, UIT TE VOER.

2. Die Minister van Finansies het die Suid-Afrikaanse Reserwebank aangestel om uitvoering te gee aan die bevoegdhede of funksies wat by regulasies 2, 3 (1), 4 (2), 5, 6 en 14 (1) aan die Tesourie toegewys is, en het, kragtens regulasie 19, ook genoemde bank gemagtig om enigeen te beveel om inligting wat hy vir doeleindes van, en in verband met, sy funksies kragtens die regulasies nodig het, te verstrek.

AANSTELLING AS GEMAGTIGDE HANDELAARS.

3. (*a*) Onderstaande banke is vir die toepassing van die regulasies as gemagtigde handelaars aangestel: —

Barclays Bank D.C.O.
Die Chase Manhattan Bank (Suid-Afrika) Beperk.
The First National City Bank of New York (South Africa) Limited.
Franse Bank van Suidelike Afrika Beperk.
Nederlandse Bank van Suid-Afrika Beperk.
Die Nywerheids-aksepbank Beperk.
Philip Hill Acceptance Company Limited.
The South African Bank of Athens, Limited.
Die Standard Bank van Suid-Afrika, Beperk.
Union Acceptances Limited.
Volkskas Beperk.

(*b*) Kragtens regulasie 19 het die Minister ook die banke genoem in subparagraaf (*a*) gemagtig om enigeen te beveel om inligting wat hulle vir doeleindes van, en in verband met, hul funksies kragtens die regulasies nodig het, te verstrek.

VRYSTELLING VAN SUIDWES-AFRIKA, BASOETOLAND, BETSJOEANALANDPROTEKTORAAT EN SWAZILAND VAN DIE BEPALINGS VAN REGULASIE 3.

4. Kragtens regulasie 3 word vrystelling hierby verleen van die verpligting om die Tesourie se vergunning te verkry—

(*a*) om banknote uit die Republiek na die Gebied Suidwes-Afrika, Basoetoland, Betsjoeanalandprotektoraat en Swaziland te neem of te stuur;

(*b*) om enige wissel of promesse te trek of te verhandel, geldwaardige papiere oor te dra of enige skuld te erken wat tot gevolg sal hê dat daar 'n reg (hetsy werklik of voorwaardelik) aan die kant van so iemand of enige ander persoon geskep of oorgedra word om 'n betaling in die Republiek te ontvang as teenprestasie—

(i) vir die ontvangs deur so iemand of enige ander persoon, van 'n betaling of die verkryging deur so iemand of enige ander persoon van eiendom in die Gebied Suidwes-Afrika, Basoetoland, Betsjoeanalandprotektoraat en Swaziland; of

(ii) vir die reg (hetsy werklik of voorwaardelik) aan die kant van so iemand of enige ander persoon om 'n betaling te ontvang of eiendom te verkry in die Gebied Suidwes-Afrika, Basoetoland, Betsjoeanalandprotektoraat en Swaziland;

of enige betaling as sodanige teenprestasie te doen of te ontvang.

DECLARATION IN REGARD TO FOREIGN EXCHANGE PROCEEDS OF EXPORTS.

5. In terms of sub-regulation (10) (*a*) of regulation 6, the Treasury hereby prescribes that the declaration to be completed in respect of goods exported shall be in the following form: —

VERKLARING IN SAKE DIE VREEMDE VALUTA-OPBRENGS VAN UITVOERE.

5. Ingevolge subregulasie (10) (*a*) van regulasie 6, skryf die Tesourie hierby voor dat die verklaring wat ingevul moet word ten aansien van goedere wat uitgevoer word, in onderstaande vorm moet wees: —

F. 178.

DECLARATION IN REGARD TO FOREIGN EXCHANGE PROCEEDS OF EXPORTS.
(For completion by consignor or person authorised by him.)

The Collector of Customs and Excise,
at..............................

I/We.............................., for and on behalf of..............................

Address..............................

do hereby declare that the proceeds of the sale or disposal of the goods detailed in the schedule hereunder have been/will be—

*(*a*) sold to..............................(name of authorised dealer) at..............................

*(*b*) exempted by the Treasury in terms of paragraph (7) of regulation 6 of the Exchange Control Regulations.

(* Delete whichever is not applicable.)

Dated at..............................this..............................day of..............................19.......

Attested by..............................
Authorised dealer. .... *Signature of declarant.*

Name of vessel or other mode of conveyance.	Number of packages or weight or quantity.	Description of goods.	Country of origin.	Name and address of consignee and country of ultimate destination.	Value.		Time and method of payment. (State from whom and in what currency payment has been or will be received.)
					F.O.B.	Full expected proceeds of exports.	
					R	R	

NOTE.—(A) In regard to the last column of the schedule, headed "Time and method of payment", it is essential that the following information be furnished:—

(i) the name of the person or firm from whom payment has been or will be received;
(ii) the approximate date of receipt in the Republic of the export proceeds; and
(iii) the currency in which payment has been or is to be received, i.e. for—

(*a*) exports to the Sterling Area: Sterling, the currency of another country in the Sterling Area (specify) or rand from a Non-Resident Sterling Area Account;
(*b*) exports to the Non-Sterling Area: Sterling from an External Account, rand from an External Account or a Non-Sterling Area Currency (specify).

(B) All original forms F. 178 should be forwarded direct to the South African Reserve Bank, P.O. Box 427, Pretoria, by Collectors of Customs and Excise and Post Offices after acceptance by them.

F. 178.

VERKLARING IN SAKE VREEMDE VALUTA-OPBRENGS VAN UITVOERE.
(Moet ingevul word deur afsender of iemand deur hom gemagtig.)

Die Ontvanger van Doeane en Aksyns,
te..............................

Ek/Ons.............................., vir en namens..............................

Adres..............................

verklaar hierby dat die opbrengs van die verkoop of vervreemding van die goedere omskryf in onderstaande bylae—

*(*a*) verkoop is/sal word aan..............................(naam van gemagtigde handelaar) te..............................

*(*b*) deur die Tesourie kragtens paragraaf (7) van regulasie 6 van die Deviesebeheerregulasies vrygestel is/sal word.

(*Skrap wat nie van toepassing is nie.)

Gedateer te..............................op hede die..............................dag van..............................19.......

Geattesteer deur..............................
Gemagtigde handelaar. .... *Handtekening van verklaarder.*

Naam van skip of ander vervoermiddel.	Getal pakkette of gewig of hoeveelheid.	Beskrywing van goedere.	Land van herkoms.	Naam en adres van geadresseerde en land van uiteindelike bestemming.	Waarde.		Tyd en wyse van betaling. (Meld van wie en in watter valuta betaling ontvang is of sal word.)
					V.A.B.	Volle verwagte opbrengs van uitvoere.	
					R	R	

OPMERKING.—(A) Ten opsigte van die laaste kolom van die bylae, met die opskrif „ Tyd en wyse van betaling ", is dit noodsaaklik dat die volgende inligting verstrek word:—

(i) die naam van die persoon of firma van wie betaling ontvang is of sal word;
(ii) die benaderde datum van ontvangs in die Republiek van die opbrengs van uitvoere; en
(iii) die valuta waarin betaling ontvang is of sal word, naamlik vir—

(*a*) uitvoere na die Sterlinggebied: Sterling, die valuta van 'n ander land binne die Sterlinggebied (spesifiseer), of rand van 'n nie-inwoner-Sterlinggebiedrekening;
(*b*) uitvoere na lande buite die Sterlinggebied: Sterling van 'n Eksterne Rekening, rand van 'n Eksterne Rekening, of 'n nie-Sterlinggebiedvaluta (spesifiseer).

(B) Ontvangers van Doeane en Aksyns en Poskantore moet alle oorspronklike vorms F. 178 wat hulle aangeneem het, regstreeks aan die Suid-Afrikaanse Reserwebank, Posbus 427, Pretoria, stuur.

DECLARATION OF FOREIGN ASSETS AND LIABILITIES.

6. In terms of sub-regulation (1) of regulation 6 and sub-regulation (1) of regulation 7, the Treasury hereby prescribes that the declaration to be completed in respect of foreign assets and liabilities shall be in the following form:—

DECLARATION OF FOREIGN ASSETS AND LIABILITIES AS AT .... IN TERMS OF EXCHANGE CONTROL REGULATIONS 6 AND 7.

Name and address of resident individual/branch/company/unincorporated enterprise (*delete inapplicable terms — see Instructions 5 and 6 below*):—	I declare that the information submitted in this return is complete and correct to the best of my knowledge.
	............................(Signature)
	............................(Official position)

My/Our bankers are (*give branch address*):—

INSTRUCTIONS.

(1) Returns are to be rendered to a commercial bank or the South African Reserve Bank not later than........................ ....

(2) Foreign assets and liabilities should be recorded in rand as at... and the rate used for converting foreign currencies as well as the basis of valuing securities, fixed property and inventories, should be stated at the end of this form.

(3) South-West Africa and the High Commission Territories should be treated as part of the domestic territory and *not* as foreign.

(4) South African branches and subsidiaries of foreign companies are "residents" of South Africa for exchange control purposes and must report their position *vis-à-vis* their head offices or parent companies accordingly.

(5) If doubt is experienced whether foreign activities should be regarded as those of a foreign branch, Section C below may be omitted provided that all relevant foreign assets and liabilities are reported under Sections A and B.

(6) A share or beneficial interest in a foreign unincorporated enterprises(s) (i.e. partnerships, sole proprietorships, etc.) should be reported in Item 9 below and a copy of the latest balance sheet(s) of such enterprise(s) should be appended.

(7) The latest balance sheet of each foreign subsidiary should be appended.

	United Kingdom.	Federation of Rhodesia and Nyasaland.	All Other Foreign Countries.
A.—FOREIGN ASSETS.	R	R	R
1. Cash at foreign banks, including foreign currency notes held in South Africa or abroad............			
2. Current and other short-term foreign assets, including call and time deposits, bills and inter-company current accounts.			
3. Inventories and merchandise stocks located abroad (excluding stocks in transit to South Africa)............			
4. Investments in ordinary and limited vote-bearing shares of foreign companies (excluding shares listed on the Johannesburg Stock Exchange).................			
5. Investments in foreign preference shares, debentures, loan-stock and similar securities (excluding securities listed on the Johannesburg Stock Exchange).....			
6. Mortgages and long-term loans supplied to foreign residents.................			
7. Capital balance due to head office in South Africa by a foreign branch(es) (must agree with Item 17 in the balance sheet of the foreign branch in Section C below)			
8. Fixed property..........			
9. Other foreign assets (specify)			

VERKLARING VAN VREEMDE BATES EN LASTE.

6. Ingevolge subregulasie (1) van regulasie 6 en subregulasie (1) van regulasie 7, skryf die Tesourie hierby voor dat die verklaring wat ingevul moet word ten aansien van vreemde bates en laste, in onderstaande vorm moet wees:—

VERKLARING VAN VREEMDE BATES EN LASTE SOOS OP ...., INGEVOLGE DEVIESEBEHEERREGULASIES 6 EN 7.

Naam en adres van inwoner-indiwidu/-tak/-maatskappy/-nie-geïnkorporeerde onderneming (*skrap ontoepaslike terme—sien Voorskrifte 5 en 6 hieronder*):—	Ek verklaar dat die inligting wat in hierdie opgawe verstrek word, volgens my beste wete volledig en juis is.
	............................(Handtekening)
	............................(Amp)

My/Ons bankiers is (*verstrek adres van tak*):—

VOORSKRIFTE.

1. Opgawes moet by 'n handelsbank of die Suid-Afrikaanse Reserwebank nie later nie as .... ingedien word.

2. Buitelandse bates en laste moet in rand soos op.................. ....opgegee word, en die koers waarteen buitelandse geldeenhede omgereken word asook die grondslag waarop effekte, vaste eiendom en voorrade gewaardeer word, moet aan die einde van hierdie vorm aangedui word.

3. Suidwes-Afrika en die Hoë Kommissarisgebiede moet as deel van die tuisgebied, en *nie* as buitelands nie, behandel word.

4. Suid-Afrikaanse takke en filiale van buitelandse maatskappye is „inwoners" van Suid-Afrika vir deviesebeheerdoeleindes en moet hulle verhoudings met hulle hoofkantore of moedermaatskappye dienooreenkomstig opgee.

5. Indien daar twyfel bestaan of buitelandse bedrywighede as dié van 'n buitelandse tak beskou moet word, hoef Afdeling C nie ingevul te word nie, mits al die betrokke buitelandse bates en laste in Afdelings A en B opgegee word.

6. 'n Aandeel of voordelige belang in 'n buitelandse nie-geïnkorporeerde onderneming(s) (d.w.s. vennootskappe, eensmansake, ens.) moet in Pos 9 hieronder opgegee word en 'n afskrif van die jongste balansstaat(ate) van dié onderneming(s) moet aangeheg word.

7. Die jongste balansstaat van elke buitelandse filiaal moet aangeheg word.

	Verenigde Koninkryk.	Federasie van Rhodesië en Njassaland.	Alle ander vreemde lande.
A.—BUITELANDSE BATES.	R	R	R
1. Kontant in buitelandse banke, met inbegrip van buitelandse geldnote wat in of buite Suid-Afrika gehou word...................			
2. Vlottende en ander korttermynbates, met inbegrip van daggeld- en termyndeposito's, wissels en lopende rekeninge tussen maatskappye........			
3. Voorrade en handelsware in die buiteland (uitgesonderd voorrade in transito na Suid-Afrika)...........			
4. Beleggings in gewone en beperkte stemdraende aandele van buitelandse maatskappye (uitgesonderd aandele op die Johannesburgse Effektebeurs genoteer).....			
5. Beleggings in buitelandse voorkeuraandele, obligasies, skuldbriewe en soortgelyke effekte (uitgesonderd effekte op die Johannesburgse Effektebeurs genoteer).....			
6. Verbande en langtermynlenings verskaf aan buitelanders................			
7. Kapitaalsaldo verskuldig aan hoofkantoor in Suid-Afrika deur 'n buitelandse tak(ke) (moet ooreenstem met Pos 17 in die balansstaat van die buitelandse tak in Afdeling C hieronder)			
8. Vaste eiendom...........			
9. Ander buitelandse bates (spesifiseer)...............			

	United Kingdom.	Federation of Rhodesia and Nyasaland.	All Other Foreign Countries.
B.—FOREIGN LIABILITIES.	R	R	R
10. Current and other short-term liabilities to foreign residents, including inter-company current accounts and bank overdrafts abroad			
11. Debentures, loan-stock and similar securities owned or beneficially owned by foreigners..............			
12. Preference shares owned or beneficially owned by foreigners..............			
13. Ordinary and limited vote-bearing shares owned or beneficially owned by foreigners..............			
14. Mortgages and long-term loans (not securities) obtained from foreigners..			
15. Capital liability of a South African branch (not subsidiary) to its foreign head office (i.e. excess of assets over liabilities of the branch)			
16. Other foreign liabilities (specify)................			

C.—FULL BALANCE SHEET OF ALL FOREIGN BRANCHES.

(NOTE.—*All assets and liabilities of foreign branches, but not of subsidiaries or unincorporated enterprises, should be reported here. However, the latest balance sheets of foreign subsidiaries and unincorporated enterprises should be appended*)	Foreign branches in—		
	United Kingdom.	Federation of Rhodesia and Nyasaland.	All Other Foreign Countries.
	R	R	R
17. Capital balance due to head office in South Africa (i.e. excess of the assets over the liabilities quoted below)....			
18. Current and other short-term liabilities............			
19. All other liabilities of the branch(es) (specify)........			
20. Total of Items 17 to 19....			
21. Fixed assets of the branch(es)...............			
22. Investments in shares, debentures and similar securities................			
23. Inventories...............			
24. Current and other short-term assets, including bills and cash................			
25. All other assets of the branch(es) (specify)........			
26. Total of Items 21 to 25....			

D.—FUTURE COMMITMENTS.

Set out below the dates and amounts of important commitments (in excess of R10,000 each) to be met to the end of ....in the case of the liabilities quoted in Sections B and C above, and also of foreign subsidiaries and unincorporated enterprises.

Item No.	Description of Item.	Due Date of Commitment.	Amount towards—		
			United Kingdom.	Federation of Rhodesia and Nyasaland.	All Other Foreign Countries.
			R	R	R
		TOTAL....			

Conversion rates; basis of valuing securities, fixed property and inventories; and other notes: ....

	Verenigde Koninkryk.	Federasie van Rhodesië en Njassaland.	Alle ander vreemde lande.
B. BUITELANDSE LASTE.	R	R	R
10. Vlottende en ander korttermynlaste teenoor buitelanders, met inbegrip van lopende rekeninge tussen maatskappye en oortrokke bankrekeninge in die buiteland....................			
11. Obligasies, skuldbriewe en soortgelyke effekte besit of voordelig besit deur buitelanders.................			
12. Voorkeuraandele besit of voordelig besit deur buitelanders.................			
13. Gewone en beperkte stemdraende aandele besit of voordelig besit deur buitelanders.................			
14. Verbande en langtermynlenings (nie effekte nie) verkry van buitelanders..			
15. Kapitaallas van 'n Suid-Afrikaanse tak (nie filiaal nie) teenoor sy buitelandse hoofkantoor (d.w.s. die bedrag van die bates bo die laste van die tak).........			
16. Ander buitelandse laste (spesifiseer)...............			

C.—VOLLEDIGE BALANSSTAAT VAN ALLE BUITELANDSE TAKKE.

(OPMERKING.—*Alle bates en laste van buitelandse takke, maar nie van filiale of nie-geïnkorporeerde ondernemings nie, moet hier opgegee word. Die jongste balansstate van buitelandse filiale en nie-geïnkorporeerde ondernemings moet egter aangeheg word.*)	Buitelandse takke in—		
	Verenigde Koninkryk.	Federasie van Rhodesië en Njassaland.	Alle ander vreemde lande.
	R	R	R
17. Kapitaalsaldo verskuldig aan hoofkantoor in Suid-Afrika (d.w.s. die bedrag van die bates bo die laste hieronder opgegee)........			
18. Vlottende en ander korttermynlaste..............			
19. Alle ander laste van die tak(ke) (spesifiseer)........			
20. Totaal van Poste 17 tot 19			
21. Vaste bates van die tak(ke)			
22. Beleggings in aandele, obligasies en soortgelyk effekte			
23. Voorrade...............			
24. Vlottende en ander korttermynbates, met inbegrip van wissels en kontant.....			
25. Alle ander bates van die tak(ke) (spesifiseer)........			
26. Totaal van Poste 21 tot 25.			

D.—TOEKOMSTIGE VERPLIGTINGS.

Gee 'n uiteensetting hieronder van die datums en bedrae van belangrike verpligtings (bo R10,000 elk) wat tot die einde van ....nagekom moet word in die geval van die laste wat in Afdelings B en C hierbo genoem is, asook van buitelandse filiale en nie-geïnkorporeerde ondernemings.

Pos No.	Beskrywing van pos.	Vervaldatum van verpligting.	Bedrag t.o.v.—		
			Verenigde Koninkryk.	Federasie van Rhodesië en Njassaland.	Alle ander vreemde lande.
			R	R	R
		TOTAAL...			

Omrekeningskoerse; grondslag van waardering van effekte, vaste eiendom en voorrade; en ander opmerkings: ....

FOREIGN EXCHANGE PROCEEDS OF EXPORTS TO THE HIGH COMMISSION TERRITORIES.

7. Goods exported to Basutoland, Bechuanaland Protectorate and Swaziland are hereby exempted from the provisions of sub-regulation (10) (*a*) of regulation 6.

RESTRICTION ON RECEIVING OF PAYMENTS IN REPUBLIC CURRENCY FOR EXPORTS.

8. In terms of the powers vested in it by regulation 8, the Treasury hereby prescribes that, except with the permission of a bank authorised under the Exchange Control Regulations to deal in foreign exchange, Republic currency may not be received in payment by any person in respect of goods exported by him from the Republic.

CONTROL OF CAPITAL ISSUES—EXEMPTION AND ISSUES BY LOCAL AUTHORITIES.

9. By virtue of the powers conferred upon him by regulation 16 (2), the Minister of Finance has—

(*a*) exempted all companies and persons, other than municipalities or other local authorities, from the operation of regulation 16 (1) until further notice;

(*b*) in respect of the raising of loans by any local authority, increased to one million rand the aggregate exemption limits prescribed in regulation 16 (1).

ADVICE, INFORMATION, PERMITS OR FORMS RELATING TO EXCHANGE CONTROL OR CURRENCY MATTERS UNDER THE REGULATIONS.

10. (*a*) Persons who desire information or advice on exchange or currency matters governed by the regulations or who require approval or permission in respect of exchange, currency or gold transactions so governed, should apply to the Exchange Control through their bankers in the Republic or, if they have no such bankers, through one of the banks referred to in paragraph 3 hereof.

(*b*) The forms of returns, applications, declarations and permits prescribed by the Treasury for use in connection with transactions governed by such of the regulations as apply to the control, export or import, of exchange, currency or gold are not stocked by the Treasury or the Government Printer but by the banks referred to in paragraph 3 hereof, from whom they may be obtained by applicants.

WITHDRAWAL OF ORDERS AND RULES.

11. The Orders and Rules made under the regulations published under Government Notice No. 2800 of 2nd November, 1951, as amended, and published under Government Notices Nos. 2801 of the 2nd November, 1951, 3105 of 7th December, 1951, 850 of 18th April, 1952, 5 of 6th January, 1956, 798 of 6th June, 1958, 1612 of 31st October, 1958, 1866 of 12th December, 1958, 195 of 6th February, 1959, 215 of 13th February, 1959, 1115 of 24th July, 1959, 1313 of 21st August, 1959, 1348 of 28th August, 1959, 1532 of 2nd October, 1959, R. 1902 of 25th November, 1960, and 228 of 14th July, 1961, are hereby withdrawn.

EXPLANATORY NOTE.

The withdrawal of the Government Notices referred to in paragraph 11 and their substitution by paragraphs 1 to 10 of this Government Notice, has the effect of consolidating and amending all existing Orders and Rules issued under the Exchange Control Regulations.

VREEMDE VALUTA-OPBRENGS VAN UITVOERE NA DIE HOË KOMMISSARISGEBIEDE.

7. Goedere wat na Basoetoland, Betsjoeanalandprotektoraat en Swaziland uitgevoer word, word hierby vrygestel van die bepalings van subregulasie (10) (*a*) van regulasie 6.

BEPERKING OP ONTVANGS VAN BETALING IN REPUBLIEKGELD VIR UITVOERE.

8. Kragtens die bevoegdheid hom verleen by regulasie 8 skryf die Tesourie hierby voor dat, behalwe met die vergunning van 'n bank wat ingevolge die Deviesebeheerregulasies gemagtig is om in deviese handel te drywe, niemand betaling in Republiekgeld mag ontvang vir goedere wat hy van die Republiek uitgevoer het nie.

BEHEER OOR KAPITAALUITGIFTES—VRYSTELLING EN UITGIFTES DEUR PLAASLIKE BESTURE.

9. Kragtens die bevoegdheid hom verleen by regulasie 16 (2), het die Minister van Finansies—

(*a*) alle maatskappye en persone, behalwe munisipaliteite of ander plaaslike besture, vrygestel van die bepalings van regulasie 16 (1) tot nadere kennisgewing;

(*b*) in die geval van lenings wat deur enige plaaslike bestuur gesluit word, die totale vrystellingsperke wat in regulasie 16 (1) voorgeskryf word, tot eenmiljoen rand verhoog.

ADVIES, INLIGTING, PERMITTE OF VORMS BETREFFENDE DEVIESEBEHEER- OF GELDAANGELEENTHEDE KRAGTENS DIE REGULASIES.

10. (*a*) Persone wat inligting of advies verlang in verband met valuta- of geldaangeleenthede wat deur die regulasies gereël word of wat goedkeuring of toestemming verlang ten opsigte van aldus gereëlde valuta-, geld- of goudtransaksies moet by die Deviesebeheer deur bemiddeling van hul bankiers in die Republiek aansoek doen of, indien hulle nie sulke bankiers het nie, deur bemiddeling van die in paragraaf 3 genoemde banke.

(*b*) Die vorms van opgawes, aansoeke, verklarings en permitte wat deur die Tesourie voorgeskryf is vir gebruik in verband met transaksies wat gereël word deur sodanige van die regulasies as wat op die beheer, uitvoer of invoer van valuta, geld of goud van toepassing is, word nie deur die Tesourie of die Staatsdrukker gehou nie, maar wel deur die in paragraaf 3 genoemde banke, by wie applikante hulle kan verkry.

INTREKKING VAN BEVELE EN REËLS.

11. Die Bevele en Reëls uitgevaardig kragtens die regulasies soos gepubliseer by Goewermentskennisgewing No. 2800 van 2 November 1951, soos gewysig, en gepubliseer by Goewermentskennisgewings Nos. 2801 van 2 November 1951, 3105 van 7 Desember 1951, 850 van 18 April 1952, 5 van 6 Januarie 1956, 798 van 6 Junie 1958, 1612 van 31 Oktober 1958, 1866 van 12 Desember 1958, 195 van 6 Februarie 1959, 215 van 13 Februarie 1959, 1115 van 24 Julie 1959, 1313 van 21 Augustus 1959, 1348 van 28 Augustus 1959, 1532 van 2 Oktober 1959, R. 1902 van 25 November 1960 en 228 van 14 Julie 1961, word hierby ingetrek.

VERDUIDELIKENDE OPMERKING.

Die intrekking van die Goewermentskennisgewings waarna in paragraaf 11 verwys word en hul vervanging deur paragrawe 1 tot 10 van hierdie Goewermentskennisgewing het tot gevolg die konsolidering en wysiging van alle bestaande Bevele en Reëls uitgereik kragtens die Deviesebeheerregulasies.

CONTENTS.

No. PAGE

Department of Finance.

GOVERNMENT NOTICES.

R.1111. Exchange Control Regulations, 1961 1

R.1112. Orders and Rules under the Exchange Control Regulations 15

INHOUD.

No. BLADSY

Departement van Finansies.

GOEWERMENTSKENNISGEWINGS.

R.1111. Deviesebeheerregulasies, 1961 1

R.1112. Bevele en Reëls kragtens die Deviesebeheerregulasies 15

Rates of Postage from South Africa to other Countries by—

Surface Mail.

	Commonwealth Countries and British Possessions.	*Other Countries.*
Letters..........	3½c for first oz.; 1½c for each additional oz.	5c for first oz.; 3½c for each additional oz.
Postcards........	2½c each......................	3½c each.
Newspapers.......	1½c per 2 oz....................	1½c per 2 oz.
Printed Papers...	1½c per 2 oz....................	1½c per 2 oz.
Commercial Papers	1½c per 2 oz.; (minimum 5c).....	1½c per 2 oz.; (minimum 5c).
Samples..........	1½c per 2 oz.; (minimum 2½c)....	1½c per 2 oz.; (minimum 2½c).
Reply Coupons..	10c each......................	10c each

Air Mail.

Country of Destination.	Letters per ½ ounce.	Post-cards each.	Aero-grammes each.	Second-class mail, per ½ oz.
AFRICA.—(Excluding countries of the African Postal Union)	10c	5c	5c	4c
EUROPE.—				
(a) United Kingdom, Northern Ireland, Republic of Ireland, Cyprus and Malta	12½c	7c	5c	5c
(b) All other countries, including the Union of Soviet Socialist Republics and islands in the in the Mediterranean Sea except Cyprus and Malta	15c	7½c	5c	6c
(c) Azores, Canary Islands, Cape Verde Islands, Iceland, Madeira	15c	7½c	5c	6c
NEAR EAST.—				
Bahrein Islands, Dubai, Iran, Iraq, Israel, Jordan (Hashemite Kingdom of), Kuwait, Lebanon, Muscat, Saudi Arabia, Sharja, Syria, Turkey	12½c	7c	5c	5c
AMERICA.—				
Canada, United States of America, Central and South America	22½c	12c	10c	10c
AUSTRALASIA.—				
Australia, New Zealand..........	25c	12½c	10c	10c
PACIFIC.—				
Islands in the Northern and Southern Pacific Ocean not mentioned elsewhere	25c	12½c	10c	10c
EASTERN COUNTRIES.—				
(a) Afghanistan, Burma, Ceylon, India, Pakistan, Portuguese India, Thailand, Tibet	17½c	9c	5c	7½c
(b) Brunei, China, Cocos Islands, Formosa, Hong Kong, Indonesia, Korea, Macao, Malaya (Federation of), Manchuria, North Borneo, Philippines, Sarawak, Timor	22½c	12c	10c	10c
(c) Japan......................	25c	12½c	10c	10c

(A detailed list, pamphlet PB7, is obtainable free of charge from all post offices.)

Ordinary parcels to South West Africa, Basutoland, Swaziland and Mozambique.

Up to 8 ounces...........................	5c.
Above 8 ounces up to 1 lb..................	7c.
For every additional lb. or fraction thereof....	7c.

PARCEL POST RATES FROM SOUTH AFRICA TO OTHER COUNTRIES CAN BE ASCERTAINED AT ALL POST OFFICES.

Postariewe van Suid-Afrika na ander lande per—

See- of Landpos.

	Statebondslande en Britse Besittings.	*Ander Lande.*
Briewe..........	3½c vir eerste ons; 1½c vir elke bykomende ons	5c vir eerste ons; 3½c vir elke bykomende ons.
Poskaarte.......	2½c elk........................	3½c elk.
Nuusblaaie......	1½c per 2 onse..................	1½c per 2 onse.
Drukwerk.......	1½c per 2 onse..................	1½c per 2 onse.
Handelstukke....	1½c per 2 onse (minimum 5c).....	1½c per 2 onse (minimum 5c).
Monsters........	1½c per 2 onse (minimum 2½c)....	1½c per 2 onse (minimum 2½c).
Antwoordkoepons	10c elk........................	10c elk.

Lugpos.

Land van Bestemming.	Briewe per ½ ons.	Poskaarte elk.	Lugbriewe elk.	Tweedeklaspos-stukke per ½ ons.
AFRIKA.—(Behalwe lande van die Posunie van Afrika)	10c	5c	5c	4c
EUROPA.—				
(a) Verenigde Koninkryk, Noord-Ierland Republiek Ierland, Ciprus en Malta	12½c	7c	5c	5c
(b) Alle ander lande, met inbegrip van die Unie van die Sosialistiese Sowjetrepublieke en eilande in die Middellandse See, behalwe Ciprus en Malta	15c	7½c	5c	6c
(c) Asore, Kanariese Eilande, Kaap-Verdiese Eilande, Ysland, Madeira	15c	7½c	5c	6c
NABYE OOSTE.—				
Bahreineilande, Debai, Iran, Irak, Israel, Jordanië (Hasjimitiese Koninkryk), Koeweit, Libanon, Maskat, Saoedi-Arabië, Sjarja, Sirië, Turkye	12½c	7c	5c	5c
AMERIKA.—				
Kanada, Verenigde State van Amerika, Sentraal- en Suid-Amerika	22½c	12c	10c	10c
AUSTRALASIË.—				
Australië, Nieu-Seeland..........	25c	12½c	10c	10c
STILLE OSEAAN.—				
Eilande in die Noordelike en Suidelike Stille Oseaan nie elders genoem nie	25c	12½c	10c	10c
OOSTERSE LANDE.—				
(a) Afganistan, Birma, Ceylon, Indië, Pakistan, Portugees-Indië, Thailand, Tibet	17½c	9c	5c	7½c
(b) Broenei, Sjina, Kokoseilande, Formosa, Hongkong, Indonesië, Korea, Macao, Maleise Federasie, Mantsjoerye, Noord-Borneo, Filippyne, Serawak, Timor	22½c	12c	10c	10c
(c) Japan......................	25c	12½c	10c	10c

(Nadere besonderhede word vervat in die pamflet PB7 wat by alle poskantore verkrygbaar is.)

Gewone pakkette na Suidwes-Afrika, Basoetoland, Swaziland en Mosambiek.

Tot 8 onse..............................	5c.
Bo 8 onse tot 1 lb.......................	7c.
Vir elke bykomende lb. of gedeelte daarvan....	7c.

PAKKETTARIEWE VAN SUID-AFRIKA NA ANDER LANDE KAN BY ALLE POSKANTORE VERNEEM WORD.

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