



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

No. 407. 17 Maart 1976.

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

No. 2 van 1976: Wet op die Verbod op Skyntransaksies in Krygstuig, 1976.

No. 407. 17 March 1976.

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

No. 2 of 1976: Simulated Armaments Transactions Prohibition Act, 1976.

Wet No. 2, 1976

WET OP DIE VERBOD OP SKYNTRANSAKSIES IN KRYGSTUIG,
1976.

WET

Om ongemagtigde persone te verbied om voor te gee dat hulle die Staat, die Krygstuigraad of die Krygstuigontwikkelings- en -vervaardigingskorporasie van Suid-Afrika, Beperk, verteenwoordig met betrekking tot krygstuigtransaksies; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 2 Maart 1976.)

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

Woordomskrywing. 1. In hierdie Wet, tensy uit die samehang anders blyk, beteken—

- (i) „korporasie” die Krygstuigontwikkelings- en -vervaardigingskorporasie van Suid-Afrika, Beperk, ingestel kragtens artikel 2 van die Wet op Krygstuigontwikkeling en -vervaardiging, 1968 (Wet No. 57 van 1968); (iii)
- (ii) „krygstuig” krygstuig soos in die Krygstuigwet, 1964 (Wet No. 87 van 1964), omskryf; (i)
- (iii) „raad” die Krygstuigraad by artikel 2 van die Krygstuigwet, 1964, ingestel. (ii)

Verbod op skynhandelinge met betrekking tot krygstuig.

2. Iemand wat in die Republiek of elders op enige wyse hoegenaamd voorgee dat hy, hetsy as agent of gevolmagtigde van of andersins namens die Staat, die raad of die korporasie, van enigiemand krygstuig, inligting daaromtrent of patente, lisensies, konsessies, vervaardigingsregte of iets dergelyks met betrekking tot krygstuig verkry, of dat hy aldus navraag doen omtrent die beskikbaarheid van krygstuig, inligting daaromtrent of patente, lisensies, konsessies, vervaardigingsregte of iets dergelyks met betrekking tot krygstuig, of dat hy aldus onderhandel vir die vestiging van agentskappe in die Republiek ten opsigte van krygstuig, patente, lisensies, konsessies, vervaardigingsregte of iets dergelyks met betrekking tot krygstuig, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens vyfduisend rand of met gevangenisstraf vir 'n tydperk van hoogstens drie jaar of met sodanige boete sowel as met sodanige gevangenisstraf.

Dade wat buite die Republiek plaasvind.

3. 'n Daad wat in artikel 2 beoog word en wat deur iemand gepleeg word buite die Republiek word geag ook in die Republiek gepleeg te wees.

Jurisdiksie.

4. 'n Misdryf beoog in artikel 3 word vir die doeleindes van jurisdiksie geag gepleeg te wees op enige plek waar die beskuldigde hom in die Republiek bevind.

SIMULATED ARMAMENTS TRANSACTIONS PROHIBITION ACT, Act No. 2, 1976
1976.

ACT

To prohibit unauthorized persons from purporting to represent the State, the Armaments Board or the Armaments Development and Production Corporation of South Africa, Limited, in relation to armaments transactions; and to provide for matters connected therewith.

*(Afrikaans text signed by the State President.)
(Assented to 2 March 1976.)*

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

1. In this Act, unless the context otherwise indicates— Definitions.

- (i) "armaments" means armaments as defined in the Armaments Act, 1964 (Act No. 87 of 1964); (ii)
- (ii) "board" means the Armaments Board established by section 2 of the Armaments Act, 1964; (iii)
- (iii) "corporation" means the Armaments Development and Production Corporation of South Africa, Limited, established under section 2 of the Armaments Development and Production Act, 1968 (Act No. 57 of 1968). (i)

2. Any person who, in the Republic or elsewhere, in any manner whatsoever purports to acquire from any person, whether as the agent or authorized representative of or otherwise on behalf of the State, the board or the corporation, armaments, any information in regard thereto or patents, licences, concessions, rights of manufacture or the like in relation to armaments, or so to inquire about the availability of armaments, any information in regard thereto or patents, licences, concessions, rights of manufacture or the like in relation to armaments, or so to negotiate for the establishment of agencies in the Republic with regard to armaments, patents, licences, concessions, rights of manufacture or the like in relation to armaments, shall be guilty of an offence and on conviction liable to a fine not exceeding five thousand rand or to imprisonment for a period not exceeding three years or to both such fine and such imprisonment. Prohibition of simulated acts in relation to armaments.

3. Any act contemplated in section 2 and committed by any person outside the Republic, shall be deemed to have been committed also in the Republic. Acts taking place outside the Republic.

4. Any offence contemplated in section 3 shall for the purposes of jurisdiction be deemed to have been committed in any place in the Republic where the accused happens to be. Jurisdiction.

Wet No. 2, 1976

Toelaatbaarheid
van sekere
verklarings as
getuienis.

WET OP DIE VERBOD OP SKYNTRANSAKSIES IN KRYGSTUIG,
1976.

5. (1) Indien in 'n geding voor 'n hof in die Republiek weens 'n misdryf beoog in artikel 3, die getuienis van iemand verlang word en die hof oortuig is dat so iemand nie in die Republiek opgespoor kan word nie, is as getuienis voor daardie hof toelaatbaar 'n skriftelike verklaring betreffende die onderwerp van daardie geding wat vantevore deur so iemand buite die Republiek onder eed afgelê is en wat aldus afgelê is—

(a) in die teenwoordigheid van die persoon wat van die misdryf aangekla is; en

(b) aan 'n beampte met funksies wat ooreenstem met die funksies, in die Republiek, of van 'n regter of van 'n landdros of van 'n konsulêre beampte.

(2) So 'n verklaring moet gewaarmerk wees deur die handtekening van die beampte voor wie dit afgelê is, wat moet gesertifiseer het dat die betrokke persoon teenwoordig was by die afneem van die verklaring.

(3) Dit is nie nodig om in 'n geding die handtekening of amptelike hoedanigheid van die persoon te bewys wat oënskynlik so 'n verklaring aldus gewaarmerk het of so 'n sertifikaat verstrek het nie, en so 'n sertifikaat is, tensy die teendeel bewys word, voldoende getuienis in 'n geding dat die persoon wat van die misdryf aangekla word, teenwoordig was by die aflê van die verklaring.

(4) Die bepalinge van hierdie artikel doen nie afbreuk nie aan die toelating as getuienis van 'n verklaring wat afgesien van hierdie artikel as getuienis toelaatbaar is.

Kort titel.

6. Hierdie Wet heet die Wet op die Verbod op Skynttransaksies in Krygstuig, 1976.

SIMULATED ARMAMENTS TRANSACTIONS PROHIBITION ACT, Act No. 2, 1976
1976.

5. (1) If in any proceedings before a court in the Republic for an offence contemplated in section 3, the evidence of any person is required and the court is satisfied that that person cannot be found in the Republic, there shall be admissible in evidence before that court any statement in writing relating to the subject matter of those proceedings previously made on oath by that person outside the Republic and which was so made—

Admissibility of certain statements as evidence.

- (a) in the presence of the person charged with the offence; and
- (b) to an officer having functions corresponding to the functions, in the Republic, either of a judge or of a magistrate or of a consular officer.

(2) Any such statement shall be authenticated by the signature of the officer before whom it was made, who shall have certified that the person in question was present at the taking of the statement.

(3) It shall not be necessary in any proceedings to prove the signature or official character of the person appearing so to have authenticated any such statement or to have given such a certificate, and such certificate shall, unless the contrary is proved, be sufficient evidence in any proceedings that the person charged with the offence was present at the making of the statement.

(4) Nothing in this section contained shall prejudice the admission as evidence of any statement which is admissible in evidence apart from this section.

6. This Act shall be called the Simulated Armaments Transactions Prohibition Act, 1976. Short title.

