



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. 482.

31 Maart 1976.

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

No. 21 van 1976: Elektriesiteitswysigingswet, 1976.

No. 482.

31 March 1976.

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

No. 21 of 1976: Electricity Amendment Act, 1976.

Wet No. 21, 1976

ELEKTRISITEITSWYSIGINGSWET, 1976

WET

Tot wysiging van die Elektrisiteitswet, 1958, ten einde die Elektrisiteitsvoorsieningskommissie die bevoegdheid te verleen om onder sekere omstandighede elektrisiteit in gebiede buite die Republiek te voorsien, en die Elektrisiteitsbeheerraad te magtig om onder sekere omstandighede beheer uit te oefen oor die voorsiening van elektrisiteit in sodanige gebiede; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 15 Maart 1976.)

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

Vervanging van artikel 4*bis* van Wet 40 van 1958, soos ingevoeg deur artikel 2 van Wet 10 van 1964.

1. Artikel 4*bis* van die Elektrisiteitswet, 1958, word hierby deur die volgende artikel vervang:

„Voorsiening van elektrisiteit by punte op die grense van die Republiek, en in gebiede buite die Republiek.

4A. (1) Benewens die bevoegdhede wat by artikel 4 aan die kommissie verleen is, het hy ook die bevoegdheid—

(a) om van enige van sy ondernemings elektrisiteit in groot maat te voorsien—

(i) aan die korporasie by enige punt op die grens tussen die Republiek en die gebied Suidwes-Afrika, vir sy eie gebruik in genoemde gebied of ten einde dit vir ander vir gebruik daarin beskikbaar te stel; of

(ii) aan enige ander persoon (met inbegrip van enige regering of administrasie) by enige punt op die grens tussen die Republiek en enige gebied wat daaraan grens, vir gebruik deur daardie persoon in sodanige gebied of ten einde dit vir ander vir gebruik daarin beskikbaar te stel;

(b) om op versoek van of met die vooraf verkreeë goedkeuring van die Minister in enige gebied buite die Republiek elektrisiteit van enige van sy ondernemings in die Republiek te voorsien en te distribueer, of elektrisiteit te ontwikkel, te voorsien en te distribueer in so 'n gebied wat sodanige voorsiening en distribusie, of ontwikkeling, voorsiening en distribusie, na gelang van die geval, versoek het;

ELECTRICITY AMENDMENT ACT, 1976

Act No. 21, 1976

ACT

To amend the Electricity Act, 1958, so as to empower the Electricity Supply Commission to supply electricity in territories outside the Republic in certain circumstances, and to authorize the Electricity Control Board to exercise control over the supply of electricity in such territories in certain circumstances; and to provide for matters connected therewith.

(English text signed by the State President.)
(Assented to 15 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. The following section is hereby substituted for section 4*bis* of the Electricity Act, 1958:

Substitution of section 4*bis* of Act 40 of 1958, as inserted by section 2 of Act 10 of 1964.

"Supply of electricity at points on the borders of the Republic, and in territories outside the Republic.

4A. (1) The commission shall, in addition to the powers conferred upon it by section 4, have power—

(a) to supply electricity in bulk from any of its undertakings—

(i) to the corporation at any point on the border between the Republic and the territory of South West Africa, for use by itself in the said territory or for the purpose of making it available to others for use therein; or

(ii) to any other person (including any government or administration) at any point on the border between the Republic and any territory adjoining it, for use by that person in such territory or for the purpose of making it available to others for use therein;

(b) at the request or with the prior approval of the Minister, to supply and distribute electricity from any of its undertakings in the Republic in any territory outside the Republic, or to generate, supply and distribute electricity in any such territory which has requested such supply and distribution, or generation, supply and distribution, as the case may be;

Wet No. 21, 1976

ELEKTRISITEITSWYSIGINGSWET, 1976

- (c) om in enige gebied buite die Republiek as agent van die korporasie op te tree met betrekking tot enigiets wat die korporasie in sodanige gebied kan doen in verband met die ontwikkeling, voorsiening of distribusie van elektrisiteit.
- (2) (a) Behoudens die bepalings van paragraaf (b) van hierdie subartikel is die bepalings van hierdie Wet, vir sover hulle toegepas kan word, *mutatis mutandis* van toepassing in verband met die voorsiening van elektrisiteit ingevolge subartikel (1) (a) by enige punt op die grense van die Republiek asof sodanige punt 'n gebied binne die Republiek is en asof enige elektrisiteit wat aldus voorsien word vir gebruik in so 'n gebied bestem is.
- (b) Ondanks andersluidende bepalings van hierdie Wet, is die bedinge en voorwaardes waarop elektrisiteit ingevolge subartikel (1) (a) (ii) of (b) deur die kommissie voorsien of ontwikkel en voorsien kan word, dié waarop onderling deur die kommissie en die persoon (met inbegrip van enige regering of administrasie) wat voorsien gaan word, ooreengekom en wat deur die Minister goedgekeur word.
- (3) Wanneer hy as die agent van die korporasie optree ingevolge subartikel (1) (c), het die kommissie in enige in genoemde subartikel bedoelde gebied al die bevoegdhede met betrekking tot die ontwikkeling, voorsiening of distribusie van elektrisiteit wat die korporasie in verband daarmee in sodanige gebied het, en vir daardie doel word enige verwysing na die korporasie in enige wet aangaande die bevoegdhede, pligte en werksaamhede van die korporasie uitgelê as 'n verwysing na die kommissie.
- (4) Die Minister kan met instemming van die Minister van Finansies die kommissie vrywaar teen verliese wat die kommissie mag ly as gevolg van 'n handeling of versuim van die regering of administrasie van 'n gebied buite die Republiek."

Wysiging van
artikel 22 van
Wet 40 van 1958.

2. Artikel 22 van die Elektrisiteitswet, 1958, word hierby gewysig deur na subartikel (4) die volgende subartikel in te voeg:

„(4A) Die raad kan op versoek van die regering of administrasie van 'n gebied buite die Republiek, volgens voorskrif van die bepalings van hierdie Wet en die regulasies in bedoelde versoek vermeld, onderworpe aan die voorwaardes, wysigings, uitsonderings en byvoegings waarop onderling deur die Minister en sodanige regering of administrasie ooreengekom word, beheer uitoefen oor die voorsiening en distribusie, of ontwikkeling, voorsiening en distribusie, van elektrisiteit deur die kommissie ingevolge artikel 4A (1) (b), of deur 'n private onderneming, in sodanige gebied."

Vervanging van
„eenheid" en
„miljoen eenhede".

3. Die Elektrisiteitswet, 1958, word hierby gewysig deur die uitdrukkings „eenheid" en „miljoen eenhede", waar hulle ook al voorkom, te vervang deur onderskeidelik die uitdrukkings „kilowatt-uur" en „Gigawatt-uur".

Kort titel.

4. Hierdie Wet heet die Elektrisiteitswysigingswet, 1976.

ELECTRICITY AMENDMENT ACT, 1976

Act No. 21, 1976

(c) to act as the agent of the corporation in any territory outside the Republic in regard to anything which the corporation may do in such territory in connection with the generation, supply or distribution of electricity.

(2) (a) Subject to the provisions of paragraph (b) of this subsection, the provisions of this Act shall, in so far as they can be applied, apply *mutatis mutandis* in connection with the supply of electricity in terms of subsection (1) (a) at any point on the borders of the Republic as if such point were an area within the Republic and as if any electricity so supplied were intended for use in such an area.

(b) Notwithstanding anything to the contrary in this Act contained, the terms and conditions on which electricity may be supplied or generated and supplied by the commission in terms of subsection (1) (a) (ii) or (b), shall be such as may be mutually agreed upon between the commission and the person (including any government or administration) to be supplied, and approved by the Minister.

(3) When acting as the agent of the corporation in terms of subsection (1) (c), the commission shall have, in any territory referred to in the said paragraph, all such powers in regard to the generation, supply or distribution of electricity as the corporation has in connection therewith in such territory, and for that purpose any reference to the corporation in any law relating to the powers, duties and functions of the corporation shall be construed as a reference to the commission.

(4) The Minister may with the concurrence of the Minister of Finance indemnify the commission against any losses it may incur consequent on any act or omission of the government or administration of any territory outside the Republic."

2. Section 22 of the Electricity Act, 1958, is hereby amended by the insertion after subsection (4) of the following subsection: Amendment of section 22 of Act 40 of 1958.

"(4A) The board may at the request of the government or administration of any territory outside the Republic, exercise control, as provided in such provisions of this Act and the regulations as may be specified in such request, subject to such conditions, modifications, exceptions and additions as may be mutually agreed upon between the Minister and such government or administration, over the supply and distribution, or generation, supply and distribution, of electricity by the commission in terms of section 4A (1) (b), or by any private undertaking, in such territory."

3. The Electricity Act, 1958, is hereby amended by the substitution for the expressions "unit" and "million units", wherever they occur, of the expressions "kilowatt hour" and "Gigawatt hour" respectively. Substitution of "unit" and "million units".

4. This Act shall be called the Electricity Amendment Act, Short title. 1976.

