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GOVERNMENT GAZETTE

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KAAPSTAD, 26 MEI 1976

DEPARTMENT OF THE PRIME MINISTER

No. 914.

26 May 1976.

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

No. 73 of 1976: Broadcasting Act, 1976.

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 914.

26 Mei 1976.

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

No. 73 van 1976: Uitsaaiwet, 1976.

Wet No. 73, 1976

UITSAAIWET, 1976

WET

Tot samevatting en wysiging van sekere wette met betrekking tot die Suid-Afrikaanse Uitsaaikorporasie en die beheer van uitsaai in die Republiek en die gebied Suidwes-Afrika; om die Suid-Afrikaanse Uitsaaikorporasie te magtig om sekere lisensies uit te reik; om die Radiowet, 1952, te wysig, en sekere wette te herroep; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

*(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 14 Mei 1976.)*

Woordomskrywing.

1. (1) Tensy uit die samehang anders blyk, beteken in hierdie Wet—

- (i) „inspekteur” iemand wat kragtens artikel 21 gemagtig is om 'n bevoegdheid in daardie artikel vermeld, uit te oefen; (iv)
- (ii) „klankradiostel” 'n toestel wat oorsendings wat in 'n uitsaaidiens uitgesaai word deur middel van radio kan ontvang en in die vorm van klanke maar nie ook in die vorm van beelde of ander sigbare tekens of seine nie, kan weergee; (xiv)
- (iii) „korporasie” die Suid-Afrikaanse Uitsaaikorporasie in artikel 2 vermeld; (iii)
- (iv) „lisensiejaar” die tydperk vanaf 1 Oktober in 'n jaar tot 30 September in die daaropvolgende jaar; (v)
- (v) „luisteraarslisensie” 'n lisensie ingevolge hierdie Wet uitgereik vir die gebruik van 'n klankradiostel om enigets wat in 'n uitsaaidiens uitgesaai word, te ontvang; (vi)
- (vi) „Minister” die Minister van Nasionale Opvoeding; (vii)
- (vii) „plek”, met betrekking tot die gebruik van 'n klankradiostel of 'n televisiestel, ook 'n gebou, gedeelte van 'n gebou, erf, standplaas of ander perseel van enige aard; (viii)
- (viii) „raad” die Raad van die Suid-Afrikaanse Uitsaaikorporasie in artikel 3 vermeld; (i)
- (ix) „radio” elektromagnetiese golwe van frekwensies laer as 3 000 GHz wat in die ruimte voortgeplant word sonder kunsmatige geleiding; (ix)
- (x) „radiohandelaar” die houer van 'n radiohandelaarsregistrasiesertifikaat uitgereik kragtens artikel 7 van die Radiowet; (xi)
- (xi) „Radiowet” die Radiowet, 1952 (Wet No. 3 van 1952); (x)
- (xii) „regulasie” 'n regulasie kragtens hierdie Wet uitgevaardig; (xii)
- (xiii) „Republiek” ook die gebied Suidwes-Afrika; (xiii)
- (xiv) „televisielisensie” 'n lisensie ingevolge hierdie Wet uitgereik vir die gebruik van 'n televisiestel om enigets wat in 'n uitsaaidiens uitgesaai word, te ontvang; (xv)

BROADCASTING ACT, 1976

Act No. 73, 1976

ACT

To consolidate and amend certain laws relating to the South African Broadcasting Corporation and the control of broadcasting in the Republic and the territory of South West Africa; to authorize the South African Broadcasting Corporation to issue certain licences; to amend the Radio Act, 1952, and repeal certain laws; and to provide for matters connected therewith.

*(English text signed by the State President.)
(Assented to 14 May 1976.)*

1. (1) In this Act, unless inconsistent with the context—
- (i) “board” means the Board of the South African Broadcasting Corporation mentioned in section 3; (viii)
 - (ii) “broadcasting service” means a telecommunication service of transmissions consisting of sounds, images, signs or signals which takes place by means of radio and is intended for reception by the general public; (xvi)
 - (iii) “corporation” means the South African Broadcasting Corporation mentioned in section 2; (iii)
 - (iv) “inspector” means a person authorized under section 21 to exercise any power mentioned in that section; (i)
 - (v) “licensing year” means the period from 1 October in any year to 30 September in the next ensuing year; (iv)
 - (vi) “listener’s licence” means a licence issued in terms of this Act for the use of a sound radio set to receive anything broadcast in a broadcasting service; (v)
 - (vii) “Minister” means the Minister of National Education; (vi)
 - (viii) “place”, with reference to the use of a sound radio set or a television set, includes any building, part of a building, erf, stand or other premises of any nature; (vii)
 - (ix) “radio” means electromagnetic waves of frequencies lower than 3 000 GHz transmitted in space without an artificial conductor; (ix)
 - (x) “Radio Act” means the Radio Act, 1952 (Act No. 3 of 1952); (xi)
 - (xi) “radio dealer” means the holder of a radio dealer’s registration certificate issued under section 7 of the Radio Act; (x)
 - (xii) “regulation” means a regulation issued under this Act; (xii)
 - (xiii) “Republic” includes the territory of South West Africa; (xiii)
 - (xiv) “sound radio set” means a device capable of receiving, by radio, transmissions broadcast in a broadcasting service, and reproducing them in the form of sounds, but not also in the form of images or other visible signals; (ii)

Definitions.

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- (xv) „televisiestel” ’n toestel wat oorsendings wat in ’n uitsaaidiens uitgesaai word deur middel van radio kan ontvang en in die vorm van beelde of ander sigbare tekens of seine, met of sonder gepaardgaande klanke, kan weergee; (xvi)
- (xvi) „uitsaaidiens” ’n telekommunikasiediens van oorsending wat uit klanke, beelde, tekens of seine bestaan en deur middel van radio geskied en wat bedoel is vir ontvangs deur die algemene publiek. (ii)
- (2) By die toepassing van hierdie Wet word oorsending van programme deur die korporasie deur middel van kabels of drade soos in artikel 11 (c) beoog, geag ’n uitsaaidiens te wees en word „uitsaai” dienooreenkomsdig uitgelê, en word enige toestel wat gebruik word om sodanige oorsendings te ontvang en wat dit in die vorm van klanke, beelde of seine kan weergee—
- (a) geag ’n klankradiostel te wees, indien dit die oorsendings slegs in die vorm van klanke kan weergee;
 - (b) geag ’n televisiestel te wees, indien dit die oorsendings in die vorm van beelde of ander sigbare seine met of sonder gepaardgaande klanke kan weergee.

Voorbestaan van die korporasie.

2. Die Suid-Afrikaanse Uitsaaikorporasie ingestel ingevolge die Uitsaaiwet, 1936 (Wet No. 22 van 1936), bly, ondanks die herroeping van daardie Wet deur hierdie Wet, voorbestaan en bly ’n regspersoon.

Raad van die korporasie.

3. Die sake van die korporasie word bestuur en beheer deur ’n raad wat die Raad van die Suid-Afrikaanse Uitsaaikorporasie heet.

Samestelling van die raad.

4. (1) Die raad bestaan uit die aantal lede, maar hoogstens nege en minstens vyf, wat die Staatspresident van tyd tot tyd bepaal.

(2) ’n Lid van die raad word deur die Staatspresident aangestel.

(3) Die Staatspresident wys een van die lede van die raad as voorsitter en ’n ander lid as vise-voorsitter van die raad aan vir die onderskeie tydperke wat hy goedvind.

(4) Wanneer die voorsitter van die raad afwesig is of nie in staat is om sy werksaamhede te verrig nie, tree die vise-voorsitter in sy plek op en wanneer hy aldus optree, kan die vise-voorsitter enige bevoegdheid of werksaamheid van die voorsitter uitoefen of verrig.

(5) Elke aanstelling van ’n lid van die raad word in die *Staatskoerant* bekend gemaak.

Ampstermyn van lid van die raad.

5. (1) ’n Lid van die raad beklee sy amp, behoudens die bepalings van subartikel (3), vir die tydperk wat die Staatspresident van tyd tot tyd bepaal maar wat vyf jaar nie te bove gaan nie: Met dien verstande dat ’n lid wat aangestel is om ’n toevallige vakature te vul, sy amp beklee vir die onverstreke gedeelte van die tydperk waarvoor die uittredende lid aangestel was.

(2) Iemand wie se ampstermyn as lid van die raad verstryk het, kan weer aangestel word.

(3) ’n Lid van die raad ontruim sy amp—

- (a) indien sy boedel gesekwestreer word; of
- (b) indien hy weens ’n misdryf skuldig bevind en tot gevangenisstraf sonder die keuse van ’n boete veroordeel word; of
- (c) indien hy by skriftelike kennisgewing aan die Staatspresident as lid bedank; of
- (d) indien hy kragtens subartikel (4) van sy amp onthef word.

(4) Die Staatspresident kan ’n lid van die raad te eniger tyd van sy amp onthef indien daar na sy oordeel gegronde rede daarvoor bestaan.

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(xv) "television licence" means a licence issued in terms of this Act for the use of a television set to receive anything broadcast in a broadcasting service; (xiv)

(xvi) "television set" means a device which is capable of receiving, by radio, transmissions broadcast in a broadcasting service, and reproducing them in the form of images or other visible signals, with or without accompanying sounds. (xv)

(2) For the purposes of this Act, the transmission of programmes by the corporation by means of cables or wires as contemplated in section 11 (c), shall be deemed to be a broadcasting service and "broadcast" shall be construed accordingly, and any device used for receiving such transmissions and capable of reproducing them in the form of sounds, images or signals, shall—

- (a) be deemed to be a sound radio set, if it can reproduce the transmissions in the form of sounds only;
- (b) be deemed to be a television set, if it can reproduce the transmissions in the form of images or other visible signals, with or without accompanying sounds.

2. The South African Broadcasting Corporation established in terms of the Broadcasting Act, 1936 (Act No. 22 of 1936), shall, notwithstanding the repeal of that Act by this Act, continue to exist and to be a juristic person. Continued existence of the corporation.

3. The affairs of the corporation shall be managed and controlled by a board to be called the Board of the South African Broadcasting Corporation. Board of the corporation.

4. (1) The board shall consist of such number of members not exceeding nine but at least five as the State President may determine from time to time. Constitution of the board.

(2) A member of the board shall be appointed by the State President.

(3) The State President shall designate one member of the board as chairman and another member as vice-chairman of the board for such periods respectively as he may deem fit.

(4) Whenever the chairman of the board is absent or unable to perform his functions, the vice-chairman shall act in his stead and, when so acting, the vice-chairman may exercise or perform any power or function of the chairman.

(5) Every appointment of a board member shall be notified in the *Gazette*.

5. (1) A member of the board shall hold office, subject to the provisions of subsection (3), for such period as the State President may determine from time to time but not exceeding five years: Provided that a member appointed to fill a casual vacancy shall hold office for the unexpired portion of the period for which the vacating member was appointed. Period of office of member of the board.

(2) A person whose period of office as a member of the board has expired shall be eligible for re-appointment.

(3) A member of the board shall vacate his office—

- (a) if his estate is sequestrated; or
- (b) if he is convicted of an offence and sentenced to imprisonment without the option of a fine; or
- (c) if he resigns as a member by written notice to the State President; or
- (d) if he is removed from his office under subsection (4).

(4) The State President may remove a member of the board from his office at any time if in his opinion there are sound reasons for doing so.

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Besoldiging en ander voorwaardes van aanstelling in die raad.

6. (1) Aan 'n lid van die raad—
 (a) word uit die inkomste van die korporasie die besoldiging betaal wat die Minister van tyd tot tyd bepaal;
 (b) kan uit genoemde inkomste die toelaes wat die Minister aldus bepaal, betaal word ten aansien van koste deur hom aangegaan in verband met die verrigting van sy werksaamhede: Met dien verstande dat toelaes ten aansien van koste aangegaan as lid van 'n komitee kragtens artikel 8 ingestel, deur die raad bepaal word;
 (c) kan die verdere regte, voorregte of voordele deur die korporasie verleen word wat die Minister aldus bepaal.

(2) Die besoldiging, toelaes en ander regte, voorregte of voordele kragtens subartikel (1) bepaal, kan verskil na gelang dit ten opsigte van die voorsitter of die vise-voorsitter of 'n ander lid bepaal word.

Vergaderings en besluite van die raad.

7. (1) Die raad vergader op die tye en plekke wat die voorsitter bepaal: Met dien verstande dat 'n spesiale vergadering van die raad deur die voorsitter belê moet word op skriftelike aansoek van minstens drie lede van die raad, en indien bedoelde aansoek die doel waarvoor die vergadering belê moet word, duidelik uiteensit.

(2) Die meerderheid van die lede van die raad maak 'n kworum vir 'n vergadering van die raad uit.

(3) As die voorsitter en die vise-voorsitter van 'n vergadering afwesig is, kies die aanwesige lede uit hul geledere iemand om op daardie vergadering voor te sit en wat op daardie vergadering enige bevoegdheid of werksaamheid van die voorsitter kan uitoeft of verrig.

(4) Die besluit van 'n meerderheid van die lede wat op 'n vergadering van die raad aanwesig is, is die besluit van die raad, en by 'n staking van stemme het die persoon wat op die vergadering voorsit 'n beslissende stem benewens sy beraadslagende stem.

(5) Geen besluit van die raad of handeling op gesag van die raad verrig, is ongeldig nie bloot vanweë 'n vakature in die raad of omdat iemand wat nie geregtig was om sitting as lid van die raad te neem nie, aldus sitting geneem het toe die besluit geneem of die handeling gemagtig is, mits die besluit geneem of die handeling gemagtig is deur die meerderheid van die lede wat toe aanwesig was en geregtig was om sitting as lede van die raad te neem.

Komitees van die raad.

8. (1) Die raad kan komitees instel om hom by die verrigting van sy werksaamhede by te staan en kan die lede van die raad wat hy goedvind, as lede van sodanige komitees aanstel.

(2) 'n Komitee kragtens subartikel (1) ingestel, vergader op die tye en plekke wat die raad bepaal.

Bantoeprogramadviesraad.

9. (1) Daar word 'n raad wat die Bantoeprogramadviesraad heet, ingestel om die raad van advies te dien oor programme wat deur die korporasie vir ontvangs deur Bantoepersone uitgesaai word.

(2) Die Bantoeprogramadviesraad bestaan uit die voorsitter van die raad en die aantal ander lede, maar minstens drie en hoogstens vyf, wat die Minister van tyd tot tyd bepaal.

(3) Bedoelde ander lede, wat nie ook lede van die raad kan wees nie, word deur die Minister aangestel.

(4) Die voorsitter van die raad is voorsitter van die Bantoeprogramadviesraad, en wanneer hy afwesig is of nie in staat is om sy werksaamhede te verrig nie, tree die vise-voorsitter van die raad in sy plek op.

(5) Die bepalings van artikels 5, 6, 7 en 8 is *mutatis mutandis* van toepassing met betrekking tot die Bantoeprogramadviesraad en 'n lid daarvan, en by sodanige toepassing van die bepalings van artikel 5 word 'n verwysing in daardie artikel na die Staatspresident uitgelê as 'n verwysing na die Minister.

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6. (1) A member of the board—
 (a) shall be paid from the revenues of the corporation such remuneration as the Minister may determine from time to time;
 (b) may be paid from the said revenues such allowances as the Minister may so determine, in respect of expenses incurred by him in connection with the performance of his functions: Provided that any allowances in respect of expenses incurred as a member of a committee established under section 8, shall be determined by the board;
 (c) may be granted such further rights, privileges or benefits by the corporation as the Minister may so determine.
- (2) The remuneration, allowances and other rights, privileges or benefits determined under subsection (1) may differ according as to whether they are determined in respect of the chairman or the vice-chairman or any other member.

Remuneration and
other conditions
of appointment
to the board.

7. (1) The board shall meet at the times and places determined by the chairman: Provided that a special meeting of the board shall be convened by the chairman of the board upon the requisition in writing of at least three members of the board, and if the said requisition clearly states the purpose for which the meeting is to be convened.

Meetings and
decisions of
the board.

(2) The majority of the members of the board shall form a quorum for a meeting of the board.

(3) If the chairman and the vice-chairman are absent from any meeting, the members present shall elect one from among their number to preside at that meeting and who may at that meeting exercise or perform any power or function of the chairman.

(4) The decision of a majority of the members of the board who are present at a meeting of the board shall be the decision of the board, and in the event of an equality of votes the person presiding at the meeting shall have a casting vote in addition to his deliberative vote.

(5) No decision of the board or act performed under the authority of the board shall be invalid by reason only of a vacancy on the board or by reason only of the fact that a person not entitled to sit as a member of the board sat as such a member at the time when such decision was taken or such act was authorized, provided that the decision was taken or the act was authorized by the majority of the members who were present at the time and entitled to sit as members of the board.

8. (1) The board may establish committees to assist it in the performance of its functions, and may appoint as members of the board such committees such members of the board as it may deem fit.

(2) A committee established under subsection (1) shall meet at such times and places as the board may determine.

9. (1) There shall be established a board which shall be called the Bantu Programme Advisory Board, to advise the board in regard to programmes broadcast by the corporation for reception by Bantu persons.

(2) The Bantu Programme Advisory Board shall consist of the chairman of the board and such number of other members, but not fewer than three or more than five, as the Minister may determine from time to time.

(3) Such other members, who may not also be members of the board, shall be appointed by the Minister.

(4) The chairman of the board shall be chairman of the Bantu Programme Advisory Board, and whenever he is absent or unable to perform his functions, the vice-chairman of the board shall act in his stead.

(5) The provisions of sections 5, 6, 7 and 8 shall apply *mutatis mutandis* with reference to the Bantu Programme Advisory Board and any member thereof, and for the purpose of so applying the provisions of section 5, any reference in that section to the State President shall be construed as a reference to the Minister.

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Televisieprogram-
adviesraad.

10. (1) Die Minister kan 'n raad wat die Televisieprogramadviesraad heet, instel om die raad van advies te dien oor televisieprogramme wat deur die korporasie uitgesaai word.

(2) Die Televisieprogramadviesraad (indien daar een is) bestaan uit die voorsitter van die raad en die aantal ander lede, maar minstens drie en hoogstens vyf, wat die Minister van tyd tot tyd bepaal.

(3) Bedoelde ander lede, wat nie ook lede van die raad kan wees nie, word deur die Minister aangestel.

(4) Die voorsitter van die raad is voorsitter van die Televisieprogramadviesraad, en wanneer hy afwesig is of nie in staat is om sy werkzaamhede te verrig nie, tree die vise-voorsitter van die raad in sy plek op.

(5) Die bepalings van artikels 5, 6, 7 en 8 is *mutatis mutandis* van toepassing met betrekking tot die Televisieprogramadviesraad en 'n lid daarvan, en by sodanige toepassing van artikel 5 word 'n verwysing in daardie artikel na die Staatspresident uitgelê as 'n verwysing na die Minister.

Oogmerke van
die korporasie.

11. Die oogmerke van die korporasie is—

- (a) om 'n uitsaaidiens in die Republiek voort te sit;
- (b) om, op versoek van die Minister en op die voorwaardes wat hy bepaal, programme uit te saai vir ontvangs in 'n land of gebied buite die Republiek;
- (c) om programme deur middel van kabels of drade oor te send vir ontvangs deur lede van die publiek in die algemeen of van enige kategorie van persone in 'n bepaalde gebied of op 'n bepaalde plek.

Regte en ver-
pligtinge van die
korporasie in
verband met sy
oogmerke.

12. (1) Die korporasie mag nie uit hoofde van die bevoegdhede wat by hierdie Wet aan hom verleen word enigets doen waarvoor 'n lisensie ingevolge artikel 7 van die Radiowet of artikel 78 van die Poswet, 1958 (Wet No. 44 van 1958), nodig is nie tensy hy die betrokke lisensie verkry het en aan die voorwaardes daarvan voldoen.

(2) Ondanks andersluidende bepalings van die Radiowet of van die Poswet, 1958, of van 'n ander wet—

- (a) is die korporasie, teen betaling van die gelde (indien daar is) wat die Minister van Pos- en Telekommunikasiewese in oorleg met die Minister bepaal, geregtig op die uitreiking aan hom van 'n lisensie in subartikel (1) bedoel, behalwe 'n lisensie vir die oprig of aanlê van kabels of drade vir die doeleindes van artikel 11 (c);
- (b) moet enige voorwaarde wat kragtens artikel 7 (2) (b) van die Radiowet deur die Minister op die korporasie as houer van 'n uitsaailisensie gelê word, in die *Staatskoerant* bekend gemaak word;
- (c) word 'n lisensie wat uit hoofde van die bepalings van hierdie artikel aan die korporasie uitgereik word, vir 'n onbepaalde typerk uitgereik en word dit nie opgeskort of ingetrek nie behalwe met die goedkeuring van die Minister.

(3) Die korporasie stel sy uitsaiprogramme op en voer hulle uit met behoorlike inagneming van die belang van die Engelse, die Afrikaanse en die Bantoekultuur.

Algemene
bevoegdhede van
die korporasie.

13. (1) Die korporasie kan vir die uitvoering van sy oogmerke—

- (a) binne of, met die goedkeuring van die Minister, buite die Republiek uitsaastasies en installasies en geriewe in verband daar mee oprig of verkry en toerusting daarvoor of regte in verband daar mee verkry;

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10. (1) The Minister may establish a board, which shall be called the Television Programme Advisory Board, to advise the board in regard to television programmes broadcast by the corporation.

Television
Programme
Advisory Board.

(2) The Television Programme Advisory Board (if any) shall consist of the chairman of the board and such number of other members, but not fewer than three or more than five, as the Minister may determine from time to time.

(3) Such other members, who may not also be members of the board, shall be appointed by the Minister.

(4) The chairman of the board shall be chairman of the Television Programme Advisory Board, and whenever he is absent or unable to perform his functions, the vice-chairman of the board shall act in his stead.

(5) The provisions of sections 5, 6, 7 and 8 shall apply *mutatis mutandis* with reference to the Television Programme Advisory Board and any member thereof, and for the purpose of so applying the provisions of section 5, any reference in that section to the State President shall be construed as a reference to the Minister.

11. The objects of the corporation shall be—Objects of the
corporation.

- (a) to carry on a broadcasting service in the Republic;
- (b) at the request of the Minister and subject to such conditions as he may determine, to broadcast programmes for reception in a country or territory outside the Republic;
- (c) to transmit programmes by means of cables or wires for reception by members of the public in general or of any category of persons in a particular area or at a particular place.

12. (1) The corporation may not by virtue of the powers conferred upon it by this Act do anything for which a licence is required in terms of section 7 of the Radio Act or section 78 of the Post Office Act, 1958 (Act No. 44 of 1958), unless it has obtained the licence in question and complies with the conditions thereof.

Rights and
obligations of the
corporation in
connection with
its objects.

(2) Notwithstanding anything to the contrary contained in the Radio Act or the Post Office Act, 1958, or any other law—

- (a) the corporation shall be entitled, against payment of such fees (if any) as the Minister of Posts and Telecommunications may determine in consultation with the Minister, to the issue to it of any licence contemplated in subsection (1) except a licence for the erection or laying of cables or wires for the purpose of section 11 (c);
- (b) any condition imposed under section 7 (2) (b) of the Radio Act by the Minister upon the corporation as holder of a broadcasting licence, shall be notified in the *Gazette*;
- (c) any licence issued to the corporation by virtue of the provisions of this section, shall be issued for an indefinite period and shall not be suspended or withdrawn except with the approval of the Minister.

(3) The corporation shall frame and carry out its broadcasting programmes with due regard to the interests of English, Afrikaans and Bantu culture.

13. (1) The corporation may, for the purpose of carrying out its objects—

General powers
of the corporation.

- (a) within or, with the approval of the Minister, outside the Republic acquire or erect broadcasting stations and any installations and facilities in connection therewith and acquire any equipment therefor or rights in connection therewith;

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- (b) ooreenkomste aangaan met betrekking tot die verskaffing aan die korporasie deur enige persoon, liggaaam of regering van programme, inligting of nuus vir aanbieding deur die korporasie hetsy deur middel van heruitsending of op 'n ander wyse;
- (c) gebeurtenisse van die dag of beskrywings daarvan of kommentaar daarop uitsaai vanaf die plek waar dit plaasvind;
- (d) ooreenkomste aangaan met die regering of administrasie van 'n land of gebied in artikel 11 (b) bedoel met betrekking tot die aldus bedoelde uitsending en ontvangs van programme;
- (e) advertensies werf en, behoudens die bepalings van subartikel (2), uitsaai;
- (f) orkeste, musiekorpse en kore stig, die dienste van artieste en voordraers verkry, en openbare konserte en uitvoerings reël of subsidieer;
- (g) oueursregte, voordraersregte, patentregte en ander regte verkry;
- (h) leesstof en opnames wat betrekking het op uitsaai saamstel, druk, uitgee of versprei;
- (i) roerende of onroerende goed of regte daarop verkry;
- (j) geboue oprig;
- (k) sy belang laat verseker;
- (l) enige van sy bates vervreem of op 'n ander wyse daarmee handel;
- (m) enigets anders doen wat in verband staan met en na sy oordeel nodig of wenslik is vir die bereiking van sy oogmerke.

(2) Die korporasie saai nie advertensies deur middel van televisie uit nie behalwe met die goedkeuring van die Minister en in ooreenstemming met die voorwaardes of vereistes deur hom bepaal: Met dien verstande dat sodanige voorwaardes en vereistes nie op die tariewe waarteen advertensies soos voormeld uitgesaai word, betrekking het nie.

Personnel van die korporasie.

14. (1) Die korporasie kan die beampes en ander werknekmers wat hy vir die bereiking van sy oogmerke nodig ag, in diens neem, en kan hulle pligte en salaris, lone, toelaes of ander besoldiging en hul ander diensvoorwaardes in die algemeen bepaal.

(2) Die korporasie kan—

- (a) deur middel van die stigting van 'n behuisingsfonds of op 'n ander wyse voorsiening maak vir die verskaffing van huisvesting aan sy beampes en ander werknekmers op die bedinge en voorwaardes wat hy bepaal;
- (b) verenigings of inrigtings ter bevordering van die belang van sy beampes en ander werknekmers of hul afhanklikes stig of ondersteun;
- (c) hulpfondse vir die verlening van bystand, onder die omstandighede wat hy goedkeur, aan sy beampes en ander werknekmers of hul afhanklikes stig of ondersteun;
- (d) 'n beursfonds stig om in belang van die korporasie die opleiding of verdere opleiding van bestaande of toekomstige beampes en ander werknekmers van die korporasie te finansier of te help finansier;
- (e) vir sy beampes en ander werknekmers of hul afhanklikes deur middel van versekering by 'n versekeringsmaatskappy of van 'n pensioen- of ondersteuningsfonds of op 'n ander wyse voorsiening maak vir gelde-like voordele by uitdienstreding of beëindiging van diens of op enige ander tydstip.

Onteieningsbevoegdheid van die korporasie.

15. (1) Ondanks andersluidende wetsbepalings kan die korporasie met die goedkeuring van die Minister en onderworpe aan die voorwaardes wat hy oplê, deur onteiening—

- (a) grond of 'n reg in of oor grond verkry wat nodig is vir die oprigting van send- of ontvangsapparaat en die

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- (b) enter into agreements in relation to the supplying of programmes, information or news to the corporation by any person, body or government for presentation by the corporation by re-transmission or otherwise;
- (c) broadcast current events or descriptions thereof or commentaries thereon from the locality where they are taking place;
- (d) enter into agreements with the government or administration of a country or territory contemplated in section 11 (b) in relation to the broadcasting and reception of programmes so contemplated;
- (e) canvass and, subject to the provisions of subsection (2), broadcast advertisements;
- (f) establish orchestras, bands and choirs, acquire the services of artists and performers, and arrange or subsidize public concerts and performances;
- (g) acquire copyrights, performers' rights, patent rights and other rights;
- (h) compile, print, publish or distribute any literary matter and recordings relating to broadcasting;
- (i) acquire any movable or immovable property or interest therein;
- (j) erect buildings;
- (k) cause its interests to be insured;
- (l) alienate or otherwise deal with any of its assets;
- (m) do any other thing incidental to and, in its opinion, necessary or desirable for the attainment of its objects.

(2) The corporation shall not broadcast any advertisements by means of television except with the approval of the Minister and in accordance with the conditions or requirements determined by him: Provided that such conditions and requirements shall not relate to the tariffs at which any advertisements are broadcast as aforesaid.

14. (1) The corporation may engage such officers and other Staff of the employees as it may deem necessary for the attainment of its corporation. objects, and may determine their duties and salaries, wages, allowances or other remuneration and their other conditions of service in general.

(2) The corporation may—

- (a) by means of the establishment of a housing fund or in any other manner provide for the provision of housing to its officers and other employees on such terms and conditions as it may determine;
- (b) establish or support associations or institutions for the promotion of the interests of its officers and other employees or their dependants;
- (c) establish or support aid funds for the rendering of assistance to its officers and other employees or their dependants under such circumstances as it may approve;
- (d) establish a bursary fund to finance or assist in financing in the interests of the corporation the training or further training of existing or prospective officers and other employees of the corporation;
- (e) provide for its officers and other employees or their dependants, by means of insurance with an insurance company or a pension or provident fund or in any other manner, pecuniary benefits upon retirement or termination of service or at any other time.

15. (1) Notwithstanding anything to the contrary contained in any law, the corporation may, with the approval of the Minister and subject to such conditions as he may impose, by expropriation—

- (a) acquire any land or right in or over land required for the erection of transmission or receiving plant and

Expropriation powers of the corporation.

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geboue, maste, kragopwekkers of ander toebehore en omheinings wat daarmee in verband staan;

- (b) grond of 'n reg in of oor grond verkry wat nodig is vir 'n toegangspad na sodanige send- of ontvangsapparaat of vir 'n deurgangsreg vir die aanlê en gebruik van so 'n pad of die oprigting, instandhouding of inspeksie van krag- of programleidings.

(2) Die Minister verleen nie sodanige goedkeuring nie tensy hy, na oorweging van 'n verslag deur die raad, oortuig is dat die korporasie nie in staat is om die grond of reg op redelike voorwaardes deur ooreenkoms met die eienaar te verkry nie en dat dit noodsaaklik is dat die grond of reg deur die korporasie verkry moet word vir die doel waarvoor hy dit wil gebruik.

(3) Wanneer die Minister sy goedkeuring tot so 'n verkryging verleen het, geld die bepalings van artikels 4 tot en met 13 van die Ontcieningswet, 1965 (Wet No. 55 van 1965), *mutatis mutandis* met betrekking tot sodanige verkryging, en by sodanige toepassing van daardie bepalings word 'n verwysing daarin na 'n Minister of na die Staat uitgelê as 'n verwysing na die korporasie.

Leningsbevoegdheid van die korporasie.

16. (1) Die korporasie kan met die goedkeuring van die Minister by wyse van 'n lening geld opneem tot die bedrag wat die Minister magtig.

(2) Die bepalings van Bylae 1 is van toepassing ten aansien van alle gelddeur die korporasie kragtens subartikel (1) opgeneem: Met dien verstande dat die korporasie nie belet word om geld ook op sekuriteit van promesses op te neem nie; Met dien verstande voorts dat die Minister in 'n bepaalde geval na goeddunke kan gelas dat genoemde bepalings of enige daarvan, behalwe die bepalings van paragraaf 6 van daardie Bylae, nie van toepassing is nie ten opsigte van 'n lening wat aangegaan word ooreenkomsdig bedinge en voorwaardes deur hom goedgekeur.

(3) Die Minister van Finansies kan, op die bedinge en voorwaardes wat hy bepaal, die betaling van die rente op, en die terugbetaling van die hoofsom van, enige lening deur die korporasie aangegaan, waarborg.

(4) 'n Verlies wat die Minister van Finansies ly as gevolg van 'n waarborg wat ingevolge subartikel (3) verstrek is, word bestry uit gelddeur die Parlement vir dié doel bewillig.

(5) Die korporasie kan te eniger tyd korttermynlenings aangaan, by wyse van die oortrekking van sy rekening by 'n bank of andersins, om toevallelike tekorte te dek wat van tyd tot tyd in die kragtens artikel 24 ingestelde algemene fonds ontstaan.

Uitreiking van lisensies deur die korporasie teen betaling.

17. (1) (a) Die korporasie moet, behoudens die bepalings van paragrawe (b) en (c)—

(i) op versoek van enige persoon wat, ten opsigte van sy gebruik of voorgenome gebruik van 'n klankradiostel of 'n televisiestel, ingevolge die bepalings van artikel 5 (2) van die Radiowet in besit moet wees van 'n lisensie wat die korporasie kragtens subartikel (2) of (3) kan uitrek; en

(ii) teen betaling van die toepaslike gelddeur regulasie vir daardie lisensie voorgeskryf en van enige boete ingevolge subartikel (4) van hierdie artikel opgeloop,

die betrokke lisensie aan daardie persoon uitrek op die voorwaardes (indien daar is) wat by regulasie voorgeskryf is.

(b) Die bepalings van paragraaf (a) verplig die korporasie nie—

(i) om kragtens paragraaf (b) van subartikel (2) 'n lisensie uit te reik vir die uitreiking waarvan die korporasie, in die uitoefening van die diskresie

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- the buildings, masts, power generators and other accessories and enclosures connected therewith;
- (b) acquire any land or right in or over land required for an access road to such transmission or receiving plant, or for a wayleave for the construction and use of any such road or the erection, maintenance or inspection of power or programme lines.
- (2) The Minister shall not grant such approval unless he is satisfied, after considering a report by the board, that the corporation is unable to acquire the land or right upon reasonable terms by agreement with the owner, and that it is necessary that the land or right be acquired by the corporation for the purpose for which it intends to use it.
- (3) When the Minister has granted his approval for such an acquisition, the provisions of sections 4 to 13, inclusive, of the Expropriation Act, 1965 (Act No. 55 of 1965), shall apply *mutatis mutandis* in relation to such acquisition, and for the purposes of such application of those provisions any reference therein to any Minister or to the State shall be construed as a reference to the corporation.

16. (1) The corporation may, with the approval of the Borrowing powers Minister, raise moneys by way of a loan in such amount as the Minister may authorize.

(2) The provisions of Schedule 1 shall apply in respect of all moneys raised by the corporation under subsection (1): Provided that the corporation shall not be precluded from raising moneys also on the security of promissory notes: Provided further that the Minister may, at his discretion, direct in any particular case that the said provisions or any thereof, except the provisions of paragraph 6 of that Schedule, shall not apply in respect of a loan raised in accordance with terms and conditions approved by him.

(3) The Minister of Finance may guarantee, on such terms and conditions as he may determine, payment of the interest on, and repayment of the capital sum of, any loan raised by the corporation.

(4) Any loss incurred by the Minister of Finance as a result of a guarantee given under subsection (3), shall be defrayed out of moneys appropriated by Parliament for that purpose.

(5) The corporation may raise short term loans at any time, by way of overdrawing its account with a bank or otherwise, to meet any casual deficits that may arise from time to time in the general fund established under section 24.

17. (1) (a) The corporation shall, subject to the provisions of paragraphs (b) and (c)—

Issue of licences
by the corporation
against payment.

- (i) at the request of any person who, in respect of his use or intended use of any sound radio set or any television set, is in terms of section 5 (2) of the Radio Act required to be in possession of a licence which the corporation may issue under subsection (2) or (3) of this section; and
 - (ii) against payment of the appropriate fees prescribed by regulation for that licence and of any amount incurred as a penalty in terms of subsection (4) of this section,
- issue the relevant licence to that person on such conditions (if any) as may be prescribed by regulation.
- (b) The provisions of paragraph (a) shall not oblige the corporation—
- (i) to issue under paragraph (b) of subsection (2) any licence for the issue of which the corporation,

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- wat by daardie paragraaf aan hom verleen word, geen voorsiening gemaak het nie; of
- (ii) om 'n lisensie kragtens genoemde paragraaf (b) aan 'n persoon wat nie die eienaar of bestuurder van 'n besigheid is, uit te reik nie; of
 - (iii) om 'n lisensie kragtens subartikel (3) (b) of (c) aan 'n persoon uit te reik wat nie 'n radiohandelaar is nie.
- (c) Die korporasie kan, voordat hy kragtens paragraaf (a) 'n lisensie aan enige persoon uitreik, van daardie persoon verlang dat hy die bewys wat by regulasie voorgeskryf is aan die korporasie moet verstrek ten einde vas te stel of daardie persoon aan die bepalings van die Radiowet voldoen of voldoen het ten opsigte van die klankradiostel of televisiestel waarvoor die lisensie verlang word.
- (2) Die korporasie kan die volgende luisteraarslisensies uitreik, naamlik—
- (a) 'n lisensie wat aan die houer daarvan die reg verleen om gedurende 'n bepaalde lisensiejaar enige klankradiostel te gebruik om enigiets te ontvang wat in 'n uitsaaidiens uitgesaai word;
 - (b) 'n lisensie wat aan die houer daarvan, in sy hoedanigheid van eienaar of bestuurder van 'n besigheid in die lisensie vermeld, die reg verleen om—
 - (i) gedurende 'n bepaalde lisensiejaar; en
 - (ii) in verband met daardie besigheid; en
 - (iii) op 'n plek, aldus vermeld, waar daardie besigheid gedryf word; of
 - (iv) in enige voertuig, vaartuig of lugvaartuig wat gebruik word in verband met die dryf van daardie besigheid op daardie plek,
enige klankradiostel (of, indien en vir sover die korporasie te eniger tyd in die algemeen of met betrekking tot 'n kategorie waartoe daardie besigheid behoort, bepaal het, 'n aantal klankradiostelle in die lisensie vermeld, of enige klankradiostel van 'n kategorie aldus vermeld, of 'n aantal sodanige klankradiostelle aldus vermeld) te gebruik, of beskikbaar te stel en iemand anders toe te laat om dit te gebruik, om enigiets te ontvang wat in 'n uitsaaidiens uitgesaai word.
 - (3) Die korporasie kan die volgende televisielisensies uitreik, naamlik—
- (a) 'n lisensie wat aan die houer daarvan die reg verleen om—
 - (i) gedurende 'n bepaalde lisensiejaar; en
 - (ii) op 'n plek wat in die lisensie vermeld word; of
 - (iii) op 'n ander plek waarvan kennis onder die omstandighede en op die wyse en tyd by regulasie voorgeskryf aan die korporasie gegee is,
een televisiestel of die groter aantal televisiestelle wat in die lisensie vermeld word, te gebruik, of iemand anders toe te laat om dit te gebruik, om enigiets te ontvang wat in 'n uitsaaidiens uitgesaai word;
 - (b) 'n lisensie wat aan die houer daarvan in sy hoedanigheid van radiohandelaar die reg verleen om gedurende 'n bepaalde lisensiejaar en onderworpe aan die voorwaardes en vereistes wat by regulasie voorgeskryf is—
 - (i) 'n aantal televisiestelle in die lisensie vermeld, vir die doeleindes van subparagraph (ii) aan te wend; en
 - (ii) so 'n televisiestel vir 'n tydperk wat nie later as aan die einde van daardie lisensiejaar verstryk nie, aan enigiemand te verhuur of andersins beskikbaar te stel vir gebruik deur daardie persoon, of deur iemand anders met sy toestemming, om

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- in the exercise of the discretion conferred upon it by that paragraph, has made no provision; or
- (ii) to issue any licence under the said paragraph (b) to a person who is not the owner or manager of any business; or
 - (iii) to issue any licence under subsection 3 (b) or (c) to a person who is not a radio dealer.
- (c) The corporation may, before issuing any licence under paragraph (a) to any person, require that person to furnish to the corporation such proof as may be prescribed by regulation in order to ascertain whether that person complies or has complied with the provisions of the Radio Act in respect of the sound radio set or television set for which the licence is required.
- (2) The corporation may issue the following listeners' licences, namely—
- (a) a licence conferring on the holder thereof the right to use any sound radio set during a particular licensing year to receive anything broadcast in a broadcasting service;
 - (b) a licence conferring on the holder thereof, in his capacity as the owner or the manager of a business specified in the licence, the right to use, or make available and permit any other person to use, any sound radio set (or, if and in so far as the corporation has at any time so determined whether in general or with reference to a category to which such business belongs, a number of sound radio sets specified in the licence or any sound radio set of a category so specified or a number of such sound radio sets so specified)—
 - (i) during a particular licensing year; and
 - (ii) in connection with that business; and
 - (iii) at the place, so specified, where that business is carried on; or
 - (iv) in any vehicle, vessel or aircraft used in connection with the carrying on of that business at that place,
to receive anything broadcast in a broadcasting service.

(3) The corporation may issue the following television licences, namely—

- (a) a licence conferring on the holder thereof the right to use, or permit any other person to use, one television set or such greater number of television sets as may be specified in the licence—
 - (i) during a particular licensing year; and
 - (ii) at a place specified in the licence; or
 - (iii) at any other place of which notice has been given to the corporation under the circumstances, in the manner and at the time prescribed by regulation,
to receive anything broadcast in a broadcasting service;
- (b) a licence conferring on the holder thereof, in his capacity as a radio dealer, the right, during a particular licensing year and subject to such conditions and requirements as may be prescribed by regulation to—
 - (i) utilize for the purposes set forth in subparagraph (ii), a number of television sets specified in the licence; and
 - (ii) hire out or otherwise make available any such television set, for a period expiring not later than at the end of that licensing year, to any person for use by that person, or, with his permission, by any other person, to receive any-

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enigets te ontvang wat in 'n uitsaaidiens uitgesaai word, al is daardie persoon of sodanige ander persoon nie in besit van 'n televisielisensie nie;

(c) 'n lisensie wat aan die houer daarvan, in sy hoedanigheid van radiohandelaar, die reg verleen—

(i) om enige televisiestel wat hy in verband met sy besigheid as radiohandelaar in sy besit het, gedurende 'n bepaalde lisensiejaar vir die doeleindes van demonstrasie daarvan aan 'n voornemende koper of huurder te gebruik om enigets te ontvang wat in 'n uitsaaidiens uitgesaai word; en

(ii) onderworpe aan die voorwaardes en vereistels wat by regulasie voorgeskryf is, om so 'n televisiestel vir 'n tydperk in daardie lisensiejaar van hoogstens veertien dae vir genoemde doeleindes aan 'n voornemende koper of huurder beskikbaar te stel vir gebruik deur hom of deur iemand anders met sy toestemming, om enigets te ontvang wat in 'n uitsaaidiens uitgesaai word, al is daardie voornemende koper of huurder of daardie ander persoon nie in besit van 'n televisielisensie nie.

(4) Iemand wat versuim om 'n in hierdie artikel bedoelde lisensie uit te neem binne een maand na die datum waarop hy ingevolge die Radiowet in besit daarvan moet wees, moet, bенewens die toepaslike voorgeskrewe lisensiegelde in subartikel (1) bedoel, as boete 'n bedrag gelyk aan tien persent van die bedrag van daardie lisensiegelde aan die korporasie betaal ten opsigte van elke maand of gedeelte van 'n maand waartydens hy vanaf daardie datum versuim het om die lisensie uit te neem: Met dien verstande dat die totale bedrag van die boete nie die bedrag van bedoelde lisensiegelde oorskry nie.

Uitreiking van gratis luisteraarslisensies deur die korporasie.

18. (1) Die korporasie kan, op die by regulasie voorgeskrewe voorwaardes, luisteraarslisensies gratis uitrek aan die kategorie hospitale, liefdadigheids-, opvoedkundige of ander inrigtings en persone wat by regulasie voorgeskryf word.

(2) 'n Luisteraarslisensie aldus uitgereik (in hierdie Wet 'n gratis luisteraarslisensie genoem) verleen aan die houer daarvan die reg om enige klankradiostel te gebruik om enigets te ontvang wat in 'n uitsaaidiens uitgesaai word.

(3) Die korporasie kan die redelike stappe doen wat hy goeddink ten einde hom daarvan te vergewis of 'n bepaalde hospitaal, inrigting of persoon tot 'n soos voormeld voorgeskrewe kategorie behoort of opgehou het om daartoe te behoort.

19. (1) 'n Luisteraarslisensie (behalwe 'n gratis luisteraarslisensie) en 'n televisielisensie is slegs vir die lisensiejaar ten opsigte waarvan dit uitgereik is, geldig.

(2) 'n Gratis luisteraarslisensie is vir 'n onbepaalde tydperk geldig maar kan te eniger tyd deur die korporasie ingetrek word indien die korporasie, na kennisgewing aan die houer van die lisensie en na die ondersoek wat die korporasie nodig ag, oortuig is dat die houer versuim het om 'n voorwaarde van die lisensie na te kom of opgehou het om tot 'n in artikel 18 bedoelde kategorie van hospitale, inrigtings of persone te behoort.

20. Die Minister kan jaarliks 'n bedrag wat hy in oorleg met die Minister van Finansies bepaal uit gelde wat die Parlement vir dié doel bewillig aan die korporasie betaal ten opsigte van die gebruik van klankradiostelle en televisiestelle deur die Staat of deur die departemente of ander organe van die Staat wat die Minister goed ag, vir die ontvangs van uitsendings in 'n uitsaaidiens.

Jaarlikse betaling deur die Staat.

Inspekteurs.

21. 'n Persoon wat skriftelik deur die korporasie daartoe gemagtig is, kan op enige redelike tyd—

(a) van iemand wat ingevolge die bepalings van die Radiowet in besit van 'n luisteraarslisensie of 'n televisielisensie moet wees, vereis dat hy die lisensie ter insae aan hom moet toon;

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- thing broadcast in a broadcasting service, even if that person or such other person is not in possession of a television licence;
- (c) a licence conferring on the holder thereof, in his capacity as a radio dealer, the right—
- (i) to use any television set which he has in his possession in connection with his business as a radio dealer, during a particular licensing year to receive, for the purposes of demonstrating such television set to a prospective buyer or hirer, anything broadcast in a broadcasting service; and
 - (ii) subject to such conditions and requirements as may be prescribed by regulation, to make any such television set available, for the said purpose, to a prospective buyer or hirer for a period in that licensing year not exceeding fourteen days, for use by him or by any other person with his permission, to receive anything broadcast in a broadcasting service, even if such prospective buyer or hirer or such other person is not in possession of a television licence.
- (4) Any person who fails to take out a licence referred to in this section within one month after the date on which he is in terms of the Radio Act required to be in possession thereof, shall, in addition to the appropriate licence fees referred to in subsection (1), by way of a penalty pay to the corporation in respect of every month or part of a month during which he has as from that date failed to take out such licence, an amount equal to ten percent of such licence fees: Provided that the total amount of the penalty shall not exceed the amount of such licence fees.

18. (1) The corporation may, on the conditions prescribed by regulation, issue listeners' licences free of charge to such categories of hospitals, charitable, educational or other institutions and persons as may be prescribed by regulation. Issue of free listener's licences by the corporation.

(2) A listener's licence so issued (in this Act referred to as a free listener's licence) confers on the holder thereof the right to use any sound radio set to receive anything broadcast in a broadcasting service.

(3) The corporation may take such reasonable steps as it may think fit in order to satisfy itself as to whether a particular hospital, institution or person belongs to a category prescribed as aforesaid or has ceased to belong thereto.

19. (1) A listener's licence (except a free listener's licence) and a television licence shall only be valid for the licensing year in respect of which it is issued. Period of validity of licences.

(2) A free listener's licence shall be valid for an indefinite period, but may be withdrawn by the corporation at any time if, after notice to the holder of the licence and after such investigation as the corporation may deem necessary, the corporation is satisfied that the holder has failed to comply with any condition of the licence or has ceased to belong to a category of hospitals, institutions or persons referred to in section 18.

20. The Minister may annually pay to the corporation out of moneys appropriated by Parliament for that purpose, an amount determined by him in consultation with the Minister of Finance, in respect of the use by the State or such Departments or other organs of the State as the Minister may deem fit, of sound radio sets and television sets for the reception of broadcasts in a broadcasting service. Annual payment by the State.

21. Any person authorized thereto by the corporation in writing, may at any reasonable time— Inspectors.

- (a) require any person who in terms of the Radio Act is required to be in possession of a listener's licence or a television licence, to produce such licence to him for inspection;

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- (b) van iemand wat ingevolge die bepalings van artikel 6 van die Radiowet in besit moet wees van 'n lisensie of permit kragtens 'n bepaling van daardie Wet ten opsigte van 'n klankradiostel of televisiestel uitgereik, vereis dat hy die lisensie of permit ter insae aan hom moet toon;
- (c) van iemand in wie se besit of bewaring 'n klankradiostel of 'n televisiestel is, of van die eienaar, ookupeerde of persoon in beheer van 'n perseel waarin of waarop daar 'n klankradiostel of 'n televisiestel is, vereis dat hy die klankradiostel of televisiestel vir ondersoek aan hom moet toon of dat hy die inligting moet verstrek wat hy in staat is om te verstrek en wat nodig is om vas te stel of die bepalings van die Radiowet in verband met daardie klankradiostel of televisiestel na gekom is;
- (d) van 'n radiohandelaar vereis dat hy die stukke wat hy ingevolge artikel 12 van die Radiowet of uit hoofde van 'n magtiging kragtens artikel 22 (4) van hierdie Wet hou, ter insae aan hom moet toon, en daardie stukke ondersoek en uittreksels daaruit of afskrifte daarvan maak;
- (e) enige grond betree vir sover dit nodig is ten einde 'n bevoegdheid wat kragtens hierdie artikel aan hom verleen is, uit te oefen.

Delegering van sekere bevoegdhede van die korporasie.

22. (1) Die korporasie kan, met die goedkeuring van die Minister en op die voorwaardes en die grondslag en teen betaling van die vergoeding wat by ooreenkoms tussen die korporasie en die Posmeester-generaal of 'n plaaslike bestuur of ander liggaaam by of kragtens 'n wet ingestel, bepaal word, die Posmeester-generaal of die betrokke plaaslike bestuur of ander liggaaam, na gelang van die geval, magtig om 'n bevoegdheid, werksaamheid of plig by hierdie Wet aan die korporasie verleen of opgedra met betrekking tot die uitreiking van luisteraars- en televisielisensies en die invordering van die voorgeskrewe gelde ten opsigte daarvan, die magtiging van persone as inspekteurs of enige ander aangeleenthed wat op lisensies betrekking het (behalwe die uitvaardiging van regulasies) namens die korporasie uit te oefen of te verrig.

(2) Die korporasie kan, met die goedkeuring van die Minister, 'n magtiging wat kragtens subartikel (1) verleen is, te eniger tyd intrek of by ooreenkoms met die Posmeester-generaal of die betrokke plaaslike bestuur of ander liggaaam, na gelang van die geval, wysig: Met dien verstande dat so 'n magtiging wat aan die Posmeester-generaal verleen is, nie ingetrek word nie, en die ooreenkoms uit hoofde waarvan dit verleen is, nie opgeskort of gewysig word nie, behalwe met die goedkeuring ook van die Minister van Pos- en Telekommunikasiewese.

(3) Die Posmeester-generaal of 'n plaaslike bestuur of ander liggaaam in subartikel (1) bedoel, is bevoeg om 'n in daardie subartikel beoogde ooreenkoms aan te gaan en om die bevoegdhede, werksaamhede of pligte wat ingevolge 'n magtiging kragtens daardie subartikel aan hom verleen of opgedra word, uit te oefen of te verrig.

(4) Die korporasie kan enige radiohandelaar skriftelik magtig om, op die voorwaardes wat die korporasie bepaal, namens die korporasie enige lisensie in artikel 17 (2) of (3) (a) bedoel uit te reik en die gelde daarvoor en enige boete in verband daarmee opgeloop, in te vorder.

Regulasies.

23. (1) Die korporasie kan regulasies uitvaardig met betrekking tot—

- (a) die gelde wat vir 'n luisteraarslisensie of televisielisensie ingevolge artikel 17 uitgereik, betaal moet word;
- (b) die voorwaardes onderworpe waaraan 'n luisteraarslisensie of 'n televisielisensie uitgereik kan word;

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- (b) require any person who in terms of the provisions of section 6 of the Radio Act is required to be in possession of a licence or permit issued under any provision of that Act in respect of any sound radio set or television set, to produce such licence or permit to him for inspection;
- (c) require any person who has the possession or custody of a sound radio set or a television set, or the owner, occupier or person in control of any premises in or on which there is any sound radio set or television set, to produce such sound radio set or television set to him for examination or to furnish such information as he may be able to furnish and which may be necessary in order to ascertain whether the provisions of the Radio Act have been complied with in regard to that sound radio set or television set;
- (d) require any radio dealer to produce to him for inspection the documents kept by him in terms of section 12 of the Radio Act or by virtue of an authorization under section 22 (4) of this Act, and inspect such documents and make extracts therefrom or copies thereof;
- (e) enter upon any land in so far as it may be necessary in order to exercise any power conferred upon him under this section.

22. (1) The corporation may, with the approval of the Minister and on such conditions and such basis and against payment of such compensation as may be determined by agreement between the corporation and the Postmaster-General or any local authority or other body established by or under any law, authorize the Postmaster-General or the local authority or other body in question, as the case may be, to exercise or perform, on behalf of the corporation, any power, function or duty conferred or imposed upon the corporation by this Act in relation to the issue of listeners' and television licences and the collection of the prescribed moneys in respect thereof, the authorization of persons as inspectors or any other matter relating to licences (except the making of regulations).

certain powers
of the corporation.

(2) The corporation may, with the approval of the Minister, withdraw or, by agreement with the Postmaster-General or the local authority or other body in question, as the case may be, amend any authority conferred under subsection (1): Provided that any such authority conferred upon the Postmaster-General shall not be withdrawn, and the agreement by virtue of which it was conferred shall not be suspended or amended, except with the approval also of the Minister of Posts and Telecommunications.

(3) It shall be competent for the Postmaster-General or any local authority or other body referred to in subsection (1) to enter into an agreement contemplated in that subsection, and to exercise or perform the powers, functions or duties conferred or imposed upon it in terms of any authority under that subsection.

(4) The corporation may authorize any radio dealer in writing, on such conditions as the corporation may determine, to issue any licence referred to in section 17 (2) or (3) (a) and collect the fees therefor and any penalty incurred in connection therewith, on behalf of the corporation.

23. (1) The corporation may make regulations in regard to—

- (a) the fees that shall be payable for any listener's licence or television licence issued in terms of section 17;
- (b) the conditions subject to which a listener's licence or a television licence may be issued;

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- (c) (i) die vrystelling of die verlening van vrystelling van enige verpligting om in besit van 'n luisteraarslisensie te wees, aan 'n lid van 'n huisgesin waarvan 'n ander lid of 'n bepaalde ander lid in besit is van 'n luisteraarslisensie ingevolge artikel 17 (2) (a) uitgereik;
- (ii) die verwantskap of ander grondslag uit hoofde waarvan persone by die toepassing van sodanige regulasies as lede van 'n huisgesin beskou moet word;
- (iii) die plek of plekke waar, omstandighede waaronder of ander voorwaardes en vereistes onderworpe waaraan sodanige vrystelling geld;
- (d) die vrystelling of verlening van vrystelling aan enige persoon wat ingevolge 'n televisielisensie of enige toestemming daarkragtens verleen, geregtig is om 'n televisiestel op 'n bepaalde plek te gebruik vir die ontvangs van enigiets wat in 'n uitsaaidiens uitgesaai word, van enige verbod op sodanige gebruik van daardie televisiestel op 'n ander plek, indien daardie televisiestel tot 'n kategorie behoort wat in so 'n regulasie omskryf is;
- (e) enige aangeleentheid wat uit die bepalings van artikel 8 of 14 voortspruit;
- (f) enige ander aangeleentheid wat ingevolge 'n bepaling van hierdie Wet by regulasie voorgeskryf moet word.
- (2) Verskillende gelde kan kragtens subartikel (1) (a) voorgeskryf word vir—
- (a) verskillende lisensies uitgereik ingevolge die verskillende bepalings van artikel 17;
- (b) lisensies aldus uitgereik vir verskillende tydperke in 'n lisensiejaar;
- (c) luisteraarslisensies uitgereik aan persone van verskillende kategorieë of aan persone in verskillende gebiede;
- (d) luisteraarslisensies ingevolge paragraaf (b) van artikel 17 (2) uitgereik aan eienaars of bestuurders van besighede wat verskillende hoeveelhede klankradiostelle of verskillende klankradio-ontvangsapparaat of -dienste beskikbaar stel vir gebruik deur ander persone soos in daardie paragraaf bedoel;
- (e) luisteraarslisensies ingevolge genoemde paragraaf (b) uitgereik aan die eienaars of bestuurders van besighede van verskillende kategorieë by regulasie voorgeskryf of dié uitgereik aan sodanige eienaars of bestuurders en dié uitgereik aan die eienaars of bestuurders van besighede wat nie tot 'n aldus voorgeskrewe kategorie behoort nie;
- (f) televisielisensies ingevolge subartikel (3) van artikel 17 uitgereik aan persone wat verskillende hoeveelhede of kategorieë televisiestelle gebruik of vir gebruik deur ander persone beskikbaar stel soos in daardie subartikel bedoel.
- (3) Verskillende voorwaardes kan kragtens subartikel (1) (b) voorgeskryf word ten opsigte van verskillende lisensies ingevolge die verskillende bepalings van hierdie Wet uitgereik.
- (4) 'n Regulasie kragtens subartikel (1) (a), (b) of (c) uitgevaardig is nie geldig nie tensy dit deur die Minister goedgekeur is.
- (5) Die bepalings van artikel 17 van die Interpretasiewet, 1957 (Wet No. 33 van 1957), is van toepassing op enige regulasie in subartikel (4) bedoel en deur die Minister goedgekeur, asof so 'n regulasie deur die Minister uitgevaardig is.

Fondse.

24. (1) Die korporasie moet, benewens die rente- en delgingsfondse in Bylae 1 beoog—

- (a) 'n algemene fonds instel waarin alle geldte deur die korporasie ontvang, gestort moet word en waaruit alle betalings deur die korporasie waarvoor daar nie deur

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- (c) (i) the exemption or the granting of exemption from any obligation to be in possession of a listener's licence to a member of a household of which another member or any particular other member is in possession of a listener's licence issued in terms of section 17 (2) (a);
 - (ii) the affinity or other basis by virtue of which persons shall be regarded as members of a household for the purposes of such regulations;
 - (iii) the place or places where, the circumstances under which, or the other conditions and requirements subject to which, such exemption shall be of force and effect;
 - (d) the exemption or the granting of exemption to any person who, in terms of any television licence or any permission granted thereunder, is entitled to use a television set at a particular place for the reception of anything broadcast in a broadcasting service, from any prohibition on such use of that television set at any other place, if that television set belongs to a category defined in any such regulation;
 - (e) any matter arising from the provisions of section 8 or 14;
 - (f) any other matter which in terms of any provision of this Act is required to be prescribed by regulation.
- (2) Different fees may be prescribed under subsection (1) (a) for—
- (a) different licences issued in terms of the different provisions of section 17;
 - (b) licences so issued for different periods in a licensing year;
 - (c) listener's licences issued to persons of different categories or to persons in different areas;
 - (d) listener's licences issued in terms of paragraph (b) of section 17 (2) to owners or managers of businesses who make available different quantities of sound radio sets or different sound radio receiving apparatus or services for use by other persons as contemplated in that paragraph;
 - (e) listener's licences issued in terms of the said paragraph (b) to the owners or managers of businesses of different categories prescribed by regulation, or those issued to such owners or managers and those issued to the owners or managers of businesses which do not belong to a category so prescribed;
 - (f) television licences issued in terms of subsection (3) of section 17 to persons who use, or make available for use by other persons, as contemplated in that subsection, different quantities or categories of television sets.
- (3) Different conditions may be prescribed under subsection (1) (b) in respect of different licenses issued in terms of the different provisions of this Act.
- (4) A regulation made under subsection (1) (a), (b) or (c) shall not be valid unless it was approved by the Minister.
- (5) The provisions of section 17 of the Interpretation Act, 1957 (Act No. 33 of 1957), shall apply to any regulation referred to in subsection (4) and approved by the Minister, as if such regulation has been made by the Minister.

- 24.** (1) The corporation shall maintain, in addition to the Funds, interest and redemption funds contemplated in Schedule 1—
- (a) a general fund, into which all moneys received by the corporation shall be paid and from which all pay-

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middel van 'n ander fonds voorsiening gemaak is nie, gedoen moet word;

- (b) 'n depresiasiefonds instel waarin daar aan die einde van elke boekjaar van die korporasie uit die algemene fonds 'n bedrag deur die raad bepaal, gestort moet word en wat aangewend moet word ter bestryding van die koste van die vervanging van verouderde installasies of toerusting en van buitengewone reparasies aan of die verbetering van enige installasies of toerusting deur die korporasie gebruik, maar wat nie ter bestryding van die koste van die gewone onderhoud van sodanige installasies of toerusting aangewend mag word nie;
- (c) 'n ontwikkelingsfonds instel waarin daar aan die einde van elke boekjaar van die korporasie soveel van die oorskot van die korporasie se inkomste bo sy uitgawes in daardie jaar, nadat stortings in die rente-, delgings- en depresiasiefondse gedoen is, gestort moet word as wat die raad bepaal, en wat aangewend moet word om uitgawe ten opsigte van nuwe kapitale werke te bestry.

(2) Die korporasie belê die gelde in die depresiasie- en ontwikkelingsfondse in sekuriteite deur die Minister goedgekeur.

Rekenings.

25. (1) Die korporasie moet behoorlik boekhou van alle gelde deur hom ontvang of uitgegee en van al sy bates, laste en geldelike transaksies.

(2) Die korporasie moet so gou doenlik na die end van elke boekjaar van die korporasie rekeningstate en 'n balansstaat opstel wat, met die gepaste besonderhede, die inkomste en uitgawes van die korporasie gedurende daardie boekjaar, en sy bates en laste soos aan die end van daardie boekjaar, aantoon.

(3) Die boekjaar van die korporasie eindig op 31 Desember.

Oudit.

26. (1) Die korporasie moet sy boeke en rekenings jaarliks laat ouditeer deur 'n persoon wat kragtens die Wet op Openbare Rekenmeesters en Ouditeurs, 1951 (Wet No. 51 van 1951), as openbare rekenmeester en ouditeur geregistreer is en wat deur die Minister as ouditeur van die korporasie aangestel is.

(2) Die raad toon aan die ouditeur en lê aan hom voor alle boeke en rekenings van die korporasie met alle bewyssukkete ter stawing daarvan, en alle boeke, dokumente en geskrifte in verband daarvan wat in sy besit of onder sy beheer is.

(3) Vir die doeleindes van die ouditering kan die ouditeur getuienis onder eed (wat hy hierby gemagtig word om af te neem) hoor en afneem, en kan hy deur 'n skriftelike kennisgewing deur hom onderteken enigemand aansê om op 'n tyd en plek in die kennisgewing vermeld persoonlik voor hom te verskyn om inligting te verstrek of boeke of stukke oor te lê wat vir die ouditering nodig is.

(4) Aan iemand wat ingevolge so 'n kennisgewing verskyn, word die getuiegelde en toelaes betaal waarop hy geregtig sou gewees het indien hy voor 'n landdroshof as getuie verskyn het.

(5) Die ouditeur—

- (a) laat geen betaling toe nie wat sonder behoorlike magtiging volgens wet geskied het, en rapporteer die nie-toelating aan die raad;
- (b) debiteer die persoon wat die betrokke betaling gedoen of gemagtig het met soveel van die betaling as wat nie deur die raad kwytgeskeld word nie;
- (c) debiteer die persoon wat daarvoor verantwoordelik is met—
 - (i) soveel van die bedrag van enige tekort of verlies wat ontstaan het ten gevolge van die nalatigheid of wangedrag van daardie persoon as wat nie deur die raad kwytgeskeld word nie, indien enigets; of

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- ments by the corporation for which no provision is made by means of another fund, shall be made;
- (b) a depreciation fund, into which an amount determined by the board shall be paid, from the general fund, at the end of each financial year of the corporation, and which shall be utilized for the defrayment of the costs of the replacement of any obsolete plant or equipment and of exceptional repairs to or the improvement of any plant or equipment used by the corporation, but which shall not be utilized to defray the costs of the ordinary maintenance of any such plant or equipment;
 - (c) a development fund, into which shall be paid, at the end of each financial year of the corporation, so much of the amount by which the corporation's revenue exceeds its expenditure in that year after payments into the interest, redemption and depreciation funds have been made, as the board may determine, and which shall be utilized to defray the expenses in respect of new capital works.
- (2) The corporation shall invest the moneys in the depreciation and development funds in securities approved by the Minister.
- 25.** (1) The corporation shall keep proper account of all Accounts. moneys received or expended by it and of all its assets, liabilities and financial transactions.
- (2) The corporation shall as soon as practicable after the end of each financial year of the corporation prepare statements of account and a balance sheet showing in appropriate detail the revenues and expenditure of the corporation during that financial year, and its assets and liabilities as at the end of that financial year.
- (3) The financial year of the corporation shall end on 31 December.
- 26.** (1) The corporation shall cause its books and accounts Auditing. to be audited annually by a person registered as a public accountant and auditor under the Public Accountants' and Auditors' Act, 1951 (Act No. 51 of 1951), and appointed as auditor of the corporation by the Minister.
- (2) The board shall produce and lay before the auditor all books and accounts of the corporation with all vouchers in support thereof, and all books, papers and writings relating thereto which are in its possession or control.
- (3) For the purposes of the audit the auditor may hear and receive evidence upon oath (which he is hereby empowered to administer), and may by written notice under his hand require any person to appear before him in person at a time and place stated in such notice, to give information or produce any books or documents necessary for the audit.
- (4) Any person appearing in terms of such a notice shall be paid such witness fees and allowances as he would have been entitled to had he been appearing in a magistrate's court as a witness.
- (5) The auditor—
- (a) shall disallow any payment made without proper authority according to law, and report the disallowance to the board;
 - (b) shall charge against the person who made or authorized the payment in question, so much of that payment as is not condoned by the board;
 - (c) shall charge against the person responsible therefor—
 - (i) so much of the amount of any deficiency or loss arising from negligence or misconduct of that person as is not condoned by the board, if anything; or

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- (ii) soveel van enige bedrag wat behoort in rekening gebring te gewees het maar nie in rekening gebring is deur daardie persoon nie as wat nie deur die raad kwytgeskeld word nie, indien enigets: Met dien verstande dat geen bedrag kwytgeskeld mag word waar sodanige tekort of verlies die gevolg is van diefstal of bedrog deur daardie persoon nie;
- (d) sertificeer in iedere geval dat die bedrag aldus gedebiteer juis is.
- (6) 'n Bedrag aldus deur die ouditeur gedebiteer en gesertificeer moet binne veertien dae nadat dit aldus gesertificeer is, deur die persoon wat daarvan gedebiteer is aan die korporasie betaal word, en indien dit nie aldus betaal word nie kan dit as 'n skuld deur die ouditeur op bedoelde persoon verhaal word.
- (7) 'n Bedrag aldus deur die ouditeur verhaal, word aan die korporasie betaal.
- (8) Die korporasie betaal aan die ouditeur alle redelike koste deur hom by die verhaal van so 'n bedrag opgeloop.
- (9) Dit is die plig van die ouditeur, benewens sy gewone pligte as ouditeur, om minstens eenmaal elke jaar te sertificeer—
- (a) of al dan nie, na sy mening—
 - (i) die rekenings van die korporasie in orde is;
 - (ii) daardie rekenings 'n getroue en juiste oorsig gee van die finansiële toestand van die korporasie en van sy transaksies;
 - (iii) behoorlike voorsiening gemaak is vir die aflossing en terugbetaling van lenings deur die korporasie aangegaan;
 - (iv) die waarde van die bates van die korporasie juis opgegee is; en
 - (b) of al dan nie—
 - (i) die bedrae wat in die fondse gestort moet word wat ingevolge hierdie Wet ingestel is, aldus gestort is;
 - (ii) al sy vereistes en aanbevelings as ouditeur nagekom en uitgevoer is.
- (10) Die koste van of in verband met 'n audit word deur die korporasie gedra.

Verslag aan die Minister.

27. (1) Die raad verstrek op of voor 30 April in elke jaar aan die Minister 'n verslag oor die werk van die korporasie gedurende sy onmiddellik voorafgaande boekjaar, tesame met 'n balansstaat en 'n volledige staat van inkomste en uitgawes vir daardie boekjaar, wat deur die in artikel 26 (1) bedoelde ouditeur geauditeer is, en die verslag van dié ouditeur, en gee in die aldus verstrekte verslag besonderhede aan wat betref—
- (a) die boekwaarde van alle soorte eiendom deur die korporasie besit;
 - (b) die bedrag van sekuriteite vir nog uitstaande lenings, en die rente daarop, hetsy betaald of nie;
 - (c) die toestand van elke fonds ingevolge hierdie Wet ingestel;
 - (d) die onkoste van bestuur en administrasie en alle ander onkoste van die korporasie;
 - (e) die oprigting en bou, reparasie, verbetering of verandering van enige installasie, toerusting of gebou en die koste daarvan;
 - (f) die prys of huurprys van grond of ander onroerende goed wat verkry of gehuur is;
 - (g) die naam van elke lid van 'n politieke party deur wie 'n politieke toespraak uitgesaai is, die naam van die party waarvan hy die verteenwoordiger was, die tyd vir die uitsending van die toespraak toegestaan en die uur waarop die uitsending plaasgevind het; en
 - (h) enige ander aangeleentheid waaromtrent die Minister van die raad verlang dat hy dit behandel.

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- (ii) so much of any amount which ought to have been but was not brought into account by that person as is not condoned by the board, if anything: Provided that no amount shall be condoned where such deficiency or loss is the result of theft or fraud by that person;
- (d) shall certify in every case that the amount so charged is correct.

(6) Any amount so charged and certified by the auditor shall be paid by the person against whom it has been charged to the corporation within fourteen days after it was so certified, and, if not so paid, may be recovered from that person as a debt by the auditor.

(7) Any amount so recovered by the auditor shall be paid to the corporation.

(8) The corporation shall pay to the auditor all reasonable costs incurred by him in recovering such an amount.

(9) It shall be the duty of the auditor, in addition to his ordinary duties as an auditor, to certify not less than once in every year—

- (a) whether or not, in his opinion—
- (i) the accounts of the corporation are in order;
 - (ii) such accounts present a true and correct view of the financial position of the corporation and of its transactions;
 - (iii) due provision has been made for the redemption and repayment of loans raised by the corporation;
 - (iv) the value of the assets of the corporation has been correctly stated; and
- (b) whether or not—
- (i) the amounts to be paid into the funds established in terms of this Act have been so paid;
 - (ii) all his requirements and recommendations as auditor have been complied with and carried out.

(10) The expenses of or incidental to any audit shall be borne by the corporation.

27. (1) The board shall furnish to the Minister, on or before 30 April in each year, a report on the work of the corporation during its immediately preceding financial year, together with a balance sheet and a complete statement of revenue and expenditure for that financial year, which have been audited by the auditor referred to in section 26 (1), and the report of that auditor, and shall in the report so furnished give particulars as to—

- (a) the book value of all classes of property owned by the corporation;
- (b) the amount of securities for loans still outstanding, and the interest thereon, whether paid or unpaid;
- (c) the position of every fund established in terms of this Act;
- (d) the expenses of management and administration and all other expenses of the corporation;
- (e) the erection and construction, repair, improvement or alteration of any plant, equipment or building, and the cost thereof;
- (f) the price or rent of any land or any other immovable property acquired or hired;
- (g) the name of every member of a political party by whom any political speech was broadcast, the name of the party of which he was the representative, the time allowed for the broadcast of the speech and the hour at which the broadcast took place; and
- (h) any other matter which the Minister may require the board to deal with.

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(2) Die Minister moet elke verslag wat ingevolge subartikel (1) verstrek word in die Senaat en in die Volksraad ter Tafel lê binne sewe dae nadat hy dit ontvang het, indien die Parlement dan in sessie is, of, indien die Parlement nie dan in sessie is nie, binne sewe dae na die aanvang van sy eersvolgende sessie.

Misdrywe.**28. Iemand wat—**

- (a) die bepalings van 'n regulasie oortree of versuim om daaraan te voldoen; of
- (b) nadat 'n inspekteur sy skriftelike magtiging in artikel 21 bedoel, aan bedoelde persoon getoon het, sonder goeie rede (waarvan die bewyslas op hom rus) versuim om te voldoen aan 'n vereiste deur daardie inspekteur kragtens daardie magtiging gestel, of daardie inspekteur by die uitvoering van sy pligte hinder of belemmer; of
- (c) nadat hy by kennisgewing ingevolge artikel 26 (3) aangesê is om voor 'n ouditeur te verskyn en nadat 'n bedrag vir redelike uitgawes aan hom betaal of aangebied is, sonder goeie rede (waarvan die bewyslas op hom rus) versuim om op die tyd en plek in die kennisgewing genoem voor die ouditeur te verskyn, of, wanneer hy aldus verskyn, sonder goeie rede (waarvan die bewyslas op hom rus) weier of versuim om 'n eed af te lê of om tersaaklike vrae aan hom gestel na sy beste wete te beantwoord of om 'n boek of stuk wat in sy besit of onder sy beheer is en wat in die kennisgewing aangedui is, aan die ouditeur oor te lê, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand.

Vrystellings.**29. (1) Ondanks andersluidende wetsbepalings—**

- (a) is geen hereregte ten opsigte van die verkryging van onroerende goed deur die korporasie betaalbaar nie;
- (b) is geen seëlreg ten opsigte van 'n stuk betaalbaar nie indien die seëlreg daarop volgens wet deur die korporasie betaalbaar sou wees en gedra sou moet word, en is geen seëlreg ten opsigte van die registrasie van oordrag van handelsefekte deur die korporasie uitgegee, betaalbaar nie;
- (c) is die inkomste van die korporasie van inkomstebelasting vrygestel.

(2) Die bepalings van artikel 8 (1) (a), (d) en (e) en artikels 9 (3) en 10 van die Wet op Publikasies, 1974 (Wet No. 42 van 1974), is nie met betrekking tot 'n publikasie of voorwerp wat deur die korporasie voortgebring, besit of ingevoer word, van toepassing nie.

Toepassing van Wet 61 van 1973.

30. Die Staatspresident kan enige bepaling van die Maatskappywet, 1973, wat nie met die bepalings van hierdie Wet onbestaanbaar is nie, by proklamasie in die *Staatskoerant* op die korporasie van toepassing verklaar: Met dien verstande dat die korporasie nie ontbind word nie behalwe deur 'n Parlements-wet.

Toepassing van hierdie Wet in Suidwes-Afrika.

31. Hierdie Wet en enige wysiging daarvan is ook in die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel, van toepassing.

Herroeping en wysiging van wette.

32. (1) Behoudens die bepalings van subartikels (2) en (3) word die wette in Bylae 2 vermeld hierby herroep of gewysig vir sover in die derde kolom van daardie Bylae aangedui word.

(2) (a) 'n Regulasie, lisensie, aanstelling, aanwysing, bepaling of enigets anders wat kragtens 'n by subartikel (1) herroepe wet uitgevaardig, uitgereik of gedoen is en wat kragtens 'n bepaling van hierdie Wet uitgevaardig,

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(2) The Minister shall lay every report furnished in terms of subsection (1) upon the Tables of the Senate and of the House of Assembly within seven days after receiving it, if Parliament is then in session, or, if Parliament is not then in session, within seven days after the commencement of its next ensuing session.

28. Any person who—

Offences.

- (a) contravenes or fails to comply with any regulation; or
- (b) after an inspector has produced his written authority referred to in section 21 to such person, fails without good reason (the onus of proof whereof shall be upon him) to comply with any requirement made by that inspector under that authority, or hinders or obstructs that inspector in the performance of his duties; or
- (c) after having been required by notice in terms of section 26 (3) to appear before an auditor and after an amount for reasonable expenses was paid or tendered to him, fails without good reason (the onus of proof whereof shall be upon him) to appear before the auditor at the time and place stated in the notice, or, when so appearing, refuses or fails, without good reason (the onus of proof whereof shall be upon him), to take the oath or to reply to the best of his ability to relevant questions put to him or to produce to the auditor any book or document in his possession or control and indicated in the notice,

shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand.

29. (1) Notwithstanding anything to the contrary contained **Exceptions.**
in any law—

- (a) no transfer duty shall be payable in respect of the acquisition of immovable property by the corporation;
- (b) no stamp duty shall be payable in respect of any document if the stamp duty thereon would according to law be payable and have to be borne by the corporation, and no stamp duty shall be payable in respect of the registration of the transfer of marketable securities issued by the corporation;
- (c) the income of the corporation shall be exempt from income tax.

(2) The provisions of section 8 (1) (a), (d) and (e) and sections 9 (3) and 10 of the Publications Act, 1974 (Act No. 42 of 1974), shall not apply with reference to any publication or object produced, possessed or imported by the corporation.

30. The State President may by proclamation in the *Gazette* Application of
apply to the corporation any provision of the Companies Act, Act 61 of 1973.
1973, which is not inconsistent with the provisions of this Act:
Provided that the corporation shall not be dissolved except by
Act of Parliament.

31. This Act and any amendment thereof shall apply also Application of
in the territory of South West Africa, including the Eastern this Act in
Caprivi Zipfel. South West Africa.

32. (1) Subject to the provisions of subsections (2) and (3), Repeal and
the laws specified in Schedule 2 are hereby repealed or amended amendment of
to the extent indicated in the third column of that Schedule.
laws.

- (2) (a) Any regulation, licence, appointment, designation, determination or other thing which was made, issued or done under a law repealed by subsection (1) and which could be made, issued or done under any provision of this Act, shall be deemed to have been

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uitgereik of gedoen sou kon word, word geag kragtens laasgenoemde bepaling uitgevaardig, uitgereik of gedoen te gewees het.

(b) By die toepassing van paragraaf (a) word die beheerraad in artikel 2 van die Uitsaaiwet, 1936, genoem en die Bantoeprogrambeheerraad in artikel 13bis van daardie Wet genoem, geag te alle tersaaklike tye onderskeidelik die raad en die Bantoeprogramadviesraad te gewees het.

(3) Totdat en behalwe vir sover die Minister, handelende in oorlog met die Minister van Pos- en Telekommunikasiewese, anders bepaal—

(a) word die korporasie geag die Posmeester-generaal kragtens artikel 22 van hierdie Wet te gemagtig het om namens die korporasie luisteraarslisensies en televisielisensies uit te reik, die voorgeskrewe gelde ten opsigte daarvan in te vorder en inspekteurs kragtens artikel 21 te magtig;

(b) word die bepalings wat onmiddellik voor die inwerkingtreding van hierdie Wet in artikel 17 van die Uitsaaiwet, 1936, en artikel 15 van die Radiowet vervat was, geag die bepalings van 'n ooreenkoms te wees uit hoofde waarvan die korporasie die Posmeester-generaal aldus gemagtig het; en

(c) word by die toepassing van genoemde artikel 15, die gelde aldus deur die Posmeester-generaal ingevorder, geag gelde te wees wat ingevolge die Radiowet ingevorder is.

Kort titel en inwerkingtreding.

33. (1) Hierdie Wet heet die Uitsaaiwet, 1976, en die bepalings daarvan tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

(2) Verskillende datums kan kragtens subartikel (1) ten opsigte van verskillende bepalings van hierdie Wet bepaal word.

Bylae 1**BEPALINGS VAN TOEPASSING TEN OPSIGTE VAN LENINGS DEUR DIE KORPORASIE AANGEGAAN****Hoe geld opgeneem word.**

1. (1) Wanneer magtiging ingevolge artikel 16 (1) van hierdie Wet aan die korporasie verleen word om 'n bedrag geld op te neem, kan die korporasie van tyd tot tyd, soos hy dit dienstig ag, 'n lening aangaan op die voorwaardes hieronder bepaal, hetsy deur effekte of deur obligasies wat in die Republiek of elders uitgereik is, of gedeeltelik deur effekte en gedeeltelik deur obligasies.

(2) Effekte of obligasies aldus uitgereik, moet binne 'n vasgestelde tydperk van hoogstens dertig jaar aflosbaar wees.

(3) Die korporasie kan, in awagting van die opneem van sodanige geld of 'n deel daarvan, bedrae wat nodig is,leen teen sekuriteit van wissels of by wyse van voorskotte van die Regering of 'n bank of van enige ander geriflike bron.

(4) Sodanige effekte en obligasies word hieronder „sekuriteite” genoem.

Voorwaardes van uitreiking van sekuriteite.

2. Die korporasie kan, ten tyde van die uitreiking van sekuriteite, voorwaardes wat deur die Minister goedgekeur is, voorskryf met betrekking tot al of enige van die volgende aangeleenthede, te wete—

- (a) die prys van uitreiking van die sekuriteite;
- (b) die eenhede waarin die sekuriteite uitgereik en oorgedra moet word;
- (c) die rentekoers daarop;
- (d) die tye en piekke van terugbetaling van die hoofsom en betaling van rente onderskeidelik;
- (e) die omsetting van effekte in toondersertifikate, en die heromsetting, na gelang van omstandighede, van sodanige toondersertifikate in effekte;
- (f) die omsetting van obligasies, solank hulle geldig bly, in effekte; of
- (g) enige ander aangeleenthed na gelang hy dit dienstig ag, behoudens die bepalings van hierdie Wet.

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made, issued or done under the last-mentioned provision.

- (b) For the purposes of paragraph (a) the control board mentioned in section 2 of the Broadcasting Act, 1936, and the Bantu Programme Control Board mentioned in section 13bis of that Act, shall be deemed to have been the board and the Bantu Programme Advisory Board, respectively, at all relevant times.
- (3) Until and except in so far as the Minister, acting in consultation with the Minister of Posts and Telecommunications, may determine otherwise—
 - (a) the corporation shall be deemed to have authorized the Postmaster-General under section 22 of this Act to issue listeners' licences and television licences, to collect the prescribed moneys in respect thereof and to authorize inspectors under section 21, on behalf of the corporation;
 - (b) the provisions which were contained in section 17 of the Broadcasting Act, 1936, and section 15 of the Radio Act immediately before the commencement of this Act shall be deemed to be the provisions of an agreement by virtue of which the corporation has so authorized the Postmaster-General; and
 - (c) the moneys so collected by the Postmaster-General shall, for the purposes of the said section 15, be deemed to be moneys collected in terms of the Radio Act.

33. (1) This Act shall be called the Broadcasting Act, 1976, Short title, and and its provisions shall come into operation on a date to be commencement fixed by the State President by proclamation in the *Gazette*.

(2) Different dates may be fixed under subsection (1) in respect of different provisions of this Act.

Schedule 1

PROVISIONS APPLICABLE IN RESPECT OF LOANS RAISED BY THE CORPORATION

- | | |
|--|---------------------------------------|
| 1. (1) Whenever authority is given to the corporation in terms of section 16 (1) of this Act to raise any sum of money, the corporation may from time to time, as it may consider expedient, raise a loan under the conditions hereinafter provided, either by stock or by debentures issued in the Republic or elsewhere or partly by stock and partly by debentures. | Method of raising
money. |
| (2) Any stock or debentures so issued shall be redeemable within a fixed period not exceeding thirty years. | |
| (3) The corporation may, in anticipation of the raising of any such loan or portion thereof, borrow such sums as may be required on the security of bills or by way of advances from the Government or any bank or from such other source as may be convenient. | |
| (4) Such stock or debentures are hereinafter referred to as "securities". | |
| 2. The corporation may, at the time of issue of any securities, prescribe conditions approved by the Minister, relating to all or any of the following matters, namely— | Conditions of issue
of securities. |
| (a) the price of issue of the securities; | |
| (b) the denominations in which the securities are to be issued and transferred; | |
| (c) the rate of interest thereon; | |
| (d) the times and places of the repayment of principal and payment of interest respectively; | |
| (e) the exchange of stock into certificates to bearer, and the exchange again, as occasion may require, of such certificates to bearer into stock; | |
| (f) the exchange of debentures, during the currency thereof, into stock; or | |
| (g) any other matter, subject to the provisions of this Act, as it may deem expedient. | |

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3. Obligasies kan in bedrae van honderd rand of 'n veelvoud van honderd rand uitgereik word op die beste en gunstigste voorwaardes verkrybaar en op die ander voorwaardes, behoudens die bepalings van hierdie Bylae, wat die Minister ten tyde van uitreiking gelas.

Onkoste van die opneem van geld.

4. Die uitgawes noodwendig aangegaan in verband met die opneem van geld deur die korporasie en die uitreiking van sekuriteite daarvoor, met inbegrip van kortings (as daar is), kommissie (as daar is), en enige ander uitgawes wat in verband staan met die opneem van sodanige geld of die uitreiking van sodanige sekuriteite, moet uit die bedrag opgeneem, bestry word, en die gemagtigde bedrag wat geleen kan word, word dienooreenkoms verhoog.

Aanstelling van agente.

5. Die korporasie kan 'n bank of 'n persoon of persone as agent of agente aanstel vir die uitreiking, beheer of terugbetaling van sekuriteite wat kragtens hierdie Bylae uitgereik is, en kan 'n ooreenkoms aangaan met sodanige agent of agente betreffende die pligte wat vervul moet word en die vergoeding daarvoor.

Lening s 'n vordering teen korporasie se bates.

6. Elke lening aangegaan of sekuriteit uitgereik deur die korporasie, en rente of ander vorderings verskuldig of verskuldig te word ten opsigte daarvan, maak 'n preferente vordering uit teen al die inkomste en bates van die korporasie en teen alle gelddeur hom gehef of gehef te word.

Uitreiking van effekte in die Republiek.

7. (1) Wanneer geld opgeneem word deur die uitreiking van effekte in die Republiek, word daardie effekte van die hand gesit op die beste en gunstigste voorwaardes verkrybaar, en op die ander voorwaardes, behoudens die bepaling van hierdie Bylae, wat die Minister gelas.

(2) Die korporasie moet boeke hou met betrekking tot sodanige effekte en moet daarin ten opsigte van elke uitreiking van effekte aanteken—

- (a) die naam en adres van elke eienaar, solank hy eienaar bly, van elke bedrag aan effekte;
- (b) die bedrag aan effekte wat deur elke eienaar besit word en die datum of datums waarop daardie eienaar met daardie effekte gekrediteer is.

(3) By volle storting van die betaalbare bedrag deur 'n eienaar van effekte ten opsigte van die effekte waarmee hy gekrediteer is, moet die korporasie aan hom 'n sertifikaat uitrek van die hoeveelheid effekte waarmee hy gekrediteer is.

8. (1) Effekte in die Republiek uitgereik, moet as ingeskreve effekte of as geregistreerde effekte, na gelang die Minister bepaal, uitgereik word.

(2) Effekte in die Republiek as ingeskreve effekte uitgereik, is oordraagbaar deur aantekening in die effektcboeke wat deur die korporasie gehou word, en daardie boeke is *prima facie*-bewys van die titel van 'n persoon ten opsigte van effekte waarvan hy as eienaar aangeteken staan.

(3) Effekte wat as geregistreerde effekte uitgereik word, is oordraagbaar deur skriftelike akte van oordrag, en die effektesertifikaat deur die korporasie ten opsigte van effekte uitgereik, is *prima facie*-bewys van die reg van die houer van die sertifikaat op die daarin vermelde effekte.

9. Nog die korporasie nog 'n agent deur hom ingevolge hierdie Bylae aangestel, is aan enige verpligting onderworpe met betrekking tot die behoorlike nakoming van 'n trust, hetso uitdruklik, stilswyend of afgelei, waaraan effekte of 'n obligasie in die Republiek uitgereik, onderworpe is, nie teenstaande dat die korporasie of so 'n agent kennis ontvang het dat die effekte of obligasie onderworpe aan 'n trust besit word.

10. Effekte wat buite die Republiek uitgereik word, moet op die beste en gunstigste voorwaardes verkrybaar uitgereik word, en op die voorwaardes, behoudens die bepaling van hierdie Bylae, wat die Minister ten tyde van die uitreiking bepaal.

11. Vir die betaling van rente en vir die delging en aflossing van sekuriteite moet daar onderskeidelik 'n rentefonds en 'n delgingsfonds gestig word wat in stand gehou en waarmee gehandel moet word soos hieronder bepaal.

12. (1) In elke jaar moet daar tot betaling van rente ten opsigte van die sekuriteite, 'n bedrag gelyk aan die totale bedrag van al die rente betaalbaar in daardie jaar op die uitstaande sekuriteite, in die rentefonds gestort word.

(2) Die volgende bedrae moet in die delgingsfonds gestort word, te wete—

- (a) die netto opbrengs van verkopings van onroerende goed wat aan die korporasie behoort;
- (b) alle ander inkomste van die korporasie ten opsigte van verkopings van regte of belang soortgelyk of analoog aan onroerende goed of serwiture;
- (c) die inkomste uit die beleggings van die delgingsfonds; en
- (d) stortings wat ingevolge paragraaf 16 (3) nodig is.

Korporasie nie verantwoordelik vir die nakoming van trusts verbonde of sekuriteite nie.**Uitreiking van effekte buite die Republiek.****Rentefonds en delgingsfonds.****Stortings in rente- en delgingsfondse.**

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3. Debentures may be issued in amounts of one hundred rand or any multiple of one hundred rand upon the best and most favourable terms obtainable and under such other conditions, subject to the provision of this Schedule, as the Minister may at the time of issue direct. Issue of debentures.

4. The expenses necessarily incurred in connection with the raising of any loan by the corporation and the issue of any securities therefor, including discount (if any), commission (if any) and any other expenses whatever incidental to the raising of any such loan or issue of such securities, shall be paid out of the amount raised, and the amount authorized to be borrowed shall be increased accordingly. Costs of raising loans.

5. The corporation may appoint any bank or any person or persons as agent or agents for the issue, management, or repayment of any securities issued under this Schedule, and may enter into an agreement with such agent or agents as to the duties to be performed and the remuneration therefor. Appointment of agents.

6. Every loan raised or security issued by the corporation, and any interest or other charges due or to become due in respect thereof, shall be a first charge on all the revenues and assets of the corporation and on all charges levied or to be levied by it. Loans charged on corporation's assets.

7. (1) When a loan is raised by stock issued in the Republic, such stock shall be disposed of on the best and most favourable terms obtainable, and under such other conditions, subject to the provisions of this Schedule, as the Minister may direct. Issue of stock in the Republic.

(2) The corporation shall keep books relating to such stock and shall enter therein in respect of each issue of stock—

- (a) the name and address of each owner for the time being of any amount of stock;
- (b) the amount of stock held by each owner and the date or dates at which such stock was credited to such owner.

(3) On payment in full of the amount payable by an owner of stock in respect of the stock credited to him, the corporation shall issue to him a certificate of the amount of stock standing to his credit.

8. (1) Stock issued in the Republic shall be issued as inscribed stock or as registered stock, as the Minister may direct. Stock issued in the Republic shall be inscribed or registered stock.

(2) Stock issued in the Republic as inscribed stock shall be transferable by entry in the books of stock kept by the corporation, and such books shall be *prima facie* evidence of the title of any person in respect of stock of which he is entered as the owner.

(3) Stock issued as registered stock shall be transferable by written instrument of transfer, and the stock certificate issued by the corporation in respect of any stock shall be *prima facie* evidence of the title of the holder of the certificate to the stock specified therein.

9. Neither the corporation nor any agent appointed by it in terms of this Schedule shall be under any obligation as regards the due fulfilment of any trust, whether expressed, implied, or constructive, to which any stock or debenture issued in the Republic may be subject, notwithstanding that the corporation or such agent has had notice that the stock or debenture is held subject to a trust. Corporation not responsible for the fulfilment of trusts attaching to securities.

10. Stock issued outside the Republic shall be issued upon the best and most favourable conditions obtainable, and on such other conditions, subject to the provisions of this Schedule, as the Minister may at the time of issue direct. Issue of stock outside the Republic.

11. For payment of interest and for the extinction and redemption of securities, there shall be established an interest fund and a redemption fund, respectively, which shall be maintained and dealt with as hereinafter provided. Interest fund and redemption fund.

12. (1) There shall be paid into the interest fund in each year, for the payment of interest in respect of the securities, a sum equal to the aggregate amount of all the interest payable in that year on the securities outstanding. Payments into interest and redemption funds.

(2) There shall be paid into the redemption fund the following sums, namely—

- (a) the net proceeds of any sales of fixed property belonging to the corporation;
- (b) all other income of the corporation in respect of any sales of rights or interests in the nature of or analogous to fixed property or servitudes;
- (c) the income of the investments of the redemption fund; and
- (d) any payments which may be required in terms of paragraph 16 (3).

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Belegging van
delgingsfonds.

13. Die gelde in die delgingsfonds moet, vir sover nie onmiddellik nodig vir die doeleindes in paragraaf 14 genoem nie, belê word, na gelang die korporasie gelas, in een of meer van die volgende effekte, fondse en sekuriteite, te wete—

- (a) effekte en sekuriteite deur die Regering uitgereik of gewaarborg, of kapitaalaandele van die Suid-Afrikaanse Reserwebank;
- (b) sekuriteite van die Randwaterraad, die Elektrisiteitsvoorsienings-kommissie of die Suid-Afrikaanse Yster en Staal Industriële Korporasie Beperk, en sekuriteite wat deur 'n stedelike of ander plaaslike bestuur in die Republiek op gesag van die een of ander wet uitgereik is;
- (c) effekte van die korporasie;
- (d) die ander sekuriteite of fondse wat die Minister goedkeur.

Aanwending van
delgingsfonds.

14. (1) Die delgingsfonds moet van tyd tot tyd ooreenkomstig die bepalings van hierdie Bylae aangewend word tot delging van die sekuriteite wat deur die korporasie uitgereik word, en kan ook, op die wyse en onderworpe aan die voorwaardes in hierdie Bylae opgeloë, aangewend word soos in subparagraph (2) bepaal.

- (2) (a) Wanneer 'n bevoegdheid kragtens artikel 16 (1) van hierdie Wet aan die korporasie verleen is om geld op te neem, kan die bevoegdheid hetsy in die geheel of gedeeltelik uitgeoefen word deur vir daardie doel geld te gebruik waarmee die delgingsfonds asdan gekrediteer is.
- (b) In elke geval waar die korporasie voornemens is om die delgingsfonds vir bogenoemdoel aan te wend, moet hy eers 'n besluit neem wat die trekking van die gelde uit die delgingsfonds ooreenkomsdig die voorwaardes in hierdie Bylae voorgeskryf, magtig en wat die rekening van bedoelde fonds aandui waaruit die gelde getrek moet word, en indien dit uit meer as een sodanige rekening getrek moet word, die bedrag wat uit elke sodanige rekening getrek moet word.
- (c) Die bedrag wat getrek moet word, moet gelyk wees aan die bedrag op hierdie wyse opgeneem te word.
- (d) Onmiddellik na die trekking van bedoelde geld soos voormeld, moet dieselfde betalings gedaan en dieselfde prosedure *mutatis mutandis* nagekom word asof die bedrag opgeneem was deur die uitreiking van nuwe sekuriteite wat rente dra teen dieselfde koers as die sekuriteite aangetoon in die rekening waaruit bedoelde bedrag getrek was en op dieselfde datum as sodanige sekuriteite terugbetaalbaar is.
- (e) Alle bedrae betaalbaar soos voormeld by wyse van rente op die bedrag aldus getrek, moet in die delgingsfonds in die rekening waaruit sodanige bedrag getrek is, gestort word.

Delgingsfonds nie
verpand te word nie.

15. Die korporasie mag geen las hoegenaamd op of teen die delgingsfonds of 'n deel daarvan of geld daarvoor aangewend te word, skep nie.

Rekenings van
delgingsfonds.

16. (1) Die korporasie moet boeke en rekenings laat hou en inskrywings laat maak om van tyd tot tyd die toestand van die delgingsfonds en in besonder die beleggings daarvan, aan te toon.

(2) Die korporasie moet volledige en omstandige rekenings van die delgingsfonds en sy beleggings en van alle betalings en ontvangste in verband daarmee gedurende die jaar, jaarliks met die algemene rekenings van die korporasie laat publiseer in 'n vorm deur die Minister goedgekeur.

(3) (a) Vir die doeleindes van bedoelde rekenings moet die korporasie, twaalf maande na 'n datum deur die Minister vasgestel maar in geen geval later as drie jaar vanaf die datum van 'n bepaalde uitreiking van sekuriteite nie, en daarna een keer elke jaar, 'n waardasie laat maak van die delgingsfonds en moet hy terselfder-tyd vasstel wat die bedrag sou wees, op die datum van daardie waardasie, van 'n amortisasiefonds saamgestel uit gelyke jaarlikse betalings vanaf ersonsbedoelde datum ten opsigte van daardie uitreiking van sekuriteite, voldoende om, indien byeengebring met saamgestelde rente teen 'n koers van vyf persent per jaar, al die uitstaande sekuriteite van daardie uitreiking na verloop van dertig jaar vanaf die uitreiking daarvan, te delg.

(b) Indien dit blyk dat die waarde van die delgingsfonds laer is as die bedrag van 'n amortisasiefonds aldus saamgestel en soos voormeld byeengebring, moet die korporasie 'n verdere storting in die delgingsfonds laat doen, sodat die waarde daarvan nie laer as bedoelde bedrag is nie.

(4) Die rekenings in subparagraph (2) bedoel, mag nie in enige jaar gepubliseer word nie sonder 'n sertifikaat van die ouditeur van die korporasie se rekenings dat hy oortuig is beide omtrent die juistheid van die rekenings en boeke en omtrent die instandhouding van die delgingsfonds op die bedrag deur hierdie Bylae vereis.

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13. The moneys in the redemption fund, so far as not immediately required for the purposes mentioned in paragraph 14, shall be invested, as the corporation may direct, in one or more of the following stocks, funds and securities, namely—

- (a) stocks and securities issued or guaranteed by the Government, or capital stock of the South African Reserve Bank;
- (b) securities of the Rand Water Board, the Electricity Supply Commission or the South African Iron and Steel Industrial Corporation, Limited, and securities issued under the authority of any law by any urban or other local authority in the Republic;
- (c) corporation stock;
- (d) any other securities and funds the Minister may approve.

Investment of
redemption fund.

14. (1) The redemption fund shall be applied from time to time in accordance with the provisions of this Schedule, in redemption of the securities issued by the corporation, and may also be applied, in the manner and subject to the conditions laid down in this Schedule, as in subparagraph (2) provided.

Application of
redemption fund.

- (2) (a) Whenever any power has been conferred on the corporation under section 16 (1) of this Act to raise money, such power may be exercised either wholly or partially by using for that purpose any moneys for the time being standing to the credit of the redemption fund.
- (b) In every case where the corporation proposes to use the redemption fund for the above-mentioned purpose, it shall first pass a resolution authorizing the withdrawal of the moneys from the redemption fund in accordance with the conditions prescribed in this Schedule and specifying the account of the said fund from which the moneys are to be withdrawn and, if they are to be withdrawn from more than one of such accounts, the amount to be withdrawn from each such account.
- (c) The amount to be withdrawn shall be equal to the sum which is to be raised by this means.
- (d) Immediately on the withdrawal of such moneys as aforesaid the same payments shall be made and the same procedure observed *mutatis mutandis* as if such amount had been raised by an issue of new securities, bearing interest at the same rate as the securities reflected in the account from which the said amount was withdrawn and repayable at the same date as such stock is repayable.
- (e) All sums payable as aforesaid by way of interest on the amount so withdrawn, shall be paid into the redemption fund to the account from which such amount was withdrawn.

15. The corporation shall not create any charge whatsoever upon or against the redemption fund or any part thereof, or any moneys to be applied thereto.

Redemption fund
not to be pledged.

16. (1) The corporation shall cause books and accounts to be kept and entries to be made to show from time to time the position of the redemption fund and in particular the investments thereof.

Accounts of
redemption fund.

(2) The corporation shall cause full and detailed accounts of the redemption fund and the investments thereof and of all payments and receipts in connection therewith during the year to be published yearly with the general accounts of the corporation in a form approved by the Minister.

(3) (a) For the purpose of such accounts the corporation shall, twelve months after a date to be fixed by the Minister but in no case later than three years from the date of any particular issue of securities, and thereafter once in each year, cause a valuation to be made of the redemption fund and shall at the same time ascertain what would be the amount, at the date of such valuation, of a sinking fund constituted by equal annual payments commencing from the said first-mentioned date in respect of such issue of securities, sufficient, if accumulated with compound interest at the rate of five per cent per annum, to redeem all the outstanding securities of such issue at the expiration of thirty years from the issue thereof.

appears that the value of the redemption fund is less than the amount of a sinking fund so constituted and accumulated as aforesaid, the corporation shall cause a further payment to be made into the redemption fund so that the value thereof shall not be less than the said amount.

(4) The accounts referred to in subparagraph (2) shall not be published in any year without a certificate from the auditor of the corporation's accounts that he is satisfied both as to the correctness of the accounts and books and as to the maintenance of the redemption fund at the amount required by this Schedule.

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17. 'n Houer van sekuriteite of iemand deur hom skriftelik daar toe gemagtig, kan die boeke en rekenings van die delgingsfonds te enige redelike tyd inspekteer by betaling van die geld wat die korporasie bepaal maar wat hoogstens vyftig sent bedra, en is geregtig om van die korporasie van of uit bedoelde boeke en rekenings afskrifte van uittreksels, deur die bevoegde beampte van die korporasie as juiste afskrifte van uittreksels gesertifiseer, te verkry by betaling van die geld wat die korporasie bepaal, maar wat hoogstens een rand bedra, met die toevoeging van vyf sent vir elke vyftig woorde, drie syfers as een woord gerekken.

Delging.

18. Sekuriteite wat nie dan al ingetrek is nie word op die datum vir delging bepaal deur die voorwaarde van uitreiking, betaalbaar teen die nominale bedrag daarvan en daardie bedrag, tesame met rente wanneer betaalbaar, moet aan die houer van die sekuriteite betaal word.

Wanbetaling van rente.

19. (1) Indien rente betaalbaar ten opsigte van sekuriteite onbetaald bly vir drie maande nadat 'n skriftelike eis daarom by die korporasie ingedien is, kan die houer daarvan by 'n hooggereghof wat regsvvoeg is, aansoek doen om die aanstelling van 'n ontvanger van die inkomste, gelde en bates in paragraaf 6 vermeld.

(2) Die hof kan 'n bevel uitrek en die opdragte gee wat hy in die omstandighede dienstig ag ten einde die verskuldigde gelde te bekom en te betaal.

(3) Ingeval die wanbetaling van rente in die geheel of ten dele vir 'n verdere tydperk van drie maande voortduur, kan die houer van die sekuriteite by 'n hooggereghof wat regsvvoeg is, aansoek doen om 'n verklaring dat die hoofsom wat op daardie tydstip uitstaande is, verskuldig geword het, en die hof kan so 'n verklaring, asook 'n bevel van verklaring daaruit voortvloeiende, uitrek tensy hy oortuig is dat dit in die belang van die houers van sekuriteite raadsaam sou wees om op 'n ander wyse in verband met die aansoek te handel, en in so 'n geval kan die hof die beregting van die aansoek uitstel en uiteindelik 'n bevel na gelang van omstandighede uitrek of weier.

Wanbetaling van kapitale waarde van sekuriteit.

20. (1) By versuim van een maand vanaf die datum waarop dit terugbetaalbaar is, om die hoofsom van 'n sekuriteit te betaal, is die bepalings van paragraaf 19 *mutatis mutandis* van toepassing.

(2) Die hof kan ook na goeddunke die tegeldemaking van die delgings- en ander fondse en die verkoping van die bates van die korporasie gelas.

Inagneming van wense van houers van sekuriteite.

21. (1) By die uitreiking of weiering van so 'n bevel moet die hof die wense van die houers van sekuriteite as 'n geheel in ag neem, en kan hy gelas dat vergaderings gehou word om sodanige wense vas te stel, en die nodige opdragte betreffende daardie vergaderings gee en gelas dat persone wat nie partye tot die geding is nie tot partye verklaar word en gedagvaar word.

(2) So 'n bevel word geag uitgereik te wees ten behoeve van, en strek tot voordeel van, alle houers van sekuriteite wat belang het by of geraak word deur so 'n bevel.

Regulasies.

22. (1) Die korporasie kan regulasies uitvaardig wat nie met hierdie Bylae onbestaanbaar is nie, wat voorskryf—

- (a) voorwaarde betreffende tenders vir die van die hand sit van sekuriteite vir die korporasie uitgereik te word, en die procedure wat gevvolg moet word en die vorms wat gebruik moet word in verband met sodanige tenders;
- (b) die vorm en voorwaarde van obligasies of sertifikate vir effekte deur die korporasie uitgereik;
- (c) voorwaarde betreffende die oordrag van sekuriteite;
- (d) voorwaarde betreffende die vervanging van sertifikate wat verloor, vernietig, verslyt of beskadig is;
- (e) redelike gelde en vorderings vir die verrigting van dienste met betrekking tot sekuriteite deur die korporasie uitgereik.

(2) So 'n regulasie is nie van krag nie tensy dit deur die Minister goedgekeur en in die *Staatskoerant* gepubliseer is.

(3) Al sulke regulasies moet in die Parlement ter Tafel gelê word op die selfde wyse en binne dieselfde tydperk asof hulle regulasies was wat deur die Minister uitgevaardig is.

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17. Any holder of securities or any person authorized thereto by him in writing may inspect the books and accounts relating to the redemption fund at any reasonable time upon payment of such fee, not exceeding fifty cents, as the corporation shall fix, and shall be entitled to obtain from the corporation copies of or extracts from the said books and accounts certified by the proper officer of the corporation to be true copies or extracts, upon payment of such fee as the corporation shall fix, not exceeding one rand, with the addition of five cents for every fifty words, three figures counting as one word.

Inspection of books
and accounts.

18. Any securities not previously cancelled shall, on the date fixed for **Redemption**, become payable at the nominal amount thereof and such amount shall, together with any interest when due, be paid to the holder of the securities.

19. (1) If any interest due in respect of any securities remains unpaid for three months after demand therefor in writing has been lodged with the corporation, the holders thereof may apply to a superior court having jurisdiction for the appointment of a receiver of the revenues, charges and assets mentioned in paragraph 6.

Default in payment
of interest.

(2) The court may make such order and give such directions as in the circumstances it may deem expedient for raising and paying the moneys due.

(3) In the event of such default in payment of interest in whole or in part being continued for a further period of three months, the holder of the securities may apply to a superior court having jurisdiction for a declaration that the principal sum for the time being outstanding has become due and the court may make such declaration, together with any consequential order or declaration, unless satisfied that in the interests of the holders of securities it would be advisable to deal otherwise with the application, and in such case the court may postpone the hearing of the application and may ultimately make or refuse an order according to circumstances.

20. (1) In the event of default in payment of the principal of any security for one month after the date on which it is repayable, the provisions of paragraph 19 shall *mutatis mutandis* apply.

Default in payment
of capital value of
security.

(2) The court may, at its discretion, also order the realization of the redemption and the reserve funds and the sale of any asset of the corporation.

21. (1) In making or refusing any such order, the court shall have regard to the wishes of the holders of securities as a whole, and may order meetings to be held to ascertain such wishes, and give all necessary directions as to such meetings, and direct any persons not parties to the proceedings to be made parties and to be sued.

Regard to wishes
of holders of securities.

(2) Any such order shall be deemed to be made on behalf of, and shall be for the benefit of, all holders of securities interested in or affected by such order.

22. (1) The corporation may make regulations not inconsistent with **Regulations**, this Schedule, prescribing—

- (a) conditions as to tenders for the disposal of securities to be issued for it, and the procedure to be observed and the forms to be used in connection with such tenders;
- (b) the form and conditions of debentures or certificates for any stock issued by the corporation;
- (c) conditions as to transfer of any securities;
- (d) conditions as to replacement of any certificates which have been lost, destroyed, worn out or damaged;
- (e) reasonable fees and charges for the performance of services in relation to securities issued by the corporation.

(2) No such regulation shall be of force and effect until approved by the Minister and published in the *Gazette*.

(3) All such regulations shall be tabled in Parliament in the same manner and within the same period as if they were regulations made by the Minister.

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Bylae 2

WETTE HERROEP OF GEWYSIG

No. en jaar	Kort titel	Omvang van herroeping of wysiging
Wet No. 22 van 1936	Uitsaaiwet, 1936 . . .	Die herroeping van die geheel
Wet No. 14 van 1949	Uitsaaiwysigingswet, 1949 . . .	Die herroeping van die geheel
Wet No. 3 van 1952	Radiowet, 1952 . . .	<p>(a) Die wysiging van artikel 1—</p> <p>(i) deur die woorde wat die omskrywing van „hierdie Wet” voorafgaan deur die volgende woorde te vervang: „In hierdie Wet, tensy uit die samehang anders blyk, het ‘klankradiostel’, ‘televisiestel’, ‘luisteraarslisensie’, ‘televisielisensie’ en ‘uitsaaidiens’ die betekenis wat in die Uitsaaiwet, 1976, daaraan toegeskryf is, en beteken—”; en</p> <p>(ii) deur die omskrywings van „klankradiostel”, „koncessioneerde luisteraarslisensie”, „luisteraarslisensie”, „luisteraarslisensiejaar”, „televisielisensie”, „televisiestel” en „uitsaaidiens” te skrap;</p> <p>(b) die wysiging van artikel 5—</p> <p>(i) deur subartikel (2) deur die volgende subartikel te vervang:</p> <p>„(2) (a) Niemand mag ‘n klankradiostel gebruik vir die ontvangs van enigiets wat in ‘n uitsaaidiens uitgesaai word nie, tensy hy in besit is van ‘n luisteraarslisensie; of</p> <p>(ii) geregtig is om dit te doen uit hoofde van ‘n vrystelling ingevolge regulasies kragtens artikel 23 (1) (c) van die Uitsaaiwet, 1976, uitgevaardig; of</p> <p>(iii) geregtig is om dit te doen uit hoofde van toestemming verleen kragtens ‘n luisteraarslisensie ingevolge artikel 17 (2) (b) van daardie Wet uitgereik.</p> <p>(b) Geen eienaar of bestuurder van ‘n besigheid mag in verband met daardie besigheid—</p> <p>(i) ‘n klankradiostel gebruik, of iemand anders toelaat om dit te gebruik, vir die ontvangs van enigiets wat in ‘n uitsaaidiens uitgesaai word nie, tensy hy in besit is van ‘n luisteraarslisensie ingevolge artikel 17 (2) (b) van die Uitsaaiwet, 1976, uitgereik; of</p> <p>(ii) ‘n klankradiostel anders as ooreenkomsdig die bepalings van so ‘n lisensie wat hy in sy besit het, soos voormeld gebruik nie, of iemand anders toelaat om dit te doen nie.</p> <p>(c) Niemand mag ‘n televisiestel gebruik vir die ontvangs van enigiets wat in ‘n uitsaaidiens uitgesaai word nie, tensy hy—</p> <p>(i) in besit is van ‘n televisielisensie; of</p> <p>(ii) geregtig is om dit te doen uit hoofde van toestemming verleen kragtens ‘n televisielisensie ingevolge artikel 17 (3) (a) van die Uitsaaiwet, 1976, uitgereik; of</p>

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Schedule 2

LAWS REPEALED OR AMENDED

No. and year	Short title	Extent of repeal or amendment
Act No. 22 of 1936	Broadcasting Act, 1936	The repeal of the whole
Act No. 14 of 1949	Broadcasting Amendment Act, 1949	The repeal of the whole
Act No. 3 of 1952	Radio Act, 1952	<p>(a) The amendment of section 1—</p> <p>(i) by the substitution for the words preceding the definition of “broadcasting service” of the following words:</p> <p>“In this Act, unless inconsistent with the context, ‘sound radio set’, ‘television set’, ‘listener’s licence’, ‘television licence’ and ‘broadcasting service’ shall have the meanings assigned thereto in the Broadcasting Act, 1976, and—”; and</p> <p>(ii) by the deletion of the definitions of ‘broadcasting service’, ‘concessionary listener’s licence’, ‘listener’s licence’, ‘listener’s licence year’, ‘sound radio set’, ‘television licence’ and ‘television set’;</p> <p>(b) the amendment of section 5—</p> <p>(i) by the substitution for subsection (2) of the following subsection:</p> <p>“(2) (a) No person shall use any sound radio set for the reception of anything broadcast in a broadcasting service unless he—</p> <p>(i) is in possession of a listener’s licence; or</p> <p>(ii) is entitled to do so by virtue of an exemption in terms of any regulations made under section 23 (1) (c) of the Broadcasting Act, 1976; or</p> <p>(iii) is entitled to do so by virtue of any permission granted under a listener’s licence issued in terms of section 17 (2) (b) of that Act.</p> <p>(b) No owner or manager of any business shall in connection with that business—</p> <p>(i) use, or permit any other person to use, any sound radio set for the reception of anything broadcast in a broadcasting service, unless he is in possession of a listener’s licence issued in terms of section 17 (2) (b) of the Broadcasting Act, 1976; or</p> <p>(ii) use, or permit any other person to use, any sound radio set as aforesaid otherwise than in accordance with the provisions of any such licence which he has in his possession.</p> <p>(c) No person shall use any television set for the reception of anything broadcast in a broadcasting service unless he—</p> <p>(i) is in possession of a television licence; or</p> <p>(ii) is entitled to do so by virtue of any permission granted under a television licence issued in terms of section 17 (3) (a) of the Broadcasting Act, 1976; or</p>

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		<p>(iii) 'n persoon is aan wie daardie televisiestel verhuur of andersins beskikbaar gestel is kragtens 'n televisielisensie ingevolge artikel 17 (3) (b) of (c) van daardie Wet uitgereik; of</p> <p>(iv) geregtig is om dit te doen uit hoofde van toestemming verleen deur 'n persoon in subparagraaf (iii) bedoel.</p> <p>(d) Behoudens die bepalings van enige regulasies kragtens artikel 23 (1) (d) van die Uitsaaiwet, 1976, uitgevaardig, mag niemand wat geregtig is om 'n televisiestel soos voormeld te gebruik uit hoofde van 'n televisielisensie wat in sy besit is of uit hoofde van die feit dat hy 'n persoon is aan wie daardie televisiestel soos voormeld verhuur of andersins beskikbaar gestel is, daardie televisiestel anders as ooreenkomsdig die bepalings van daardie lisensie of die voorwaardes en vereistes onderworpe waaraan daardie televisiestel aan hom verhuur of beskikbaar gestel is, aldus gebruik nie of iemand anders toelaat om dit te doen nie.''; en</p> <p>(ii) deur die volgende subartikels by te voeg:</p> <p>„(3) Die bepalings van subartikel (2) is nie op 'n persoon wat klankradiostelle of televisiestelle as 'n besigheid vervaardig of wat in die uitvoering van sy pligte in diens van so 'n persoon handel, van toepassing nie vir sover hy 'n klankradio- of televisiestel wat deur hom vervaardig is, in of op die perseel waar dit vervaardig is of op 'n ander perseel wat deur die Suid-Afrikaanse Uitsaikorporasie goedgekeur is, en vir die doeleindes van die toetsing daarvan, gebruik vir die ontvangs van enigiets wat in 'n uitsaaidiens uitgesaai word.</p> <p>(4) Indien dit by 'n vervolging weens 'n oortreding van 'n bepaling van subartikel (2) bewys word dat die beskuldigde te eniger tyd 'n klankradiostel of 'n televisiestel in sy besit gehad het, of dat hy die okkuperder was van 'n perseel waarin of waarop 'n klankradiostel of 'n televisiestel te eniger tyd gevind is, word vermoed, tensy die teendeel bewys word, dat hy daardie klankradiostel of televisiestel gebruik het, terwyl dit in sy besit of in of op daardie perseel was, om uitsendings in 'n uitsaaidiens te ontvang.</p> <p>(5) Die bepalings van artikel 1 (2) van die Uitsaaiwet, 1976, is by die toepassing van subartikel (2) <i>mutatis mutandis</i> van toepassing.”;</p> <p>(c) die wysiging van artikel 6—</p> <p>(i) deur subartikel (1) deur die volgende subartikel te vervang:</p> <p>„(1) Niemand mag radio-apparaat oprig, in stand hou of in sy besit hê nie tensy—</p> <p>(a) hy in besit is van 'n permit kragtens artikel 11 ten opsigte van daardie radio-apparaat uitgereik of van die toepaslike lisensie in die Eerste Bylae of in artikel 5 (2) voorgeskryf vir die diens waarvoor daardie radio-apparaat gebruik kan word; of</p>

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		<p>(iii) is a person to whom that television set has been hired out or otherwise made available under a television licence issued in terms of section 17 (3) (b) or (c) of that Act; or</p> <p>(iv) is entitled to do so by virtue of any permission granted by a person referred to in subparagraph (iii).</p> <p>(d) Subject to the provisions of any regulations made under section 23 (1) (d) of the Broadcasting Act, 1976, no person who is entitled to use a television set as aforesaid by virtue of a television licence which he has in his possession or by virtue of the fact that he is a person to whom that television set has been hired out or otherwise made available as aforesaid, shall so use, or permit any other person so to use, that television set otherwise than in accordance with the provisions of that licence or the conditions and requirements subject to which that television set was hired out or made available to him.”; and</p> <p>(ii) by the addition of the following subsections:</p> <p>“(3) The provisions of subsection (2) shall not apply to a person who manufactures sound radio sets or television sets as a business or who acts in the execution of his duties in the service of such a person, in so far as he uses any sound radio or television set manufactured by him, in or on the premises where it was manufactured or on any other premises approved by the South African Broadcasting Corporation, and for the purposes of testing such set, for the reception of any thing broadcast in a broadcasting service.</p> <p>(4) If, in any prosecution for a contravention of any provision of subsection (2), it is proved that the accused had a sound radio set or a television set in his possession at any time or that he was the occupier of any premises in or on which a sound radio set or a television set was found at any time, he shall be presumed, unless the contrary is proved, to have used such sound radio set or television set, while it was in his possession or in or on those premises, for the reception of broadcasts in a broadcasting service.</p> <p>(5) The provisions of section 1 (2) of the Broadcasting Act, 1976, shall apply <i>mutatis mutandis</i> for the purposes of subsection (2) of this section.”;</p> <p>(c) the amendment of section 6—</p> <p>(i) by the substitution for subsection (1) of the following subsection:</p> <p>“(1) No person shall erect, maintain or have in his possession any radio apparatus unless—</p> <p>(a) he is in possession of a permit issued under section 11 in respect of such radio apparatus or of the appropriate licence prescribed in the First Schedule or in section 5 (2) for the service for which such radio apparatus is capable of being used; or</p>

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		<p>(b) in die geval van 'n klankradiostel, hy daardie klankradiostel in sy besit het op 'n plek waar en in omstandighede waarin hy, uit hoofde van 'n vrystelling ingevolge regulasies kragtens artikel 23 (1) (c) van die Uitsaaiwet, 1976, uitgevaardig, geregtig is om dit vir die ontvangs van uitsendings in 'n uitsaaidiens te gebruik; of</p> <p>(c) in die geval van 'n televisiestel, hy iemand is aan wie daardie televisiestel deur 'n radiohandelaar verhuur of andersins beskikbaar gestel word kragtens 'n televisielisensie aan daardie radiohandelaar ingevolge artikel 17 (3) (b) of (c) van genoemde Wet uitgereik.;</p> <p>(ii) deur subartikel (2) deur die volgende subartikel te vervang— „(2) Niemand mag 'n radiosendtoestel aan 'n ander verkoop, gee of op enige ander wyse hoegenaamd verskaf nie tensy hy die houer van 'n kragtens artikel sewe uitgereikte radiohandelaarsregistrasiesertifikaat is of tensy hy in besit is van 'n deur die Posmeester-generaal uitgereikte permit.”; en</p> <p>(iii) deur die volgende subartikel by te voeg: „(4) Enigiemand, behalwe 'n radiohandelaar, wat 'n televisiestel aan 'n ander persoon as 'n radiohandelaar verkoop, gee of op enige ander wyse verskaf, moet die Suid-Afrikaanse Uitsaikorporasie binne veertien dae nadat die televisiestel aan daardie ander persoon gelewer is, skriftelik in kennis stel van— (a) die naam en adres van daardie ander persoon; (b) die datum waarop die televisiestel aldus gelewer is; en (c) die nommer van die lisensie of permit waarkragtens eersgenoemde persoon die televisiestel besit het.”;</p> <p>(d) die vervanging van artikel 7 deur die volgende artikel:</p> <p>„Uitreiking van lisensies en sertifikate. 7. (1) Behoudens die bepalings van artikel 12 (2) van die Uitsaaiwet, 1976, en subartikel (2) van hierdie artikel, kan die Posmeester-generaal op die voorwaarde wat hy in die een of ander geval spesiaal voorskryf of wat in die algemeen by regulasie voorgeskryf word, en teen betaling van die by regulasie voorgeskrewe gelde, een of meer van die lisensies of sertifikate in die Eerste Bylae genoem aan 'n persoon deur hom goedgekeur, uitrek: Met dien verstaande dat 'n uitsaailisensie nie sonder die goedkeuring van die Minister van Nasionale Opvoeding, verleen na oorlegpleging met die Suid-Afrikaanse Uitsaikorporasie, aan iemand anders as genoemde korporasie uitgereik word nie.</p> <p>(2) (a) Die voorwaarde kragtens subartikel (1) ten opsigte van 'n uitsaailisensie voorgeskryf, kan betrekking hê slegs op— (i) die frekwensies wat by die werking van 'n stasie gebruik mag word, die kragtens beperkings ten opsigte van 'n stasie, en die tegniese bediening en inspeksie van 'n stasie;</p>

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		<p>(b) in the case of a sound radio set, he has such sound radio set in his possession at a place where and in circumstances in which he, by virtue of any exemption in terms of regulations made under section 23 (1) (c) of the Broadcasting Act, 1976, is entitled to use it for the reception of broadcasts in a broadcasting service; or</p> <p>(c) in the case of a television set, he is a person to whom that television set is hired out or otherwise made available by a radio dealer under a television licence issued to that radio dealer in terms of section 17 (3) (b) or (c) of the said Act.”;</p> <p>(ii) by the substitution for subsection (2) of the following subsection:</p> <p>“(2) No person shall sell, give or in any manner whatever supply any radio transmitting set to any other person unless he is the holder of a radio dealer's registration certificate issued under section seven or unless he is in possession of a permit issued by the Postmaster-General”; and</p> <p>(iii) by the addition of the following subsection:</p> <p>“(4) Any person, except a radio dealer, who sells, gives or in any other manner supplies any television set to any person other than a radio dealer, shall within fourteen days after such television set is delivered to such other person, notify the South African Broadcasting Corporation in writing of—</p> <p>(a) the name and address of such person;</p> <p>(b) the date on which such television set was so delivered; and</p> <p>(c) the number of the licence or permit under which such first-mentioned person was in possession of that television set.”;</p> <p>(d) the substitution for section 7 of the following section:</p> <p>“Issue of licences and certificates. 7. (1) Subject to the provisions of section 12 (2) of the Broadcasting Act, 1976, and subsection (2) of this section, the Postmaster-General may, on such conditions as he may in any case specially prescribe or as may be generally prescribed by regulation, and against payment of the fees prescribed by regulation, issue to any person approved by him any one or more of the licences or certificates mentioned in the First Schedule: Provided that a broadcasting licence shall not, without the approval of the Minister of National Education, granted after consultation with the South African Broadcasting Corporation, be issued to any person other than the said Corporation.</p> <p>(2) (a) The conditions prescribed under subsection (1) in respect of a broadcasting licence shall relate only to—</p> <p>(i) the frequencies that may be used in the operation of a station, the power limitations in respect of a station, and the technical servicing and inspection of a station;</p>

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		<p>(ii) die voorkoming van elektriese en ander versteurings van radio-ontvangs of van oorsendings oor enige telegraaflyn soos in artikel 1 van die Poswet, 1958 (Wet No. 44 van 1958), om-skryf;</p> <p>(iii) die uitsaai van berigte, aankondigings, nuus of ander inligting wat in die openbare belang uitgesaai moet word;</p> <p>(iv) die uitvoering van artikel 17.</p> <p>(b) Die houer van 'n uitsaailisensie moet, benewens die voorwaardes kragtens subartikel (1) voorgeskryf, die voorwaardes nakom wat die Minister van Nasionale Opvoeding bepaal.</p> <p>(3) Elke lisensie kragtens hierdie artikel uitgereik en elke luisteraars-lisensie of televisielisensie is onderworpe aan die voorwaarde dat die houer daarvan die bepalings van enige internasionale telekommunikasie-ooreenkoms waarby die Republiek 'n party is, en van regulasies wat uit hoofde daarvan opgestel is, moet nakom.;"</p> <p>(e) die herroeping van subartikel (2) van artikel 8;</p> <p>(f) die herroeping van artikel 8A;</p> <p>(g) die wysiging van artikel 9—</p> <ul style="list-style-type: none"> (i) deur subartikel (1) te skrap; en (ii) deur subartikel (3) deur die volgende subartikel te vervang: <p>„(3) Die in paragrawe (x), (xii) en (xiii) van die Eerste Bylae vermelde sertifikate bly van krag tensy en totdat hulle deur die Posmeester-generaal kragtens artikel 14 ingetrek word.;"</p> <p>(h) die wysiging van artikel 11 deur die volgende subartikel by te voeg:</p> <p>„(3) Die Posmeester-generaal kan die bevoegdheid by subartikel (1) aan hom verleen, ten opsigte van klankradiostelle en televisiestelle aan die Suid-Afrikaanse Uitsaikorporasie deleger.;"</p> <p>(i) die vervanging van artikel 12 deur die volgende artikel —</p> <p>„Plicht van radio-handelaar.</p> <p>12. (1) Geen radiohandelaar mag radio-apparaat aan iemand verkoop, verhuur, gee of op enige wyse verskaf nie, of herstelwerk aan radio-apparaat vir iemand doen nie, tensy daardie persoon die betrokke radio-apparaat ingevolge artikel 6(1) in sy besit mag hê.</p> <p>(2) Elke radiohandelaar moet ten opsigte van enige radio-apparaat wat tot 'n by regulasie voorgeskrewe kategorie behoort en wat deur hom aan iemand verkoop, verhuur, gegee of op enige wyse verskaf is of vir iemand herstel is—</p> <ul style="list-style-type: none"> (a) die registers of ander aantekeninge op die tye en wyse voltooi of maak en vir die tydperke bewaar wat by regulasie voorgeskryf is; en (b) die afskrifte van uittreksels uit daardie registers of aantekeninge op die tye en wyse wat aldus voorgeskryf is, maak

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		<p>(ii) the prevention of electric and other disturbances of radio reception or of transmissions over any telegraph line as defined in section 1 of the Post Office Act, 1958 (Act No. 44 of 1958);</p> <p>(iii) the broadcasting of reports, announcements, news or other information which is required to be broadcast in the public interest;</p> <p>(iv) the implementation of section 17.</p> <p>(b) The holder of a broadcasting licence shall, in addition to the conditions prescribed under subsection (1), comply with such conditions as the Minister of National Education may determine.</p> <p>(3) Every licence issued under this section and every listener's licence or television licence shall be subject to the condition that the holder thereof shall observe the provisions of any international telecommunication convention to which the Republic is a party, and of the regulations framed in terms thereof.;</p> <p>(e) the repeal of subsection (2) of section 8;</p> <p>(f) the repeal of section 8A;</p> <p>(g) the amendment of section 9—</p> <ul style="list-style-type: none"> (i) by the deletion of subsection (1); and (ii) by the substitution for subsection (3) of the following subsection: <p style="padding-left: 2em;">“(3) The certificates mentioned in paragraphs (x), (xi) and (xii) of the First Schedule shall remain of force and effect unless and until cancelled by the Postmaster-General under section 14.”;</p> <p>(h) the amendment of section 11 by the addition of the following subsection:</p> <p style="padding-left: 2em;">“(3) The Postmaster-General may delegate the power conferred upon him by subsection (1), to the South African Broadcasting Corporation in respect of sound radio sets and television sets.”;</p> <p>(i) the substitution for section 12 of the following section:</p> <p style="padding-left: 2em;">“Duties of radio dealer.</p> <p style="padding-left: 2em;">12. (1) No radio dealer shall sell, hire out, give or in any manner supply any radio apparatus to any person, or effect any repairs to any radio apparatus for any person, unless that person is in terms of section 6 (1) entitled to have that radio apparatus in his possession.</p> <p style="padding-left: 2em;">(2) Every radio dealer shall, in respect of any radio apparatus which belongs to a category prescribed by regulation and which has been sold, hired out, given or in any manner supplied by him to, or repaired by him for, any person—</p> <ul style="list-style-type: none"> (a) complete or make at such times and in such manner, and retain for such period, such registers or other records as may be prescribed by regulation; and (b) make and send to the Postmaster-General or, as the regulation in question may require, to the South African

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		<p>en aan die Posmeester-generaal of, na vereiste van die betrokke regulasie, aan die Suid-Afrikaanse Uitsaakorporasie stuur.”;</p> <p>(j) die wysiging van artikel 14— (i) deur in subartikel (1) die woorde „behalwe ‘n luisteraarslisensie” te skrap; en (ii) deur subartikel (2) te skrap;</p> <p>(k) die herroeping van subartikels (2) en (3) van artikel 15;</p> <p>(l) die herroeping van subartikels (2) en (3) van artikel 17A;</p> <p>(m) die herroeping van artikel 17B;</p> <p>(n) die wysiging van artikel 18— (i) deur in paragraaf (a) van subartikel (1) die woorde „of artikel 17A van die Uitsaaiwet, 1936 (Wet No. 22 van 1936)” te skrap; (ii) deur paragraaf (bA) van subartikel (1) te skrap; en (iii) deur subartikel (1B) te skrap;</p> <p>(o) die wysiging van artikel 19 deur in paragraaf (c) van subartikel (1) die woorde „faktuur” deur die woorde „stuk” te vervang;</p> <p>(p) die wysiging van die Eerste Bylae— (i) deur paragraaf (iv) deur die volgende paragraaf te vervang: „(iv) Uitsaai- Die instandhouding van lisensie....’n stasie of stasies vir ‘n uitsaaidiens.”; (ii) deur paragraaf (x) deur die volgende paragraaf te vervang:</p> <p>„(x) Radio- Die uitoefening van ‘n handelaars- bedryf of besigheid in ‘n registrasie- winkel, stoor of enige serti- plek hoegenaamd waarby fikaat.radio-apparaat gekoop, verkoop, verhuur of ver- ruil word, of vir verkoop verhuur of ruil aangebied of uitgestal word, of radio-apparaat herstel word.”; en (iii) deur paragraaf (xi) te skrap; en</p> <p>(q) die wysiging van die Tweede Bylae— (i) deur die woorde „Radiohandelaarslisensie” deur die woorde „Radiohandelaarsregistrasiesertifikaat” te vervang; (ii) deur die woorde „Radioherstellerslisensie”, die woorde „gratis” wat daarop volg en die woorde „(met uitsondering van ‘n Luisteraarslisensie)” te skrap.</p>
Wet No. 34 van 1952	Uitsaaiwysigingswet, 1952 .	Die herroeping van die geheel
Wet No. 49 van 1960	Uitsaaiwysigingswet, 1960 .	Die herroeping van die geheel
Wet No. 60 van 1969	Uitsaaiwysigingswet, 1969 .	Die herroeping van die geheel
Wet No. 12 van 1972	Uitsaaiwysigingswet, 1972 .	Die herroeping van die geheel
Wet No. 57 van 1975	Algemene Regswysigingswet, 1975	Die herroeping van artikel 8

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Act No. 34 of 1952	Broadcasting Act, 1952 Amendment	Broadcasting Corporation, such copies of or extracts from those registers or records, at such times and in such manner as may be so prescribed.”; (j) the amendment of section 14— (i) by the deletion in subsection (1) of the words “other than a listener’s licence”; and (ii) by the deletion of subsection (2); (k) the repeal of subsections (2) and (3) of section 15; (l) the repeal of subsections (2) and (3) of section 17A; (m) the repeal of section 17B; (n) the amendment of section 18— (i) by the deletion in paragraph (a) of sub- section (1) of the words “or section 17A of the Broadcasting Act, 1936 (Act No. 22 of 1936)”; (ii) by the deletion of paragraph (bA) of sub- section (1); and (iii) by the deletion of subsection (1B); (o) the amendment of section 19 by the sub- stitution in paragraph (c) of subsection (1) for the word “invoice” of the word “document”; (p) the amendment of the First Schedule— (i) by the substitution for paragraph (iv) of the following paragraph: “(iv) Broadcasting The operation of astation or stations for a broadcasting ser- vice.”; (ii) by the substitution for paragraph (x) of the following paragraph: “(x) Radio The carrying on of a tradedealer’s or business, in any shop, registration store or any place what- ever, whereby radio apparatus is bought, sold, hired out or exchanged or offered or exposed for sale, hire or exchange, or radio apparatus is re- paired.”; and (iii) by the deletion of paragraph (xi); and (q) the amendment of the Second Schedule— (i) by the substitution for the words “Radio Dealer’s Licence” of the words “Radio Dealer’s Registration Certificate”; and (ii) by the deletion of the words “Radio Repairer’s Licence”, of the word “gratis” following them, and of the words “(other than a Listener’s Licence”).
Act No. 49 of 1960	Broadcasting Act, 1960 Amendment	The repeal of the whole
Act No. 60 of 1969	Broadcasting Act, 1969 Amendment	The repeal of the whole
Act No. 12 of 1972	Broadcasting Act, 1972 Amendment	The repeal of the whole
Act No. 57 of 1975	General Law Act, 1975 Amendment	The repeal of section 8

