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STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 525.

11 March 1987

No. 525:

11 Maart 1987

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

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

■ No. 18 of 1987: State Tender Board Amendment Act, 1987.

No. 18 van 1987: Wysigingswet op die Staatstenderraad, 1987.

Act No. 18, 1987

STATE TENDER BOARD AMENDMENT ACT, 1987

GENERAL EXPLANATORY NOTE:

- [** **]** Words in bold type in square brackets indicate omissions from existing enactments.
- _____ Words underlined with solid line indicate insertions in existing enactments.

ACT

To provide for the establishment, constitution and powers of regional tender boards; and for incidental matters.

(Afrikaans text signed by the State President.)
(Assented to 2 March 1987.)

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

Insertion of section 2A in Act 86 of 1968.

1. The following section is hereby inserted in the State Tender Board Act, 1968 (hereinafter referred to as the principal Act), after section 2: 5

“Establishment of regional tender boards. 2A. The Minister shall on the recommendation of the board establish regional tender boards in respect of such regions as the Minister may determine.”

Insertion of section 3A in Act 86 of 1968.

2. The following section is hereby inserted in the principal Act after section 3: 10

“Constitution of regional tender boards. 3A. (1) A regional tender board shall consist of not fewer than 10 and not more than 14 members appointed by the Minister, of whom—

(a) one shall be appointed out of a list of names of two persons designated by the Chairman of the Ministers' Council in the House of Assembly; 15

(b) one shall be appointed out of a list of names of two persons designated by the Chairman of the Ministers' Council in the House of Representatives; 20

(c) one shall be appointed out of a list of names of two persons designated by the Chairman of the Ministers' Council in the House of Delegates;

(d) two shall be appointed out of a list of names of four persons designated by the relevant Administrator; 25

(e) so many who are officers or employees may be appointed as, together with any members appointed under paragraphs (a), (b), (c) and (d) who are officers or employees, do not exceed half the total number of the members. 30

(2) If for any reason no person is or can be designated in terms of subsection (1) (a), (b), or (c) within 30 days after the Minister has requested the Chairman concerned to do so, the Minister may appoint as a member such person as he may deem fit.” 35

Act No. 18, 1987

STATE TENDER BOARD AMENDMENT ACT, 1987

Insertion of section 4A in Act 86 of 1968.

3. The following section is hereby inserted in the principal Act after section 4:

“Powers of regional tender boards. 4A. The powers of a regional tender board shall be such as may be delegated to it under section 5 (2), and such powers as may be conferred upon it by regulation made under section 13.” 5

Amendment of section 5 of Act 86 of 1968, as amended by section 3 of Act 74 of 1971.

4. Section 5 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) The board may from time to time delegate any of its powers to any regional tender board or any of its committees, any person (including any member of the board), any body of persons or the holder of any post designated by the board.” 10

Amendment of section 12 of Act 86 of 1968, as amended by section 6 of Act 74 of 1971.

5. Section 12 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection: 15

“(1) All administrative work, including the payment and receipt of moneys, in connection with the performance of the functions and the exercise of the powers of the board shall be performed by officers and employees designated by the [Secretary to the Treasury] Director-General: Finance.” 20

Insertion of section 12A in Act 86 of 1968.

6. The following section is hereby inserted in the principal Act after section 12:

“Application of certain sections in respect of regional tender boards. 12A. The provisions of sections 3 (2), 3 (3), 3 (4), 3 (5), 5 (3), 5 (4), 5 (5), 5 (6), 5 (7), 6, 11, 12 (1) and 13 (1) (a) shall mutatis mutandis apply to a regional tender board.” 25

Substitution of long title of Act 86 of 1968.

7. The following long title is hereby substituted for the long title of the principal Act:

“To provide for the regulation of the procurement of supplies and services for, the disposal of movable property of, and the hiring or letting of anything or the acquisition or granting of any right for or on behalf of, the State and to that end to establish a State Tender Board, to provide for the establishment of regional tender boards and to define [its] their functions; and to provide for incidental matters.” 30 35

Repeal of sections 27 and 29 (2) of Act 18 of 1972.

8. Sections 27 and 29 (2) of the Provincial Finance and Audit Act, 1972, are hereby repealed.

Short title and commencement.

9. This Act shall be called the State Tender Board Amendment Act, 1987, and shall come into operation on 1 April 1987. 40