



# GOVERNMENT GAZETTE

OF THE REPUBLIC OF SOUTH AFRICA

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REPUBLIEK VAN SUID-AFRIKA

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Vol. 285

CAPE TOWN, 23 MARCH 1989

No. 11775

KAAPSTAD, 23 MAART 1989

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STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 521.

23 March 1989

No. 521.

23 Maart 1989

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

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

No. 22 of 1989: Diamonds Amendment Act, 1989.

No. 22 van 1989: Wysigingswet op Diamante, 1989.

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 amend the Diamonds Act, 1986, in order to make provision that the executive officer of the South African Diamond Board shall be a person in the service of the said Board instead of an officer in the service of the Department of Mineral and Energy Affairs; to provide that the Minister of the said Department shall appoint an alternate member for the chairman of the said Board; to make further provision that the said Minister may determine the conditions of service and service benefits of persons appointed by the said Board; and to determine that the chairman of the said Board may designate a person in the service of the said Board to act as executive officer in certain circumstances; and to make provision for matters connected therewith.

*(Afrikaans text signed by the acting State President.)  
(Assented to 14 March 1989.)*

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

**Amendment of section 1 of Act 56 of 1986, as amended by section 1 of Act 28 of 1988**

1. Section 1 of the Diamonds Act, 1986 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of “executive officer” 5 of the following definition:

“‘executive officer’ means the executive officer of the Board **designated** appointed in terms of section **5 (1) (a)** 14 (1);”.

**Amendment of section 5 of Act 56 of 1986, as amended by section 2 of Act 28 of 1988**

2. Section 5 of the principal Act is hereby amended— 10  
(a) by the substitution for paragraph (a) of subsection (1) of the following paragraph:

“(a) **two officers** one officer of the Department of Mineral and Energy Affairs, **of** whom the Minister shall designate **one** as chairman **and the other as executive officer** of the Board;” 15

(b) by the addition to subsection (1) of the following paragraph:

“(l) the executive officer of the Board.” and

(c) by the substitution for subsection (4) of the following subsection:

“(4) The Minister shall, having regard to the applicable provisions of this section, appoint for every member of the Board, excluding a member 20 referred to in subsection **[(1) (a), (d) or (k)]** (1) (d), (k) or (l), an alternate member.”.

**Substitution of section 12 of Act 56 of 1986**

3. The following section is hereby substituted for section 12 of the principal Act:

Act No. 22, 1989

DIAMONDS AMENDMENT ACT, 1989

**“Remuneration of members of Board and of executive and other committees**

12. A member or an alternate member of the Board or a member of the executive or any other committee of the Board who is not in the full-time employment of the State or the Board may be paid out of the funds of the Board such remuneration and allowances as the Minister may, with the concurrence of the Minister of Finance, determine.” 5

**Amendment of section 14 of Act 56 of 1986**

4. Section 14 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection: 10

“(1) The work incidental to the performance of the functions of the Board shall, subject to the directions of the Board, be performed by an executive officer appointed by the Minister after consultation with the Board on such conditions of service and at such remuneration and service benefits as the Minister may, with the concurrence of the Minister of Finance, determine, and the executive officer shall be assisted in the performance of his functions by— 15

(a) persons appointed by the Board on such conditions of service and at such remuneration and service benefits as the Minister may, with the concurrence of the Minister of Finance, determine; and 20

(b) officers or employees placed at the disposal of the Board under section 14 (3) (a) of the Public Service Act, 1984 (Act No. 111 of 1984).”;

(b) by the addition of the following subsection:

“(4) Whenever the executive officer is for any reason unable to perform his functions, the chairman of the Board may designate a person in the service of the Board to act as executive officer until the executive officer is able to resume his functions.” 25

**Repeal of section 15 of Act 56 of 1986**

5. Section 15 of the principal Act is hereby repealed.

**Short title**

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6. This Act shall be called the Diamonds Amendment Act, 1989.