

Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.



REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

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## STAATSKOERANT

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KAAPSTAD, 22 JUNIE 1979

[No. 6516

DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1323.

22 June 1979.

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

No. 73 of 1979: National Supplies Procurement Amendment Act, 1979.

No. 1323.

22 Junie 1979.

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

No. 73 van 1979: Wysigingswet op die Verkryging van Landsvoorrade, 1979.

Act No. 73, 1979

NATIONAL SUPPLIES PROCUREMENT AMENDMENT ACT, 1979.

**GENERAL EXPLANATORY NOTE:**

Words underlined with solid line indicate insertions in existing enactments.

**ACT**

To amend the National Supplies Procurement Act, 1970, so as to provide for control of the disclosure of certain information.

(Afrikaans text signed by the Acting State President.)  
(Assented to 13 June 1979.)

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

1. The following sections are hereby inserted in the National Supplies Procurement Act, 1970, after section 8:

Insertion of sections 8A, 8B and 8C in Act 89 of 1970.

“Prohibition of disclosure of certain information.

8A. (1) No person shall disclose to any person any information in relation to any goods or any service referred to in an arrangement or order made or issued under section 2 or 3 (1), or any statement, comment or rumour calculated directly or indirectly to convey such information or anything purporting to be such information, except—

(a) on the written authority of the Minister or of a controller acting subject to the directions of the Minister;

(b) to a person whose duty it is to deal with the subject matter of the disclosure;

(c) when required to do so as a witness in a court of law; or

(d) for the purposes of this Act.

(2) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence and on conviction liable to the penalties prescribed by section 8B.

Minister may prohibit disclosure of certain information.

8B. (1) Whenever the Minister deems it necessary or expedient for the security of the Republic, he may by notice in the *Gazette* prohibit the disclosure of any information in relation to any goods or service, or of any statement, comment or rumour calculated directly or indirectly to convey such information.

(2) Any person who contravenes such prohibition shall be guilty of an offence and on conviction liable to a fine not exceeding seven thousand rand or to imprisonment for a period not exceeding seven years or to both such fine and such imprisonment.

Minister may enter into certain agreement.

8C. (1) Notwithstanding the provisions of sections 8A and 8B the Minister may enter into an agreement with any person or category of persons to exempt such person or category of persons from the provisions of section 8A or 8B or any notice in terms of section 8B and to regulate the disclosure by such

Act No. 73, 1979

## NATIONAL SUPPLIES PROCUREMENT AMENDMENT ACT, 1979.

person or category of persons of information referred to in section 8A or 8B or any notice in terms of section 8B.

(2) (a) Any agreement in terms of subsection (1) shall be published in the *Gazette* and may not be unilaterally cancelled save in the case of a serious breach of the provisions thereof. 5

(b) In the case of a dispute as to the question whether or not there is such a breach, such dispute shall be submitted for a decision to a tribunal specified in the agreement. 10

(3) In the event of the cancellation of any such agreement the provisions of section 8A or 8B or any notice under section 8B shall apply to such person or category of persons with effect from the date of notification of the cancellation by notice in the *Gazette*. 15

Short title.

2. This Act shall be called the National Supplies Procurement Amendment Act, 1979.