

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.



# STAATSKOERANT

## VAN DIE REPUBLIEK VAN SUID-AFRIKA

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### REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

No. 407.

17 Maart 1976.

No. 407.

17 March 1976.

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

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

No. 2 van 1976: Wet op die Verbod op Skyntransaksies in Krygstuig, 1976.

No. 2 of 1976: Simulated Armaments Transactions Prohibition Act, 1976.

SIMULATED ARMAMENTS TRANSACTIONS PROHIBITION ACT, Act No. 2, 1976  
1976.**ACT**

To prohibit unauthorized persons from purporting to represent the State, the Armaments Board or the Armaments Development and Production Corporation of South Africa, Limited, in relation to armaments transactions; and to provide for matters connected therewith.

*(Afrikaans text signed by the State President.)  
(Assented to 2 March 1976.)*

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

1. In this Act, unless the context otherwise indicates— **Definitions.**

- (i) "armaments" means armaments as defined in the Armaments Act, 1964 (Act No. 87 of 1964); (ii)
- (ii) "board" means the Armaments Board established by section 2 of the Armaments Act, 1964; (iii)
- (iii) "corporation" means the Armaments Development and Production Corporation of South Africa, Limited, established under section 2 of the Armaments Development and Production Act, 1968 (Act No. 57 of 1968). (i)

2. Any person who, in the Republic or elsewhere, in any manner whatsoever purports to acquire from any person, whether as the agent or authorized representative of or otherwise on behalf of the State, the board or the corporation, armaments, any information in regard thereto or patents, licences, concessions, rights of manufacture or the like in relation to armaments, or so to inquire about the availability of armaments, any information in regard thereto or patents, licences, concessions, rights of manufacture or the like in relation to armaments, or so to negotiate for the establishment of agencies in the Republic with regard to armaments, patents, licences, concessions, rights of manufacture or the like in relation to armaments, shall be guilty of an offence and on conviction liable to a fine not exceeding five thousand rand or to imprisonment for a period not exceeding three years or to both such fine and such imprisonment. **Prohibition of simulated acts in relation to armaments.**

3. Any act contemplated in section 2 and committed by any person outside the Republic, shall be deemed to have been committed also in the Republic. **Acts taking place outside the Republic.**

4. Any offence contemplated in section 3 shall for the purposes of jurisdiction be deemed to have been committed in any place in the Republic where the accused happens to be. **Jurisdiction.**

SIMULATED ARMAMENTS TRANSACTIONS PROHIBITION ACT, Act No. 2, 1976  
1976.

5. (1) If in any proceedings before a court in the Republic for an offence contemplated in section 3, the evidence of any person is required and the court is satisfied that that person cannot be found in the Republic, there shall be admissible in evidence before that court any statement in writing relating to the subject matter of those proceedings previously made on oath by that person outside the Republic and which was so made—

Admissibility of certain statements as evidence.

- (a) in the presence of the person charged with the offence; and
- (b) to an officer having functions corresponding to the functions, in the Republic, either of a judge or of a magistrate or of a consular officer.

(2) Any such statement shall be authenticated by the signature of the officer before whom it was made, who shall have certified that the person in question was present at the taking of the statement.

(3) It shall not be necessary in any proceedings to prove the signature or official character of the person appearing so to have authenticated any such statement or to have given such a certificate, and such certificate shall, unless the contrary is proved, be sufficient evidence in any proceedings that the person charged with the offence was present at the making of the statement.

(4) Nothing in this section contained shall prejudice the admission as evidence of any statement which is admissible in evidence apart from this section.

6. This Act shall be called the Simulated Armaments Transactions Prohibition Act, 1976. Short title.