

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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KAAPSTAD, 19 APRIL 1978

DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 786.

19 April 1978.

No. 786.

19 April 1978.

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

No. 48 of 1978: Moratorium Amendment Act, 1978.

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

No. 48 van 1978: Moratoriumwysigingswet, 1978.

MORATORIUM AMENDMENT ACT, 1978.

Act No. 48, 1978

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 Moratorium Act, 1963, so as to make other provision for the suspension of the obligation of a citizen rendering service to pay certain debts; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 12 April 1978.)

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

1. Section 2 of the Moratorium Act, 1963, is hereby amended—
- 5 (a) by the substitution for subsection (1) of the following subsection:
- “(1) Save as is provided in subsections (2) and (3) of this section—
- 10 (a) the obligation of a citizen rendering service to pay contractual debts incurred by him before his service commenced and which become payable **while he is rendering** after he has commenced to render service shall be suspended for a period equal to the period during which he is rendering service plus one month;
- 15 (b) all civil legal remedies whatsoever against **such** any citizen—
- 20 (i) rendering service on which he is employed in terms of section 92ter of the Defence Act, 1957 (Act No. 44 of 1957); or
- (ii) rendering other service, in respect of contractual debts incurred by **such citizen** him, shall be suspended during the whole period during which **such citizen** he is rendering service: Provided that the civil legal remedies referred to shall be suspended for a further period of one month in so far as they relate to subparagraph (i).”;
- 25 (b) by the substitution for subparagraph (ii) of paragraph (b) of subsection (2) of the following subparagraph:
- 30 “(ii) **the price of actual necessities of life supplied by persons, in the ordinary course of their business, to or at the instance of any such citizen after he has commenced to render service** contractual debts incurred by any such citizen and which do not become payable in terms of the contract during the period during which he is rendering service.”;
- 35

Amendment of section 2 of Act 25 of 1963, as substituted by section 2 of Act 27 of 1977.

MORATORIUM AMENDMENT ACT, 1978.

Act No. 48, 1978

- (c) by the deletion of subparagraph (iii) of paragraph (b) of the said subsection (2); and
- (d) by the substitution for subparagraph (iv) of paragraph (b) of the said subsection (2) of the following subparagraph:
- 5 “(iv) any amount becoming payable under a written
contract entered into by a citizen who in terms of
section 21 or 35 of the Defence Act, 1957, is
10 obliged to serve in the Citizen Force or the
commandos, before a first period of service has
commenced in terms of section 22 or 44 of that
Act, if the citizen at the time of entering into the
contract failed to inform the other party to the
contract in writing that he is such a citizen;”;
- 15 (e) by the deletion in subparagraph (ii) of paragraph (c) of the said subsection (2) of the words “and (iii)”, where they occur for the first time, and the words “or (iii)”, and by the substitution for the words “subparagraphs (i) and (iii)” of the words “subparagraph (i)”.
- 20 2. This Act shall be called the Moratorium Amendment Act, Short title.
1978.