

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

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KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 602.

30 Maart 1988

No. 602.

30 March 1988

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring gegee 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. 24 van 1988: Wysigingswet op Mineraaltegnologie, 1988.

No. 24 of 1988: Mineral Technology Amendment Act, 1988.

MINERAL TECHNOLOGY AMENDMENT ACT, 1988

Act No. 24, 1988

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 Mineral Technology Act, 1981, so as to make other provision for the remuneration of the officers and employees of the council; to reduce from seven to six the minimum number of members who shall serve on the council; and to provide that the president of the council shall be the accounting officer thereof; and to provide for matters connected therewith.

*(English text signed by the State President.)
(Assented to 21 March 1988.)*

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

Amendment of section 1 of Act 84 of 1981

1. Section 1 of the Mineral Technology Act, 1981 (hereinafter called the principal Act), is hereby amended—

- (a) by the substitution for the definition of "Minister" of the following definition:
"Minister" means the Minister of **[Mineral and Energy Affairs]** Economic Affairs and Technology"; and
- 10 (b) by the insertion after the definition of "regulation" of the following definition:
"remuneration" means salary, allowance, subsidy or any other similar benefit;

Amendment of section 5 of Act 84 of 1981

15 2. Section 5 of the principal Act is hereby amended—

- (a) by the substitution for paragraph (b) of subsection (1) of the following paragraph:
"(b) The conditions of service, including the payment of remuneration **[and allowances]**, of the president shall be determined by the Minister.";
- 20 (b) by the substitution for subsection (3) of the following subsection:
"(3) Whenever there is no president or the president is absent or for any other reason unable to perform his functions, the Minister may on such conditions of service (including payment of remuneration **[and allowances]**) as he may determine appoint an acting president to perform the functions of the president during such absence or inability, or until a president has been appointed in terms of subsection (1), and, while so acting, the acting president shall have all the powers and perform all duties of the president."; and
- 25 (c) by the substitution for subsection (4) of the following subsection:
30 "(4) Conditions of service determined by the Minister under this section which relate to the payment of remuneration **[or allowances]** shall be so determined with the concurrence of the Minister of Finance."

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Amendment of section 6 of Act 84 of 1981

3. Section 6 of the principal Act is hereby amended—

(a) by the substitution in paragraph (b) of subsection (1) for the words preceding subparagraph (i) of the following words:

5 “not fewer than ~~[seven]~~ six and not more than nine members to be appointed by the Minister, of whom—”;

(b) by the substitution for subparagraph (i) of paragraph (b) of subsection (1) of the following subparagraph:

10 “(i) ~~[two shall be officers]~~ one shall be an officer of the Department of Mineral and Energy Affairs;”;

(c) by the substitution for subsection (6) of the following subsection:

15 “(6) The council shall pay to a member of the council or his alternate who is not in the full-time service of the State, such remuneration ~~[and allowances]~~ and afford him such transport facilities in respect of his services as such a member or alternate as the Minister may determine with the concurrence of the Minister of Finance ~~[Provided that a member or alternate in the full-time service of the State shall not be paid any remuneration by the council, and shall not be paid any allowances by the council exceeding the allowances payable to him in respect of his work in the service of the State].~~”.

Amendment of section 9 of Act 84 of 1981

4. Section 9 of the principal Act is hereby amended—

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

25 “(1) The council may appoint on such conditions as it may determine such officers and employees as it may deem necessary to assist it in the performance of its functions.”;

(b) by the substitution for subsection (2) of the following subsection:

30 “(2) The council shall pay to the officers and employees appointed by it in terms of subsection (1) such remuneration as ~~[the Minister may approve with the concurrence of the Minister of Finance]~~ the council may determine in accordance with a system approved from time to time by the Minister with the concurrence of the Minister of Finance.”;

(c) by the deletion of subsections (3) and (4).

Amendment of section 10 of Act 84 of 1981

35 5. Section 10 of the principal Act is hereby amended—

(a) by the substitution for subsection (2) of the following subsection:

40 “(2) The council may pay to any member of such committee who is not a member or an officer of the council and who is not in the full-time service of the State, such remuneration ~~[and allowances]~~ and afford to him such transport facilities as the Minister may determine with the concurrence of the Minister of Finance.”;

(b) by the deletion of subsection (3).

Amendment of section 13 of Act 84 of 1981

6. Section 13 of the principal Act is hereby amended—

45 (a) by the substitution for subsection (5) of the following subsection:

“(5) The council may invest any unexpended portion of its money with the ~~[Public Debt Commissioners]~~ Corporation for Public Deposits or in such other manner as may be determined by the Minister with the concurrence of the Minister of Finance.”;

50 (b) by the substitution for subsection (7) of the following subsection:

“(7) (a) The president shall be the accounting officer of the council and as such is charged with the responsibility of accounting for the money received and for payments made by the council.

55 (b) The accounting officer shall keep proper records of all the financial transactions of the council and such records as shall at all times reflect the stock of materials, equipment and other property of which it is the owner or which is in its custody.

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- 5 **[(a)] (c)** The financial year of the council shall terminate on 31 March in each year **[and the council shall keep proper records of all its financial transactions and such records as shall at all times reflect the stock of materials, equipment and other property in its custody].**
- [(b)] (d)** The council shall open one or more accounts with any bank approved by the Minister and shall deposit therein all money received.
- [(c)] (e)** The accounts of the council shall be audited by the Auditor-General.
- 10 **[(d)] (f)** The council shall furnish to the Minister such information as he may call for in respect of the activities and financial position of the council, and shall in addition submit to the Minister an annual report on its activities, including a balance sheet and a statement of income and expenditure certified by the Auditor-General to be correct.
- 15 **[(e)] (g)** The Minister shall lay the said report upon the Table **[of the House of Assembly] in Parliament** within 14 days after receipt thereof, if Parliament is then in ordinary session, or, if Parliament is not in ordinary session, within 14 days after the commencement of its next ensuing ordinary session.”.

Short title

7. This Act shall be called the Mineral Technology Amendment Act, 1988.