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[No. 379.

PROCLAMATIONS

BY THE STATE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA.

No. R. 302, 1962.]

DRIED FRUIT SCHEME.

Whereas the Minister of Agricultural Economics and Marketing has, in terms of paragraph (c) of sub-section (3) of section *seventeen* read with section *twenty-three* of the Marketing Act, 1937 (Act No. 26 of 1937), as amended, accepted the scheme appearing in the Schedule hereto, and has, in terms of paragraph (b) of sub-section (1) of section *twenty-one* of the said Act recommended the approval of the said scheme;

Now, therefore, under the powers vested in me by paragraph (a) of sub-section (1) of section *twenty-two* of the said Act, I do hereby declare that the said scheme shall come into operation on the date of publication hereof, in substitution of the Dried Fruit Scheme, published in Proclamation No. 332 of 1949, as amended.

Proclamations Nos. 12 of 1953, 13 of 1953, 75 of 1955, 3 of 1956, 39 of 1956, 207 of 1957, 102 of 1958 and 284 of 1958 are hereby repealed with effect from the date of publication hereof.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this Seventeenth day of November, One thousand Nine hundred and Sixty-two.

C. R. SWART,

State President.

By Order of the State President-in-Council.

D. C. H. UYS.

SCHEDULE.

SCHEME FOR THE REGULATION AND MARKETING OF DRIED FRUIT IN TERMS OF THE MARKETING ACT, 1937 (ACT No. 26 OF 1937), AS AMENDED.

DEFINITIONS.

1. In this scheme, the expression "the Act" means the Marketing Act, 1937 (Act No. 26 of 1937), as amended, and the regulations made thereunder, and any expression to which in that Act a meaning has been assigned, bears, when used in this scheme, the same meaning; further, unless inconsistent with the context—

"dried fruit" includes nuts but not dates;

"dried vine fruit" means the dried or dehydrated fruit of the grape vine of the classes known as raisins, stalk raisins, unbleached sultanas, bleached sultanas, Thompson's seedless raisins, Manaccas, muscatel raisins (on the stalk or loose) and currants;

"producer" means—

(a) in relation to dried fruit, the person by or on whose behalf the dried fruit is produced;

PROKLAMASIES

VAN DIE STAATSPRESIDENT VAN DIE REPUBLIEK VAN SUID-AFRIKA.

No. R. 302, 1962.]

DROËVRUGTESKEMA.

Nademaal die Minister van Landbou-ekonomie en -bemarking kragtens paragraaf (c) van subartikel (3) van artikel *sewentien* saamgelees met artikel *drie-en-twintig* van die Bemarkingswet, 1937 (Wet No. 26 van 1937), soos gewysig, die skema wat in die Bylae hiervan verskyn, aangeneem het, en kragtens paragraaf (b) van subartikel (1) van artikel *een-en-twintig* van genoemde Wet goedkeuring van genoemde skema aanbeveel het;

So is dit dat ek, kragtens die bevoegdheid my verleen by paragraaf (a) van subartikel (1) van artikel *twee-en-twintig* van genoemde Wet, hierby verklaar dat genoemde skema op die datum van publikasie hiervan, in werking tree, ter vervanging van die Droëvrugteskema, soos gepubliseer by Proklamasie No. 332 van 1949, soos gewysig.

Proklamasies Nos. 12 van 1953, 13 van 1953, 75 van 1955, 3 van 1956, 39 van 1956, 207 van 1957, 102 van 1958 en 284 van 1958 word hierby herroep met ingang vanaf die datum van publikasie hiervan.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Sewentiende dag van November Eenduisend Negehoenderd Twee-en-sestig.

C. R. SWART,

Staatspresident.

Op las van die Staatspresident-in-rade.

D. C. H. UYS.

BYLAE.

SKEMA VIR DIE REELING VAN DIE PRODUKSIE EN BEMARKING VAN DROËVRUGTE KRAGTENS DIE BEMARKINGSWET, 1937 (WET No. 26 VAN 1937), SOOS GEWYSIG.

WOORDOMSKRYWINGS.

1. In hierdie skema beteken die uitdrukking "die Wet" die Bemarkingswet, 1937 (Wet No. 26 van 1937), soos gewysig en die regulasies daarkragtens uitgevaardig, en het elke uitdrukking waaraan in daardie Wet 'n betekenis gegee is, dieselfde betekenis wanneer dit in hierdie skema gebruik word; voorts tensy dit in stryd is met die samehang—

sluit "droëvrugte" neut in, maar nie dadels nie en beteken—

"droëwingerdvrugte" die droë- of ontwaterde vrugte van die wingerdstok van die klasse bekend as rosyntjies, trosrosyntjies, ongeswawelde sultanas, geswawelde sultanas, Thompson se pitlose rosyntjies, Manaccas, tros- sowel as losmuskatels en korente; "produsente"—

(a) met betrekking tot droëvrugte, die persoon deur wie of namens wie die droëvrugte geproduseer is;

(b) in relation to any quantity of dried fruit which has been acquired from any person as a consideration for the right to use land on which that person has produced a quantity of dried fruit, or as a remuneration for services rendered to a producer of dried fruit, the person who so acquired that quantity;

(c) in relation to any quantity of dried fruit which is imported into the Republic, the person who so imports that quantity;

"Orange River Area" means the Districts of Gordonia, Kenhardt and Prieska in the Cape Province;

"Olifants River Area" means the Districts of Clanwilliam, Van Rhynsdorp and Vredendal;

"raisins" means dried vine fruit other than stalk raisins, unbleached sultanas, bleached sultanas, Thompson's seedless raisins, Manaccas, muscatel raisins (on the stalk or loose) and currants.

NAME AND SCOPE OF SCHEME.

2. (1) This scheme shall be known as the Dried Fruit Scheme and shall relate to dried fruit.

(2) The provisions of this scheme shall apply in the Republic to all persons who produce dried fruit or deal in the course of trade with dried fruit, except in so far as otherwise provided in this scheme.

ADMINISTRATION OF SCHEME AND CONSTITUTION OF BOARD.

3. (1) This scheme shall be administered by the Dried Fruit Board (hereinafter referred to as the Board), which for that purpose shall consist of thirteen members, to be appointed by the State President of whom—

(a) seven shall represent producers of dried fruit and shall be nominated as provided in section 4;

(b) two shall represent co-operative companies or co-operative societies whose business, in the opinion of the Minister, consists substantially in the processing and packing of dried fruit, and be nominated by such co-operative companies or co-operative societies;

(c) one shall represent the Koöperatiewe Wijnbouwers Vereniging van Zuid-Afrika, Beperkt and shall be nominated by that Vereniging;

(d) one shall represent consumers of dried fruit and shall be nominated by the Consumers' Advisory Committee from amongst its members: Provided that when such members ceases to be a member of the Consumers' Advisory Committee, he shall also cease to be a member of the Board and another member of the Committee shall be nominated in his place;

(e) one shall be an officer of the Department of Agricultural Economics and Marketing or the Department of Agricultural Technical Services and shall be nominated by the Minister;

(f) one shall represent bakers of bread and confectionary and shall be nominated by an association which, in the opinion of the Minister, is representative of bakers.

(2) The Board may co-opt not more than two members as advisory members of the Board.

NOMINATION OF PRODUCER'S REPRESENTATIVES.

4. Of the members of the Board referred to in paragraph (a) of sub-section (1) of section 3—

(i) one shall be nominated by an association which, in the opinion of the Minister, is representative of producers of dried fruit in the Orange River area;

(ii) one shall be nominated by an association which, in the opinion of the Minister, is representative of the producers of dried fruit in the Olifants River area;

(b) met betrekking tot 'n hoeveelheid droëvrugte wat verkry is van 'n persoon as vergoeding vir die reg om grond waarop daardie persoon 'n hoeveelheid van daardie droëvrugte geproduseer het, te gebruik, of as beloning vir dienste aan 'n produsent van daardie droëvrugte gelewer, die persoon wat daardie hoeveelheid aldus verkry het;

(c) met betrekking tot 'n hoeveelheid droëvrugte wat in die Republiek ingevoer word, die persoon wat daardie hoeveelheid aldus invoer;

"Oranjerivier-gebied", die distrikte Gordonia, Kenhardt en Prieska in die Kaapprovinsie;

"Olifantsrivier-gebied", die distrikte Clanwilliam, van Rhynsdorp en Vredendal;

"rosyntjies", ander droëwingerdvrugte as trosrosyntjies, ongeswawelde sultanas, geswawelde sultanas, Thompson se pitlose rosyntjies, Manaccas, tros- sowel as losmuskatels en korente.

NAAM EN BESTEK VAN SKEMA.

2. (1) Hierdie skema is bekend as die Droëvrugteskema en het betrekking op droëvrugte.

(2) Die bepalings van hierdie skema is van toepassing in die Republiek op alle persone wat droëvrugte produseer of in droëvrugte as 'n besigheid handel, behalwe vir sover die skema anders bepaal.

UITVOERING VAN SKEMA EN SAMESTELLING VAN RAAD.

3. (1) Hierdie skema word geadministreer deur die Droëvrugteraad (hierna die Raad genoem), wat vir die doel uit dertien lede bestaan, deur die Staatspresident aangestel te word, van wie—

(a) sewe verteenwoordigers moet wees van produsente van droëvrugte en benoem moet word soos in artikel 4 bepaal;

(b) twee verteenwoordigers moet wees van koöperatiewe maatskappye of koöperatiewe verenigings wie se besigheid volgens oordeel van die Minister, vir 'n aansienlike gedeelte uit die verwerking en verpakking van droëvrugte bestaan, en benoem moet word deur sodanige koöperatiewe maatskappye of koöperatiewe verenigings;

(c) een die Koöperatiewe Wijnbouwers Vereniging van Zuid-Afrika Beperkt, moet verteenwoordig en deur daardie Vereniging benoem moet word;

(d) een 'n verteenwoordiger moet wees van verbruikers van droëvrugte, en wie deur die Adviserende Verbruikerskomitee uit sy lede benoem moet word: Met dien verstande dat wanneer sodanige lid ook ophou om 'n lid van die Adviserende Verbruikerskomitee te wees, hy ook ophou om 'n lid van die Raad te wees en 'n ander lid van daardie komitee in sy plek benoem moet word;

(e) een 'n amptenaar van die Departement van Landbou-ekonomie en -bemarking of Departement van Landbou-tegniese Dienste moet wees en deur die Minister benoem moet word; en

(f) een 'n verteenwoordiger moet wees van bakkers van brood en banket en wie benoem word deur 'n vereniging wat volgens die oordeel van die Minister verteenwoordigend is van bakkers.

(2) Die Raad kan hoogstens twee persone as adviserende lede van die Raad koöpteer.

BENOEMING VAN VERTEENWOORDIGERS VAN PRODUSENTE.

4. Van die lede van die Raad genoem in paragraaf (a) van subartikel (1) van artikel 3, moet—

(i) een benoem word deur 'n vereniging wat volgens oordeel van die Minister verteenwoordigend is van produsente van droëvrugte in die Oranjerivier-gebied;

(ii) een benoem word deur 'n vereniging wat volgens oordeel van die Minister verteenwoordigend is van produsente van droëvrugte in die Olifantsrivier-gebied;

- (iii) one shall be nominated by an association which, in the opinion of the Minister, is representative of producers of dried fruit in the area covered by the Districts of Ceres, Malmesbury, Paarl, Tulbagh and Wellington;
- (iv) one shall be nominated by an association which, in the opinion of the Minister, is representative of producers of dried fruit in the area covered by the Districts of Caledon, Robertson and Worcester;
- (v) one shall be nominated by an association which, in the opinion of the Minister, is representative of producers of dried fruit in the area covered by the Districts of Calitzdorp, Heidelberg, Ladismith, Oudtshoorn, Montagu, Riversdale and Swellendam;
- (vi) two shall be nominated, after mutual consultation, by co-operative companies or co-operative societies whose business, in the opinion of the Minister, consists substantially in the receipt of dried fruit from producers thereof.

NOTICE TO NOMINATE MEMBERS.

5. Whenever a nomination for a member of the Board becomes necessary, the Minister shall call upon the association or organisation concerned, or cause it to be called upon, by notice in writing, to nominate, within a period fixed by such notice, such person or persons as it is entitled to nominate for appointment to the Board.

IF NO SUITABLE PERSON IS NOMINATED, MINISTER MAY NOMINATE.

6. If any person nominated as aforesaid is, in the opinion of the Minister, not suitable for appointment as a member of the Board, or not qualified to be a member of the Board, the Minister may refer that nomination back to the association or organisation concerned and call upon that association or organisation to nominate some other person for appointment to the Board and if that association or organisation thereupon again nominates a person who is, in the opinion of the Minister, not suitable or not qualified as aforesaid, or whenever such association or organisation fails to nominate any person, the Minister may himself, subject to the provisions of this scheme, nominate any person whom he considers fit to be a member of the Board.

IF NO ASSOCIATION EXISTS, MINISTER MAY NOMINATE.

7. If the Minister is satisfied that the association or organisation such as is referred to in section 3 or 4 is not in existence, he may himself nominate a person for appointment to the Board to represent the interests concerned.

TENURE OF OFFICE OF MEMBERS OF THE BOARD.

8. (1) Subject to the provisions of sub-section (5) of section 28, the members of the Board shall be appointed for a period of two years: Provided that the member referred to in paragraph (e) of sub-section (1) of section 3 shall hold office during the State President's pleasure.

(2) Upon the expiration of the period for which members were appointed, they shall continue to hold office until their successors have been appointed but not in any case for a further period of more than three months.

(3) Retiring members shall be eligible for reappointment.

(4) Whenever for any reason the office of any member of the Board becomes vacant before the expiration of the period for which he was appointed, the Minister may appoint any other person whom he considers suitable to fill the vacancy until the expiration of the period for which the vacating member was appointed.

(5) Whenever the Minister is satisfied that any member of the Board is prevented by illness, absence or any other cause from performing the duties of his office, the Minister may appoint any other person whom he considers suitable to act as the deputy of that member while he is so prevented, and during the period during which the deputy so acts, he shall perform the functions of the member as whose deputy he has been appointed.

- (iii) een benoem word deur 'n vereniging wat volgens oordeel van die Minister verteenwoordigend is van produsente van droëvrugte in die gebied ingesluit deur die distrikte Ceres, Malmesbury, Paarl, Tulbagh en Wellington;
- (iv) een benoem word deur 'n vereniging wat volgens oordeel van die Minister verteenwoordigend is van produsente van droëvrugte in die gebied ingesluit deur die distrikte Caledon, Robertson en Worcester;
- (v) een benoem word deur 'n vereniging wat volgens oordeel van die Minister verteenwoordigend is van produsente van droëvrugte in die gebied ingesluit deur die distrikte Calitzdorp, Heidelberg, Ladismith, Montagu, Oudtshoorn, Riversdal en Swellendam;
- (vi) twee, na onderlinge raadpleging, benoem word deur kooperatiewe maatskappye of kooperatiewe verenigings wie se besigheid volgens oordeel van die Minister vir 'n aansienlike gedeelte uit die innee van droëvrugte van produsente daarvan, bestaan.

KENNISGEWING OM LEDE TE BENOEM.

5. Wanneer 'n benoeming vir 'n lid van die Raad nodig word, moet die Minister die betrokke vereniging of organisasie by skriftelike kennisgewing aansê of laat aansê om binne 'n tydperk in die aansegging vasgestel, die persoon of persone te benoem, wat hy geregtig is om vir aanstelling in die Raad te benoem.

MINISTER KAN BENOEM AS GEEN GESKIKTE PERSOON BENOEM IS NIE.

6. Indien iemand wat soos voormeld benoem is, volgens oordeel van die Minister nie geskik is om as lid van die Raad aangestel te word nie, of onbevoeg is om lid van die Raad te wees, kan die Minister daardie benoeming terugverwys na die betrokke vereniging of organisasie, en daardie vereniging of organisasie aansê om iemand anders vir aanstelling in die Raad te benoem, en indien daardie vereniging of organisasie daarop weer iemand benoem wat volgens die oordeel van die Minister ongeskik of onbevoeg is, soos voormeld, of wanneer so 'n vereniging of organisasie in gebreke bly om iemand te benoem, kan die Minister self, met inagneming van die bepalinge van die skema, iemand benoem wat hy geskik ag om lid van die Raad te wees.

MINISTER KAN BENOEM AS DAAR GEEN VERENIGING BESTAAN NIE.

7. Indien die Minister daarvan oortuig is dat 'n vereniging of organisasie soos in artikel 3 of 4 bedoel nie bestaan nie kan hy self iemand vir aanstelling in die Raad benoem om die betrokke belange te verteenwoordig.

AMPSDUUR VAN LEDE VAN DIE RAAD.

8. (1) Behoudens die bepalinge van subartikel (5) van artikel 28, word die lede van die Raad vir 'n tydperk van twee jaar aangestel: Met dien verstande dat die lid genoem in paragraaf (e) van subartikel (1) van artikel 3 sy amp beklee solank dit die Staatspresident behaag.

(2) By verstryking van die tydperk waarvoor lede aangestel was, bly hulle hul amp beklee totdat hul opvolgers aangestel is, maar in geen geval vir 'n tydperk van meer as drie maande nie.

(3) Aftredende lede kan weer aangestel word.

(4) Wanneer die setel van 'n lid van die Raad om een of ander rede vakant word voor verstryking van die tydperk waarvoor hy aangestel is, kan die Minister iemand anders wat hy geskik ag, aanstel om die vakature te vul totdat die tydperk waarvoor die uitgetrede lid aangestel was, verstryk het.

(5) Wanneer die Minister bevind dat 'n lid van die Raad weens siekte, afwesigheid of 'n ander oorsaak verhinder word om sy amppligte te verrig, kan die Minister iemand anders wat hy geskik ag, aanstel om as plaasvervanger van daardie lid op te tree solank hy aldus verhinder word, en die plaasvervanger verrig gedurende die tydperk wat hy aldus optree, die pligte van die lid vir wie hy as plaasvervanger aangestel is.

(6) Whenever a member of the Board has, without its leave, absented himself from three consecutive meetings of the Board, and no one has been appointed to act as his deputy in terms of sub-section (5), he shall cease to be a member of the Board.

ELECTION AND TENURE OF OFFICE OF CHAIRMAN.

9. (1) Subject to the provisions of sub-section (6) of section 28, the Board shall at its first meeting and thereafter as occasion arises, elect from amongst its members a chairman who shall hold office as such for a period of one year or until the expiration of the period for which he was appointed as a member of the Board, whichever shall be the shorter period, and shall be eligible for re-election.

(2) Whenever for any reason the chairman is unable to perform his duties, the Board shall elect another of its members to act as chairman for such period as it may determine.

MEETINGS OF THE BOARD.

10. (1) All meetings of the Board shall be held at such times and places as the Board or the Chairman, if authorised thereto by the Board, may from time to time determine.

(2) The Chairman of the Board may himself at any time call a special meeting of the Board, to be held at a time and place to be appointed by him.

(3) At the written request of not less than four members of the Board, the chairman shall call a special meeting of the Board to be held within fourteen days from the date of receipt of such request, at a time and place to be appointed by him.

(4) The meetings of the Board shall be convened by notice given by or by direction of the chairman of the Board or any official of the Board authorised thereto by the Board.

QUORUM, MAJORITY DECISION AND CHAIRMAN'S CASTING VOTE.

11. (1) Seven members of the Board, appointed in terms of sub-section (1) of section 3 or sub-sections (4) and (5) of section 8 shall form a quorum at any meeting of the Board.

(2) The decision of the majority of the members of the Board present at any meeting thereof shall constitute the decision of the Board: Provided that in the event of an equality of votes, the chairman shall have a casting vote in addition to his deliberative vote.

ALLOWANCE OF MEMBERS OF THE BOARD.

12. The members of the Board and any advisory members (other than advisory members in receipt of salaries from public funds), co-opted by the Board and members of a committee established in terms of sub-section (2) of section 13 (other than members of such a committee who are in receipt of salaries from public funds), shall receive such allowances out of the funds of the Board to meet their reasonable expenses to which they are put in connection with the business of the Board, as the Board may, with the approval of the Minister, determine.

COMMITTEES OF THE BOARD.

13. (1) The Board may, with the consent of the Minister, and subject to such conditions as the Board may impose, appoint one or more committees from its members and invest any such committee with such of its powers as it may deem fit: Provided that the Board shall not be divested of any power with which it may invest any such committee.

(2) The Board may, in any area in which this scheme or any provision thereof applies, or in respect of any product or products to which this scheme relates, establish one or more committees to be constituted in such a manner as may be determined by the Board with the approval of the Minister, for the purpose of advising the Board in regard to any matter relating to the administration of this scheme or any provision thereof in the area in question, or in respect of the product or products in question, and to which the Board may, on such conditions as the Minister may approve, assign such of its powers under this scheme as it may with the approval of the Minister determine.

(6) Wanneer 'n raadslid sonder die Raad se verlof van drie agtereenvolgende vergaderings van die Raad weggebly het, en niemand ooreenkomstig subartikel (5) aangestel is om as sy plaasvervanger te dien nie, hou hy op om lid van die Raad te wees.

VERKIESING EN AMPSTERMYN VAN VOORSITTER.

9. (1) Behoudens die bepalings van subartikel (6) van artikel 28, kies die Raad op sy eerste vergadering en daarna wanneer omstandighede dit noodsaak, uit sy lede 'n voorsitter wat as sulks optree vir 'n tydperk van een jaar of totdat die tydperk waarvoor hy as lid van die Raad aangestel is, verstryk, na gelang van watter tydperk die kortste is, en wat herkiesbaar is.

(2) Wanneer die voorsitter om een of ander rede nie in staat is om sy pligte te verrig nie, kies die Raad een van sy ander lede om as voorsitter op te tree vir sodanige tydperk as wat hy bepaal.

RAADSVERGADERINGS.

10. (1) Alle vergaderings van die Raad word gehou op die tye en plekke wat die Raad of die voorsitter, indien deur die Raad daartoe gemagtig, van tyd tot tyd bepaal.

(2) Die voorsitter van die Raad kan self te eniger tyd 'n spesiale vergadering van die Raad belê, wat gehou moet word op 'n tyd en plek deur hom bepaal.

(3) Die voorsitter belê op skriftelike versoek van minstens vier lede van die Raad, binne veertien dae vanaf ontvangs van so 'n versoek, 'n spesiale vergadering van die Raad en op 'n tyd en plek wat hy bepaal.

(4) Die vergaderings van die Raad word belê by kennisgewing deur of op las van die voorsitter van die Raad of enige beampde van die Raad, deur die Raad daartoe gemagtig.

KWORUM, MEERDERHEIDSBESLUIT EN BESLISSENDE STEM VAN VOORSITTER.

11. (1) Sewe lede van die Raad, aangestel ooreenkomstig subartikel (1) van artikel 3 of subartikels (4) en (5) van artikel 8 maak 'n kworum uit op 'n vergadering van die Raad.

(2) Die besluit van die meerderheid van die raadslede wat op 'n vergadering teenwoordig is, maak 'n beslissing van die Raad uit: Met dien verstande dat die voorsitter by 'n staking van stemme benewens sy beraadslagende stem ook 'n beslissende stem het.

TOELAE AAN RAADSLEDE.

12. Die raadslede en enige adviserende lede (behalwe adviserende lede wat salarisse uit staatsfondse ontvang), deur die Raad gekoopteer, en lede van 'n komitee ingestel kragtens subartikel (2) van artikel 13 (uitgesonderd lede van sodanige komitee wat salarisse uit staatsfondse ontvang), ontvang sodanige toelae uit die fondse van die Raad, soos die Raad met goedkeuring van die Minister mag bepaal, om hulle redelike uitgawe in verband met die sake van die Raad te bestry.

KOMITEES VAN DIE RAAD.

13. (1) Die Raad kan, met goedkeuring van die Minister, en onderworpe aan voorwaardes wat die Raad opleë, een of meer komitees uit sy lede aanstel en aan so 'n komitee sodanige van sy bevoegdhede opdra as wat hy goeddink: Met dien verstande dat die Raad nie afstand doen van 'n bevoegdheid wat hy aan so 'n komitee opdra nie.

(2) Die Raad mag in enige gebied waarin hierdie skema of enige bepaling daarvan van toepassing is, of ten opsigte van enige produk of produkte waarop hierdie skema betrekking het, een of meer komitees instel wat saamgestel is op 'n wyse deur die Raad met die goedkeuring van die Minister bepaal, ten einde die Raad te adviseer aangaande enige aangeleentheid betreffende die uitvoering van hierdie skema, of enige bepaling daarvan, in die betrokke gebied, of ten opsigte van die betrokke produk of produkte en waarvoor die Raad, op die voorwaardes wat die Minister goedkeur, sodanige van sy bevoegdhede onder hierdie skema kan oordra as wat hy met die goedkeuring van die Minister bepaal.

(3) Whenever any such committee is appointed, the Board shall designate one of the members of the committee to act as chairman thereof, and the chairman so designated may at any time, with the approval of the chairman of the Board, convene a meeting of the committee to be held at a time and place appointed by him.

(4) The chairman of the Board shall *ex officio* be a member of every committee appointed by the Board and may at any time convene a meeting of the committee, to be held at a time and place appointed by him.

(5) The decision of the majority of all the members of a committee shall constitute a decision of the committee.

FINANCIAL YEAR.

14. The financial year under the scheme shall be the period from the first day of December in each year to the thirtieth day of November in the following year.

AUDITING.

15. Subject to the provisions of the Exchequer and Audit Act, 1956 (Act No. 23 of 1956), the accounts and balance sheet of the Board shall be audited annually by the Controller and Auditor-General.

POWERS OF THE BOARD.

16. The Board shall have power—

- (a) to appoint such servants and to acquire or hire such property as it may consider necessary for the proper performance of its functions and for the attainment of the objects of this scheme: Provided that no immovable property shall be acquired except with the consent of the Minister and on such conditions as he may approve;
- (b) to appoint, subject to conditions approved by the Minister, such agents as it may consider necessary for the proper performance of its functions: Provided that if the application of any person for appointment as agent has been refused, or if the appointment of any person as an agent is terminated, he may, on depositing with the Secretary an amount of thirty rand, appeal against the refusal or termination to the Minister who may dismiss the appeal or if he is satisfied that such person should be appointed as an agent in addition to any other person so appointed or that his appointment should not have been terminated, as the case may be, allow the appeal, and determine the manner in which the amount so deposited shall be disposed of;
- (c) with the approval of the Minister, to borrow money to be used for the purpose of attaining the objects of this scheme and to use any money derived from any levy imposed in terms of section 17 for any object which in its opinion will be to the advantage of persons interested in the production and marketing of dried fruit;
- (d) to accept money or property given to the Board by way of donation, grant or otherwise and to utilise such money or property in such manner as the Minister may approve;
- (e) to establish an information service in order to advise producers from time to time about marketing conditions in general or about the condition of any particular market;
- (f) to co-operate with any person in doing any act which the Board may perform, and to do on behalf of any other similar board any act which that board may perform;
- (g) to assist, by grant or loan or otherwise, any research work relating to the improvement, production, marketing, preserving, processing or conditioning of dried fruit;
- (h) to act as agent for the receipt and sale of dried fruit;

(3) Wanneer so 'n komitee aangestel word, wys die Raad een van die lede van die Komitee aan om as voorsitter op te tree, en die so aangewese voorsitter kan te eniger tyd, met goedkeuring van die voorsitter van die Raad, 'n vergadering van die komitee belê op 'n tyd en plek deur hom bepaal.

(4) Die voorsitter van die Raad is *ex officio* lid van elke komitee deur die Raad aangestel en kan te eniger tyd 'n vergadering van die komitee belê op 'n tyd en plek deur hom bepaal.

(5) Die besluit van die meerderheid van al die lede van 'n komitee maak 'n besluit van die komitee uit.

BOEKJAAR.

14. Die boekjaar onder die skema is die tydperk van die eerste dag van Desember elke jaar tot die dertigste dag van November in die volgende jaar.

ODIT.

15. Behoudens die bepalings van die Skatkis- en Ouditwet, 1956 (Wet No. 23 van 1956), word die rekenings en balansstaat van die Raad jaarliks deur die Kontroleur en Ouditeur-generaal geouditeer.

BEVOEGDHEDE VAN DIE RAAD.

16. Die Raad is bevoeg—

- (a) om die beamptes aan te stel en die eiendom aan te skaf of te huur wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die doel van die skema: Met dien verstande dat geen vaste eiendom sonder die goedkeuring van die Minister en op ander voorwaardes as wat hy goedkeur, aangeskaf word nie;
- (b) om, onderworpe aan voorwaardes deur die Minister goedgekeur, die agente wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede, aan te stel: Met dien verstande dat indien die aansoek van enige persoon om aanstelling as 'n agent van die hand gewys is of die aanstelling van enige persoon as 'n agent beëindig word, hy, nadat 'n bedrag van dertig rand by die Sekretaris gestort is teen die van-die-hand-wysing of beëindiging na die Minister kan appelleer en die Minister die appel van die hand kan wys of, as hy oortuig is dat daardie persoon as agent aangestel behoort te word benewens enige ander aldus aangestelde persoon of dat sy aanstelling nie beëindig behoort te gewees het nie, na gelang van die geval, die appel kan toestaan, en die wyse kan bepaal waarop oor die aldus gestorte bedrag beskik moet word;
- (c) om met die Minister se goedkeuring geld te leen om aangewend te word ter verwesenliking van die doel van die skema en om geld te verkry uit 'n heffing ooreenkomstig artikel 17 opgelê, aan te wend vir enige doel wat volgens die Raad se oordeel tot voordeel is van persone wat by die produksie en bemarking van droëvrugte belang het;
- (d) om geld of eiendom aan te neem wat by wyse van skenking, toekenning of op ander wyse aan die Raad gegee word en om daardie geld of eiendom te gebruik op die wyse wat die Minister goedkeur;
- (e) om 'n inligtingsdiens in te stel ten einde produsente van tyd tot tyd in te lig aangaande toestande van bemarking oor die algemeen of van 'n besondere mark;
- (f) om met elkeen mee te doen aan 'n handeling wat die Raad kan verrig, en om namens 'n ander soortgelyke raad alle handelings te verrig wat daardie raad kan verrig;
- (g) om deur middel van toekenning of lening of op ander wyse hulp te verleen met navorsingswerk met betrekking tot die verbetering, produksie, bemarking, inmaak, verwerking of bewerking van droëvrugte;
- (h) om as agent vir die ontvangs en verkoop van droëvrugte op te tree;

- (i) to conduct a pool for the sale of dried fruit and to treat in such manner as it may deem fit, grade, pack, store, process, adapt for sale, insure, advertise and transport, any dried fruit in connection with which it conducts a pool;
- (j) to finance any pool conducted by the Board and to make advances to contributors to any such pool;
- (k) to require every person concerned in the production, marketing or processing of dried fruit to furnish the Board with such information relating to such dried fruit as may be available to such person and as the Board may specify;
- (l) with the approval of the Minister to prescribe the records to be kept and the returns to be rendered to the Board by any person or class or group of persons producing or dealing in the course of trade with dried fruit and the times at which and the form and manner in which such returns shall be so rendered;
- (m) with the approval of the Minister to prohibit any producer of dried fruit from selling dried fruit or any class, grade, quantity or percentage thereof which the Board may from time to time determine except to the Board or persons registered in terms of section 21;
- (n) on such conditions as the Minister may approve, to buy dried fruit;
- (o) to treat in such manner as it may seem fit, grade, pack, store, process, adapt for sale, insure, advertise and transport dried fruit which it has bought;
- (p) on such conditions as the Minister may approve, to sell, whether in its original form or processed wholly or in part, dried fruit which it has bought;
- (q) to advise the Minister as to—
 - (i) the conditions regarding grades, standards of quality, methods, of packing and marking of dried fruit or any receptacle or cover containing dried fruit, subject to which dried fruit may be sold or imported for sale;
 - (ii) the prohibition, control or regulation of the importation or export of dried fruit; and
 - (iii) all matters relating to the marketing or processing of dried fruit.

LEVY ON DRIED FRUIT AND ESTABLISHMENT OF DRIED FRUIT LEVY FUND.

17. (1) The Board may, with the approval of the Minister and on such basis as the Board may determine, impose a levy on any class of dried fruit: Provided that the levy thus imposed—

- (a) may, in respect of any particular class, grade or standard of quality of dried fruit differ from any such levy in respect of any other class, grade or standard of quality of dried fruit; and
- (b) shall not exceed ten cents per 100 lb. on any class of dried fruit.

(2) Any levy imposed in terms of sub-section (1) shall—

- (a) in the case of dried fruit which is sold to or through the Board, be added to and made payable at the same time as the price at which the Board disposes of the dried fruit to any person, or be deducted from the price payable by the Board to the producers of the dried fruit when payment is made; and
- (b) in the case of dried fruit which is not sold to or through the Board, be paid to the Board at such time and in such manner as may be prescribed by regulation under the Act, by every person dealing with dried fruit in the course of trade—
 - (i) where such person purchases or otherwise acquires from the producer thereof dried fruit of a class on which such levy has been imposed, on all the dried fruit of that class which he so purchases or acquires; or

- (i) om 'n poel vir die verkoop van droëvrugte te bestuur en om droëvrugte ten opsigte waarvan hy 'n poel bestuur op so 'n manier as hy goedgevoel te behandel, te gradeer, te verpak, op te berg, te verwerk, vir verkoop geskik te maak, te verseker, te adverteer en te vervoer;
- (j) om 'n poel wat deur die Raad bestuur word te finansier en om aan bydraers tot die poel geld voor te skiet;
- (k) om elkeen wat betrokke is by die produksie, bemarking of verwerking van droëvrugte te gelas om aan die Raad die inligting met betrekking tot droëvrugte waarvoor bedoelde persoon beskik en wat die Raad spesifiseer te verstrek;
- (l) om met goedkeuring van die Minister die registers wat gehou, die opgawes wat by die Raad ingedien moet word en die tye, die vorm en wyse waarop bedoelde opgawes aldus verstrek moet word, deur iemand of 'n klas of groep persone wat droëvrugte produseer of wat as 'n besigheid in droëvrugte handel, voor te skryf;
- (m) om met die Minister se goedkeuring 'n produsent van droëvrugte te belet om droëvrugte, of 'n klas, graad, hoeveelheid of persentasie daarvan wat die Raad van tyd tot tyd bepaal, te verkoop behalwe aan die Raad of die persone wat ooreenkomstig artikel 21 geregistreer is;
- (n) om op die voorwaardes wat die Minister goedkeur, droëvrugte te koop;
- (o) om droëvrugte wat hy gekoop het, te behandel soos hy goedgevoel, te gradeer, te verpak, op te berg, te verwerk, vir verkoop geskik te maak, te verseker, te adverteer en te vervoer;
- (p) om op die voorwaardes wat die Minister goedkeur, droëvrugte wat hy gekoop het te verkoop, hetsy in sy oorspronklike of in gedeeltelik of geheel en al verwerkte vorm;
- (q) om die Minister van advies te bedien aangaande—
 - (i) die voorwaardes, betreffende grade, kwaliteitstandaarde, verpakkingsmetodes en die merk van droëvrugte of 'n houër of omhulsel wat dit bevat, waaronder droëvrugte verkoop of vir verkoop ingevoer mag word;
 - (ii) die verbod op, beheer of reëling van die invoer of uitvoer van droëvrugte; en
 - (iii) alle aangeleenthede betreffende die bemarking of verwerking van droëvrugte.

HEFFING OP DROËVRUGTE EN INSTELLING VAN DROËVRUGTEHEFFINGSFONDS.

17. (1) Die Raad kan, met die goedkeuring van die Minister en op sodanige basis as wat die Raad mag bepaal, 'n heffing ten opsigte van enige klas droëvrugte opleë: Met dien verstande dat die heffing aldus opgelê—

- (a) ten opsigte van enige besondere klas, graad of kwaliteitstandaard droëvrugte kan verskil van enige sodanige heffing ten opsigte van enige ander klas, graad of kwaliteitstandaard droëvrugte; en
- (b) hoogstens tien sent per 100 lb. op enige klas droëvrugte moet wees.

(2) Enige heffing opgelê kragtens subartikel (1) word—

- (a) in die geval van droëvrugte wat aan of deur bemiddeling van die Raad verkoop word, bygevoeg by, en op dieselfde tydstep betaalbaar gemaak as die prys waarteen die Raad die droëvrugte aan enige persoon van die hand sit, of afgetrek van die prys deur die Raad betaalbaar aan die produsente van die droëvrugte wanneer betaling gedoen word; en
- (b) in die geval van droëvrugte wat nie aan of deur bemiddeling van die Raad verkoop word nie, op sodanige tyd en wyse by regulasie kragtens die Wet voorgeskryf, aan die Raad betaal deur iedereen wat met droëvrugte as 'n besigheid handel—
 - (i) waar sodanige persoon droëvrugte van 'n klas ten opsigte waarvan sodanige heffing opgelê is, koop of op 'n ander wyse van 'n produsent daarvan verkry, op al die droëvrugte van daardie klas wat hy aldus koop of verkry; of

(ii) where such person produces dried fruit of a class on which such levy has been imposed by converting fresh fruit whether produced by himself or purchased or otherwise acquired by him, into a dried form, on the total quantity of dried fruit of that class obtained by the conversion of such fresh fruit, the weight of such dried fruit being ascertained at the time of removal thereof from the drying ground.

(3) The Board shall establish a fund, to be known as the Dried Fruit Levy Fund, into which all amounts derived from any levy imposed under sub-section (1) and any other moneys which may accrue to the Board shall be paid and from which payments by the Board shall be made.

ESTABLISHMENT OF RESERVE FUNDS.

18. The Board shall establish one or more reserve funds into which shall be paid such amounts at the disposal of the Board as may from time to time be approved by the Minister or as may after consultation with the Board be determined by him after the end of any financial year under the scheme, and the Board may deal with any moneys in any such funds in such manner as may be approved by the Minister.

SPECIAL LEVY AND ESTABLISHMENT OF SPECIAL FUND.

19. (1) The Board may, with the approval of the Minister and on such basis as the Board may determine, impose a special levy on any class of dried fruit, which special levy may be in the form of a fixed amount on or of a percentage or portion of the selling price of every unit or quantity of dried fruit (of a class on which such levy has been imposed) purchased or sold.

(2) For the purposes of the special levy the provisions of paragraph (a) of sub-section (1) of section 17 and the provisions of sub-section (2) of section 17 shall *mutatis mutandis* apply.

(3) The Board shall establish a special fund and pay into that fund the proceeds of any special levy imposed under sub-section (1) and such other amounts at the Board's disposal as may be approved by the Minister and the Board shall deal with any moneys in that fund in such manner as may be approved by the Minister.

FIXATION OF PRICES.

20. (1) The Board may, with the approval of the Minister, from time to time prohibit any person or any person belonging to any class or group of persons or any person other than a person belonging to any class or group of persons from acquiring, selling or disposing of any quantity of the dried fruit mentioned in section 22 or of any class or grade thereof, at a price other than or below or above a price fixed by the Board, or calculated in accordance with a basis determined by the Board for such dried fruit or for such class, grade or quantity thereof.

(2) When exercising its powers under sub-section (1) the Board may, with the approval of the Minister—

(i) determine the charges or costs to be included in, added to or deducted from any price referred to in the said sub-section or the weight to be allowed, in relation to any quantity therein referred to for any container of dried fruit;

(ii) require any person disposing of dried fruit or of any class, grade or quantity thereof on credit or for an amount exceeding an amount determined by the Board, to render an invoice containing such particulars as may be determined;

(iii) fix in respect of any quantity of dried fruit or of any class or grade thereof, which is acquired for any purpose or by any class of persons, a price which differs from the price fixed in respect of a quantity of that dried fruit or that class or grade thereof acquired for any other purpose or by any other class of persons;

(ii) waar sodanige persoon droëvrugte van 'n klas ten opsigte waarvan sodanige heffing opgelê is, produseer deur vars vrugte, hetsy deur homself geproduseer of gekoop of andersins deur hom verkry, in 'n gedroogde vorm om te sit, op die totale hoeveelheid droëvrugte van daardie klas verkry deur omsetting van sodanige vars vrugte; die gewig van sodanige droëvrugte bepaal te word ten tyde van die verwydering daarvan van die droogbaan.

(3) Die Raad stel 'n fonds in onder die benaming Droëvrugteheffingsfonds waarin alle gelde ontvang uit heffings ingevolge subartikel (1) opgelê, en ander geld wat die Raad toekom, gestort word en waaruit betalings deur die Raad gemaak word.

INSTELLING VAN RESERWEFONDSE.

18. Die Raad stel een of meer reserwefondse in waarin sodanige bedrae tot die beskikking van die Raad gestort word as wat die Minister van tyd tot tyd mag goedkeur, of wat hy na afloop van 'n boekjaar onder die skema en na oorlegpleging met die Raad mag bepaal, en die Raad mag oor enige gelde in enige sodanige fondse beskik op sodanige wyse as wat die Minister mag goedkeur.

SPESIALE HEFFING EN INSTELLING VAN SPESIALE FONDS.

19. (1) Die Raad kan, met die goedkeuring van die Minister en op sodanige basis as wat die Raad mag bepaal, 'n spesiale heffing ten opsigte van enige klas droëvrugte oplê, en sodanige spesiale heffing kan in die vorm wees van 'n vasgestelde bedrag op of van 'n persentasie of gedeelte van die verkoopprijs van elke eenheid of hoeveelheid droëvrugte (van 'n klas ten opsigte waarvan sodanige heffing opgelê is) gekoop of verkoop.

(2) Vir die oplegging van die spesiale heffing is die bepaling van paragraaf (a) van subartikel (1) van artikel 17 en die bepaling van subartikel (2) van artikel 17 *mutatis mutandis* van toepassing.

(3) Die Raad stel 'n spesiale fonds in en die opbrengste van enige spesiale heffing opgelê kragtens subartikel (1) en die ander bedrae tot die beskikking van die Raad, wat deur die Minister goedgekeur word, word in daardie fonds gestort en die Raad handel met gelde in daardie fonds op die wyse wat deur die Minister goedgekeur word.

PRYSVASSTELLING.

20. (1) Die Raad kan met goedkeuring van die Minister van tyd tot tyd elkeen of iemand wat tot 'n klas of groep persone behoort of iemand anders as iemand wat tot 'n klas of groep persone behoort, verbied om 'n hoeveelheid van die droëvrugte in artikel 22 genoem, of 'n klas of graad daarvan, te verkry, te verkoop of van die hand te sit teen 'n ander, of 'n laer of 'n hoër prys as 'n prys deur die Raad vasgestel, of bereken ooreenkomstig 'n grondslag deur die Raad bepaal vir bedoelde droëvrugte of vir 'n klas, graad of hoeveelheid daarvan.

(2) By die uitoefening van sy bevoegdhede kragtens subartikel (1) kan die Raad met goedkeuring van die Minister—

(i) die gelde of koste wat ingesluit of bygevoeg moet word by, of afgetrek moet word van 'n in genoemde subartikel bedoelde prys, of die gewig wat met betrekking tot 'n daarin bedoelde hoeveelheid toegelaat moet word vir die houder van die betrokke droëvrugte, bepaal;

(ii) van elkeen wat droëvrugte of 'n klas, graad of hoeveelheid daarvan op krediet of vir 'n bedrag wat meer is as 'n bedrag deur die Raad bepaal, van die hand sit, vereis dat hy 'n faktuur verskaf wat sodanige besonderhede bevat as bepaal word;

(iii) ten opsigte van 'n hoeveelheid droëvrugte of van 'n klas of graad daarvan wat verkry is vir 'n doel of deur enige klas persone, 'n prys vasstel wat verskil van die prys wat vasgestel is ten opsigte van 'n hoeveelheid droëvrugte, of 'n klas of graad daarvan wat verkry is vir 'n ander doel of deur 'n ander klas persone; of

- (iv) fix in respect of such dried fruit or of any class or grade thereof different prices in respect of different quantities or in respect of different times of the year.

REGISTRATION OF CERTAIN PERSONS DEALING IN THE COURSE OF TRADE WITH DRIED FRUIT.

21. (1) No person dealing in the course of trade with dried fruit, shall, either on his own behalf or on behalf of any other person—

(a) purchase or otherwise acquire dried fruit from a producer of dried fruit;

(b) process, grade or pack dried fruit; unless he has been registered with the Board.

(2) No person shall be so registered unless he has complied with such requirements as may be prescribed by regulation under the Act.

(3) The Board may refuse any such registration or may grant any such registration for such period and on such conditions as it may determine and may cancel any such registration if the person registered has contravened or failed to comply with any condition so determined or any requirement referred to in sub-section (2).

(4) Such person shall have the right to appeal to the Minister against any decision of the Board relative to his registration and the Minister may after consideration of any appeal, confirm, set aside or vary such decision.

PROHIBITION ON THE SALE OF CERTAIN DRIED FRUIT EXCEPT THROUGH THE BOARD.

22. (1) The Board may, with the approval of the Minister, prohibit any producer of dried fruit from selling any dried apricots, dried peaches, prunes, or dried vine fruit, or any class or grade thereof of which he is the producer except through the Board.

(2) The Board may, with the approval of the Minister, prohibit any person from selling any of the classes of dried fruit mentioned in sub-section (1) unless he has acquired it from the Board or from such persons as may be determined by the Board.

POOLING OF PROCEEDS.

23. (1) Whenever the Board has imposed any prohibition in terms of sub-section (1) of section 22, it shall conduct pools for the sale of such dried fruit in accordance with the provisions of this section.

(2) The Board shall conduct a separate pool in respect of each class of dried fruit and each quantity of dried fruit delivered to the Board or its agents for sale shall be assigned to the grade of each class to which such quantity of dried fruit is found by the Board to belong at the time of delivery for sale.

(3) As soon as may be after all the dried fruit accepted by the Board, during such a period as the Board may with the approval of the Minister determine, for the account of a pool has been sold, the Board shall determine the net amount realised from the sale of such dried fruit, by deducting from the gross amount so realised the costs incidental to the sale of such dried fruit, which shall include all expenses and costs directly incurred in connection with the receipt, handling, financing and sale of such dried fruit and also the costs of the conduct of the pool as determined by the Board from time to time.

(4) The net proceeds of each pool, as determined in terms of sub-section (3), shall be distributed by the Board to producers who contributed to such pool, in proportion to the quantities of dried fruit delivered by each producer and accepted by the Board for the account of such pool, and in accordance with such a scale of values for the respective grades as may be determined by the Board with the approval of the Minister.

(5) The amount payable to a producer in terms of sub-section (4) shall be reduced by the amount of any advances paid under sub-section (6) to that producer and by the

- (iv) ten opsigte van sodanige droëvrugte of 'n klas of graad daarvan verskillende pryse ten opsigte van verskillende hoeveelhede of ten opsigte van verskillende tye van die jaar vasstel.

REGISTRASIE VAN SEKERE PERSONE WAT AS 'N BESIGHEID IN DROËVRUGTE HANDEL

21. (1) Niemand wat as 'n besigheid in droëvrugte handel mag of vir sy eie rekening of ten behoeve van iemand anders—

(a) droëvrugte koop of op 'n ander manier van 'n droëvrugteprodusent verkry; of

(b) droëvrugte verwerk, gradeer of verpak; tensy hy by die Raad geregistreer is.

(2) Niemand word so geregistreer nie tensy hy voldoen het aan sodanige vereistes as wat by regulasie kragtens die wet voorgeskryf mag word.

(3) Die Raad kan enige sodanige registrasie weier, of kan enige sodanige registrasie verleen vir sodanige tydperk en op sodanige voorwaardes as wat die Raad mag bepaal en kan enige sodanige registrasie intrek indien die geregistreerde persoon enige voorwaardes aldus bepaal of enige vereiste genoem in subartikel (2), oortree of versuim het om daaraan te voldoen.

(4) So iemand het die reg om by die Minister appèl aan te teken teen 'n beslissing van die Raad in verband met sy registrasie en die Minister kan na oorweging van die appèl bedoelde beslissing bekragtig, opsy sit of wysig.

VERBOD OP VERKOOP VAN SEKERE DROËVRUGTE BEHALWE DEUR DIE RAAD.

22. (1) Die Raad kan, met goedkeuring van die Minister, 'n droëvrugteprodusent verbied om droë-appelkose, droëperskes, pruimedante, of droëwingerdvrugte, of enige klas of graad daarvan, waarvan hy die produsent is, te verkoop, behalwe deur die Raad.

(2) Die Raad kan, met goedkeuring van die Minister, enigiemand belet om enigeen van die klasse droëvrugte in subartikel (1) genoem, te verkoop tensy hy dit verkry het van die Raad of van sodanige persone as wat deur die Raad bepaal mag word.

VERPOELING VAN OPBRENGSTE.

23. (1) Wanneer die Raad ingevolge subartikel (1) van artikel 22 enige verbod opgelê het, bestuur hy poele ooreenkomstig die bepalings van hierdie artikel vir die verkoop van sodanige droëvrugte.

(2) Die Raad bestuur 'n afsonderlike poel vir elke klas droëvrugte, en elke hoeveelheid droëvrugte wat aan die Raad of sy agente vir verkoop gelever word, word toegewys aan die graad van elke klas waartoe sodanige hoeveelheid droëvrugte ten tyde van lewering vir verkoop deur die Raad gevind word te behoort.

(3) So gou doenlik nadat al die droëvrugte wat die Raad gedurende sodanige tydperk as wat die Raad met die goedkeuring van die Minister mag bepaal vir die rekening van 'n poel aangeneem het, verkoop is, bepaal die Raad die netto bedrag verkry uit die verkoop van sodanige droëvrugte, deur van die bruto bedrag aldus verkry af te trek die koste verbonde aan die verkoop van sodanige droëvrugte, waarby ingesluit word alle uitgawes en koste regstreeks in verband met die ontvangs, hantering, finansiering en verkoop van sodanige droëvrugte aangegaan asook die koste van die bestuur van die poel soos deur die Raad van tyd tot tyd bepaal.

(4) Die netto opbrengs van elke poel, soos bepaal ingevolge subartikel (3), word deur die Raad onder produsente wat tot sodanige poel bygedra het, verdeel in verhouding tot die hoeveelhede droëvrugte wat elke produsent gelever het en wat die Raad vir die rekening van sodanige poel aangeneem het, en volgens sodanige skaal van waardes vir die onderskeie grade as wat die Raad met die goedkeuring van die Minister mag bepaal.

(5) Die bedrag wat aan 'n produsent ingevolge subartikel (4) betaalbaar is, word verminder met die bedrag van enige voorskotte ingevolge subartikel (6) aan daardie produsent betaal, en met die bedrag verteenwoordigende

amount representing the levy, if any, payable under section 17 and still owing to the Board and the special levy, if any, payable under section 19 and still owing to the Board, on the dried fruit so delivered by that producer.

(6) The Board may, with the approval of the Minister, from time to time and at any time before the net proceeds of the sale of dried fruit delivered to the Board during the period referred to in sub-section (3) and accepted by the Board for the account of a pool, have been distributed as provided in this section, make advances to producers who have so delivered such dried fruit, in proportion to the respective quantities of such dried fruit of each grade of each class so delivered by such producers.

(7) Notwithstanding anything to the contrary contained in this section, the Board may, with the approval of the Minister, when it has sold dried vine fruit, except currants, for the account of a pool mentioned in sub-section (2)—

- (a) reduce the amount to be distributed from such a pool by an amount determined by the Board with the approval of the Minister; and
- (b) increase the amount to be distributed from any other pool mentioned in that sub-section in respect of any class of dried vine fruit, except currants, with an amount determined in the same manner: Provided, however, that no amount shall be transferred from any pool for raisins, or muscatel raisins (on the stalk or loose) to any pool for unbleached sultanas, bleached sultanas, Thompson's seedless raisins or Manaccas and vice versa.

(8) Where any balance in any pool referred to in sub-section (2), when its accounts are closed is, in the opinion of the Board and the Minister, so small that a division thereof among the participants in that pool is not justified, the Board may deal with such balance in any manner approved by the Minister.

- (9) For the purpose of this section—
- “delivered” shall mean delivered at the business premises or stores of the Board or the persons determined by the Board;
- “grade” shall mean the grade of dried fruit as determined in the manner prescribed by regulation under section forty-three of the Act.

DIFFERENTIATION BETWEEN AREAS AND CLASSES OF PRODUCTS.

24. Any requirement or prohibition imposed or decision taken by the Board which relates to any portion of the Republic or to any class of dried fruit, may differ from any such requirement or prohibition or decision which relates to any other portion of the Republic or any other class of dried fruit, or may apply only to specified portions of the Republic or relate only to specified classes of dried fruit.

INSPECTION POWERS.

25. (1) The Board shall have power, for the purpose of the enforcement of the provisions of this scheme, to empower any person generally or in any particular case at all reasonable hours—

- (a) to enter any place occupied by any person who is, or is suspected to be a producer of or person dealing in the course of trade with dried fruit, or any place or vehicle in or upon which there is kept, or is suspected to be kept, any quantity of dried fruit by any person for any purpose other than consumption by the owner of such dried fruit or by the members of his household;
- (b) to inspect any such dried fruit and to examine all books and documents at any such place or in or upon any such vehicle which are believed, upon reasonable grounds, to relate to such dried fruit and to make copies of or take extracts from such books and documents;

die eventuele heffing kragtens artikel 17 en die eventuele spesiale heffing kragtens artikel 19 betaalbaar en nog aan die Raad verskuldig op die droëvrugte aldus deur daardie produsent gelewer.

(6) Die Raad kan met die goedkeuring van die Minister van tyd tot tyd en op enige tyd voordat die netto opbrengs uit die verkoop van droëvrugte aan die Raad gelewer gedurende die tydperk genoem in subartikel (3), en deur die Raad vir die rekening van 'n poel aangeneem, verdeel is soos in hierdie artikel bepaal, aan produsente wat sodanige droëvrugte aldus gelewer het, geld voorskiet in verhouding tot die onderskeie hoeveelhede van sodanige droëvrugte van elke graad van elke klas aldus deur sodanige produsente gelewer.

(7) Ondanks andersluidende bepalings in hierdie artikel, kan die Raad wanneer hy droëwingerdvrugte, uitgesonderd korente, verkoop het vir die rekening van 'n poel in subartikel (2) genoem, met die goedkeuring van die Minister—

- (a) die bedrag wat uit sodanige poel verdeel moet word, verminder met 'n bedrag wat hy met die Minister se goedkeuring bepaal; en
- (b) die bedrag wat uit enige ander poel genoem in daardie subartikel ten opsigte van enige klas droëwingerdvrugte, uitgesonderd korente, verdeel moet word, vermeerder met 'n bedrag wat op dieselfde wyse bepaal is: Met dien verstande egter dat geen bedrag van enige poel vir rosyntjies, trosrosyntjies of muskatelrosyntjies (tros- of losmuskatelrosyntjies), op enige poel vir ongeswawelde sultanas, geswawelde sultanas, Thompson se pitlose rosyntjies of Manaccas oorgedra mag word nie en omgekeerd.

(8) Waar 'n saldo in enige poel genoem in subartikel (2), wanneer die rekeninge daarvan afgesluit word, na die mening van die Raad en die Minister so klein is dat 'n verdeling daarvan onder die deelnemers in daardie poel nie gereverdig is nie, kan die Raad met sodanige saldo handel op enige wyse wat die Minister goedkeur.

- (9) Vir die toepassing van hierdie artikel beteken—
- “gelewer”, gelewer by die besigheidspersele of pakhuise van die Raad of die persone deur die Raad bepaal;
- “graad”, die graad droëvrugte bepaal op die wyse wat by regulasie kragtens artikel drie-en-veertig van die Wet voorgeskryf is.

DIFFERENSIËRING TUSSEN GEBIEDE EN KLASSE DROËVRUGTE.

24. 'n Voorskrif van of verbod opgelê of besluit geneem deur die Raad met betrekking tot 'n gedeelte van die Republiek of 'n klas droëvrugte, kan verskil van so 'n voorskrif of verbod of besluit met betrekking tot 'n ander gedeelte van die Republiek of 'n ander klas droëvrugte, of kan alleen in aangegewe gedeeltes van die Republiek van toepassing wees of alleen op aangegewe klasse droëvrugte betrekking hê.

INSPEKSIEBEVOEGDHEDE.

25. (1) Die Raad is bevoeg om vir die uitvoering van die bepalings van hierdie skema enige persoon in die algemeen of in 'n besondere geval te magtig om op alle redelike tye—

- (a) enige plek te betree wat geokkupeer word deur enige persoon wat 'n produsent is of vermoed word 'n produsent te wees van, of 'n persoon wat as 'n besigheid handel of vermoed word as 'n besigheid te handel met droëvrugte, of enige plek of voertuig waarin of waarop daar 'n hoeveelheid droëvrugte deur enige persoon gehou word of na vermoede gehou word vir enige ander doel as verbruik deur die eienaar van sodanige droëvrugte of deur lede van sy huisgesin;
- (b) enige sodanige droëvrugte te inspekteer en alle boeke en stukke op enige sodanige plek of in of op enige sodanige voertuig na te gaan wat op redelike grond vermoed word op sodanige droëvrugte betrekking te hê en afskrifte van of uittreksels uit sodanige boeke of stukke te maak;

- (c) to demand from the owner or custodian of such dried fruit any information concerning such dried fruit;
- (d) to demand from the owner or custodian of any such book or document an explanation of any entry therein;
- (e) to seize any books, documents or articles which may afford evidence of the commission of an offence under the Act or this scheme or any regulation made under the Act, or any quantity of dried fruit in respect of which any such offence is suspected to have been committed, and to remove from the place or vehicle in question or to leave at such place or on such vehicle any books, documents or articles or any quantity of dried fruit which has been so seized, and if he deem fit to place on any such book, document, article or dried fruit, or on the container thereof, any identification mark which he may consider necessary;
- (f) to take samples of any such dried fruit, including any quantity of such dried fruit which has been seized in terms of sub-paragraph (e), and to examine, analyse or grade such samples or cause them to be examined, analysed or graded.

(2) Any person who obstructs any person in the performance of any duty or the exercise of any power under this section, or who wilfully fails or refuses to make any statement or give any explanation demanded thereunder, or who makes or causes to be made a false statement on or explanation of any matter referred to in sub-section (1) of this section, shall be guilty of an offence and liable to the penalties prescribed therefor in section thirty-eight of the Act.

OFFENCES AND PENALTIES.

26. Any person who—

(a) contravenes or fails to comply with—

(i) any provision of this scheme or any prohibition, requirement, direction, decision or determination imposed, prescribed, given or made thereunder or any prohibition, requirement, direction, decision or determination in force in consequence of the provisions of sub-section (1) of section 28; or

(ii) any condition prescribed in connection with any such provision, prohibition, requirement, direction, decision or determination; or

(iii) any condition subject to which he has in pursuance of any such provision, prohibition, requirement, direction or determination been authorised to do any act; or

(b) fails to keep, issue, or render any record, invoice, account, statement or return which he is required to keep, issue or render in terms of this scheme or a requirement prescribed under this scheme or in force in consequence of the provisions of sub-section (1) of section 28 or in terms of a condition referred to in sub-paragraph (ii) or (iii) of paragraph (a); or

(c) fails to retain any record for the period for which he is required to retain it in terms of a requirement prescribed under this scheme or in force in consequence of the provisions of sub-section (1) of section 28; or

(d) in any record, invoice, account, statement or return referred to in paragraph (b) furnishes any information which is incorrect or calculated to mislead;

shall be guilty of an offence and on conviction liable to a fine not exceeding two hundred rand or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

(c) van die eienaar van sodanige droëvrugte of die persoon wat dit in sy bewaring het, enige inligting aangaande sodanige droëvrugte te eis;

(d) van die eienaar van enige sodanige boek of stuk of die persoon wat dit in sy bewaring het, 'n verklaring van enige aantekeninge daarin te eis;

(e) beslag te lê op enige boeke, stukke of artikels wat bewys kan lewer van 'n misdryf ingevolge die Wet, of hierdie skema of 'n kragtens die Wet uitgevaardigde regulasie begaan, of op enige hoeveelheid droëvrugte ten opsigte waarvan enige sodanige misdryf vermoedelik gepleeg is, en enige boeke, stukke of artikels of enige hoeveelheid droëvrugte waarop aldus beslag gelê is, van die betrokke plek of voertuig te verwyder of dit op die betrokke plek of voertuig te laat en na goeddunke op enige sodanige boek, stuk, artikel of droëvrugte of die houer daarvan, enige identifikasiemerk wat hy nodig mag ag, aan te bring;

(f) van enige sodanige droëvrugte, met inbegrip van enige hoeveelheid van sodanige droëvrugte waarop kragtens subparagraaf (e) beslag gelê is, monsters te neem en sodanige monsters te ondersoek, te ontleed of te gradeer of te laat ondersoek, ontleed of gradeer.

(2) Elkeen wat iemand by die uitvoering van sy pligte of die uitoefening van sy bevoegdheid onder hierdie artikel belemmer of wat moedswillig in gebreke bly of weier om 'n verklaring of uitleg te gee, wat daarkragtens geëis word, of wat 'n valse verklaring of uitleg gee of laat gee in verband met 'n saak in subartikel (1) van hierdie artikel gemeld, is skuldig aan 'n oortreding en strafbaar met die strawwe voorgeskryf daarvoor in artikel agt-en-dertig van die Wet.

OORTREDINGS EN STRAFBEPALINGS.

26. Iedereen wat—

(a) 'n oortreding begaan van of versuim om te voldoen aan—

(i) enige bepaling van hierdie skema of enige verbod, vereiste, voorskrif, besluit of vasstelling ingevolge daarvan opgelê, voorgeskryf, uitgereik of gemaak of enige verbod, vereiste, voorskrif, besluit of vasstelling van krag as gevolg van die bepalings van subartikel (1) van artikel 28; of

(ii) enige voorwaarde voorgeskryf in verband met sodanige bepaling, verbod, vereiste, voorskrif, besluit of vasstelling; of

(iii) enige voorwaarde onderworpe waaraan hy ooreenkomstig sodanige bepalings, verbod, vereiste, voorskrif of vasstelling gemagtig is om enige daad te verrig; of

(b) versuim om enige rekord, faktuur, rekening, staat of opgawe te hou, uit te reik of te verstrek wat hy ingevolge hierdie skema of 'n vereiste voorgeskryf kragtens hierdie skema of van krag as gevolg van die bepalings van subartikel (1) van artikel 28 of ingevolge 'n voorwaarde genoem in subparagraaf (ii) of (iii) van paragraaf (a) moet hou, uitreik of verstrek; of

(c) versuim om enige rekord te bewaar vir die tydperk wat hy dit ingevolge 'n vereiste kragtens hierdie skema voorgeskryf of van krag as gevolg van die bepalings van subartikel (1) van artikel 28, moet bewaar; of

(d) in enige rekord, faktuur, rekening, staat of opgawe genoem in paragraaf (b) enige inligting verstrek wat onjuis is of daarop bereken is om te mislei;

is skuldig aan 'n misdryf en by skuldigverklaring strafbaar met 'n boete van hoogstens tweehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide sodanige boete en gevangenisstraf.

DISCONTINUANCE OF SCHEME.

27. In the event of the discontinuance of this scheme, all the assets of the Board shall be realised and if after the liquidation of all liabilities of the Board there is—

- (a) a surplus, the amount thereof shall be distributed amongst the persons liable for the payment of any levy imposed under section 17 in proportion to the respective amounts contributed by them towards the funds of the Board by means of levy during the period of three years immediately preceding the date of discontinuance of the scheme;
- (b) a deficit, the amount thereof shall be recoverable from the persons mentioned in paragraph (a) in the proportion calculated in the manner described in that paragraph.

NOTICES, PROHIBITIONS, REQUIREMENTS, DECISIONS, DETERMINATIONS, FUNDS AND MEMBERS OF THE DRIED FRUIT BOARD.

28. (1) All notices prohibitions, requirements, decisions or determinations issued, imposed, taken or made under the Dried Fruit Scheme published under Proclamation No. 332 of 1949 as amended, or operative in consequence of the provisions of section 27 of that scheme and not withdrawn in terms of those provisions, shall continue in force until amended or withdrawn by the Board in terms of this scheme.

(2) All authorisations, registrations, appointments, contracts or appeals issued, made, concluded or noted under the Dried Fruit Scheme published under Proclamation No. 332 of 1949, as amended, and in force or pending, as the case may be, immediately prior to the date of the coming into operation of this scheme, shall be deemed to have been issued, made, concluded or noted under this scheme.

(3) Any assets and liabilities of the Board administering the Dried Fruit Scheme published under Proclamation No. 332 of 1949, as amended, shall vest in the Board administering this scheme.

(4) Any moneys in any fund established in terms of the Dried Fruit Scheme published under Proclamation No. 332 of 1949, as amended, shall be transferred to the corresponding fund established in terms of this scheme.

(5) The members appointed to the Dried Fruit Board in terms of Proclamation No. 332 of 1949, as amended, and holding office immediately prior to the date of the coming into operation of this scheme, shall be deemed to have been appointed as members to the Dried Fruit Board in terms of this scheme and shall notwithstanding the provisions in sub-section (1) of section 8 that members shall be appointed for a period of two years but subject to the other provisions of the said section, hold office as and from the date of the coming into operation of this scheme for the unexpired portions of the respective periods for which they were appointed in terms of the said Proclamation No. 332 of 1949, as amended.

(6) The person elected as Chairman of the Dried Fruit Board in terms of Proclamation No. 332 of 1949, as amended, and holding office as such immediately prior to the date of the coming into operation of this scheme, shall be deemed to have been elected as Chairman to the Dried Fruit Board in terms of this scheme and shall, as and from the date of the coming into operation of this scheme and subject to the provisions of section 9, continue to hold office for the unexpired portion of the period for which he was elected in terms of Proclamation No. 332 of 1949, as amended.

(7) Any committee appointed by the Board in terms of Proclamation No. 332 of 1949, as amended, shall be deemed to have been appointed in terms of section 13 of this scheme.

OPHEFFING VAN SKEMA.

27. Indien hierdie skema opgehef word, word alle bates van die Raad tot geld gemaak, en indien daar, nadat al die skulde van die Raad betaal is—

- (a) 'n surplus is, word die bedrag daarvan onder die persone wat aanspreeklik is vir die betaling van 'n heffing opgelê kragtens artikel 17, verdeel in verhouding tot die onderskeie bedrae deur hulle tot die fonds van die Raad by wyse van heffing bygedra gedurende die tydperk van drie jaar onmiddellik voor die datum waarop die skema opgehef word;
- (b) 'n tekort is, is die bedrag verhaalbaar op die persone genoem in paragraaf (a) in die verhouding bereken op die wyse in daardie paragraaf beskryf.

KENNISGEWINGS, VERBODSBEPALINGS, VOORSKRIFTE, BESLUITE, VASTELLINGS, FONDSE EN LEDE VAN DIE DROËVRUGTERAAD.

28. (1) Alle kennisgewings, verbodsbepalings, voorskrifte, besluite, vastellings of bepalinge wat uitgevaardig, opgelê, geneem of gedoen is kragtens die Droëvrugteskema bekendgemaak by Proklamasie No. 332 van 1949, soos gewysig, of wat van krag was as gevolg van die bepalinge van artikel 27 van genoemde skema en wat nie ingevolge genoemde bepalinge ingetrek is nie, bly van krag totdat die Raad hulle ingevolge hierdie skema wysig of intrek.

(2) Alle magtigings, registrasies, aanstellings, kontrakte of appêlle uitgereik, gemaak, gesluit of aangeteken kragtens die Droëvrugteskema bekendgemaak by Proklamasie No. 332 van 1949, soos gewysig, en van krag of hangende, na gelang van die geval, onmiddellik voor die datum van inwerkingtreding van hierdie skema, word geag kragtens hierdie skema uitgereik, gemaak, gesluit of aangeteken te gewees het.

(3) Die bates en laste van die Raad wat die Droëvrugteskema bekendgemaak by Proklamasie No. 332 van 1949, soos gewysig, uitvoer, gaan oor op die Raad wat hierdie skema uitvoer.

(4) Enige gelde in enige fonds ingestel kragtens die Droëvrugteskema bekendgemaak by Proklamasie No. 332 van 1949, soos gewysig, word oorgedra na die onderskeie fondse kragtens hierdie skema ingestel.

(5) Die lede wat kragtens Proklamasie No. 332 van 1949, soos gewysig, in die Droëvrugteraad aangestel is en hulle amp beklee onmiddellik voor die datum van inwerkingtreding van hierdie skema, word geag as lede van die Droëvrugteraad kragtens hierdie skema aangestel te gewees het en beklee hulle amp, ongeag die bepaling in subartikel (1) van artikel 8 dat lede vir 'n tydperk van twee jaar aangestel word maar onderworpe aan die ander bepalinge van genoemde artikel, van die datum van die inwerkingtreding van hierdie skema vir die onverstreke gedeeltes van die onderskeie tydperke waarvoor hulle kragtens genoemde Proklamasie No. 332 van 1949, soos gewysig, aangestel is.

(6) Die persoon wat kragtens Proklamasie No. 332 van 1949, soos gewysig, tot voorsitter van die Droëvrugteraad verkies is en daardie amp onmiddellik voor die datum van die inwerkingtreding van hierdie skema beklee, word geag kragtens hierdie skema tot voorsitter van die Droëvrugteraad verkies te gewees het en bly daardie amp beklee met ingang van die datum van die inwerkingtreding van hierdie skema en onderworpe aan die bepalinge van artikel 9, vir die onverstreke gedeelte van die tydperk waarvoor hy kragtens Proklamasie No. 332 van 1949, soos gewysig, verkies is.

(7) 'n Komitee wat kragtens Proklamasie No. 332 van 1949, soos gewysig, deur die Raad aangestel is, word geag kragtens artikel 13 van hierdie skema aangestel te gewees het.

No. R. 303, 1962.]

DRIED BEAN SCHEME.—AMENDMENT.

Whereas the Minister of Agricultural Economics and Marketing, in terms of sub-section (4) of section *twenty-three*, read with paragraph (c) of sub-section (3) of section *seventeen* of the Marketing Act, 1937 (Act No. 26 of 1937), as amended, has accepted a certain proposed amendment (as set out in the Schedule hereto) to the Dried Bean Scheme, published by Proclamation No. R. 68 of 1961, and has recommended approval of the said proposed amendment in terms of paragraph (b) of sub-section (1) of section *twenty-one* of the said Act;

Now, therefore, under the powers vested in me by the aforesaid sub-section (4) of section *twenty-three*, read with paragraph (a) of sub-section (1) of section *twenty-two* of the said Act, I do hereby declare that the said amendment shall come into operation on the date of publication hereof.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this Tenth day of November, One thousand Nine hundred and Sixty-two.

C. R. SWART,
State President.

By Order of the State President-in-Council.

D. C. H. UYS.

SCHEDULE.

The Dried Bean Scheme, published by Proclamation No. R. 68 of 1961, is hereby amended by—

(1) the substitution for section 15 thereof, of the following section:—

“LEVY ON DRIED BEANS AND ESTABLISHMENT OF DRIED BEAN LEVY FUND.

15. (1) The Board may, with the approval of the Minister and on such basis as the Board may determine, impose a levy on dried beans—

- (a) sold within such area in the Republic as the Board may determine;
- (b) produced within such area in the Republic as the Board may determine and sold outside such area;
- (c) sold outside such area in the Republic as the Board may determine, to a person dealing with dried beans in the course of trade within such area: Provided that no levy shall be payable in respect of dried beans thus sold and resold outside such area by the purchaser without such dried beans having been brought into such area; and
- (d) imported into the Republic or exported from the Republic.

(2) Any levy imposed in terms of sub-section (1)—

- (a) may be in the form of a fixed amount on or of a percentage or portion of the selling price of each unit or quantity of dried beans purchased or sold;
- (b) may, in respect of a particular class, grade or standard of quality of dried beans, differ from any such levy in respect of any other class, grade or standard of quality of dried beans;
- (c) may, in respect of any unit or quantity of dried beans which is imported into the Republic from any other country or territory, differ from, but shall not exceed, any levy in respect of any unit or quantity of dried beans which is produced in the Republic;

No. R. 303, 1962.]

DROËBONESKEMA.—WYSIGING.

Nademaal die Minister van Landbou-ekonomie en -bemarking, kragtens subartikel (4) van artikel *drie-en-twintig*, gelees met paragraaf (c) van subartikel (3) van artikel *sewentien* van die Bemarkingswet, 1937 (Wet No. 26 van 1937), soos gewysig, 'n sekere voorgestelde wysiging (soos in die Bylae hiervan uiteengesit) van die Droëbone-skema, afgekondig by Proklamasie No. R. 68 van 1961, aangeneem het, en kragtens paragraaf (b) van subartikel (1) van artikel *een-en-twintig* van genoemde Wet goedkeuring van daardie voorgestelde wysiging aanbeveel het;

So is dit dat ek, kragtens die bevoegdheid my verleen by voornoemde subartikel (4) van artikel *drie-en-twintig*, gelees met paragraaf (a) van subartikel (1) van artikel *twee-en-twintig* van genoemde Wet, hierby verklaar dat genoemde wysiging op die datum van publikasie hiervan in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Tiende dag van November Eenduisend Negehoenderd Twee-en-sestig.

C. R. SWART,
Staatspresident.

Op las van die Staatspresident-in-rade.

D. C. H. UYS.

BYLAE.

Die Droëbone-skema, afgekondig by Proklamasie No. R. 68 van 1961, word hiermee gewysig deur—

(1) artikel 15 daarvan deur die volgende artikel te vervang:—

„HEFFING OP DROËBONE EN INSTELLING VAN DROËBONEHEFFINGSFONDS.

15. (1) Die Raad kan, met die Minister se goedkeuring en op sodanige basis as wat die Raad mag bepaal, 'n heffing lê op droëbone wat—

- (a) binne sodanige gebied in die Republiek as wat die Raad mag bepaal, verkoop word;
- (b) binne sodanige gebied in die Republiek as wat die Raad mag bepaal, geproduseer is en buite sodanige gebied verkoop word;
- (c) aan 'n persoon wat in sodanige gebied in die Republiek as wat die Raad mag bepaal met droëbone as 'n besigheid handel, verkoop word buite sodanige gebied: Met dien verstande dat geen heffing betaalbaar is op droëbone wat aldus verkoop is en deur die koper buite sodanige gebied herverkoop word sonder dat sodanige droëbone in sodanige gebied ingebring is; en
- (d) in die Republiek ingevoer word of uit die Republiek uitgevoer word.

(2) 'n Heffing opgelê kragtens subartikel (1)—

- (a) kan in die vorm wees van 'n vasgestelde bedrag op of van 'n persentasie of gedeelte van die verkoopprijs van elke eenheid of hoeveelheid droëbone gekoop of verkoop;
- (b) kan ten opsigte van 'n besondere klas, graad of kwaliteitstandaard droëbone verskil van sodanige heffing ten opsigte van 'n ander klas, graad of kwaliteitstandaard droëbone;
- (c) kan ten opsigte van 'n eenheid of hoeveelheid droëbone wat uit 'n ander land of gebied in die Republiek ingevoer word, verskil van maar nie meer wees nie as sodanige heffing ten opsigte van 'n eenheid of hoeveelheid droëbone wat in die Republiek geproduseer word;

(d) may, in respect of any unit or quantity of dried beans which is imported into the Republic from any country or territory adjoining the Republic, differ from any such levy in respect of any unit or quantity of dried beans which is imported into the Republic from any other country or territory;

(e) may, in respect of any unit or quantity of dried beans which is exported from the Republic or which is exported from the Republic to any particular country or territory, differ from any such levy in respect of any unit or quantity of dried beans which is not so exported;

(f) shall not exceed 25c per 200 lb. on any dried beans.

(3) Any levy imposed in terms of sub-section (1) shall—

(a) in the case of dried beans sold to or through the Board, be added to and made payable at the same time as the price at which the Board disposes of the dried beans to any person, or be subtracted from the price payable by the Board to producers of the dried beans when payment is effected;

(b) in the case of dried beans sold otherwise than to or through the Board, be paid to the Board at such times and in such manner as may be prescribed by regulation under the Act, and such levy shall be payable by—

(i) in the case of dried beans sold in the area concerned through an agent or a person who on behalf of a local authority controls or manages any place under the jurisdiction of that local authority where produce is habitually sold in public, that agent or person on behalf of the producer;

(ii) in the case of dried beans sold in the area concerned by a producer direct to a person dealing with dried beans in the course of trade, the purchaser: Provided that if such producer is also a person dealing with dried beans in the course of trade, such levy shall be payable by him;

(iii) in the case of dried beans sold within the area concerned by a producer direct to a person not dealing with dried beans in the course of trade, the producer;

(iv) in the case of dried beans sold outside such area to a person dealing with dried beans in the course of trade within such area, the purchaser: Provided that no levy shall be payable in respect of dried beans thus sold and resold outside such area by the purchaser without it having been introduced into such area;

(v) in the case of dried beans produced in the area concerned and sold by the producer to any person outside such area, the producer;

(vi) in the case of dried beans sold in the area concerned by any person who deals with dried beans in the course of trade outside such area, the seller;

(d) kan ten opsigte van 'n eenheid of hoeveelheid droëbone wat uit 'n land of gebied wat aan die Republiek grens in die Republiek ingevoer word, verskil van sodanige heffing ten opsigte van 'n eenheid of hoeveelheid droëbone wat uit 'n ander land of gebied in die Republiek ingevoer word;

(e) kan ten opsigte van 'n eenheid of hoeveelheid droëbone wat uit die Republiek uitgevoer word of uit die Republiek na 'n bepaalde land of gebied uitgevoer word, verskil van sodanige heffing ten opsigte van 'n eenheid of hoeveelheid droëbone wat nie aldus uitgevoer word nie;

(f) mag nie 25c per 200 lb. op enige droëbone oorskry nie.

(3) 'n Heffing opgelê kragtens subartikel (1) moet—

(a) in die geval van droëbone wat aan of deur die Raad verkoop word, bygevoeg word by en op dieselfde tydstip betaalbaar gemaak word as die prys waarteen die Raad die droëbone aan enige persoon van die hand sit, of afgetrek word van die prys deur die Raad betaalbaar aan produsente van die droëbone wanneer betaling geskied;

(b) in die geval van droëbone wat anders as aan of deur die Raad verkoop word, aan die Raad betaal word op sodanige tye en wyse as wat by regulasie kragtens die Wet voorgeskryf mag word, en sodanige heffing is betaalbaar deur—

(i) in die geval van droëbone wat binne die betrokke gebied verkoop word deur 'n agent of 'n persoon wat namens 'n plaaslike bestuur 'n plek binne die regsgebied van daardie plaaslike bestuur waar produkte in die reël in die openbaar verkoop word, beheer of bestuur, daardie agent of persoon ten behoeve van die produsent;

(ii) in die geval van droëbone wat binne die betrokke gebied deur 'n produsent verkoop word direk aan 'n persoon wat met droëbone as 'n besigheid handel, die koper: Met dien verstande dat indien sodanige produsent ook 'n persoon is wat met droëbone as 'n besigheid handel, sodanige heffing deur hom betaalbaar is;

(iii) in die geval van droëbone wat binne die betrokke gebied deur 'n produsent verkoop word direk aan 'n persoon wat nie met droëbone as 'n besigheid handel nie, die produsent;

(iv) in die geval van droëbone wat buite die betrokke gebied verkoop word aan 'n persoon wat binne sodanige gebied met droëbone as 'n besigheid handel, die koper: Met dien verstande dat geen heffing betaalbaar is op droëbone wat aldus verkoop is en deur die koper buite sodanige gebied herverkoop word sonder dat dit in sodanige gebied ingebring is;

(v) in die geval van droëbone wat binne die betrokke gebied geproduseer is en deur die produsent verkoop word aan 'n persoon buite sodanige gebied, die produsent;

(vi) in die geval van droëbone wat deur 'n persoon wat buite die betrokke gebied met droëbone as 'n besigheid handel, binne sodanige gebied verkoop word, die verkoper;

- (vii) in the case of dried beans imported into the Republic, the importer;
- (viii) in the case of dried beans exported from the Republic, the exporter;
- (ix) in all other cases of dried beans sold within the area concerned by the producer thereof, such producer.

(4) An agent or person referred to in sub-paragraph (i) of paragraph (b) of sub-section (3), who has paid the levy on dried beans sold on behalf of a producer, may recover such levy from such producer by deducting it from the amount payable to such producer.

(5) Subject to the provisions of sub-section (3) of section 16 and section 17 the Board shall establish a fund to be known as the Dried Bean Levy Fund, to be administered and controlled by the Board, into which shall be paid all moneys derived from any levies imposed under sub-section (1) and all other moneys received by the Board, and from which all payments by the Board shall be made."

- (2) the substitution for section 16 thereof of the following section:—

"SPECIAL LEVY ON DRIED BEANS AND ESTABLISHMENT OF SPECIAL FUND.

16. (1) The Board may, with the approval of the Minister and on such basis as the Board may determine, impose a special levy on dried beans—

- (a) sold within such area in the Republic as the Board may determine;
- (b) produced within such area in the Republic as the Board may determine and sold outside such area;
- (c) sold outside such area in the Republic as the Board may determine, to a person dealing with dried beans in the course of trade within such area: Provided that no levy shall be payable in respect of dried beans thus sold and resold outside such area by the purchaser without such dried beans having been brought into such area; and
- (d) imported into the Republic or exported from the Republic.

(2) For the purposes of such special levy the provisions of paragraphs (a) to and including (e) of sub-section (2) and sub-sections (3) and (4) of section 15 shall *mutatis mutandis* apply.

(3) Subject to the provisions of section 17, the Board shall establish a special fund, into which shall be paid the proceeds of any special levy imposed under sub-section (1) and such other amounts at the Board's disposal as may be approved by the Minister, and the Board may deal with any moneys in this fund in such manner as may be approved by the Minister."

- (3) the substitution for sub-section (1) of section 18 thereof of the following sub-section:—

"(1) No person who deals with dried beans in the course of trade, shall either on his own behalf or on behalf of any other person, in any area in the Republic defined by the Board with the approval of the Minister and notified by the Minister in the *Government Gazette*, purchase dried beans from a producer thereof or sell dried beans on behalf of a producer thereof unless he has been registered with the Board."

- (vii) in die geval van droëbone wat in die Republiek ingevoer word, die invoerder;

- (viii) in die geval van droëbone wat uit die Republiek uitgevoer word, die uitvoerder;

- (ix) in alle ander gevalle van droëbone wat deur die produsent daarvan binne die betrokke gebied verkoop word, sodanige produsent.

(4) 'n Agent of persoon waarna in sub-paragraaf (i) van paragraaf (b) van subartikel (3) verwys word, wat die heffing betaal het op droëbone wat hy ten behoeve van 'n produsent verkoop het, kan sodanige heffing op sodanige produsent verhaal deur dit van die bedrag betaalbaar aan sodanige produsent af te trek.

(5) Behoudens die bepalings van subartikel (3) van artikel 16 en artikel 17 moet die Raad 'n fonds instel wat moet bekendstaan as die Droëboneheffingsfonds en wat deur die Raad bestuur en beheer moet word, waarin alle gelde verkry uit heffings wat kragtens subartikel (1) opgelê is, en alle ander gelde deur die Raad ontvang, gestort moet word, en waaruit alle betalings deur die Raad gedoen moet word."

- (2) artikel 16 daarvan deur die volgende artikel te vervang:—

„SPESIALE HEFFING OP DROËBONE EN INSTELLING VAN SPESIALE FONDS.

16. (1) Die Raad kan, met die Minister se goedkeuring en op sodanige basis as wat die Raad mag bepaal, 'n spesiale heffing lê op droëbone wat—

- (a) binne sodanige gebied in die Republiek as wat die Raad mag bepaal, verkoop word;
- (b) binne sodanige gebied in die Republiek as wat die Raad mag bepaal, geproduseer is en buite sodanige gebied verkoop word;
- (c) aan 'n persoon wat in sodanige gebied in die Republiek as wat die Raad mag bepaal met droëbone as 'n besigheid handel, verkoop word buite sodanige gebied: Met dien verstande dat geen heffing betaalbaar is op droëbone wat aldus verkoop is en deur die koper buite sodanige gebied herverkoop word sonder dat sodanige droëbone in sodanige gebied ingebring is; en
- (d) wat in die Republiek ingevoer word of uit die Republiek uitgevoer word;

(2) Vir die doeleindes van so 'n spesiale heffing is die bepalings van paragrafe (a) tot en met (e) van subartikel (2) en subartikels (3) en (4) van artikel 15 *mutatis mutandis* van toepassing.

(3) Behoudens die bepalings van artikel 17 moet die Raad 'n spesiale fonds instel, waarin die opbrengste van 'n spesiale heffing opgelê kragtens subartikel (1), en sodanige ander bedrae tot die beskikking van die Raad as wat deur die Minister goedgekeur mag word, gestort moet word, en die Raad kan met gelde in hierdie fonds handel op sodanige wyse as wat deur die Minister goedgekeur mag word."

- (3) subartikel (1) van artikel 18 daarvan deur die volgende subartikel te vervang:—

„(1) Niemand wat met droëbone as 'n besigheid handel, mag of vir sy eie rekening of ten behoeve van iemand anders in 'n gebied in die Republiek deur die Raad met die Minister se goedkeuring bepaal en deur die Minister in die *Staatskoerant* bekendgemaak, droëbone van 'n produsent daarvan koop nie of ten behoeve van 'n produsent daarvan verkoop nie, tensy hy by die Raad geregistreer is."

No. R. 304, 1962.]

COMMENCEMENT OF THE ANIMALS PROTECTION ACT, 1962.

By virtue of the powers vested in me by section *twelve* of the Animals Protection Act, 1962 (Act No. 71 of 1962), I hereby declare that the provisions of the said Act shall come into operation on the first day of December, 1962.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this Tenth day of November, One thousand Nine hundred and Sixty-two.

C. R. SWART,
State President.

By order of the State President-in-Council.

B. J. VORSTER.

GOVERNMENT NOTICES.

DEPARTMENT OF LABOUR.

No. R. 1930.] [23 November 1962.

WAGE ACT, No. 5 of 1957.

WAGE DETERMINATION No. 234.—FRUIT DRYING AND PACKING INDUSTRY, CERTAIN AREAS.

The following corrections to Government Notice No. R. 1707 of the 19th October, 1962, are published:—

IN THE AFRIKAANS VERSION.

Clause 7 (4) (b).

Delete the word "vermoë" in the first and fourth lines and substitute therefor "onvermoë".

Clause 12 (3) (i).

In the first line, insert the word "en" between the words "met" and "die".

IN THE ENGLISH VERSION.

Clause 6 (5) (b).

Delete the word "than" in the fifth line and substitute therefor "that".

Clause 12 (2).

Delete the word "of" in the second line where it appears for the first time and substitute therefor "or".

DEPARTMENT OF COMMERCE AND INDUSTRIES.

No. R. 1931.] [23 November 1962.

SCIENTIFIC RESEARCH COUNCIL ACT, 1962.

The State President has been pleased, under the powers vested in him by section *sixteen* of the Scientific Research Council Act, 1962 (Act No. 32 of 1962), to amend the regulations framed under the said Act and promulgated by Government Notice No. R. 513, dated 30th March, 1962, to the extent set out in the Schedule hereto:—

SCHEDULE.

AMENDMENT TO THE SCIENTIFIC RESEARCH COUNCIL REGULATIONS.

PART II—CONDITIONS OF SERVICE OF OFFICERS AND EMPLOYEES OF THE COUNCIL.

Regulation 6 is hereby amended by the substitution of the following new grade and salary scales for the existing grades and salary scales applicable to Non-European Scientific Assistants:—

Non-European Senior Research Officer: R2,500 × R100—R2,800.

No. R. 304, 1962.]

INWERKINGTREDING VAN DIE DIERE-BESKERMINGSWET, 1962.

Kragtens die bevoegdheid my verleen by artikel *twalf* van die Dierebeskermingswet, 1962 (Wet No. 71 van 1962), verklaar ek hierby dat die bepalings van genoemde Wet op die eerste dag van Desember 1962 in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Tweede dag van November Eenduisend Negehonderd Twee-en-sestig.

C. R. SWART,
Staatspresident.

Op las van die Staatspresident-in-rade.

B. J. VORSTER.

GOEWERMENSKENNISGEWINGS.

DEPARTEMENT VAN ARBEID.

No. R. 1930.] [23 November 1962.

LOONWET, No. 5 VAN 1957.

LOONVASSTELLING No. 234.—NYWERHEID VIR DIE DROOG EN VERPAKKING VAN VRUGTE, SEKERE GEBIEDE.

Onderstaande verbeterings aan Goewermentskennisgewing No. R. 1707 van 19 Oktober 1962 word gepubliseer:—

IN DIE AFRIKAANSE TEKS.

Klousule 7 (4) (b).

Skrap die woord „vermoë” in die eerste en die vierde reëls en vervang dit deur „onvermoë”.

Klousule 12 (3) (i).

In die eerste reël, voeg die woord „en” in tussen die woorde „met” en „die”.

IN DIE ENGELSE TEKS.

Klousule 6 (5) (b).

Skrap die woord „than” in die vyfde reël en vervang dit deur „that”.

Klousule 12 (2).

Skrap die woord „of” in die tweede reël waar dit die eerste maal verskyn en vervang dit deur „or”.

DEPARTEMENT VAN HANDEL EN NYWERHEID.

No. R. 1931.] [23 November 1962.

WET OP DIE WETENSKAPLIKE NAVORSINGS-RAAD, 1962.

Dit het die Staatspresident behaag om, kragtens die bevoegdheid hom verleen by artikel *sestien* van die Wet op die Wetenskaplike Navorsingsraad, 1962 (Wet No. 32 van 1962), die regulasies opgestel kragtens genoemde Wet en afgekondig by Goewermentskennisgewing No. R. 513 van 30 Maart 1962 te wysig in die mate soos in die Bylae hiervan aangetoon:—

BYLAE.

WYSIGING VAN DIE REGULASIES VAN DIE WETENSKAPLIKE NAVORSINGSRAAD.

DEEL II—DIENSVORWAARDES VAN AMPTENARE EN WERKNEMERS VAN DIE RAAD.

Regulasie 6 word hierby gewysig deur die vervanging van die bestaande grade en salarisskale wat op nie-blanke wetenskaplike assistente van toepassing is, deur die volgende nuwe grade en salarisskale:—

Nie-blanke Senior Navorsingsbeampte: R2,500 × R100—R2,800.

Non-European Research Officer: R2,120—R2,200 × R100—R2,500.
 Non-European Technical Officer: R1,620 × R60—R1,800 × R80—R2,120.
 Non-European Assistant Technical Officer: R1,080 × R60—R1,500.
 Non-European Laboratory Assistant, Grade I: R660 × R50—R810 × R50—R1,010.
 Non-European Laboratory Assistant, Grade II: R540 × R40—R660 × R50—R810.

Nie-blanke Navorsingsbeampte: R2,120—R2,200 × R100—R2,500.
 Nie-blanke Tegnieuse Beampte: R1,620 × R60—R1,800 × R80—R2,120.
 Nie-blanke Assistent-tegniese Beampte: R1,080 × R60—R1,500.
 Nie-blanke Laboratoriumassistent, Graad I: R660 × R50—R810 × R50—R1,010.
 Nie-blanke Laboratoriumassistent, Graad II: R540 × R40—R660 × R50—R810.

DEPARTMENT OF JUSTICE.

No. R. 1932.] [23 November 1962.
 PUBLICATION OF PARTICULARS IN TERMS OF SECTION *TEN TER* OF THE SUPPRESSION OF COMMUNISM ACT, 1950 (ACT No. 44 OF 1950), AS AMENDED.

The Minister of Justice has, by virtue of the powers vested in him by section *ten ter* of the Suppression of Communism Act, 1950 (Act No. 44 of 1950), as amended, approved of the publication in the *Gazette* of the under-mentioned particulars of notices issued in terms of paragraph (e) of sub-section (1) of section *five* of the said Act whereby certain persons were prohibited from attending gatherings:—

A. Name. <i>Naam.</i>	B. Address. <i>Adres.</i>	C. Date on which Notice was delivered to the person mentioned in Column A. <i>Datum waarop kennisgewing aan die persoon genoem in kolom A oorhandig is.</i>	D. Date on which Notice expires. <i>Datum waarop kennisgewing verstryk.</i>
Kathrada, Ahmed Mohamed.....	13 Kholvad House, 27 Market Street/Kholvadhuis 13, Marketstraat 27, Johannesburg	22/10/62	31/10/67
Sisulu, Walter Max Ulyate.....	7372 Orlando West Location/Orlando-Wes Lokasie 7372, Johannesburg	26/10/62	31/10/67

DEPARTMENT OF EDUCATION, ARTS AND SCIENCE.

No. R. 1933.] [23 November 1962.
 RHODES UNIVERSITY.—AMENDMENT OF STATUTE.

The Minister of Education, Arts and Science has, under and by virtue of the powers vested in him by sub-section (2) of section *seventeen* of the Universities Act, 1955 (Act No. 61 of 1955), approved the following amendments to the Statute of Rhodes University, promulgated by Government Notice No. R. 749 of 18th May, 1962:—

1. Paragraph 38 (1) is amended by the deletion in clause (i) (a) of the words "bachelor of arts in fine arts with honours B.A. (F.A.) (Hons.)".

2. Paragraph 40 (1) is amended by the insertion after the words "in the case of the degree" of the words "of master of arts in fine arts or".

3. Paragraph 51 (1) is amended by the insertion after the words "in the case of" of the words "an examination qualifying in the first course of any subject for a degree or".

Amendment Slip No. 27.]

DEPARTEMENT VAN ONDERWYS, KUNS EN WETENSKAP.

No. R. 1933.] [23 November 1962.
 RHODES-UNIVERSITEIT.—WYSIGING VAN STATUUT.

Die Minister van Onderwys, Kuns en Wetenskap het kragtens die bevoegdheid hom verleen by subartikel (2) van artikel *sewentien* van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), onderstaande wysigings van die Statuut van Rhodes-Universiteit, afgekondig by Goewermentskennisgewing No. R. 749 van 18 Mei 1962, goedgekeur:—

1. Paragraaf 38 (1) word gewysig deur in klousule (1) (a) die woorde „baccalaureus artium in skone kunste met honneurs B.A. (Sk.K.) (Honns.)” te skrap.

2. Paragraaf 40 (1) word gewysig deur na die woorde „in die geval van die graad” die woorde „magister artium in skone kunste, of” in te voeg.

3. Paragraaf 51 (1) word gewysig deur na die woorde „in die geval van” die woorde „n eksamen wat in die eerste kursus van enige vak vir 'n graad kwalifiseer of” in te voeg.

Wysigingstrokie No. 27.]

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