

BUITENGEWONE



EXTRAORDINARY

# Staatskoerant

VAN DIE UNIE VAN SUID-AFRIKA

THE UNION OF SOUTH AFRICA

# Government Gazette

[Geregistreer by die Hoofposkantoor as 'n Nuusblad.]

[Registered at the General Post Office as a Newspaper.]

VOL. CLXXVI.] PRYS 6d.

KAAPSTAD, 11 JUNIE 1954.  
CAPE TOWN, 11TH JUNE, 1954.

PRICE 6d. [No. 5291.]

## KANTOOR VAN DIE EERSTE MINISTER.

Onderstaande Goewermentskennisgewing word ter algemene inligting gepubliseer:—

No. 1155.]

[11 Junie 1954.]

Hierby word bekendgemaak dat dit Sy Eksellensie die Goewerneur-generaal behaag het om sy goedkeuring te heg aan onderstaande Wette, wat hierby ter algemene inligting gepubliseer word:—

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## OFFICE OF THE PRIME MINISTER.

The following Government Notice is published for general information:—

No. 1155.]

[11th June, 1954.]

It is hereby notified that His Excellency the Governor-General has been pleased to assent to the following Acts, which are hereby published for general information:—

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No. 24, 1954.]

**WET****Tot wysiging van die „Precious and Base Metals Act 1908”  
van Transvaal.***(Afrikaanse teks deur die Goewerneur-generaal geteken.)  
(Goedgekeur op 8 Junie 1954.)***DIT WORD BEPAAL** deur Haar Majesteit die Koningin,  
die Senaat en die Volksraad van die Unie van Suid-  
Afrika, as volg:—

Vervanging van  
artikel 98 van Wet  
35 van 1908  
(Transvaal), soos  
vervang deur  
artikel 6 van Wet  
52 van 1926 en  
gewysig deur arti-  
kel 35 van Wet 36  
van 1934.

**1. Artikel agt-en-negentig** van die „Precious and Base  
Metals Act 1908” van Transvaal word hiermee deur die vol-  
gende artikel vervang:

„How  
wages,  
etc.,  
may be  
paid.

**98. (1)** Any person referred to in paragraph  
(a), (b) or (c) of sub-section (1) of section *ninety-  
seven* who—

(a) save under order of any competent court pays  
any portion of the remuneration, salary or  
wages or of any earnings payable under con-  
tract to a person employed on a mine other-  
wise than—

(i) in money current in the Union, or by  
cheque drawn on a bank in the Union;  
and

(ii) to such employee direct or his duly  
authorized agent in the case of such  
employee's sickness; or

(iii) to any sick benefit society established in  
respect of the mine on which such  
employee is employed; or

(iv) to any insurance company in which such  
employee is insured; or

(v) to the Commissioner for Inland Revenue  
in respect of any tax due by such  
employee under the law relating to in-  
come tax and poll tax; or

(vi) to the Postmaster-General for the purpose  
of deposit on behalf of such employee in  
any savings bank or in any savings club  
established under the authority of the  
Postmaster-General, or for investment in  
any Government stock or fund sold or  
administered by the Postmaster-General;  
or

(vii) to any educational institution for the  
payment of fees in respect of any educa-  
tional classes attended by such employee;  
or

(viii) to any Provident or Pension Fund; or

(ix) to any building society for the repayment,  
in instalments, of any amount owing by  
such employee to the society in respect  
of a housing loan; or

(x) to any registered trade union of which  
such employee is a member, in respect of  
any subscription or any part thereof,  
payable by the employee, as such  
member, to the trade union, or

(b) becomes surety for or pays or procures the  
payment of the debt of a person employed on  
a mine due to the keeper of a business  
mentioned in the last preceding section,  
shall be guilty of an offence and liable—

(i) in the case of a first conviction to a fine not  
exceeding one hundred pounds, or to  
imprisonment without the option of a fine  
for a period not exceeding six months;

(ii) in the case of a second or subsequent con-  
viction to a fine not exceeding two hundred  
and fifty pounds, or to imprisonment with-  
out the option of a fine for a period not  
exceeding one year.

No. 24, 1954.]

# ACT

## To amend the Precious and Base Metals Act 1908 of the Transvaal.

(Afrikaans text signed by the Governor-General.)  
(Assented to 8th June, 1954.)

**BE IT ENACTED** by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

1. The following section is hereby substituted for section *ninety-eight* of the Precious and Base Metals Act 1908 of the Transvaal:

"How wages, etc., may be paid.

**98.** (1) Any person referred to in paragraph (a), (b) or (c) of sub-section (1) of section *ninety-seven* who—

(a) save under order of any competent court pays any portion of the remuneration, salary or wages or of any earnings payable under contract to a person employed on a mine otherwise than—

- (i) in money current in the Union, or by cheque drawn on a bank in the Union; and
- (ii) to such employee direct or his duly authorized agent in the case of such employee's sickness; or
- (iii) to any sick benefit society established in respect of the mine on which such employee is employed; or
- (iv) to any insurance company in which such employee is insured; or
- (v) to the Commissioner for Inland Revenue in respect of any tax due by such employee under the law relating to income tax and poll tax; or
- (vi) to the Postmaster-General for the purpose of deposit on behalf of such employee in any savings bank or in any savings club established under the authority of the Postmaster-General, or for investment in any Government stock or fund sold or administered by the Postmaster-General; or
- (vii) to any educational institution for the payment of fees in respect of any educational classes attended by such employee; or
- (viii) to any Provident or Pension Fund; or
- (ix) to any building society for the repayment, in instalments, of any amount owing by such employee to the society in respect of a housing loan; or
- (x) to any registered trade union of which such employee is a member, in respect of any subscription or any part thereof, payable by the employee, as such member, to the trade union, or

(b) becomes surety for or pays or procures the payment of the debt of a person employed on a mine due to the keeper of a business mentioned in the last preceding section,

shall be guilty of an offence and liable—

- (i) in the case of a first conviction to a fine not exceeding one hundred pounds, or to imprisonment without the option of a fine for a period not exceeding six months;
- (ii) in the case of a second or subsequent conviction to a fine not exceeding two hundred and fifty pounds, or to imprisonment without the option of a fine for a period not exceeding one year.

Substitution of section 98 of Act 35 of 1908 (Transvaal), as substituted by section 6 of Act 52 of 1926 and amended by section 35 of Act 36 of 1934.

(2) No cession of his remuneration, salary or wages or of his earnings under contract or any part thereof by any person employed on a mine shall be of legal force or effect, save only when given for any of the purposes referred to in paragraph (a) of sub-section (1).

(3) Any person employed on a mine who purports to make a cession of any portion of his remuneration, salary or wages or of his earnings under contract and any person who purports to accept such a cession shall be guilty of an offence and liable on conviction to the penalties prescribed in sub-section (1).

(4) Notwithstanding anything to the contrary contained in this section a mining company may deduct from the salary or wages earned by and payable to any one of its underground employees the cost of any boots or working clothing required for work underground and supplied by it to such employee."

Kort titel.

2. Hierdie Wet heet die Wysigingswet op die Transvaalse Goudwet, 1954.

No. 26, 1954.]

## WET

Tot wysiging van die „Elektrisiteit Wet, 1922”.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)  
(Goedgekeur op 8 Junie 1954.)

**DIT WORD BEPAAL** deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

Wysiging van  
paragraaf 6 van  
die Bylae by Wet  
42 van 1922.

1. Paragraaf *ses* van die Bylae by die „Elektrisiteit Wet, 1922”, word hiermee gewysig deur na die woord „rente” die woorde „of ander gelden” in te voeg.

Kort titel.

2. Hierdie Wet heet die Elektrisiteitswysigingswet, 1954.

(2) No cession of his remuneration, salary or wages or of his earnings under contract or any part thereof by any person employed on a mine shall be of legal force or effect, save only when given for any of the purposes referred to in paragraph (a) of sub-section (1).

(3) Any person employed on a mine who purports to make a cession of any portion of his remuneration, salary or wages or of his earnings under contract and any person who purports to accept such a cession shall be guilty of an offence and liable on conviction to the penalties prescribed in sub-section (1).

(4) Notwithstanding anything to the contrary contained in this section a mining company may deduct from the salary or wages earned by and payable to any one of its underground employees the cost of any boots or working clothing required for work underground and supplied by it to such employee."

2. This Act shall be called the Transvaal Gold Law Amendment Act, 1954. Short title.

No. 26, 1954.]

## ACT

To amend the Electricity Act, 1922.

(Afrikaans text signed by the Governor-General.)  
(Assented to 8th June, 1954.)

**BE IT ENACTED** by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

1. Paragraph six of the Schedule to the Electricity Act, 1922, is hereby amended by the insertion after the word "interest" of the words "or other charges".

Amendment of paragraph 6 of the Schedule to Act 42 of 1922.

2. This Act shall be called the Electricity Amendment Act, 1954. Short title.

No. 25, 1954.]

**WET****Tot wysiging van die wetsbepalings op die bevestiging van huwelike.***(Engelse teks deur die Goewerneur-generaal geteken.)  
(Goedgekeur op 8 Junie 1954.)***DIT WORD BEPAAL** deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—Wysiging van  
artikel 2 van  
Wet 43 van 1916.

1. Artikel *twee* van die Wet op Huweliksbevestigings, 1916 (Wet No. 43 van 1916), word hiermee gewysig—
  - (a) deur aan die end van paragraaf (b) van sub-artikel (2) die woord „of” by te voeg; en
  - (b) deur aan die end van sub-artikel (2) die volgende paragraaf by te voeg:  
„(c) tot bepaalde rassen.”.

Wysiging van  
artikels 8, 9 en 11  
van Wet 26 van  
1899 (Oranje-  
Vrystaat).

2. Die Huwelikswet van die Oranje-Vrystaat (Wet No. 26 van 1899) word hiermee gewysig—
  - (a) deur in artikel *agt* die woorde „ondertekend door den Staatspresident en den Gouvernements Secretaris” te skrap;
  - (b) deur in artikel *nege* die woorde „dat zij gedurende de laatste drie maanden in dezen Staat woonachtig zijn geweest” en al die woorde na „bestaat” te skrap; en
  - (c) deur in artikel *elf* die woorde „en rapport daarvan doen aan den Gouvernements Secretaris, en daarop zal de Staatspresident” deur die woorde „en daarop zal hij” te vervang.

Geldigheid van  
sekere spesiale  
lisensies wat reeds  
uitgereik is.

3. Die bepalinge van artikel *twee* word nie so uitgelê dat die geldigheid van enige spesiale lisensie wat behoorlik voor die inwerkingtreding van hierdie Wet uitgereik is daardeur geraak word nie.

Sekere persone  
kan geag word  
huweliksbevestigings  
te gewees het.

4. (1) Wanneer enigiemand as huweliksbevestiging opgetree het gedurende enige tydperk terwyl, of binne enige gebied ten opsigte waarvan, hy nie ingevolge die Wet op Huweliksbevestigings, 1916 (Wet No. 43 van 1916), as huweliksbevestiging benoem was nie, kan die Minister van Binnelandse Sake, as hy oortuig is dat so iemand aldus opgetree het omdat hy te goeder trou gemeen het dat hy 'n huweliksbevestiging gedurende daardie tydperk of binne daardie gebied was, deur kennisgewing in die *Staatskoerant* gelas dat so iemand vir alle doeleindes geag word ingevolge gemelde Wet behoorlik as huweliksbevestiging gedurende daardie tydperk of binne daardie streek benoem te gewees het.
- (2) Die bepalinge van sub-artikel (1) word nie so uitgelê dat enigiemand ten opsigte van wie so 'n kennisgewing uitgereik is, daardeur teen vervolging weens 'n oortreding van artikel *vyf* van gemelde Wet gevrywaar word nie.

Sekere bevoegd-  
hede, pligte en  
werksaamhede  
word geag opge-  
dra te gewees het  
aan sekere am-  
ptenare by die  
Indiër-immigrasie-  
buro in diens.

5. Indien enige amptenaar in die Staatsdiens wat in die kantoor bekend as die Indiër-immigrasieburo werksaam was of is, gedurende enige tydperk voor die inwerkingtreding van hierdie Wet maar na die inwerkingtreding van die Wet op die Oordrag van die Indiër-immigrasieburo, 1949 (Wet No. 31 van 1949), enige bevoegdheid uitgeoefen het of enige plig of werksaamheid verrig het wat deur artikel *sewentig* van die „Indian Immigration Law, 1891” (Wet No. 25 van 1891), van Natal opgedra was aan die persoon na wie daarin as die „Protector of Indian Immigrants” verwys word, word sodanige bevoegdheid, plig of werksaamheid geag ten tyde van bedoelde uitoefening of verrigting behoorlik ingevolge sub-artikel (2) van artikel *drie* van gemelde Wet op die Oordrag van die Indiër-immigrasieburo, 1949, aan sodanige amptenaar opgedra te gewees het.

Uitwerking van  
sekere benoemings  
van huweliks-  
bevestigings.

6. Enige godsdienstleraar wat voor of na die inwerkingtreding van hierdie Wet as huweliksbevestiging benoem is of benoem word solank hy leraar bly van die Nederduits Gereformeerde Kerk in Suid-Afrika, Kaap, of van die Nederduits Gereformeerde Kerk van Natal, of van die Nederduits Gereformeerde Kerk in die Oranje-Vrystaat, of van die Nederduits Hervormde of Gereformeerde Kerk van Suid-Afrika, Transvaal, word vanaf die datum van sodanige benoeming, geag gemagtig te gewees het of gemagtig te wees om huwelike te bevestig solank hy 'n leraar van enige van gemelde kerke gebly het of bly.

Kort titel.

7. Hierdie Wet heet die Wysigingswet op Huweliksbevestigings, 1954.

No. 25, 1954.]

# ACT

To amend the laws relating to the solemnization of marriages.

(English text signed by the Governor-General.)  
(Assented to 8th June, 1954.)

**BE IT ENACTED** by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

1. Section *two* of the Marriage Officers Act, 1916 (Act No. 3 of 1916), is hereby amended—
  - (a) by the addition at the end of paragraph (b) of sub-section (2) of the word "or"; and
  - (b) by the addition at the end of sub-section (2) of the following paragraph:  
"(c) of persons of specified races."

Amendment of section 2 of Act 43 of 1916.
2. The Marriage Law of the Orange Free State (Law No. 26 of 1899), is hereby amended—
  - (a) by the deletion in section *eight* of the words "onder-teekend door den Staatspresident en den Gouvernements Secretaris";
  - (b) by the deletion in section *nine* of the words "dat zij gedurende de laatste drie maanden in dezen Staat woonachtig zijn geweest" and of all the words after "bestaat"; and
  - (c) by the substitution in section *eleven* for the words "en rapport daarvan doen aan den Gouvernements Secretaris, en daarop zal de Staatspresident" of the words "en daarop zal hij".

Amendment of sections 8, 9 and 11 of Law 26 of 1899 (Orange Free State).
3. Nothing in section *two* contained shall be construed so as to affect the validity of any special licence which has been duly issued before the commencement of this Act.
 

Validity of certain special licences already issued.
4. (1) Whenever any person has acted as a marriage officer during any period when, or within any area in respect of which, he was not designated a marriage officer under the Marriage Officers Act, 1916 (Act No. 43 of 1916), the Minister of the Interior may, if he is satisfied that such person did so under the *bona fide* belief that he was a marriage officer during that period or within that area, direct by notice in the *Gazette* that such person shall for all purposes be deemed to have been a marriage officer duly designated under the said Act during such period or within such area.
 

Certain persons may be deemed to have been marriage officers.

(2) Nothing in sub-section (1) contained shall be construed as relieving any person in respect of whom such a notice has been issued from liability to prosecution for any contravention of section *five* of the said Act.
5. If any officer in the public service who was or is employed in the office known as the Indian Immigration Bureau has, during any period prior to the commencement of this Act but subsequent to the commencement of the Indian Immigration Bureau Transfer Act, 1949 (Act No. 31 of 1949), exercised any power or performed any duty or function conferred or imposed by section *seventy* of the Indian Immigration Law, 1891 (Law No. 25 of 1891), of Natal upon the person referred to therein as the Protector of Indian Immigrants, such power, duty or function shall be deemed to have been duly delegated in terms of sub-section (2) of section *three* of the said Indian Immigration Bureau Transfer Act, 1949, to such officer at the time of such exercise or performance.
 

Certain powers, duties and functions deemed to have been delegated to certain officers employed at the Indian Immigration Bureau.
6. Any minister of religion who before or after the commencement of this Act was or is designated a marriage officer whilst a minister of the "Nederduits Gereformeerde Kerk in Suid-Afrika, Kaap", or of the "Nederduits Gereformeerde Kerk van Natal", or of the "Nederduits Gereformeerde Kerk in die Oranje-Vrystaat", or of the "Nederduits Hervormde of Gereformeerde Kerk van Suid-Afrika, Transvaal", shall as from the date of such designation, be deemed to have been authorized or to be authorized to solemnize marriages whilst he remained or remains a minister of any of the said churches.
 

Effect of certain appointments of marriage officers.

7. This Act shall be called the Marriage Officers Amendment Act, 1954. Short title.

No. 28, 1954.]

# WET

Tot wysiging van die „Ontploffbare Stoffen Wet, 1911”.

(Afrikaanse teks deur die Goewerneur-generaal geteken)  
(Goedgekeur op 8 Junie 1954.)

**DIT WORD BEPAAL** deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

Wysiging van  
artikel 2 van  
Wet 8 van 1911.

1. Artikel *twee* van „de Ontploffbare Stoffen Wet, 1911”, hieronder die Hoofwet genoem, word hiermee gewysig—

- (a) deur na die woordskrywing van „ontploffbare stof” die volgende woordskrywing in te voeg:  
„fabrieklicentie” beteken een uit hoofde van de bepalingen van artikel *twaalf* geldige licentie voor een fabriek, of een licentie krachtens artikel *zeventien* toegestaan”; en
- (b) deur die woordskrywing van „Minister” deur die volgende woordskrywing te vervang:  
„Minister” beteken de Minister van Economiese Zaken;”.

Wysiging van  
artikel 7 van  
Wet 8 van 1911,  
soos gewysig  
deur artikel 3  
van Wet 32 van  
1951.

2. Artikel *sewe* van die Hoofwet word hiermee gewysig deur in paragraaf (d) van sub-artikel (1) na die woord „tenzij” die woorde „daartoe gemachtigd door een permit uitgereikt door een inspekteur en” in te voeg.

Wysiging van  
artikel 8 van  
Wet 8 van 1911,  
soos vervang  
deur artikel 4  
van Wet 32 van  
1951.

3. (1) Artikel *agt* van die Hoofwet word hiermee gewysig deur sub-artikel (3) deur die volgende sub-artikel te vervang:  
„(3) Voor elke zodanige licentie is een licentiegeld van drie pond in het geval van een andere ontploffbare stof dan vuurwerk, en een licentiegeld van een pond in het geval van vuurwerk, betaalbaar: Met dien verstande dat indien de verplichting om een licentie uit te nemen na de dertigste dag van Junie in een jaar ontstaat, het hefbaar bedrag voor dat jaar de helft van bedoeld bedrag is.”

(2) Sub-artikel (1) tree in werking op die eerste dag van Januarie 1955.

Wysiging van  
artikel 9 van  
Wet 8 van 1911.

4. Artikel *nege* van die Hoofwet word hiermee gewysig deur die woorde „wat springstoffen betreft” en die woorde „of, wat andere ontploffbare stoffen betreft, door iemand die door de Minister met de uitreiking van desbetreffelijke permitten belast is” te skrap.

Wysiging van  
artikel 12 van  
Wet 8 van 1911.

5. Artikel *twaalf* van die Hoofwet word hiermee gewysig deur aan die end daarvan die volgende woorde by te voeg:  
„maar niet na de een en dertigste dag van December, 1954, in het geval van licenties voor magazijnen.”.

Invoeing van  
artikel 17bis in  
Wet 8 van 1911.

6. (1) Die volgende artikel word hierby na artikel *sewentien* in die Hoofwet ingevoeg:

„Jaarlijks bedrag betaalbaar ten opzichte van ontploffbare stof vervaardigd. 17bis. De houder van een fabrieklicentie betaalt jaarlijks aan een inspekteur niet later dan de een en dertigste dag van Januarie, een bedrag, waar de waarde van ontploffbare stof gedurende het vorige kalenderjaar krachtens een licentie vervaardigd—

- (a) meer dan £100 maar niet meer dan £10,000 bedroeg, van ... £2 10 0;
- (b) meer dan £10,000 maar niet meer dan £50,000 bedroeg, van ... £5 0 0;
- (c) meer dan £50,000 maar niet meer dan £100,000 bedroeg, van ... £10 0 0;
- (d) meer dan £100,000 maar niet meer dan £500,000 bedroeg, van ... £15 0 0;
- (e) meer dan £500,000 maar niet meer dan £1,000,000 bedroeg, van ... £25 0 0;
- (f) meer dan £1,000,000 bedroeg, van £50 0 0.”.

(2) Sub-artikel (1) tree in werking op die eerste dag van Januarie 1955.

Wysiging van  
artikel 18 van  
Wet 8 van 1911.

7. Artikel *agtien* van die Hoofwet word hiermee gewysig deur die woorde „De licentie voormeld” deur die woorde „Een fabrieklicentie” te vervang.

No. 28, 1954.]

# ACT

## To amend the Explosives Act, 1911.

(Afrikaans text signed by the Governor-General.)  
(Assented to 8th June, 1954.)

**BE IT ENACTED** by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

1. Section *two* of the Explosives Act, 1911, hereinafter referred to as the principal Act, is hereby amended—
  - (a) by the insertion after the definition of "explosives" of the following definition:
 

"'factory licence' shall mean the licence of any factory which is valid by virtue of the provisions of section *twelve* or any licence granted under section *seventeen*;" and
  - (b) by the substitution for the definition of "Minister" of the following definition:
 

"'Minister' shall mean the Minister of Economic Affairs;"

Amendment of section 2 of Act 8 of 1911.
2. Section *seven* of the principal Act is hereby amended by the insertion in paragraph (d) of sub-section (1) after the word "unless" of the words "authorized thereto by a permit issued by an inspector and".
 

Amendment of section 7 of Act 8 of 1911, as amended by section 3 of Act 32 of 1951.
3. (1) Section *eight* of the principal Act is hereby amended by the substitution for sub-section (3) of the following sub-section:
 

"(3) In the case of explosives other than fireworks, a fee of three pounds, and in the case of fireworks, a fee of one pound shall be payable for any such licence: Provided that if the liability to take out the licence commences after the thirtieth day of June in any year, the amount chargeable for that year shall be one-half of that amount."

(2) Sub-section (1) shall come into operation on the first day of January, 1955.

Amendment of section 8 of Act 8 of 1911, as substituted by section 4 of Act 32 of 1951.
4. Section *nine* of the principal Act is hereby amended by the deletion of the words "in the case of blasting materials" and of the words "or, in the case of other explosives, by any person authorized by the Minister to issue such a permit".
 

Amendment of section 9 of Act 8 of 1911.
5. Section *twelve* of the principal Act is hereby amended by the addition at the end thereof of the following words:
 

"but not after the thirty-first day of December, 1954, in the case of the licence of a magazine."

Amendment of section 12 of Act 8 of 1911.
6. (1) The following section is hereby inserted after section *seventeen* of the principal Act:
 

Insertion of section 17bis in Act 8 of 1911.

"Annual fees in respect of explosives manufactured. 17bis. The holder of any factory licence shall pay annually to an inspector not later than the thirty-first day of January, a fee, where the value of the explosives manufactured under the licence during the preceding calendar year—

|                                                         |           |
|---------------------------------------------------------|-----------|
| (a) exceeded £100 but did not exceed £10,000, of        | £2 10 0;  |
| (b) exceeded £10,000 but did not exceed £50,000, of     | £5 0 0;   |
| (c) exceeded £50,000 but did not exceed £100,000, of    | £10 0 0;  |
| (d) exceeded £100,000 but did not exceed £500,000, of   | £15 0 0;  |
| (e) exceeded £500,000 but did not exceed £1,000,000, of | £25 0 0;  |
| (f) exceeded £1,000,000, of                             | £50 0 0." |

(2) Sub-section (1) shall come into operation on the first day of January, 1955.
7. Section *eighteen* of the principal Act is hereby amended by the substitution for the word "such" where it occurs for the first time of the word "factory".
 

Amendment of section 18 of Act 8 of 1911.

Wysiging van  
artikel 19 van  
Wet 8 van 1911.

8. Artikel *negentien* van die Hoofwet word hiermee gewysig deur die woorde „Elke zodanige licentie” deur die woorde „Een fabrieklicentie” te vervang.

Wysiging van  
artikel 20 van  
Wet 8 van 1911.

9. Artikel *twintig* van die Hoofwet word hiermee gewysig—  
(a) deur die woorde „zulke licenties” deur die woord „fabrieklicenties” te vervang; en  
(b) deur na die woorde „gestaakt heeft” die volgende woorde in te voeg: „of wanneer het in artikel *zeventien bis* bedoeld bedrag niet op de vervaldatum betaald is”.

Wysiging van  
artikel 21 van  
Wet 8 van 1911.

10. Artikel *een-en-twintig* van die Hoofwet word hiermee gewysig deur die woorde „zulke licentie” deur die woorde „een fabrieklicentie” te vervang.

Wysiging van  
artikel 22 van  
Wet 8 van 1911,  
soos gewysig deur  
artikel 6 van Wet  
32 van 1951.

11. (1) Artikel *twee-en-twintig* van die Hoofwet word hiermee gewysig—

(a) deur sub-artikels (6) en (8) deur die volgende sub-artikels te vervang:

„(6) Een krachtens dit artikel toegestane licentie voor een magazijn vervalt, behoudens de bepalingen van sub-artikel (3) van artikel *elf* van de „Wysigingswet op Ontploffbare Stowwe, 1954”, op de een en dertigste dag van December in het jaar waarin dezelve uitgereikt is, of indien het magazijn voor een doel niet in de licentie vermeld, gebruikt wordt.

(8) Een licentiegeld van twee pond is betaalbaar voor elke krachtens dit artikel toegestane licentie: Met dien verstande dat indien de verplichting om een licentie uit te nemen na de dertigste dag van Junie in een jaar ontstaat, het hefbaar bedrag voor dat jaar de helft van bedoeld bedrag is.”;

(b) deur na sub-artikel (8) die volgende sub-artikel in te voeg:

„(9) Een bedrag van één pond is betaalbaar zo dikwels een licentie krachtens dit artikel gewijzigd of overgedragen wordt.”.

(2) Sub-artikel (1) tree in werking op die eerste dag van Januarie 1955.

(3) 'n Lisensie kragtens artikel *twee-en-twintig* van die Hoofwet toegestaan en wat op die datum van inwerkingtreding van hierdie Wet van krag is, verval op die een-en-dertigste dag van Desember 1954.

Wysiging van  
artikel 29 van  
Wet 8 van 1911,  
soos gewysig  
deur artikel 10  
van Wet 32 van  
1951.

12. Artikel *nege-en-twintig* van die Hoofwet word hiermee gewysig—

(a) deur in paragraaf (d) die woorde „en de uitreiking, intrekking en opschorting van permitten om springstoffen te gebruiken” te skrap;

(b) deur na paragraaf (d) die volgende paragraaf in te voeg: „(d)*bis* de uitreiking, intrekking en opschorting van een in deze Wet genoemd permit, het tijdperk waarvoor een zodanig permit uitgereikt mag worden, en de bedragen ten opzichte van de uitreiking van een zodanig permit betaalbaar;”; en

(c) deur na paragraaf (e) die volgende paragraaf in te voeg:

„(e)*bis* het verbod op het vervoer van ontplofbare stof of het gebruik van enig vervoermiddel voor het vervoer daarvan, behalve uit krachte van een permit uitgereikt door een beambte ingevolge zodanige regulaties daartoe gemachtigd, de uitreiking, intrekking en opschorting van een zodanig permit, het tijdperk waarvoor een zodanig permit uitgereikt mag worden en de bedragen ten opzichte van de uitreiking van een zodanig permit betaalbaar;”.

Wysiging van  
artikel 30 van  
Wet 8 van 1911.

13. (1) Artikel *dertig* van die Hoofwet word hiermee gewysig deur paragraaf (e) te skrap.

(2) Sub-artikel (1) tree in werking op die eerste dag van Januarie 1955.

Kort titel.

14. Hierdie Wet heet die Wysigingswet op Ontploffbare Stowwe, 1954.

8. Section *nineteen* of the principal Act is hereby amended by the substitution for the word "such" where it occurs for the first time of the word "factory".

Amendment of section 19 of Act 8 of 1911.

9. Section *twenty* of the principal Act is hereby amended—

Amendment of section 20 of Act 8 of 1911.

- (a) by the substitution for the word "such" where it occurs for the first time of the word "factory"; and
- (b) by the insertion after the words "authorized by the licence" where they occur for the first time of the words "or if the fee referred to in section *seventeen bis* has not been paid on due date".

10. Section *twenty-one* of the principal Act is hereby amended by the substitution for the word "such" of the word "factory".

Amendment of section 21 of Act 8 of 1911.

11. (1) Section *twenty-two* of the principal Act is hereby amended—

Amendment of section 22 of Act 8 of 1911, as amended by section 6 of Act 32 of 1951.

- (a) by the substitution for sub-sections (6) and (8) of the following sub-sections:

"(6) Any licence for a magazine granted under this section shall, subject to the provisions of sub-section (3) of section *eleven* of the Explosives Amendment Act, 1954, expire on the thirty-first day of December of the year of issue and shall become void if the magazine is used for any purpose not provided for in the licence.

(8) A fee of two pounds shall be payable for any licence granted under this section: Provided that if the liability to take out the licence commences after the thirtieth day of June in any year, the amount chargeable for that year shall be one-half of that amount."

- (b) by the insertion after sub-section (8) of the following sub-section:

"(9) A fee of one pound shall be payable on every occasion that a licence is amended or transferred under this section."

(2) Sub-section (1) shall come into operation on the first day of January, 1955.

(3) Any licence granted under section *twenty-two* of the principal Act and in force at the date of commencement of this Act shall expire on the thirty-first day of December, 1954.

12. Section *twenty-nine* of the principal Act is hereby amended—

Amendment of section 29 of Act 8 of 1911, as amended by section 10 of Act 32 of 1951.

- (a) by the deletion in paragraph (d) of the words "and the grant, cancellation and suspension of permits to use blasting materials";

- (b) by the insertion after paragraph (d) of the following paragraph:

"(d)*bis* the grant, cancellation and suspension of any permit mentioned in this Act, the period for which any such permit may be issued and the fees which shall be payable in respect of the issue of any such permit;" and;

- (c) by the insertion after paragraph (e) of the following paragraph:

"(e)*bis* the prohibition of the transport of explosives or the use for the transportation thereof of any means of transport except under authority of a permit issued by an officer authorized by such regulations, the grant, cancellation and suspension of any such permit, the period for which any such permit may be issued and the fees which shall be payable in respect of the issue of any such permit;"

13. (1) Section *thirty* of the principal Act is hereby amended by the deletion of paragraph (e).

Amendment of section 30 of Act 8 of 1911.

(2) Sub-section (1) shall come into operation on the first day of January, 1955.

14. This Act shall be called the Explosives Amendment Act, Short title. 1954.

No. 30, 1954.]

# WET

## Tot wysiging van die Wet op Reëling van Uitvoer van Bederfbare Produkte, 1926, en die Finansiële Reëlingswet, 1944.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)  
(Goedgekeur op 8 Junie 1954.)

**DIT WORD BEPAAL** deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

Wysiging van  
artikel 1 van  
Wet 53 van 1926.

1. (1) Artikel een van die Wet op Reëling van Uitvoer van Bederfbare Produkte, 1926 (hieronder die Hoofwet genoem), word hiermee gewysig—

- (a) deur in sub-artikel (2) na die woorde „as 'n” waar hulle die laaste keer voorkom, die woord „addisionele” in te voeg;
- (b) deur in sub-artikel (3) die woorde „twaalf maande” deur die woorde „drie jaar” te vervang;
- (c) deur sub-artikels (4), (5) en (6) deur die volgende sub-artikels te vervang:

„(4) (a) 'n Lid van die Raad wie se dienstydpark verstryk het, behou sy amp tot sy opvolger aangestel is of hy heraangestel is, maar vir 'n tydperk van hoogstens drie maande.

(b) Wanneer 'n lid van die Raad om een of ander rede sy amp ontruim voor die verstryking van die tydperk waarvoor hy aangestel is, kan die Minister iemand anders vir die onverstreke gedeelte van daardie tydperk as 'n lid aanstel.

(c) Wanneer die Minister oortuig is dat 'n lid van die Raad om watter rede ook al verhinder word om sy ampswerkzaamhede en -pligte te verrig, kan die Minister, onderworpe aan die voorwaardes wat hy goedgevind, iemand anders (hieronder 'n waarnemende lid genoem) aanstel om in die plek van daardie lid op te tree terwyl laasgenoemde aldus verhinder word.

(5) (a) 'n Lid van die Raad ontruim sy amp—

(i) indien hy sonder toestemming van die Raad van drie agtereenvolgende vergaderings van die Raad afwesig is;

(ii) indien hy insolvent word; of

(iii) indien hy bedank by skriftelike kennisgewing aan die Minister gerig.

(b) Die Goewerneur-generaal kan 'n lid van die Raad uit sy amp verwyder indien daardie lid—

(i) hom volgens oordeel van die Goewerneur-generaal aan onbehoorlike gedrag skuldig gemaak het of uit gewoonte sy pligte as lid van die Raad verwaarloos het; of

(ii) volgens oordeel van die Goewerneur-generaal nie in staat is om sy pligte as lid van die Raad doeltreffend te verrig nie.

(6) 'n Lid van die Raad of 'n waarnemende lid ontvang die besoldiging, toelaes en reiskoste wat die Goewerneur-generaal bepaal: Met dien verstande dat so 'n lid of waarnemende lid, wat in die voltydse diens van die Staat is, ten opsigte van dienste wat deur hom as lid van die Raad of waarnemende lid verrig word, geen besoldiging benewens sy salaris ten opsigte van daardie diens ontvang nie, en so 'n lid of waarnemende lid ook geen reis- en verblyftoelaes teen 'n skaal hoër as dié wat op hom as amptenaar van die Staat van toepassing is ontvang nie.”; en

(d) deur in sub-artikel (7) die woorde „van Landbou” en die woord „koöperatiewe” waar dit ook al voorkom, te skrap.

(2) 'n Lid van die Raad wat by dié inwerkingtreding van hierdie Wet sy amp bekleed, word geag kragtens artikel een van die Hoofwet soos deur sub-artikel (1) van hierdie artikel gewysig, as 'n lid aangestel te gewees het.

No. 30, 1954.]

# ACT

## To amend the Perishable Products Export Control Act, 1926, and the Financial Adjustments Act, 1944.

(Afrikaans text signed by the Governor-General.)  
(Assented to 8th June, 1954.)

**BE IT ENACTED** by the Queen's Most Excellent Majesty,  
the Senate and the House of Assembly of the Union of  
South Africa, as follows:—

**1.** (1) Section *one* of the Perishable Products Export Control Act, 1926 (hereinafter referred to as the principal Act), is hereby amended—

Amendment of  
section 1 of  
Act 53 of 1926.

- (a) by the substitution in sub-section (2) for the word "a" where it occurs for the last time of the words "an additional";
- (b) by the substitution in sub-section (3) for the words "twelve months" of the words "three years";
- (c) by the substitution for sub-sections (4), (5) and (6) of the following sub-sections:

"(4) (a) A member of the Board whose period of office has expired shall continue to hold office until his successor has been appointed or he has been reappointed but not for a period of more than three months.

(b) Whenever for any reason a member of the Board vacates his office prior to the expiration of the period for which he has been appointed the Minister may appoint any other person as a member for the unexpired portion of that period.

(c) Whenever the Minister is satisfied that a member of the Board is prevented by any cause whatsoever from performing the functions and duties of his office, the Minister may, subject to such conditions as he may deem fit, appoint any other person (hereinafter referred to as an acting member) to act in the place of that member while the latter is so prevented.

(5) (a) A member of the Board shall vacate his office—

- (i) if he absents himself from three consecutive meetings of the Board without its leave;
- (ii) if he becomes insolvent; or
- (iii) if he resigns by notice in writing addressed to the Minister.

(b) The Governor-General may remove from his office any member of the Board—

- (i) who has, in the opinion of the Governor-General, been guilty of improper conduct or habitually neglected his duties as a member of the Board; or
- (ii) who is, in the opinion of the Governor-General, unable to perform efficiently his duties as a member of the Board.

(6) A member of the Board or an acting member shall receive such remuneration, allowances and travelling expenses as the Governor-General may determine: Provided that such member or acting member, who is in the full-time employment of the State, shall not, in respect of the services rendered by him as a member of the Board or an acting member, receive any remuneration in addition to his salary in respect of such employment, nor shall such member or acting member receive any allowances in respect of subsistence and transport at a rate higher than that applicable to him as an employee of the State."; and

- (d) by the deletion in sub-section (7) of the words "of Agriculture" and of the word "co-operative" wherever it occurs in that sub-section.

(2) Any member of the Board holding office at the commencement of this Act shall be deemed to have been appointed as a member in terms of section *one* of the principal Act as amended by sub-section (1) of this section.

Wysiging van  
artikel 3 van Wet  
53 van 1926.

2. Artikel *drie* van die Hoofwet word hiermee gewysig deur na paragraaf (d) die volgende paragrawe in te voeg:

- „(e) om, met goedkeuring van die Minister komitees uit lede van die Raad aan te stel en onderworpe aan die voorwaardes wat die Raad mag goedvind, aan so 'n komitee sodanige van sy bevoegdhede, werksaamhede en pligte as wat hy mag goedvind, oor te dra;
- (f) om 'n reserwefonds van 'n bedrag van hoogstens vyfduisend pond in te stel en om die gelde in daardie fonds op 'n wyse wat die Minister mag goedkeur, aan te wend.”.

Invoeging van  
artikel 3*bis* in  
Wet 53 van 1926.

3. Die volgende artikel word hiermee na artikel *drie* van die Hoofwet ingevoeg:

„Tydelike oorplasing van amptenare of diens na die Raad se diens.

3*bis*. (1) Onderworpe aan die aanbeveling van die Staatsdienskommissie, kan 'n amptenaar in die Staatsdiens tydelik na die Raad se diens oorgeplaas word.

(2) 'n Amptenaar in die Staatsdiens wat aldus oorgeplaas is—

(a) bly in alle opsigte onderworpe aan die wetsbepalings op die Staatsdiens en vir daardie doel word die voorsitter van die Raad geag die hoof van die departement te wees waarin daardie amptenaar in diens is;

(b) kan, benewens sy salaris en toelaes as 'n amptenaar in die Staatsdiens, sodanige besoldiging ontvang as wat met inagneming van die wetsbepalings op die Staatsdiens bepaal word.

(3) Met goedkeuring van die Minister kan 'n dienaar van die Suid-Afrikaanse Spoorweë en Hawens Administrasie tydelik na die Raad se diens oorgeplaas word, onderworpe aan die voorwaardes wat die Minister bepaal.”.

Wysiging van  
artikel 4 van Wet  
53 van 1926.

4. Artikel *vier* van die Hoofwet word hiermee gewysig—

(a) deur in paragrawe (a) en (d) van sub-artikel (1) die woorde „van die Unie” te skrap; en

(b) deur in sub-artikel (2) die woord „seevrag-pryse” deur die woord „vragpryse” te vervang en die woorde „van die Unie” te skrap.

Herroeping van  
artikel 6 van Wet  
53 van 1926.

5. Artikel *ses* van die Hoofwet word hiermee herroep.

Wysiging van  
artikel 7 van Wet  
53 van 1926.

6. Artikel *sewe* van die Hoofwet word hiermee gewysig deur die woorde „of van 'n komitee en 'n amptenaar aangestel kragtens sub-artikel (3) van artikel *ses*” deur die woorde „(met inbegrip van 'n waarnemende lid) en enigiemand in diens van die Raad” te vervang.

Wysiging van  
artikel 8 van Wet  
53 van 1926.

7. Artikel *agt* van die Hoofwet word hiermee gewysig—

(a) deur in sub-artikel (1) die woorde „of verskeep” te skrap; en

(b) deur sub-artikel (3) te skrap.

Wysiging van  
artikel 9 van Wet  
53 van 1926.

8. Artikel *nege* van die Hoofwet word hiermee gewysig deur die woorde „Die Minister van Landbou” deur die woorde „Die Minister, na oorlegpleging met die Minister van Finansies,” te vervang.

Wysiging van  
artikel 10 van Wet  
53 van 1926, soos  
deur artikel 1 van  
Wet 31 van 1935  
gewysig.

9. Artikel *tien* van die Hoofwet word hiermee gewysig—

(a) deur sub-artikel (1) deur die volgende sub-artikel te vervang:

„(1) Wanneer 'n uitvoerder wat aan die Raad 'n raming van sy voorgename uitvoer ingevolge paragraaf (c) van sub-artikel (1) van artikel *vier* ingestuur het, versuim om die geraamde hoeveelheid uit te voer, en die Raad ten gevolge van daardie versuim nie in staat is om te reël dat soveel van die skeepsruimte ten opsigte waarvan in vertroue op bedoelde raming 'n ooreenkoms aangegaan is, in beslag geneem word nie as wat in beslag geneem sou geword het as dit nie vir daardie versuim was nie, dan kan die Raad die koste van die skeepsruimte aldus nie in beslag geneem nie of 'n ander bedrag wat volgens oordeel van die Raad billikerwyse deur 'n skeepseienaar ten gevolge van bedoelde versuim geëis kan word, teen hom in rekening bring en sodanige bedrag is 'n skuld deur die uitvoerder aan die Raad verskuldig.”; en

2. Section *three* of the principal Act is hereby amended by the insertion after paragraph (d) of the following paragraphs: Amendment of section 3 of Act 53 of 1926.

- “(e) subject to the approval of the Minister, to appoint committees from amongst its members and to delegate to any such committee, subject to such conditions as it may deem fit, such of its powers, functions and duties as it may deem fit;
- (f) to establish a reserve fund which shall not exceed the sum of five thousand pounds and to deal with any moneys in such fund in such manner as may be approved by the Minister.”.

3. The following section is hereby inserted in the principal Act after section *three*: Insertion of section 3bis in Act 53 of 1926.

“Secondment of officers or servants to service of Board.

3bis. (1) Subject to the recommendation of the Public Service Commission, any officer in the public service may be seconded to the service of the Board.

(2) Any officer in the public service so seconded—

(a) shall in all respects remain subject to the laws governing the public service and for that purpose the chairman of the Board shall be deemed to be the head of the department in which such officer is employed;

(b) may receive such remuneration, in addition to his salary and allowances as an officer in the public service, as may be determined subject to the laws governing the public service.

(3) With the approval of the Minister, a servant of the South African Railways and Harbours Administration may be seconded to the service of the Board, subject to such conditions as the Minister may determine.”.

4. Section *four* of the principal Act is hereby amended— Amendment of section 4 of Act 53 of 1926.

(a) by the deletion in paragraphs (a) and (d) of sub-section (1) of the words “of the Union”; and

(b) by the deletion in sub-section (2) of the word “ocean” and the words “of the Union”.

5. Section *six* of the principal Act is hereby repealed.

Repeal of section 6 of Act 53 of 1926.

6. Section *seven* of the principal Act is hereby amended by the substitution for the words “or of a committee, and any officer appointed under sub-section (3) of section *six*” of the words “(including any acting member) and any person employed by the Board”. Amendment of section 7 of Act 53 of 1926.

7. Section *eight* of the principal Act is hereby amended— Amendment of section 8 of Act 53 of 1926.

(a) by the deletion in sub-section (1) of the words “or ship”; and

(b) by the deletion of sub-section (3).

8. Section *nine* of the principal Act is hereby amended by the substitution for the words “The Minister of Agriculture” of the words “The Minister, after consultation with the Minister of Finance,”. Amendment of section 9 of Act 53 of 1926.

9. Section *ten* of the principal Act is hereby amended—

(a) by the substitution for sub-section (1) of the following sub-section:

“(1) Whenever any exporter who has forwarded to the Board an estimate of intended exports in terms of paragraph (c) of sub-section (1) of section *four* fails to export the estimated quantity and in consequence of such failure the Board is unable to arrange for the occupation of so much of any shipping space contracted for on the faith of such estimate as would have been occupied but for such failure, the Board may charge to him the cost of the shipping space so unoccupied or such other charge as may, in the opinion of the Board, be fairly claimed by a shipowner as a result of such failure and such charge shall be a debt due by such exporter to the Board.”; and

Amendment of section 10 of Act 53 of 1926, as amended by section 1 of Act 31 of 1935.

- (b) deur in sub-artikel (2) die woorde „van Landbou” te skrap en die woord „Bedoelde” deur die woord „Die” te vervang.

Wysiging van  
artikel 11 van Wet  
53 van 1926.

10. Artikel *elf* van die Hoofwet word hiermee gewysig—  
(a) deur in sub-artikel (1) die woorde „van Landbou” te skrap en deur paragraaf (a) en (b) deur die volgende paragraaf te vervang:  
„(a) die besoldiging, toelaes en reiskoste van lede (met inbegrip van waarnemende lede) en persone in diens van die Raad; en”;  
(b) deur paragraaf (b) van sub-artikel (2) te skrap; en  
(c) deur sub-artikel (5) te skrap.

Vervanging van  
artikel 12 van Wet  
53 van 1926.

11. Artikel *twaalf* van die Hoofwet word hiermee deur die volgende artikel vervang:

„Oplegging van 'n heffing op bederfbare produkte uitgevoer en besteding van opbrengs. 12. (1) Die Minister kan, na oorlegpleging met die Raad, by kennisgewing in die *Staatskoerant* 'n heffing opelê op enige bederfbare produk wat in 'n kalenderjaar uit die Unie uitgevoer word.  
(2) Die heffing moet deur die uitvoerder van die bederfbare produk waarop die heffing opgelê is, aan die Raad betaal word.

(3) Die heffing kan ten opsigte van verskillende klasse of soorte bederfbare produkte verskil en kan na gelang van die totale hoeveelheid van enige bederfbare produk wat deur alle uitvoerders van daardie bederfbare produk te eniger tyd gedurende die betrokke kalenderjaar uitgevoer is, wissel.

(4) Die heffing word betaal op die wyse en die tyd wat by regulasie voorgeskryf word.

(5) Die Raad open 'n rekening by 'n bank deur die Minister goedgekeur en deponeer daarin die opbrengs van die heffing.

(6) Alle in sub-artikel (1) van artikel *elf* bedoelde uitgawe wat gedurende 'n kalenderjaar aangegaan is, word uit die opbrengs van die heffing wat gedurende daardie jaar opgelê is, gedek.

(7) Die Minister kan gelas dat na betaling van bedoelde uitgawe die kragtens paragraaf (f) van artikel *drie* ingestelde reserwefonds met enige oorskot of 'n gedeelte daarvan gekrediteer word.

(8) Indien die Minister nie aldus gelas nie of gelas dat bedoelde reserwefonds met slegs 'n gedeelte van bedoelde oorskot gekrediteer word, word daardie oorskot of die balans daarvan, na gelang van die geval, aan die uitvoerders wat die heffing wat gedurende die betrokke jaar opgelê is, betaal het, op so 'n wyse terugbetaal dat elke sodanige uitvoerder 'n bedrag ontvang wat in dieselfde verhouding tot die totale bedrag wat terugbetaal moet word, staan as dié waarin die totale bedrag van die heffing deur hom betaal, staan tot die totale bedrag van die heffing gedurende daardie jaar deur alle uitvoerders betaal.”.

Invoeging van  
artikel 12*bis* in  
Wet 53 van 1926.

12. Die volgende artikel word hiermee na artikel *twaalf* van die Hoofwet ingevoeg:

„Rekening en ouditering. 12*bis*. (1) Die Raad hou behoorlik boek van alle gelde deur hom ontvang en alle uitbetalings deur hom gemaak.

(2) Die rekening van die Raad word jaarliks deur die Kontroleur en Ouditeur-generaal geouditeer.

(3) Enige bedrag betaalbaar ten bate van die Gekonsolideerde Inkomstefonds ten opsigte van 'n audit deur die Kontroleur en Ouditeur-generaal kragtens sub-artikel (1) waargeneem, word geag uitgawe te wees wat die Raad by the verrigting van sy werksaamhede ingevolge hierdie Wet aangegaan het.”.

Wysiging van  
artikel 13 van Wet  
53 van 1926.

13. Artikel *dertien* van die Hoofwet word hiermee gewysig—

- (a) deur in sub-artikel (1) die woorde „of amptenaar aangestel kragtens sub-artikel (3) van artikel *ses*” deur die woorde „kragtens paragraaf (e) van artikel *drie* aangestel” te vervang;  
(b) deur in sub-artikel (2) die woorde „van die Raad of van 'n komitee of 'n amptenaar vermeld in sub-artikel (3) van artikel *ses*” deur die woorde „(met inbegrip van 'n waarnemende lid) of 'n dienaar van die Raad” te vervang; en

- (b) by the deletion in sub-section (2) of the words "of Agriculture" and the substitution in that sub-section for the word "That" of the word "The".

**10.** Section *eleven* of the principal Act is hereby amended— Amendment of section 11 of Act 53 of 1926.

- (a) by the deletion in sub-section (1) of the words "of Agriculture" and by the substitution for paragraphs (a) and (b) of the following paragraph:

"(a) the remuneration, allowances and travelling expenses of members (including acting members) and employees of the Board; and";

- (b) by the deletion of paragraph (b) of sub-section (2); and  
(c) by the deletion of sub-section (5).

**11.** The following section is hereby substituted for section *twelve* of the principal Act: Substitution of section 12 of Act 53 of 1926.

**12.** (1) The Minister may, after consultation with the Board, by notice in the *Gazette* impose a levy on any perishable product exported from the Union in any calendar year.

(2) The levy shall be payable to the Board by the exporter of the perishable product on which the levy is imposed.

(3) The levy may differ in respect of different classes or kinds of perishable products and may vary according to the aggregate quantity of any perishable product exported by all exporters of that perishable product at any time during the calendar year concerned.

(4) The levy shall be paid in such manner and at such times as may be prescribed by regulation.

(5) The Board shall open an account with a bank approved by the Minister and shall deposit therein the proceeds of the levy.

(6) All expenditure referred to in sub-section (1) of section *eleven* and incurred during a calendar year, shall be met from the proceeds of the levy imposed during that year.

(7) The Minister may direct that after payment of such expenditure any surplus or part thereof be credited to the reserve fund established under paragraph (f) of section *three*.

(8) If the Minister does not so direct or directs that a portion only of the said surplus be credited to the said reserve fund, such surplus or the balance thereof, as the case may be, shall be refunded to the exporters who paid the levy imposed during the year concerned, in such a manner that each such exporter receives an amount which bears the same ratio to the total amount to be refunded as the total amount of the levy paid by him bears to the total amount of the levy paid during that year by all exporters."

**12.** The following section is hereby inserted in the principal Act after section *twelve*: Insertion of section 12bis in Act 53 of 1926.

**12bis.** (1) The Board shall keep proper accounts of all moneys paid to it and of all payments made by it.

(2) The accounts of the Board shall be audited annually by the Controller and Auditor-General.

(3) Any amount payable for the benefit of the Consolidated Revenue Fund in respect of an audit carried out by the Controller and Auditor-General in terms of sub-section (1) shall be deemed to be expenditure incurred by the Board in the discharge of its functions under this Act."

**13.** Section *thirteen* of the principal Act is hereby amended— Amendment of section 13 of Act 53 of 1926.

- (a) by the substitution in sub-section (1) for the words "or officer appointed under sub-section (3) of section *six*" of the words "appointed under paragraph (e) of section *three*";

- (b) by the substitution in sub-section (2) for the words "of the Board or committee or an officer referred to in sub-section (3) of section *six*" of the words "(including an acting member) or a servant of the Board"; and

- (c) deur die volgende woorde aan die end van sub-artikel (3) by te voeg:  
 „of doen geen afbreuk aan die bepalings van artikel vyftien van die „Financiewet, 1911” (Wet No. 21 van 1911), soos by artikel *sestig* van bedoelde Wet toegepas.”.

Wysiging van artikel 14 van Wet 53 van 1926.

14. Artikel *veertien* van die Hoofwet word hiermee gewysig—  
 (a) deur in paragraaf (c) van sub-artikel (1) die woorde „en amptenare” waar hulle ook al voorkom, te skrap en deur in daardie sub-artikel paragrafe (d) en (i) te skrap; en  
 (b) deur in sub-artikel (2) na die woorde „weier om” die woorde „vir daardie besending skeepsruimte te verskaf of om” in te voeg.

Wysiging van artikel 15 van Wet 53 van 1926.

15. Artikel *vyftien* van die Hoofwet word hiermee gewysig deur al die woorde na die woord „verbruik” deur die woorde „in die gebied Suidwes-Afrika, die Federasie van Rhodesië en Niassaland, Basoetoland, of die Protektorate Betsjoeanaland en Swaziland.” te vervang.

Wysiging van artikel 16 van Wet 53 van 1926, soos deur artikel 2 van Wet 31 van 1935 gewysig.

16. Artikel *sestien* van die Hoofwet word hiermee gewysig—  
 (a) deur die woordbepaling van „Minister” deur die volgende woordbepaling te vervang:  
 „Minister’, die Minister van Vervoer;”;  
 (b) deur die woordbepaling van „bederfbare produk” deur die volgende woordbepaling te vervang:  
 „bederfbare produk’, enigeen van die volgende vir uitvoer bestemde produkte: vrugte, eiers, botter, kaas, vis (met inbegrip van skulpvis en seeskaaldiere), vleis en enige produk of neweproduk van vleis afkomstig, waar bedoelde vleis, produk of neweproduk koelkamers vereis of in koelkamertoestande vervoer moet word, diepbevrore eetware, aartappels en ander groente, blomme, vrugtesappe en die ander produkte wat die Goewerneurgeneraal van tyd tot tyd by proklamasie in die *Staatskoerant* as bederfbare produkte verklaar;”;  
 (c) deur na die woordbepaling van „uitvoerder” die volgende woordbepalings in te voeg:  
 „vleis’ ook vleis van die perdefamilie, walvisvleis en pluimvee;  
 ,hawe’, ’n seehawe of ’n lughawe;  
 ,Staatsdiens’, die staatsdiens volgens die bepalings van artikel *een* van die „Staatsdienst Wet, 1923” (Wet No. 27 van 1923);  
 ,skip’ ook ’n vliegtuig en word die woorde ,verskeping’, ,skeepsienaar’, ,verskeep’ en ,skeepsruimte’ dien-ooreenkomstig uitgelê.”.

Wysiging van artikel 1 van Wet 17 van 1944.

17. Artikel *een* van die Finansiële Reëlingswet, 1944, word hiermee gewysig deur paragraaf (a) te skrap.

Kort titel en datum van inwerkingtreding.

18. Hierdie Wet heet die Wysigingswet op die Reëling van Uitvoer van Bederfbare Produkte, 1954, en tree in werking op die eerste dag van Januarie 1955.

- (c) by the addition of the following words at the end of sub-section (3):  
 "or derogate from the provisions of section *fifteen* of the Exchequer and Audit Act, 1911 (Act No. 21 of 1911), as applied by section *sixty* of the said Act."

14. Section *fourteen* of the principal Act is hereby amended— Amendment of section 14 of Act 53 of 1926.

- (a) by the deletion in paragraph (c) of sub-section (1) of the words "and officers" wherever they occur and by the deletion in that sub-section of paragraphs (d) and (i); and  
 (b) by the insertion in sub-section (2) after the words "refuse to" of the words "provide shipping space for such consignment or to".

15. Section *fifteen* of the principal Act is hereby amended by the substitution for all the words after the word "consumption" of the words "in the territory of South-West Africa, the Federation of Rhodesia and Nyasaland, Basutoland or the Protectorates of Bechuanaland and Swaziland." Amendment of section 15 of Act 53 of 1926.

16. Section *sixteen* of the principal Act is hereby amended— Amendment of section 16 of Act 53 of 1926, as amended by section 2 of Act 31 of 1935.

- (a) by the substitution for the definition of "Minister" of the following definition:  
 " 'Minister' means the Minister of Transport;";  
 (b) by the substitution for the definition of "perishable product" of the following definition:  
 " 'perishable product' means any of the following products intended for export: fruit, eggs, butter, cheese, fish (including shellfish and crustaceans), meat and any product or by-product derived from meat, where such meat, product or by-product requires cold storage accommodation or requires to be conveyed under cold storage conditions, deep-frozen foods, potatoes and other vegetables, flowers, fruit juices and such other products as the Governor-General may from time to time by proclamation in the *Gazette* declare to be perishable products;";  
 (c) by the insertion after the definition of "exporter" of the following definitions:  
 " 'meat' includes equine meat, whale meat and poultry;  
 'port' means a seaport or an airport;  
 'public service' means the public service according to the provisions of section *one* of the Public Service Act, 1923 (Act No. 27 of 1923);  
 'ship' includes aircraft and the words 'shipment', 'shipowner', 'shipped', 'shipping' and 'shipping space' shall be construed accordingly;".

17. Section *one* of the Financial Adjustments Act, 1944, is hereby amended by the deletion of paragraph (a). Amendment of section 1 of Act 17 of 1944.

18. This Act shall be called the Perishable Products Export Control Amendment Act, 1954, and shall come into operation on the first day of January, 1955. Short title and commencement.