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DEPARTMENT OF THE PRIME MINISTER

No. 823. 23 April 1975.

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

No. 26 of 1975: Wine and Spirit Control Amendment Act, 1975.

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 823. 23 April 1975.

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

No. 26 van 1975: Wysigingswet op Beheer oor Wyn en Spiritus, 1975.

Act No. 26, 1975

WINE AND SPIRIT CONTROL AMENDMENT ACT, 1975.

ACT

To amend the Wine and Spirit Control Act, 1970, so as to authorize the "Ko-operatiewe Wijnbouwers Vereniging van Zuid-Afrika, Beperk" to sell brandy, gin, liqueur and wine to its employees and directors, and wine under a wine house licence.

*(English text signed by the Acting State President.)
(Assented to 14 April 1975.)*

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

Amendment of
section 3 of
Act 47 of 1970,
as amended by
section 2 of
Act 70 of 1972.

1. Section 3 of the Wine and Spirit Control Act, 1970, is hereby amended by the substitution for subsection (4) of the following subsection:

"(4) Notwithstanding anything to the contrary contained in any law, the vereniging may during any year—

- (a) supply to any of its members for his private use, in exchange for wine intended for distillation purposes, or wine as defined in section 14, produced by that member on land owned or occupied by him and delivered to the vereniging, such a quantity of brandy, gin and liqueur as in the aggregate, together with any quantity of wine supplied to that member during that year under section 17 (2) (a), is equivalent to not more than 40 litres of absolute alcohol;
- (b) supply to any of its members for the fortification of his own product, in exchange for wine intended for distillation purposes produced by that member on land owned or occupied by him and delivered to the vereniging, such a quantity of spirit, not exceeding in the aggregate a quantity equivalent to the quantity of wine so delivered, and on such conditions as may be determined by the vereniging: Provided that if the vereniging is satisfied that a member is in urgent need of spirit for the fortification of his own product and that such member reasonably requires an extension of time to deliver wine in exchange for such spirit, it may supply him with such quantity of spirit as it may deem proper under the circumstances and may allow him a period not exceeding four months to deliver such wine; and
- (c) sell to any of its employees or directors brandy, gin and liqueur for his private use."

Amendment of
section 17 of
Act 47 of 1970,
as amended by
section 6 of
Act 70 of 1972
and section 15 of
Act 74 of 1974.

2. Section 17 of the Wine and Spirit Control Act, 1970, is hereby amended—

- (a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:
"(1) Save as provided in subsection (2) or (2A), the vereniging shall not supply or sell wine—"; and

WYSIGINGSWET OP BEHEER OOR WYN EN SPIRITUS, 1975. Wet No. 26, 1975

WET

Tot wysiging van die Wet op Beheer oor Wyn en Spiritus, 1970, ten einde die „Ko-operatiewe Wijabouwers Vereniging van Zuid-Afrika, Beperkt” te magtig om brandewyn, jenewer, likeur en wyn aan sy werknemers en direkteure, en wyn kragtens ’n wynhuis-lisensie, te verkoop.

(Engelse teks deur die Waarnemende Staatspresident geteken.)
(Goedgekeur op 14 April 1975.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Artikel 3 van die Wet op Beheer oor Wyn en Spiritus, 1970, word hierby gewysig deur subartikel (4) deur die volgende subartikel te vervang:

Wysiging van artikel 3 van Wet 47 van 1970, soos gewysig deur artikel 2 van Wet 70 van 1972.

- „(4) Die vereniging kan ondanks andersluidende bepalings van die een of ander wet, gedurende enige jaar aan—
- (a) enigeen van sy lede vir sy private gebruik, in ruil vir wyn bestem vir destilleringdoeleindes, of wyn soos in artikel 14 omskryf, wat deur daardie lid geproduseer is op grond waarvan hy eienaar of bewoner is en aan die vereniging gelewer is, ’n hoeveelheid brandewyn, jenewer en likeur verskaf wat in die geheel, tesame met ’n hoeveelheid wyn wat gedurende daardie jaar kragtens artikel 17 (2) (a) aan daardie lid verskaf is, gelyk staan met hoogstens 40 liter absolute alkohol;
 - (b) enigeen van sy lede vir die versterking van sy eie produk, in ruil vir wyn bestem vir destilleringdoeleindes deur daardie lid geproduseer op grond waarvan hy eienaar of bewoner is en aan die vereniging gelewer, ’n hoeveelheid spiritus, in die geheel hoogstens gelykstaande met die hoeveelheid wyn aldus gelewer, op die voorwaardes verskaf wat die vereniging bepaal: Met dien verstande dat as die vereniging oortuig is dat ’n lid spiritus dringend nodig het vir die versterking van sy eie produk en dat sodanige lid redelikerwys ’n verlenging van tyd nodig het om wyn in ruil vir sodanige spiritus te lewer, die vereniging aan hom die hoeveelheid spiritus kan verskaf wat die vereniging in die omstandighede geskik ag, en hom ’n tydperk van hoogstens vier maande kan toelaat om sodanige wyn te lewer; en
 - (c) enigeen van sy werknemers of direkteure brandewyn, jenewer en likeur vir sy private gebruik verkoop.”.

2. Artikel 17 van die Wet op Beheer oor Wyn en Spiritus, 1970, word hierby gewysig—

- (a) deur in subartikel (1) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang: „(1) Behalwe soos in subartikel (2) of (2A) bepaal, verskaf of verkoop die vereniging nie wyn—”; en

Wysiging van artikel 17 van Wet 47 van 1970, soos gewysig deur artikel 6 van Wet 70 van 1972 en artikel 15 van Wet 74 van 1974.

Act No. 26, 1975

WINE AND SPIRIT CONTROL AMENDMENT ACT, 1975.

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

“(2) Notwithstanding anything to the contrary contained in any law, the vereniging may during any year—

- (a) supply to any of its members for his private use, in exchange for wine as defined in section 14, or wine (as defined in section 1) intended for distillation purposes, produced by that member on land owned or occupied by him and delivered to the vereniging, such a quantity of wine (in terms of paragraph (a) of the definition of “wine”) as, together with the aggregate quantity of brandy, gin and liqueur supplied to that member during that year under section 3 (4) (a), is equivalent to not more than 40 litres of absolute alcohol;
- (b) supply to any of its members unfortified wine, in exchange for wine as defined in section 14, or wine (as defined in section 1) intended for distillation purposes, delivered to it by such member during such year, on such conditions and in such quantities, not exceeding in the aggregate a quantity equivalent to the quantity of wine so delivered, as may be approved by the Minister;
- (c) supply to any of its members moskonfyt or grape juice for the purpose of sweetening his own wine, in exchange for wine as defined in section 14, or wine (as defined in section 1) intended for distillation purposes, delivered to it by such member during such year, on such conditions and in such quantities not exceeding in the aggregate a quantity equivalent to the quantity of wine so delivered, as may be determined by the vereniging;
- (d) sell to any of its employees or directors wine for his private use.

(2A) The vereniging may sell wine under a wine house licence referred to in section 8 of the Liquor Act, 1928 (Act No. 30 of 1928), that may be issued to the vereniging under the provisions of that Act.”.

Short title.

3. This Act shall be called the Wine and Spirit Control Amendment Act, 1975.

WYSIGINGSWET OP BEHEER OOR WYN EN SPIRITUS, 1975. Wet No. 26, 1975

- (b) deur subartikel (2) deur die volgende subartikels te vervang:

„(2) Die vereniging kan ondanks andersluidende wetsbepalings, gedurende enige jaar aan—

- (a) enigeen van sy lede vir sy private gebruik, in ruil vir wyn soos omskryf in artikel 14, of wyn (soos omskryf in artikel 1) bestem vir destilleringdoeleindes, deur daardie lid op grond waarvan hy eienaar of bewoner is, geproduseer en aan die vereniging gelewer, 'n hoeveelheid wyn (ingevolge paragraaf (a) van die omskrywing van „wyn”) verskaf wat, tesame met die gesamentlike hoeveelheid brandewyn, jenewer en likeur gedurende daardie jaar aan daardie lid kragtens artikel 3 (4) (a) verskaf, gelyk staan met hoogstens 40 liter absolute alkohol;

- (b) enigeen van sy lede in ruil vir wyn soos omskryf in artikel 14, of wyn (soos omskryf in artikel 1) bestem vir destilleringdoeleindes, gedurende daardie jaar deur daardie lid aan die vereniging gelewer, onversterkte wyn verskaf op die voorwaardes en in die hoeveelhede, maar tesame nie meer nie as 'n hoeveelheid gelykstaande met die hoeveelheid wyn aldus gelewer, wat die Minister goedkeur;

- (c) enigeen van sy lede in ruil vir wyn soos omskryf in artikel 14, of wyn (soos omskryf in artikel 1) bestem vir destilleringdoeleindes, gedurende daardie jaar deur daardie lid aan die vereniging gelewer, moskonfyt of druiwesap vir die versoeting van sy eie wyn, verskaf op die voorwaardes en in die hoeveelhede, maar tesame nie meer nie as 'n hoeveelheid gelykstaande met die hoeveelheid wyn aldus gelewer, wat die vereniging bepaal;

- (d) enigeen van sy werknemers of direkteure wyn vir sy private gebruik verkoop.

(2A) Die vereniging kan wyn kragtens 'n wynhuis-lisensie vermeld in artikel 8 van die Drankwet, 1928 (Wet No. 30 van 1928), wat aan die vereniging kragtens die bepalings van daardie Wet uitgereik mag word, verkoop.”.

3. Hierdie Wet heet die Wysigingswet op Beheer oor Wyn Kort tite.. en Spiritus, 1975.

