



REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE
STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA



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No. 9461

GOVERNMENT NOTICE

**DEPARTMENT OF MINERAL AND
ENERGY AFFAIRS**

No. 2241

12 October 1984

PRICE CONTROL ACT, 1964

CONDITIONS IN TERMS OF SECTION 9 OF THE
PRICE CONTROL ACT, 1964

I, Gerrit Johannes Jacobus Breyl, Price Controller, do hereby impose, in terms of section 9 of the Price Control Act, 1964 (Act 25 of 1964), the conditions as set out in the Schedule in respect of the sale of coal.

G. J. J. BREYL, Price Controller.

SCHEDULE

1. In this schedule, unless the context otherwise indicates—

“coal” means bituminous coal with a calorific value of 28,5 MJ/kg or less, but excludes—

- (a) metallurgical coal;
- (b) coal used in any chemical process and coal consumed by collieries;
- (c) coal sold for the generation of electricity;
- (d) coal sold ex colliery and delivered by rail to the private rail siding of any consumer;
- (e) coal sold ex colliery and delivered by rail to the private rail siding of any consumer;
- (f) duff coal; and
- (g) coal purchased by Agricultural Co-operatives on behalf of farmers.

2. No person shall sell coal to any consumer of coal within the Republic, unless such seller—

(1) is authorised thereto in writing by the Director-General of the Department of Mineral and Energy Affairs or any official of the Department of Mineral and Energy Affairs, appointed for that purpose by the said Director-General;

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GOEWERMENSKENNISGEWING

**DEPARTEMENT VAN MINERAAL- EN
ENERGIESAKE**

No. 2241

12 Oktober 1984

WET OP PRYSBEHEER, 1964

VOORWAARDES KRAGTENS ARTIKEL 9 VAN DIE
WET OP PRYSBEHEER, 1964

Ek, Gerrit Johannes Jacobus Breyl, Pryscontroleur, lê kragtens die bepalings van artikel 9 van die Wet op Prysbeheer, 1964 (Wet 25 van 1964), die voorwaardes in die Bylae uiteengesit hierby op ten opsigte van die verkoop van steenkool

G. J. J. BREYL, Pryscontroleur.

BYLAE

1. In hierdie Bylae, tensy dit uit die samehang anders blyk, beteken—

“steenkool” bitumineuse steenkool met 'n hittewaarde van 28,5 MJ/kg of minder, maar nie ook—

- (a) metallurgiese steenkool;
- (b) steenkool wat in enige chemiese proses gebruik word en steenkool wat deur steenkoolmynse verbruik word;
- (c) steenkool wat vir die opwekking van elektrisiteit verkoop word;
- (d) steenkool wat aan die Suid-Afrikaanse Vervoerdienste verkoop word;
- (e) steenkool wat vanuit 'n steenkoolmyn verkoop word en wat per spoor aan 'n private sylyn van 'n verbruiker gelewer word;
- (f) stofsteenkool; en
- (g) steenkool wat deur Landboukoöperasies namens boere aangekoop word.

2. Niemand mag steenkool aan enige verbruiker van steenkool binne die Republiek verkoop nie tensy sodanige verkoper—

(1) skriftelik daartoe gemagtig is deur die Direkteur-generaal van die Departement van Mineraal- en Energiesake of deur enige beamppte van die Departement van Mineraal- en Energiesake vir dié doel deur die betrokke Direkteur-generaal aangewys;

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(2) operates a depot—

(a) suitable for the stockpiling of coal,

(b) approved by the relevant local authority,

(c) suitable situated in the area served by such seller;

(3) stockpiles coal in accordance with the size and grading of such coal,

(4) unless otherwise indicated, either have a rail siding on the premises on which the said depot is situated or have the exclusive use of a rail siding in the direct proximity of the said depot;

(5) unless otherwise indicated, receive at least 50 % of his total coal supplies by rail from his supplier;

(6) stockpiles consumable coal in his depot;

(7) ensures that the minimum mass of consumable coal stockpiled in the said depot, during the period from September to March of each year shall be equal to 10 % of the mass sold to consumers during the most recent book year of such seller, which stockpiling shall be 15 % of the latter quantity during the period April to August, of each year;

(8) services the entire spectrum of the market in the area allocated to him and makes his capability and willingness to do so known to the public;

(9) is open for trading during all normal business hours on all normal business days, throughout the year;

(10) has at his disposal at the said depot all the necessary apparatus to handle, bag and deliver coal;

(11) weighs all coal delivered in bulk on an assized scale;

(12) has at his disposal at the said depot the necessary weighing apparatus to determine the mass of bags;

(13) operates a sales office situated in his sales area from where his coal business can be administered;

3. An authority issued in terms of paragraph 2 may be—

(a) issued for a specific period or specific periods, and/or

(b) subject to such time determination as the Director-General of Mineral and Energy Affairs or the said official may think fit and/or

(c) withdrawn without notice should the holder of such authority not comply with the conditions as set out in paragraph 2.

4. An authority issued in terms of paragraph 2 is not transferable and no person in possession of a valid authority may allow unauthorised persons to obtain coal supplies on the strength of such authority.

5. No person may sell coal to any person supplying such coal to a consumer thereof unless such person supplying coal to consumers is authorised thereto in terms of paragraph 2 (1) above.

6. Government Notice R. 895 dated 29 April 1983 is hereby withdrawn, and all authorities issued in terms of Government Notice R. 895 dated 29 April 1983 are hereby withdrawn with effect from 1 November 1984.

(2) 'n depot bedryf wat—

(a) geskik vir die opberging van steenkool is;

(b) deur die betrokke plaaslike owerheid goedgekeur is;

(c) op 'n geskikte punt binne die gebied wat deur sodanige verkoper bedien word, geleë is;

(3) steenkool opberg volgens die grootte en gradering van die steenkool;

(4) tensy anders aangedui, oor of 'n spoor sylyn op die perseel waarop die gemelde depot geleë is, self beskik, of die reg op die uitsluitlike gebruik van 'n spoor sylyn in die onmiddellike nabyheid van sodanige depot het;

(5) tensy anders aangedui minstens 50 % van sy totale steenkoolvoorraad per spoor vanaf sy leweransier ontvang;

(6) verbruikbare steenkool in sy depot opberg;

(7) toesien dat die minimum hoeveelheid verbruikbare steenkool wat aldus in die gemelde depot opgeberg word, gedurende die tydperk September tot Januarie van elke jaar gelykstaande is aan 10 % van die hoeveelheid ten opsigte van elke tipe steenkool gedurende die onmiddellik voorafgaande boekjaar deur hom aan verbruikers gelewer, en gedurende die tydperk April tot Augustus van elke jaar gelykstaande is aan 15 % van laasbedoele hoeveelheid;

(8) die volle spektrum van die steenkoolmark binne sy toegekende gebied bedien en sy vermoë en bereidwilligheid om dit te doen aan die publiek bekend maak;

(9) gedurende normale besigheidsure oop is vir besigheid gedurende alle normale besigheidsdae regdeur die jaar;

(10) oor alle noodsaaklike apparaat op die perseel waarop die gemelde depot geleë is beskik, vir sover dit nodig mag wees om steenkool te hanteer, te versak en af te lewer;

(11) alle steenkool wat in grootmaat gelewer word op 'n ge-ykte skaal weeg;

(12) oor die nodige weegapparaat om die massa van die sakke te bepaal, beskik;

(13) oor 'n verkoopkantoor beskik vanwaar hy sy steenkoolsaak kan administreer en wat binne sy handelsgebied geleë is.

3. 'n Magtiging kragtens paragraaf 2 kan—

(a) vir 'n bepaalde tydperk of tydperke verleen word; en/of

(b) onderhewig gemaak word aan sodanige tydsbepalings as wat die Direkteur-generaal van Minerale- en Energiesake of die betrokke beampte voormeld mag goeddink; en/of

(c) sonder kennisgewing herroep word indien die houer van sodanige magtiging nie aan die voorwaardes in paragraaf 2 uiteengesit, voldoen nie.

4. 'n Magtiging kragtens paragraaf 2 (1) uitgereik, is nie oordraagbaar nie, en geen persoon wat in besit van 'n geldige magtiging is, mag ongemagtigde persone toelaat om steenkoolvoorraad te verkry op sterkte van daardie magtiging nie.

5. Niemand mag steenkool aan enige persoon wat steenkool aan verbruikers daarvan lewer, voorsien nie, tensy sodanige persoon kragtens paragraaf 2 (1) hierbo daartoe gemagtig is.

6. Goewermentskennisgewing R. 895 van 29 April 1983 word hierby ingetrek en alle magtigings wat kragtens Goewermentskennisgewing R. 895 van 29 April 1983 uitgereik is, word hierby met ingang van 1 November 1984 ingetrek.

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