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[No. 6558.]

PROCLAMATION

BY HIS EXCELLENCY THE HONOURABLE CHARLES
ROBBERTS SWART, GOVERNOR-GENERAL OF THE UNION
OF SOUTH AFRICA.

No. R. 370, 1960.]

WINTER CEREAL 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 1st November, 1960, in substitution for the Winter Cereal Scheme, published under Proclamation No. 184 of 1949, as amended.

Proclamations Nos. 184 of 1949, 232 of 1950, 264 of 1951, 14 of 1953, 293 of 1955 and 162 of 1957 are hereby repealed with effect from the 1st November, 1960.

GOD SAVE THE QUEEN.

Given under my Hand and Great Seal at Pretoria on this Thirteenth day of October, One thousand Nine hundred and Sixty.

C. R. SWART,
Governor-General.

By Command of His Excellency the
Governor-General-in-Council.

D. C. H. UYS.

A-658116

PROKLAMASIE

VAN SY EKSELLENSIE DIE EDELE CHARLES ROBBERTS
SWART, GOEWERNEUR-GENERAAL VAN DIE UNIE VAN
SUID-AFRIKA.

No. R. 370, 1960.]

WINTERGRAANSKEMA.

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 aangeeem het, en kragtens paragraaf (b) van subartikel (1) van artikel *een-en-twintig* 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 1 November 1960 in werking tree, ter vervanging van die Wintergraanskema, soos afgekondig by Proklamasie No. 184 van 1949, soos gewysig.

Proklamasies Nos. 184 van 1949, 232 van 1950, 264 van 1951, 14 van 1953, 293 van 1955 en 162 van 1957 word hierby herroep met ingang vanaf 1 November 1960.

GOD BEHOEDE DIE KONINGIN.

Gegee onder my Hand en Grootseël te Pretoria, op hede die Dertiende dag van Oktober Eenduisend Negenhonderd-en-sestig.

G. R. SWART,
Goewerneur-generaal.

Op las van Sy Eksellensie die
Goewerneur-generaal-in-rade.

D. C. H. UYS.

1-6558

SCHEDULE.

SCHEME FOR THE REGULATION OF THE PRODUCTION AND MARKETING OF BARLEY, OATS, RYE AND WHEAT AND BARLEY, OATEN, RYE AND WHEATEN PRODUCTS IN TERMS OF THE MARKETING ACT, 1937, AS AMENDED.

DEFINITIONS.

1. In this scheme, the expression "the Act" means the Marketing Act, 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—

"Board" means the Board established under section one of the Wheat Industry Control Act, 1935, as reconstituted in terms of section three of this scheme; "producer" in relation to barley, oats, rye or wheat means—

- (a) the person by whom or on whose behalf such barley, oats, rye or wheat was grown;
- (b) in relation to any quantity of barley, oats, rye or wheat has been acquired from any person as a consideration for the right to use land on which that person has produced a quantity of barley, oats, rye or wheat, as the case may be, the person who so acquired that quantity;
- (c) in relation to any quantity of barley, oats, rye or wheat which is imported into the Union, the person who so imports that quantity;
- (d) in relation to barley, oats, rye or wheat obtained by the threshing of any unthreshed quantity thereof acquired from any other person, the person by whom or, if such person is not the owner, the person on whose behalf that quantity has been so threshed;

"producer" in relation to any barley, oaten, rye or wheaten product, means the person by whom or on whose behalf the barley, oats, rye or wheat, as the case may be, from which that barley, oaten, rye or wheaten product was derived, was processed, or, if such barley, oaten, rye or wheaten product was manufactured or prepared from a product obtained by the processing of barley, oats, rye or wheat, the person who manufactured or prepared that barley, oaten, rye or wheaten product.

NAME AND SCOPE OF SCHEME.

2. (1) This scheme shall be known as the Winter Cereal Scheme and shall relate to barley, oats, rye and wheat and barley, oaten, rye and wheaten products.

(2) The provisions of this scheme shall apply in the Union to the classes of persons hereinafter mentioned who are concerned in the production, threshing, manufacture or processing of, or who deal in the course of trade with, barley, oats, rye or wheat or barley, oaten, rye or wheaten products.

ADMINISTRATION OF SCHEME AND CONSTITUTION OF BOARD.

3. This scheme shall be administered by the Wheat Industry Control Board, established under the Wheat Industry Control Act, 1935 (Act No. 58 of 1935), which for that purpose shall consist of twenty-one members, to be appointed by the Governor-General, of whom—

- (a) eight shall represent producers of barley, oats, rye and wheat who are members of co-operative societies or co-operative companies (hereinafter referred to as the co-operative producers' members), and shall be nominated in accordance with the provisions of section 5;

BYLAE.

SKEMA VIR DIE REËLING VAN DIE PRODUKSIE EN BEMARKING VAN GARS, HAWER, ROG EN KORING, EN GARS-, HAWER-, ROG- EN KORINGPRODUKTE, KRAGTENS DIE BEMARKINGSWET, 1937, SOOS GEWYSIG.

WOORDOMSKRYWING.

1. In hierdie skema beteken die uitdrukking „die Wet” die Bemarkingswet, 1937, soos gewysig, en die regulasies daarkragtens uitgevaardig, en het elke uitdrukking waarvan in daardie Wet 'n betekenis toegevoeg is, dieselfde betekenis wanneer dit in hierdie skema gebruik word; voorts, tensy dit in stryd is met die samehang, beteken—

„Raad” die Raad ingestel ingevolge artikel een van die Wet op die Beheer oor die Koringnywerheid, 1935, soos hersaamgestel kragtens artikel drie van hierdie skema;

„produsent”, met betrekking tot gars, hawer, rog of koring—

- (a) die persoon deur wie of ten behoeve van wie bedoelde gars, hawer, rog of koring gekweek is;
- (b) met betrekking tot 'n hoeveelheid gars, hawer, rog of koring wat verkry is van 'n persoon as vergoeding vir die reg om grond te gebruik waarop daardie persoon 'n hoeveelheid gars, hawer, rog of koring geproduseer het, na gelang van die geval, die persoon wat daardie hoeveelheid aldus verkry het;
- (c) met betrekking tot 'n hoeveelheid gars, hawer, rog of koring wat in die Unie ingevoer word, die persoon wat daardie hoeveelheid aldus invoer;
- (d) met betrekking tot gars, hawer, rog of koring, die opbrengs van die dors van 'n ongedorste hoeveelheid daarvan wat van iemand verkry is, die persoon deur wie, of as daardie persoon nie die eienaar is nie, die persoon ten behoeve van wie, daardie hoeveelheid aldus gedors is;

„produsent”, met betrekking tot 'n gars-, hawer-, rog- of koringprodukt, die persoon deur wie of ten behoeve van wie die gars, hawer, rog of koring, na gelang van die geval, waaruit daardie gars-, hawer-, rog- of koringprodukt verkry is, verwerk is, of, as bedoelde gars-, hawer-, rog- of koringprodukt vervaardig of voorberei is uit 'n produkt wat verkry is deur die verwerking van gars, hawer, rog of koring, die persoon wat daardie gars-, hawer-, rog- of koringprodukt vervaardig of voorberei het.

NAAM EN BESTEK VAN SKEMA.

2. (1) Hierdie skema heet die Wintergraanskema en het betrekking op gars, hawer, rog en koring, en gars-, hawer-, rog- en koringprodukte.

(2) Die bepaling van hierdie skema is van toepassing in die Unie op die hierna genoemde klasse persone wat betrokke is by die produksie, dors, vervaardiging of verwerking van, of wat as 'n besigheid handel met gars, hawer, rog of koring, of gars-, hawer-, rog- of koringprodukte.

TOEPASSING VAN SKEMA EN SAMESTELLING VAN RAAD.

3. Die skema word toegepas deur die Raad van Beheer oor die Koringnywerheid, ingestel kragtens die Wet op die Beheer oor die Koringnywerheid, 1935 (Wet No. 58 van 1935), wat vir dié doel uit een-en-twintig lede bestaan, deur die Goewerneur-generaal aangestel te word, van wie—

- (a) agt verteenwoordigers moet wees van produsente van gars, hawer, rog en koring, wat lede is van koöperatiewe verenigings of koöperatiewe maatskappye (hierna die lede vir koöperatiewe produsente genoem) en benoem word volgens die bepaling van artikel 5;

- (b) three shall represent producers of barley, oats, rye and wheat who are not members of co-operative societies or co-operative companies (hereinafter referred to as non-co-operative producers' members), and shall be nominated in accordance with the provisions of section 6;
- (c) three shall represent millers of wheat and rye (hereinafter referred to as the millers' members), and shall be nominated in accordance with the provisions of section 7;
- (d) one shall represent processors of barley and oats (hereinafter referred to as the processors' member), and shall be nominated in accordance with the provisions of section 8;
- (e) one shall represent bakers of rye or wheaten bread (hereinafter referred to as the bakers' member), and shall be nominated in accordance with the provisions of section 9;
- (f) one shall represent trade distributors of barley, oats, rye or wheat, or barley, oats, rye or wheaten products (hereinafter referred to as the distributors' member), and shall be nominated in accordance with the provisions of section 10;
- (g) three shall represent consumers of barley, oats, rye and wheat and barley, oats, rye and wheaten products and shall be persons who, in the opinion of the Minister, are not directly or indirectly connected with the production, manufacture or threshing of, or with the trade in, barley, oats, rye or wheat, or barley, oats, rye or wheaten products and shall be nominated by the Minister after consultation with the Consumers' Advisory Committee; provided that at least one of the members appointed under this paragraph shall be appointed from members of that Committee, and provided further that whenever such member ceases to be a member of that Committee, he shall also cease to be a member of the Board and another member of that Committee shall be appointed in his place;
- (h) one shall be an officer of the Department of Agricultural Economics and Marketing nominated by the Minister.

ADVISERS TO THE BOARD.

4. (1) The Minister may nominate one or more officers of the Public Service and one or more officers in the service of the South African Railways and Harbours Administration, to attend all or one or more of the meetings of the Board or of a committee of the Board in an advisory capacity, and any officer so appointed shall have the same rights as the members of the Board or committee to which he has been appointed, save that he shall not have the right to vote at any meeting thereof.

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

NOMINATION OF CO-OPERATIVE PRODUCERS' MEMBERS.

5. Of the co-operative producers' members—

- (a) four shall be nominated, after mutual consultation, by co-operative societies and co-operative companies, which carry on business in the Province of the Cape of Good Hope, excluding the District Warrenton and a substantial proportion of whose business, in the opinion of the Minister, consists of transactions in barley, oats, rye and wheat;
- (b) two shall be nominated, after mutual consultation, by co-operative societies and co-operative companies which carry on business in the Province of the Orange Free State and a substantial proportion of whose business, in the opinion of the Minister, consists of transactions in barley, oats, rye and wheat;
- (c) one shall be nominated, after mutual consultation, by co-operative societies and co-operative companies which carry on business in the Province of the Transvaal and the District Warrenton and a substantial proportion of whose business, in the opinion of the Minister, consists of transactions in barley, oats, rye and wheat; and

- (b) drie verteenwoordigers moet wees van produsente van gars, hawer, rog en koring wat nie lede van kooperatiewe verenigings of kooperatiewe maatskappye is nie (hierna die lede vir nie-koöperatiewe produsente genoem) en benoem word volgens die bepalings van artikel 6;
- (c) drie verteenwoordigers moet wees van meulenaars van koring en rog (hierna die lede vir meulenaars genoem) en benoem word volgens die bepalings van artikel 7;
- (d) een die verteenwoordiger moet wees van verwerkers van gars en hawer (hierna die lid vir verwerkers genoem) en benoem word volgens die bepalings van artikel 8;
- (e) een die verteenwoordiger moet wees van bakkers van rog- en koringbrood (hierna die bakkerslid genoem) en benoem word volgens die bepalings van artikel 9;
- (f) een die verteenwoordiger moet wees van handels-distribueerders van gars, hawer, rog of koring, of gars-, hawer-, rog- of koringprodukte (hierna die lid vir die distribueerders genoem) en benoem word volgens die bepalings van artikel 10;
- (g) drie verteenwoordigers moet wees van verbruikers van gars, hawer, rog en koring, en gars-, hawer-, rog- en koringprodukte, en persone moet wees wat volgens die oordeel van die Minister nie regstreeks of onregstreeks betrokke is by die produksie, vervaardiging of dors van, of by die handel in, gars, hawer, rog of koring, of gars-, hawer-, rog- of koringprodukte nie, en benoem word deur die Minister na raadpleging met die Adviserende Verbruikerskomitee; met dien verstande dat minstens een van die lede wat ingevolge hierdie paragraaf aangestel word, aangestel word uit die lede van dié komitee, en met dien verstande, voorts, dat wanneer ook al so 'n lid ophou om 'n lid van dié komitee te wees, hy ook ophou om 'n lid van die Raad te wees en 'n ander lid van dié komitee in sy plek aangestel word;
- (h) een 'n amptenaar moet wees van die Departement van Landbou-ekonomie en -bemarking deur die Minister benoem.

ADVISEURS VAN DIE RAAD.

4. (1) Die Minister kan een of meer amptenare in die Staatsdiens en een of meer amptenare in die diens van die Suid-Afrikaanse Spoorweë- en Hawensadministrasie benoem om in adviserende hoedanigheid alle vergaderings of een of meer van die vergaderings van die Raad of van 'n komitee van die Raad by te woon en elke amptenaar aldus aangestel het dieselfde regte as lede van die Raad of komitee waarin hy aangestel is, behalwe dat hy geen stem by 'n vergadering daarvan kan uitbring nie.

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

BENOEMING VAN LEDE VIR KOÖPERATIEWE PRODUSENTE.

5. Van die lede vir koöperatiewe produsente word—

- (a) vier benoem, na onderlinge raadpleging, deur kooperatiewe verenigings en kooperatiewe maatskappye wat in die Provinsie Kaap die Goeie Hoop uitgesonderd die distrik Warrenton sake doen en wie se besigheid volgens oordeel van die Minister, vir 'n aansienlike gedeelte uit transaksies in gars, hawer, rog en koring bestaan;
- (b) twee, na onderlinge raadpleging, benoem deur kooperatiewe verenigings en kooperatiewe maatskappye wat in die provinsie Oranje-Vrystaat sake doen en wie se besigheid, volgens oordeel van die Minister, vir 'n aansienlike gedeelte uit transaksies in gars, hawer, rog en koring bestaan;
- (c) een, na onderlinge raadpleging, benoem deur kooperatiewe verenigings en kooperatiewe maatskappye, wat in die Provinsie Transvaal en die distrik Warrenton sake doen en wie se besigheid, volgens oordeel van die Minister vir 'n aansienlike gedeelte uit transaksies in gars, hawer, rog en koring bestaan; en

- (d) one shall be nominated, after mutual consultation, by co-operative societies and co-operative companies which carry on business in the Provinces of the Cape of Good Hope, the Orange Free State and the Transvaal and which, in the opinion of the Minister, are interested in the processing of barley, oats, rye or wheat.

NOMINATION OF NON-CO-OPERATIVE PRODUCERS' MEMBERS.

6. (1) Of the non-co-operative producers' members one shall be nominated by an association which, in the opinion of the Minister, is representative of producers of barley, oats, rye and wheat in the Province of the Cape of Good Hope, who are not members of a co-operative society or co-operative company, one shall be nominated by an association which, in the opinion of the Minister, is representative of such producers in the Province of the Transvaal, and one shall be nominated by an association which, in the opinion of the Minister, is representative of such producers in the Province of the Orange Free State.

(2) Only a producer of barley, oats, rye or wheat who, in the opinion of the Minister, derived a substantial proportion of his means of livelihood, during the period of three years immediately preceding his nomination, from the production of barley, oats, rye or wheat, may be nominated under this section.

NOMINATION OF MILLERS' MEMBERS.

7. Of the millers' members—

(a) two shall be nominated by an association which in the opinion of the Minister, is representative of millers each of whom ground, crushed, gristed or otherwise processed more than fifteen thousand bags of wheat and rye during the period of twelve months immediately preceding the nomination, or if there is no such association in existence, after mutual consultation, by such associations of millers as may be recognized by the Minister for that purpose; provided that no person who, in the opinion of the Minister, is directly or indirectly interested in a co-operative company or co-operative society which processes barley, oats, rye or wheat or who is employed by such company or society, may be nominated in terms of this paragraph;

(b) one shall be nominated, after mutual consultation, by such associations of millers as, in the opinion of the Minister, are representative of millers each of whom ground, crushed, gristed or otherwise processed not more than fifteen thousand bags of wheat and rye during the period of twelve months immediately preceding the nomination.

NOMINATION OF PROCESSORS' MEMBER.

8. The processors' member shall be nominated by an association which, in the opinion of the Minister, is representative of processors of barley or oats, or, after mutual consultation, by associations which, in the opinion of the Minister, are representative of processors of barley or oats.

NOMINATION OF BAKERS' MEMBER.

9. (1) If there is in existence in the Union an association which, in the opinion of the Minister, is representative of bakers, that association shall be entitled to nominate the bakers' member, or, if there is no such association in existence, the associations of bakers which exist in the Union and are recognized for this purpose by the Minister shall be entitled, after mutual consultation to nominate the said member.

(2) No person who, in the opinion of the Minister, is directly or indirectly interested in the milling of wheat or rye, shall be nominated under this section.

NOMINATION OF DISTRIBUTORS' MEMBER.

10. The distributors' member shall be nominated by an association which, in the opinion of the Minister, is representative of distributors of barley, oats, rye or wheat and

- (d) een, na onderlinge raadpleging, benoem deur koöperatiewe verenigings en koöperatiewe maatskappye wat in die provinsies Kaap die Goeie Hoop, Oranje-Vrystaat en Transvaal sake doen en wat volgens oordeel van die Minister by die verwerking van gars, hawer, rog of koring belang het.

BENOEMING VAN LEDE VIR NIE-KOÖPERATIEWE PRODUSENTE.

6. (1) Van die lede vir nie-koöperatiewe produsente word een benoem deur 'n vereniging wat volgens oordeel van die Minister verteenwoordigend is van produsente van gars, hawer, rog en koring in die provinsie Kaap die Goeie Hoop wat nie lede van 'n koöperatiewe vereniging of koöperatiewe maatskappy is nie, een deur 'n vereniging wat volgens oordeel van die Minister verteenwoordigend is van sulke produsente in die provinsie Transvaal, en een deur 'n vereniging wat volgens oordeel van die Minister verteenwoordigend is van sulke produsente in die provinsie Oranje-Vrystaat.

(2) Alleen 'n produsent van gars, hawer, rog of koring wat, volgens die oordeel van die Minister, gedurende die tydperk van drie jaar wat sy benoeming onmiddellik voorafgegaan het 'n aansienlike gedeelte van sy lewensonderhoud uit die produksie van gars, hawer, rog of koring verkry het, kan ingevolge hierdie artikel benoem word.

BENOEMING VAN LEDE VIR MEULENAARS.

7. Van die lede vir meulenaars word—

(a) twee benoem deur 'n vereniging wat, volgens oordeel van die Minister, verteenwoordigend is van meulenaars, elk waarvan meer as vyftienduizend sakke koring en rog gemaal, gebreek, tot gruis gemaak of andersins verwerk het gedurende die tydperk van twaalf maande onmiddellik voorafgaande die benoeming, of, indien daar nie so 'n vereniging bestaan nie, na onderlinge raadpleging, deur verenigings van meulenaars wat vir die doel deur die Minister erken is; met dien verstande dat niemand wat volgens oordeel van die Minister regstreeks of onregstreeks belang het by 'n koöperatiewe maatskappy of koöperatiewe vereniging wat gars, hawer, rog of koring verwerk of wat in diens van so 'n koöperatiewe maatskappy of koöperatiewe vereniging is, kragtens hierdie paragraaf benoem kan word nie;

(b) een, na onderlinge raadpleging, benoem deur verenigings van meulenaars wat, volgens oordeel van die Minister, verteenwoordigend is van meulenaars elk waarvan hoogstens vyftienduizend sakke koring en rog gedurende die tydperk van twaalf maande onmiddellik voorafgaande die benoeming gemaal, gebreek, tot gruis gemaak of andersins verwerk het.

BENOEMING VAN LID VIR VERWERKERS.

8. Die lid vir verwerkers word benoem deur 'n vereniging wat volgens oordeel van die Minister verteenwoordigend is van verwerkers van gars of hawer of, na onderlinge raadpleging deur verenigings wat volgens oordeel van die Minister verteenwoordigend is van verwerkers van gars of hawer.

BENOEMING VAN BAKKERSLID.

9. (1) Indien daar in die Unie 'n vereniging bestaan wat volgens oordeel van die Minister verteenwoordigend is van bakkers, het daardie vereniging die reg om die bakkerslid te benoem, of, indien daar nie so 'n vereniging bestaan nie, dan het die verenigings van bakkers wat wel in die Unie bestaan en vir hierdie doel deur die Minister erken word die reg om, na onderlinge raadpleging, genoemde lid te benoem.

(2) Niemand wat volgens die oordeel van die Minister regstreeks of onregstreeks belang by die maal van koring of rog het, kan ingevolge hierdie artikel benoem word nie.

BENOEMING VAN LID VIR DISTRIBUEERDERS.

10. Die lid vir distribueerders word benoem deur 'n vereniging wat volgens oordeel van die Minister verteenwoordigend is van distribueerders van gars, hawer, rog of

their products, or, after mutual consultation, by associations which, in the opinion of the Minister, are representative of the distributors of barley, oats, rye or wheat and their products.

NOTICE TO NOMINATE MEMBERS.

11. Whenever a nomination in terms of section 5, 6, 7, 8, 9 or 10 becomes necessary, the Minister shall call upon the organizations or associations concerned, or cause them to be called upon, by notice in writing, to nominate, within a period fixed by such notice, such person or persons as they are entitled, in terms of the relevant section, to nominate for appointment to the Board.

IF NO SUITABLE PERSONS NOMINATED, MINISTER MAY NOMINATE.

12. If any person nominated as aforesaid is, in the opinion of the Minister, not suitable for appointment as a member of the Board, or in the case of a nomination made under section 6, 7, or 9, not qualified to be a member of the Board, the Minister may refer that nomination back to the organization or association concerned, and call upon that organization or association to nominate some other person for appointment to the Board, and if that organization or association thereupon again nominates a person who is, in the opinion of the Minister, not suitable or not qualified, as aforesaid, or whenever the organization or association fails to nominate any person, the Minister may himself, subject to the provisions of the aforesaid sections, nominate any person whom he considers fit to be a member of the Board.

IF NO ORGANIZATION OR ASSOCIATION EXISTS, MINISTER MAY NOMINATE.

13. If the Minister is satisfied that an organization or association such as is referred to in section 5, 6, 7, 8, 9 or 10 is not in existence, the Minister may himself nominate a person or persons for appointment to the Board to represent the interests concerned.

TENURE OF OFFICE OF MEMBERS OF THE BOARD.

14. (1) Subject to the provisions of sub-section (4) of section 34 the members of the Board shall be appointed for a period of two years, provided that the member referred to in paragraph (h) of section 3 shall hold office during the Governor-General'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 in no 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 to act.

(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.

15. (1) The Board shall at its meetings, 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.

koring en hulle produkte, of, na onderlinge raadpleging, deur verenigings wat volgens oordeel van die Minister verteenwoordigend is van distribueerders van gars, hawer, rog of koring en hulle produkte.

KENNISGEWING OM VERTEENWOORDIGERS TE BENOEM.

11. Wanneer 'n benoeming volgens artikel 5, 6, 7, 8, 9 of 10 nodig word, moet die Minister die betrokke organisasies of verenigings by skriftelike kennisgewing aansê of laat aansê om binne 'n tydperk in die aansegging vasgestel, die persoon of persone te benoem wat hulle volgens die betrokke artikel geregtig is om vir aanstelling in die Raad te benoem.

INDIEN GEEN GESKIKTE PERSOON BENOEM WORD NIE, KAN MINISTER BENOEM.

12. Indien iemand wat soos voormeld benoem is, volgens die Minister se oordeel nie geskik is om as lid van die Raad aangestel te word nie, of, in die geval van 'n benoeming ingevolge artikel 6, 7 of 9, onbevoeg is om lid van die Raad te wees, kan die Minister die benoeming na die betrokke organisasie of vereniging terugverwys en die organisasie of vereniging aansê om iemand anders vir aanstelling op die Raad te benoem, en indien dié organisasie of vereniging daarop weer iemand benoem wat volgens die Minister se oordeel ongeskik of onbevoeg is, soos voormeld, of wanneer die organisasie of vereniging in gebreke bly om iemand te benoem, kan die Minister self, onderworpe aan die bepalings van voornoemde artikels, iemand benoem wat hy geskik ag om lid van die Raad te wees.

INDIEN GEEN ORGANISASIE OF VERENIGING BESTAAN NIE, KAN MINISTER BENOEM.

13. Indien die Minister daarvan oortuig is dat daar nie 'n organisasie of vereniging soos bedoel in artikel 5, 6, 7, 8, 9 of 10 bestaan nie, kan die Minister self 'n persoon of persone benoem vir aanstelling op die Raad om die betrokke belange te verteenwoordig.

AMPSTERMYN VAN LEDE VAN RAAD.

14. (1) Behoudens die bepalings van subartikel (4) van artikel 34 word die lede van die Raad vir 'n tydperk van twee jaar aangestel; met dien verstande dat die lid na wie in paragraaf (h) van artikel 3 verwys word, sy amp beklee solank dit die Goewerneur-generaal behaag.

(2) By verstryking van die tydperk waarvoor hulle aangestel is, bly lede hul amp beklee totdat hulle opvolgers aangestel is, maar in geen geval vir 'n verdere 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 verloop 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 om 'n ander rede verhinder word om sy ampswerkzaamhede te verrig, kan die Minister iemand anders wat hy geskik ag, aanstel om as plaasvervanger van daardie lid op te tree solank as hy aldus verhinder word, en die plaasvervanger verrig gedurende die tydperk wat hy as sodanig optree die werkzaamhede van die lid van wie hy as plaasvervanger aangestel is.

(6) Wanneer 'n raadslid sonder die Raad se verlof versuim het om drie agtereenvolgende raadsvergaderings by te woon en niemand volgens subartikel (5) aangestel is om as sy plaasvervanger op te tree nie, hou hy op om lid van die Raad te wees.

VERKIESING EN AMPSTERMYN VAN VOORSITTER.

15. (1) Die Raad kies op sy vergaderings soos dit nodig mag wees een van sy lede as Voorsitter wat sy amp as sodanig vir een jaar beklee of tot verstryking van die tydperk waarvoor hy as lid van die Raad aangestel is, watter tydperk ookal die kortste is, en wat herkiesbaar is.

(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.

16. (1) All meetings of the Board shall be held at such times and places as 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 on a day and at a place to be appointed by him.

(3) At the written request of not less than five 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 written request, on a day and at a 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 authorized thereto by the Board.

QUORUM, MAJORITY DECISION AND CHAIRMAN'S CASTING VOTE.

17. (1) Eleven members of the Board referred to in section 3 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.

18. The members of the Board and any advisory members co-opted by the Board shall be paid such allowances out of the funds of the Board to meet the 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 BOARD.

19. (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 Chairman of the Board shall *ex officio* be a member of any committee appointed by the Board and may at any time convene a meeting of a committee to be held on a day and at a place to be appointed by him.

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

FINANCIAL YEAR.

20. The financial year under this scheme shall be the period from the first day of November in each year to the thirty-first day of October in the following year; provided that the first financial year shall commence on the date on which this scheme comes into operation.

AUDITING.

21. (1) The accounts and balance sheet of the Board shall be audited annually by the Controller and Auditor-General, who may, for the purposes of such audit, appoint one or more persons to assist him, subject to such directions as he may deem fit.

(2) In respect of such audit an amount which shall be determined by the Treasury after consultation with the Controller and Auditor-General, shall be paid by the Board for the benefit of the Consolidated Revenue Fund.

POWERS OF THE BOARD.

22. (1) The Board shall have power—

(a) to appoint such persons as it considers necessary to enable it to exercise its functions, at such remuneration and on such conditions as it may determine;

(2) As die Voorsitter om enige rede nie sy pligte kan nakom nie, kies die Raad een van sy ander lede om as Voorsitter op te tree vir sodanige tydperk as wat hy bepaal.

VERGADERINGS VAN DIE RAAD.

16. (1) Alle vergaderings van die Raad word gehou op die tye en plekke wat die Raad van tyd tot tyd bepaal.

(2) Die Voorsitter van die Raad kan self te eniger tyd 'n spesiale vergadering van die Raad byeenroep, gehou te word op 'n dag en plek wat die Voorsitter bepaal.

(3) Op skriftelike versoek van minstens vyf lede van die Raad, roep die Voorsitter 'n spesiale vergadering van die Raad byeen wat binne veertien dae vanaf die datum van ontvangs van bedoelde skriftelike versoek gehou word, op 'n dag en plek wat hy bepaal.

(4) Die vergaderings van die Raad word byeengeroep by kennisgewing deur of op las van die Voorsitter van die Raad of enige beampste van die Raad daartoe deur die Raad gemagtig.

KWORUM, MEERDERHEIDSBESLISSING EN BESLISSENDE STEM VAN VOORSITTER.

17. (1) Elf lede van die Raad na wie in artikel 3 verwys word maak 'n kworum uit vir enige vergadering van die Raad.

(2) Die beslissing van die meerderheid van die raadslede wat op 'n vergadering aanwesig is, maak 'n beslissing van die Raad uit; met dien verstande dat by 'n staking van stemme die Voorsitter benewens sy beraadslagende stem ook 'n beslissende stem het.

TOELAES VAN LEDE VAN DIE RAAD.

18. Die lede van die Raad en enige adviserende lede deur die Raad gekoöpteer ontvang sodanige toelaes uit die fondse van die Raad tot dekking van die redelike onkoste deur hulle beloop in verband met die sake van die Raad, as wat die Raad met die Minister se goedkeuring bepaal.

KOMITEES VAN RAAD.

19. (1) Die Raad kan, met die Minister se toestemming en onderhewig aan sodanige voorwaardes as wat die Raad ophê, een of meer komitees uit sy lede aanstel, en aan so 'n komitee sodanige bevoegdhede van die Raad opdra as wat die Raad goedvind; met dien verstande dat die Raad nie afstand doen van 'n bevoegdheid wat hy aan so 'n komitee opdra nie.

(2) Die Voorsitter van die Raad is *ex officio*-lid van elke Komitee wat deur die Raad aangestel word en kan te enigertyd 'n vergadering van 'n komitee belê, gehou te word op 'n dag en plek wat hy bepaal.

(3) 'n Besluit van die meerderheid van al die lede van 'n komitee maak 'n besluit van die komitee uit.

BOEKJAAR.

20. Die boekjaar volgens hierdie skema is die tydperk vanaf die eerste dag van November in elke jaar tot die een-en-dertigste dag van Oktober in die volgende jaar; met dien verstande dat die eerste boekjaar op die datum waarop hierdie skema in werking tree, begin.

ODITERING.

21. (1) Die rekenings en balansstaat van die Raad word jaarliks geouditeer deur die Kontroleur en Ouditeur-generaal wat vir die doeleindes van so 'n ouditering een of meer persone kan aanstel om hom, onderworpe aan die voorskrifte wat hy goedvind, behulpsaam te wees.

(2) Ten opsigte van sodanige ouditering moet die Raad 'n bedrag wat deur die Tesourie na oorlegpleging met die Kontroleur en Ouditeur-generaal bepaal word, ten bate van die Gekonsolideerde Inkomstefonds betaal.

BEVOEGDHEDE VAN DIE RAAD.

22. (1) Die Raad is bevoeg—

(a) om sodanige persone aan te stel wat hy nodig ag ten einde hom in staat te stel om sy werksaamhede te verrig, en wel teen die besoldiging en op die voorwaardes wat hy bepaal;

- (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 an 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 fifteen pounds, appeal against 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) 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 the scheme, and to dispose of or let any property which it has acquired; provided that no immovable property shall be acquired except with the consent of the Minister and on such conditions as he may approve;
- (d) to make out of its funds all payments which the Board is required to incur or which it may incur in the exercise of its functions;
- (e) to require every person concerned in the production, threshing, marketing or processing of barley, oats, rye or wheat or barley, oats, rye or wheat products to furnish the Board with such information relating to such cereals or products as may be available to such person and as the Board may specify;
- (f) with the approval of the Minister to prescribe the records to be kept, the period for which any such record shall be retained 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 barley, oats, rye or wheat or barley, oats, rye or wheat products and the times at which and the form and manner in which such returns shall so be rendered;
- (g) to assist by grant or loan or otherwise any research work relating to the improvement, production, processing or marketing of barley, oats, rye or wheat, or barley, oats, rye or wheat products;
- (h) with the approval of the Minister, to utilize its funds for any object which, in its opinion, is likely to encourage the internal consumption of barley, oats, rye or wheat or barley, oats, rye or wheat products and to assist the development and betterment of the barley, oats, rye or wheat industry;
- (i) with the approval of the Minister, to borrow money to be used for the purpose of attaining the objects of this scheme;
- (j) to publish information in regard to the production and marketing of barley, oats, rye and wheat and barley, oats, rye and wheat products and generally disseminate information concerning the barley, oats, rye and wheat industry;
- (k) to buy barley, oats, rye and wheat, and barley, oats, rye and wheat products;
- (l) to treat in such manner as it may deem fit, grade, pack, store, adapt for sale, insure, advertise and transport any barley, oats, rye or wheat or barley, oats, rye or wheat products which it has bought;
- (m) to sell, whether in their original form or processed or manufactured wholly or in part, barley, oats, rye or wheat or barley, oats, rye or wheat products which it has bought;
- (b) om onderworpe aan voorwaardes deur die Minister goedgekeur, agente wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede, aan te stel; met dien verstande dat, indien die aansoek van iemand om aanstelling as 'n agent van die hand gewys is of die aanstelling van iemand as 'n agent beëindig word, hy, nadat hy 'n bedrag van vyftien pond by die Sekretaris gedeponeer het, teen die van-die-hand-wysing of beëindiging na die Minister kan appelleer en die Minister die appèl 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 appèl kan toestaan, en die wyse kan bepaal waarop oor die aldus gestorte bedrag beskik moet word;
- (c) om sodanige 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, en om enige eiendom wat hy aangeskaf het van die hand te sit of te verhuur; met dien verstande dat geen vaste eiendom aangeskaf word nie behalwe met die toestemming van die Minister en op die voorwaardes wat hy mag goedkeur;
- (d) om uit sy gelde alle uitgawes te dek wat die Raad moet of kan beloop by die verrigting van sy werksaamhede;
- (e) om elke persoon wat betrokke is by die produksie, dors, bemarking of verwerking van gars, hawer, rog of koring, of gars-, hawer-, rog of koringprodukte te gelas om aan die Raad die inligting met betrekking tot daardie graansoort of produk te verstrek waarvoor bedoelde persoon beskik en wat die Raad mag spesifiseer;
- (f) om met die Minister se goedkeuring, die rekords wat gehou moet word, die tydperk waarvoor sulke rekords behou moet word en die opgawes wat aan die Raad verstrek moet word deur enige persoon of klas of groep persone wat gars, hawer, rog of koring, of 'n gars-, hawer-, rog- of koringproduk produseer of daarmee as 'n besigheid handel, voor te skryf, asook die tye waarop, die vorm waarin en die wyse waarop die opgawe aldus verstrek moet word;
- (g) om deur middel van toekenning of lening of op ander wyse hulp te verleen in verband met navorsingswerk met betrekking tot die verbetering, produksie, verwerking of bemarking van gars, hawer, rog of koring, of gars-, hawer-, rog- of koringprodukte;
- (h) om, met die Minister se goedkeuring, sy gelde aan te wend vir enige doel wat volgens die Raad se oordeel waarskynlik die binnelandse verbruik van gars, hawer, rog of koring, of gars-, hawer-, rog- of koringprodukte sal aanmoedig, en om die ontwikkeling en verbetering van die gars-, hawer-, rog- of koringnywerheid te bevorder;
- (i) om, met die Minister se goedkeuring, geld te leen om gebruik te word om die doeleindes van die skema te bereik;
- (j) om inligting insake die produksie en bemarking van gars, hawer, rog en koring, en gars-, hawer-, rog en koringprodukte te publiseer en om in die algemeen inligting in verband met die gars-, hawer-, rog- en koringnywerheid bekend te maak;
- (k) om gars, hawer, rog en koring, en gars-, hawer-, rog- en koringprodukte te koop;
- (l) om gars, hawer, rog of koring, of gars-, hawer-, rog- of koringprodukte wat hy gekoop het, te behandel soos hy goedvind, te gradeer, te verpak, op te berg, vir verkoop geskik te maak, te verseker, te adverteer en te vervoer;
- (m) om gars, hawer, rog of koring, of gars-, hawer-, rog- of koringprodukte wat hy gekoop het, te verkoop, hetsy in hulle oorspronklike of in gedeeltelik of geheelal verwerkte vorm;

- (n) to enter into contracts for carrying out any work in connection with the buying, selling, treating, grading, packing, storing, adapting for sale, insuring, advertising and transporting of barley, oats, rye or wheat or barley, oats, rye or wheat products;
- (o) to act as agent for the receipt and sale of barley, oats, rye or wheat, or barley, oats, rye or wheat products;
- (p) 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;
- (q) 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;
- (r) to advise the Minister as to—
- (i) the conditions regarding grades, standards of quality, methods of packing and the marking of barley, oats, rye or wheat, or barley, oats, rye or wheat products or any receptacle or cover containing such cereals or products, subject to which any such cereals or products may be sold or imported for sale;
 - (ii) the prohibition, control or regulation of the importation or export of barley, oats, rye or wheat, or barley, oats, rye or wheat products;
 - (iii) all matters relating to the marketing or processing of barley, oats, rye or wheat, or barley, oats, rye or wheat products;
- (s) with the approval of the Minister from time to time to prohibit any producer of barley, oats, rye or wheat or barley, oats, rye or wheat products from selling barley, oats, rye or wheat, or barley, oats, rye or wheat products which he has produced except such class, grade, quantity or percentage thereof as the Board has determined or except for such purpose as the Board has defined;
- (t) with the approval of the Minister to prohibit the purchase or sale of any wheat or rye product except under permit, the issue of which shall be in the discretion of the Board, and which may be cancelled by the Board if the holder thereof has contravened or failed to comply with any condition specified therein or any provision of this scheme or of any regulation made under the Act; provided that whenever a prohibition is imposed under this paragraph and the Board refuses to issue, or cancels, such permit, the applicant or holder, as the case may be, shall have a right of appeal to the Minister against the decision of the Board, and that the Minister may after consideration confirm, set aside or vary such decision;
- (u) with the approval of the Minister to prohibit any person from processing any rye or wheat or any class, grade or quantity of rye or wheat on behalf of any other person, except under the authority of a permit which may be issued by the Board subject to such conditions as it may deem fit;
- (v) to perform all such acts as are necessary for or incidental to the carrying out of its objects and powers under this scheme.
- (2) Any requirement or prohibition imposed or decision taken by the Board which relates to any portion of the Union or to any class of the products to which this scheme relates, may differ from any such requirement or prohibition or decision which relates to any other portion of the Union or any other class of the said products, or may apply only to specified portions of the Union or relate only to specified classes of the said products.
- (3) The Board shall exercise any powers conferred upon it by this section with due regard to the provisions of the Act and of this scheme.
- (n) om kontrakte aan te gaan vir die verrigting van enige werk in verband met die koop, verkoop, behandeling, gradering, verpakking, opberging, vir verkoop geskik maak, versekering, adverteer en vervoer van gars, hawer, rog of koring, of gars-, hawer-, rog-, of koringprodukte;
- (o) om as agent vir die ontvangs en verkoping van gars, hawer, rog of koring, of gars-, hawer-, rog- of koringprodukte op te tree;
- (p) om geld of eiendom wat by wyse van geskenk, toekenning of andersins aan die Raad gegee word, aan te neem en om bedoelde geld of eiendom op 'n wyse wat die Minister mag goedkeur, aan te wend;
- (q) om met enigeen 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;
- (r) om die Minister van advies te dien aangaande—
- (i) die voorwaardes wat betref grade, kwaliteitstandaarde, verpakkingsmetodes en die merk van gars, hawer, rog of koring, of gars-, hawer-, rog- of koringprodukte, of 'n houder of omhulsel wat bedoelde graansoorte of produkte bevat, waarop sodanige graansoorte of produkte verkoop of vir verkoop ingevoer kan word;
 - (ii) verbod op, beheer of reëling van die invoer of uitvoer van gars, hawer, rog of koring, of gars-, hawer-, rog- of koringprodukte;
 - (iii) alle aangeleenthede betreffende die bemaking of verwerking van gars, hawer, rog of koring, of gars-, hawer-, rog- of koringprodukte;
- (s) om met die Minister se goedkeuring 'n produsent van gars, hawer, rog of koring, of 'n gars-, hawer-, rog- of koringprodukt van tyd tot tyd te verbied om gars, hawer, rog of koring, of 'n gars-, hawer-, rog- of koringprodukt wat hy geproduseer het behalwe 'n klas, graad, hoeveelheid of persentasie daarvan wat die Raad vasgestel het, of behalwe vir 'n doel wat die Raad bepaal het, te verkoop;
- (t) om, met die goedkeuring van die Minister, die aankoop of verkoop van 'n koring- of rogprodukt te verbied, behalwe onder permit wat na goeddunke deur die Raad uitgereik word en wat deur die Raad ingetrek kan word as die houder daarvan 'n voorwaarde daarin genoem of 'n bepaling van dié skema of van 'n regulasie kragtens die Wet uitgevaardig, oortree het of versuim het om daaraan te voldoen; met dien verstande dat wanneer 'n verbod opgelê word kragtens hierdie paragraaf en die Raad weier om dié permit uit te reik of dit intrek, die applikant of houder, na gelang van die geval, die reg het om na die Minister teen die besluit van die Raad te appelleer, en dat die Minister sodanige besluit na oorweging kan bekragtig, opsy sit of wysig;
- (u) om, met die Minister se goedkeuring, enige persoon te verbied om rog of koring of enige klas, graad of hoeveelheid rog of koring ten behoeve van 'n ander persoon te verwerk, behalwe op gesag van 'n permit wat die Raad mag uitreik onderworpe aan die voorwaardes wat hy goeddink;
- (v) om alle handelings te verrig wat nodig is vir of verbode is aan die bereiking van sy doel en die uitoefening van sy bevoegdhede onder hierdie skema.
- (2) 'n Voorskrif van of verbod opgelê of besluit geneem deur die Raad met betrekking tot 'n gedeelte van die Unie of 'n klas van die produkte waarop hierdie skema betrekking het, kan verskil van so 'n voorskrif of verbod of besluit met betrekking tot 'n ander gedeelte van die Unie of 'n ander klas van gemelde produkte of kan alleen in aangegewe gedeeltes van die Unie van toepassing wees of alleen op aangegewe klasse van gemelde produkte betrekking hê.
- (3) Die Raad oefen die bevoegdhede aan hom by hierdie artikel verleen uit met behoorlike inagneming van die bepalinge van die Wet en van die skema.

LEVY ON BARLEY, OATS, RYE AND WHEAT.

23. (1) The Board may, with the approval of the Minister, from time to time impose—

- (a) a levy not exceeding 9d. per 150 lb. in the case of barley and oats, and 1s. per 200 lb. in the case of wheat, rye and hull-less barley, which may be added to, and made payable at the same time as, the price at which the Board disposes of the barley, oats, rye or wheat to any person, or deducted from the prices payable by the Board to the producers of barley, oats, rye or wheat when payment is made;
- (b) a levy not exceeding 9d. per 150 lb. in the case of barley and oats, and 1s. per 200 lb. in the case of rye and hull-less barley, which shall be payable by persons dealing in the course of trade with barley, oats, or rye and registered with the Board in terms of sub-section (2) of section 29; in respect of barley, oats, or rye purchased by them from producers thereof;

provided that the levies imposed in terms of this section may differ in respect of the various classes and grades of barley, oats, rye or wheat, as the case may be.

(2) The levy referred to in paragraph (b) of sub-section (1) shall be payable to the Board by every person registered with the Board in terms of sub-section (2) of section 29 at such times and in such manner as may be prescribed by regulation under the Act.

SPECIAL LEVY ON BARLEY, OATS, RYE OR WHEAT.

24. The Board may, with the approval of the Minister, from time to time impose a special levy on barley, oats, rye or wheat, which may be added to, and made payable at the same time as, the price at which the Board disposes of the barley, oats, rye or wheat to any person, or deducted from the prices payable by the Board to the producers of barley, oats, rye or wheat when payment is made; provided that the special levies imposed in terms of this section may differ in respect of the various classes and grades of barley, oats, rye or wheat, as the case may be, and provided, further, that the special levies thus imposed shall be used only for the grain on which it is imposed or its products.

ESTABLISHMENT OF FUND.

25. The Board shall establish a fund to be known as the "General Fund" into which all amounts derived from the levies referred to in sections 23 and 24, as also all trading profits, commissions, brokerages, rentals, and interest accruing to the Board and any sums which may be placed at the disposal of the Board shall be paid, and from which all payments by the Board shall be made.

ESTABLISHMENT OF RESERVE FUNDS.

26. The Board shall establish barley, oats, rye and wheat 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 is empowered to deal with any moneys in any such fund in such manner as may be approved by the Minister.

PROHIBITION OF THE SALE OF BARLEY, OATS, RYE OR WHEAT, OR BARLEY, OATEN, RYE OR WHEATEN PRODUCTS.

27. (1) The Board may, with the approval of the Minister, prohibit any producer of barley, oats, rye or wheat from selling any barley, oats, rye or wheat, or barley, oaten, rye or wheaten products to any person other than the Board, or barley, oats, or rye to a person registered with the Board in terms of sub-section (2) of section 29 to purchase barley, oats, or rye from producers thereof.

HEFFING OP GARS, HAWER, ROG EN KORING.

23. (1) Die Raad kan met die Minister se goedkeuring van tyd tot tyd 'n heffing ople—

- (a) van hoogstens 9d. per 150 lb. in die geval van gars en hawer en hoogstens 1s. per 200 lb. in die geval van koring, rog en kaalgars, watter heffing bygevoeg kan word by, en op dieselfde tydstip betaalbaar gemaak kan word as, die prys waarteen die Raad die gars, hawer, rog of koring aan enige persoon van die hand sit, of afgetrek kan word van die pryse deur die Raad betaalbaar aan die produsente van gars, hawer, rog of koring wanneer betaling gemaak word;
- (b) van hoogstens 9d. per 150 lb. in die geval van gars en hawer en hoogstens 1s. per 200 lb. in die geval van rog en kaalgars, wat betaalbaar is deur persone wat met gars, hawer of rog as 'n besigheid handel en wat by die Raad volgens subartikel (2) van artikel 29 geregistreer is, ten opsigte van gars, hawer of rog wat deur hulle van produsente daarvan gekoop is;

met dien verstande dat die heffings wat kragtens hierdie artikel opgelê word, kan verskil ten opsigte van die verskillende klasse en grade gars, hawer, rog of koring, na gelang van die geval.

(2) Die heffing waarna verwys word in paragraaf (b) van subartikel (1) is betaalbaar aan die Raad deur elkeen wat kragtens subartikel (2) van artikel 29 by die Raad geregistreer is, op die tye en wyse soos voorgeskryf mag word by regulasie onder die Wet.

SPESIALE HEFFING OP GARS, HAWER, ROG OF KORING.

24. Die Raad kan met die Minister se goedkeuring van tyd tot tyd 'n spesiale heffing op gars, hawer, rog of koring lê, watter spesiale heffing bygevoeg kan word by, en op dieselfde tydstip betaalbaar gemaak kan word as, die pryse waarteen die Raad die gars, hawer, rog of koring aan enige persoon van die hand sit, of afgetrek kan word van die pryse deur die Raad betaalbaar aan die produsente van gars, hawer, rog of koring wanneer betaling gemaak word; met dien verstande dat die spesiale heffings wat kragtens hierdie artikel opgelê word, kan verskil ten opsigte van die verskillende klasse en grade gars, hawer, rog of koring, na gelang van die geval, en met dien verstande, voorts, dat die spesiale heffings wat aldus opgelê word, slegs gebruik word vir die graansoort waarop dit opgelê word of vir sy produkte.

INSTELLING VAN 'N FONDS.

25. Die Raad stel 'n fonds in wat die Algemene Fonds heet waarin alle gelde verkry uit die heffings in artikels 23 en 24 genoem, asook alle handelswinste, kommissies, makelaarslone, huurgelde en rente wat aan die Raad toekom, en alle bedrae wat tot die beskikking van die Raad gestel mag word, gestort word en waaruit alle betalings deur die Raad geskied.

INSTELLING VAN RESERWEFONDSE.

26. Die Raad stel gars-, hawer-, rog- en koringreserwefondse in waarin die bedrae tot beskikking van die Raad gestort moet word wat die Minister van tyd tot tyd goedkeur, of wat hy na afloop van 'n boekjaar onder die skema en na oorlegpleging met die Raad bepaal, en die Raad is gemagtig om oor gelde in sodanige fondse te beskik op die wyse wat die Minister mag goedkeur.

VERBOD OP DIE VERKOOP VAN GARS, HAWER, ROG OF KORING, OF GARS-, HAWER-, ROG- OF KORINGPRODUKTE.

27. (1) Die Raad kan met die Minister se goedkeuring 'n produsent van gars, hawer, rog of koring verbied om gars, hawer, rog of koring, of gars-, hawer-, rog- of koringprodukte aan enigeen behalwe die Raad te verkoop, of om gars, hawer of rog aan enigeen behalwe iemand wat volgens subartikel (2) van artikel 29 by die Raad geregistreer is om gars, hawer of rog van produsente daarvan te koop, te verkoop.

(2) For the purpose of this section the Board may from time to time appoint agents at such remuneration and subject to such conditions as it may determine and the Minister may approve, to purchase barley, oats, rye or wheat from producers thereof on its behalf, provided that the Board may so appoint co-operative societies or co-operative companies subject to conditions which may differ from those determined in the case of other agents.

(3) Notwithstanding any prohibition imposed under this section, the Board may with the approval of the Minister at any time by permit authorize any producer of barley, oats, rye or wheat to sell such quantities of barley, oats, rye or wheat as it may determine for seed purposes on such conditions and upon payment of such fees, which, however, may not exceed the levy imposed on the particular product in terms of section 23 as it may specify.

FIXATION OF PRICES.

28. (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 barley, oats, rye or wheat or of a barley, oats, rye or wheat product or 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 barley, oats, rye or wheat or a barley, oats, rye or wheat product or for such class, grade or quantity thereof; provided that the provisions of this section shall not apply in respect of beer or yeast.

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

- (a) 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 barley, oats, rye or wheat, or a barley, oats, rye or wheat product;
- (b) require any person disposing of any barley, oats, rye or wheat or any barley, oats, rye or wheat product or 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 so determined;
- (c) fix in respect of any quantity of barley, oats, rye or wheat or barley, oats, rye or wheat product 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 barley, oats, rye or wheat or barley, oats, rye or wheat product or of that class or grade thereof acquired any other purpose or by any other class of persons;
- (d) fix in respect of barley, oats, rye or wheat or any barley, oats, rye or wheat product or of any class or grade thereof, different prices in respect of different quantities or in respect of different times of the year; or
- (e) require any price so fixed to be displayed in such manner and from and at such places or on such vehicles and by such persons or classes of persons as may be determined by the Board.

(3) For the purpose of any prohibition under sub-section (1) any person who has claimed from any other person in respect of any quantity of barley, oats, rye or wheat or of any barley, oats, rye or wheat product disposed of by him to that person, an amount which is not in accordance with the price fixed under the said sub-section, shall be deemed to have disposed of that quantity of barley, oats, rye or wheat or barley, oats, rye or wheat product to that person for the said amount, unless he proves to the satisfaction of the court that the claim was made as a result of a *bona fide* error.

(2) Vir die toepassing van hierdie artikel kan die Raad van tyd tot tyd agente aanstel teen sodanige vergoeding en onderworpe aan sodanige voorwaardes as wat hy bepaal en die Minister goedkeur, om gars, hawer, rog of koring namens die Raad van produsente daarvan te koop; met dien verstande dat die Raad koöperatiewe verenigings of koöperatiewe maatskappye aldus kan aanstel onderworpe aan voorwaardes wat kan verskil van dié wat in die geval van ander agente bepaal is.

(3) Nieteenstaande enige verbod kragtens hierdie artikel opgelê, kan die Raad met die Minister se goedkeuring te eniger tyd 'n produsent van gars, hawer, rog of koring by wyse van 'n permit magtig om sodanige hoeveelhede gars, hawer, rog of koring as wat die Raad bepaal vir saad te verkoop op sodanige voorwaardes en by betaling van sodanige gelde, wat egter nie meer mag wees nie as die heffing kragtens artikel 23 op die besondere produk opgelê, as wat die Raad mag bepaal.

VASSTELLING VAN PRYSE.

28. (1) Die Raad kan met die Minister se goedkeuring van tyd tot tyd enigiemand 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 gars, hawer, rog of koring of 'n hoeveelheid van 'n gars-, hawer-, rog- of koringprodukt of 'n klas of graad daarvan te verkry, te verkoop of van die hand te sit teen 'n ander of 'n laer of hoër prys as 'n prys deur die Raad vasgestel of bereken ooreenkomstig 'n grondslag deur die Raad bepaal vir gars, hawer, rog of koring of 'n gars-, hawer-, rog- of koringprodukt of vir bedoelde klas, graad of hoeveelheid daarvan; met dien verstande dat die bepalinge van hierdie artikel nie ten opsigte van bier of gis van toepassing is nie.

(2) By die uitoefening van sy bevoegdhede kragtens sub-artikel (1) kan die Raad met die Minister se goedkeuring—

- (a) die gelde of koste bepaal wat ingesluit of bygevoeg moet word by of afgetrek moet word van 'n prys wat in genoemde subartikel genoem word, of die gewig bepaal wat met betrekking tot 'n hoeveelheid daarin genoem toegelaat moet word vir enige houer van gars, hawer, rog of koring, of 'n gars-, hawer-, rog- of koringprodukt;
- (b) van enige persoon wat gars, hawer, rog of koring of 'n gars-, hawer-, rog- of koringprodukt, of enige klas, graad of hoeveelheid daarvan, van die hand sit op krediet of vir 'n bedrag wat meer is as 'n bedrag deur die Raad bepaal, eis dat hy 'n faktuur met die aldus bepaalde besonderhede moet verskaf;
- (c) ten opsigte van 'n hoeveelheid gars, hawer, rog of koring of van 'n hoeveelheid van 'n gars-, hawer-, rog- of koringprodukt of van 'n klas of graad daarvan wat verkry is vir enige doel of deur enige klas persone, 'n prys vasstel wat verskil van die prys wat vasgestel is ten opsigte van 'n hoeveelheid gars, hawer, rog of koring of van 'n hoeveelheid van 'n gars-, hawer-, rog- of koringprodukt, of van daardie klas of graad daarvan wat verkry is vir 'n ander doel of deur 'n ander klas persone;
- (d) ten opsigte van gars, hawer, rog of koring of 'n gars-, hawer-, rog- of koringprodukt of van 'n klas of graad daarvan verskillende pryse ten opsigte van verskillende hoeveelhede of ten opsigte van verskillende tye van die jaar vasstel;
- (e) gelas dat 'n aldus vasgestelde prys op so 'n wyse en in so 'n vorm en op sodanige plekke of voertuie en deur sodanige persone of klasse persone as wat die Raad bepaal, vertoon moet word.

(3) Vir die doel van 'n verbod kragtens subartikel (1) word 'n persoon wat van 'n ander persoon ten opsigte van 'n hoeveelheid gars, hawer, rog of koring of van 'n hoeveelheid van 'n gars-, hawer-, rog- of koringprodukt wat hy aan daardie persoon van die hand gesit het, 'n bedrag gevorder het wat nie in ooreenstemming is met die prys wat kragtens genoemde subartikel vasgestel is nie, geag daardie hoeveelheid gars, hawer, rog of koring of gars-, hawer-, rog- of koringprodukt aan daardie persoon teen genoemde bedrag van die hand te gesit het, tensy hy ten genoeë van die hof bewys dat die vordering as gevolg van 'n *bona fide* fout gedoen is.

REGISTRATION OF CERTAIN PERSONS.

29. (1) No person dealing in the course of trade with barley, oats, rye or wheat, or barley, oats, rye or wheat products, shall manufacture or process any barley, oats, rye or wheat or rye product or wheaten product, or convert it into any other product or commodity or cause it to be so manufactured, processed or converted unless he has been registered with the Board, and no person shall so be registered unless he has complied with such requirements as may be prescribed by regulation and the Board approves of his registration.

(2) No person dealing in the course of trade with barley, oats or rye shall purchase barley, oats or rye from producers thereof unless he has been registered with the Board, and no person shall so be registered unless he has complied with such requirements as may be prescribed by regulation and the Board approves of his registration.

(3) The Board may approve of the registration of any person under sub-sections (1) and (2) on such conditions and for such period as it may determine, and may cancel the registration of any such person if he has contravened or failed to comply with any condition determined by the Board.

(4) Whenever the Board has approved of the registration of any person under this section, it shall cause a certificate of registration, in such form as it may prescribe, to be issued to such person, and if the Board has approved of such registration subject to any conditions, it shall cause such conditions to be specified in the relevant certificate of registration.

(5) Any 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.

SALE OF BARLEY, OATS, RYE AND WHEAT, AND BARLEY, OATEN, RYE AND WHEATEN PRODUCTS.

30. (1) The Board may sell any barley, oats, rye or wheat or any barley, oats, rye or wheaten products which it has purchased or the products of any barley, oats, rye or wheat obtained by the processing of any barley, oats, rye or wheat which it has purchased with the approval of the Minister at such prices and on such conditions and for such purpose as it may from time to time determine.

(2) The Board may apply any barley, oats, rye or wheat or barley, oats, rye or wheaten products to the establishment of a reserve against scarcity due to drought or other unforeseen circumstances.

EXAMINATION OF BOOKS AND INSPECTION OF BARLEY, OATS, RYE OR WHEAT, AND BARLEY, OATEN, RYE OR WHEATEN PRODUCTS.

31. (1) Any person generally or specially authorized thereto by the Board may at all reasonable hours—

- (a) enter any place occupied by any person who is, or is suspected to be, a producer of or a person dealing in the course of trade with barley, oats, rye or wheat or barley, oats, rye or wheaten products, or any place or vehicle in or upon which there is kept, or is suspected to be kept, any quantity of barley, oats, rye or wheat or of a barley, oats, rye or wheaten product by any person for any purpose other than consumption by the owner of such barley, oats, rye or wheat or barley, oats, rye or wheaten product or by the members of his household;
- (b) inspect any such barley, oats, rye or wheat, or barley, oats, rye or wheaten product and 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 barley, oats, rye or wheat or barley, oats, rye or wheaten product, and make copies of or take extracts from such books and documents;
- (c) demand from the owner or custodian of such barley, oats, rye or wheat, or barley, oats, rye or wheaten product any information concerning such barley, oats, rye or wheat or barley, oats, rye or wheaten product;

REGISTRASIE VAN SEKERE PERSONE.

29. (1) Niemand wat met gars, hawer, rog of koring, of 'n gars-, hawer-, rog- of koringprodukt as 'n besigheid handel, mag gars, hawer, rog of koring, of 'n rog- of koringprodukt vervaardig of verwerk of in 'n ander produkt of handelsartikel omsit of aldus laat vervaardig, verwerk of omsit nie, tensy hy by die Raad geregistreer is, en niemand word aldus geregistreer nie tensy hy voldoen het aan die vereistes wat by regulasie voorgeskryf mag wees en die Raad sy registrasie goedkeur.

(2) Niemand wat met gars, hawer, of rog as 'n besigheid handel, mag gars, hawer of rog van produsente daarvan koop nie tensy hy by die Raad geregistreer is, en niemand word aldus geregistreer nie tensy hy voldoen het aan die vereistes wat by regulasie voorgeskryf mag wees en die Raad sy registrasie goedkeur.

(3) Die Raad kan die registrasie van enige persoon kragtens subartikel (1) en (2) goedkeur op die voorwaardes of vir die tydperk wat hy bepaal, en kan die registrasie van so 'n persoon intrek as hy 'n voorwaarde deur die Raad bepaal, oortree of versuim het om daaraan te voldoen.

(4) Wanneer die Raad die registrasie van 'n persoon kragtens hierdie artikel goedgekeur het, moet hy 'n sertifikaat van registrasie, in so 'n vorm as wat hy mag voorskryf, aan so 'n persoon laat uitreik, en as die Raad sodanige registrasie goedgekeur het onderworpe aan voorwaardes, moet hy sulke voorwaardes in die betrokke sertifikaat van registrasie laat spesifiseer.

(5) Enigeen het die reg om by die Minister appèl aan te teken teen 'n besluit van die Raad met betrekking tot sy registrasie en die Minister kan na oorweging van so 'n appèl bedoelde besluit bekrachtig, opsy sit of wysig.

VERKOOP VAN GARS, HAWER, ROG EN KORING, EN GARS-, HAWER-, ROG- EN KORINGPRODUKTE.

30. (1) Die Raad kan met die Minister se goedkeuring gars, hawer, rog of koring, of 'n gars-, hawer-, rog- of koringprodukt wat hy gekoop het, of die produkte wat verkry is deur die verwerking van gars, hawer, rog of koring wat hy gekoop het, teen die pryse en op die voorwaardes en vir die doeleindes wat die Raad van tyd tot tyd kan bepaal, verkoop.

(2) Die Raad kan gars, hawer, rog of koring of gars-, hawer-, rog- of koringprodukte gebruik om 'n reserwe te stig teen skaarste weens droogte of ander onvoorsiene omstandighede.

NAGAAN VAN BOEKE EN INSPEKSIE VAN GARS, HAWER, ROG OF KORING, EN GARS-, HAWER-, ROG- OF KORINGPRODUKTE.

31. (1) Enigiemand wat in die algemeen of spesiaal deur die Raad daartoe gemagtig is, kan op alle redelike tye—

- (a) 'n plek betree wat geëkkipeer word deur 'n persoon wat 'n produsent is of vermoed word 'n produsent te wees van, of 'n persoon wat met gars, hawer, rog of koring of 'n gars-, hawer-, rog-, of koringprodukt as 'n besigheid handel of vermoed word daarmee as 'n besigheid te handel, of 'n plek of voertuig betree waarin of waarop daar 'n hoeveelheid gars, hawer, rog of koring of gars-, hawer-, rog- of koringprodukte deur enigiemand gehou word of na vermoede gehou word, vir 'n ander doel as verbruik deur die eienaar van die gars, hawer, rog of koring of gars-, hawer-, rog- of koringprodukt of deur lede van sy huisgesin;
- (b) bedoelde gars, hawer, rog of koring, of gars-, hawer-, rog- of koringprodukt inspekteer en alle boeke en stukke op bedoelde plek of in of op bedoelde voertuig nagaan wat op redelike gronde vermoed word op bedoelde gars, hawer, rog of koring of gars-, hawer-, rog- of koringprodukt betrekking te hê en afskrifte van of uittreksels uit die boeke of stukke maak;
- (c) van die eienaar van bedoelde gars, hawer, rog of koring of gars-, hawer-, rog- of koringprodukt of die persoon wat dit in sy bewaring het, inligting aangaande die gars, hawer, rog of koring of gars-, hawer-, rog of koringprodukt eis;

- (d) demand from the owner or custodian of any such book or document an explanation of any entry therein;
- (e) 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 barley, oats, rye or wheat or a barley, oats, rye or wheat product in respect of which any such offence is suspected to have been committed, and may remove from the place or vehicle in question or leave at such place or on such vehicle any books, documents or articles or any quantity of barley, oats, rye or wheat or a barley, oats, rye or wheat product which has been so seized, and if he deems fit may place on any such book, document, article or barley, oats, rye or wheat or barley, oats, rye or wheat product, or on the container thereof, any identification mark which he may consider necessary; and
- (f) take samples of any barley, oats, rye or wheat or barley, oats, rye or wheat product including any quantity of such barley, oats, rye or wheat or barley, oats, rye or wheat product which has been seized in terms of 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.

OFFENCES AND PENALTIES.

32. Any person who contravenes or fails to comply with any provision of this scheme or any prohibition, requirement or order issued thereunder shall be guilty of an offence and on conviction liable to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

LIQUIDATION OF SCHEME.

33. In the event of the discontinuance of this scheme—

- (a) any assets of the Board after all its debts have been paid, shall be handed over to the Minister and the assets so handed over shall be utilized by the Minister in his discretion for the advancement of the barley, oats, rye and wheat industry; and
- (b) any deficit which may exist after all the assets of the Board have been realized shall be borne by the producers to whom the scheme applies, *pro rata* to the number of bags of barley, oats, rye or wheat or barley, oats, rye or wheat products sold by such producers or on their behalf during the period of three years immediately preceding the date of discontinuance of the scheme or during the period during which the scheme was in operation, whichever shall be the shorter period.

NOTICES, PROHIBITIONS, REQUIREMENTS, DECISIONS, DETERMINATIONS, FUNDS AND MEMBERS OF WHEAT INDUSTRY CONTROL BOARD.

34. (1) All notices, prohibitions, requirements, decisions or determinations issued, imposed, taken or made under the Winter Cereal Scheme published under Proclamation No. 184 of 1949, as amended, or operative in consequence of the provisions of section 34 (1) 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.

- (d) van die eienaar van bedoelde gars, hawer, rog of koring of gars-, hawer-, rog- of koringprodukt of die persoon wat dit in sy bewaring het 'n verklaring van aantekenings daarin eis;
- (e) beslag lê op boeke, stukke of artikels wat bewys kan lewer van 'n misdryf ingevolge die Wet of hierdie skema of 'n kragtens die Wet uitgevaardigde regulasie, gepleeg, of op 'n hoeveelheid gars, hawer, rog of koring of gars-, hawer-, rog- of koringprodukte ten opsigte waarvan so 'n misdryf vermoedelik gepleeg is, en kan boeke, stukke, artikels of enige hoeveelheid gars, hawer, rog of koring, of gars-, hawer-, rog- of koringprodukte waarop aldus beslag gelê is, van die betrokke plek of voertuig verwyder of dit op bedoelde plek of voertuig laat, en na goeddunke op so 'n boek, stuk, artikel of sulke gars, hawer, rog of koring of gars-, hawer-, rog- of koringprodukte, of die houters daarvan, enige identifikasiemerk wat hy nodig ag, aanbring; en
- (f) van gars, hawer, rog of koring of gars-, hawer-, rog- of koringprodukte, met inbegrip van 'n hoeveelheid gars, hawer, rog of koring of gars-, hawer-, rog- of koringprodukte waarop kragtens paragraaf (e) beslag gelê is, monsters neem, en sodanige monsters ondersoek, ontleed of gradeer of laat ondersoek, ontleed of gradeer.

(2) Enigeen wat iemand by die verrigting van 'n werksaamheid of die uitoefening van 'n bevoegdheid, kragtens hierdie artikel, belemmer, of wat opsetlik versuim of weier om 'n verklaring te maak of uitleg te verstrek wat daarkragtens geëis word, of wat 'n valse verklaring maak of laat maak of 'n valse uitleg verstrek of laat verstrek betreffende 'n aangeleentheid bedoel in subartikel (1) van hierdie artikel, begaan 'n misdryf.

OORTREDINGS EN STRAWWE.

32. Iemand wat 'n bepaling van hierdie skema of 'n verbod, voorskrif of bevel daarkragtens uitgevaardig oortree of versuim om daaraan te voldoen, begaan 'n misdryf en is by veroordeling strafbaar met 'n boete van hoogstens honderd pond of gevangenisstraf vir 'n tydperk van hoogstens ses maande of met sowel sodanige boete as gevangenisstraf.

OPHEFFING VAN SKEMA.

33. Ingeval hierdie skema opgehef word—

- (a) word alle bate van die Raad, nadat sy skulde betaal is, aan die Minister oorhandig en die aldus oorhandigde bate word deur die Minister na goeddunke vir die bevordering van die gars-, hawer-, rog- en koringnywerheid aangewend; en
- (b) word enige tekort wat mag bestaan nadat al die bate van die Raad tot geld gemaak is, gedra deur alle produsente op wie die skema van toepassing is, *pro rata* volgens die getal sakke gars, hawer, rog of koring, of gars-, hawer-, rog- of koringprodukte deur sodanige produsente verkoop of ten behoeve van bedoelde produsente verkoop gedurende die tydperk van drie jaar wat die datum van opheffing van die skema onmiddellik voorafgaan of gedurende die tydperk wat die skema van toepassing was, watter ook al die kortste tydperk is.

KENNISGEWINGS, VERBODSBEPALINGS, VOORSKRIFTE, BESLUITE, VASSTELLINGS, FONDSE EN LEDE VAN DIE RAAD VAN BEHEER OOR DIE KORINGNYWERHEID.

34. (1) Alle kennisgewings, verbodsbepalings, voorskrifte, besluite, vasstellings of bepalinge wat uitgevaardig, opgelê, geneem of gedoen is kragtens die Wintergraan-skema bekendgemaak by Proklamasie No. 184 van 1949, soos gewysig, of wat van krag was as gevolg van die bepalinge van artikel 34 (1) 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) All authorizations, registrations, appointments, contracts or appeals issued, made, concluded, or noted under the Winter Cereal Scheme published under Proclamation No. 184 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 Winter Cereal Scheme published under Proclamation No. 184 of 1949, as amended, shall vest in the Board administering this scheme.

(4) Any moneys in the General Fund established in terms of section 24 of the Winter Cereal Scheme published under Proclamation No. 184 of 1949, as amended, shall be transferred to the General Fund established in terms of section 25 of this scheme; similarly, moneys in any reserve fund, equalization fund, stabilization fund or contingency fund established in terms of the aforementioned scheme shall be transferred to the respective funds established in terms of this scheme.

(5) The members appointed to the Wheat Industry Control Board in terms of Proclamation No. 184 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 Wheat Industry Control Board in terms of this scheme and shall, notwithstanding the provision in sub-section (1) of section 14 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. 184 of 1949, as amended.

(6) The person elected as Chairman of the Wheat Industry Control Board in terms of Proclamation No. 184 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 Wheat Industry Control 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 15, continue to hold office for the unexpired portion of the period for which he was elected in terms of Proclamation No. 184 of 1949, as amended.

(7) Any committee appointed by the Board in terms of Proclamation No. 184 of 1949, as amended, shall be deemed to have been appointed in terms of sub-section (1) of section 19 of this scheme.

GOVERNMENT NOTICE.

DEPARTMENT OF CUSTOMS AND EXCISE.

No. R. 1734.] [28 October 1960.
CUSTOMS ACT, 1955.—TEMPORARY SUSPENSION
OF DUTY ON IRON AND STEEL SHEETS
COATED WITH TIN (No. 1/68).

I, THEOPHILUS EBENHAEZER DÖNGES, Minister of Finance, acting in terms of the powers vested in me by section *sixty-five* of the Customs Act, 1955, hereby amend Government Notice No. R. 975 of the 8th July, 1960, by the substitution for the expression "31st October, 1960," of the expression "31st December, 1960,".

T. E. DÖNGES,
Minister of Finance.

NOTE.—The effect of this notice is to extend until the 31st December, 1960, the period of the suspension of the customs duty on iron and steel sheets coated with tin.

(2) Alle magtigings, registrasies, aanstellings, kontrakte of appèlle uitgereik, gemaak, gesluit of aangeteken kragtens die Wintergraanskema bekendgemaak by Proklamasie No. 184 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 Wintergraanskema bekendgemaak by Proklamasie No. 184 van 1949, soos gewysig, uitvoer, gaan oor op die Raad wat hierdie skema uitvoer.

(4) Gelde in die Algemene Fonds ingestel kragtens artikel 24 van die Wintergraanskema bekendgemaak by Proklamasie No. 184 van 1949, soos gewysig, word oorgedra na die Algemene Fonds ingestel kragtens artikel 25 van hierdie skema; insgelyks word reserwefondse, nivelleringsfondse, stabiliseringsfondse of gebeurlikheidsfondse ingestel kragtens voormelde skema, oorgedra na die onderskeie fondse ingestel kragtens hierdie skema.

(5) Die lede wat kragtens Proklamasie No. 184 van 1949, soos gewysig, in die Raad van Beheer oor die Koringnywerheid aangestel is en hulle amp beklee onmiddellik voor die datum van inwerkingtreding van hierdie skema, word geag as lede van die Raad van Beheer oor die Koringnywerheid kragtens hierdie skema aangestel te gewees het en beklee hulle amp, ongeag die bepaling in subartikel (1) van artikel 14 dat lede vir 'n tydperk van twee jaar aangestel word maar onderworpe aan die ander bepaling van genoemde artikel, van die datum van inwerkingtreding van hierdie skema vir die onverstreke gedeeltes van die onderskeie tydperke waarvoor hulle kragtens genoemde Proklamasie No. 184 van 1949, soos gewysig, aangestel is.

(6) Die persoon wat kragtens Proklamasie No. 184 van 1949, soos gewysig, tot Voorsitter van die Raad van Beheer oor die Koringnywerheid 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 Raad van Beheer oor die Koringnywerheid verkies te gewees het en bly daardie amp beklee met ingang van die datum van inwerkingtreding van hierdie skema en onderworpe aan die bepaling van artikel 15, vir die onverstreke gedeelte van die tydperk waarvoor hy kragtens Proklamasie No. 184 van 1949, soos gewysig, verkies is.

(7) 'n Komitee wat kragtens Proklamasie No. 184 van 1949, soos gewysig, deur die Raad aangestel is, word geag kragtens subartikel (1) van artikel 19 van hierdie skema aangestel te gewees het.

GOEWERMENSKENNISGEWING.

DEPARTEMENT VAN DOEANE EN AKSYNS.

No. R. 1734.] [28 Oktober 1960.
DOEANEWET, 1955.—TYDELIKE OPSKORTING
VAN DOEANEREG OP YSTER- EN STAAL-
BLAAIE MET TIN BEKLEE (No. 1/68).

Ek, THEOPHILUS EBENHAEZER DÖNGES, Minister van Finansies, handelende kragtens die bevoegdheid my verleen by artikel *vyf-en-sestig* van die Doeane wet, 1955, wysig hierby Goewermenskennisgewing No. R. 975 van 8 Julie 1960, deur die uitdrukking „31 Oktober 1960,” deur die uitdrukking „31 Desember 1960,” te vervang.

T. E. DÖNGES,
Minister van Finansies.

OPMERKING.—Die uitwerking van hierdie kennisgewing is, dat die tydperk van die opskorting van die doeane reg op yster- en staalblaai met tin beklee, tot 31 Desember 1960 verleng word.

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