



UNION OF SOUTH AFRICA
UNIE VAN SUID-AFRIKA

EXTRAORDINARY Government Gazette Staatskoerant

(Registered at the Post Office as a Newspaper)

(REGULATION GAZETTE No. 98)

(As 'n Nuusblad by die Poskantoor Geregistreer)

(REGULASIEKOERANT No. 98)

Vol. CCIV.]

PRICE 5c.

PRETORIA,

21 APRIL
21 APRIL

1961.

PRYS 5c.

[No. 6668.

PROCLAMATION

By His Excellency the Honourable Charles Robberts Swart, Governor-General of the Union of South Africa.

No. R. 113, 1961.]

CONSOLIDATION AND AMENDMENT OF THE PROVISIONS OF THE SCHEME FOR REGULATING THE MARKETING OF MEALIES, MEALIE PRODUCTS, KAFFIRCORN AND KAFFIRCORN PRODUCTS IN TERMS OF THE MARKETING ACT, 1937, AS AMENDED, AND FOR MATTERS INCIDENTAL THERETO.

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

Now, therefore, under the powers vested in me by paragraph (a) of sub-section (1) of section *twenty-two* of the said Act, I do hereby declare that the said scheme shall come into operation on the date of publication hereof in substitution for the scheme published under Proclamation No. 64 of 1957, as amended by Proclamation No. 204 of 1957.

GOD SAVE THE QUEEN.

Given under my Hand and Great Seal at Cape Town on this Eighth day of April, One thousand Nine hundred and Sixty-one.

C. R. SWART,
Governor-General.

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

D. C. H. UYS.

SCHEDULE.

SCHEME FOR REGULATING THE MARKETING OF MEALIES, MEALIE PRODUCTS, KAFFIRCORN AND KAFFIRCORN PRODUCTS IN TERMS OF THE MARKETING ACT, 1937, AS AMENDED, AND FOR MATTERS INCIDENTAL THERETO.

NAME AND SCOPE OF SCHEME.

1. (1) This scheme shall be known as the Mealie and Kaffircorn Control Scheme and shall relate to mealies, mealie products, kaffircorn and kaffircorn 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 or processing of mealies, mealie products, kaffircorn or kaffircorn products, or who deal with mealies, mealie products, kaffircorn or kaffircorn products in the course of trade.

PROKLAMASIE

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

No. R. 113, 1961.]

SAMEVATTING EN WYSIGING VAN DIE BEPALINGS VAN DIE SKEMA VIR DIE REËLING VAN DIE BEMARKING VAN MIELIES, MIELIEPRODUKTE, KAFFERKORING EN KAFFERKORINGPRODUKTE KRAGTENS DIE BEMARKINGSWET, 1937, SOOS GEWYSIG, EN VIR AANGELEENTHEDE WAT DAARMEE IN VERBAND STAAN.

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

So is dit dat ek, kragtens die bevoegdheid my verleen by paragraaf (a) van subartikel (1) van artikel *twee-en-twintig* van genoemde Wet, hierby verklaar dat genoemde skema op die datum van publikasie hiervan in werking tree ter vervanging van die skema afgekondig by Proklamasie No. 64 van 1957, soos gewysig deur Proklamasie No. 204 van 1957.

GOD BEHOEDE DIE KONINGIN.

Gegee onder my Hand en Grootseël te Kaapstad, op hede die Agtste dag van April Eenduisend Negehoenderd Een-en-sestig.

C. R. SWART,
Goewerneur-generaal.

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

D. C. H. UYS.

BYLAE.

SKEMA VIR DIE REËLING VAN DIE BEMARKING VAN MIELIES, MIELIEPRODUKTE, KAFFERKORING EN KAFFERKORINGPRODUKTE KRAGTENS DIE BEMARKINGSWET, 1937, SOOS GEWYSIG, EN VIR AANGELEENTHEDE WAT DAARMEE IN VERBAND STAAN.

NAAM EN OMVANG VAN SKEMA.

1. (1) Hierdie skema heet die Mielie- en Kafferkoring-reëlingskema en het betrekking op mielies, mielieprodukte, kafferkoring en kafferkoringprodukte.

(2) Die bepalings van hierdie skema is van toepassing in die Unie op die hiernagenoemde klasse persone wat betrokke is by die produksie, dors of verwerking van mielies, mielieprodukte, kafferkoring of kafferkoringprodukte of wat met mielies, mielieprodukte, kafferkoring of kafferkoringprodukte as 'n besigheid handel.

DEFINITIONS.

2. 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 Mealie Industry Control Board, established under the Mealie Control Amendment Act, 1935, as reconstituted in terms of section 3 of this scheme;

"export" means export to any country, territory or region beyond the borders of the Union, other than Basutoland, Swaziland, the Bechuanaland Protectorate on the Mandated Territory of South West Africa;

"hybrid mealies" means the first generation of seed of a cross produced by controlling the pollination and by combining two, three or four inbred lines to produce a single three-way or double cross respectively, or by combining one inbred line or a single cross with an open-pollinated variety to produce a top cross;

"foundation seed", any seed used for the production of hybrid seed mealies;

"S.A. hybrid mealies", varieties of hybrid mealies that have been developed, combined and released by the Department of Agricultural Technical Services;

(NOTE.—Hybrid designations shall be treated as variety names.)

an "inbred line" shall consist of a line of mealies developed as a result of not less than five consecutive generations of controlled self-fertilization, or its equivalent;

a "single cross" shall consist of the first generation of a controlled cross between two inbred lines;

a "three-way cross" shall consist of the first generation of a controlled cross between a single cross and an inbred line;

a "double cross" shall consist of the first generation of a controlled cross between two single crosses;

a "top cross" shall consist of the first generation of a controlled cross between an inbred line or a single cross and an open-pollinated variety;

"merchant" means any person dealing with mealies, mealie products, kaffircorn or kaffircorn products in the course of trade whose business consists of the purchase and sale of mealies, mealie products, kaffircorn or kaffircorn products but does not include a co-operative society or co-operative company or a miller;

"miller" means a person to whom a current miller's licence has been issued under the Licences Consolidation Act, 1925 (Act No. 32 of 1925);

"producer"—

(a) in relation to mealies, means the person by whom or on whose behalf mealies are produced and also includes, in relation to any quantity of mealies—

(i) acquired from any person as a consideration for the right to use land on which that person has produced a quantity of mealies, or as a remuneration for services rendered to a producer of mealies, the person who so acquired that quantity; and

(ii) imported into the Union, the person who so imported that quantity;

(b) in relation to any mealie product, means the person by whom or on whose behalf the mealies from which that mealie product was derived, was ground, crushed, gristed or otherwise processed, or, if that mealie product was manufactured or prepared from a mealie product obtained by grinding, crushing, gristing or otherwise processing mealies, the person by

WOORDOMSKRYWING.

2. In hierdie skema beteken die uitdrukking „die Wet” die Bemarkingswet, 1937, soos gewysig, en die regulasies ingevolge daarvan uitgevaardig, en enige uitdrukking waaraan in daardie Wet ’n betekenis geheg is, het, wanneer dit in hierdie skema gebesig word, dieselfde betekenis; voorts, tensy dit in stryd is met die samehang, beteken—

„raad”, die Raad van Beheer oor die Mielienywerheid ingestel kragtens die Mieliereëlswysigingswet, 1935, soos hersaamgestel ingevolge artikel 3 van hierdie skema;

„uitvoer”, uitvoer na enige land, gebied of streek buite die grense van die Unie, uitgesonderd Basutoland, Swaziland, die Betsjoeanalandprotektoraat of die Mandaatgebied Suidwes-Afrika;

„bastermielies”, die eerste geslag saad van ’n kruis geproduseer deur beheerde bestuiwing, en deur die kombinerings van twee, drie of vier ingeteelde lyne om onderskeidelik ’n enkel-, drievoudige of dubbelkruis te produseer of deur die kombinerings van een ingeteelde lyn of ’n enkelkruis met ’n oopbestuifde variëteit om ’n topkruis te produseer;

„moedersaad”, enige saad wat vir die produksie van bastermielies gebruik word;

„S.A.-bastermielies”, bastermieliesoorte wat deur die Departement van Landbou-tegniese Dienste ontwikkel, gekombineer en vrygestel is;

(LET WEL.—Bastersaadbenamings moet as variëteitsname beskou word.)

’n „ingeteelde lyn”, bestaan uit ’n mielielyn wat ontwikkel is ten gevolge van nie minder nie as vyf agtereenvolgende geslagte van beheerde selfbestuiwing of die gelyke daarvan;

’n „enkelkruis”, bestaan uit die eerste geslag van ’n beheerde kruis tussen twee ingeteelde lyne;

’n „drievoudige kruis”, bestaan uit die eerste geslag van ’n beheerde kruis tussen ’n enkelkruis en ’n ingeteelde lyn;

’n „dubbelkruis”, bestaan uit die eerste geslag van ’n beheerde kruis tussen twee enkelkruise;

’n „topkruis”, bestaan uit die eerste geslag van ’n beheerde kruis tussen ’n ingeteelde lyn of ’n enkelkruis en ’n oopbestuifde variëteit;

„koopman”, enige persoon wat met mielies, mielieprodukte, kafferkoring of kafferkoringprodukte as ’n besigheid handel en wie se besigheid bestaan uit die koop en verkoop van mielies, mielieprodukte, kafferkoring en kafferkoringprodukte, maar omvat nie ’n koöperatiewe vereniging of koöperatiewe maatskappy of ’n meulenaar nie;

„meulenaar”, ’n persoon aan wie ’n geldige meulenaarslisensie uitgereik is kragtens die Licenties Konsolidatiewe Wet, 1925 (Wet No. 32 van 1925);

„produsent”—

(a) met betrekking tot mielies, die persoon deur of ten behoeve van wie mielies geproduseer word en omvat ook met betrekking tot enige hoeveelheid mielies—

(i) wat verkry is van enige persoon as vergoeding vir die reg om grond waarop daardie persoon ’n hoeveelheid mielies geproduseer het, te gebruik, of as beloning vir dienste aan ’n produsent van mielies gelewer, die persoon wat daardie hoeveelheid aldus verkry het; en

(ii) wat in die Unie ingevoer is, die persoon wat daardie hoeveelheid aldus ingevoer het;

(b) met betrekking tot ’n mielieproduk, die persoon deur of ten behoeve van wie die mielies waarvan daardie mielieproduk verkry is, gemaal, gebreek, tot gruis gemaak of andersins verwerk is, of, indien daardie mielieproduk vervaardig of berei is van ’n mielieproduk verkry deur mielies te maal, te breek, tot gruis te maak of andersins te verwerk, die persoon

whom or on whose behalf that mealie product was so manufactured or prepared, and includes in relation to any quantity of a mealie product imported into the Union, the person who so imported that quantity;

(c) in relation to kaffir-corn, means the person by whom or on whose behalf kaffir-corn is produced and also includes, in relation to any quantity of kaffir-corn—

(i) acquired from any person as a consideration for the right to use land on which that person has produced a quantity of kaffir-corn, or as a remuneration for services rendered to a producer of kaffir-corn, the person who so acquired that quantity; and

(ii) imported into the Union, the person who so imported that quantity;

(d) in relation to any kaffir-corn product, means the person by whom or on whose behalf the kaffir-corn from which that kaffir-corn product was derived, was ground, or otherwise processed, or, if that kaffir-corn product was manufactured or prepared from a kaffir-corn product obtained by grinding or otherwise processing kaffir-corn, the person by whom or on whose behalf that kaffir-corn product was so manufactured or prepared, and includes, in relation to any quantity of a kaffir-corn product imported into the Union, the person who so imported that quantity.

ADMINISTRATION OF SCHEME AND CONSTITUTION OF BOARD.

3. This scheme shall be administered by the Mealie Industry Control Board, established under the Mealie Control Amendment Act, 1935 (Act No. 59 of 1935), which shall for that purpose consist of twenty-one members to be appointed by the Governor-General, of whom—

(a) six shall represent producers of mealies and kaffir-corn, who are members of co-operative societies or co-operative companies (hereinafter referred to as the co-operative mealie and kaffir-corn producers' members) and shall be nominated in accordance with the provisions of section 5;

(b) six shall represent producers of mealies and kaffir-corn, who are not members of co-operative societies or co-operative companies (hereinafter referred to as the non-co-operative mealie and kaffir-corn producers' members) and shall be nominated in accordance with the provisions of section 6;

(c) two shall present merchants (hereinafter referred to as the merchants' members) and shall be nominated in accordance with the provisions of section 7;

(d) one shall represent persons who export mealies and/or kaffir-corn (hereinafter referred to as the exporters' member) and shall be nominated in accordance with the provisions of section 8;

(e) two shall represent millers (hereinafter referred to as the millers' members) and shall be nominated in accordance with the provisions of section 9;

(f) one shall represent stockfeeders (hereinafter referred to as the stockfeeders' member) and shall be nominated in accordance with the provision of section 10;

(g) two shall represent consumers of mealies and kaffir-corn, one of whom shall be nominated by the Minister after consultation with the Consumers' Advisory Committee and the other by that committee from amongst its members: Provided that whenever a member nominated by the Consumers' Advisory Committee ceases to be a member

deur of ten behoeve van wie daardie mielie-produk aldus vervaardig of berei is, en omvat ook, met betrekking tot enige hoeveelheid van 'n mielieprodukt wat in die Unie ingevoer is, die persoon wat daardie hoeveelheid aldus ingevoer het;

(c) met betrekking tot kafferkoring, die persoon deur of ten behoeve van wie kafferkoring geproduseer word en omvat ook, met betrekking tot enige hoeveelheid kafferkoring—

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

(ii) wat in die Unie ingevoer is, die persoon wat daardie hoeveelheid aldus ingevoer het;

(d) met betrekking tot 'n kafferkoringprodukt, die persoon deur of ten behoeve van wie die kafferkoring waarvan daardie kafferkoringprodukt verkry is, gemaal of andersins verwerk is, of, indien daardie kafferkoringprodukt vervaardig of berei is van 'n kafferkoringprodukt verkry deur kafferkoring te maal of andersins te verwerk, die persoon deur of ten behoeve van wie daardie kafferkoringprodukt aldus vervaardig of berei is, en omvat ook, met betrekking tot enige hoeveelheid van 'n kafferkoringprodukt wat in die Unie ingevoer is, die persoon wat daardie hoeveelheid aldus ingevoer het.

ADMINISTRASIE VAN SKEMA EN SAMESTELLING VAN RAAD.

3. Hierdie skema word geadminestreer deur die Raad van Beheer oor die Mielienywerheid, ingestel kragtens die Mieliereëlswysigingswet, 1935 (Wet No. 59 van 1935), wat vir daardie doel moet bestaan uit een-en-twintig lede, deur die Goewerneur-generaal aangestel te word, van wie—

(a) ses verteenwoordigers moet wees van mielie- en kafferkoring-produsente wat lede is van koöperatiewe verenigings of koöperatiewe maatskappye (hierna die lede vir koöperatiewe mielie- en kafferkoringprodusente genoem) en genomineer moet word ooreenkomstig die bepalinge van artikel 5;

(b) ses verteenwoordigers moet wees van mielie- en kafferkoringprodusente wat nie lede van koöperatiewe verenigings of koöperatiewe maatskappye is nie (hierna die lede vir nie-koöperatiewe mielie- en kafferkoringprodusente genoem) en genomineer moet word ooreenkomstig die bepalinge van artikel 6;

(c) twee verteenwoordigers moet wees van koopliede (hierna die koopmaanslede genoem) en genomineer moet word ooreenkomstig die bepalinge van artikel 7;

(d) een 'n verteenwoordiger moet wees van persone wat mielies en/of kafferkoring uitvoer (hierna die uitvoerderslid genoem) en genomineer moet word ooreenkomstig die bepalinge van artikel 8;

(e) twee verteenwoordigers moet wees van meulenaars (hierna die meulenaarslede genoem) en genomineer moet word ooreenkomstig die bepalinge van artikel 9;

(f) een 'n verteenwoordiger moet wees van veevoerders (hierna die veevoerderslid genoem) en genomineer moet word ooreenkomstig die bepalinge van artikel 10;

(g) twee verteenwoordigers moet wees van verbruikers van mielies en kafferkoring, van wie een deur die Minister na oorlegpleging met die Adviserende Verbruikerskomitee en die ander deur daardie komitee uit sy lede genomineer moet word: Met dien verstande dat wanneer 'n lid deur die Adviserende Verbruikerskomitee genomineer, ook

of that committee, he shall also cease to be a member of the board and another member of that committee shall be nominated in his place;

- (h) one shall be an officer of the Department of Agricultural Economics and Marketing and shall be nominated by the Minister.

ADVISERS TO 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 nominated 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 MEALIE AND KAFFIRCORN PRODUCERS' MEMBERS.

5. The co-operative agricultural societies and co-operative agricultural companies whose business, in the opinion of the Minister, consisted during the year ended on the thirty-first day of December preceding the nomination to a considerable extent of transactions in mealies and/or kaffircorn shall be entitled, after mutual consultation, to nominate the six co-operative mealie and kaffircorn producers' members for appointment to the board.

NOMINATION OF NON-CO-OPERATIVE MEALIE AND KAFFIRCORN PRODUCERS' MEMBERS.

6. (1) Of the non-co-operative mealie and kaffircorn producers' members, one shall be nominated by an association which, in the opinion of the Minister, is representative of producers of mealies and kaffircorn 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 Natal, two 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 two 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) Not less than two of the members nominated in accordance with sub-section (1) shall be producers of kaffircorn.

NOMINATION OF MERCHANTS' MEMBER.

7. Of the merchants' members one shall be nominated by an association or associations (after mutual consultation) which, in the opinion of the Minister, is/are representative of merchants throughout the Union, and one shall be nominated by the Minister after consultation with such association or associations.

NOMINATION OF EXPORTERS' MEMBER.

8. The exporters' member shall be nominated by an association which, in the opinion of the Minister, is representative of persons in the Union who export mealies and/or kaffircorn.

NOMINATION OF MILLERS' MEMBERS.

9. The millers' members shall be nominated by an association which, in the opinion of the Minister, is representative of millers throughout the Union who, in the course of the year that ended on the thirty-first day of December preceding the nomination, ground, crushed, gristed or otherwise processed any mealies and/or kaffircorn.

NOMINATION OF STOCKFEEDERS' MEMBER.

10. The stockfeeders' member shall be nominated by the South African Agricultural Union.

al ophou om 'n lid van daardie komitee te wees, hy ook ophou om 'n lid van die raad te wees en 'n ander lid van daardie komitee in sy plek genomineer moet word;

- (h) een 'n amptenaar van die Departement van Landbou-ekonomie en -bemarking moet wees en deur die Minister genomineer moet word.

ADVISEURS VAN RAAD.

4. (1) Die Minister kan een of meer amptenare in die Staatsdiens en een of meer amptenare in die diens van die Administrasie van die Suid-Afrikaanse Spoorweë en Hawens nomineer 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 enige amptenaar aldus genomineer, het dieselfde regte as die lede van die raad of komitee waartoe hy benoem is, behalwe dat hy geen stem by enige vergadering daarvan kan uitbring nie.

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

NOMINASIE VAN LEDE VIR KOÖPERATIEWE MIELIE- EN KAFFERKORINGPRODUSENTE.

5. Die koöperatiewe landbouverenigings en koöperatiewe landboumaatskappye van wie die besigheid gedurende die jaar wat geëindig het op die een-en-dertigste dag van Desember voorafgaande aan die nominasie, volgens oordeel van die Minister in aansienlike mate bestaan het uit transaksies in mielies en/of kafferkoring, het die reg om, na onderlinge ooreenlegging, die ses lede vir koöperatiewe mielie- en kafferkoringprodusente vir aanstelling in die raad te nomineer.

NOMINASIE VAN LEDE VIR NIE-KOÖPERATIEWE MIELIE- EN KAFFERKORINGPRODUSENTE.

6. (1) Van die lede vir nie-koöperatiewe mielie- en kafferkoringprodusente, moet een genomineer word deur 'n vereniging wat volgens oordeel van die Minister verteenwoordigend is van mielie- en kafferkoringprodusente in die Provinsie Kaap die Goeie Hoop, wat nie lede van 'n koöperatiewe vereniging of koöperatiewe maatskappy is nie, moet een genomineer word deur 'n vereniging wat volgens oordeel van die Minister verteenwoordigend is van sodanige produsente in die Provinsie Natal, moet twee genomineer word deur 'n vereniging wat volgens oordeel van die Minister verteenwoordigend is van sodanige produsente in die Provinsie Transvaal, en moet twee genomineer word deur 'n vereniging wat volgens oordeel van die Minister verteenwoordigend is van sodanige produsente in die Provinsie Oranje-Vrystaat.

(2) Minstens twee van die lede ooreenkomstig sub-artikel (1) genomineer, moet produsente van kafferkoring wees.

NOMINASIE VAN KOOPMANSLED.

7. Van die koopmanslede moet een genomineer word deur 'n vereniging of verenigings (na onderlinge raadpleging) wat volgens oordeel van die Minister verteenwoordigend is van koopliede in die Unie, en een moet genomineer word deur die Minister na raadpleging met sodanige vereniging of verenigings.

NOMINASIE VAN UITVOERDERSLED.

8. Die uitvoerderslid moet genomineer word deur 'n vereniging wat volgens oordeel van die Minister verteenwoordigend is van persone in die Unie wat mielies en/of kafferkoring uitvoer.

NOMINASIE VAN MEULENAARSLEDE.

9. Die meulenaarslede moet genomineer word deur 'n vereniging wat volgens oordeel van die Minister verteenwoordigend is van meulenaars in die Unie wat in die loop van die jaar wat geëindig het op die een-en-dertigste dag van Desember voorafgaande aan die nominasie, mielies en/of kafferkoring gemaal, gebreek, tot gruis gemaak of andersins verwerk het.

NOMINASIE VAN VEEVOERDERSLED.

10. Die veevoerderslid moet deur die Suid-Afrikaanse Landbou-unie genomineer word.

NOTICE TO NOMINATE MEMBERS.

11. Whenever a nomination in terms of section 5, 6, 7, 8, 9 of 10 becomes necessary, the Minister shall call upon the organisations 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 such organisations or associations are entitled in terms of the relevant section to nominate for appointment to the board.

IF NO SUITABLE PERSON 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 in accordance with section 6, not qualified to be a member of the board, the Minister may refer that nomination back to the organisations or associations concerned and call upon those organisations or associations to nominate some other persons for appointment to the board, and if those organisations or associations thereupon again nominate a person who is, in the opinion of the Minister, not suitable or not qualified, as aforesaid, or whenever the organisations or associations fail to nominate any person, the Minister may himself, subject to the provisions of sub-section (2) of section 6, nominate any person whom he considers fit to be a member of the board to represent the interests concerned.

IF NO ORGANISATION OR ASSOCIATION EXISTS, MINISTER MAY NOMINATE.

13. If the Minister is satisfied that an organisation 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 (5) of section 35, 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 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.

(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 AND VICE-CHAIRMAN.

15. (1) The board shall at its first meeting and thereafter as occasion arises elect from amongst its members a chairman who shall hold that office 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 is the shorter period, and shall be eligible for re-election.

KENNISGEWING OM LEDE TE NOMINEER.

11. Wanneer 'n nominasie ingevolge artikel 5, 6, 7, 8, 9 of 10 nodig word, moet die Minister die betrokke organisasies of verenigings by skriftelike kennisgewing aansê om binne 'n tydperk in sodanige kennisgewing vasgestel, sodanige persoon of persone te nomineer as wat sodanige organisasies of verenigings ingevolge die betrokke artikel geregtig is om vir aanstelling in die raad te nomineer.

INDIEN GEEN GESKIKTE PERSOON GENOMINEER WORD NIE, KAN MINISTER NOMINEER.

12. Indien enigeen soos voormeld genomineer, volgens oordeel van die Minister nie geskik is om as lid van die raad aangestel te word nie, of, in die geval van 'n nominasie ooreenkomstig artikel 6, onbevoeg is om lid van die raad te wees, kan die Minister daardie nominasie terugverwys na die betrokke organisasies of verenigings en daardie organisasies of verenigings aansê om iemand anders vir aanstelling in die raad te nomineer, en indien daardie organisasies of verenigings daarna weer 'n persoon nomineer wat volgens oordeel van die Minister ongeskik of onbevoeg is, soos voormeld, of wanneer daardie organisasies of verenigings in gebreke bly om iemand te nomineer, kan die Minister self, behoudens die bepalings van subartikel (2) van artikel 6, enigiemand nomineer wat hy geskik ag om lid van die raad te wees om die betrokke belange te verteenwoordig.

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

13. Indien die Minister daarvan oortuig is dat 'n organisasie of vereniging soos dié in artikels 5, 6, 7, 8, 9 of 10 genoem, nie bestaan nie, kan die Minister self 'n persoon of persone nomineer vir aanstelling in die raad om die betrokke belange te verteenwoordig.

AMPSTERMYN VAN LEDE VAN DIE RAAD.

14. (1) Behoudens die bepalings van subartikel (5) van artikel 35, word die lede van die raad vir 'n tydperk van twee jaar aangestel: Met dien verstande dat die lid in paragraaf (h) van artikel 3 genoem, sy amp beklee solank dit die Goewerneur-generaal behaag.

(2) By verstryking van die tydperk waarvoor lede aangestel is, bly hulle in hul amp aan 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 amp van enige lid van die raad om watter rede ook al vakant raak voor verstryking van die tydperk waarvoor hy aangestel is, kan die Minister enige ander persoon wat hy geskik ag, aanstel om die vakature aan te vul totdat die tydperk waarvoor die uitredende lid aangestel is, verstryk het.

(5) Wanneer die Minister daarvan oortuig is dat 'n lid van die Raad weens siekte, afwesigheid of om enige ander rede, verhinder word om sy ampspligte te vervul, kan die Minister enige ander persoon wat hy geskik ag, aanstel om as plaasvervanger van daardie lid op te tree solank hy aldus verhinder word.

(6) Wanneer 'n lid van die raad sonder die raad se verlof van drie agtereenvolgende raadsvergaderings afwesig was en niemand ingevolge 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 EN ONDERVOORSITTER.

15. (1) Die raad moet op sy eerste vergadering en daarna, na gelang dit nodig mag wees, uit sy lede 'n voorsitter kies, wat daardie amp beklee vir 'n tydperk van een jaar of tot verstryking van die tydperk waarvoor hy as lid van die raad aangestel is, naamlik die kortste tydperk, en daarna kan hy herkies word.

(2) Whenever necessary, the board may elect from amongst its members a vice-chairman who shall hold that office 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 is the shorter period, and who shall be eligible for re-election: Provided that such vice-chairman may be unseated on the adoption, by a majority of votes, of a substantive motion of which proper notice had been given at a previous meeting.

(3) Whenever for any reason the chairman is unable to perform his duties, the vice-chairman shall deputise for him and in the event of both the chairman and the vice-chairman not being able to attend to their duties, the board shall elect another of its members to act as chairman.

MEETINGS OF THE BOARD.

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

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

(3) At the written request of not less than seven 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 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 an official of the board authorised thereto by the board.

QUORUM, MAJORITY DECISION AND CHAIRMAN'S CASTING VOTE.

17. (1) Eleven members of the board appointed in terms of section 3 and sub-sections (4) and (5) of section 14, 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 a 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.

ALLOWANCES TO MEMBERS OF BOARD.

18. The members of the board, including any advisory members co-opted by the board and members of any committee established in terms of sub-section (2) of section 19 shall receive 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 board may establish in any area in which this scheme or any provision thereof applies or in respect of mealies, any mealie product, kaffircorn or any kaffircorn product, one or more committees to be constituted in such manner as may be determined by the board with the approval of the Minister, for the purpose of advising the board in regard to any matter relating to the administration of this scheme or any provision thereof in the area in question, and to which the board may on such conditions as it may determine assign any of its powers under this scheme.

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

(2) Die raad kan, wanneer nodig, uit sy lede 'n ondervoorsitter kies wat daardie amp beklee vir 'n tydperk van een jaar of tot verstryking van die tydperk waarvoor hy as lid van die raad aangestel is, naamlik die kortste tydperk, en daarna kan hy herkies word: Met dien verstande dat sodanige ondervoorsitter ontsel kan word indien 'n substantiewe mosie waarvan by 'n vorige vergadering behoorlik kennis gegee is, met 'n meerderheid van stemme aangeneem word.

(3) Wanneer die voorsitter om watter rede ook al nie sy pligte kan vervul nie, moet die ondervoorsitter in sy plek optree, en ingeval sowel die voorsitter as die ondervoorsitter nie hulle pligte kan vervul nie, moet die raad een van sy ander lede kies om as voorsitter op te tree.

VERGADERINGS VAN DIE RAAD.

16. (1) Alle vergaderings van die raad moet gehou word op sodanige tye en plekke as wat die raad of die voorsitter, indien hy deur die raad daartoe gemagtig is, van tyd tot tyd mag bepaal.

(2) Die voorsitter van die raad kan self op enige tyd 'n spesiale vergadering van die raad byeenroep om gehou te word op 'n dag en plek deur hom bepaal.

(3) Op skriftelike versoek van minstens sewe lede van die raad, moet die voorsitter 'n spesiale vergadering van die raad byeenroep, wat binne veertien dae na die datum van ontvangs van sodanige skriftelike versoek gehou moet word op 'n dag en plek deur die voorsitter bepaal.

(4) Die vergaderings van die raad moet byeengeroep word by kennisgewing deur of op las van die voorsitter van die raad of 'n beampte van die raad wat deur die raad daartoe gemagtig is.

KWORUM, MEERDERHEIDSBESLISSING EN BESLISSENDE STEM VAN VOORSITTER.

17. (1) Elf lede van die raad aangestel ingevolge artikel 3 en subartikels (4) en (5) van artikel 14, maak 'n kworum uit by enige vergadering van die raad.

(2) Die besluit van die meerderheid van die lede van die raad wat op enige vergadering daarvan teenwoordig is, is 'n besluit van die raad: Met dien verstande dat hy 'n staking van stemme die voorsitter benewens sy beraadslagende stem ook 'n beslissende stem het.

TOELAES AAN LEDE VAN RAAD.

18. Die lede van die raad, insluitende enige adviserende lede deur die raad gekoopte en lede van enige komitee ingestel kragtens subartikel (2) van artikel 19, ontvang sodanige toelaes as wat die raad met die Minister se goedkeuring mag bepaal, uit die fondse van die raad ter bestryding van die redelike uitgawes deur hulle in verband met die sake van die raad aangegaan.

KOMITEES VAN RAAD.

19. (1) Die raad kan, met die Minister se toestemming en behoudens sodanige voorwaardes as wat die raad mag ophê, een of meer komitees uit sy lede benoem, en sodanige van sy bevoegdhede as wat hy mag goed ag, aan sodanige komitee oordra: Met dien verstande dat die raad nie afstand doen van enige bevoegdheid wat hy aan enige sodanige komitee mag oordra nie.

(2) Die raad kan in enige gebied waarin hierdie skema of enige bepaling daarvan van toepassing is, of ten opsigte van mielies, enige mielieprodukt, kafferkoring of enige kafferkoringprodukt, een of meer komitees instel wat saamgestel moet word op 'n wyse wat deur die raad met die goedkeuring van die Minister bepaal mag word ten einde die raad te adviseer aangaande enige aangeleentheid betreffende die uitvoering van hierdie skema, of enige bepaling daarvan, in die betrokke gebied, en waaraan die raad enige van sy bevoegdhede onder hierdie skema kan oordra en wel op die voorwaardes wat hy mag vasstel.

(3) Wanneer enige komitee benoem word, moet die raad een van die lede van die komitee aanwys om as voorsitter daarvan op te tree, en die voorsitter aldus aangewys, kan op enige tyd, met goedkeuring van die voorsitter van die raad, 'n vergadering van die komitee beê om gehou te word op 'n dag en plek deur hom bepaal.

(4) 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 appointed by him.

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

FINANCIAL YEAR.

20. The financial year under this scheme shall be the period from the first day of May in each year to the thirtieth day of April in the following year.

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 purpose 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.

LEVY ON MEALIES, MEALIE PRODUCTS, KAFFIRCORN AND KAFFIRCORN PRODUCTS.

22. (1) The board may, with the approval of the Minister and on such basis as the board may determine, impose a levy on any product to which this scheme relates, which levy—

- (a) may be in the form of a fixed amount on or of a percentage or portion of the selling price of every unit or quantity of such product purchased or sold;
- (b) may, in respect of any particular class, grade or standard of quality of such product differ from any such levy in respect of any other class, grade or standard of quality of such product;
- (c) may, in respect of any unit or quantity of such product which is imported into the Union from any other country or territory, differ from but not exceed any levy in respect of any unit or quantity of such product which is produced in the Union;
- (d) may, in respect of any unit or quantity of such product which is imported into the Union from any country or territory adjoining the Union, differ from any such levy in respect of any unit or quantity of such product which is imported into the Union from any other country or territory;
- (e) may, in respect of any unit or quantity of such product which is exported from the Union or is exported from the Union to any particular country or territory, differ from any such levy in respect of any unit or quantity of such product which is not so exported.

(2) Any levy imposed under sub-section (1) shall—

- (a) in the case of mealies and kaffircorn which by virtue of a prohibition under section 26 or 29 are sold to or through the board, be added to and made payable at the same time as the price at which the board disposes of the mealies or kaffircorn to any person or be deducted from the price payable by the board to the producers of the mealies or kaffircorn when payment is made;
- (b) in the case of mealies and kaffircorn sold other than to or through the board, be paid to the board at such times and in such manner as may be prescribed by regulation under the Act, and such levy shall be payable by—
 - (i) in the case of mealies and kaffircorn sold by the producer thereof (excluding a producer who is also a merchant) to a person dealing with such products in the course of trade, the purchaser;

(4) Die voorsitter van die raad is ampshalwe lid van elke komitee wat deur die raad benoem word en kan op enige tyd 'n vergadering van die komitee belê om gehou te word op 'n dag en plek deur hom bepaal.

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

BOEKJAAR.

20. Die boekjaar ooreenkomstig hierdie skema is die tydperk van die eerste dag van Mei elke jaar tot die dertigste dag van April in die daaropvolgende jaar.

ODITERING.

21. (1) Die rekenings en balansstaat van die raad moet jaarliks geouditeer word deur die Kontroleur en Ouditeur-generaal wat vir die doel van sodanige ouditering een of meer persone kan aanstel om hom, behoudens sodanige voorskrifte as wat hy mag goed ag, 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.

HEFFING OP MIELIES, MIELIEPRODUKTE, KAFFERKORING EN KAFFERKORINGPRODUKTE.

22. (1) Die raad kan, met die Minister se goedkeuring en op sodanige basis as wat die raad mag bepaal, 'n heffing lê op enige produk waarop hierdie skema betrekking het, en sodanige heffing—

- (a) kan in die vorm wees van 'n vasgestelde bedrag op of van 'n persentasie of gedeelte van die verkoopprijs van elke eenheid of hoeveelheid van sodanige produk gekoop of verkoop;
 - (b) kan ten opsigte van 'n besondere klas, graad of kwaliteit-standaard van sodanige produk verskil van enige sodanige heffing ten opsigte van enige ander klas, graad of kwaliteitstandaard van sodanige produk;
 - (c) kan ten opsigte van enige eenheid of hoeveelheid van sodanige produk wat uit enige ander land of gebied in die Unie ingevoer word, verskil van maar nie meer wees nie as enige heffing ten opsigte van enige eenheid of hoeveelheid van sodanige produk wat in die Unie geproduseer word;
 - (d) kan ten opsigte van enige eenheid of hoeveelheid van sodanige produk wat uit enige land of gebied wat aan die Unie grens in die Unie ingevoer word, verskil van enige sodanige heffing ten opsigte van enige eenheid of hoeveelheid van sodanige produk wat uit enige ander land of gebied in die Unie ingevoer word;
 - (e) kan ten opsigte van enige eenheid of hoeveelheid van sodanige produk wat uit die Unie uitgevoer word of uit die Unie na enige bepaalde land of gebied uitgevoer word, verskil van enige sodanige heffing ten opsigte van enige eenheid of hoeveelheid van sodanige produk wat nie aldus uitgevoer word nie.
- (2) 'n Heffing opgelê kragtens subartikel (1) moet—
- (a) in die geval van mielies en kafferkoring wat ingevolge 'n verbod kragtens artikel 26 of 29 aan of deur bemiddeling van die raad verkoop word, bygevoeg by en op dieselfde tydstip betaalbaar gemaak word as die prys waarteen die raad die mielies of kafferkoring aan enige persoon van die hand sit, of afgetrek word van die prys deur die raad betaalbaar aan die produsente van die mielies of kafferkoring wanneer betaling geskied;
 - (b) in die geval van mielies en kafferkoring wat anders as aan of deur bemiddeling van die raad verkoop is, aan die raad betaalbaar word op sodanige tye en wyse as wat by regulasie kragtens die Wet voorgeskryf mag word, en sodanige heffing is betaalbaar deur—
 - (i) in die geval van mielies en kafferkoring wat deur die produsent daarvan (uitgesluit 'n produsent wat ook 'n koopman is) verkoop is aan 'n persoon wat daarmee as 'n besigheid handel, die koper;

- (ii) in the case of mealies and kaffircorn imported into the Union, the importer;
 - (iii) in the case of mealies and kaffircorn exported from the Union, the exporter; and
 - (iv) in all other cases of mealies and kaffircorn sold by the producer thereof (including such producer who is also a merchant), such producer;
- (c) in the case of mealie products and kaffircorn products, be paid to the board at such times and in such manner as may be prescribed by regulation under the Act, and such levy shall be payable by—
- (i) in the case of such products manufactured by or on behalf of the producer thereof for any purpose other than for consumption by himself or members of his household or for the feeding of his livestock, such producer;
 - (ii) in the case of such products imported into the Union, the importer thereof; and
 - (iii) in the case of such products exported from the Union, the exporter thereof.
- (3) For the purpose of this section—
- (a) mealies shall be deemed to consist of two classes, namely—
- (i) mealies intended for use as seed; and
 - (ii) mealies intended for use other than seed;
- (b) kaffircorn shall be deemed to consist of three classes, namely—
- (i) kaffircorn intended for the manufacture of malt;
 - (ii) kaffircorn intended for the manufacture of products for human consumption (excluding malt); and
 - (iii) kaffircorn not intended for the manufacture of malt or other products for human consumption.

SPECIAL LEVY ON MEALIES, MEALIE PRODUCTS, KAFFIRCORN AND KAFFIRCORN PRODUCTS.

23. The board may, with the approval of the Minister and on such basis as the board may determine, impose a special levy on any product to which this scheme relates, and for the purposes of such special levy the provisions of section 22 shall *mutatis mutandis* apply.

ESTABLISHMENT OF FUNDS.

24. (1) Subject to the provisions of sub-sections (4) and (6), the board shall establish a fund, to be known as the Mealie Levy Fund, to be administered and controlled by the board and into which shall be paid all moneys received direct in connection with the mealie industry, including any moneys derived from any levy imposed under section 22 on mealies and mealie products, and from which all payments made direct by the board in connection with the mealie industry, shall be made.

(2) Subject to the provisions of sub-sections (5) and (6), the board shall establish a fund, to be known as the Kaffircorn Levy Fund, to be administered and controlled by the board and into which shall be paid all moneys received direct in connection with the kaffircorn industry, including any moneys derived from any levy imposed under section 22 on kaffircorn and kaffircorn products and from which all payments made direct by the board in connection with the kaffircorn industry, shall be made.

(3) Subject to the provisions of sub-section (6), the board shall establish a fund, to be known as the General Fund, to be administered and controlled by the board and into which shall be paid such amounts as the board may from time to time determine, from the Mealie Levy Fund and the Kaffircorn Levy Fund respectively, and all other moneys not specified in sub-sections (1), (2), (4) and (5) received by the board, and from which all payments by the board which are not made direct in connection with the mealie or kaffircorn industry, shall be made.

- (ii) in die geval van mielies en kafferkoring wat in die Unie ingevoer is, die invoerder;
 - (iii) in die geval van mielies en kafferkoring wat uit die Unie uitgevoer is, die uitvoerder; en
 - (iv) in alle ander gevalle van mielies en kafferkoring wat deur die produsent daarvan (ingesluit sodanige produsent wat ook 'n koopman is) verkoop is, sodanige produsent;
- (c) in die geval van mielieprodukte en kafferkoring-produkte aan die raad betaal word op sodanige tyte en wyse as wat by regulasie kragtens die Wet voorgeskryf mag word, en sodanige heffing is betaalbaar deur—
- (i) in die geval van sodanige produkte deur of ten behoeve van 'n produsent daarvan vervaardig vir enige doel anders as vir sy eie verbruik of vir verbruik deur lede van sy huisgesin, of om sy lewende hawe te voer, sodanige produsent;
 - (ii) in die geval van sodanige produkte wat in die Unie ingevoer is, die invoerder daarvan; en
 - (iii) in die geval van sodanige produkte wat uit die Unie uitgevoer is, die uitvoerder daarvan.
- (3) Vir die toepassing van hierdie artikel—
- (a) word geag dat mielies uit twee klasse bestaan, te wete—
- (i) mielies bestem vir gebruik as saad; en
 - (ii) mielies bestem vir gebruik anders as saad;
- (b) word geag dat kafferkoring uit drie klasse bestaan, te wete—
- (i) kafferkoring bestem vir die vervaardiging van mout;
 - (ii) kafferkoring bestem vir die vervaardiging van produkte vir menslike verbruik (mout uitgesluit); en
 - (iii) kafferkoring wat nie vir die vervaardiging van mout of ander produkte vir menslike verbruik bestem is nie.

SPESIALE HEFFING OP MIELIES, MIELIEPRODUKTE, KAFFERKORING EN KAFFERKORINGPRODUKTE.

23. Die Raad kan, met die goedkeuring van die Minister en op sodanige basis as wat die raad mag bepaal, 'n spesiale heffing lê op enige produk waarop hierdie skema betrekking het en vir die toepassing van sodanige spesiale heffing is die bepalinge van artikel 22 *mutatis mutandis* van toepassing.

INSTELLING VAN FONDSE.

24. (1) Behoudens die bepalinge van subartikels (4) en (6) moet die raad 'n fonds instel wat moet bekendstaan as die Mielieheffingsfonds, wat deur die raad bestuur en beheer moet word, en waarin alle gelde regstreeks in verband met die mieliebedryf ontvang, met inbegrip van enige gelde verkry uit enige heffing kragtens artikel 22 op mielies en mielieprodukte gelê, gestort moet word en waaruit alle uitbetalings wat regstreeks in verband met die mieliebedryf deur die raad gedoen word, moet geskied.

(2) Behoudens die bepalinge van subartikels (5) en (6) moet die raad 'n fonds instel wat moet bekendstaan as die Kafferkoringheffingsfonds, wat deur die raad bestuur en beheer moet word, en waarin alle gelde regstreeks in verband met die kafferkoringbedryf ontvang, met inbegrip van enige gelde verkry uit enige heffing kragtens artikel 22 op kafferkoring en kafferkoringprodukte gelê, gestort moet word en waaruit alle uitbetalings wat regstreeks in verband met die kafferkoringbedryf deur die Raad gedoen word, moet geskied.

(3) Behoudens die bepalinge van subartikel (6) moet die raad 'n fonds instel wat moet bekendstaan as die Algemene Fonds, wat deur die raad bestuur en beheer moet word, en waarin sodanige bedrae as wat die raad van tyd tot tyd mag bepaal, onderskeidelik uit die Mielieheffingsfonds en die Kafferkoringheffingsfonds, en alle ander gelde nie in subartikels (1), (2), (4) en (5) genoem nie, deur die raad ontvang, gestort moet word en waaruit alle uitbetalings deur die raad wat nie regstreeks in verband met die mielie- of kafferkoringbedryf gedoen word nie, moet geskied.

(4) The board shall establish a special fund for mealies and mealie products, into which shall be paid the proceeds of any special levy imposed on mealies and mealie products under section 23 and such other amounts at the board's disposal as may be approved by the Minister, and the board shall deal with any moneys in this fund in such manner as may be approved by the Minister.

(5) The board shall establish a special fund for kaffir-corn into which shall be paid the proceeds of any special levy imposed on kaffir-corn and kaffir-corn products under section 23 and such other amounts at the board's disposal as may be approved by the Minister, and the board shall deal with any moneys in this fund in such manner as may be approved by the Minister.

(6) The board shall establish one or more reserve funds into which shall be paid such amounts at its disposal 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 this scheme, and the board shall deal with any moneys in any such fund in such manner as may be approved by the Minister.

GENERAL POWERS OF THE BOARD.

25. In addition to powers vested in the board under other sections of this scheme, the board shall have power—

- (a) to appoint such servants and to acquire or hire such property as it may consider necessary for the proper performance of its functions and for the attainment of the objects of this scheme: Provided that no immovable property shall be acquired except with the consent of the Minister and on such conditions as he may approve;
- (b) to defray from its funds all expenses, which the board is required to incur and which it may lawfully incur under this scheme in the exercise of its functions;
- (c) with the approval of the Minister, to borrow money to be used for the purpose of attaining the objects of this scheme and to use any money derived from any levy imposed on mealies and mealie products under section 22 for any object which in its opinion will be to the advantage of persons interested in mealies or mealie products, and to use any money derived from any levy imposed on kaffir-corn and kaffir-corn products under section 22, for any object which in the opinion of the board will be to the advantage of persons interested in kaffir-corn or kaffir-corn products;
- (d) to accept money or property given to the board by way of donation, grant or otherwise, and to utilise such money or property in such manner as the Minister may approve;
- (e) to assist, by grant or loan or otherwise, any undertaking for preserving, processing, storing or conditioning mealies, mealie products, kaffir-corn or kaffir-corn products and any research work relating to the improvement, production, processing and marketing of mealies, mealie products, kaffir-corn or kaffir-corn products;
- (f) to establish an information service in order to advise producers from time to time about marketing conditions in general or about the condition of any particular market;
- (g) 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;

(4) Die raad moet 'n spesiale fonds vir mielies en mielieprodukte instel, waarin die opbrengs van enige spesiale heffing kragtens artikel 23 op mielies en mielieprodukte gelê en sodanige ander bedrae tot die beskikking van die raad as wat deur die Minister goedgekeur mag word, gestort moet word, en die raad moet met gelde in hierdie fonds handel op sodanige wyse as wat deur die Minister goedgekeur mag word.

(5) Die raad moet 'n spesiale fonds vir kafferkoring instel, waarin die opbrengs van enige spesiale heffing kragtens artikel 23 op kafferkoring en kafferkoringprodukte gelê en sodanige ander bedrae tot die beskikking van die raad as wat deur die Minister goedgekeur mag word, gestort moet word, en die raad moet met gelde in hierdie fonds handel op sodanige wyse as wat deur die Minister goedgekeur mag word.

(6) Die raad moet een of meer reserwefondse instel waarin sodanige bedrae tot die beskikking van die raad gestort moet word as wat die Minister van tyd tot tyd mag goedkeur, of wat hy na afloop van 'n boekjaar ooreenkomstig die skema en na oorlegpleging met die raad mag bepaal, en die raad moet oor gelde in enige sodanige fondse beskik op die wyse wat die Minister mag goedkeur.

ALGEMENE BEVOEGDHEDE VAN DIE RAAD.

25. Benewens bevoegdhede kragtens ander artikels van hierdie skema aan die raad verleen, het die raad die bevoegdheid om—

- (a) sodanige amptenare aan te stel en sodanige eiendom aan te skaf of te huur as wat hy nodig ag vir die behoorlike uitoefening van sy funksies en vir die verwesenliking van die oogmerke van hierdie skema: Met dien verstande dat geen vaste eiendom aangeskaf word nie uitgesonderd met toestemming van die Minister en op sodanige voorwaardes as wat hy mag goedkeur;
- (b) uit sy fondse alle uitgawes te dek wat die raad moet aangaan en wat hy wettiglik mag aangaan kragtens hierdie skema by die uitoefening van sy funksies;
- (c) met die goedkeuring van die Minister geld te leen, om aangewend te word ter verwesenliking van die oogmerke van hierdie skema, en om enige geld verkry uit enige heffing opgelê kragtens artikel 22 op mielies en mielieprodukte aan te wend vir enige doel wat na die mening van die raad tot voordeel sal strek van persone wat belang het by mielies of mielieprodukte, en enige geld verkry uit enige heffing opgelê kragtens artikel 22 op kafferkoring en kafferkoringprodukte aan te wend vir enige doel wat na die mening van die raad tot voordeel sal wees van persone wat belang het by kafferkoring of kafferkoringprodukte;
- (d) geld of eiendom aan te neem wat by wyse van geskenk, toekenning of andersins aan die raad gegee word, en om sodanige geld of eiendom te gebruik op sodanige wyse as wat die Minister mag goedkeur;
- (e) deur middel van toekenning of lening of andersins hulp te verleen aan enige onderneming vir die preserving, verwerking, opberging of bewerking van mielies, mielieprodukte, kafferkoring of kafferkoringprodukte en in verband met enige navorsingswerk met betrekking tot die verbetering, produksie, verwerking en bemarking van mielies, mielieprodukte, kafferkoring of kafferkoringprodukte;
- (f) 'n inligtingsdiens in te stel ten einde produsente van tyd tot tyd in te lig aangaande bemarkings-toestande oor die algemeen of aangaande die toestand ten opsigte van 'n besondere mark;
- (g) met enigeen saam te werk in enige handeling wat die raad kan verrig, en om namens enige ander soortgelyke raad enige handeling te verrig wat daardie raad kan verrig;

(h) to advise the Minister as to—

- (i) the conditions regarding grades, standards of quality, methods of packing, and the marking of any product to which this scheme relates or any receptacle or cover containing it subject to which any such product may be sold or imported for sale;
- (ii) the prohibition, control or regulation of the importation or export of such product; and
- (iii) all matters relating to the marketing or processing of such product;

(i) to buy mealies, mealie products, kaffir-corn and kaffir-corn products at such prices as the board may, with the approval of the Minister, determine;

(j) to treat in such manner as it may deem fit, grade, pack, store, adapt for sale, insure, advertise or transport any mealies, mealie products, kaffir-corn and kaffir-corn products which the board has bought and to cause to be ground, crushed, gristed or otherwise processed, any mealies and kaffir-corn which it has bought;

(k) to sell, whether in its original form or processed wholly or in part, mealies, mealie products, kaffir-corn and kaffir-corn products which it has bought, or withhold any part thereof from the market;

(l) to act as agent for the receipt and sale of mealies, mealie products, kaffir-corn and kaffir-corn products;

(m) to conduct a pool for the sale of kaffir-corn, and to treat in such manner as it may deem fit, grade, pack, store, adapt for sale, insure, advertise and transport any kaffir-corn in connection with which it conducts a pool;

(n) to finance any pool conducted by it and to make advances to the contributors to the pool;

(o) 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 thirty rand appeal against the refusal or termination to the Minister who may dismiss the appeal or if he is satisfied that such person should be appointed as an agent in addition to any other person so appointed or that his appointment should not have been terminated, as the case may be, allow the appeal, and determine the manner in which the amount so deposited shall be disposed of;

(p) with the approval of the Minister, to prohibit any person from manufacturing or processing mealies, any mealie product, kaffir-corn or any kaffir-corn product or any class, grade or quantity thereof 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;

(q) with the approval of the Minister, to fix the fees to be charged by any person for the manufacture or processing of mealies, mealie products, kaffir-corn or kaffir-corn products on behalf of any other person;

(r) to require every person concerned in the production, threshing, shelling, marketing, grinding, crushing, gristing or otherwise processing of mealies, mealie products, kaffir-corn or kaffir-corn products to furnish the board with such information relating to mealies, mealie products, kaffir-corn or kaffir-corn products as may be available to such person and as the board may specify;

(h) die Minister van advies te bedien aangaande—

- (i) die voorwaardes betreffende grade, kwaliteit-standaarde, verpakkingsmetodes en die merk van enige produk waarop hierdie skema betrekking het of enige houër of omhulsel wat dit bevat, waarop so 'n produk verkoop of vir verkoop ingevoer mag word;
- (ii) die verbod op, beheer oor of reëling van die invoer of uitvoer van so 'n produk; en
- (iii) alle aangeleenthede betreffende die bemaking of verwerking van so 'n produk;

(i) mielies, mielieprodukte, kafferkoring en kafferkoring-produkte te koop teen sodanige pryse as wat die raad met die goedkeuring van die Minister mag bepaal;

(j) mielies, mielieprodukte, kafferkoring en kafferkoring-produkte wat hy gekoop het, te behandel soos hy mag goedvind, dit te gradeer, te verpak, op te berg, vir verkoop geskik te maak, te verseker, te adverteer of te vervoer, en om mielies en kafferkoring wat hy gekoop het, te laat maal, breek, tot gruis maak of andersins verwerk;

(k) mielies, mielieprodukte, kafferkoring en kafferkoring-produkte wat hy gekoop het, te verkoop, hetsy in die oorspronklike vorm daarvan of in gedeeltelik of geheel en al verwerkte vorm, of 'n deel daarvan van die mark af te hou;

(l) as agent vir die ontvangs en verkoop van mielies, mielieprodukte, kafferkoring en kafferkoring-produkte op te tree;

(m) 'n poel vir die verkoop van kafferkoring te bestuur en om kafferkoring ten opsigte waarvan hy 'n poel bestuur, te behandel soos hy goedvind, te gradeer, te verpak, op te berg, vir verkoop geskik te maak, te verseker, te adverteer en te vervoer;

(n) 'n poel wat deur die raad bestuur word, te finansier en om aan bydraers tot die poel geld voor te skiet;

(o) behoudens voorwaardes deur die Minister goedgekeur, sodanige agente aan te stel as wat die raad nodig mag ag vir behoorlike uitoefening van sy funksies: Met dien verstande dat, indien die aansoek van enige persoon om aanstelling as 'n agent afgewys is of die aanstelling van enige persoon as 'n agent beëindig word, hy, nadat hy 'n bedrag van dertig rand by die Sekretaris gestort het, teen die afwysing of beëindiging kan appelleer na die Minister, wat die appèl van die hand kan wys of, as hy daarvan oortuig is dat sodanige persoon as agent aangestel behoort te word benewens enige ander persoon aldus aangestel, 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;

(p) met die Minister se goedkeuring, enige persoon te verbied om mielies, enige mielieproduk, kafferkoring of enige kafferkoringproduk of enige klas, graad of hoeveelheid daarvan ten behoeve van 'n ander persoon te vervaardig of te verwerk, uitgesonderd kragtens 'n permit wat die raad mag uitreik onderworpe aan sodanige voorwaardes as wat hy goedgevind;

(q) met die Minister se goedkeuring, die gelde vas te stel wat deur enige persoon gevra kan word vir die vervaardiging of verwerking van mielies, mielieprodukte, kafferkoring of kafferkoring-produkte ten behoeve van enige ander persoon;

(r) van iedereen wat betrokke is by die produksie, dors, afmaak, bemaking, maal, breek, tot gruis maak of verwerking op 'n ander wyse van mielies, mielieprodukte, kafferkoring of kafferkoringprodukte, te vereis om aan die raad sodanige inligting met betrekking tot mielies, mielieprodukte, kafferkoring of kafferkoringprodukte te verstrek waarvoor sodanige persoon mag beskik en wat die raad mag spesifiseer;

- (s) with the approval of the Minister, to prescribe the records to be kept; the period for which any such records 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 mealies, mealie products, kaffircorn or kaffircorn products and the times at which and the form and manner in which such returns shall be so rendered.

SPECIAL POWERS OF THE BOARD RELATING TO MEALIES.

26. The board shall have power—

- (a) with the approval of the Minister, to prohibit any producer of mealies from selling mealies or mealie products or any class, grade, quantity or percentage thereof which the board may from time to time determine, except to or through the board or such persons as may be determined by the board;
- (b) with the approval of the Minister, to prohibit any producer of mealies from selling any mealies or mealie products to any person who is not registered under section 28, except under authority of a permit issued by the board and subject to the conditions specified in such permit;
- (c) with the approval of the Minister, from time to time to prohibit any producer of mealies or any mealie product which he has produced, except such class, grade, quantity or percentage thereof as the board has determined or except for such purposes as the board has defined;
- (d) with the approval of the Minister, to prohibit any person or any person belonging to any class or group of persons from purchasing, selling, using, manufacturing or processing any mealies and mealie products or any class, grade or quantity (determined by the board) of such mealies or mealie products for any purpose or in any manner determined by the Board, or for any purpose or in any manner other than a purpose or manner so determined, except under the authority of a permit which may be issued by the board subject to the conditions (if any) determined by the board;
- (e) with the approval of the Minister, to prohibit the purchase or sale or export for sale of mealies or mealie products 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 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 the Minister may, after consideration, confirm, set aside or vary such decision.

FIXATION OF PRICES OF MEALIES AND MEALIE PRODUCTS.

27. (1) With the approval of the Minister, the board may 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 mealies or mealie products or of any class or grade thereof, at a price other than or below or above a price fixed by the board or calculated in accordance with a basis determined by the board, for such mealies or mealie products or for such class, grade or quantity thereof.

- (s) met die Minister se goedkeuring, die rekords wat gehou moet word, die tydperk waarvoor enige sodanige rekord bewaar moet word, en die opgawes wat aan die raad verstrek moet word deur enige persoon of klas of groep persone wat mielies, mielieprodukte, kafferkoring of kafferkoringprodukte produseer of daarmee as 'n besigheid handel, voor te skryf, asook die tye waarop, die vorm waarin en die wyse waarop sodanige opgawes aldus verstrek moet word.

SPESIALE BEVOEGDHEDE VAN DIE RAAD MET BETREKKING TOT MIELIES.

26. Die raad is bevoeg om—

- (a) met die Minister se goedkeuring, enige produsent van mielies te belet om mielies of mielieprodukte of enige klas, graad, hoeveelheid of persentasie daarvan wat die raad van tyd tot tyd mag bepaal, te verkoop uitgesonderd aan of deur bemiddeling van die raad of sodanige persone as wat deur die raad bepaal mag word;
- (b) met die Minister se goedkeuring, enige produsent van mielies te belet om enige mielies of mielieprodukte te verkoop aan enige persoon wat nie kragtens artikel 28 geregistreer is nie, uitgesonderd kragtens 'n permit deur die raad uitgereik en onderworpe aan die voorwaardes in sodanige permit uiteengesit;
- (c) met die Minister se goedkeuring, enige produsent van mielies of enige mielieproduk van tyd tot tyd te belet om mielies of enige mielieproduk wat hy geproduseer het, te verkoop, uitgesonderd sodanige klas, graad, hoeveelheid of persentasie daarvan as wat die raad vasgestel het, of uitgesonderd vir sodanige doeleindes as wat die raad omskryf het;
- (d) met die Minister se goedkeuring, enige persoon of enige persoon wat tot 'n klas of groep persone behoort, te verbied om mielies of mielieprodukte of enige klas, graad of hoeveelheid (deur die raad bepaal) van sodanige mielies of mielieprodukte te koop, te verkoop, te gebruik, te vervaardig of te verwerk vir enige doel of op enige wyse deur die raad bepaal of vir enige ander doel of op enige ander wyse as 'n doel of wyse aldus bepaal, uitgesonderd kragtens 'n permit wat die raad mag uitreik onderworpe aan die voorwaardes (as daar is) deur die raad bepaal;
- (e) met die Minister se goedkeuring, die aankoop of verkoop of uitvoer vir verkoop van mielies of mielieprodukte te belet, uitgesonderd kragtens permit wat na goeddunke deur die raad uitgereik word en wat deur die raad ingetrek kan word as die houer daarvan 'n voorwaarde daarin genoem of enige bepaling van hierdie skema of van enige regulasie kragtens die Wet uitgevaardig, oortree het of versuim het om daaraan te voldoen: Met dien verstande dat wanneer die raad weier om sodanige permit uit te reik of dit intrek, die applikant of houer, 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, ter syde kan stel of kan wysig.

VASSTELLING VAN PRYSE VAN MIELIES EN MIELIEPRODUKTE.

27. (1) Met die Minister se goedkeuring kan die raad van tyd tot tyd enigiemand of iedereen wat tot enige klas of groep persone behoort of enigiemand anders as 'n persoon wat tot 'n klas of groep persone behoort, verbied om 'n hoeveelheid mielies of mielieprodukte of enige klas of graad daarvan aan te skaf, te verkoop of van die hand te sit teen 'n ander of 'n laer of hoër prys deur die raad vasgestel of bereken ooreenkomstig 'n basis deur die raad bepaal vir sodanige mielies of mielieprodukte of vir sodanige klas, graad of hoeveelheid daarvan.

(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 the mealies or mealie products;
- (b) require any person disposing of mealies or mealie products or of any class, grade or quantity thereof on credit or for an amount exceeding an amount determined by the board, to render an invoice containing such particulars as may be determined by the board;
- (c) fix in respect of any quantity of mealies or mealie products 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 such mealies or mealie products or of such class or grade thereof acquired for any other purpose or by any other class of persons;
- (d) fix in respect of mealies or mealie products or of any class or grade thereof, different prices in respect of different quantities or in respect of different times of the year;
- (e) require any price so fixed to be displayed in such manner and form and at such places or on such vehicles and by such persons or classes of persons as may be determined by the board.

REGISTRATION OF CERTAIN PERSONS DEALING IN THE COURSE OF TRADE WITH MEALIES OR MEALIE PRODUCTS AND OF CERTAIN PRODUCERS OF HYBRID MEALIES.

28. (1) No person dealing in the course of trade with mealies or mealie products shall either on his own behalf or on behalf of any other person—

- (a) in any area in the Union defined by the board with the approval of the Minister and notified by the Minister in the *Government Gazette*, purchase mealies (excluding hybrid mealies) or mealie products from a producer of mealies; or
- (b) within the Union, grind, crush, grist or otherwise process mealies;

unless he has been registered with the board: Provided that the requirement under paragraph (a) shall not apply in respect of a purchase or acquisition of mealies from a producer of mealies to whom a permit has been issued by virtue of a prohibition in terms of paragraph (b) of section 26: Provided further that the requirement made under paragraph (b) shall not apply to a producer of mealies who grinds, crushes, grists or otherwise processes mealies solely for consumption by himself, his household (including employees employed by him in farming operations) or for the feeding of his livestock.

(2) No person shall within the Union deal with hybrid mealies in the course of trade unless he has been registered with the board.

(3) No producer of hybrid mealies or of foundation seed for S.A. hybrid mealies, including any co-operative society or co-operative company, shall sell such mealies within the Union unless he has been registered with the board.

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

(5) The board may refuse to register any person who applies for registration in terms of this section, or may register any such person for such period and on such conditions as it may determine and may cancel the registration of any such person if he has contravened or failed to comply with any condition so determined or any requirement referred to in sub-section (4).

(2) By die uitoefening van sy bevoëghede kragtens subartikel (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 enige prys in genoemde subartikel genoem, of die gewig bepaal wat ten opsigte van enige hoeveelheid daarin genoem, toegelaat moet word vir enige houder van die mielies of mielieprodukte;
- (b) van enige persoon wat mielies of mielieprodukte of enige klas, graad of hoeveelheid daarvan op krediet van die hand sit of vir 'n hoër bedrag as 'n bedrag deur die raad bepaal, vereis dat hy 'n faktuur verskaf met sodanige besonderhede as wat deur die raad bepaal mag word;
- (c) ten opsigte van 'n hoeveelheid mielies of mielieprodukte of van enige klas of graad daarvan wat aangeskaf 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 van sodanige mielies of mielieprodukte, of van sodanige klas of graad daarvan wat verkry is vir enige ander doel of deur enige ander klas persone;
- (d) ten opsigte van mielies of mielieprodukte of van enige klas of graad daarvan verskillende pryse ten opsigte van verskillende hoeveelhede of ten opsigte van verskillende tye van die jaar vasstel;
- (e) vereis dat enige prys aldus vasgestel, vertoon moet word op sodanige wyse en in sodanige vorm en op sodanige plekke of voertuie en deur sodanige persone of klasse persone as wat die raad mag bepaal.

REGISTRASIE VAN SEKERE PERSONE WAT MET MIELIES OF MIELIEPRODUKTE AS 'N BESIGHEID HANDEL EN VAN SEKERE PRODUSENTE VAN BASTERMIELIES.

28. (1) Niemand wat met mielies of mielieprodukte as 'n besigheid handel, mag of vir sy eie rekening of ten behoeve van iemand anders—

- (a) in enige gebied in die Unie deur die raad met die Minister se goedkeuring omskryf en deur die Minister in die *Staatskoerant* bekendgemaak, mielies (uitgesonderd bastermielies) of mielieprodukte van 'n produsent van mielies koop nie; of
- (b) binne die Unie mielies maal, breek, tot gruis maak of andersins verwerk nie;

tensy hy by die raad geregistreer is: Met dien verstande dat die vereiste kragtens paragraaf (a) nie van toepassing is ten opsigte van die aankoop of aanskaffing van mielies van 'n produsent van mielies aan wie 'n permit kragtens 'n verbodsbepaling ingevolge paragraaf (b) van artikel 26 uitgereik is nie: Voorts met dien verstande dat die vereiste kragtens paragraaf (b) nie van toepassing is op 'n produsent van mielies wat mielies maal, breek, tot gruis maak of andersins verwerk uitsluitlik vir sy eie verbruik of die verbruik van sy huisgesin (insluitende werknemers wat hy vir boerderywerksaamhede in diens het) of die voer van sy vee nie.

(2) Niemand mag binne die Unie met bastermielies as 'n besigheid handel nie, tensy hy by die raad geregistreer is.

(3) Geen produsent van bastermielies of van moeder-saad vir S.A.-bastermielies, met inbegrip van 'n koöperatiewe vereniging of koöperatiewe maatskappy, mag sodanige mielies binne die Unie verkoop nie, tensy hy by die raad geregistreer is.

(4) Niemand word kragtens hierdie artikel geregistreer nie tensy hy voldoen het aan sodanige vereistes as wat by regulasie kragtens die Wet voorgeskryf mag word.

(5) Die raad kan weier om enige persoon wat ingevolge hierdie artikel om registrasie aansoek doen, te registreer of kan enige sodanige persoon registreer vir sodanige tydperk en op sodanige voorwaardes as wat die raad mag bepaal, en kan die registrasie van enige sodanige persoon intrek indien hy enige voorwaarde aldus bepaal of enige vereiste genoem in subartikel (4), oortree het of versuim het om daaraan te voldoen.

(6) Any person who makes application to be registered in terms of this section and who is dissatisfied with a decision of the board in connection with any matter relating to his registration, may appeal to the Minister against such decision.

SPECIAL POWERS OF THE BOARD RELATING TO KAFFIRCORN.

29. (1) The board shall have the power with the approval of the Minister, to prohibit any producer of kaffircorn from selling kaffircorn or any class or grade thereof, which the board may from time to time determine, except to or through the board or such persons as may be determined by the board.

(2) The board shall have the power with the approval of the Minister, to prohibit any producer of kaffircorn from selling any kaffircorn or kaffircorn products to any person who is not registered under section 31, except under authority of a permit issued by the board and subject to the conditions specified in such permit.

(3) Whenever the board has imposed any prohibition under sub-section (1), it shall conduct pools for the sale of such kaffircorn, excluding sample grade kaffircorn, in accordance with the provisions of section 30.

(4) Notwithstanding any prohibition imposed under sub-section (1), the board may with the approval of the Minister at any time by permit authorise a producer of kaffircorn to sell such kaffircorn or a class, grade or quantity thereof or for a purpose determined by the board, on such conditions and upon payment of such fees (which, however, shall not exceed the levies imposed in terms of sections 22 and 23), as the board may determine.

(5) The board shall have the power, with the approval of the Minister, to prohibit any person or any person belonging to any class or group of persons from purchasing, selling, using, manufacturing or processing any kaffircorn or kaffircorn products or any class, grade or quantity (determined by the board) of such kaffircorn or kaffircorn products for any purpose or in any manner determined by the board, or for any purpose or in any manner other than a purpose or manner so determined, except under the authority of a permit which may be issued by the board on such conditions and upon payment of such fees (which, however, shall not exceed the levies imposed in terms of sections 22 and 23), as the board may determine.

SPECIAL REGULATIONS RELATING TO THE POOLING OF PROCEEDS FROM KAFFIRCORN.

30. (1) The board shall conduct a separate pool in respect of each class of kaffircorn delivered to the board during such period as the board may, with the approval of the Minister, determine, and each quantity of kaffircorn delivered to the board or its agents for sale shall be assigned to the grade of each class to which such quantity of kaffircorn is found by the board to belong at the time of delivery for sale: Provided that the board may, whenever it deems it expedient and with the approval of the Minister, conduct a pool in respect of a group of classes of kaffircorn.

(2) The board may regrade any quantity of kaffircorn so delivered and assigned or may deal with it in such manner as it may deem fit, and may sell it subject to such conditions as the board may, with the approval of the Minister, determine, and according to grades which differ from the grades to which it was assigned by the board at the time of delivery for sale.

(3) As soon as may be after all the kaffircorn accepted by the board for the account of a pool has been sold, the board shall determine the net proceeds of that pool by deducting from the gross proceeds thereof the costs incidental to the sale of such kaffircorn, which shall include

(6) Iedereen wat aansoek doen om ingevolge hierdie artikel geregistreer te word en wat ontevrede is met 'n besluit van die raad in verband met enige aangeleentheid betreffende sy registrasie, kan teen sodanige besluit na die Minister appelleer.

SPESIALE BEVOEGDHEDE VAN DIE RAAD MET BETREKKING TOT KAFFERKORING.

29. (1) Die raad is bevoeg om met die Minister se goedkeuring enige produsent van kafferkoring te belet om kafferkoring of enige klas of graad daarvan wat die raad van tyd tot tyd mag bepaal, te verkoop uitgesonderd aan of deur bemiddeling van die raad of sodanige persone as wat deur die raad bepaal mag word.

(2) Die raad is bevoeg om met die Minister se goedkeuring enige produsent van kafferkoring te belet om enige kafferkoring of kafferkoringprodukte te verkoop aan enige persoon wat nie kragtens artikel 31 geregistreer is nie, uitgesonderd kragtens 'n permit deur die raad uitgereik en onderworpe aan die voorwaardes in sodanige permit uiteengesit.

(3) Wanneer die raad ingevolge subartikel (1) 'n verbod opgelê het, moet hy poele ooreenkomstig die bepalings van artikel 30 vir die verkoop van sodanige kafferkoring, uitgesonderd monstergraadkafferkoring, bestuur.

(4) Ondanks enige verbod kragtens subartikel (1) opgelê, kan die raad met die Minister se goedkeuring, op enige tyd 'n produsent van kafferkoring by wyse van 'n permit magtig om sodanige kafferkoring of 'n klas, graad of hoeveelheid daarvan of vir 'n doel wat die raad bepaal, te verkoop op sodanige voorwaardes en na betaling van sodanige gelde (wat egter nie meer mag wees nie as die heffings kragtens artikels 22 en 23 opgelê) as wat die raad mag bepaal.

(5) Die raad is bevoeg om met die Minister se goedkeuring enige persoon of enige persoon wat tot 'n klas of groep persone behoort, te verbied om kafferkoring of kafferkoringprodukte of 'n klas, graad of hoeveelheid (deur die raad bepaal) van sodanige kafferkoring of kafferkoringprodukte, te koop, verkoop, gebruik, vervaardig of verwerk vir 'n doel of op 'n wyse deur die raad bepaal, of vir 'n ander doel of op 'n ander wyse as 'n aldus bepaalde doel of wyse, behalwe op gesag van 'n permit wat die raad mag uitreik onderworpe aan sodanige voorwaardes en teen betaling van sodanige gelde (wat egter nie meer as die heffings opgelê kragtens artikels 22 en 23, mag wees nie) as wat die raad mag bepaal.

SPESIALE REGULASIES BETREFFENDE DIE VERPOELING VAN OPBRENGS VAN KAFFERKORING.

30. (1) Die raad moet 'n afsonderlike poel bestuur ten opsigte van elke klas kafferkoring aan die raad gelewer gedurende sodanige tydperk as wat die raad, met die goedkeuring van die Minister, mag bepaal, en elke hoeveelheid kafferkoring aan die raad of sy agente vir verkoop gelewer, moet toegewys word aan die graad van elke klas waartoe sodanige hoeveelheid kafferkoring na bevinding van die raad behoort ten tye van lewering vir verkoop: Met dien verstande dat die raad, wanneer hy dit goedvind en met die goedkeuring van die Minister, 'n poel kan bestuur ten opsigte van 'n groep klasse kafferkoring.

(2) Die raad kan enige hoeveelheid kafferkoring wat aldus gelewer en toegewys is, hergradeer of daarmee handel soos hy goedvind en kan dit verkoop volgens sodanige voorwaardes as wat die raad met die goedkeuring van die Minister mag bepaal en volgens grade wat verskil van die grade waartoe dit toegewys is deur die raad ten tye van die lewering daarvan vir verkoop.

(3) So gou doenlik nadat al die kafferkoring wat die raad vir die rekening van 'n poel aangeneem het, verkoop is, moet die raad die netto opbrengs van daardie poel bepaal deur van die bruto opbrengs daarvan af te trek die koste verbonde aan die verkoop van sodanige kafferkoring, waarby ingesluit word alle uitgawes en koste regstreeks in verband met die ontvangs, hantering,

all expenses and costs directly incurred in connection with the receipt, handling, financing and sale of such kaffircorn and the costs of the conduct of the pool as determined by the board from time to time.

(4) The net proceeds of each pool, as determined in terms of sub-section (3) shall be distributed among the various grades to which the kaffircorn at the time of delivery for sale had been assigned by the board in accordance with a scale of prices to be fixed by the board with the approval of the Minister in respect of such grades, and in proportion to the respective quantities of kaffircorn assigned to such grades.

(5) Subject to the provisions of paragraph (a) of sub-section (2) of section 22, section 23 and sub-section (6) of this section, the board shall distribute the net proceeds of each grade of kaffircorn in each pool, as determined in terms of sub-section (4) to producers who contributed to that grade in that pool in proportion to the respective quantities of kaffircorn delivered by each producer and accepted by the board for the account of that grade in that pool.

(6) The amount payable to a producer in terms of sub-section (5), shall be reduced by the amount of any advances paid under sub-section (7) to that producer.

(7) The board may with the approval of the Minister, from time to time and at any time before the net proceeds of the sale of kaffircorn delivered to the board during the period referred to in sub-section (1) and accepted by the board for the account of a pool, have been distributed as provided in this section, make advances to producers who have so delivered such kaffircorn, in proportion to the respective quantities of such kaffircorn of each grade so delivered by them.

(8) Notwithstanding anything to the contrary contained in this section, the board may, when it has sold kaffircorn for the account of a pool referred to in sub-section (1)—

- (a) reduce the amount to be distributed from such a pool by an amount determined by the board with the approval of the Ministers; and
- (b) increase the amount to be distributed from any other pool referred to in that sub-section by an amount determined in the same manner.

(9) For the purposes of this section—

“delivered” means delivered at the business premises or stores of the board or the persons determined by the board;

“grade” means the grade of kaffircorn as determined in the manner prescribed by regulation under section forty-three of the Act.

REGISTRATION OF CERTAIN PERSONS DEALING IN THE COURSE OF TRADE WITH KAFFIRCORN AND OF PRODUCERS OF KAFFIRCORN PRODUCTS.

31. (1) No person dealing in the course of trade with kaffircorn may either on his own behalf or on behalf of any other person in any area in the Union defined by the board with the approval of the Minister and notified by the Minister in the *Government Gazette*, purchase kaffircorn from a producer of kaffircorn, unless he has been registered with the Board: Provided that this requirement shall not apply in respect of a purchase or acquisition of kaffircorn from a producer of kaffircorn to whom a permit has been issued by virtue of a prohibition in terms of sub-section (2) of section 29.

(2) No producer of any kaffircorn product shall within the Union, except for consumption by himself or members of his household or for the feeding of his livestock, manufacture or process any kaffircorn 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: Provided that this requirement shall not apply to a producer of kaffircorn

opberging, finansiering en verkoop van sodanige kafferkoring aangegaan en die koste van bestuur van die pool soos deur die raad met die goedkeuring van die Minister van tyd tot tyd bepaal.

(4) Die netto opbrengs van elke pool, soos bepaal ooreenkomstig subartikel (3), moet tussen die verskillende grade waartoe die kafferkoring ten tye van die aflewering vir verkoop deur die raad toegewys is, verdeel word ooreenkomstig 'n skaal van pryse wat die raad met die goedkeuring van die Minister ten opsigte van sodanige grade moet bepaal en in verhouding tot die onderskeie hoeveelhede kafferkoring wat aan sodanige grade toegewys is.

(5) Behoudens die bepalings van paragraaf (a) van subartikel (2) van artikel 22, artikel 23 en subartikel (6) van hierdie artikel, moet die raad die netto opbrengs van elke graad kafferkoring in elke pool, soos bepaal ooreenkomstig subartikel (4), verdeel onder produsente wat tot daardie graad in daardie pool bygedra het, in verhouding tot die onderskeie hoeveelhede kafferkoring wat elke produsent gelewer het en wat die raad vir rekening van daardie graad in daardie pool aangeneem het.

(6) Die bedrag wat aan 'n produsent ingevolge subartikel (5) betaalbaar is, moet verminder word met die bedrag van enige voorskotte kragtens subartikel (7) aan daardie produsent betaal.

(7) Die raad kan, met die goedkeuring van die Minister, van tyd tot tyd en op enige tyd voordat die netto opbrengs uit die verkoop van kafferkoring aan die raad gelewer gedurende die tydperk genoem in subartikel (1) en deur die raad vir die rekening van 'n pool aangeneem, verdeel is soos in hierdie artikel bepaal, aan produsente wat sodanige kafferkoring aldus gelewer het, voorskotte betaal in verhouding tot die onderskeie hoeveelhede van sodanige kafferkoring van elke graad aldus deur hulle gelewer.

(8) Ondanks andersluidende bepalings in hierdie artikel, kan die raad wanneer hy kafferkoring verkoop het vir die rekening van 'n pool in subartikel (1) genoem—

- (a) die bedrag wat uit sodanige pool verdeel moet word, verminder met 'n bedrag wat hy met die Minister se goedkeuring bepaal; en
- (b) die bedrag wat uit enige ander pool genoem in daardie subartikel, verdeel moet word, vermeerder met 'n bedrag wat op dieselfde wyse bepaal is.

(9) Vir die toepassing van hierdie artikel beteken—

„gelewer”, gelewer by die besigheidspersone of pakhuise van die raad of die persone deur die raad bepaal;

„graad”, die graad kafferkoring wat bepaal is op die wyse wat by regulasie kragtens artikel drie-en-veertig van die Wet voorgeskryf is.

REGISTRASIE VAN SEKERE PERSONE WAT MET KAFFERKORING AS 'N BESIGHEID HANDEL EN PRODUSENTE VAN KAFFERKORINGPRODUKTE.

31. (1) Niemand wat met kafferkoring as 'n besigheid handel, mag of vir sy eie rekening of ten behoeve van iemand anders in enige gebied in die Unie deur die raad met die Minister se goedkeuring omskryf en deur die Minister in die *Staatskoerant* bekendgemaak, kafferkoring van 'n produsent van kafferkoring koop nie tensy hy by die raad geregistreer is: Met dien verstande dat hierdie vereiste nie van toepassing is ten opsigte van die aankoop of aanskaffing van kafferkoring van 'n produsent van kafferkoring aan wie 'n permit kragtens 'n verbodsbepaling ingevoeg subartikel (2) van artikel 29 uitgereik is nie.

(2) Geen produsent van enige kafferkoringprodukt mag binne die Unie, behalwe vir sy eie gebruik of vir verbruik deur lede van sy huisgesin of om sy lewende hawe te voer, enige kafferkoringprodukt vervaardig of verwerk of in 'n ander produk of handelsartikel omsit om dit aldus laat vervaardig, verwerk of omsit nie, tensy hy by die raad geregistreer is: Met dien verstande dat hierdie vereiste nie van toepassing is op 'n produsent van kafferkoring of

or mealies who, on behalf of any person employed by him in farming operations, grinds, crushes, grists or otherwise processes kaffir-corn or manufactures, processes or converts kaffir-corn products into any other product or commodity if any quantity of kaffir-corn malt thereby obtained does not exceed 90 lb. per employee per calendar month.

(3) No person shall be registered under this section unless he has complied with such requirements as may be prescribed by regulation under the Act, and the board may grant any registration in terms of this section for such period and on such conditions as it may determine and may cancel any such registration if the person registered has contravened or failed to comply with the said requirements or any condition so determined.

(4) Any person who makes application to be registered in terms of this section and who is dissatisfied with a decision of the board in connection with any matter relating to his registration, may appeal to the Minister against such decision.

DIFFERENTIATION BETWEEN AREAS AND CLASSES OF MEALIES, MEALIE PRODUCTS, KAFFIRCORN AND KAFFIRCORN PRODUCTS.

32. Any requirement or prohibition imposed or decision taken by the board which relates to any part of the Union or to any class of product to which this scheme refers, may differ from any such requirement or prohibition or decision which relates to any other part of the Union or any other class of such product, or may apply only to specified parts of the Union or relate only to specified classes of such product.

POWERS OF INSPECTION.

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

- (a) to enter any place occupied by any person who is, or is suspected to be a producer of or person dealing in the course of trade with any product to which this scheme relates, or any place or vehicle in or upon which there is kept, or is suspected to be kept, any quantity of such product by any person for any purpose other than consumption by the owner of such product or by members of his household;
- (b) to inspect any such product and to examine all books and documents at any such place or in or upon any such vehicle which are believed, upon reasonable grounds, to relate to such product and to make copies of or take extracts from such books and documents;
- (c) to demand from the owner or custodian of such product any information concerning such product;
- (d) to demand from the owner or custodian of any such book or document an explanation of any entry therein;
- (e) to seize any books, documents or articles which may afford evidence of the commission of an offence under the Act or this scheme or any regulation made under the Act, or any quantity of such product in respect of which any such offence is suspected to have been committed, and to remove from the place or vehicle in question or to leave at such place or on such vehicle any books, documents or articles or any quantity of such product which has been so seized, and if he deems fit, to place on any such book, document, article, product or on the container thereof, any identification mark which he may consider necessary;

mielies wat, ten behoeve van enigiemand wat hy vir boederywerkzaamhede in diens het, kafferkoring maal, breek, tot gruis maak of andersins verwerk of kafferkoringprodukte vervaardig, verwerk of in enige ander produk of artikel omskep nie indien enige hoeveelheid kafferkoringmout daardeur verkry, nie 90 lb. per werknemer per kalendermaand oorskry nie.

(3) Niemand word kragtens hierdie artikel geregistreer nie tensy hy voldoen het aan sodanige vereistes as wat by regulasie kragtens die Wet voorgeskryf mag word en die raad kan enige registrasie kragtens hierdie artikel verleen vir sodanige tydperk en op sodanige voorwaardes as wat die raad mag bepaal en kan enige sodanige registrasie intrek indien die geregistreerde persoon genoemde vereistes of 'n voorwaarde aldus bepaal, oortree het of versuim het om daaraan te voldoen.

(4) Iedereen wat aansoek doen om ingevolge hierdie artikel geregistreer te word en wat ontevrede is met 'n besluit van die raad in verband met enige aangeleentheid betreffende sy registrasie kan teen sodanige besluit na die Minister appelleer.

ONDSKEIDING TUSSEN GEBIEDE EN KLASSE VAN MIELIES, MIELIEPRODUKTE, KAFFERKORING OF KAFFERKORINGPRODUKTE.

32. Enige voorskrif van of 'n verbod opgelê of 'n besluit geneem deur die raad met betrekking tot enige deel van die Unie of enige klas produk waarop hierdie skema betrekking het, kan verskil van enige sodanige voorskrif of verbod of besluit met betrekking tot enige ander deel van die Unie of enige ander klas van sodanige produk of kan slegs op bepaalde dele van die Unie van toepassing wees of slegs betrekking hê op bepaalde klasse van sodanige produk.

INSPEKSIEBEVOEGDHEDE.

33. Die raad het die bevoegdheid om vir die toepassing van die bepalinge van hierdie skema aan enige persoon in die algemeen of in enige besondere geval, die bevoegdheid te verleen om op alle redelike tye—

- (a) 'n plek te betree wat geokkupeer word deur enige persoon wat 'n produsent is of vermoed word 'n produsent te wees van, of 'n persoon wat as 'n besigheid handel of vermoed word as 'n besigheid te handel met enige produk waarop hierdie skema betrekking het, of 'n plek of voertuig waarin of waarop daar 'n hoeveelheid van sodanige produk deur enige persoon gehou word of na vermoede gehou word vir enige ander doel as vir verbruik deur die eienaar van sodanige produk of deur lede van sy huisgesin;
- (b) enige sodanige produk te inspekteer en alle boeke en stukke op sodanige plek of in of op sodanige voertuig na te gaan, wat op redelike grond vermoed word op sodanige produk betrekking te hê, en afskrifte van of uittreksels uit sodanige boeke of stukke te maak;
- (c) van die eienaar van sodanige produk of die persoon wat dit in sy bewaring het, inligting aangaande sodanige produk te eis;
- (d) van die eienaar van enige sodanige boek of stuk of die persoon wat dit in sy bewaring het, 'n verklaring van enige aantekening daarin te eis;
- (e) beslag lê op enige boeke, stukke of artikels wat bewys kan lewer van 'n misdryf ingevolge die Wet of hierdie skema of enige regulasie kragtens die Wet uitgevaardig, of op enige hoeveelheid van sodanige produk ten opsigte waarvan enige sodanige misdryf vermoedelik begaan is, en enige boeke, stukke of artikels of enige hoeveelheid van sodanige produk waarop aldus beslag gelê is, van die betrokke plek of voertuig te verwyder of dit op die betrokke plek of voertuig te laat en om, indien hy dit goed ag, op sodanige boek, stuk, artikel of produk, of die houer daarvan, enige edentifikasiemerk wat hy nodig mag ag, aan te bring;

- (f) to take samples of any such product, including any quantity of such 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.

OFFENCES AND PENALTIES.

34. Any person who—

(a) contravenes or fails to comply with—

- (i) any provision of this scheme or any prohibition, requirement, direction, decision or determination imposed, prescribed, given or made thereunder or any prohibition, requirement, direction, decision or determination in force in consequence of the provisions of sub-section (1) of section 35; or
 - (ii) any condition prescribed in connection with any such provision, prohibition, requirement, direction, decision or determination; or
 - (iii) any condition subject to which he has in pursuance of any such provision, prohibition, requirement, direction or determination been authorised to do any act; or
- (b) fails to keep, issue or render any record, invoice, account, statement or return which he is required to keep, issue or render in terms of this scheme or a requirement prescribed under this scheme or in force in consequence of the provisions of sub-section (1) of section 35 or in terms of a condition referred to in sub-paragraph (ii) or (iii) of paragraph (a); or
- (c) fails to retain any record for the period for which he is required to retain it in terms of a requirement prescribed under this scheme or in force in consequence of the provisions of sub-section (1) of section 35; or
- (d) in any record, invoice, account, statement or return referred to in paragraph (b) furnishes any information which is incorrect or calculated to mislead;

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

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

35. (1) All notices, prohibitions, requirements, decisions or determinations issued, imposed, taken or made under the Mealie and Kaffircorn Control Scheme published under Proclamation No. 64 of 1957, as amended, or operative in consequence of the provisions of section 35 (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.

(2) All authorizations, registrations, appointments, contracts or appeals issued, made, concluded or noted under the Mealie and Kaffircorn Control Scheme published under Proclamation No. 64 of 1957, 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 mealie and Kaffircorn Control Scheme published under Proclamation No. 64 of 1957, as amended, shall vest in the Board administering this scheme.

(4) Any moneys in any fund established in terms of the Mealie and Kaffircorn Control Scheme published under Proclamation No. 64 of 1957, as amended, shall be transferred to the corresponding fund established in terms of this scheme.

- (f) van enige sodanige produk, met inbegrip van enige hoeveelheid van sodanige produk waarop ingevolge paragraaf (e) beslag gelê is, monsters te neem en sodanige monsters te ondersoek, te ontleed of te gradeer of te laat ondersoek, ontleed of gradeer.

MISDRYWE EN STRAFBEPALINGS.

34. Iedereen wat—

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

- (i) enige bepaling van hierdie skema of enige verbod, vereiste, voorskrif, besluit of vasstelling ingevolge daarvan opgelê, voorgeskryf, uitgereik of gemaak of enige verbod, vereiste, voorskrif, besluit of vasstelling van krag as gevolg van die bepalings van subartikel (1) van artikel 35; of
 - (ii) enige voorwaarde voorgeskryf in verband met sodanige bepaling, verbod, vereiste, voorskrif, besluit of vasstelling; of
 - (iii) enige voorwaarde onderworpe waaraan hy ooreenkomstig sodanige bepalings, verbod, vereiste, voorskrif of vasstelling gemagtig is om enige daad te verrig; of
- (b) versuim om enige rekord, faktuur, rekening, staat of opgawe te hou, uit te reik of te verstrek wat hy ingevolge hierdie skema of 'n vereiste voorgeskryf kragtens hierdie skema of van krag as gevolg van die bepalings van subartikel (1) van artikel 35 of ingevolge 'n voorwaarde genoem in subparagraaf (ii) of (iii) van paragraaf (a) moet hou, uitreik of verstrek; of
- (c) versuim om enige rekord te bewaar vir die tydperk wat hy dit ingevolge 'n vereiste kragtens hierdie skema voorgeskryf of van krag as gevolg van die bepalings van subartikel (1) van artikel 35, moet bewaar; of
- (d) in enige rekord, faktuur, rekening, staat of opgawe genoem in paragraaf (b) enige inligting verstrek wat onjuis is of daarop bereken is om te mislei;

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

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

35. (1) Alle kennisgewings, verbodsbepalings, voorskrifte, besluite, vasstellings of bepalings wat uitgevaardig, opgelê, geneem of gedoen is kragtens die Mielie- en Kafferkoringreëlinskema bekendgemaak by Proklamasie No. 64 van 1957, soos gewysig, of wat van krag was as gevolg van die bepalings van artikel 35 (1) van genoemde skema en wat nie ingevolge genoemde bepalings ingetrek is nie, bly van krag totdat die Raad hulle ingevolge hierdie skema wysig of intrek.

(2) Alle magtigings, registrasies, aanstellings, kontrakte of appêlle uitgereik, gemaak, gesluit of aangeteken kragtens die Mielie- en Kafferkoringreëlinskema bekendgemaak by Proklamasie No. 64 van 1957, 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 Mielie- en Kafferkoringreëlinskema bekendgemaak by Proklamasie No. 64 van 1957, soos gewysig, uitvoer, gaan oor op die raad wat hierdie skema uitvoer.

(4) Enige gelde in enige fonds ingestel kragtens die Mielie- en Kafferkoringreëlinskema bekendgemaak by Proklamasie No. 64 van 1957, soos gewysig, word oorgedra na die onderskeie fondse kragtens hierdie skema ingestel.

(5) The members appointed to the Mealie Industry Control Board in terms of Proclamation No. 64 of 1957, 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 Mealie Industry Control Board in terms of this scheme and shall, notwithstanding the provisions 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. 64 of 1957, as amended.

(6) The person elected as Chairman of the Mealie Industry Control Board in terms of Proclamation No. 64 of 1957, 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 Mealie 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 appointed in terms of Proclamation No. 64 of 1957, as amended.

(7) Any committee appointed by the Board in terms of Proclamation No. 64 of 1957, as amended, shall be deemed to have been appointed in terms of section 19 of this scheme.

LIQUIDATION OF SCHEME.

36. 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 utilised by the Minister in his discretion for the advancement of the mealie and/or kaffircorn industry;
- (b) any deficit which may exist after all the assets of the board have been realised shall be borne by the producers to whom this scheme applies, *pro rata* to the benefit derived in respect of mealies or kaffircorn sold by such producers or on their behalf during the period of two years immediately preceding the date on which this scheme is discontinued or during the period this scheme was in operation, whichever is the shorter period.

GOVERNMENT NOTICES.

DÉPARTMENT OF CUSTOMS AND EXCISE.

No. R. 603.] [21 April 1961.

CUSTOMS ACT, 1955.—AMENDMENT OF THE SECOND SCHEDULE (No. 2/82).

I, THEOPHILUS EBENHAEZER DÖNGES, Minister of Finance, acting in terms of the powers vested in me by section ninety-eight of the Customs Act, 1955, hereby amend the Second Schedule to the said Act to the extent set out in the Schedule hereto.

T. E. DÖNGES,
Minister of Finance.

(5) Die lede wat kragtens Proklamasie No. 64 van 1957, soos gewysig, in die Raad van Beheer oor die Mieliennywerheid 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 Mieliennywerheid 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 bepalings van genoemde artikel, van die datum van die inwerkingtreding van hierdie skema vir die onverstreke gedeeltes van die onderskeie tydperke waarvoor hulle kragtens genoemde Proklamasie No. 64 van 1957, soos gewysig, aangestel is.

(6) Die persone wat kragtens Proklamasie No. 64 van 1957, soos gewysig, tot Voorsitter van die Raad van Beheer oor die Mieliennywerheid 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 Mieliennywerheid verkies te gewees het en bly daardie amp beklee met ingang van die datum van die inwerkingtreding van hierdie skema en onderworpe aan die bepalings van artikel 15, vir die onverstreke gedeelte van die tydperk waarvoor hy kragtens Proklamasie No. 64 van 1957, soos gewysig, verkies is.

(7) 'n Komitee wat kragtens Proklamasie No. 64 van 1957, soos gewysig, deur die Raad aangestel is, word geag kragtens artikel 19 van hierdie skema aangestel te gewees het.

OPHEFFING VAN SKEMA.

36. In geval hierdie skema opgehef word—

- (a) word alle bates van die raad, nadat al sy skulde betaal is, aan die Minister oorhandig en die bates aldus oorhandig, word deur die Minister na goeddunke vir die bevordering van die mielie- en/of kafferkringbedryf aangewend;
- (b) word enige tekort wat mag bestaan nadat al die bates van die raad tot geld gemaak is, gedra deur alle produsente op wie hierdie skema van toepassing is, *pro rata* volgens die voordeel verkry ten opsigte van mielies of kafferkring deur of ten behoeve van sodanige produsente verkoop gedurende die tydperk van twee jaar onmiddellik voor die datum waarop hierdie skema opgehef word, of gedurende die tydperk wat hierdie skema in werking was, naamlik die korste tydperk.

GOEWERMENSKENNISGEWINGS.

DEPARTEMENT VAN DOEANE EN AKSYNS.

No. R. 603.] [21 April 1961.

DOEANEWET, 1955.—WYSIGING VAN DIE TWEDE BYLAE (No. 2/82).

Ek, THEOPHILUS EBENHAEZER DÖNGES, Minister van Finansies, handelende kragtens die bevoegdheid my verleen by artikel agt-en-negentig van die Doeane wet, 1955, wysig hierby die Tweede Bylae van genoemde Wet in die mate in die Bylae hiervan aangetoon.

T. E. DÖNGES,
Minister van Finansies.

SCHEDULE.

Item.	Article.	Duty rebated as under.
491	By the insertion in paragraph (4) before the word "Elastic" of the letter (a) and by the addition of the following subparagraph:— “(b) Woven fabric in the piece, containing 50 per cent or more by weight of cotton; fabrics combined with foam rubber interlinings or foam plastic interlinings in the piece; knitted fabrics combined with rubber interlinings in the piece.....	The whole duty.”

NOTE.—The effect of this notice is to provide for a rebate of the whole duty on the goods mentioned when imported or taken out of bond by registered manufacturers for use in the manufacture of brassieres, corselettes, corsets, girdles, roll-ons, suspender belts and other foundation garments.

BYLAE.

Item.	Artikel.	Korting op reg toegestaan soos hieronder aangedui.
491	Deur in paragraaf (4) voor die woord „Elastiek-“ die letter (a) in te voeg en die volgende subparagraaf by te voeg:— „(b) Geweefde stukgoedere bevattende 50 persent of meer katoen volgens gewig; stukgoedere saamgestel met skuimrubber- of skuimplastiektussenvoerings; gebreide stukgoedere saamgestel met rubbertussenvoerings.....	Die hele reg.”

OPMERKING.—Die uitwerking van hierdie kennisgewing is dat voorsiening vir 'n korting van die hele reg op gemelde goedere gemaak word wanneer ingevoer of uit entrepot geneem deur geregistreerde vervaardigers vir gebruik by die vervaardiging van buusteliefies, korselette, borsrokke, gordels, rolgordels, gordelkousophouers en ander figuuronderklere.

No. R. 604.]

[21 April 1961.]

CUSTOMS ACT, 1955.—AMENDMENT OF THIRD SCHEDULE (No. 3/47).

I, THEOPHILUS EBENHAEZER DÖNGES, Minister of Finance, acting in terms of the powers vested in me by section one hundred of the Customs Act, 1955, hereby amend the Third Schedule to the said Act to the extent set out in the Schedule hereto.

T. E. DÖNGES,
Minister of Finance.

No. R. 604.]

[21 April 1961.]

DOEANEWET, 1955.—WYSIGING VAN DERDE BYLAE (No. 3/47).

Ek, THEOPHILUS EBENHAEZER DÖNGES, Minister van Finansies, handelende kragtens die bevoegdheid my verleen by artikel honderd van die Doeanewet, 1955, wysig hierby die Derde Bylae van genoemde Wet in die mate in die Bylae hiervan aangetoon.

T. E. DÖNGES,
Minister van Finansies.

SCHEDULE.

Item.	Article.	Rebate.	Refund.
966	By the addition after sub-paragraph (36) of paragraph (a) of the following sub-paragraph:— “(37) elastic webbing, less than four inches in width, and slide fasteners, used in the manufacture of foundation garments;	—	The whole duty.”

NOTE.—The effect of this notice is to provide for a refund of the whole duty on the goods mentioned when used in the manufacture of foundation garments, on export of the manufactured products to territories other than Basutoland and the Protectorates of Bechuana-land and Swaziland.

BYLAE.

Item.	Artikel.	Korting.	Terugbetaling.
966	Deur na subparagraaf (36) van paragraaf (a) die volgende subparagraaf by te voeg:— „(37) elastiekband met 'n wydte van minder as vier duim, en ritssluiters, gebruik by die vervaardiging van figuuronderklere;	—	Die hele reg.”

OPMERKING.—Die uitwerking van hierdie kennisgewing is dat voorsiening vir 'n terugbetaling van die hele reg gemaak word op gemelde goedere wanneer gebruik vir die vervaardiging van figuuronderklere, by uitvoer van die vervaardigde produkte na ander gebiede as Basoetoland en die protektorate Betsjoeanaland en Swaziland.

CONTENTS.

No.	PAGE
PROCLAMATION.	
R. 113. Consolidation and Amendment of the Provisions of the Scheme for Regulating the Marketing of Mealies, Mealie Products, Kaffircorn and Kaffircorn Products in Terms of the Marketing Act, 1937, as amended, and for Matters Incidental Thereto	1
Department of Customs and Excise.	
GOVERNMENT NOTICES.	
R. 603. Customs Act, 1955: Amendment of the Second Schedule (No. 2/82)	17
R. 604. Customs Act, 1955: Amendment of the Third Schedule (No. 3/47)	18

INHOUD.

No.	BLADSY
PROKLAMASIE.	
R. 113. Samevatting en Wysiging van die Bepalings van die Skema vir die Reëlins van die Bemarking van Mielies, Mielieprodukte, Kafferoring en Kafferoringprodukte kragtens die Bemarkingswet, 1937, soos gewysig, en vir Aangeleenthede wat Daarmee in Verband Staen	1
Departement van Doane en Aksyns.	
GOEWERMENSKENNISGEWINGS.	
R. 603. Doeanewet, 1955: Wysiging van die Tweede Bylae (No. 2/82)	17
R. 604. Doeanewet, 1955: Wysiging van die Derde Bylae (No. 3/47)	18

Publications

issued by the GOVERNMENT PRINTER deal with various subjects of great interest to Businessmen, Industrialists, Farmers, Attorneys, Teachers and the Public in General

These publications include the following:—

- ★ Official Year Book of the Union of South Africa
- ★ The Monuments of South Africa
- ★ Die Afrikaanse Woordeboek
- ★ Flowering Plants of Africa
- ★ Archives Year Book for South African History
- ★ Commerce and Industry (Monthly)

Also

- Geological Publications
- Acts and Regulations
- Maps
- Statistical Reports
- Wage Determinations
- Reports of Select Committees
- Departmental Reports (Annual)
- Commission Reports, etc.

Further particulars regarding these publications and prices are obtainable from the GOVERNMENT PRINTER, Pretoria or Cape Town

Publikasies

wat deur die STAATSDRUKKER uitgegee word, handel oor 'n verskeidenheid van onderwerpe wat vir Boere, Prokureurs, Onderwysers, Besigheidsmense, Nyweraars en die Algemene Publiek van groot belang is

Hierdie publikasies sluit die volgende in:—

- ★ Offisiële Jaarboek van die Unie van Suid-Afrika
- ★ Gedenkwaardighede van Suid-Afrika
- ★ Die Afrikaanse Woordeboek
- ★ Blomplante van Suid-Afrika
- ★ Argiefjaarboek van Suid-Afrikaanse Geskiedenis
- ★ Handel en Nywerheid (Maandeliks)

Asook

- Geologiese Publikasies
- Wette en Regulasies
- Landkaarte
- Statistiese Verslae
- Loonvasstellings
- Gekose Komitee Verslae
- Departementele Verslae (Jaarliks)
- Kommissie Verslae, ens.

Verdere besonderhede en pryse aangaande hierdie publikasies is verkrygbaar van die STAATSDRUKKER, Pretoria of Kaapstad

IMPORTERS EXPORTERS INDUSTRIALISTS

subscribe to



This Journal embodies *inter alia* a monthly economic review (with statistics) of business and industrial conditions in the Union, the latest Departmental information on market possibilities for Union products in countries at present covered by the Union's Overseas Trade Representatives, lists of trade enquiries, items of industrial activity in the Union, the latest information on price and commodity control, most reports (unabridged) of the Board of Trade and Industries, and articles of a general nature in connection with commerce and industry

"COMMERCE & INDUSTRY"

*The monthly Journal
of the Department of Commerce and Industries*

SUBSCRIPTION: In the Union of S.A., S.W.A., Bechuanaland Protectorate, Swaziland, Basutoland, Southern and Northern Rhodesia, Mozambique, Angola, Republic of the Congo, Nyasaland, Tanganyika, Kenya and Uganda—R0.05 per copy or R0.50 (R0.75 elsewhere) per annum, payable in advance to the Government Printer, Pretoria

PUBLISHED IN BOTH OFFICIAL LANGUAGES

INVOERDERS UITVOERDERS NYWERAARS

teken in op



Hierdie tydskrif bevat o.a. 'n maandelikse ekonomiese oorsig (met statistiek) van besigheids- en nywerheidstoestande in die Unie, die jongste departementele inligting oor afsetmoontlikhede vir Unie-produkte in lande waar die Unie oorsese handelsverteenwoordigers het, lyste van handelsnavrae, besonderhede in verband met nywerheidsbedrywighede in die Unie, die jongste aspekte van prys- en voorraadebeheer, die meeste verslae (volledig) van die Raad van Handel en Nywerheid, en artikels van 'n algemene aard oor die handel en nywerheid

"HANDEL EN NYWERHEID"

*Die maandblad
van die Departement van Handel en Nywerheid*

INTEKENGELD: In die Unie van S.A., Suidwes-Afrika, Betsjoeanaland-Protektoraat, Swasieland, Basoetoland, Suid- en Noord-Rhodesie, Mosambiek, Angola, Republiek Kongo, Njassaland, Tanganjika, Kenia en Oeganda teen R0.05 per eksemplaar, of teen R0.50 per jaar (R0.75 elders) vooruitbetaalbaar aan Die Staatsdrukker, Pretoria

VERSKYN IN ALBEI AMPTELIKE TALE