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[No. 68.]

No. R. 68, 1961.]

PROKLAMASIEVAN DIE STAATSPRESIDENT VAN DIE REPUBLIEK VAN
SUID-AFRIKA.

SAMEVATTING EN WYSIGING VAN DIE BEPALINGS VAN DIE SKEMA VIR DIE REËLING VAN DIE BEMARKING VAN DROËBONE 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 *seventien* gelees met artikel *drie-en-twintig* van die Bemarkingswet, 1937 (Wet No. 26 van 1937), soos gewysig, die skema wat in die Bylae hiervan verskyn, aangeeem het, en kragtens paragraaf (b) van subartikel (1) van artikel *een-en-twintig* 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 Droëboneskema afgekondig by Proklamasie No. 89 van 1955, soos gewysig deur Proklamasies nos. 208 van 1956 en 101 van 1958.

Gegee onder my Hand en Seël van die Republiek van Suid-Afrika te Pretoria op hierdie Negende dag van Augustus Eenduisend Negehoenderd Een-en-Sestig.

C. R. SWART,
Staatspresident.

Op Las van die Staatspresident-in-Rade.

D. C. H. UYS.

BYLAE.

SKEMA VIR DIE REËLING VAN DIE BEMARKING VAN DROËBONE 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 Droëboneskema en het betrekking op droëbone.

(2) Die bepalings van hierdie skema is van toepassing in die Republiek van Suid-Afrika op produsente van droëbone en persone wat met droëbone as 'n besigheid handel.

No. R. 68, 1961.]

PROCLAMATIONBY THE STATE PRESIDENT OF THE REPUBLIC OF SOUTH
AFRICA.

CONSOLIDATION AND AMENDMENT OF THE PROVISIONS OF THE SCHEME FOR THE REGULATION OF THE MARKETING OF DRIED BEANS 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 Dried Bean Scheme published by Proclamation No. 89 of 1955, as amended by Proclamations Nos. 208 of 1956 and 101 of 1958.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this Ninth day of August, One thousand Nine hundred and Sixty-one.

C. R. SWART,
State President.

By Order of the State President-in-Council.

D. C. H. UYS.

SCHEDULE.

SCHEME FOR THE REGULATION OF THE MARKETING OF DRIED BEANS 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 Dried Bean Scheme and shall relate to dried beans.

(2) The provisions of this scheme shall apply in the Republic of South Africa to producers of dried beans and persons who deal with dried beans in the course of trade.

WOORDOMSKRYWING.

2. In hierdie skema beteken die uitdrukking „die Wet” die Bemarkingswet, 1937 (Wet No. 26 van 1937), soos gewysig, en die regulasies ingevolge daarvan uitgevaardig, en ’n uitdrukking waaraan ’n betekenis in die Wet geheg is, het, wanneer dit in hierdie skema gebesig word, dieselfde betekenis; voorts, tensy dit in stryd met die samehang is, beteken die uitdrukking—

„raad”, die Droëbonebeheerraad soos saamgestel ingevolge artikel 3;

„droëbone”, die gedorste ryp saad van—

(a) groot wit nierbone van *Phaseolus multiflorus*;

(b) alle variëteite van *Phaseolus vulgaris*; en

(c) Teparybone van *Phaseolus acutifolius*;

„produsent”, die persoon deur of ten behoeve van wie droëbone geproduseer word, en omvat ook met betrekking tot enige hoeveelheid droëbone—

(i) wat verkry is van ’n persoon as vergoeding vir die reg om grond waarop daardie persoon ’n hoeveelheid droëbone geproduseer het, te gebruik, die persoon wat daardie hoeveelheid aldus verkry het;

(ii) wat verkry is van ’n persoon as beloning vir dienste aan ’n produsent van droëbone gelewer, die persoon wat daardie hoeveelheid aldus verkry het;

(iii) verkry deur die dors van ’n ongedorste hoeveelheid droëbone wat van iemand verkry is, die persoon deur wie of, as daardie persoon nie die eienaar daarvan is nie, die persoon ten behoeve van wie daardie hoeveelheid aldus gedors is; en

(iv) wat in die Republiek van Suid-Afrika ingevoer word, die invoerder daarvan.

ADMINISTRASIE VAN SKEMA EN SAMESTELLING VAN RAAD.

3. (1) Hierdie skema word geadminestreer deur ’n raad bekend as die Droëbonebeheerraad wat bestaan uit sewe lede, deur die Staatspresident aangestel, van wie—

(a) vier verteenwoordigers is van droëboneprodusente en genomineer word ooreenkomstig die bepalings van artikel 4;

(b) twee verteenwoordigers is van persone wat met droëbone as ’n besigheid handel, en genomineer word deur organisasies wat, na die mening van die Minister, verteenwoordigend van sodanige persone is;

(c) een ’n amptenaar van die Departement van Landbou-ekonomie en -bemarking is wat deur die Minister genomineer word.

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

NOMINASIE VAN VERTEENWOORDIGERS VAN DROËBONE-PRODUSENTE.

4. Van die vier lede van die raad in paragraaf (a) van subartikel (1) van artikel 3 genoem, word—

(a) een genomineer deur koöperatiewe verenigings of koöperatiewe maatskappye wat, na die mening van die Minister, verteenwoordigend is van droëboneprodusente in die oostelike gedeelte van Transvaal;

(b) een genomineer deur koöperatiewe verenigings of koöperatiewe maatskappye wat, na die mening van die Minister, verteenwoordigend is van droëboneprodusente in die westelike gedeelte van Transvaal;

(c) een genomineer deur organisasies wat, na die mening van die Minister, verteenwoordigend is van droëboneprodusente in Transvaal wat nie lede van koöperatiewe verenigings of koöperatiewe maatskappye is nie; en

(d) een genomineer deur organisasies wat, na die mening van die Minister, verteenwoordigend is van droëboneprodusente in die Kaapprovinsie, Natal en die Oranje-Vrystaat.

DEFINITIONS.

2. In this scheme the expression “the Act” means the Marketing Act, 1937 (Act No. 26 of 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, the expression—

“board” means the Dried Bean Control Board as constituted in terms of section 3;

“dried beans” means the threshed ripe seed of—

(a) large white kidney beans of *Phaseolus multiflorus*;

(b) all varieties of *Phaseolus vulgaris*; and

(c) Tepary beans of *Phaseolus acutifolius*;

“producer” means the person by whom or on whose behalf dried beans are produced and also includes in relation to any quantity of dried beans—

(i) acquired from any person as a consideration for the right to use land on which that person has produced a quantity of dried beans, the person who so acquired that quantity;

(ii) acquired from any person as a remuneration for services rendered to a producer of dried beans, the person who so acquired that quantity;

(iii) obtained by the threshing of any unthreshed quantity of dried beans acquired from any person, the person by whom, or, if such person is not the owner thereof, the person on whose behalf that quantity has been so threshed; and

(iv) which is imported into the Republic of South Africa, the importer thereof.

ADMINISTRATION OF SCHEME AND CONSTITUTION OF BOARD.

3. (1) This scheme shall be administered by a board known as the Dried Bean Control Board which shall consist of seven members, appointed by the State President, of whom—

(a) four shall be representatives of producers of dried beans and shall be nominated in accordance with the provision of section 4;

(b) two shall be representatives of persons dealing with dried beans in the course of trade and shall be nominated by organisations which, in the opinion of the Minister, are representatives of such persons;

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

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

NOMINATION OF REPRESENTATIVES OF PRODUCERS OF DRIED BEANS.

4. Of the four members of the board referred to in paragraph (a) of sub-section (1) of section 3—

(a) one shall be nominated by co-operative societies or co-operative companies which, in the opinion of the Minister, are representative of producers of dried beans in the eastern portion of the Transvaal;

(b) one shall be nominated by co-operative societies or co-operative companies which, in the opinion of the Minister, are representative of producers of dried beans in the western portion of the Transvaal;

(c) one shall be nominated by organisations which, in the opinion of the Minister, are representative of producers of dried beans in the Transvaal who are not members of co-operative societies or co-operative companies; and

(d) one shall be nominated by organisations which, in the opinion of the Minister, are representative of producers of dried beans in the Cape Province, Natal and the Orange Free State.

KENNISGEWING OM LEDE TE NOMINEER.

5. Wanneer 'n nominasie ingevolge paragraaf (a) of (b) van subartikel (1) van artikel 3 nodig word, moet die Minister die betrokke verenigings, maatskappye of organisasies by skriftelike kennisgewing aansê of laat aansê om binne 'n tydperk in sodanige kennisgewing vasgestel, sodanige persoon of persone te nomineer as wat hulle ingevolge die betrokke artikel geregtig is om vir aanstelling in die raad te nomineer.

MINISTER KAN NOMINEER AS GEEN GESKIKTE PERSOON GENOMINEER WORD NIE.

6. (1) Indien enige persoon wat soos voormeld genomineer is, na die mening van die Minister nie geskik is om as lid van die raad aangestel te word nie, of onbevoeg is om lid van die raad te wees, kan die Minister daardie nominasie terugverwys na die betrokke verenigings, maatskappye of organisasies en daardie verenigings, maatskappye of organisasies aansê om iemand anders vir aanstelling in die raad te nomineer, en indien daardie verenigings, maatskappye of organisasies weer 'n persoon nomineer wat na die mening van die Minister ongeskik of onbevoeg is, soos voormeld, of wanneer die verenigings, maatskappye of organisasies ook al in gebreke bly om iemand te nomineer, kan die Minister self, behoudens die bepalings van hierdie skema, iemand nomineer wat hy geskik ag om lid van die raad te wees om die betrokke belange te verteenwoordig.

(2) Indien 'n vereniging, maatskappy of organisasie soos dié vermeld in paragraaf (b) van subartikel (1) van artikel 3, of in artikel 4, 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.

7. (1) Behoudens die bepalings van subartikel (5) van artikel 22, word die lede van die raad vir 'n tydperk van twee jaar aangestel. Met dien verstande dat die lid genoem in paragraaf (c) van subartikel (1) van artikel 3, sy amp beklee solank dit die Staatspresident behaag.

(2) By verstryking van die tydperk waarvoor lede aangestel is, bly hulle in hul amp aan totdat hul 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 'n 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 uittredende lid aangestel is, verstryk het.

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

(6) Wanneer 'n raadslid 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.

8. (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 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) Wanneer die voorsitter om watter rede ook al nie sy pligte kan waarneem nie, moet die raad een van sy ander lede kies om as voorsitter op te tree vir sodanige tydperk as wat die raad mag bepaal.

NOTICE TO NOMINATE MEMBERS.

5. Whenever a nomination in terms of paragraph (a) or (b) of sub-section (1) of section 3, becomes necessary, the Minister shall call upon the societies, companies or organisations concerned, or cause them to be called upon, by notice in writing, to nominate within a period fixed by such notice such person or persons as they are entitled in terms of the relevant section, to nominate for appointment to the board.

THE MINISTER MAY NOMINATE IF NO SUITABLE PERSON IS NOMINATED.

6. (1) If any person nominated as aforesaid is, in the opinion of the Minister, not suitable for appointment as a member of the board, or not qualified to be a member of the board, the Minister may refer that nomination back to the societies, companies or organisations concerned and call upon those societies, companies or organisations to nominate some other person for appointment to the board, and if those societies, companies or organisations thereupon again nominate a person who is, in the opinion of the Minister, not suitable or not qualified, as aforesaid, or whenever the societies, companies or organisations fail to nominate any person, the Minister may himself, subject to the provisions of this scheme, nominate any person whom he considers fit to be a member of the board to represent the interests concerned.

(2) If a society, company or organisation such as is referred to in paragraph (b) of sub-section (1) of section 3 or in section 4, is not in existence, the Minister may himself nominate a person or persons for appointment to the board to represent the interest concerned.

TENURE OF OFFICE OF MEMBERS OF THE BOARD.

7. (1) Subject to the provisions of sub-section (5) of section 22, the members of the board shall be appointed for a period of two years: Provided that the member referred to in paragraph (c) of sub-section (1) of section 3 shall hold office during the State President's pleasure.

(2) Upon the expiration of the period for which members were appointed, they shall continue to hold office until their successors have been appointed, but in no case for a further period of more than three months.

(3) Retiring members shall be eligible for reappointment.

(4) Whenever for any reason the office of any member of the board becomes vacant before the expiration of the period for which he was appointed, the Minister may appoint any other person whom he considers suitable to fill the vacancy until the expiration of the period for which the vacating member was appointed.

(5) Whenever the Minister is satisfied that any member of the board is prevented by illness, absence or any other cause from performing the duties of his office, the Minister may appoint any other person whom he considers suitable to act as the deputy of that member while he is so prevented.

(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 in terms of sub-section (5) to act as his deputy, he shall cease to be a member of the board.

ELECTION AND TENURE OF OFFICE OF CHAIRMAN.

8. (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 he shall be eligible for re-election.

(2) Whenever for any reason the chairman is unable to perform his duties, the board shall elect another of its members to act as chairman for such period as it may determine.

RAADSVERGADERINGS.

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

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

(3) Op skriftelike versoek van minstens drie lede van die raad moet die voorsitter 'n spesiale vergadering van die raad byeenroep wat gehou moet word binne veertien dae na die datum waarop sodanige versoek ontvang word, en wel op 'n tyd en plek wat deur hom bepaal moet word.

(4) Die vergaderings van die raad word byeengeroep deur middel van 'n kennisgewing deur of op las van die voorsitter van die raad of enige beampde van die raad wat deur die raad daartoe gemagtig is.

KWORUM, MEERDERHEIDSBESLISSING EN BESLISSENDE STEM VAN VOORSITTER.

10. (1) Vier lede van die raad, aangestel ingevolge subartikel (1) van artikel 3 en subartikels (4) en (5) van artikel 7, maak 'n kworum uit by enige vergadering van die raad.

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

KOMITEES VAN DIE RAAD.

11. (1) Die raad kan met die Minister se toestemming en onderworpe aan sodanige voorwaardes as wat die raad mag opleë, 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 sodanige komitee mag oordra nie.

(2) Wanneer enige sodanige 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 die goedkeuring van die voorsitter van die raad, 'n vergadering van die komitee belê, om gehou te word op 'n tyd en plek deur hom bepaal.

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

(4) 'n Besluit van die meerderheid van al die lede van 'n komitee is 'n besluit van die komitee.

BOEKJAAR.

12. Die boekjaar onder hierdie skema is die tydperk van die eerste dag van April elke jaar tot die laaste dag van Maart in die daaropvolgende jaar.

OUDITERING.

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

(2) 'n Bedrag wat deur die Tesourie na oorlegpleging met die Minister en die Kontroleur en Ouditeur-generaal bepaal word, moet deur die raad ten opsigte van sodanige ouditering aan die Tesourie betaal word.

BEVOEGDHEDE VAN DIE RAAD.

14. 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 mag word nie, uitgenome met die toestemming van die Minister en op sodanige voorwaardes as wat hy mag goedkeur;

MEETINGS OF THE BOARD.

9. (1) All meetings of the board shall be held at such times and places as the board may from time to time determine.

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

(3) At the written request of not less than three 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 request, at a time and place to be appointed by him.

(4) The meetings of the board shall be convened by notice given by or by direction of the chairman of the board or any official of the board authorised thereto by the board.

QUORUM, MAJORITY DECISION AND CHAIRMAN'S CASTING VOTE.

10. (1) Four members of the board, appointed in terms of sub-section (1) of section 3 and sub-sections (4) and (5) of section 7 shall form a quorum at any meeting of the board.

(2) The decision of the majority of the members of the board present at a board meeting shall constitute a decision of the board: Provided that in the event of any equality of votes, the chairman shall have a casting vote in addition to his deliberative vote.

COMMITTEES OF THE BOARD.

11. (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) Whenever any such 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 at a time and place to be appointed by him.

(3) The chairman of the board shall *ex officio* be a member of every committee appointed by the board and may at any time convene a meeting of a committee, to be held at a time and place appointed by him.

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

FINANCIAL YEAR.

12. The financial year under this scheme shall be the period from the first day of April in each year to the last day of March in the following year.

AUDITING.

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

(2) An amount which shall be determined by the Treasury after consultation with the Minister and the Controller and Auditor-General, shall be paid by the board to the Treasury in respect of such audit.

POWERS OF THE BOARD.

14. 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) met die Minister se goedkeuring die toelaes vas te stel wat uit die raad se fondse aan sy lede of adviserende lede betaal moet word;
- (c) onderworpe aan voorwaardes deur die Minister goedgekeur, die agente wat hy nodig mag ag vir die behoorlike uitoefening van sy funksies, aan te stel: 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 van Landbou-ekonomie en -bemarking 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;
- (d) met die Minister se goedkeuring geld te leen om aangewend te word ter verwesenliking van die oogmerke van hierdie skema, en om enige geld verkry uit enige heffing opgelê ingevolge artikel 15 aan te wend vir enige doel wat na die mening van die raad tot voordeel sal sterk van persone wat belang het by die produksie en bemarking van droëbone;
- (e) 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;
- (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 enige 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) van iedereen wat betrokke is by die produksie, dors, bemarking of verwerking van droëbone te vereis om aan die raad sodanige inligting met betrekking tot sodanige droëbone te verstrek as waaroor sodanige persoon mag beskik en as wat die raad mag spesifiseer;
- (i) deur middel van toekenning of lening of andersins hulp te verleen aan enige onderneming vir die preserving, verwerking, opberging of bewerking van droëbone en in verband met enige navorsingswerk met betrekking tot die verbetering, produksie, verwerking en bemarking van droëbone;
- (j) as agent vir die ontvangs en verkoop van droëbone op te tree;
- (k) droëbone te koop teen sodanige pryse as wat die raad met die goedkeuring van die Minister mag bepaal;
- (l) met enige droëbone wat hy gekoop het, te handel soos hy mag goetvind, hulle te gradeer, te verpak, op te berg, te verwerk, vir verkoop geskik te maak, te verseker, te adverteer of te vervoer;
- (m) droëbone wat hy gekoop het, te verkoop, hetsy in hul oorspronklike of in gedeeltelik of geheel en al verwerkte vorm, of 'n deel daarvan van die mark weg te hou;
- (n) met die Minister se goedkeuring, 'n produsent van tyd tot tyd te belet om droëbone wat hy geproduseer het, uitgesonderd 'n klas, graad, hoeveelheid of persentasie daarvan wat die raad vasgestel het, of uitgesonderd vir 'n doel wat die raad bepaal het, te verkoop;
- (o) met die Minister se goedkeuring enigiemand te belet om droëbone te verkoop tensy hy sodanige droëbone verkry het van die raad of van sodanige persone as wat deur die raad bepaal mag word;
- (b) with the approval of the Minister to determine the allowances payable out of the funds of the board to its members or advisory members;
- (c) 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 for Agricultural Economics and Marketing 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;
- (d) 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 in terms of section 15 for any object which, in the opinion of the board, will be to the advantage of persons interested in the production and marketing of dried beans;
- (e) 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;
- (f) to establish an information service in order to advise producers from time to time about marketing conditions in general or about the conditions of any particular market;
- (g) to co-operate with any person in doing any act which the board may perform, and to do so on behalf of any other similar board any act which that board may perform;
- (h) to require every person concerned in the production, threshing, marketing or processing of dried beans to furnish the board with such information relating to such dried beans as may be available to such person and as the board may specify;
- (i) to assist, by grant or loan or otherwise, any undertaking for preserving, processing, storing or conditioning dried beans and any research work relating to the improvement, production, processing and marketing of dried beans;
- (j) to act as agent for the receipt and sale of dried beans;
- (k) to buy dried beans at such prices as the board may, with the approval of the Minister, determine;
- (l) to treat in such manner as it may deem fit, grade, pack, store, process, adapt for sale, insure, advertise or transport any dried beans which it has bought;
- (m) to sell, whether in its original form or processed wholly or in part, the dried beans which it has bought, or withhold any part thereof from the market;
- (n) with the approval of the Minister from time to time to prohibit any producer from selling dried beans 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;
- (o) with the approval of the Minister to prohibit any person from selling dried beans unless he has acquired such beans from the board or from such persons as may be determined by the board;

- (p) met die Minister se goedkeuring die rekords wat gehou moet word, die tydperk wat enige sodanige rekord bewaar moet word en die opgawes wat aan die raad verstrekk moet word deur enige persoon of klas of groep persone wat droëbone produseer of daarmee as 'n besigheid handel, voor te skryf, asook die tye waarop, die vorm waarin en die wyse waarop sodanige opgawes aldus verstrekk moet word;
- (q) die Minister van advies te dien aangaande—
- (i) die voorwaardes, wat betref grade, kwaliteitstandaarde, verpakkingsmetodes en die merking van 'n houër of omhulsel wat droëbone bevat, waarop droëbone verkoop of vir verkoop ingevoer mag word;
 - (ii) die verbod op, beheer oor of reëling van die invoer of uitvoer van droëbone; en
 - (iii) alle aangeleenthede betreffende die bemarking of verwerking van droëbone;
- (r) 'n poel vir die verkoop van droëbone te bestuur, en om met sodanige droëbone te handel soos hy goedvind, dit te gradeer, te verpak, op te berg, te verwerk, vir verkoop geskik te maak, te verseker, te adverteer en te vervoer;
- (s) 'n poel wat deur hom bestuur word, te finansier en aan bydraers tot die poel geld voor te skiet.

HEFFING OP DROËBONE EN INSTELLING VAN DROËBONE-HEFFINGSFONDSE.

15. (1) Die raad kan met die goedkeuring van die Minister en op so 'n basis as wat die raad mag bepaal, 'n heffing op droëbone lê: Met dien verstande dat die aldus opgelegde heffing—

- (a) ten opsigte van enige besondere klas, graad of kwaliteitstandaard van droëbone kan verskil van enige sodanige heffing ten opsigte van enige ander klas, graad of kwaliteitstandaard van droëbone, en enige heffing ten opsigte van enige eenheid of hoeveelheid droëbone in die Republiek van Suid-Afrika ingevoer, kan verskil van, maar nie meer mag wees nie as enige heffing ten opsigte van enige eenheid of hoeveelheid droëbone wat in die Republiek van Suid-Afrika geproduseer word;
 - (b) nie 25c per 200 lb. op enige droëbone oorskry nie.
- (2) 'n Heffing opgelê kragtens subartikel (1) moet—
- (a) in die geval van droëbone wat aan die raad gelewer is vir verkoop deur 'n poel wat deur die raad ingevoelge artikel 14 bestuur word, bygevoeg word by en op dieselfde tydstip betaalbaar gemaak word as die prys waarteen die raad die droëbone aan enige persoon van die hand sit, of afgetrek word van die prys deur die raad betaalbaar aan die produsente van sodanige droëbone wanneer betaling gedoen word;
 - (b) op die tye en wyse wat by regulasie kragtens die Wet voorgeskryf mag word, aan die raad betaal word deur—
 - (i) in die geval van droëbone wat deur 'n produsent deur bemiddeling van 'n agent of markmeester verkoop is, sodanige agent of markmeester: Met dien verstande dat droëbone wat deur bemiddeling van 'n agent verkoop is op 'n plek onder die beheer van 'n markmeester, geag word deur bemiddeling van sodanige markmeester verkoop te gewees het;
 - (ii) in die geval van droëbone wat deur 'n produsent direk aan 'n persoon wat met droëbone as 'n besigheid handel verkoop is, die koper as die produsent nie ook 'n persoon is wat met droëbone as 'n besigheid handel nie, en die produsent as hy (die produsent) ook 'n persoon is wat met droëbone as 'n besigheid handel;
 - (iii) in die geval van droëbone wat in die Republiek van Suid-Afrika ingevoer is, die invoerder; en
 - (iv) in alle ander gevalle nie elders in hierdie subartikel genoem nie van droëbone wat deur 'n produsent verkoop is, sodanige produsent.

- (p) with the approval of the Minister, to prescribe the records to be kept, the period for which any such record shall be retained, and the returns to be rendered to the board by any person or class or group of persons producing or dealing in the course of trade with dried beans, and the times at which and the form and manner in which such returns shall be so rendered;

(q) to advise the Minister as to—

- (i) the conditions regarding grades, standards of quality, methods of packing and the marking of any receptacle or cover containing dried beans, subject to which dried beans may be sold or imported for sale;
 - (ii) the prohibition control or regulation of the importation or export of dried beans; and
 - (iii) all matters relating to the marketing or processing of dried beans;
- (r) to conduct a pool for the sale of dried beans, and to treat in such manner as it may deem fit, grade, pack, store, process, adapt for sale, insure, advertise and transport any such dried beans;
- (s) to finance any pool conducted by it and to make advances to the contributors to the pool.

LEVY ON DRIED BEANS AND ESTABLISHMENT OF DRIED BEANS LEVY FUND.

15. (1) The board may, with the approval of the Minister and on such basis as the board may determine, impose a levy on dried beans: Provided that the levy thus imposed—

- (a) may, in respect of any particular class, grade or standard of quality of dried beans differ from any such levy in respect of any other class, grade or standard or quality of dried beans and any levy in respect of any unit or quantity of dried beans which is imported into the Republic of South Africa may differ from but not exceed any levy in respect of any unit or quantity of dried beans which is produced in the Republic of South Africa;
 - (b) shall not exceed 25c per 200 lb. on any dried beans.
- (2) Any levy imposed in terms of sub-section (1) shall—
- (a) in the case of dried beans delivered to the board for sale through a pool conducted by the board in terms of section 14, be added to and made payable at the same time as the price at which the board disposes of the dried beans to any person, or be deducted from the price payable by the board to the producers of such dried beans when payment is made;
 - (b) at such times and in such manner as may be prescribed by regulation under the Act, be paid to the board by—
 - (i) in the case of dried beans sold by a producer through an agent or market master, such agent or market master: Provided that dried beans sold through an agent at a place under the control of a market master shall be deemed to have been sold through such market master;
 - (ii) in the case of dried beans sold by a producer direct to a person who deals with dried beans in the course of trade, the purchaser if the producer is not also a person who deals with dried beans in the course of trade, and the producer if he (the producer) is also a person who deals with dried beans in the course of trade;
 - (iii) in the case of dried beans imported into the Republic of South Africa, the importer; and
 - (iv) in all other cases not mentioned elsewhere in this sub-section of dried beans sold by a producer, such producer.

(3) 'n Agent of markmeester wat die heffing betaal het op droëbone wat hy ten behoeve van 'n produsent verkoop het, kan sodanige heffing op sodanige produsent verhaal deur dit van die bedrag betaalbaar aan sodanige produsent af te trek.

(4) Die raad moet 'n fonds instel wat moet bekendstaan as die Droëboneheffingsfonds en wat deur die raad bestuur en beheer moet word, waarin alle gelde verkry uit heffings wat kragtens subartikel (1) opgelê is, en alle ander gelde deur die raad ontvang, gestort moet word, en waaruit alle betalings deur die raad gedoen moet word.

SPESIALE HEFFING OP DROËBONE EN INSTELLING VAN SPESIALE FONDS.

16. (1) Die raad kan met die Minister se goedkeuring en op so 'n basis as wat die raad mag bepaal, 'n spesiale heffing op droëbone lê en vir die doeleindes van sodanige heffing is die bepalings van paragraaf (a) van subartikel (1) van artikel 15 en subartikels (2) en (3) van artikel 15 *mutatis mutandis* van toepassing. Voorts kan 'n spesiale heffing ten opsigte van 'n eenheid of hoeveelheid droëbone wat uit die Republiek van Suid-Afrika uitgevoer word, verskil van so 'n heffing ten opsigte van 'n eenheid of hoeveelheid droëbone wat nie aldus uitgevoer word nie of, indien die Raad aldus besluit, is so 'n heffing betaalbaar alleen ten opsigte van 'n eenheid of hoeveelheid droëbone wat aldus uitgevoer word, en is 'n spesiale heffing ten opsigte van droëbone wat uit die Republiek van Suid-Afrika uitgevoer word, betaalbaar deur die uitvoerder van sodanige droëbone.

(2) Nieteenstaande die bepalings van subartikel (4) van artikel 15, kan die raad 'n spesiale fonds instel, en die opbrengste van enige spesiale heffing opgelê kragtens subartikel (1), en sodanige ander bedrae tot die beskikking van die raad as wat deur die Minister goedgekeur mag word, in hierdie fonds stort, en die raad kan met gelde in hierdie fonds handel op sodanige wyse as wat deur die Minister goedgekeur mag word.

INSTELLING VAN RESERWEFONDS.

17. Die raad moet 'n reserwefonds 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 enige boekjaar onder die skema en na oorlegpleging met die raad mag bepaal, en die raad kan oor gelde in hierdie fonds beskik op sodanige wyse as wat die Minister mag goedkeur.

REGISTRASIE VAN SEKERE PERSONE WAT MET DROËBONE AS 'N BESIGHEID HANDEL.

18. (1) Niemand wat met droëbone as 'n besigheid handel mag of vir sy eie rekening of ten behoeve van iemand anders droëbone van 'n produsent daarvan koop of ten behoeve van 'n produsent daarvan verkoop nie, tensy hy by die raad geregistreer is.

(2) Geen persoon word aldus geregistreer nie tensy hy voldoen het aan sodanige vereistes as wat by regulasie kragtens die Wet voorgeskryf mag word.

(3) Die raad kan enige sodanige registrasie verleen vir so 'n tydperk en op sodanige voorwaardes as wat die raad mag bepaal en kan enige sodanige registrasie intrek as die geregistreeerde persoon enige van genoemde vereistes of voorwaardes oortree het of in gebreke gebly het om daaraan te voldoen.

ONDSKEIDING TUSSEN GEBIEDE EN KLASSE DROËBONE.

19. 'n Voorskrif van, of verbod opgelê of besluit geneem deur die raad met betrekking tot enige gebied in die Republiek van Suid-Afrika of enige klas droëbone kan verskil van so 'n voorskrif of verbod of besluit met betrekking tot enige ander gebied in die Republiek van Suid-Afrika of enige ander klas droëbone of kan slegs in bepaalde dele van die Republiek van Suid-Afrika van toepassing wees of slegs op bepaalde klasse droëbone betrekking hê.

(3) Any agent or market master who has paid the levy on dried beans sold on behalf of a producer, may recover such levy from such producer by deducting it from the amount payable to such producer.

(4) The board shall establish a fund to be known as the Dried Bean Levy Fund, to be administered and controlled by the board, into which shall be paid all moneys derived from any levies imposed under sub-section (1) and all other moneys received by the board, and from which all payments by the board shall be made.

SPECIAL LEVY ON DRIED BEANS AND ESTABLISHMENT OF SPECIAL FUND.

16. (1) The board may, with the approval of the Minister and on such basis as the board may determine, impose a special levy on dried beans, and for the purposes of such levy the provisions of paragraph (a) of sub-section (1) of section 15 and sub-sections (2) and (3) of section 15 shall *mutatis mutandis* apply. Furthermore, any special levy may, in respect of any unit or quantity of dried beans which is exported from the Republic of South Africa, differ from any such levy in respect of any unit or quantity of dried beans which is not so exported or, if the board so decides, such levy shall be payable only in respect of any unit or quantity of dried beans which is so exported, and any special levy in respect of dried beans exported from the Republic of South Africa shall be payable by the exporter of such dried beans.

(2) Notwithstanding the provisions of sub-section (4) of section 15, the board may establish a special fund and pay into this fund the proceeds of any special levy imposed under sub-section (1) and such other amounts at the board's disposal as may be approved by the Minister, and the board may deal with any moneys in this fund in such manner as may be approved by the Minister.

ESTABLISHMENT OF RESERVE FUND.

17. The board shall establish a reserve fund into which shall be paid such amounts at the disposal of the board as may from time to time be approved by the Minister or as may after consultation with the board be determined by him after the end of any financial year under the scheme, and the board may deal with any moneys in this fund in such manner as may be approved by the Minister.

REGISTRATION OF CERTAIN PERSONS WHO DEAL WITH DRIED BEANS IN THE COURSE OF TRADE.

18. (1) No person who deals with dried beans in the course of trade shall, either on his own behalf or on behalf of any other person, purchase dried beans from a producer thereof or sell dried beans on behalf of a producer thereof unless he has been registered with the board.

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

(3) The board may grant any such registration 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 any of the said requirements or conditions.

DIFFERENTIATION BETWEEN AREAS AND CLASSES OF DRIED BEANS.

19. Any requirement or prohibition imposed or decision taken by the board which relates to any area within the Republic of South Africa or to any class of dried beans may differ from any such requirement or prohibition or decision which relates to any other area of the Republic of South Africa or any other class of dried beans or may apply only to specified portions of the Republic of South Africa or relate only to specified classes of dried beans.

INSPEKSIEBEVOEGDHEDE.

20. Die raad het die bevoegdheid om vir die toepassing van die bepalings 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, droëbone, of 'n plek of voertuig waarin of waarop daar 'n hoeveelheid droëbone deur enige persoon gehou word of na vermoede gehou word vir enige ander doel as verbruik deur die eienaar van sodanige droëbone of deur lede van sy huisgesin;
- (b) enige sodanige droëbone 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 droëbone betrekking te hê en afskrifte van of uittreksels uit sodanige boeke of stukke te maak;
- (c) van die eienaar van sodanige droëbone of die persoon wat dit in sy bewaring het, inligting aangaande sodanige droëbone 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 te 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 droëbone ten opsigte waarvan sodanige misdryf vermoedelik begaan is en enige boeke, stukke of artikels of enige hoeveelheid droëbone 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 droëbone of die houer daarvan, enige identifikasiemerke wat hy nodig mag ag, aan te bring;
- (f) van enige sodanige droëbone, met inbegrip van enige hoeveelheid van sodanige droëbone 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.

21. Enigiemand 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, uitgerêik of gemaak of van krag ingevolge die bepalings van subartikel (1) van artikel 22; 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 bepaling, 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 kragtens hierdie skema of 'n vereiste voorgeskryf ingevolge hierdie skema of van krag ingevolge die bepalings van subartikel (1) van artikel 22 of kragtens '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 kragtens 'n vereiste ingevolge hierdie skema voorgeskryf, of van krag ingevolge die bepalings van subartikel (1) van artikel 22 moet bewaar; of

INSPECTION POWERS.

20. 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, dried beans, or any place or vehicle in or upon which there is kept, or is suspected to be kept, any quantity of dried beans by any person for any purpose other than consumption by the owner of such dried beans or by the members of his household;
- (b) to inspect any such dried beans 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 dried beans and to make copies of or take extracts from such books and documents;
- (c) to demand from the owner or custodian of such dried beans any information concerning such dried beans;
- (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 dried beans 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 dried beans which has been so seized, and if he deems fit to place on any such book, document, article or dried beans, or on the container thereof, any identification mark which he may consider necessary;
- (f) to take samples of any such dried beans, including any quantity of such dried beans 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.

21. 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 in force in terms of the provisions of sub-section (1) of section 22; 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 terms of the provisions of sub-section (1) of section 22 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 terms of the provisions of sub-section (1) of section 22; or

(d) in enige rekord, faktuur, rekening, staat of opgawe genoem in paragraaf (b) inligting verstrek wat onjuis is of daarop bereken is om te mislei;

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

KENNISGEWINGS, VERBODSBEPALINGS, VOORSKRIFTE, BESLUITTE, VASSTELLINGS, FONDSE EN LEDE VAN DIE DROËBONEBEHEERRAAD.

22. (1) Alle kennisgewings, verbodsbepalings, voorskrifte, besluite, vasstellings of bepalinge wat uitgevaardig, opgelê, geneem of gedoen is kragtens die Droëboneskema bekendgemaak by Proklamasie No. 89 van 1955, soos gewysig, en wat in gevolge genoemde bepalinge ingetrek is nie, bly van krag totdat die raad hulle in gevolge hierdie skema wysig of intrek.

(2) Alle magtigings, registrasies, aanstellings, kontrakte of appêle uitgereik, gemaak, gesluit of aangeteken kragtens die Droëboneskema bekendgemaak by Proklamasie No. 89 van 1955, 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 Droëboneskema bekendgemaak by Proklamasie No. 89 van 1955, soos gewysig, uitvoer, gaan oor op die raad wat hierdie skema uitvoer.

(4) Enige gelde in enige fonds ingestel kragtens die Droëboneskema, bekendgemaak by Proklamasie No. 89 van 1955, soos gewysig, word oorgedra na die onderskeie fondse kragtens hierdie skema ingestel.

(5) Die lede wat kragtens Proklamasie No. 89 van 1955, soos gewysig, in die Droëbonebeheerraad aangestel is en hulle amp beklee onmiddellik voor die datum van inwerkingtreding van hierdie skema, word geag as lede van die Droëbonebeheerraad kragtens hierdie skema aangestel te gewees het en beklee hulle amp, ongeag die bepaling in subartikel (1) van artikel 7 dat lede vir 'n tydperk van twee jaar aangestel word maar onderworpe aan die ander bepalinge 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. 89 van 1955, soos gewysig, aangestel is.

(6) Die persoon wat kragtens Proklamasie No. 89 van 1955, soos gewysig, tot Voorsitter van die Droëbonebeheerraad 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 Droëbonebeheerraad verkies te gewees het en bly daardie amp beklee met ingang van die datum van die inwerkingtreding van hierdie skema en onderworpe aan die bepalinge van artikel 8 vir die onverstreke gedeelte van die tydperk waarvoor hy kragtens Proklamasie No. 89 van 1955, soos gewysig, verkies is.

(7) 'n Komitee wat kragtens Proklamasie No. 89 van 1955, soos gewysig, deur die Raad aangestel is, word geag kragtens artikel 11 van hierdie skema aangestel te gewees het.

OPHEFFING VAN SKEMA.

23. Ingeval hierdie skema opgehef word, moet alle bates van die raad tot geld gemaak word en indien daar nadat al die verpligtings van die raad nagekom is—

(a) 'n surplus is, moet die bedrag daarvan aan die Minister oorhandig word en die bedrag aldus oorhandig, moet deur die Minister na goeddunke vir die bevordering van die droëbonebedryf aangewend word;

(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 DRIED BEAN CONTROL BOARD.

22. (1) All notices, prohibitions, requirements, decisions or determinations issued, imposed, taken or made under the Dried Bean Scheme published under Proclamation No. 89 of 1955, as amended 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 Dried Bean Scheme published under Proclamation No. 89 of 1955, 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 Dried Bean Scheme published under Proclamation No. 89 of 1955, as amended, shall vest in the board administering this scheme.

(4) Any moneys in any fund established in terms of the Dried Bean Scheme published under Proclamation No. 89 of 1955, as amended, shall be transferred to the corresponding fund established in terms of this scheme.

(5) The members appointed to the Dried Bean Control Board in terms of Proclamation No. 89 of 1955, 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 Dried Bean Control Board in terms of this scheme and shall, notwithstanding the provisions in sub-section (1) of section 7 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. 89 of 1955, as amended.

(6) The person elected as Chairman of the Dried Bean Control Board in terms of Proclamation No. 89 of 1955, 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 Dried Bean 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 8, continue to hold office for the unexpired portion of the period for which he was elected in terms of Proclamation No. 89 of 1955, as amended.

(7) Any committee appointed by the Board in terms of Proclamation No. 89 of 1955, as amended, shall be deemed to have been appointed in terms of section 11 of this scheme.

LIQUIDATION OF SCHEME.

23. In the event of the discontinuance of this scheme, all assets of the board shall be realised and if, after the liquidation of all the liabilities of the board there is—

(a) a surplus, the amount thereof shall be handed over to the Minister and the amount so handed over shall be utilised by the Minister in his discretion for the advancement of the dried beans industry;

(b) 'n tekort is, is die bedrag daarvan verhaalbaar op die persoon wat aanspreeklik is vir die betaling van 'n heffing opgelê ingevolge artikel 15, in verhouding tot die onderskeie bedrae deur hulle tot die fondse van die raad by wyse van heffing bygedra gedurende die tydperk van drie jaar onmiddellik vóór die datum waarop die skema opgehef word, of gedurende 'n tydperk wat die skema in werking was, naamlik die kortste tydperk.

(b) a deficit, the amount thereof shall be recoverable from the persons liable for the payment of any levy imposed under section 15, in proportion to the respective amounts contributed by them towards the funds of the board by means of levy during the period of three years immediately preceding the date of discontinuance of the scheme, or during the period the scheme was in operation, whichever is the shorter period.

INHOUD.

No.	PROKLAMASIE.	BLADSY
R. 68.	Samevatting en Wysiging van die Bepalings van die Skema vir die Reëling van die Bemaking van Droëbone kragtens die Bemakingswet, 1937, soos gewysig, en vir Aangeleenthede wat Daarmee in Verband Staen	1

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