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[No. 820.]

PROCLAMATION

BY THE STATE PRESIDENT OF THE REPUBLIC
OF SOUTH AFRICA.

No. R. 121, 1964.]

THE SOUTH AFRICAN CITRUS SCHEME.

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

Now, therefore, under the powers vested in me by paragraph (a) of sub-section (1) of section *twenty-two* of the said Act, I do hereby declare that the said scheme shall come into operation on the date of publication hereof in substitution for the South African Citrus Scheme published by Proclamation No. 44 of 1947, as amended.

Proclamations Nos. 155 of 1949, 245 of 1949, 226 of 1951, 99 of 1952, 216 of 1952, 33 of 1953, 115 of 1953, 68 of 1954, 98 of 1957, 100 of 1958, 193 of 1958, 79 of 1959, R. 37 of 1963, and 98 of 1963 are hereby repealed.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Twenty-eighth day of May, One thousand Nine hundred and Sixty-four.

C. R. SWART,
State President.

By Order of the State President-in-Council.

D. C. H. UYS.

SCHEDULE.

SCHEME FOR REGULATING THE MARKETING OF CITRUS FRUIT 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 South African Citrus Scheme, and shall relate to fresh citrus fruit produced in the Republic of South Africa.

(2) The provisions of this scheme shall apply in the Republic of South Africa to the classes of persons hereinafter mentioned who are concerned in the production of citrus fruit, or who deal in the course of trade with citrus fruit.

(3) For the purposes of section 20 citrus fruit imported into the Republic shall be deemed to have been produced in the Republic.

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PROKLAMASIE

VAN DIE STAATSPRESIDENT VAN DIE REPUBLIEK VAN
SUID-AFRIKA.

No. R.121, 1964.]

SUID-AFRIKAANSE SITRUSKEMA.

Nademaal die Minister van Landbou-ekonomie en -bemarking, kragtens paragraaf (c) van subartikel (3) van artikel *sewentien* 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, 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 Suid-Afrikaanse Sitrusskema afgekondig by Proklamasie No. 44 van 1947, soos gewysig.

Proklamasies Nos. 155 van 1949, 245 van 1949, 226 van 1951, 99 van 1952, 216 van 1952, 33 van 1953, 115 van 1953, 98 van 1957, 100 van 1958, 193 van 1958, 79 van 1959, R. 37 van 1963 en 98 van 1963, word hierby herroep.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hierdie Agt-en-twintigste dag van Mei Eenduisend Negehonderd Vier-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 SITRUSVRUGTE Kragtens die Bemarkingswet, 1937, soos gewysig en vir aangeleenthede wat daarmee in verband staan.

NAAM EN OMVANG VAN SKEMA.

1. (i) Hierdie Skema heet die Suid-Afrikaanse Sitrusskema en het betrekking op vars sitrusvrugte wat in die Republiek van Suid-Afrika geproduseer is.

(2) Die bepalings van hierdie Skema is van toepassing in die Republiek van Suid-Afrika op die hierna genoemde klasse persone wat betrokke is by die produksie van sitrusvrugte of wat met sitrusvrugte as 'n besigheid handel.

(3) By die toepassing van artikel 20 word sitrusvrugte wat na die Republiek ingevoer is, geag in die Republiek geproduseer te gewees het.

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DEFINITIONS.

2. (1) In this scheme, the expression "the Act" means the Marketing Act, 1937, as amended, and the regulations made thereunder, and any expression to which in that Act a meaning has been assigned, bears, when used in this scheme, the same meaning; further, unless inconsistent with the context—

- (i) "Board" means the Citrus Board as constituted in terms of section 3; (viii)
- (ii) "case", in relation to citrus fruit, means the quantity of citrus fruit contained in a case of the dimensions as prescribed by regulation under the Fruit Export Act, 1957; (v)
- (iii) "citrus fruit" means sweet oranges, grapefruit, lemons or naartjies as prescribed by regulation under the Fruit Export Act, 1957; (xi)
- (iv) "citrus fruit of export quality" means citrus fruit produced by an exporter and complying with the requirements prescribed by regulation under the Fruit Export Act, 1957; (xii)
- (v) "class", in relation to citrus fruit, means—
 - (a) navel oranges; or
 - (b) valencia oranges (including Du Roi and Lue Gim Gongs); or
 - (c) Protea oranges including ruby blood oranges; or
 - (d) Disa oranges; or
 - (e) Marsh seedless grapefruit including red grapefruit; or
 - (f) seeded grapefruit including red seeded grapefruit; or
 - (g) lemons (excluding rough lemons and Meyer lemons); or
 - (h) naartjies; (vi)

The expressions used in this definition of class have the meanings as assigned thereto in the regulations published under the Fruit Export Act, 1957.

- (vi) "count", in relation to citrus fruit, means the count of such citrus fruit as determined in respect of the grade in question in the manner prescribed by regulation under the Fruit Export Act, 1957; (xiii)
- (vii) "export" shall mean export from the Republic by any means whatsoever; (xiv)
- (viii) "exporter", in relation to citrus fruit, means a producer of citrus fruit of any class—
 - (a) who has during the season ending on the 31st January, 1964, delivered citrus fruit of that class to the Board for export; or
 - (b) who has given notice to the Board that he intends to deliver citrus fruit of that class to the Board for export: Provided that such producer [excluding a producer referred to in paragraph (c)] shall not be regarded as an exporter until one complete season has elapsed from the date on which such notice was received by the Board; or
 - (c) who is a successor in title to an exporter of citrus fruit of that class and has within one month from the date of acquiring such title given notice to the Board that he intends to deliver citrus fruit of that class to the Board for export; or
 - (d) who has, on directions of the Board, delivered citrus fruit of that class to the Board for export: Provided that an exporter who has given notice to the Board of his intention to discontinue delivering citrus fruit of that class for export shall cease to be regarded as an exporter after the elapse of one complete season from the date on which such notice was received by the Board; (xv)

WOORDBEPALINGS.

2. (1) In hierdie Skema beteken die uitdrukking „die Wet” die Bemarkingswet, 1937, soos gewysig en die regulasies daarkragtens gemaak, en het elke uitdrukking waaraan daar in genoemde Wet ’n betekenis gegee is, dieselfde betekenis wanneer dit in hierdie Skema gebruik word; voorts, tensy dit in stryd is met die samehang, beteken—

- (i) „bederfde toestand”, met betrekking tot sitrusvrugte, die toestand van die sitrusvrugte wanneer dit bederf, buitengewone barste of instorting wys van watter aard ook al, of stukkend gedruk is, erg gekneus of besmet met insektarwes is, of aan ernstige skilswakhede of fisiologiese instorting van die skil ly of erg besmet met siekte is, of in so ’n mate nie aan die minimum vereistes ten opsigte van inwendige gehalte en rypheid, voorgeskrywe by die regulasies gemaak ingevolge die Wet op die uitvoer van vrugte, 1957 (Wet No. 27 van 1957), voldoen nie dat die vrugte, na die mening van die Raad of sy behoorlik aangestelde genomineerde, ongeskik vir verbruik vir vars vrugte is; (xv).
- (ii) „graad”—
 - (a) met betrekking tot sitrusvrugte wat van die Republiek uitgevoer word, die graad van sodanige sitrusvrugte wat bepaal is op die wyse wat by regulasie kragtens die Wet op die uitvoer van vrugte, 1957 voorgeskryf is.
 - (b) met betrekking tot sitrusvrugte wat in die Republiek verkoop word, die graad van sodanige sitrusvrugte wat bepaal is op die wyse wat by regulasie kragtens artikel drie-en-veertig van die Wet voorgeskryf is; (ix)
- (iii) „grootprodusent”, met betrekking tot sitrusvrugte, ’n uitvoerder van sitrusvrugte of enige ander produsent van sitrusvrugte wat gedurende ’n seisoen meer as 300 sitrusvrugtebome aan die groei het waarvan hy sitrusvrugte vir verkoop of uitvoer produseer of van plan is om te produseer; (x)
- (iv) „grootte” met betrekking tot sitrusvrugte, die grootte van sodanige sitrusvrugte wat bepaal is ten opsigte van die betrokke graad op die wyse wat by regulasie kragtens artikel drie-en-veertig van die Wet voorgeskryf is; (xiv)
- (v) „kassie”, met betrekking tot sitrusvrugte, die hoeveelheid sitrusvrugte wat ’n kassie bevat met die afmetings wat voorgeskryf is by regulasie kragtens die Wet op die Uitvoer van Vrugte, 1957; (ii)
- (vi) „klas”, met betrekking tot sitrusvrugte—
 - (a) nawellemoene; of
 - (b) valencialemoene (met inbegrip van Du Roi en Lue Gim Gongs); of
 - (c) Protealemoene insluitende ruby „blood”-lemoene; of
 - (d) Disa-lemoene; of
 - (e) Marsh pitlose pomelo’s (met inbegrip van rooi pomelo’s); of
 - (f) Pitpomelo’s insluitende rooi pitpomelo’s; of
 - (g) suurlemoene (uitgesonderd ru-suurlemoene en Meyer-suurlemoene); of
 - (h) naartjies (v)

Die uitdrukkings wat in hierdie woordomskriving van klas gebruik word, het die betekenis wat daaraan geheg word in die Regulasies kragtens die Wet op die Uitvoer van Vrugte, 1957;
- (vii) „produsent”, met betrekking tot enige klas sitrusvrugte, iemand wat sitrusvrugte van daardie klas produseer en in die Republiek verkoop of produseer en vir verkoop uitvoer: Met dien verstande dat die persoon aan wie sitrusvrugte van enige klas gelewer is as vergoeding of as deel van die vergoeding vir die reg om grond, of ’n gedeelte daarvan, waarop die sitrusvrugte geproduseer is, te gebruik, beskou word as die produsent van sodanige sitrusvrugte; (xii)
- (viii) „Raad”, die Sitrusraad soos saamgestel ooreenkomstig artikel 3; (i)

(ix) "grade" means—

- (a) in relation to citrus fruit exported from the Republic, the grade of such citrus fruit determined in the manner prescribed by regulation in terms of the Fruit Export Act, 1957;
- (b) in relation to citrus fruit sold within the Republic the grade of such citrus fruit as determined in the manner prescribed by regulation under section *forty-three* of the Act; (ii)

(x) "large producer", in relation to citrus fruit, means an exporter of citrus fruit, or any other producer of citrus fruit who during any season has more than 300 citrus fruit trees growing from which he produces or intends to produce citrus fruit for sale or export; (iii)

(xi) "pocket", in relation to citrus fruit, means the quantity of citrus fruit contained in a pocket of the dimensions 32 inches long by 13 inches wide as prescribed by regulation under section *forty-three* of the Act; (ix)

(xii) "producer", in relation to any class of citrus fruit shall mean any person who produces and sells within the Republic or who produces and exports for sale, citrus fruit of that class: Provided that the person to whom any class of citrus fruit was supplied as a consideration or a part of a consideration for the right to use any land, or a part thereof, on which such citrus fruit was produced, shall be deemed to be the producer of such citrus fruit; (vii)

(xiii) "season" means the period from the first day of February in any year up to and including the last day of January in the immediately succeeding year; (x)

(xiv) "size", in relation to citrus fruit, means the size of such citrus fruit as determined in respect of the grade in question in the manner prescribed by regulation under section *forty-three* of the Act; (iv)

(xv) "wasty condition", in relation to citrus fruit, means the condition of such citrus fruit when it shows decay, undue splitting or breakdown from any cause, or is crushed, severely bruised or infested with insect larvae, or suffers from serious skin weaknesses or physiological breakdown of the skin, or is severely infected with disease, or fails to comply with minimum requirements in respect of internal quality and maturity prescribed by the regulations made in terms of the Fruit Export Act, 1957 (Act No. 27 of 1957), to an extent where the fruit is, in the opinion of the Board or of its duly appointed nominee, unfit for consumption as fresh fruit; (i).

(2) The provisions of this scheme shall apply to a co-operative society or co-operative company which handles citrus fruit in the same manner as if that society or company were a producer of such citrus fruit.

(3) For the purpose of any prohibition under paragraph (o) of sub-section (1) of section 16 or section 21, quantity of citrus fruit which has, in terms of the regulations of any co-operative society or co-operative company, been delivered to that society or company by a member thereof, shall not be deemed to have been sold to such society or company by that member.

(4) For the purpose of this scheme a case of citrus fruit equals 2½ pockets of citrus fruit.

ADMINISTRATION OF SCHEME AND CONSTITUTION OF BOARD.

3. (1) This scheme shall be administered by the Citrus Board, which for that purpose shall consist of eighteen members, to be appointed by the State President, of whom—

- (a) nine shall represent producers of citrus fruit who are members of co-operative societies or co-operative companies established in the interests of citrus producers and shall be nominated as provided in section 4;

(ix) „sakkie”, met betrekking tot sitrusvrugte die hoeveelheid sitrusvrugte wat 'n sakkie bevat met afmetings van 32 duim lank by 13 duim wyd, soos by regulasie kragtens artikel *drie-en-veertig* van die Wet voorgeskryf is; (xi)

(x) „seisoen”, die tydperk vanaf die eerste dag van Februarie in enige jaar tot en met die laaste dag van Januarie van die onmiddellik daaropvolgende jaar; (xiii)

(xi) „sitrusvrugte” soetlemoene, pomelo's, suurlemoene of nartjies soos voorgeskryf by regulasie kragtens die Wet op die Uitvoer van Vrugte, 1957; (iii)

(xii) „sitrusvrugte van uitvoerkwaliteit”, sitrusvrugte wat deur 'n uitvoerder geproduseer is en wat voldoen aan die vereistes wat voorgeskryf is by regulasie kragtens die Wet op die Uitvoer van Vrugte, 1957; (iv)

(xiii) „telling”, met betrekking tot sitrusvrugte, die telling van sodanige sitrusvrugte wat ten opsigte van die betrokke graad bepaal is op die wyse wat voorgeskryf is by regulasie kragtens die Wet op die Uitvoer van Vrugte, 1957; (vi)

(xiv) „uitvoer”, uitvoer van die Republiek op watter wyse ookal; (vii)

(xv) „uitvoerder”, met betrekking tot sitrusvrugte, 'n produsent van enige klas sitrusvrugte—

(a) wat sitrusvrugte van daardie klas gedurende die seisoen wat op 31 Januarie 1964 eindig, aan die Raad vir uitvoer gelever het; of

(b) wat aan die Raad kennis gegee het dat hy van plan is om sitrusvrugte van daardie klas aan die Raad vir uitvoer te lewer: Met dien verstande dat die produsent [met uitsondering van 'n produsent wat in paragraaf (c) genoem is] nie as 'n uitvoerder beskou word voordat een hele seisoen vanaf die datum waarop die kennis deur die Raad ontvang is verloop het nie; of

(c) wat 'n regsopvolger van 'n uitvoerder van sitrusvrugte van daardie klas is en binne een maand nadat hy aldus regsopvolger geword het, kennis aan die Raad gegee het dat hy van plan is om sitrusvrugte van daardie klas aan die Raad vir uitvoer te lewer; of

(d) wat sitrusvrugte van daardie klas op las van die Raad aan die Raad vir uitvoer gelever het: Met dien verstande dat 'n uitvoerder wat kennis aan die Raad gegee het dat hy van plan is om op te hou om sitrusvrugte van daardie klas vir uitvoer te lewer, na verloop van een hele seisoen vanaf die datum waarop die kennis deur die Raad ontvang is, ophou om as 'n uitvoerder beskou te word; (viii)

(2) Die bepalinge van die skema is van toepassing op 'n koöperatiewe vereniging of 'n koöperatiewe maatskappy wat sitrusvrugte op dieselfde wyse hanteer asof daardie vereniging of maatskappy 'n produsent van die sitrusvrugte is.

(3) Vir die toepassing van 'n verbodsbepaling kragtens paragraaf (o) van subartikel (1) van artikel 16 of artikel 21 word 'n hoeveelheid sitrusvrugte, wat ooreenkomstig die regulasies van 'n koöperatiewe vereniging of koöperatiewe maatskappy aan daardie vereniging of maatskappy deur 'n lid daarvan gelever is, nie beskou as sitrusvrugte wat deur daardie lid aan die vereniging of maatskappy verkoop is nie.

(4) Vir die toepassing van die skema staan 'n kassie sitrusvrugte gelyk aan 2½ sakkies sitrusvrugte.

HOE SKEMA GEADMINISTREER WORD. SAMESTELLING VAN RAAD.

3. (1) Die skema word geadministreer deur die Sitrusraad wat vir daardie doel uit agtien lede bestaan wat deur die Staatspresident aangestel word en van wie—

- (a) nege verteenwoordigers moet wees van produsente van sitrusvrugte wat lede is van koöperatiewe verenigings of koöperatiewe maatskappye wat in belang van sitrusprodusente opgerig is, en genomineer moet word soos in artikel 4 bepaal is;

- (b) three shall represent producers of citrus fruit who are not members of any such co-operative society or co-operative company and shall be nominated as provided in section 5;
- (c) three shall represent consumers of citrus fruit and shall be persons who, in the opinion of the Minister, are not directly or indirectly connected with the trade in or production or processing of citrus fruit and two of whom shall be nominated by the Minister after consultation with the Consumers' Advisory Committee and one of whom shall be nominated by the said committee from amongst its members: Provided that whenever a member nominated by the Consumers' Advisory Committee ceases to be a member of that committee, he shall also cease to be a member of the Board and another member of that committee shall be nominated in his place;
- (d) one shall represent persons dealing with citrus fruit in the course of the retail trade and shall be nominated by an association, which, in the opinion of the Minister, is representative of such persons: Provided that no person who, in the opinion of the Minister, is directly or indirectly interested or concerned in the wholesale trade in citrus fruit, shall be nominated under this paragraph;
- (e) one shall represent jam manufacturers and fruit canners and shall be nominated by an association, which, in the opinion of the Minister, is representative of such manufacturers and canners; and
- (f) one shall be an officer of the Department of Agricultural Economics and Marketing or the Department of Agricultural Technical Services 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 CO-OPERATIVE PRODUCERS' MEMBERS.

4. The members of the Board referred to in paragraph (a) of sub-section (1) of section 3 shall be nominated by the South African Co-operative Citrus Exchange, Limited, and shall, as far as practicable, be representative of the main citrus fruit producing areas.

NOMINATION OF NON-CO-OPERATIVE PRODUCERS' MEMBERS.

5. If there is in existence any association which in the opinion of the Minister, is representative of producers of citrus fruit, who are not exporters, or members of any co-operative society or co-operative company established in the interests of the citrus industry, such association shall be entitled to nominate two of the members of the Board referred to in paragraph (b) of sub-section (1) of section 3 for appointment to the Board, and if there is in existence any association which, in the opinion of the Minister, is representative of producers of citrus fruit who are exporters, but not members of any co-operative society or co-operative company established in the interests of the citrus industry, such association shall be entitled to nominate one of the members of the Board referred to in paragraph (b) of sub-section (1) of section 3 for appointment to the Board.

NOTICE TO NOMINATE MEMBERS.

6. Whenever a nomination in terms of paragraph (d) or (e) of sub-section (1) of section 3, or in terms of section 4 or 5 becomes necessary, the Minister shall call upon the South African Co-operative Citrus Exchange, Limited, or the association concerned, or cause it to be called upon, by notice, in writing, to nominate, within a period fixed by such notice, such person or persons as it is entitled, in terms of the relevant section, to nominate for appointment to the Board.

- (b) drie verteenwoordigers moet wees van produsente van sitrusvrugte wat nie lede van enige sodanige koöperatiewe vereniging of koöperatiewe maatskappy is nie, en genomineer moet word soos in artikel 5 bepaal is;
- (c) drie verbruikers van sitrusvrugte moet verteenwoordig en persone moet wees wat, volgens die oordeel van die Minister, nie regstreeks of onregstreeks by die handel in of produksie of verwerking van sitrusvrugte betrokke is nie, en twee waarvan deur die Minister na oorleg met die Adviserende Verbruikerskomitee genomineer moet word en een waarvan deur genoemde komitee uit sy lede genomineer moet word: Met dien verstande dat wanneer 'n lid deur die Adviserende Verbruikerskomitee genomineer, ook 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;
- (d) een 'n verteenwoordiger moet wees van persone wat in die kleinhandel met sitrusvrugte as 'n besigheid handel, en genomineer moet word deur 'n vereniging wat, volgens die Minister se oordeel, verteenwoordigend is van sodanige persone: Met dien verstande dat niemand wat, volgens die Minister se oordeel, direk of indirek belang het by of betrokke is in die groothandel in sitrusvrugte, kragtens hierdie paragraaf genomineer kan word nie;
- (e) een 'n verteenwoordiger moet wees van konfytfabrikante en vrugte-inmakers, en genomineer moet word deur 'n vereniging wat volgens die Minister se oordeel, verteenwoordigend is van sodanige fabrikante en inmakers; en
- (f) een 'n beamppte van die Departement van Landbou-ekonomie en -bemarking of die Departement Landbou-tegniese Dienste moet wees wat deur die Minister genomineer moet word.

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

NOMINASIE VAN KOÖPERATIEWE PRODUSENTELEDE.

4. Die lede van die Raad wat in paragraaf (a) van sub-artikel (1) van artikel 3 genoem is, word genomineer deur die Suid-Afrikaanse Koöperatiewe Sitrusbeurs, Bpk., en moet sover doenlik verteenwoordigend wees van die vernaamste sitrusvrugteproduserende streke.

NOMINASIE VAN NIE-KOÖPERATIEWE PRODUSENTELEDE.

5. Indien daar 'n vereniging bestaan wat volgens die Minister se oordeel, verteenwoordigend is van produsente van sitrusvrugte wat nie uitvoerders of lede van 'n koöperatiewe vereniging of koöperatiewe maatskappy wat in belang van die sitrusbedryf opgerig is, is nie, het so 'n vereniging die reg om twee van die lede van die Raad wat in paragraaf (b) van subartikel (1) van artikel 3 genoem is, vir aanstelling in die Raad te nomineer; en indien daar 'n vereniging bestaan wat volgens die Minister se oordeel, verteenwoordigend is van produsente van sitrusvrugte wat uitvoerders is maar nie lede is van 'n koöperatiewe vereniging of koöperatiewe maatskappy wat in belang van die sitrusbedryf opgerig is nie, het so 'n vereniging die reg om een van die lede van die Raad wat in paragraaf (b) van subartikel (1) van artikel 3 genoem is, vir aanstelling in die Raad nomineer.

KENNISGEWING OM LEDE TE NOMINEER.

6. Wanneer 'n nominasie kragtens paragraaf (d) of (e) van subartikel (1) van artikel 3, of kragtens artikel 4 of 5, nodig word, moet die Minister die Suid-Afrikaanse Koöperatiewe Sitrusbeurs, Beperk, of die betrokke vereniging, by skriftelike kennisgewing gelas of laat gelas om binne 'n tydperk wat in die kennisgewing vasgestel is, sodanige persoon of persone te nomineer as wat dit volgens die betrokke artikel geregtig is om vir aanstelling in die Raad te nomineer.

MINISTER MAY NOMINATE IF NO SUITABLE PERSON IS
NOMINATED.

7. (1) If any person nominated under paragraph (d) or (e) of sub-section (1) of section 3, or under section 5 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 association concerned and call upon that association to nominate some other person for appointment to the Board, and if the association concerned thereupon again nominates a person who is in the opinion of the Minister, not suitable or qualified as aforesaid, or whenever any such association fails to nominate any person the Minister may himself nominate any person whom he considers fit to be a member of the Board to represent the interests concerned.

(2) Whenever any nomination in terms of paragraph (d) or (e) of sub-section (1) of section 3, or in terms of section 5 becomes necessary the Minister may, if he is satisfied that there exists no association entitled to make such nomination, himself nominate any person for appointment to the Board to represent the interests concerned.

TENURE OF OFFICE OF MEMBERS OF THE BOARD.

8. (1) Subject to the provisions of sub-section (5) of section 33, the members of the Board shall be appointed for a period of two years: Provided that the member referred to in paragraph (f) 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—

(a) shall, in the case of a member referred to in paragraph (a) of sub-section (1) of section 3, appoint any other person nominated by the South African Co-operative Citrus Exchange, Limited; and

(b) may, in the case of any other member of the Board, appoint any other person whom he considers suitable;

to fill such 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, including any member appointed under sub-section (4), is prevented by illness, absence or any other cause from performing the duties of his office, the Minister—

(a) shall, in the case of a member referred to in paragraph (a) of sub-section (1) of section 3 appoint any other person nominated by the South African Co-operative Citrus Exchange, Limited; and

(b) may, in the case of any other member of the Board, appoint any other person whom he considers suitable;

to act as the deputy of that member while he is so prevented.

(6) A members of the Board shall cease to hold office as such—

(a) if he absents himself from three consecutive meetings of the Board without its leave; or

(b) if he becomes of unsound mind, or is convicted of any offence and sentenced to any period of imprisonment without the option of a fine; or

(c) if he becomes insolvent or compounds with his creditors; or

(d) if he resigns by notice in writing to the Board.

MINISTER KAN NOMINEER INDIEN GEEN GESKIKTE PERSOON
GENOMINEER IS NIE.

7. (1) Indien iemand wat kragtens paragraaf (d) of (e) van subartikel (1) van artikel 3, of kragtens artikel 5 genomineer is volgens die oordeel 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 benoeming terugverwys na die betrokke vereniging en daardie vereniging aansê om iemand anders vir aanstelling in die Raad te nomineer en indien die betrokke vereniging weer iemand nomineer wat, volgens die Minister se oordeel, ongeskik of onbevoeg is soos vermeld, of wanneer enige sodanige vereniging in gebreke bly om iemand te nomineer, kan die Minister self iemand nomineer wat hy geskik ag om lid van die Raad te wees om die betrokke belange te verteenwoordig.

(2) Wanneer 'n nominasie kragtens paragraaf (d) of (e) van subartikel (1) van artikel 3 of kragtens artikel 5, nodig word, kan die Minister indien hy daarvan oortuig is dat daar nie 'n vereniging bestaan wat geregtig is om so 'n nominasie te maak nie, self 'n persoon nomineer vir aanstelling in die Raad om die betrokke belange te verteenwoordig.

AMPSTERMYN VAN LEDE VAN DIE RAAD.

8. (1) Behoudens die bepalings van subartikel (5) van artikel 33, word die lede van die Raad vir 'n tydperk van twee jaar aangestel: Met dien verstande dat die lid genoem in paragraaf (f) 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 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 setel van 'n lid van die Raad om watter rede ook al vakant raak voor verstryking van die tydperk waarvoor hy aangestel is:—

(a) moet die Minister in die geval van 'n lid in paragraaf (a) van subartikel (1) van artikel 3 genoem, iemand anders aanstel wat deur die Suid-Afrikaanse Koöperatiewe Sitrusbeurs, Beperk, genomineer is; en

(b) kan die Minister, in die geval van 'n ander lid van die Raad, iemand anders wat hy geskik ag, aanstel;

om die vakature te vul totdat die tydperk waarvoor die uittredende lid aangestel was, verstryk het.

(5) Wanneer die Minister daarvan oortuig is dat 'n lid van die Raad, met inbegrip van 'n lid wat kragtens subartikel (4) aangestel is, weens siekte, afwesigheid of om 'n ander rede verhinder word om sy ampspligte te verrig—

(a) moet die Minister, in die geval van 'n lid in paragraaf (a) van subartikel (1) van artikel 3 genoem, iemand anders aanstel wat deur die Suid-Afrikaanse Koöperatiewe Sitrusbeurs, Beperk, genomineer is; en

(b) kan die Minister, in die geval van 'n ander lid van die Raad, iemand anders wat hy geskik ag, aanstel;

om as plaasvervanger van die lid op te tree solank hy aldus verhinder word.

(6) 'n Raadslid hou op om lid van die Raad te wees—

(a) as hy sonder die Raad se verlof van drie agtereenvolgende Raadsvergaderings afwesig is; of

(b) as hy ontoerekenbaar word of aan 'n oortreding skuldig bevind en tot gevangenisstraf sonder keuse van boete veroordeel word; of

(c) as hy insolvent raak of met sy skuldeisers 'n skikking aangaan; of

(d) as hy skriftelik bedank as lid van die Raad.

MEETINGS OF THE BOARD.

9. (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 at a time and place to be appointed by him.

(3) At the written request of not less than four members of the Board, the chairman shall call a special meeting of the Board to be held within thirty days from the date of receipt of such written 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 or by the secretaries of the Board authorised thereto by the Board.

ELECTION OF CHAIRMAN OF THE BOARD.

10. (1) Subject to the provisions of sub-section (6) of section 33 the Board shall, as occasion arises, elect from amongst its members a chairman, who shall hold office as such for a period of one year or until he ceases to be a member of the Board, whichever shall be the shorter period, and thereafter he may be re-elected.

(2) Whenever the chairman is unable to perform his functions, the Board shall elect another of its members to act as chairman.

QUORUM AND PROCEDURE AT MEETINGS.

11. (1) Ten members of the Board appointed in terms of sub-section (1) of section 3 and in terms of sub-sections (4) and (5) of section 8 shall form a quorum at any meeting of the Board.

(2) The decision of a majority of the members of the Board appointed as aforesaid and present at any meeting thereof shall constitute the decision of the Board: Provided that in the event of an equality of votes the chairman shall have a casting vote in addition to his deliberative vote.

ALLOWANCES OF MEMBERS OF THE BOARD.

12. The members of the Board and any advisory members co-opted by the Board and any members of a committee established in terms of sub-section (2) of section 13, shall be paid such allowances out of the funds of the Board to meet the reasonable expenses to which they are put in connection with the business of the Board, as the Board may, with the approval of the Minister, determine.

COMMITTEES OF BOARD.

13. The Board may, with the approval 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 any product or products to which this scheme relates, one or more committees to be constituted in such a 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, or in respect of the product or products in question, and to which the Board may, on such conditions as the Minister may approve, assign such of its powers under the scheme as it may, with the approval of the Minister, determine.

FINANCIAL YEAR.

14. The financial year under this scheme shall be the period from the first day of February in each year to the last day of January in the following year.

RAADSVERGADERINGS.

9. (1) Alle vergaderings van die Raad word gehou op die tye en plekke wat die Raad, of die voorsitter, indien hy deur die Raad daartoe gemagtig is, van tyd tot tyd bepaal.

(2) Die voorsitter van die Raad kan self te eniger tyd 'n buitengewone vergadering van die Raad byeenroep wat gehou moet word op 'n tyd en plek deur hom bepaal.

(3) Op skriftelike versoek van minstens vier lede van die Raad moet die voorsitter 'n buitengewone vergadering van die Raad byeenroep wat binne dertig dae vanaf die datum van ontvangs van die skriftelike versoek gehou moet word op 'n dag en plek deur hom bepaal.

(4) Die vergaderings van die Raad word byeengeroep by kennisgewing deur of op las van die voorsitter van die Raad of van die sekretaris van die Raad wat deur die Raad daartoe gemagtig is.

VERKIESING VAN VOORSITTER VAN DIE RAAD.

10. (1) Behoudens die bepalings van subartikel (6) van artikel 33 moet die Raad, wanneer nodig, 'n voorsitter uit sy lede kies wat die amp beklee vir 'n tydperk van een jaar of totdat hy ophou om lid van die Raad te wees, na gelang van watter tydperk ook al die kortste is en daarna kan hy herkies word.

(2) Wanneer die voorsitter nie sy werksaamhede kan waarneem nie, moet die Raad 'n ander lid kies om as voorsitter op te tree.

KWORUM EN PROSEDURE BY VERGADERINGS.

11. (1) Tien lede van die Raad wat kragtens subartikel (1) van artikel 3 en kragtens subartikels (4) en (5) van artikel 8 aangestel is, maak 'n kworum op 'n vergadering van die Raad uit.

(2) Die beslissing van die meerderheid van die lede van die Raad wat aangestel is soos hierbo uiteengesit is en teenwoordig is op 'n vergadering daarvan, maak 'n besluit van die Raad uit: Met dien verstande dat die voorsitter by 'n staking van stemme benewens sy beraadslagende stem ook 'n beslissende stem het.

TOELAES VAN LEDE VAN DIE RAAD.

12. Die lede van die Raad en enige adviserende lede wat deur die Raad gekoöpteer is en lede van 'n komitee ingestel ingevolge subartikel (2) van artikel 13 ontvang toelaes uit die fondse van die Raad om redelike uitgawes wat hulle in verband met die sake van die Raad aangaan, te dek. Die toelaes word deur die Raad met die Minister se goedkeuring vasgestel.

KOMITEES VAN DIE RAAD.

13. (1) Die Raad kan, met die Minister se goedkeuring en onderworpe aan die voorwaardes wat die Raad kan stel, een of meer komitees uit sy lede aanstel, en aan enige sodanige komitee die bevoegdheid van die Raad oordra wat die Raad goedgevind: Met dien verstande dat die Raad nie afstand doen van 'n bevoegdheid wat hy aan enige sodanige komitee opdra nie.

(2) Die Raad mag in enige gebied waarin hierdie skema of enige bepaling daarvan van toepassing is, of ten opsigte van enige produk of produkte waarop hierdie skema betrekking het, een of meer komitees instel wat saamgestel is op 'n wyse deur die Raad, met die goedkeuring van die Minister, bepaal, ten einde die Raad te adviseer aangaande enige aangeleentheid betreffende die uitvoering van hierdie skema, of enige bepaling daarvan, in die betrokke gebied, of ten opsigte van die betrokke produk of produkte, en waaraan die Raad op voorwaardes wat die Minister goedkeur, sodanige van sy bevoegdhede kragtens die skema kan oordra as wat hy met die goedkeuring van die Minister, bepaal.

BOEKJAAR.

14. Die boekjaar kragtens hierdie skema is die tydperk van die eerste dag van Februarie elke jaar tot die laaste dag van Januarie die volgende jaar.

AUDITING.

15. (1) The accounts of the Board shall be audited annually by the Controller and Auditor-General.

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

POWERS OF THE BOARD.

16. (1) 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 the 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 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 such 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 already so appointed or that his appointment should not have been terminated, as the case may be, allow the appeal, and determine the manner in which the amount so deposited shall be disposed of;
- (c) with the approval of the Minister, to borrow money to be used for the purpose of attaining the objects of the scheme and to use any money derived from any levy imposed in terms of section 17 for any object which in the opinion of the Board will be to the advantage of producers of citrus fruit;
- (d) to accept money or property given to the Board by way of donation, grant or otherwise and to utilize such money or property in such manner as the Minister may approve;
- (e) to establish an information service in order to advise producers of citrus fruit from time to time about marketing conditions in general or about the condition of any particular market;
- (f) 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;
- (g) to determine the maximum quantity of any citrus fruit which may, during any week, or during any day or other period determined by the Board, be brought into or removed out of any area defined by the Board;
- (h) to act as agent for the receipt and sale of any citrus fruit;
- (i) to treat in such manner as it may deem fit, grade, pack, store, process, adapt for sale, insure, advertise and transport, any citrus fruit in connection with which it conducts a pool;
- (j) to finance any pool conducted by the Board and to make advances to contributors to such a pool;
- (k) to require every person concerned in the production, marketing or processing of citrus fruit to furnish the Board with such information relating to citrus fruit as may be available to such person and as the Board may specify;
- (l) 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 citrus fruit and the times at which and the form and manner in which such returns shall be rendered;

ODUIT.

15. (1) Die rekenings en balansstaat van die Raad word jaarliks deur die Kontroleur en Ouditeur-generaal geouditeer.

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

BEVOEGDHEDE VAN DIE RAAD.

16. (1) Die Raad is bevoeg om—

- (a) die beamptes aan te stel en die eiendom aan te skaf of te huur wat hy nodig ag vir die behoorlike uitvoering van sy funksies en vir die verwesenliking van die oogmerke van die skema: Met dien verstande dat geen vaste eiendom aangeskaf mag word nie, behalwe met toestemming van die Minister en op die voorwaardes wat hy goedkeur;
- (b) onderworpe aan voorwaardes wat deur die Minister goedgekeur is, die agente wat hy nodig ag vir die behoorlike uitoefening van sy funksies, aan te stel: Met dien verstande dat indien die aansoek van enigiemand om aanstelling as 'n agent afgewys is of die aanstelling van enigiemand as 'n agent beëindig word, hy teen die afwysing of beëindiging na die Minister kan appelleer nadat hy 'n bedrag van dertig rand by die Sekretaris gestort het, en die Minister kan die appèl van die hand wys, of as hy daarvan oortuig is dat die persoon benewens enige ander persoon wat reeds aldus aangestel is, as agent aangestel behoort te word, of dat sy aanstelling nie beëindig behoort te gewees het nie, na gelang van die geval, die appèl toestaan, en bepaal op watter wyse oor die aldus gestorte bedrag beskik moet word;
- (c) met die Minister se goedkeuring geld te leen wat aangewend moet word ter verwesenliking van die doel van die skema, en om gelde wat verkry is uit 'n heffing wat kragtens artikel 17 opgelê is, aan te wend vir die doeleindes wat volgens die Raad se oordeel tot voordeel van produsente van sitrusvrugte sal strêk;
- (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 die wyse wat die Minister mag goedkeur;
- (e) 'n inligtingsdiens in te stel ten einde produsente van sitrusvrugte van tyd tot tyd in te lig aangaande bemakingstoestande oor die algemeen of die toestand ten opsigte van 'n besondere mark;
- (f) met enige persoon saam te werk, aan 'n handeling wat die Raad kan verrig, en om namens 'n ander soortgelyke Raad alle handelings te verrig wat daardie Raad kan verrig;
- (g) die grootste hoeveelheid sitrusvrugte vas te stel wat gedurende 'n tydperk wat deur die Raad vasgestel en in 'n gebied wat deur die Raad omskryf is, ingebring of daaruit verwyder mag word;
- (h) op te tree as 'n agent vir die ontvangs en verkoop van sitrusvrugte;
- (i) sitrusvrugte ten opsigte waarvan hy 'n poel bestuur, te behandel soos hy goedvind, te gradeer, te verpak, op te berg, te verwerk, vir verkoop geskik te maak, te verseker, te adverteer, en te vervoer;
- (j) 'n poel, wat deur die Raad bestuur word, te finansier en geld voor te skiet aan bydraes tot die poel;
- (k) elke persoon wat betrokke is by die produksie, bemaking of bewerking van sitrusvrugte te gelas om aan die Raad die inligting te verstrek waarvoor bedoelde persoon met betrekking tot sitrusvrugte beskik en wat die Raad mag spesifiseer;
- (l) met die Minister se goedkeuring die rekords wat gehou moet word, die tydperk waarvoor so 'n rekord behou moet word en die opgawes wat aan die Raad verstrek moet word deur enige persoon of klas of groep persone wat sitrusvrugte produseer of daarmee as 'n besigheid handel, asook die tye waarop, die vorm waarin en die wyse waarop die opgawes aldus verstrek moet word, voor te skryf;

- (m) to assist, by grant, or loan or otherwise, any research work relating to the improvement, production, processing and marketing of citrus fruit;
- (n) to advise the Minister as to—
- the conditions regarding grades, standards of quality, methods of packing and the marking of any citrus fruit or any receptacle or cover containing it, subject to which any such fruit may be sold or imported for sale;
 - prohibition, control or regulation of the importation or export of citrus fruit;
 - all matters relating to the marketing or processing of citrus fruit;
- (o) with the approval of the Minister, from time to time to prohibit any producer from selling citrus fruit 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;
- (p) with the approval of the Minister, to prohibit any person from selling citrus fruit unless he has acquired it from the Board or from such persons as may be determined by the Board;
- (q) with the approval of the Minister to require any person dealing in the course of trade with citrus fruit to furnish to the Board such security for the payment of the purchase price of any quantity of citrus fruit purchased from a producer, as may be prescribed by regulation, and to deal with any security so furnished in such manner as may be specified in any such regulation;
- (r) to do all such other things as are incidental or conducive to the attainment or advancement of any object, or incidental to any powers or functions, mentioned in the scheme.

(2) Any requirement or prohibition imposed or decision taken by the Board which relates to any portion of the Republic, or to any class of citrus fruit, may differ from any such requirement or prohibition or decision which relates to any other portion of the Republic or any other class or grade of citrus fruit or percentage or quantity thereof, or may apply only to specified portions of the Republic or relate only to specified classes of citrus fruit.

LEVY ON CITRUS FRUIT AND ESTABLISHMENT OF CITRUS LEVY FUND.

17. (1) The Board may, with the approval of the Minister, from time to time impose a levy on citrus fruit, on such basis as the Board may determine: Provided that such levy shall not exceed the sum of 3½ cents for every pocket of citrus fruit exported or sold.

(2) The levy imposed under sub-section (1) may in respect of any particular class, grade or standard of quality of citrus fruit, differ from any such levy in respect of any other class, grade or standard of quality of citrus fruit, and shall be payable by every large producer in respect of the total quantity of citrus fruit sold or exported by him.

(3) The Board shall establish a fund, to be known as the Citrus Levy Fund, into which all amounts derived from any levy imposed under sub-section (1), and all other moneys which may accrue to the Board shall be paid, and from which all payments by the Board shall be made.

SPECIAL LEVY AND ESTABLISHMENT OF SPECIAL FUND.

18. (1) The Board may, with the approval of the Minister, and on such basis as the board may determine, impose a special levy on citrus fruit, and for the purposes of such special levy the provisions of sub-section (2) of section 17 shall *mutatis mutandis* apply;

2. The Board shall establish a special fund and pay into that 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 that fund in such a manner as may be approved by the Minister.

(m) deur middel van 'n toekenning of lening of op 'n ander wyse hulp te verleen in verband met navorsingswerk met betrekking tot die verbetering, produksie, verwerking en bemarking van sitrusvrugte;

(n) die Minister van advies te dien aangaande—

- die voorwaardes wat betref grade, kwaliteitstandaarde, verpakkingsmetodes en die merk van sitrusvrugte of houers of omhulsels wat dit bevat, waarop enige sodanige vrugte verkoop of vir verkoop ingevoer mag word;
 - verbod op beheer of reëling van die invoer of of verwerking van sitrusvrugte.
 - alle aangeleenthede betreffende die bemarking of uitwerking van sitrusvrugte.
- (o) met die Minister se goedkeuring 'n produsent van tyd tot tyd te belet om sitrusvrugte wat hy geproduseer het, te verkoop, behalwe 'n klas, graad, hoeveelheid of persentasie daarvan wat die Raad vasgestel het, of behalwe vir 'n doel wat die Raad bepaal het;
- (p) met die Minister se goedkeuring enigiemand te belet om sitrusvrugte te verkoop tensy hy dit verkry het van die Raad of van die persone wat deur die Raad bepaal mag word;
- (q) met die Minister se goedkeuring enigiemand wat sitrusvrugte as 'n besigheid handel, te gelas om aan die Raad sekuriteit te verstrek soos by regulasie voorgeskryf mag word, vir die betaling van die koopprys van enige hoeveelheid sitrusvrugte wat van 'n produsent gekoop is, en met die sekuriteit wat aldus verstrek is op die wyse te handel wat in so 'n regulasie aangedui mag word;
- (r) alle ander dinge te doen wat aan die verwesenliking van enige doeleinde van die skema verbonde is of daartoe sal bydra of verbonde is aan 'n bevoegdheid of funksie wat in die skema gemeld is.

(2) Enige voorskrif van of verbod opgelê of 'n besluit geneem deur die Raad met betrekking tot enige deel van die Republiek of 'n klas sitrusvrugte kan verskil van so 'n voorskrif of verbod of besluit met betrekking tot 'n ander deel van die Republiek of 'n ander klas of graad sitrusvrugte of persentasie of hoeveelheid daarvan, of kan slegs op gespesifiseerde gedeeltes van die Republiek van toepassing wees of alleen op gespesifiseerde klasse of graad sitrusvrugte of persentasie of hoeveelheid daarvan.

HEFFING OP SITRUSVRUGTE EN INSTELLING VAN SITRUSHEFFINGSFONDS.

17. (1) Die Raad kan van tyd tot tyd met die goedkeuring van die Minister, 'n heffing op sitrusvrugte opelê op die grondslag wat die Raad bepaal: Met dien verstande dat die heffing nie die bedrag van 3-1/3 sent vir elke sakkie sitrusvrugte wat uitgevoer of verkoop word, te bowe mag gaan nie.

(2) Die heffing wat kragtens subartikel (1) opgelê word, kan ten opsigte van 'n besondere klas, graad of kwaliteitstandaard van sitrusvrugte verskil van 'n heffing ten opsigte van 'n ander klas, graad of kwaliteitstandaard van sitrusvrugte en is betaalbaar deur elke grootprodusent, ten opsigte van die totale hoeveelheid sitrusvrugte wat deur hom verkoop of uitgevoer is.

(3) Die Raad moet 'n fonds instel, genoem die Sitrusheffingsfonds, waarin alle bedrae wat verkry word uit enige heffing wat kragtens subartikel (1) opgelê is, en alle ander gelde wat aan die Raad toekom, gestort moet word, en waaruit alle uitbetalings deur die Raad moet geskied.

SPEZIALE HEFFING EN INSTELLING VAN SPEZIALE FONDS.

18. (1) Die Raad kan met die Minister se goedkeuring en op so 'n basis as wat die Raad mag bepaal 'n spesiale heffing op sitrusvrugte opelê, en vir die doeleindes van so 'n spesiale heffing is die bepalinge van subartikel (2) van artikel 17 *mutatis mutandis* van toepassing.

(2) Die Raad moet 'n spesiale fonds instel, waarin die opbrengs van spesiale heffings wat kragtens subartikel (1) opgelê is, en sodanige ander bedrae tot beskikking van die Raad as wat deur die Minister goedgekeur mag word, gestort moet word en die Raad kan met die geld in daardie fonds handel op die wyse wat die Minister goedkeur.

ESTABLISHMENT OF RESERVE FUNDS.

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

FIXATION OF PRICES.

20. (1) The Board may, with the approval of the Minister, from time to time prohibit any person or any person belonging to any class or group of persons or any person other than a person belonging to any class or group of persons from acquiring, selling or disposing of any quantity of citrus fruit 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 citrus fruit or for such class, grade or quantity thereof.

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

- (i) 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 citrus fruit;
- (ii) require any person disposing of citrus fruit 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 so determined;
- (iii) fix in respect of any quantity of citrus fruit 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 citrus fruit or that class or grade of citrus fruit acquired for any other purpose or by any other class of persons;
- (iv) fix in respect of citrus fruit or of any class or grade thereof different prices in respect of different quantities or in respect of different times of the year;
- (v) 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.

PROVISIONS GOVERNING THE MARKETING OF CITRUS FRUIT.

SALE ONLY THROUGH BOARD.

21. The Board may, with the approval of the Minister, prohibit any large producer from selling citrus fruit 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.

POOLING OF PROCEEDS.

22. Whenever the Board has imposed any prohibition under section 21 it may conduct pools for the sale of citrus fruit in accordance with the provisions of sections 23 to 29.

EXPORT POOLS.

23. (1) The Board shall conduct a separate pool in respect of any count or any group of counts of each class or group of classes of citrus fruit exported, or deemed to have been exported, during such period in any season as the Board may, with the approval of the Minister, determine: Provided that citrus fruit of export quality which has been sold for consumption within the Republic by an exporter on directions of the Board during a period, determined in like manner as aforesaid, shall be deemed to be citrus fruit exported from the Republic during the first-mentioned period.

INSTELLING VAN RESERWEFONDSE.

19. 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 na afloop van 'n boekjaar onder die skema en na oorlegpleging met die Raad mag bepaal, en die Raad kan oor enige gelde in enige sodanige fonds beskik op sodanige wyse as wat die Minister mag goedkeur.

VASSTELLING VAN PRYSE.

20. (1) Met die Minister se goedkeuring kan die Raad van tyd tot tyd enigiemand, of iemand wat tot 'n klas of groep persone behoort of iemand anders as iemand wat tot 'n klas of groep behoort, verbied om enige hoeveelheid sitrusvrugte of 'n klas of graad daarvan te verkry, te verkoop of van die hand te sit teen 'n ander of 'n laer of hoër prys dan 'n prys deur die Raad vasgestel of bereken ooreenkomstig 'n grondslag deur die Raad bepaal vir die sitrusvrugte of vir bedoelde klas, graad of hoeveelheid daarvan.

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

- (i) die gelde of koste bepaal wat ingesluit of bygevoeg moet word by, of afgetrek moet word van 'n in genoemde subartikel bedoelde prys, of die gewig bepaal wat met betrekking tot 'n daarin bedoelde hoeveelheid toegelaat moet word vir die houer van sitrusvrugte;
- (ii) van enige persoon wat die sitrusvrugte, of enige klas, graad of hoeveelheid sitrusvrugte, van die hand sit op krediet of vir 'n bedrag wat meer is dan 'n bedrag wat deur die Raad bepaal is, vereis dat hy 'n faktuur met die aldus bepaalde besonderhede moet verskaf;
- (iii) ten opsigte van 'n hoeveelheid van sitrusvrugte of van klas of graad daarvan wat verkry is vir watter doel ook al of deur watter klas persone ook al, 'n prys vasstel wat verskil van die prys wat vasgestel is ten opsigte van 'n hoeveelheid van sitrusvrugte of van daardie klas of graad sitrusvrugte wat verkry is vir 'n ander doel of deur 'n ander klas persone;
- (iv) ten opsigte van sitrusvrugte of van 'n klas of graad daarvan verskillende pryse ten opsigte van verskillende hoeveelhede of ten opsigte van verskillende tye van die jaar vasstel;
- (v) gelas dat 'n aldus vasgestelde prys op so'n wyse en in so'n vorm en op sodanige plekke of voertuie en deur sodanige persone of klasse persone as wat die Raad bepaal, vertoon moet word.

BEPALINGS BETREFFENDE DIE BEMARKING VAN SITRUSVRUGTE.

VERKOOP SLEGS DEUR DIE RAAD.

21. Met die Minister se goedkeuring kan die Raad 'n grootprodusent belet om sitrusvrugte of 'n klas, graad, hoeveelheid of persentasie daarvan wat die Raad van tyd tot tyd bepaal, te verkoop, behalwe aan of deur die Raad of die persone wat deur die Raad bepaal mag word.

VERPOELING VAN OPBRENGS.

22. Wanneer die Raad 'n verbod kragtens artikel 21 opgelê het, kan hy poele vir die verkoop van sitrusvrugte bestuur ooreenkomstig die bepalings van artikel 23 tot 29.

UITVOERPOELE.

23. (1) Die Raad bestuur 'n afsonderlike poel ten opsigte van enige telling of groep tellings, van elke klas of groep klasse sitrusvrugte uitgevoer, of wat geag word uitgevoer te gewees het, gedurende sodanige tydperk in enige besondere seisoen as wat die Raad, met die Minister se goedkeuring, bepaal: Met dien verstande dat sitrusvrugte van uitvoer kwaliteit wat deur 'n uitvoerder op las van die Raad vir gebruik in die Republiek verkoop is gedurende 'n tydperk, wat op dieselfde wyse soos voormeld bepaal is, geag word sitrusvrugte te wies wat gedurende eersgenoemde tydperk uit die Republiek uitgevoer is.

(2) The Board shall, subject to the provisions of sub-section (5) and section 29 distribute the net proceeds of each pool referred to in sub-section (1) to exporters who contributed to such pool in proportion to the number of cases of citrus fruit—

- (a) exported, and deemed to have been exported, on behalf of each such exporter for the account of that pool; or
- (b) as may otherwise be determined by the Board in respect of each such exporter.

(3) The Board shall, in respect of every case of citrus fruit exported on behalf of an exporter for the account of any pool, or in respect of such number of cases of citrus fruit as may be determined by the Board, pay to such exporter out of that pool—

- (a) an amount equivalent to the difference between the average loss suffered per case (as determined by the Board), during the immediately preceding season, as a result of wastage in respect of the total quantity of citrus fruit of each class exported during the said season, and the average loss reckoned per case (as determined by the Board), suffered during the said season as a result of wastage in respect of the total quantity of citrus fruit of the same class of export quality sold by or on behalf of exporters within the Republic; and
- (b) an amount equivalent to the difference (as determined by the Board) between the average costs of packing (including the landed costs of packing material free at any port of the Republic or Lourenco Marques) incurred per case by exporters in respect of the total quantity of citrus fruit exported during the immediately preceding season, and the average cost of packing as aforesaid, reckoned per case, incurred by exporters in respect of the total quantity of export quality citrus fruit sold within the Republic during the said season.

(4) Whenever the number of cases of citrus fruit of any particular class, exported on behalf of an exporter during the period first mentioned in sub-section (1), expressed as a percentage of the total number of cases of citrus fruit of that class of export quality, exported for or on behalf of such exporter during both the periods referred to in sub-section (1), exceeds the number of cases of citrus fruit of that class, exported on behalf of all exporters during the period first mentioned in sub-section (1), expressed as a percentage of the total number of cases of citrus fruit of that class of export quality, exported for or on behalf of such exporters during both the periods referred to in sub-section (1), the Board shall pay to such exporter out of the pool concerned the difference (as determined by the Board) between the railrage costs incurred by him from his nearest port of importation, in respect of the packing material used for the packing of such excess for export, and the railrage costs, reckoned as aforesaid in respect of that quantity of packing material which would be required for the packing of a like quantity of citrus fruit for sale within the Republic. Whenever the first-mentioned percentage is less than the second-mentioned percentage such exporter shall pay to the Board, for the account of the pool concerned, the difference (as determined by the Board) between the railrage costs incurred by him from his nearest port of importation, in respect of the packing material used for the packing of the quantity of citrus fruit represented by the deficit, and the railrage costs, reckoned as aforesaid, in respect of that quantity of packing material, which would be required for the packing of a like quantity of citrus fruit for export.

(5) The amount paid to an exporter in terms of sub-section (2), shall—

- (a) in the case of citrus fruit of any particular class, determined by the Board, exported during a period within a season, prescribed by the Board with approval of the Minister, and which, because of the period of the year when it is exported, realises on

(2) Behoudens die bepalings van subartikel (5) en artikel 29 moet die Raad die netto-opbrengste van elke pool in subartikel (1) genoem, aan die uitvoerders wat tot die pool bygedra het, uitkeer in verhouding tot die getal kassies sitrusvrugte—

- (a) wat ten behoeve van iedere sodanige uitvoerder vir rekening van daardie pool uitgevoer, en geag word uitgevoer te gewees het; of
- (b) wat andersins deur die Raad ten opsigte van iedere sodanige uitvoerder bepaal mag word.

(3) Die Raad moet ten opsigte van elke kassie sitrusvrugte uitgevoer ten behoeve van 'n uitvoerder en vir die rekening van enige pool, of ten opsigte van sodanige getal kassies sitrusvrugte as wat die Raad mag bepaal, aan die uitvoerder uit daardie pool betaal—

- (a) 'n bedrag wat gelykstaan met die verskil tussen die gemiddelde verlies per kassie (soos deur die Raad bepaal), wat gelyk is as gevolg van skade deur bederf gedurende die onmiddellik voorafgaande seisoen, ten opsigte van die totale hoeveelheid sitrusvrugte van elke klas wat gedurende genoemde seisoen uitgevoer is, en die gemiddelde verlies bereken per kassie (soos deur die Raad bepaal), wat gelyk is as gevolg van skade deur bederf, gedurende genoemde seisoen ten opsigte van die totale hoeveelheid sitrusvrugte van dieselfde klas van uitvoerkwaliteit, wat deur of ten behoeve van uitvoerders in die Republiek verkoop is; en
- (b) 'n bedrag wat gelykstaan met die verskil (soos deur die Raad bepaal) tussen die gemiddelde verpakkingskoste (met inbegrip van die koste aan wal van verpakkingsmateriaal vry by enige hawe van die Republiek of Lourenco Marques) wat per kassie aangegaan is deur uitvoerders ten opsigte van die totale hoeveelheid sitrusvrugte wat gedurende die onmiddellik voorafgaande seisoen uitgevoer is, en die gemiddelde verpakkingskoste soos voormeld, bereken per kassie, wat aangegaan is deur uitvoerders ten opsigte van die totale hoeveelheid sitrusvrugte van uitvoerkwaliteit wat gedurende genoemde seisoen in die Republiek verkoop is.

(4) Wanneer die kassies sitrusvrugte van 'n besondere klas, uitgevoer ten behoeve van 'n uitvoerder gedurende die tydperk eerste in subartikel (1) genoem, uitgedruk as 'n persentasie van die totale getal kassies sitrusvrugte van daardie klas uitvoerkwaliteit, wat gedurende albei tydperke in subartikel (1) genoem deur of ten behoeve van sodanige uitvoerder uitgevoer is, meer is as die getal kassies sitrusvrugte van daardie klas uitgevoer ten behoeve van al die uitvoerders gedurende die tydperk eerste in subartikel (1) genoem, uitgedruk as 'n persentasie van die totale getal kassies sitrusvrugte van daardie klas uitvoerkwaliteit, wat gedurende albei tydperke in subartikel (1) genoem deur of ten behoeve van sodanige uitvoerders uitgevoer is, moet die Raad aan sodanige uitvoerder uit die betrokke pool die verskil (soos deur die Raad bepaal) bepaal tussen die spoorvrag van sy naaste invoerhawe af, ten opsigte van die verpakkingsmateriaal gebruik vir die verpakking van sodanige surplus vir uitvoer, en die spoorvrag, bereken soos voormeld, ten opsigte van daardie hoeveelheid verpakkingsmateriaal wat nodig sou wees vir die verpakking van 'n soortgelyke hoeveelheid sitrusvrugte vir verkoop in die Republiek. Wanneer die eersgenoemde persentasie kleiner is as die tweede genoemde persentasie, moet die uitvoerder aan die Raad, vir die rekening van die betrokke pool die verskil betaal (soos deur die Raad bepaal) tussen die spoorvrag van sy naaste invoerhawe af, ten opsigte van die verpakkingsmateriaal gebruik vir die verpakking van die hoeveelheid sitrusvrugte wat gelykstaan met die tekort, en die spoorvrag, bereken soos voormeld, ten opsigte van daardie hoeveelheid verpakkingsmateriaal, wat nodig sou wees vir die verpakking van 'n gelyke hoeveelheid sitrusvrugte wat vir uitvoer bestem is.

(5) Die bedrag aan 'n uitvoerder kragtens subartikel (2) betaal word, moet—

- (a) in die geval van sitrusvrugte van enige besondere klas, deur die Raad bepaal wat uitgevoer is gedurende 'n tydperk in 'n seisoen, deur die Raad voorgeskryf met goedkeuring van die Minister, en wat, vanweë die tyd van die jaar waarin dit uitgevoer is,

average more or less per case, as the case may be, than the average realisation of similar fruit of the same grade, exported during any other similarly prescribed period or periods from the same pool, be increased or diminished by an amount per case, equivalent to the difference—arising out of the period when such fruit was exported—as determined by the Board, between the average amount realised per case for such fruit exported during such period, and the average amount per case realised during some other period or periods for similar fruit of the same grade participating in the same pool;

- (b) in the case of citrus fruit of any particular class, grade, type or count which, because of its class, grade, type or count realises during a period a price more or less, as the case may be, than the average realisation of the citrus fruit of another class, grade, type or count, respectively, or other classes, grades, types or counts, respectively, in the same pool during the same period, be increased or diminished by an amount per case, equivalent to the average of the differences—arising as a result of the class, grade, type or count, respectively—as determined by the Board, between the average amounts per case realised for such class, grade, type or count of citrus fruit, as the case may be, and the average amounts per case realised during the corresponding periods for citrus fruit of another class, grade, type or count, or classes, grades, types or counts, respectively, participating in the same pool: Provided that the amount by which the payment to the exporter is increased or diminished shall be calculated separately for each of the prescribed periods referred to in paragraph (a);

For the purpose of this paragraph type means citrus fruit of any class produced in an area defined by the Board.

- (c) in the case of citrus fruit—

- (i) of any exporter who has during any one of the immediately preceding five seasons exported more than 1,000,000 cases of citrus fruit of all classes and who has requested the Board in writing to apply quality differential calculations in respect of his citrus fruit, and has undertaken to meet the costs, as determined by the Board, of making such calculations; and
- (ii) which because of its superior or inferior quality realises more or less, as the case may be, than the average realisation of similar citrus fruit of the same count, class or grade of all exporters in the same pool during the same period;

be increased or diminished by an amount per case equivalent to the average of the difference between the average amounts realised per case for such citrus fruit of such exporter, and the average amounts realised per case during the corresponding periods for similar citrus fruit of the same count, grade or class of all producers participating in the same pool: Provided that—

- (i) the amount by which the payment to the exporter concerned is increased or diminished, shall be calculated separately for each of the prescribed periods referred to in paragraph (a);
- (ii) such differences shall be calculated each day of such period on each market, as determined by the Board, in respect of such citrus fruit sold on such markets;
- (iii) in respect of each such period such differences shall only be applied to that quantity of such exporter's citrus fruit, shipped during such period, which bears the same proportion to the total quantity of citrus fruit exported by him during such period, as the proportion which the quantity of citrus fruit of all

gemiddeld meer of minder per kas, na gelang van die geval, behaal as die gemiddelde opbrengs vir soortgelyke vrugte van dieselfde graad, wat gedurende enige ander dergelyke voorgeskrewe tydperk of tydperke uit dieselfde pool uitgevoer is, vermeerder of verminder word met 'n bedrag per kas, gelykstaande met die verskil—voortspruitende uit die tydperk waarin die vrugte uitgevoer is—soos bepaal deur die Raad, tussen die gemiddelde bedrag per kassie behaal vir sodanige vrugte gedurende sodanige tydperk uitgevoer, en die gemiddelde bedrag per kassie gedurende sodanige ander tydperk of tydperke behaal deur soortgelyke vrugte van dieselfde graad in dieselfde pool;

- (b) in die geval van sitrusvrugte van enige besondere klas, graad, tipe of telling wat vanweë die klas, graad, tipe of telling daarvan gedurende 'n tydperk 'n hoër of laer prys behaal, na gelang van die geval, as die gemiddelde prys van die sitrusvrugte van 'n ander klas, graad, tipe of telling onderskeidelik of ander klasse, grade, tipes of tellings, onderskeidelik, in dieselfde pool gedurende dieselfde tydperk, vermeerder of verminder word met 'n bedrag per kassie, wat gelyk is aan die gemiddelde van die verskille—voortspruitende uit die klas, graad, tipe of telling, onderskeidelik—soos bepaal deur die Raad, tussen die gemiddelde bedrae per kassie behaal vir sodanige klas, graad, tipe of telling sitrusvrugte, na gelang van die geval, en die gemiddelde bedrae per kassie behaal gedurende die ooreenstemmende tydperke vir sitrusvrugte van 'n ander klas, graad, tipe of telling, of klasse, grade, tipes of tellings, onderskeidelik, in dieselfde pool: Met dien verstande dat die bedrag waarmee betaling aan die uitvoerder vermeerder of verminder word, afsonderlik bereken word vir elk van die voorgeskrewe tydperke waarna in paragraaf (a) verwys word;

Vir die toepassing van hierdie paragraaf beteken tipe sitrusvrugte van enige klas gekweek in 'n gebied omskryf deur die Raad.

- (c) in die geval van sitrusvrugte—

- (i) van enige uitvoerder wat gedurende enige van die onmiddellik voorafgaande vyf seisoene meer as 1,000,000 kassies sitrusvrugte van alle klasse uitgevoer het, en wat die Raad skriftelik versoek het om gehalte-differensiële berekenings ten opsigte van sy sitrusvrugte toe te pas, en wat onderneem het om die koste, soos bepaal deur die Raad, van sodanige berekenings te dra; en
- (ii) wat vanweë die beter of swakker gehalte daarvan, meer of minder behaal, na gelang van die geval, as die gemiddelde opbrengs van soortgelyke sitrusvrugte van dieselfde telling, klas of graad van alle uitvoerders in dieselfde pool gedurende dieselfde tydperk;

vermeerder of verminder word met 'n bedrag per kassie wat gelyk is aan die gemiddelde van die verskil tussen die gemiddelde bedrae behaal per kassie vir sodanige sitrusvrugte van sodanige uitvoerder, en die gemiddelde bedrae bepaal per kassie gedurende die ooreenstemmende tydperk vir soortgelyke sitrusvrugte van dieselfde telling, graad of klas van alle produsente wat aan dieselfde pool deelneem: Met dien verstande dat—

- (i) die bedrag waarmee die betaling aan die betrokke uitvoerder vermeerder of verminder word, afsonderlik bereken word vir elk van die voorgeskrewe tydperke waarna in paragraaf (a) verwys word;
- (ii) sodanige verskille elke dag van sodanige tydperk op elke mark, soos bepaal deur die Raad, bereken word ten opsigte van sodanige sitrusvrugte wat op sodanige marke verkoop word;
- (iii) ten opsigte van elke sodanige tydperk sodanige verskille slegs toegepas word op daardie hoeveelheid van sodanige uitvoerder se sitrusvrugte, verskeep gedurende sodanige tydperk, wat in dieselfde verhouding staan tot die totale hoeveelheid sitrusvrugte deur hom gedurende sodanige tydperk verskeep, as die

producers, shipped during such period, and in respect of which it is possible to make such calculations during such period, bears to the total quantity of citrus fruit of all producers shipped during such period.

(d) except in the case of citrus fruit kept in cold storage at the port of export, awaiting shipment, for a period in excess of three weeks, be diminished—

(i) by the costs incurred by the Board in repacking or otherwise preparing for sale any citrus fruit delivered by such exporter and which has, in the opinion of the Board, arrived at the point of sale or its overseas destination in a wasty condition, and also by all costs incurred in respect of citrus fruit which has been lost as a result of thus arriving in a wasty condition; and

(ii) by an amount, determined by the Board, in relation to the degree of waste: Provided that in the case of citrus fruit exported on behalf of such exporter in unrefrigerated shipping space, the amount shall be determined in relation to the degree of waste in respect of such exporter's fruit shipped in refrigerated space;

(e) in the case of citrus fruit of any particular class, determined by the Board, and produced in any area defined by the Board, be increased by an amount per case equivalent to the difference, as determined by the Board, between the railrage per case, as calculated by the Board, from the area concerned to its nearest port of shipment and the railrage per case, similarly calculated, from such other area, similarly determined, which has the highest railrage per case to its nearest port of shipment.

For the purposes of this paragraph the said difference shall be calculated by the Board on the basis of the crop figures for any particular class of citrus fruit for, and at the railrage rates applicable to the immediately preceding season.

(6) The Board shall pay to such exporter the proceeds of the sale of citrus fruit sold by him through the Board [other than during the period referred to in sub-section (1)], less any expenses incurred by the Board in the disposal of such citrus fruit.

LOCAL POOLS.

24. (1) The Board shall conduct a separate pool for every size of each grade in respect of citrus fruit of each class sold within the Republic during each of such periods as the Board may, with the approval of the Minister, determine in respect of any such class: Provided that the Board may, whenever it deems it expedient, conduct a pool in respect of a size or of a group of sizes or of a grade or of a group of grades.

(2) The Board shall, subject to the provisions of sub-section (3), distribute the net proceeds of each pool referred to in sub-section (1), to producers who contributed to such pool, in proportion to the number of pockets of citrus fruit sold on behalf of each such producer for the account of that pool, or in proportion to such number as may be determined by the Board in respect of each such producer.

(3) The amount distributed to a producer in terms of sub-section (2) shall—

(a) be diminished by the costs incurred by the Board in repacking or otherwise preparing for sale any citrus fruit delivered by such producer and which has, in the opinion of the Board, arrived at the

verhouding waarin die hoeveelheid sitrusvrugte van alle produsente, gedurende sodanige tydperk verskeep, en ten opsigte waarvan dit moontlik is om gedurende sodanige tydperk sodanige berekenings te maak, staan tot die totale hoeveelheid sitrusvrugte van alle produsente gedurende sodanige tydperk verskeep.

(d) uitgesonderd in die geval waar sitrusvrugte by die uitvoerhawe vir 'n langer tydperk as drie weke in koelkamers opgeberg is, terwyl dit op verskeping wag, verminder word—

(i) met dié koste wat die Raad aangegaan het in verband met die herverpakking of die gereedmaking op 'n ander wyse vir verkoop van enige sitrusvrugte wat deur die uitvoerder gelewer is, en wat, na die Raad se mening, in 'n bederfde toestand by die verkooppiek of by die oorsese bestemming daarvan aangekom het, en ook met alle koste wat aangegaan is ten opsigte van sitrusvrugte wat verlore gegaan het as gevolg daarvan dat dit aldus in 'n bederfde toestand aangekom het; en

(ii) met 'n bedrag, deur die Raad bepaal, in verhouding tot die mate van bederf: Met dien verstande dat in die geval van sitrusvrugte wat ten behoeve van die uitvoerder in onverkoelde skeepsruimte uitgevoer word, die bedrag bepaal word in verhouding tot die graad van bederf ten opsigte van sodanige uitvoerder se vrugte wat in verkoelde skeepsruimte uitgevoer is;

(e) in die geval van sitrusvrugte van enige besondere klas, deur die Raad bepaal, en geproduseer in enige gebied deur die Raad omskryf, verhoog word met 'n bedrag per kassie gelyk aan die verskil, soos deur die Raad bepaal, tussen die spoorvrage per kassie, soos deur die Raad bereken, vanaf die betrokke gebied na die naaste verskepingshawe daarvan, en die spoorvrage per kassie op dieselfde wyse bereken, vanaf sodanige ander gebied, op dieselfde wyse bepaal, wat die hoogste spoorvrage per kassie na die naaste verskepingshawe daarvan het.

Vir die toepassing van hierdie paragraaf sal genoemde verskil deur die Raad bereken word op grondslag van die oessyfers van enige besondere klas sitrusvrugte vir, en teen die spoorvragtariewe van toepassing op die onmiddellik voorafgaande seisoen.

(6) Die Raad betaal aan die uitvoerder die opbrengs van die verkoop van sitrusvrugte wat hy deur bemiddeling van die Raad verkoop het [uitgesonderd gedurende die tydperk in subartikel (1) genoem] min enige uitgawes wat deur die Raad aangegaan is by die verkoop van sodanige sitrusvrugte.

PLAASLIKE POELE.

24. (1) Die Raad bestuur 'n afsonderlike pool vir elke grootte van elke graad ten opsigte van elke klas sitrusvrugte wat in die Republiek verkoop word gedurende elkeen van sodanige tydperke as wat die Raad, met die Minister se goedkeuring ten opsigte van enige sodanige klas bepaal: Met dien verstande dat die Raad wanneer hy dit ook al raadsaam ag, 'n pool kan bestuur ten opsigte van 'n grootte of van 'n groep groottes of van 'n graad of van 'n groep grade.

(2) Behoudens die bepalings van subartikel (3), moet die Raad die netto-opbrengs van elke pool in subartikel (1) genoem, onder die produsente wat tot daardie pool bygedra het, uitkeer in verhouding tot die getal sakkies sitrusvrugte wat ten behoeve van elke sodanige produsent vir die rekening van daardie pool verkoop is, of in verhouding tot sodanige getal wat deur die Raad ten opsigte van elke sodanige produsent bepaal mag word.

(3) Die bedrag wat aan 'n produsent kragtens subartikel (2) uitgekeer word, moet—

(a) verminder word met die koste wat die Raad aangegaan het in verband met die herverpakking of die gereedmaking op 'n ander wyse vir verkoop van enige sitrusvrugte wat deur sodanige produsent

point of sale in the Republic in a wasty condition and also by all costs incurred by the Board in respect of citrus fruit which has been lost as a result of thus arriving in a wasty condition;

- (b) be diminished by an amount equivalent to the difference between the amount actually realised for such wasty citrus fruit, and the amount which, in the opinion of the Board, would have been realised for such citrus fruit if not in a wasty condition;
- (c) in the case of citrus fruit of any particular class, determined by the Board, and produced in any area defined by the Board, be increased by an amount per pocket equivalent to the difference, as determined by the Board, between the railrage per pocket, as calculated by the Board, from the area concerned to the nearest local markets capable of absorbing that class of citrus fruit, and the railrage per pocket, similarly calculated, from such other area, similarly determined, which has the highest railrage per pocket to its nearest local markets capable of absorbing that class of citrus fruit.

For the purposes of this paragraph the said difference shall be calculated by the Board on the basis of the crop figures for any particular class of citrus fruit for, and at the railrage rates applicable to, the immediately preceding season.

(4) The Board shall pay to a producer direct or through an agent, the proceeds of the sale of citrus fruit sold within the Republic by him through the Board [other than during the period or periods referred to in sub-section (1)], less any expenses incurred by the Board in the disposal of such citrus fruit.

(5) Whenever citrus fruit produced in a specified area is, on directions of the Board, delivered for sale during any period other than during a period or periods referred to in sub-section (1), for the account of any pool, at a place outside such specified area, the Board shall pay out of that pool to every producer in respect of every pocket of citrus fruit thus delivered by him—

(a) in the case where the loss per pocket (as determined by the Board) resulting from wastage in respect of the total quantity of citrus fruit thus delivered for the account of a similar pool during the immediately preceding eighteen months exceeds the loss per pocket, determined as aforesaid, resulting from wastage in respect of the total quantity of citrus fruit delivered otherwise than as aforesaid, for the account of the said pool, an amount equivalent to such excess;

(b) in all other cases, such an amount as the Board may, with the approval of the Minister, determine.

(6) (a) For the purpose of sub-section (5) a "specified area" shall mean any one of the following areas: Transvaal, Cape Province, Natal.

(b) For the purposes of this section, citrus fruit produced in the Republic but sold in pockets in territories adjoining the Republic shall be deemed to have been sold in the Republic.

INTERIM PAYMENTS.

25. The Board may, from time to time, before the end of a season make such interim payments to producers who contributed to any pool, as it may deem fit.

ADJUSTMENT TO POOL DISTRIBUTIONS.

26. The Board may, with the approval of the Minister, transfer any portion of the proceeds in a pool to any other such pool conducted by the Board.

27. In the event of the Board incurring any financial obligation in respect of shipping space booked by it and which the Board is unable to recover wholly or in part

gelewer is en wat, na die Raad se mening, in 'n bederfde toestand by die verkoopplek in die Republiek aangekom het en ook met alle koste wat deur die Raad aangegaan is ten opsigte van sitrusvrugte wat verlore gegaan het as gevolg daarvan dat dit aldus in 'n bederfde toestand aangekom het;

(b) verminder word met 'n bedrag wat gelykstaan met die verskil tussen die bedrag wat werklik behaal is deur sodanige bederfde sitrusvrugte, en die bedrag wat, na die Raad se mening, behaal sou gewees het indien die sitrusvrugte nie in 'n bederfde toestand was nie;

(c) in die geval van sitrusvrugte van enige besondere klas, deur die Raad bepaal, en geproduseer in enige gebied deur die Raad bepaal, verhoog word met 'n bedrag per sakkie gelyk aan die verskil, soos deur die Raad bepaal, tussen die spoorvrag per sakkie, soos deur die Raad bereken, vanaf die betrokke gebied na die naaste plaaslike marke wat daardie klas sitrusvrugte kan opneem, en die spoorvrag per sakkie, op dieselfde wyse bereken, vanaf sodanige ander gebied, op dieselfde wyse bepaal, wat die hoogste spoorvrag per sakkie na die naaste plaaslike marke daarvoor, wat daardie klas sitrusvrugte kan opneem.

Vir die toepassing van hierdie paragraaf sal genoemde verskil deur die Raad bereken word op grondslag van die oes-syfers vir enige besondere klas sitrusvrugte vir, en teen die spoorvragtariewe van toepassing op die onmiddellik voorafgaande seisoen.

(4) Die Raad betaal aan 'n produsent regstreeks of deur bemiddeling van 'n agent, die opbrengs van die verkoop van sitrusvrugte wat hy deur bemiddeling van die Raad in die Republiek verkoop het [uitgesonderd gedurende die tydperk of tydperke in subartikel (1) genoem], min uitgawes wat deur die Raad aangegaan is by die verkoop van sodanige sitrusvrugte.

(5) Wanneer sitrusvrugte, geproduseer in 'n bepaalde gebied, op las van die Raad vir verkoop gelewer word gedurende enige tydperk, uitgesonderd gedurende 'n tydperk of tydperke in subartikel (1) genoem, vir die rekening van enige pool, op 'n plek buite sodanige bepaalde gebied, betaal die Raad uit daardie pool aan elke produsent ten opsigte van elke sakkie sitrusvrugte wat hy aldus gelewer het—

(a) in die geval waar die verlies per sakkie (soos deur die Raad bepaal) as gevolg van bederf ten opsigte van die totale hoeveelheid sitrusvrugte aldus gelewer vir die rekening van 'n soortgelyke pool gedurende die onmiddellik voorafgaande agtien maande, meer is as die verlies per sakkie, bepaal soos voormeld, as gevolg van bederf ten opsigte van die totale hoeveelheid sitrusvrugte, wat vir die rekening van genoemde pool, anders gelewer is as voormeld, 'n bedrag gelykstaande met sodanige oorskryding;

(b) in alle ander gevalle sodanige bedrag as wat die Raad, met goedkeuring van die Minister bepaal.

(6) (a) Vir die toepassing van subartikel (5) beteken "bepaalde gebied" enigeen van die volgende gebiede: Transvaal, Kaapprovinsie, Natal.

(b) By die toepassing van hierdie artikel word sitrusvrugte wat in die Republiek geproduseer is maar wat in sakkies in gebiede wat aan die Republiek grens verkoop is, geag sitrusvrugte te wees wat in die Republiek verkoop is.

TUSSENTYDSE BETALINGS.

25. Voor die einde van 'n seisoen kan die Raad na goeddunke van tyd tot tyd tussentydse betalings maak aan produsente wat tot die pool bygedra het.

AANPASSING VAN POELDISTRIBUSIE.

26. Die Raad kan met die goedkeuring van die Minister, enige gedeelte van die opbrengste van 'n pool oordra na enige sodanige pool wat deur die Raad bestuur word.

27. In die geval waar die Raad enige finansiële verpligting oploop ten opsigte van verskepingsruimte wat deur hom bespreek is en wat die Raad nie in staat is om

from any particular producer, or which has been incurred in respect of a number of pools conducted by it and which cannot be regarded as an expense incurred in the conduct of a particular pool only, the Board may, with the approval of the Minister, debit such obligation or part thereof, as the case may be, to any such pool or pools on such basis as it may, with the approval of the Minister, determine.

DETERMINATION OF NET PROCEEDS OF A POOL.

28. (1) For the purposes of sub-section (2) of section 23, the net proceeds of a pool shall be determined by deducting from the gross proceeds derived from the sale of citrus fruit contributed to that pool and such other amounts which may accrue in respect of such citrus fruit (including amounts accruing under sub-sections (1), (4) and (5) of the said section)—

- (a) the amounts payable from that pool in terms of sub-sections (3), (4) and (5) of that section and in terms of section 29; and
- (b) such an amount as the Board may determine to meet claims which may be lodged against that pool after the net proceeds thereof have been distributed, which amount shall be paid into the fund referred to in sub-section (3) of section 17; and
- (c) all other expenses (as determined by the Board) incurred in conducting that pool.

(2) For the purpose of sub-section (2) of section 24 the net proceeds of a pool shall be determined by deducting from the gross proceeds derived from the sale of citrus fruit contributed to that pool and such other amounts which may accrue in respect of such citrus fruit (including amounts accruing under sub-section (3) of the said section), all the expenses (as determined by the Board) incurred in conducting that pool, the amounts payable from that pool in terms of paragraph (c) of sub-section (3) and sub-section (5), and such an amount as the Board may determine to meet claims which may be lodged against that pool after the net proceeds thereof have been distributed, and such amount shall be paid into the fund referred to in sub-section (3) of section 17.

(3) The costs incurred in respect of the transport of packed citrus fruit contributed to any pool shall be included in the expenses of conducting that pool but shall be limited to the railage costs from the producer's nearest railway station or siding.

(4) Any amounts which the Board may recover as a result of successful insurance claims in respect of shortages and loose packing (shorts and slacks) shall be treated as the proceeds of citrus fruit sold.

(5) Where any balance in a pool when its accounts are closed, is in the opinion of the Board and the Minister, so small that a division thereof among the participants in the pool is not justified, such balance may be dealt with in any manner approved by the Minister.

29. Whenever the Board has prohibited producers of citrus fruit from selling citrus fruit except through the Board and the Board conducts a pool for the sale of such citrus fruit, the Board may with the approval of the Minister—

- (a) require each producer to give, during any period determined by the Board, notice to the Board or to such person or persons as may be determined by the Board, of the total quantity of citrus fruit which he intends to deliver to the Board during any future period, determined by the Board, for sale;
- (b) refuse to accept that quantity of such citrus fruit, or any part thereof, in respect of which the producer concerned has not given notice in terms of any requirement under paragraph (a);
- (c) where the Board considers it equitable to do so, recover for the benefit of the pool from any producer who has delivered to the Board a quantity of citrus fruit which differs from the quantity of which

gedeelte of in die geheel op enige besondere produsent te verhaal nie, of wat, opgeloopt is ten opsigte van 'n aantal poele wat deur hom bestuur is, en wat nie beskou kan word as 'n uitgawe wat aangegaan is vir die bestuur van 'n besondere poel nie, kan die Raad, met die goedkeuring van die Minister, sodanige verpligting of 'n gedeelte daarvan, soos die geval mag wees, teen enige sodanige poel of poele debiteer op 'n grondslag wat hy, met die goedkeuring van die Minister mag bepaal.

VASSTELLING VAN NETTO-OPBRENGS VAN 'N POEL.

28. (1) Vir die toepassing van subartikel (2) van artikel 23 word die netto-opbrengs van 'n poel vasgestel deur van die bruto-opbrengs van die verkoop van sitrusvrugte wat in daardie poel gestort is en sodanige ander bedrae wat ten opsigte van sodanige sitrusvrugte opgeloopt word [met inbegrip van bedrae wat kragtens subartikels (1), (4) en (5) van genoemde artikel opgeloopt word] af te trek—

- (a) die bedrae wat kragtens subartikels (3), (4) en (5) van daardie artikel en artikel 29 uit die poel betaalbaar is; en
- (b) sodanige bedrag as wat die Raad vasstel om eise te betaal wat teen die poel ingestel mag word nadat die netto-opbrengs daarvan uitgekeer is, en hierdie bedrag word gestort in die fonds in subartikel (3) van artikel 17 genoem; en
- (c) alle ander uitgawes (soos deur die Raad bepaal) wat by die bestuur van die poel aangegaan is.

(2) Vir die toepassing van subartikel (2) van artikel 24, word die netto-opbrengs van 'n poel vasgestel deur van die bruto-opbrengs verkry van die verkoop van sitrusvrugte wat in daardie poel gestort is en sodanige ander bedrae as wat ten opsigte van sodanige sitrusvrugte mag opgeloopt [met inbegrip van bedrae wat kragtens subartikel (3) van genoemde artikel opgeloopt], al die uitgawes (soos deur die Raad bepaal), wat by die bestuur van daardie poel aangegaan is, die bedrae wat kragtens paragraaf (c) van subartikel (3) en subartikel (5) van genoemde artikel uit die poel betaalbaar is, af te trek, asook 'n bedrag wat die Raad vasstel om eise te betaal wat teen daardie poel ingestel mag word nadat die netto opbrengs daarvan uitgekeer is en hierdie bedrag word gestort in die fonds genoem in subartikel (3) van artikel 17.

(3) Die koste aangegaan ten opsigte van die vervoer van verpakte sitrusvrugte wat in enige poel gestort word, word ingesluit in die uitgawes wat aangegaan word om die poel te bestuur, maar is beperk tot die spoorvrage van die produsent se naaste spoorwegstasie of sylyn af.

(4) Enige bedrae wat die Raad invorder as gevolg van geslaagde versekeringseise, ten opsigte van tekorte en losverpakkings word as die opbrengs van verkoopte sitrusvrugte behandel.

(5) Waar enige saldo in 'n poel, wanneer sy rekenings gesluit is, volgens die mening van die Raad en die Minister so klein is dat 'n verdeling daarvan onder die deelhebbers aan 'n poel nie geregtig is nie, mag met daardie saldo gehandel word op enige wyse wat die Minister goedkeur.

29. Wanneer die Raad produsente van sitrusvrugte belet het om sitrusvrugte te verkoop behalwe deur die Raad, en die Raad 'n poel vir die verkoop van sodanige sitrusvrugte bestuur, kan die Raad met die goedkeuring van die Minister—

- (a) gelas dat iedere produsent gedurende 'n tydperk deur die Raad bepaal, aan die Raad of die persoon of persone wat die Raad bepaal, kennis moet gee van die totale hoeveelheid sitrusvrugte wat hy van voorneme is om gedurende 'n toekomstige, deur die Raad bepaalde tydperk, vir verkoop, aan die Raad te lewer;
- (b) weier om daardie hoeveelheid van sodanige sitrusvrugte, of enige deel daarvan, ten opsigte waarvan die betrokke produsent nie ingevolge die lasgewing kragtens paragraaf (a) kennis gegee het nie, in ontvangs te neem;
- (c) waar die Raad dit billik ag om dit te doen, van enige produsent wat aan die Raad 'n hoeveelheid sitrusvrugte gelewer het wat verskil van die hoeveelheid waarvan daardie produsent aldus

such producer so gave notice or in respect of which such producer failed so to give notice, an amount assessed by the Board, with the approval of the Minister, as being approximately equal to the amount of any loss suffered by such pool in consequence of such difference in quantity or such failure to give notice: Provided that any amount recovered per case of citrus fruit shall not exceed an amount of R1.50.

INSPECTION POWERS.

30. (1) 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 citrus fruit, or any place or vehicle in or upon which there is kept or is suspected to be kept any quantity of citrus fruit by any person for any purpose other than consumption by the owner of such citrus fruit or by the members of his household;
- (b) to inspect any such citrus fruit 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 citrus fruit and to make copies of or take extracts from such books and documents;
- (c) to demand from the owner or custodian of such citrus fruit any information concerning such citrus fruit;
- (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 citrus fruit 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 citrus fruit which has been so seized, and if he deem fit to place on any such book, document, article or citrus fruit, or on the container thereof, any identification mark which he may consider necessary;
- (f) to take samples of any such citrus fruit, including any quantity of such citrus fruit which has been seized in terms of paragraph (e), and to examine, analyse or grade such samples or cause them to be examined, analysed or graded.

(2) Any person who obstructs any person in the performance of any duty or the exercise of any power under this section, or who wilfully fails or refuses to make any statement or give any explanation demanded thereunder, or who makes a false statement, or gives a false explanation, or causes a false statement to be made or a false declaration to be given on any matter referred to in subsection (1) of this section, shall be guilty of an offence.

OFFENCE AND PENALTIES.

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

DISCONTINUANCE OF SCHEME.

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

- (a) any assets of the Board after all its debts have been paid shall be divided among producers pro rata to their aggregate levy payments over the previous five years;

kennis gegee het, of ten opsigte waarvan daardie produsent versuim het om aldus kennis te gee, 'n bedrag ten bate van die pool verhaal, wat volgens skatting deur die Raad, met goedkeuring van die Minister, ongeveer gelykstaan met die bedrag van enige verlies wat deur die pool gely is as gevolg van sodanige verskil in hoeveelheid of sodanige versuim om kennis te gee: Met dien verstande dat geen bedrag wat per kisse sitrusvrugte verhaal word, 'n bedrag van R1.50 te bowe sal gaan nie.

INSPEKSIEBEVOEGDHEDE.

30. (1) Die Raad is bevoeg om vir die uitvoering van die bepalings van hierdie skema enigiemand in die algemeen of in 'n besondere geval te magtig om op alle redelike tye—

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

(2) Enigeen wat iemand by die verrigting van 'n werksaamheid of die uitoefening van 'n bevoegdheid wat hom kragtens hierdie artikel verleen is, belemmer, of wat opsetlik versuim of weier om 'n verklaring te doen of uitleg te verstrek wat uit kragte daarvan geëis word, of wat 'n valse verklaring aflê of laat aflê, of 'n valse uitleg verstrek of laat verstrek betreffende 'n aangeleentheid waarna in subartikel (1) van hierdie artikel verwys is, is aan 'n misdryf skuldig.

OORTREDINGS EN STRAWWE.

31. Iemand wat 'n bepaling van hierdie skema of 'n verbod, voorskrif of bevel wat uit kragte daarvan uitgevaardig is, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by veroordeling strafbaar met 'n boete van hoogstens tweehonderd rand of gevangenisstraf vir 'n tydperk van hoogstens ses maande, of met beide sodanige boete en gevangenisstraf.

OPHEFFING VAN SKEMA.

32. Ingeval die Skema opgehef word—

- (a) word alle bate van die raad nadat sy skulde betaal is, verdeel onder produsente pro-rata volgens die totaal wat hulle gedurende die vorige vyf jaar aan heffings betaal het;

- (b) any deficit which may exist after all the assets of the Board have been realised shall be recovered from producers pro rata to their aggregate levy payments over the previous five years.

NOTICES, PROHIBITIONS, REQUIREMENTS, DECISIONS, DETERMINATIONS, FUNDS AND MEMBERS OF THE CITRUS BOARD.

33. (1) All notices, prohibitions, requirements, decisions or determinations issued, imposed, taken or made under the South African Citrus Scheme published under Proclamation No. 44 of 1947, as amended, or operative in consequence of the provisions of section 30 of that scheme and not withdrawn in terms of the provisions of that scheme 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 South African Citrus Scheme, published under Proclamation No. 44 of 1947, 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 South African Citrus Scheme, published under Proclamation No. 44 of 1947, as amended, shall vest in the Board administering this scheme.

(4) Any moneys in any fund established in terms of the South African Citrus Scheme, published under Proclamation No. 44 of 1947, as amended, shall be transferred to the corresponding fund established in terms of this scheme.

(5) The members appointed to the Citrus Board in terms of Proclamation No. 44 of 1947, 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 Citrus Board in terms of this scheme, and shall, notwithstanding the provisions in sub-section (1) of section 8 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. 44 of 1947, as amended.

(6) The person elected as chairman of the Citrus Board in terms of Proclamation No. 44 of 1947, 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 of the Citrus 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 10, continue to hold office for the unexpired portion of the period for which he was elected in terms of Proclamation No. 44 of 1947, as amended.

(7) Any committee appointed by the Board in terms of Proclamation No. 44 of 1947, as amended, shall be deemed to have been appointed in terms of sub-section (1) or (2) of section 13, as the case may be of this scheme.

- (b) word enige tekort wat mag bestaan nadat al die bate van die raad tot geld gemaak is ingevorder van alle produsente *pro-rata* volgens die totaal wat hulle gedurende die vorige vyf jaar aan heffings betaal het.

KENNISGEWINGS VERBODSBEPALINGS, VOORSKRIFTE, BESLUITE, VASSTELLINGS, FONDSE EN LEDE VAN DIE SITRUSRAAD.

33. (1) Alle kennisgewings, verbodsbepalings, voorskrifte, besluite, vasstellings of bepalinge wat uitgevaardig, opgelê, geneem of gedoen is kragtens die Suid-Afrikaanse Sitrusskema bekendgemaak by proklamasie No. 44 van 1947 soos gewysig, of wat van krag was as gevolg van die bepalinge van artikel 30 van genoemde skema en wat nie ingevolge genoemde bepalinge ingetrek is nie, bly van krag totdat die Raad hulle ingevolge hierdie skema wysig of intrek.

(2) Alle magtigings, registrasies, aanstellings, kontrakte of appêle uitgereik, gemaak, gesluit of aangeteken kragtens die Suid-Afrikaanse Sitrusskema bekendgemaak by Proklamasie No. 44 van 1947, 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 bate en laste van die Raad wat die Suid-Afrikaanse Sitrusskema, bekendgemaak by Proklamasie No. 44 van 1947, soos gewysig, uitvoer, gaan oor op die Raad wat hierdie skema uitvoer.

(4) Enige gelde in enige fonds ingestel kragtens die Suid-Afrikaanse Sitrusskema bekendgemaak by Proklamasie No. 44 van 1947, soos gewysig, word oorgedra na die onderskeie fondse kragtens hierdie skema ingestel.

(5) Die lede wat kragtens Proklamasie No. 44 van 1947, soos gewysig, in die Sitrusraad aangestel is en hulle amp beklee onmiddellik voor die datum van inwerkingtreding van hierdie skema, word geag as lede van die Sitrusraad kragtens hierdie skema aangestel te gewees het en beklee hulle amp, ongeag die bepalinge in subartikel (1) van artikel 8 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. 44 van 1947, soos gewysig, aangestel is.

(6) Die persoon wat kragtens Proklamasie No. 44 van 1947, soos gewysig, tot voorsitter van die Sitrusraad 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 Sitrusraad 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 10, vir die onverstreke gedeelte van die tydperk waarvoor hy kragtens Proklamasie No. 44 van 1947, soos gewysig, verkies is.

(7) 'n Komitee wat kragtens Proklamasie No. 44 van 1947, soos gewysig, deur die Raad aangestel is, word geag kragtens subartikel (1) of (2) van artikel 13 na gelang van die geval, van hierdie skema aangestel te gewees het.

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