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PROCLAMATION

*by the State President of the Republic of
South Africa*

No. R. 109, 1976

**SCHEME FOR REGULATING THE MARKETING
OF BANANAS IN TERMS OF THE MARKETING
ACT, 1968, AND MATTERS INCIDENTAL THERETO**

Whereas the Minister of Agriculture has, in terms of section 9 (2) (c), read with section 15 (3), of the Marketing Act, 1968 (No. 59 of 1968), accepted the proposed Scheme as set out in the Schedule hereto, and has, in terms of section 12 (1) (b) of the said Act, recommended the approval of the proposed Scheme, in substitution for the Banana Scheme, published by Proclamation R. 254 of 1962, as amended.

Now, therefore, under the powers vested in me by section 14 (1) (a) read with the said section 15 (3) of the said Act, I hereby declare that the said Scheme shall come into operation on the date of publication hereof, in substitution of the Banana Scheme, published by Proclamation R. 254 of 1962, as amended, which is hereby repealed.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Second day of June, One thousand Nine hundred and Seventy-six.

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

H. S. J. SCHOEMAN.

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PROKLAMASIE

*van die Staatspresident van die Republiek van
Suid-Afrika*

No. R. 109, 1976

**SKEMA VIR DIE REËLING VAN DIE BEMARKING
VAN PIESANGS KRAGTENS DIE BEMARKINGS-
WET, 1968, EN VIR AANGELEENTHEDE IN VER-
BAND DAARMEE**

Nademaal die Minister van Landbou kragtens artikel 9 (2) (c) saamgelees met artikel 15 (3) van die Bemarkingswet, 1968 (No. 59 van 1968), die Skema in die Bylae hiervan uiteengesit, aangeneem het en kragtens artikel 12 (1) (b) van genoemde Wet goedkeuring van die voorgestelde Skema aanbeveel het, ter vervanging van die Piesangskema, afgekondig by Proklamasie R. 254 van 1962, soos gewysig:

So is dit dat ek, kragtens die bevoegdheid my verleen by artikel (14) (1) (a), saamgelees met die genoemde artikel 15 (3) van genoemde Wet, hierby verklaar dat die genoemde Skema op die datum van publikasie hiervan in werking tree ter vervanging van die genoemde Piesangskema, afgekondig by Proklamasie R. 254 van 1962, soos gewysig, wat hierby herroep word.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Tweede dag van Junie Eenduisend Negehoernd Ses-en-sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-Rade.

H. S. J. SCHOEMAN.

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DEFINITIONS

1. In this Scheme, unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Act, shall have a corresponding meaning, and—

“banana” means the fruit of the plant *Musa acuminata*, *Musa cavendishii*, *Musa sapientum* or *Musa paradisiaca*;

“Board” means the Banana Board referred to in section 6;

“market master” means any person in charge of a fresh produce market of which a local authority is the owner, as defined in the Commission for Fresh Produce Markets Act, 1970 (No. 82 of 1970);

“producer”, in relation to bananas, means any person by or on whose behalf bananas are produced, and includes in relation to a quantity of bananas—

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

(b) imported into the Republic, the person who has so imported that quantity of bananas;

(c) which has been produced in a self-governing territory and is introduced into the Republic for the purpose of sale or processing therein, the person who has so introduced that quantity of bananas;

“Republic”—

(a) excludes the Territory; and

(b) except in relation to the import of bananas into the Republic, excludes also a self-governing territory;

“the Act” means the Marketing Act, 1968 (No. 59 of 1968);

“production area” means—

(a) the magisterial districts of Barberton, Belfast, Carolina, Letaba, Lydenburg, Nelspruit, Pilgrim's Rest, Pietersburg, Zoutpansberg and White River in Transvaal;

(b) the Province of Natal;

excluding those portions of the areas referred to in paragraphs (a) and (b) which are incorporated in a self-governing territory.

PART I

NAME, SCOPE AND APPLICATION OF SCHEME

Name of Scheme

2. This Scheme shall be called the Banana Scheme.

Product to which Scheme relates

3. (1) This Scheme relates to bananas—

(a) produced in or imported into the Republic;

(b) produced in a self-governing territory and introduced into the Republic for the purpose of sale or processing therein.

(2) Any requirement of, or prohibition imposed or decision taken by, the Board—

(a) which relates to any class of bananas, may differ from any such requirement or prohibition or decision which relates to any other class of bananas;

(b) may relate only to a specified class of bananas.

WOORDOMSKRYWING

1. In hierdie Skema, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Wet 'n betekenis geheg is, 'n ooreenstemmende betekenis en beteken—

“die Wet” die Bemarkingswet, 1968 (No. 59 van 1968);

“markmeester” iemand in bevel van 'n varsprodukte-mark waarvan 'n plaaslike bestuur die eienaar, soos in artikel 1 van die Wet op die Kommissie vir Varsprodukte-marke, 1970 (No. 82 van 1970), omskryf is;

“piesang” die vrug van die plant *Musa acuminata*, *Musa cavendishii*, *Musa sapientum* of *Musa paradisiaca*;

“produksiegebied”—

(a) die landdrosdistrikte Barberton, Belfast, Carolina, Letaba, Lydenburg, Nelspruit, Pelgrimsrus, Pietersburg, Soutpansberg en Witrivier in Transvaal;

(b) die provinsie Natal;

uitgesonderd daardie gedeeltes van die gebiede vermeld in paragrawe (a) en (b) wat by 'n selfregerende gebied ingelyf is;

“produsent”, met betrekking tot piesangs, die persoon deur of ten behoeve van wie piesangs geproduseer word en omvat ook met betrekking tot 'n hoeveelheid piesangs wat—

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

(b) in die Republiek ingevoer is, die persoon wat daardie hoeveelheid piesangs aldus ingevoer het;

(c) in 'n selfregerende gebied geproduseer is en in die Republiek ingebring word vir verkoop of verwerking daarin, die persoon wat daardie hoeveelheid piesangs aldus ingebring het;

“Raad” die in artikel 6 vermelde Piesangraad;

“Republiek”—

(a) nie ook die Gebied nie; en

(b) behalwe met betrekking tot die invoer van piesangs in die Republiek, nie ook 'n selfregerende gebied nie.

DEEL I

NAAM, OMVANG EN TOEPASSING VAN SKEMA

Naam van Skema

2. Hierdie Skema heet die Piesangskema.

Produk waarop Skema betrekking het

3. (1) Hierdie Skema het betrekking op piesangs wat—

(a) in die Republiek geproduseer of daarin ingevoer is;

(b) in 'n selfregerende gebied geproduseer en in die Republiek ingebring word vir verkoop of verwerking daarin.

(2) 'n Voorskrif van, of verbod opgelê, of besluit geneem deur, die Raad—

(a) met betrekking tot 'n klas piesangs, kan verskil van so 'n voorskrif of verbod of besluit met betrekking tot 'n ander klas piesangs;

(b) kan betrekking hê slegs op 'n aangegewe klas piesangs.

Area in which Scheme applies

4. (1) This Scheme shall apply in the Republic.
- (2) Any requirement of, or prohibition imposed or decision taken by, the Board—
- (a) which relates to any portion of the Republic, may differ from any such requirement or prohibition or decision which relates to any other portion of the Republic;
- (b) may apply to a specific portion only of the Republic.

Persons to whom Scheme applies

5. This Scheme shall apply to persons producing or dealing in the course of trade with bananas.

PART II

THE CONTROL BOARD

Continued existence

6. (1) This Scheme shall be administered by the control board referred to in the Banana Scheme, published by Proclamation R. 254 of 1962, as amended, which notwithstanding the repeal of that Scheme by this Scheme shall continue to exist as a control board and henceforth be known as the Banana Board.

- (2) The Board shall be a body corporate capable of suing and being sued in its own name, and of performing all such acts as are necessary for or incidental to the carrying out of its objects and powers under this Scheme.

Constitution

7. (1) The Board shall consist of twelve members appointed by the Minister subject to the provisions of this Scheme, and of whom—

- (a) seven shall be the representatives of producers of bananas;
- (b) two shall be the representatives of persons dealing with bananas in the course of trade;
- (c) one shall be the representative of market masters;
- (d) one shall be the representative of consumers of bananas;
- (e) one shall be an officer of the Department of Agricultural Economics and Marketing.
- (2) The Board may co-opt not more than two persons as advisory members of the Board.

Nomination bodies

8. (1) The members referred to in section 7 (1) (a) shall be nominated for appointment to the Board as follows:

- (a) Four members by co-operative societies and co-operative companies (after mutual consultation) whose members, in the opinion of the Minister, produce a substantial quantity of bananas in Transvaal;

- (b) two members by an organisation which, in the opinion of the Minister, is representative of producers of bananas in Transvaal who are not members of co-operative societies or co-operative companies referred to in paragraph (a);

- (c) one member by an organisation which, in the opinion of the Minister, is representative of producers of bananas in Natal.

- (2) The members referred to in section 7 (1) (b) shall be nominated for appointment to the Board by an organisation which, in the opinion of the Minister, is representative of persons dealing with bananas in the course of trade in the Republic.

- (3) The member referred to in section 7 (1) (c) shall be nominated for appointment to the Board by an organisation which, in the opinion of the Minister, is representative of market masters in the Republic.

Gebied waarin Skema van toepassing is

4. (1) Hierdie Skema is in die Republiek van toepassing.
- (2) 'n Voorskrif van, of verbod opgelê of besluit geneem, deur die Raad—

- (a) met betrekking tot 'n gedeelte van die Republiek, kan verskil van so 'n voorskrif of verbod of besluit met betrekking tot 'n ander gedeelte van die Republiek; of

- (b) kan van toepassing wees slegs op 'n aangegewe gedeelte van die Republiek.

Persone op wie Skema van toepassing is

5. Hierdie Skema is van toepassing op alle persone wat piesangs produseer of as 'n besigheid daarmee handel.

DEEL II

DIE BEHEERRAAD

Voortbestaan

6. (1) Hierdie Skema word uitgevoer deur die Beheerraad vermeld in die Piesangskema, afgekondig by Proklamasie R. 254 van 1962, soos gewysig, wat ondanks die herroeping van daardie Skema deur hierdie Skema, as 'n beheerraad bly voortbestaan en voortaan die Piesangraad heet.

- (2) Die Raad is met regspersoonlikheid beklee en kan in sy eie naam as eiser en verweerder in regte optree en al die handelings verrig wat nodig is vir of verbonde is aan die bereiking van sy doelstellings en die uitoefening van sy bevoegdhede ingevolge hierdie Skema.

Samestelling

7. (1) Die Raad bestaan uit twaalf lede wat behoudens die bepalinge van hierdie Skema deur die Minister aangestel word, en van wie—

- (a) sewe die verteenwoordigers moet wees van produsente van piesangs;
- (b) twee die verteenwoordigers moet wees van persone wat met piesangs as 'n besigheid handel;
- (c) een die verteenwoordiger moet wees van markmeesters;
- (d) een die verteenwoordiger moet wees van verbruikers van piesangs;
- (e) een 'n beampte moet wees van die Departement Landbou-ekonomie en -bemarking.

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

Nomineringsliggame

8. (1) Die in artikel 7 (1) (a) bedoelde lede moet soos volg vir aanstelling in die Raad genomineer word:

- (a) Vier lede deur koöperatiewe verenigings en koöperatiewe maatskappye (na onderlinge oorlegpleging) wie se lede, na die mening van die Minister, 'n aansienlike hoeveelheid piesangs in Transvaal produseer;

- (b) twee lede deur 'n organisasie wat na die mening van die Minister verteenwoordigend is van produsente van piesangs in Transvaal wat nie lede van in paragraaf (a) bedoelde koöperatiewe verenigings of koöperatiewe maatskappye is nie;

- (c) een lid deur 'n organisasie wat na die mening van die Minister verteenwoordigend is van produsente van piesangs in Natal.

- (2) Die in artikel 7 (1) (b) bedoelde lede moet vir aanstelling in die Raad genomineer word deur 'n organisasie wat na die mening van die Minister verteenwoordigend is van persone wat in die Republiek met piesangs as 'n besigheid handel.

- (3) Die in artikel 7 (1) (c) bedoelde lid moet vir aanstelling in die Raad genomineer word deur 'n organisasie wat na die mening van die Minister verteenwoordigend is van markmeesters in die Republiek.

(4) The member referred to in section 7 (1) (d) shall, subject to the provisions of section 28 (4) of the Act, be nominated for appointment to the Board by the Consumers' Advisory Committee.

(5) The officer referred to in section 7 (1) (e) shall be nominated for appointment to the Board by the Secretary.

Nomination procedure

9. (1) Whenever it is necessary to nominate a person for appointment to the Board, excluding the members referred to in section 7(1) (d) or (e), the Secretary shall, in writing, call upon the organisation concerned to furnish him within a specified period with the name and address of the person nominated by that organisation.

(2) If any person nominated as aforesaid is not, in the opinion of the Minister, suitable for appointment as a member of the Board, the Secretary shall refer that nomination back to the organisation concerned and, in writing, call upon that organisation to furnish him within a specific period with the name and address of any other nominated person, and if that organisation thereupon again nominates a person who, in the opinion of the Minister, is not suitable, the Secretary shall, on behalf of the said organisation, nominate any person whom the Minister considers suitable for appointment to the Board.

(3) Whenever any organisation concerned fails to nominate a person for appointment to the Board within the specified period, the Secretary shall on behalf of the organisation concerned nominate any person whom the Minister considers suitable for appointment to the Board.

(4) Whenever an organisation referred to in section 8, does not exist, the Secretary shall nominate any person whom the Minister considers suitable for appointment to the Board to represent the persons concerned.

(5) For the purposes of subsections (1), (2) and (3) "organisation" includes the co-operative societies and co-operative companies referred to in section 8 (1) (a) acting collectively.

Period of office of members

10. (1) A member of the Board shall subject to sections 28 (4) and 28A of the Act, be appointed for a period of two years, except the member referred to in section 7 (1) (e) who shall hold office during the Minister's pleasure.

(2) If at the expiration of the period for which a member was appointed, no new appointment was made in his place, that member shall continue to hold office until such an appointment has been made, but in no case for a period longer than three months.

(3) A retiring member shall be eligible for reappointment.

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

(5) Whenever a member of the Board is absent or unable to fulfil his duties, the Minister may appoint any other person whom he considers suitable to act in the place of that member during his absence or while he is unable to fulfil his duties, and such person shall hold office as if he were a member of the Board: Provided that a person so appointed to act in the place of the Chairman or Vice-Chairman of the Board shall perform the duties of an ordinary member only, unless the Board decides otherwise.

(4) Die in artikel 7 (1) (d) bedoelde lid moet, behoudens die bepalinge van artikel 28 (4) van die Wet, vir aanstelling in die Raad genomineer word deur die Adviserende Verbruikerskomitee.

(5) Die in artikel 7 (1) (e) bedoelde beampte moet deur die Sekretaris vir aanstelling in die Raad genomineer word.

Nomineringsprosedure

9. (1) Wanneer dit nodig is om iemand vir aanstelling in die Raad te nomineer, uitgesonderd die in artikel 7 (1) (d) en (e) bedoelde lede, moet die Sekretaris die betrokke organisasie skriftelik aansê om hom binne 'n vasgestelde tydperk van die naam en adres van die persoon wat deur daardie organisasie genomineer word, te voorsien.

(2) Indien iemand soos voormeld genomineer is, na die mening van die Minister nie geskik is om as lid van die Raad aangestel te word nie, moet die Sekretaris daardie nominasie na die betrokke organisasie terugverwys en daardie organisasie skriftelik aansê om hom binne 'n vasgestelde tydperk van die naam en adres van 'n ander genomineerde persoon te voorsien, en indien daardie organisasie daarna weer iemand nomineer wat na die mening van die Minister nie geskik is nie, moet die Sekretaris enigiemand wat die Minister geskik ag namens daardie organisasie vir aanstelling in die Raad nomineer.

(3) Wanneer 'n betrokke organisasie versuim om iemand binne die vasgestelde tydperk vir aanstelling in die Raad te nomineer, moet die Sekretaris enigiemand wat die Minister geskik ag namens die betrokke organisasie vir aanstelling in die Raad nomineer.

(4) Wanneer 'n organisasie waarna in artikel 8 verwys word, nie bestaan nie, moet die Sekretaris enigiemand wat die Minister geskik ag vir aanstelling in die Raad nomineer om die betrokke persone te verteenwoordig.

(5) By die toepassing van subartikels (1), (2) en (3) beteken "organisasie" ook die in artikel 8 (1) (a) bedoelde koöperatiewe verenigings en koöperatiewe maatskappye handelende gesamentlik.

Ampstermyn van lede

10. (1) 'n Lid van die Raad word, behoudens die bepalinge van artikels 28 (4) en 28A van die Wet, vir 'n tydperk van twee jaar aangestel, behalwe die in artikel 7 (1) (e) bedoelde lid wat sy amp beklee solank dit die Minister behaag.

(2) Indien daar by die verstryking van die tydperk waarvoor 'n lid aangestel was, geen nuwe aanstelling in sy plek gedoen is nie, bly daardie lid in sy amp aan totdat so 'n aanstelling gedoen is, maar in geen geval vir langer as drie maande nie.

(3) 'n Aftredende lid kan weer aangestel word.

(4) Wanneer die amp van 'n lid van die Raad vakant word voor die verloop van die tydperk waarvoor hy aangestel is, kan die Minister iemand anders wat hy geskik ag, aanstel om die vakature te vul totdat die tydperk waarvoor die uitgetrede lid aangestel was, verstreke is.

(5) Wanneer 'n lid van die Raad afwesig is of nie in staat is om sy ampspligte uit te voer nie, kan die Minister iemand anders wat hy geskik ag, aanstel om op te tree in die plek van daardie lid gedurende sy afwesigheid of solank hy nie in staat is om sy ampspligte uit te voer nie, en so 'n persoon beklee sy amp asof hy lid van die Raad is: Met dien verstande dat imeand wat aldus aangestel is om in die plek van die Voorsitter of Ondervoorsitter van die Raad op te tree, slegs die pligte van 'n gewone lid uitvoer tensy die Raad anders besluit.

Allowance of members

11. The Board may, with the approval of the Minister, determine the allowances payable out of the funds of the Board to its members and advisory members.

Chairman and Vice-Chairman

12. (1) The Board shall whenever it becomes necessary, elect one of its members to be the Chairman and one of its members to be the Vice-Chairman of the Board.

(2) The Chairman of the Board shall, subject to his remaining a member of the Board, hold office as Chairman for the period terminating on the date of the first meeting of the Board, excluding a special meeting of the Board referred to in section 13 (2) or (3), held subsequent to the expiration of 11 months after the date of his election and be eligible for re-election as Chairman.

(3) The provisions of subsection (2) shall *mutatis mutandis* apply in respect of the Vice-Chairman.

(4) Whenever the Chairman is absent or unable to fulfil any of his functions, the Vice-Chairman shall act in his stead and whenever both the Chairman and the Vice-Chairman are absent or unable to fulfil their functions the Board shall elect another of its members to act as Chairman.

Meetings

13. (1) The 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 determined 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 14 days from the date of receipt of such request and at a time and place determined by him.

(4) A meeting of the Board shall be convened by notice given by or by direction of the Chairman or an official of the Board authorised thereto by the Board.

Quorum and decisions

14. (1) Seven members of the Board (excluding advisory members) shall constitute a quorum for any meeting of the Board.

(2) The decision of a majority of the members of the Board (excluding advisory members) present at a meeting of the Board, shall constitute a decision of the Board.

Committees of the Board

15. (1) The Board may, with the consent of the Minister and subject to such conditions as the Board may impose, appoint one or more committees from among its members and invest any such committee with such of its powers as it may deem fit: Provided that the Board shall not be divested of any power with which it may invest any such committee.

(2) The Chairman of the Board shall *ex officio* be a member of any committee appointed by the Board under subsection (1).

(3) The Board shall in respect of any committee appointed by it under subsection (1) make rules with regard to the conduct of and procedure at meetings (including the quorum), the manner in which meetings shall be called and matters incidental thereto.

(4) The decision of the majority of all the members of such a committee shall constitute a decision of the committee unless the Board, with the approval of the Minister, determines otherwise.

Toelaes van lede

11. Die Raad kan, met die Minister se goedkeuring, die toelaes vasstel wat uit die Raad se fondse aan sy lede en adviserende lede betaal moet word.

Voorsitter en Ondervoorsitter

12. (1) Die Raad kies so dikwels as wat dit nodig word een van sy lede as Voorsitter en een van sy lede as Ondervoorsitter van die Raad.

(2) Mits hy lid van die Raad bly, beklee die Voorsitter van die Raad sy amp as voorsitter vir die tydperk wat eindig op die datum van die eerste vergadering van die Raad, uitgesonderd 'n in artikel 13 (2) of (3) bedoelde spesiale vergadering van die Raad, gehou na verstryking van 11 maande na die datum van sy verkiesing en kan hy as voorsitter herkies word.

(3) Die bepalinge van subartikel (2) is *mutatis mutandis* ten opsigte van die Ondervoorsitter van toepassing.

(4) Wanneer die Voorsitter afwesig is of nie in staat is om sy werksaamhede te verrig nie, moet die Ondervoorsitter in sy plek optree, en wanneer sowel die Voorsitter as die Ondervoorsitter afwesig is of nie in staat is om hul werksaamhede te verrig nie, moet die Raad een van sy ander lede kies om as voorsitter op te tree.

Vergaderings

13. (1) Die vergaderings van die Raad word gehou op die tye en plekke wat die Raad of die Voorsitter, indien deur die Raad daartoe gemagtig, van tyd tot tyd mag bepaal.

(2) Die Voorsitter van die Raad kan te eniger tyd 'n spesiale vergadering van die Raad belê, 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 spesiale vergadering van die Raad belê wat binne 14 dae na die datum van ontvangs van so 'n versoek, gehou moet word op 'n tyd en plek wat hy bepaal.

(4) 'n Vergadering van die Raad word belê by kennisgewing deur of op gesag van die Voorsitter of 'n beampte van die Raad wat deur die Raad daartoe gemagtig is.

Kworum en besluite

14. (1) Sewe lede van die Raad (uitgesonderd adviserende lede) maak 'n kworum uit vir 'n vergadering van die Raad.

(2) Die beslissing van die meerderheid van die lede van die Raad (uitgesonderd adviserende lede) wat op 'n raadsvergadering teenwoordig is, maak 'n besluit van die Raad uit, en by 'n staking van stemme oor enige aangeleentheid het die Voorsitter van die Raad, benewens sy beraadslagende stem, ook 'n beslissende stem.

Raadkomitees

15. (1) Die Raad kan met die toestemming van die Minister en onderworpe aan die voorwaardes wat die Raad opla, een of meer komitees uit sy lede aanstel en na goeddunke van sy bevoegdhede aan so 'n komitee oordra: Met dien verstande dat die Raad nie ontdoen word van 'n bevoegdheid wat hy aan so 'n komitee oordra nie.

(2) Die Voorsitter van die Raad is *ex officio* lid van 'n komitee deur die Raad kragtens subartikel (1) aange-stel.

(3) Die Raad moet ten opsigte van elke komitee wat hy kragtens subartikel (1) aanstel, reëls neerlê met betrekking tot die hou van en die prosedure op vergaderings (met inbegrip van die kworum), die wyse waarop vergaderings belê moet word en aangeleenthede in verband daarmee.

(4) Die beslissing van die meerderheid van al die lede van so 'n komitee maak 'n besluit van die komitee uit, tensy die Raad met goedkeuring van die Minister anders bepaal.

Employment of persons

16. The Board may employ such persons as it may consider necessary for the proper performance of its functions and the attainment of the objects of this Scheme.

Acquisition of property

17. The Board may—

- (a) subject to the provisions of section 34 (2) of the Act, acquire or hire such property as it may consider necessary for the proper performance of its functions and for the attainment of the objects of this Scheme;
- (b) accept money or property given to the Board by way of donation, grant or otherwise and to utilise such money or property in such manner as the Minister may approve.

Assistance to undertakings and research work

18. The Board may, with the approval of the Minister, assist by grant or loan or in any other manner—

- (a) any undertaking for preserving, processing, storing or conditioning bananas;
- (b) research work relating to the improvement, production, processing, storing or marketing of bananas.

Furnishing of information and advice

19. The Board may—

- (a) establish an information service in order to inform producers from time to time about marketing conditions in general or about the condition of any particular market;
- (b) advise the Minister as to—
 - (i) the conditions regarding grades, standards of quality, methods of packing and the marking of bananas or of any receptacle or cover containing them subject to which bananas may be sold or imported for sale;
 - (ii) the prohibition, control or regulation of the importation or export of bananas;
 - (iii) all matters relating to the marketing or processing of bananas.

Stimulating demand for bananas

20. The Board may take such steps as may be approved by the Minister for fostering or stimulating the demand, whether within or outside the Republic, for bananas.

Co-operation with other persons and similar boards

21. The Board may, with the approval of the Minister, and subject to the provisions of section 38 (2) of the Act, co-operate with any person in doing any act which the Board may perform, and do on behalf of any other board established under any law for or in respect of any agricultural or related industry, any act which such other board may perform.

PART III**FINANCIAL PROVISIONS***Imposition of levies*

22. (1) The Board may, subject to the provisions of section 43 of the Act, with the approval of the Minister and on such basis as the Board may determine, impose a levy on bananas or on bananas of a particular class or standard of quality which are—

- (a) sold through the Board;
- (b) removed from the production area otherwise than for the purpose of sale through the Board.

Indiensneming van persone

16. Die Raad kan dié persone in diens neem wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die oogmerke van hierdie Skema.

Verkryging van eiendom

17. Die Raad kan—

- (a) behoudens die bepalings van artikel 34 (2) van die Wet, dié eiendom aanskaf of huur wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die oogmerke van hierdie Skema;
- (b) geld of eiendom aanneem wat by wyse van geskenk, toekenning of andersins aan die Raad gegee word, en kan sodanige geld of eiendom gebruik op 'n wyse wat die Minister goedkeur.

Bystand aan ondernemings en navorsingswerk

18. Die Raad kan, met die Minister se goedkeuring, deur middel van toekenning of lening of op 'n ander wyse bystand verleen—

- (a) aan enige onderneming vir die bewaring, verwerking, opberging of bewerking van piesangs;
- (b) in verband met navorsingswerk met betrekking tot die verbetering, produksie, verwerking, opberging of bemarking van piesangs.

Verstreking van inligting en advies

19. Die Raad kan—

- (a) 'n inligtingsdiens instel ten einde produsente van tyd tot tyd in te lig aangaande bemarkingstoestande oor die algemeen of aangaande die toestand ten opsigte van 'n besondere mark;
- (b) die Minister van advies dien aangaande—
 - (i) die voorwaardes wat betref grade, kwaliteitstandaarde, verpakkingsmetodes en die merk van piesangs of van 'n houër of omhulsel wat dit bevat en waarop sodanige piesangs verkoop of vir verkoop ingevoer mag word;
 - (ii) die verbod op, of beheer of reëling van, die invoer of uitvoer van piesangs;
 - (iii) alle aangeleenthede betreffende die bemarking of verwerking van piesangs.

Bevordering van vraag na piesangs

20. Die Raad kan die stappe doen wat die Minister goedkeur ter bevordering of stimulering van die vraag, hetsy binne of buite die Republiek, na piesangs.

Samewerking met ander persone of ander rade

21. Die Raad kan met die Minister se goedkeuring, en behoudens die bepalings van artikel 38 (2) van die Wet, met enigeen meedoen aan 'n handeling wat die Raad kan verrig, en kan namens 'n ander raad wat kragtens 'n wetsbepalings vir of ten opsigte van 'n landbou- of verwante bedryf ingestel is, alle handelinge verrig wat daardie ander raad kan verrig.

DEEL III**FINANSIËLE BEPALINGS***Oplegging van heffings*

22. (1) Die Raad kan, behoudens die bepalings van artikel 43 van die Wet, met die Minister se goedkeuring en op die grondslag wat die Raad bepaal, 'n heffing op piesangs of op piesangs van 'n bepaalde klas of graad wat—

- (a) deur bemiddeling van die Raad verkoop word;
- (b) anders as vir verkoop deur bemiddeling van die Raad uit die produksiegebied verwyder word.

(2) A levy imposed by the Board under subsection (1) shall be paid to the Board at such times and in such manner as may be prescribed by regulation under section 89 of the Act, and shall be so payable—

(a) in the case of a levy on bananas sold through the Board, by the person on whose behalf they are so sold;

(b) in the case of a levy on bananas removed from the production area otherwise than for the purpose of sale through the Board, by the person who so removes them from the production area.

Imposition of special levies

23. (1) The Board may, subject to the provisions of section 43 of the Act, with the approval of the Minister and on such basis as the Board may determine, impose a special levy on bananas or on bananas of a particular class or standard of quality which are sold through the Board.

(2) For the purposes of any such special levy the provisions of section 22 (2) (a) shall *mutatis mutandis* apply and in such application a reference in that section to a levy shall be construed as a reference to a special levy imposed under subsection (1) of this section.

Borrowing of money

24. The Board may borrow money, with the approval of the Minister, to be utilised for the purpose of attaining the objects of this Scheme.

General Fund

25. (1) There is hereby established a fund to be known as the General Fund, which shall be administered and controlled by the Board and into which shall be paid all moneys received by the Board, except such moneys as are to be paid into the Reserve Fund referred to in section 26 or into a special fund contemplated in section 27 or into a fund or account of any pool referred to in section 36.

(2) All administrative expenses of the Board, shall be paid from the General Fund.

(3) The Board may utilise, with the approval of the Minister, money in the General Fund for any other object which, in the opinion of the Board, will be to the advantage of persons interested in bananas.

Reserve Fund

26. (1) There is hereby established a fund, to be known as the Reserve Fund, which shall be administered and controlled by the Board and into which shall be paid such moneys received by the Board as may be determined by the Minister and such amounts at the disposal of the Board as may from time to time be approved by the Minister or as may after the end of any financial year under this Scheme be determined by the Minister after consultation with the Board.

(2) The Board shall deal with money in the Reserve Fund in such manner as may be approved by the Minister.

Special Fund

27. (1) The Board may establish one or more special funds which shall be administered and controlled by the Board, and into which shall be paid the moneys derived from a special levy imposed under section 23, such other moneys received by the Board as may be determined by the Minister and such amount at the disposal of the Board as may be approved by the Minister.

(2) The Board may deal with money in any such special fund in such manner as may be approved by the Minister.

(2) 'n Heffing kragtens subartikel (1) opgelê, word aan die Raad betaal op die wyse en op die tye wat by regulasie kragtens artikel 89 van die Wet voorgeskryf word, en is aldus betaalbaar—

(a) in die geval van 'n heffing op piesangs wat deur bemiddeling van die Raad verkoop word, deur die persoon ten behoeve van wie dit aldus verkoop word;

(b) in die geval van 'n heffing op piesangs wat anders as vir verkoop deur bemiddeling van die Raad uit die produksiegebied verwyder word, deur die persoon wat dit aldus uit die produksiegebied verwyder.

Oplegging van spesiale heffings

23. (1) Die Raad kan, behoudens die bepalings van artikel 43 van die Wet, met die Minister se goedkeuring en op die grondslag wat die Raad bepaal, 'n spesiale heffing opelê op piesangs van 'n bepaalde klas of graad wat deur bemiddeling van die Raad verkoop word.

(2) Vir die doeleindes van so 'n spesiale heffing is die bepalings van artikel 22 (2) (a) *mutatis mutandis* van toepassing en by sodanige toepassing word 'n verwysing in daardie artikel na 'n heffing uitgelê as 'n verwysing na 'n spesiale heffing opgelê kragtens subartikel (1) van hierdie artikel.

Leen van geld

24. Die Raad kan met die Minister se goedkeuring geld leen wat ter verwesenliking van die oogmerke van hierdie Skema aangewend moet word.

Algemene Fonds

25. (1) Hierby word 'n fonds ingestel, wat die Algemene Fonds heet, wat deur die Raad bestuur en beheer moet word en waarin alle gelde gestort moet word wat deur die Raad ontvang word, behalwe dié gelde wat in die artikel 26 bedoelde Reserwefonds of in 'n spesiale fonds in artikel 27 beoog of in 'n fonds of rekening van 'n in artikel 36 bedoelde poel, gestort moet word.

(2) Alle administratiewe uitgawes van die Raad word uit die Algemene Fonds betaal.

(3) Die Raad kan, met die Minister se goedkeuring, geld in die Algemene Fonds vir enige ander doel aanwend wat na oordeel van die Raad tot die voordeel sal strek van persone wat belang het by piesangs.

Reserwefonds

26. (1) Hierby word 'n fonds ingestel, wat die Reserwefonds heet, wat deur die Raad bestuur en beheer moet word en waarin die gelde deur die Raad ontvang wat die Minister bepaal, en die bedrae tot die beskikking van die Raad wat die Minister van tyd tot tyd goedkeur of wat die Minister na die end van 'n boekjaar ingevolge hierdie Skema en na oorlegplegting met die Raad bepaal, gestort moet word.

(2) Die Raad kan oor die geld in die Reserwefonds beskik op 'n wyse wat die Minister goedkeur.

Spesiale fondse

27. (1) Die Raad kan een of meer spesiale fondse instel wat deur die Raad bestuur en beheer moet word waarin die gelde verkry uit 'n spesiale heffing kragtens artikel 23 opgelê, die ander gelde deur die Raad ontvang wat die Minister bepaal, en die bedrae tot die beskikking van die Raad wat die Minister goedkeur, gestort moet word.

(2) Die Raad kan oor die geld in so 'n spesiale fonds beskik op die wyse wat die Minister goedkeur.

Assets of the Board in event of discontinuance of Scheme

28. In the event of discontinuance of this Scheme—

(a) all the assets of the Board after all its debts have been paid, shall be handed over to the Minister and the assets so handed over shall be utilised by the Minister at his discretion for the advancement of the banana industry;

(b) any deficit which may exist after all the assets of the Board have been realised, shall be borne by producers of bananas in proportion to the respective amounts paid by them in the form of levies and special levies under this Scheme during the period of two years immediately preceding the date on which this Scheme is discontinued.

Financial year

29. The financial year under this Scheme shall be the period from the first day of July in any year to the 30th day of June in the next succeeding year, both days inclusive.

PART IV**CONTROL UNDER SCHEME***Records, returns and information*

30. The Board may, with the approval of the Minister—

(a) require 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, to furnish the Board with such information relating to bananas as may be available to such person and as the Board may specify;

(b) prescribe the records to be kept in connection with bananas, the period for which any such record shall be retained and the returns to be rendered in regard to bananas to the Board by any person, or by any person belonging to any class or group of persons or by any person other than a person belonging to any class or group of persons, and the times at which and the form and manner in which such returns shall be so rendered.

Appointment of agents

31. (1) The Board may, subject to the conditions approved by the Minister, appoint such agents as it may consider necessary for the proper performance of its functions.

(2) Any person whose application for appointment as an agent under subsection (1) has been refused or whose appointment as an agent under that subsection has been terminated, may appeal against such refusal or termination to the Minister in terms of section 53 (2) of the Act in the manner prescribed by regulation under section 89 of the Act.

Authorisation and powers of inspectors

32. The Board may for the purpose of the enforcement of the provisions of this Scheme, 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 or a person dealing in the course of trade with bananas or any place or vehicle in or on which there is kept or suspected to be kept any quantity of bananas by any person;

(b) to inspect such bananas and to examine all books and documents at any such place or in or on any such vehicle, which are believed on reasonable grounds to relate to bananas and to make copies of or take abstracts from such books and documents;

Bates van die Raad by opheffing van Skema

28. Ingeval hierdie Skema opgehef word—

(a) word alle bates van die Raad, nadat al sy skulde betaal is, aan die Minister oorhandig, en die bates aldus oorhandig word deur die Minister na goeddunke vir die bevordering van die piesangbedryf aangewend;

(b) word enige tekort wat mag bestaan nadat al die bates van die Raad tot geld gemaak is, gedra deur die produsente van piesangs in die produksiegebied in verhouding tot die onderskeie bedrae in die vorm van heffing en spesiale heffing kragtens hierdie Skema gedurende die tydperk van twee jaar onmiddellik voor die datum waarop die Skema opgehef is, deur hulle betaal of op hulle verhaal.

Boekjaar

29. Die boekjaar ingevolge hierdie Skema is die tydperk vanaf die eerste dag van Julie in enige jaar tot die 30ste dag van Junie in die daaropvolgende jaar, albei dae ingesluit.

DEEL IV**BEHEER KRAGTENS SKEMA***Aantekeninge, opgawes en inligting*

30. Die Raad kan, met die Minister se goedkeuring—

(a) enigiemand, of enigiemand wat tot 'n klas of groep persone behoort, of enigiemand behalwe iemand wat tot 'n klas of groep persone behoort, gelas om aan die Raad dié inligting, met betrekking tot piesangs te verstrek, waaroor bedoelde persoon beskik en wat die Raad spesifiseer;

(b) die aantekeninge wat in verband met piesangs gehou moet word, die tydperk waarvoor so 'n aantekening behou moet word en die opgawes wat ten opsigte van piesangs aan die Raad verstrek moet word deur enigiemand, of deur enigiemand wat tot 'n klas of groep persone behoort, of deur enigiemand behalwe iemand wat tot 'n klas of groep persone behoort, voorskryf, asook die tye waarop, die vorm waarin en die wyse waarop die bedoelde opgawes aldus verstrek moet word.

Aanstelling van agente

31. (1) Die Raad kan, onderworpe aan die voorwaardes deur die Minister goedgekeur, die agente aanstel wat die Raad nodig ag vir die behoorlike verrigting van sy werksaamhede.

(2) Iemand wie se aansoek om aanstelling kragtens subartikel (i) geweier is, of wie se aanstelling kragtens daardie subartikel as 'n agent beëindig is, kan ingevolge artikel 53 (2) van die Wet op die wyse by regulasie kragtens artikel 89 van die Wet voorgeskrif, teen sodanige weiering of beëindiging by die Minister appèl aanteken.

Magtiging en bevoegdhede van inspekteurs

32. Die Raad kan, vir die uitvoering van die bepalings van hierdie Skema, enigiemand in die algemeen of in 'n besondere geval magtig om te alle redelike tye—

(a) 'n plek te betree wat geokkupeer word deur iemand wat 'n produsent is of vermoed word 'n produsent te wees van, of deur iemand wat as 'n besigheid handel of vermoed word as 'n besigheid te handel, met piesangs, of 'n plek of voertuig waarin of waarop daar 'n hoeveelheid piesangs deur iemand gehou word of na vermoede gehou word;

(b) sodanige piesangs te inspekteer en alle boeke en stukke op bedoelde plek of in of op bedoelde voertuig na te gaan wat, na op redelike gronde vermoed word, op sodanige piesangs betrekking het en afskrifte van, of uittreksels uit, die boeke en stukke te maak;

(c) to demand from the owner or custodian of such bananas any information concerning such bananas;

(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 bananas 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 bananas which has been so seized, and, if he deems fit, to place on any such book, document, article or bananas or on the container thereof, any identification mark which he may consider necessary;

(f) to take samples of bananas including any quantity thereof which has been seized under paragraph (e), and to examine, analyse, classify or grade such samples or cause them to be examined, analysed, or classified or graded.

Dealings with bananas, packing material and containers and plant material

33. The Board may—

(a) buy bananas at such a price or on such a basis as the Minister may approve;

(b) treat in such manner as it may deem fit, classify, grade, pack, store, process, adapt for sale, insure, transport and, subject to the provisions of section 20, advertise any bananas, which it has bought;

(c) sell bananas which it has bought, at such a price or on such a basis as the Minister may approve, or to withhold any part thereof from the market;

(d) act as agent for the receipt and sale of bananas;

(e) on such conditions as the Minister may approve—

(i) purchase any packing material and containers which producers may require for the marketing of bananas;

(ii) sell such packing material and containers to producers of bananas or to persons who in the course of their business sell such packing material and containers to such producers;

(iii) hire out such packing material and containers to producers of bananas;

(iv) finance out of its funds the manufacture of such packing material and containers, or the purchase thereof by such producers or persons;

(f) on such conditions as the Minister may approve—

(i) acquire or develop any plant material which producers use for the production of bananas;

(ii) multiply or improve such plant material, or sell such plant material to producers of bananas or to persons who in the course of their business sell such plant material to such producers;

(iii) finance out of its funds the development, improvement or multiplication of such plant material.

Fixing of prices

34. (1) The Board may, subject to the provisions of section 60 (2) of the Act, with the approval of the Minister, prohibit from time to time 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

(c) van die eienaar van sodanige piesangs of van die persoon wat dit in sy bewaring het, inligting aangaande sodanige piesangs te eis;

(d) van die eienaar van so 'n boek of stuk of van die persoon wat dit in sy bewaring het, 'n verklaring van 'n magtiging daarin te eis;

(e) beslag te lê op boeke, stukke of artikels wat bewys kan lewer van die pleeg van 'n misdryf ingevolge die Wet of hierdie Skema of 'n kragtens die Wet uitgevaardigde regulasie, of op 'n hoeveelheid piesangs ten opsigte waarvan so 'n misdryf vermoedelik gepleeg is, en om boeke, stukke of artikels of 'n hoeveelheid piesangs waarop aldus beslag gelê is, van die betrokke plek of voertuig te verwyder of dit op bedoelde plek of voertuig te laat en na goeddunke 'n identifikasiemerk wat hy nodig ag, aan te bring op so 'n stuk, artikel of sodanige piesangs, of op die houer daarvan;

(f) monsters te neem van piesangs, met inbegrip van 'n hoeveelheid daarvan waarop beslag gelê is, kragtens paragraaf (c), en sodanige monsters te ondersoek, te ontleed of te klassifiseer of te gradeer of te laat ondersoek, ontleed, klassifiseer of gradeer.

Handelinge met piesangs, pakmateriaal en houters en plantmateriaal

33. Die Raad kan—

(a) teen dié prys of op dié grondslag wat die Minister goedkeur, piesangs koop;

(b) piesangs wat hy gekoop het, behandel soos hy goedvind, klassifiseer, gradeer, verpak, opberg, vir verkoop geskik maak, verseker, vervoer en behoudens die bepalinge van artikel 20 adverteer;

(c) piesangs wat hy gekoop het, teen dié prys of op dié grondslag wat die Minister goedkeur, verkoop of 'n deel daarvan aan die mark onthou.

(d) as agent optree vir die ontvangs en verkoop van piesangs;

(e) op die voorwaardes wat die Minister goedkeur—

(i) pakmateriaal en houters koop wat produsente nodig het vir die bemarking van piesangs;

(ii) sodanige pakmateriaal en houters verkoop aan produsente van piesangs of aan persone wat in die loop van hulle besigheid sodanige pakmateriaal en houters aan bedoelde produsente verkoop;

(iii) sodanige pakmateriaal en houters aan produsente van piesangs verhuur;

(iv) die vervaardiging van sodanige pakmateriaal en houters, of die aankoop daarvan deur bedoelde produsente of persone, uit sy fondse finansier;

(f) op die voorwaardes wat die Minister goedkeur—

(i) plantmateriaal verkry of ontwikkel wat produsente gebruik vir die produksie van piesangs;

(ii) sodanige plantmateriaal vermeerder of verbeter of sodanige plantmateriaal verkoop aan produsente van piesangs of aan persone wat in die loop van hul besigheid sodanige plantmateriaal aan bedoelde produsente verkoop;

(iii) die ontwikkeling, verbetering of vermeerdering van sodanige plantmateriaal uit sy fondse finansier.

Vasstelling van pryse

34. (1) Die Raad kan behoudens die bepalinge van artikel 60 (2) van die Wet met die Minister se goedkeuring van tyd tot tyd enigiemand, of enigiemand wat tot 'n klas of groep persone behoort, of enigiemand behalwe iemand wat tot 'n klas of groep persone behoort, verbied om 'n hoeveelheid piesangs of 'n klas of graad daarvan te

quantity of bananas or any class or grade thereof, at a price above a price fixed by the Board, or calculated in accordance with a basis determined by the Board for such bananas, or for such class, grade or quantity thereof.

(2) The Board may, when exercising its powers conferred under subsection (1), with the approval of the Minister—

(a) determine the charges or costs to be included in, added to or deducted from any price referred to in the said subsection, or the mass to be allowed, in relation to any quantity referred to in that subsection for any container of the bananas;

(b) require any person disposing of bananas, or of any class, grade or quantity thereof, on credit or for an amount exceeding an amount determined by the Board, to render and invoice containing such particulars as may be so determined;

(c) require any price so fixed to be displayed in such a 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.

Prohibition of the sale of bananas except through the Board

35. (1) The Board may, with the approval of the Minister, prohibit any producer of bananas from selling bananas or any class, quantity or percentage thereof which the Board may from time to time determine, except through the Board.

(2) The Board may, with the approval of the Minister, grant exemption on the conditions determined by the Board from the operation of any prohibition imposed by the Board under subsection (1) and, if a levy referred to in section 22 or a special levy referred to in section 23 is not payable in respect of the class of bananas in respect of which any such exemption was granted also on condition, subject to section 64 (3) of the Act, that an amount of money, determined by the Board with the approval of the Minister, be paid to the Board in respect of any unit or quantity thereof by such persons, at such times and in such manner as the Board may determine, but not exceeding the amount of the highest such levy and the highest such special levy payable in respect of an equal unit or quantity of any class of bananas which is sold through the Board.

(3) Whenever the Board has under subsection (1) prohibited the sale of bananas except through the Board, it shall conduct pools in accordance with the provisions of section 36 for the sale of bananas delivered for sale to the Board by producers in terms of the said prohibition.

(4) For the purposes of this section—

(a) "bananas" means bananas—

(i) produced in the production area or imported into the Republic;

(ii) produced in those portions of a self-governing territory referred to in the definition of "production area" in section 1, and introduced into the Republic;

(b) "sell" means sell in the Republic other than in the production area.

Conduct of pools

36. (1) The Board shall conduct a pool for the sale of bananas delivered to it in pursuance of a prohibition imposed under section 35 during a period determined by the Board with the approval of the Minister.

verkry, te verkoop of van die hand sit teen 'n hoër prys as 'n prys deur die Raad vasgestel, of bereken ooreenkomstig 'n grondslag deur die Raad bepaal, vir sodanige piesangs of vir bedoelde klas, graad of hoeveelheid daarvan.

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

(a) die gelde of koste bepaal wat ingesluit of bygevoeg moet word by, of afgetrek moet word van, 'n in gemelde subartikel bedoelde prys, of die massa bepaal wat met betrekking tot 'n in daardie subartikel bedoelde hoeveelheid toegelaat moet word vir die houer van die piesangs;

(b) van iemand wat piesangs, of 'n klas, graad of hoeveelheid daarvan, van die hand sit op krediet of vir 'n bedrag wat meer is as 'n deur die Raad bepaalde bedrag, vereis dat hy 'n faktuur met aldus bepaalde besonderhede moet verskaf;

(c) gelas dat 'n aldus vasgestelde prys op dié wyse en in dié vorm en op dié plekke of voertuie en deur dié persone of klasse persone wat die Raad bepaal, vertoon moet word.

Verbod op die verkoop van piesangs behalwe deur bemiddeling van die Raad

35. (1) Die Raad kan met die Minister se goedkeuring 'n produsent van piesangs belet om piesangs of 'n klas, graad, hoeveelheid of persentasie daarvan wat die Raad van tyd tot tyd bepaal, te verkoop behalwe deur bemiddeling van die Raad.

(2) Die Raad kan met die Minister se goedkeuring vrystelling verleen, op die voorwaardes deur die Raad bepaal, van die werking van 'n verbod deur die Raad opgelê kragtens subartikel (1) en indien 'n in artikel 22 vermelde heffing of 'n in artikel 23 vermelde spesiale heffing nie betaalbaar is nie ten opsigte van die klas piesangs ten opsigte waarvan so 'n vrystelling verleen is, ook op voorwaarde, behoudens artikel 64 (3) van die Wet, dat 'n bedrag geld wat deur die Raad met die Minister se goedkeuring bepaal word, ten opsigte van 'n eenheid of hoeveelheid daarvan aan die Raad betaal word deur die persone, op die tye en op die wyse deur die Raad bepaal, maar wat hoogstens soveel is as die bedrag van die hoogste sodanige heffing en die hoogste sodanige spesiale heffing wat betaalbaar is ten opsigte van 'n gelyke eenheid of hoeveelheid van 'n klas piesangs wat deur bemiddeling van die Raad verkoop word.

(3) Wanneer die Raad ingevolge subartikel (1) die verkoop van piesangs verbied het behalwe deur bemiddeling van die Raad, moet hy poele ooreenkomstig die bepalinge van artikel 36 bestuur vir die verkoop van piesangs wat deur produsente ingevolge bedoelde verbod aan die Raad vir verkoop gelever word.

(4) By die toepassing van hierdie artikel beteken—

(a) "piesangs" piesangs wat—

(i) in die produksiegebied geproduseer of in die Republiek ingevoer is;

(ii) in daardie gedeeltes van 'n selfregerende gebied waarna verwys word in die omskrywing van "produksiegebied" in artikel 1, geproduseer is en in die Republiek ingebring word;

(b) "verkoop" verkoop in die Republiek anders as in die produksiegebied.

Bestuur van poele

36. (1) Die Raad moet 'n poel bestuur vir die verkoop van piesangs wat ooreenkomstig 'n verbod kragtens artikel 35 uitgevaardig aan die Raad gelever is gedurende 'n tydperk wat die Raad met die goedkeuring van die Minister vasstel.

(2) Each quantity of bananas delivered to the Board for sale, shall be classified by the Board according to the grade and size group to which it belongs in the opinion of the Board—

(a) in the case of bananas contemplated by the Board to be sold as green bananas, at the time of first presentation of such bananas for sale by the Board; or

(b) in the case of bananas contemplated by the Board to be sold as ripened bananas, at the time of arrival of such bananas at the place where they are to be ripened for sale;

and, subject to the provisions of subsection (3), be assigned to the pool in the said grade and size group for the account of the producer by whom they were so delivered; Provided that a quantity of bananas so delivered which is destroyed or disposed of at a time rendering the classification thereof as contemplated in paragraph (a) or (b) impossible or which, as a result of extraordinary factors (acknowledged by the Board) which have not been caused by any act or omission of the producer by whom such bananas were delivered, becomes decayed or obtains a less favourable classification, in the opinion of the Board, than that which it would otherwise have obtained if it were not for the said factors, shall be assigned to the pool for the account of the producer concerned in the same grade and size group as such grade and such size group in which the bananas of that producer in his three previous consignments to the Board were assigned to a pool, or if those bananas were assigned to a pool in different grades and size groups, be assigned to the pool in the same grades and the same size groups as such grades and such size groups, and in the same proportion as such proportion among the different quantities of bananas of the different grades and size groups, in the said consignments.

(3) Bananas delivered to the Board for sale which at the time of classification thereof in terms of subsection (2), are found by the Board to be unsuitable for sale for human consumption, shall not be accepted in a pool if the proviso to the said subsection does not apply to those bananas, and shall be sold or otherwise disposed of by the Board for the account of the producer by whom they were so delivered.

(4) The Board may finance any pool conducted by it and may treat in such manner as it may deem fit, pack, store, adapt for sale, insure, transport or withhold any part of it from the market and, subject to the provisions of section 20, advertise bananas delivered to it for sale.

(5) (a) As soon as may be practicable after all the bananas accepted by the Board in a pool are disposed of, the Board shall determine the net proceeds of the pool by deducting the expenses related to that pool from the revenue thereof.

(b) For the purposes of this subsection—

“expenses”, in relation to a pool, means the expenses of a pool comprising the following amounts:

(i) All costs incurred by the Board in connection with that pool, including the costs which directly relate to the financing of the pool, and the receipt, transport, classification, handling, ripening, storing and sale of bananas in that pool;

(ii) any amount which the Board has transferred under subsection (10) (a) from that pool to another pool;

(iii) the amount of any additional payments that have to be made out of that pool under subsection (9) to participants in the pool;

(2) Elke hoeveelheid piesangs aan die Raad vir verkoop gelewer, moet deur die Raad geklassifiseer word volgens die graad en groottegroep waartoe dit na bevinding van die Raad behoort—

(a) in die geval van piesangs wat deur die Raad beoog word om as groen piesangs verkoop te word, ten tyde van eerste aanbieding deur die Raad van sodanige piesangs vir verkoop; of

(b) in die geval van piesangs wat deur die Raad beoog word om as rypgemaakte piesangs verkoop te word, ten tyde van aankoms van sodanige piesangs op die plek waar dit vir verkoop rypgemaak sal word;

en, behoudens die bepalings van subartikel (3), vir rekening van die produsent deur wie dit aldus gelewer is, in bedoelde graad en groottegroep in die poel toegewys word: Met dien verstande dat 'n aldus gelewerde hoeveelheid piesangs wat vernietig of oor beskik word op 'n tydstip wat die klassifikasie daarvan soos in paragraaf (a) of (b) beoog onmoontlik maak of wat as gevolg van buitengewone faktore (deur die Raad erken) wat nie veroorsaak is deur die toedoen of nalate van die produsent deur wie daardie piesangs gelewer is nie, bederf raak of 'n minder gunstige klassifikasie ontvang as wat dit andersins, na die mening van die Raad, sou ontvang het as dit nie vir bedoelde faktore was nie, vir die rekening van die betrokke produsent in die poel toegewys moet word in dieselfde graad en groottegroep as dié graad en dié groottegroep waarin die piesangs van daardie produsent in sy drie voorafgaande besendings aan die Raad in 'n poel toegewys was, of indien daardie piesangs in verskillende grade en groottegroepen in 'n poel toegewys was, in die poel toegewys moet word in dieselfde grade en dieselfde groottegroepen as dié grade en dié groottegroepen, en in dieselfde verhouding as dié verhouding tussen die verskillende hoeveelhede piesangs van die verskillende grade en groottegroepen, in bedoelde besendings.

(3) Piesangs aan die Raad vir verkoop gelewer wat ten tyde van die klassifikasie daarvan ingevolge subartikel (2), deur die Raad bevind word nie geskik vir verkoop vir menslike gebruik te wees nie, word nie in 'n poel aangeneem nie indien die voorbehoudsbepaling tot genoemde subartikel nie op daardie piesangs van toepassing is nie, en word deur die Raad vir rekening van die produsent deur wie dit aldus gelewer is, verkoop of andersins oor beskik.

(4) Die Raad kan 'n poel wat hy bestuur, finansier en piesangs aan hom vir verkoop gelewer, behandel soos hy goeie vind, verpak, opberg, vir verkoop geskik maak, versker, vervoer, 'n deel daarvan aan die mark onthou en behoudens die bepalings van artikel 20, adverteer.

(5) (a) So gou doenlik nadat oor al die piesangs wat deur die Raad in 'n poel aangeneem is, beskik is, moet die Raad die netto opbrengs van die poel bepaal deur die uitgawes verbonde aan daardie poel van die inkomste daarvan af te trek.

(b) By die toepassing van hierdie subartikel beteken—

“inkomste”, met betrekking tot 'n poel, die inkomste van 'n poel saamgestel uit die volgende bedrae:

(i) Die bruto opbrengs van die poel soos deur die Raad bepaal;

(ii) 'n bedrag wat die Raad uit sy fondse in daardie poel betaal het;

(iii) 'n bedrag wat die Raad kragtens subartikel (10) (a) van 'n ander poel na daardie poel oorgedra het;

(iv) the amount payable or paid to the Board as a levy under section 22 or a special levy under section 23 in respect of bananas accepted in that pool;

"revenue", in relation to a pool, means the revenue of a pool comprising the following amounts:

(i) The gross proceeds of the pool as determined by the Board;

(ii) any amount which the Board has paid out of its funds into that pool;

(iii) any amount which the Board has transferred under subsection (10) (a) from another pool to that pool;

(iv) the amount of any contributions that are required under subsection (8) to be made to that pool by participants in the pool.

(6) (a) The net proceeds of a pool calculated in terms of subsection (5), shall subject to the provisions of paragraph (b), be divided among the participants of that pool in proportion to the respective amounts which were paid to them as advances: Provided that the Board may divide such portion of the said net proceeds not exceeding the balance of such proceeds which remains after deducting therefrom the total of all advances which were paid in respect of that pool, among the said participants in proportion to the respective quantities of bananas accepted for the account of the different participants in that pool.

(b) The Board may recover any advance paid to a participant of a pool by deducting the amount of such advance from the amount payable to that participant under paragraph (a).

(c) In this subsection "advance" means an advance referred to in paragraph (a) of subsection (7) prior to any reduction or increase thereof in terms of paragraph (b) of that subsection.

(7) (a) The Board shall prior to the calculation of the net proceeds of a pool under subsection (5) and subject to the provisions of paragraph (b), pay to each participant of that pool an advance to be calculated by the Board on the basis of such quantity of bananas of each size group in each grade accepted for the account of a participant in that pool and such advance values as the Board may, on a basis approved by the Minister, determine for each size group in each grade in respect of that pool.

(b) An advance payable under paragraph (a) to a participant of a pool shall be—

(i) reduced, for the benefit of the pool, by the amount of any contribution that may be required under subsection (8) from that participant;

(ii) increased, at the expense of the pool, by the amount of any additional payment that may be made under subsection (a) to that participant;

(iii) reduced, for the benefit of the Board, by the amount of any money due by that participant to the Board.

(8) Payment of a contribution to a pool may be required by the Board from each participant of that pool—

(a) as his share in the cost of transport of bananas accepted in that pool, which contribution shall be determined by the Board in respect of the quantity of bananas accepted for the account of that participant in the pool at a rate per kilometre fixed by the Board

(iv) die bedrag van enige bydraes tot daardie poel wat kragtens subartikel (8) van deelnemers in die poel vereis word;

"uitgawes", met betrekking tot 'n poel, die uitgawes van 'n poel saamgestel uit die volgende bedrae:

(i) Alle koste deur die Raad aangegaan in verband met daardie poel, met inbegrip van die koste wat regstreeks betrekking het op die finansiering van die poel en die ontvangs, vervoer, klassifikasie, hantering, rypmaak, opberging en verkoop van piesangs in daardie poel;

(ii) 'n bedrag wat die Raad kragtens subartikel (10) (a) uit daardie poel na 'n ander poel oorgedra het;

(iii) die bedrag van enige bybetalings uit daardie poel wat kragtens subartikel (9) aan deelnemers in die poel betaal moet word;

(iv) die bedrag wat as 'n heffing kragtens artikel 22 en 'n spesiale heffing kragtens artikel 23 aan die Raad betaal of betaalbaar is ten opsigte van die piesangs wat in daardie poel aangeneem is.

(6) (a) Die netto opbrengs van 'n poel wat kragtens subartikel (5) bereken is, moet behoudens die bepalinge van paragraaf (b), tussen die deelnemers in daardie poel verdeel word in verhouding tot die onderskeie bedrae wat as voorskotte aan hulle betaal was: Met dien verstande dat die Raad 'n gedeelte van bedoelde netto opbrengs wat nie meer mag wees nie as die saldo van daardie opbrengs wat oorbly na aftrekking daarvan van die som van al die voorskotte wat ten opsigte van daardie poel betaal was, tussen bedoelde deelnemers kan verdeel in verhouding tot die onderskeie hoeveelhede piesangs vir rekening van die verskillende deelnemers in daardie poel aangeneem.

(b) Die Raad kan 'n voorskot wat aan 'n deelnemer in 'n poel betaal is, verhaal deur die bedrag van sodanige voorskot van die bedrag wat kragtens paragraaf (a) aan daardie deelnemer betaalbaar is, af te trek.

(c) In hierdie subartikel beteken "voorskot" 'n in paragraaf (a) van subartikel (7) bedoelde voorskot voor die vermindering of vermeerdering daarvan kragtens paragraaf (b) van daardie subartikel.

(7) (a) Die Raad moet voor die berekening van die netto opbrengs van 'n poel kragtens subartikel (5) en behoudens die bepalinge van paragraaf (b) aan elke deelnemer in daardie poel 'n voorskot betaal wat deur die Raad bereken moet word op grondslag van die hoeveelheid piesangs van elke groottegroep en elke graad vir rekening van 'n deelnemer in daardie poel aangeneem en die voorskotwaardes wat die Raad, op 'n grondslag deur die Minister goedgekeur, vir elke groottegroep in elke graad ten opsigte van daardie poel bepaal.

(b) 'n Voorskot wat kragtens paragraaf (a) aan 'n deelnemer in 'n poel betaalbaar is—

(i) moet verminder word, ten bate van die poel, met die bedrag van enige bydrae wat kragtens subartikel (8) van daardie deelnemer vereis mag word;

(ii) moet vermeerder word, ten laste van die poel, met die bedrag van enige bybetaling wat kragtens subartikel (9) aan daardie deelnemer gemaak mag word;

(iii) moet verminder word, ten bate van die Raad, met die bedrag van enige geld wat deur daardie deelnemer aan die Raad verskuldig mag wees.

(8) Die betaling van 'n bydrae tot 'n poel kan deur die Raad vereis word van elke deelnemer in daardie poel—

(a) as synde sy aandeel in die koste van vervoer van piesangs in daardie poel aangeneem, welke bydrae deur die Raad bereken moet word ten opsigte van die hoeveelheid piesangs vir rekening van daardie deelnemer in die poel aangeneem volgens 'n tarief per

per mass unit of bananas, calculated over a distance from that participant's loading point to his point of sale, irrespective of whether the bananas concerned were transported for the account of the pool or over that distance;

(b) who has delivered a quantity of bananas to the Board for sale which, due to non compliance thereof to the packing requirements prescribed by regulation under section 89 of the Act, has to be repacked by the Board for the account of the pool, which contribution shall be equal to the actual cost of repacking.

(9) An additional payment from a pool may be made by the Board to each participant in that pool whose bananas have been transported by direction of the Board over a longer distance than the distance between his loading point and his point of sale, which additional payment shall be determined by the Board in respect of the quantity of bananas accepted for the account of that participant in the pool and so transported over such longer distance at a rate per mass unit which in the opinion of the Board represents the average depreciation of a corresponding mass unit of bananas due to a quality and mass decrease over such longer distance.

(10) The Board may—

(a) with the approval of the Minister transfer any portion of the proceeds of a pool to any other pool conducted by the Board;

(b) deal with moneys which accrue to a pool after its accounts have been closed in a manner determined by the Minister.

(11) 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 of a pool is not justified, such balance may be dealt with in any manner approved by the Minister.

(12) In this section—

“loading point” means a place in the production area fixed by the Board for a producer as the place where the Board will normally receive for sale that producer's bananas;

“point of sale” means a place in an area where the Board sells bananas fixed by the Board for a producer as the place where or from where the Board will normally sell that producer's bananas;

“quantity”, in relation to bananas, means a quantity of bananas determined according to the mass thereof.

Notice of deliveries

37. Whenever the Board has, in terms of section 35, prohibited the sale of bananas except through the Board, and conducts a pool referred to in section 36, for the sale of such bananas, it 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 bananas which he intends to delivery to the Board during any future period determined by the Board, for sale;

(b) refuse to accept that quantity of bananas, or any part thereof, in respect of which the producer concerned has not given notice in terms of any requirement under paragraph (a);

kilometer deur die Raad per massa-eenheid piesangs bepaal, gereken oor 'n afstand vanaf daardie deelnemer se laaipunt tot sy verkooppunt ongeag of die betrokke piesangs vir die rekening van die poel of oor daardie afstand vervoer is, of nie;

(b) wat 'n hoeveelheid piesangs aan die Raad vir verkoop gelewer het wat vanweë die nie-voldoening daarvan aan die verpakkingsvereistes by regulasie kragtens artikel 89 van die Wet voorgeskryf, deur die Raad vir rekening van daardie poel herverpak is, welke bydrae gelyk moet staan aan die werklike koste van herverpakking.

(9) 'n Bybetaling uit 'n poel kan deur die Raad gemaak word aan elke deelnemer in daardie poel wie se piesangs op versoek van die Raad oor 'n langer afstand as die afstand tussen sy laaipunt en sy verkooppunt vervoer is, welke bybetaling deur die Raad bereken moet word ten opsigte van die hoeveelheid piesangs vir rekening van daardie deelnemer in die poel aangeneem en aldus oor sodanige langer afstand vervoer volgens 'n bedrag per massa-eenheid wat na die mening van die Raad die gemiddelde waardevermindering van 'n ooreenstemmende massa-eenheid piesangs as gevolg van 'n gehalte- en massa-afname oor sodanige langer afstand, voorstel.

(10) Die Raad kan—

(a) met goedkeuring van die Minister 'n gedeelte van die opbrengs in 'n poel oordra na 'n ander poel deur die Raad bestuur;

(b) met gelde wat 'n poel toeval nadat die rekening daarvan afgesluit is, handel op 'n wyse deur die Minister bepaal.

(11) Waar 'n saldo in 'n poel wanneer sy rekening afgesluit word, na die oordeel van die Raad en die Minister so klein is dat 'n verdeling daarvan onder die deelnemers in die poel nie geregverdig is nie, kan met sodanige saldo gehandel word op 'n wyse wat die Minister goedkeur.

(12) In hierdie artikel beteken—

“hoeveelheid”, met betrekking tot piesangs, 'n hoeveelheid piesangs bereken volgens die massa daarvan;

“laaipunt” 'n plek in die produksiegebied deur die Raad vir 'n produsent vasgestel as die plek waar die Raad normaalweg daardie produsent se piesangs vir verkoop in ontvangs sal neem;

“verkooppunt” 'n plek in 'n gebied waar die Raad piesangs verkoop, deur die Raad vir 'n produsent vasgestel as 'n plek waar of waarvandaan die Raad normaalweg daardie produsent se piesangs sal verkoop.

Kennisgewing van lewerings

37. Wanneer die Raad produsente van piesangs kragtens artikel 35 verbied het om piesangs te verkoop behalwe deur bemiddeling van die Raad, en 'n poel genoem in artikel 36 vir die verkoop van sodanige piesangs bestuur, kan hy met die Minister se goedkeuring—

(a) gelas dat elke 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 piesangs wat hy van voorneme is om gedurende 'n toekomstige deur die Raad bepaalde tydperk vir verkoop aan die Raad te lewer;

(b) weier om dié hoeveelheid piesangs, of 'n deel daarvan ten opsigte waarvan die betrokke produsent nie ingevolge 'n lasgewing kragtens paragraaf (a) kennis gegee het nie, in ontvangs te neem;

(c) where the Board considers it equitable to do so, recover for the benefit of the pool concerned, from any producer who has delivered to the Board a quantity of bananas—

(i) which differs from the quantity of which such producer so gave notice; or

(ii) 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 20 kg of bananas shall not exceed 50c.

Prohibition of the sale of bananas, except a particular class, grade, quantity or percentage thereof, or for a defined purpose

38. The Board may prohibit from time to time, with the approval of the Minister, any producer of bananas from selling bananas which he has produced, except such class, grade, quantity or percentage thereof as the Board has determined or except for a purpose as the Board has defined.

Prohibition of the purchase of bananas for a specified purpose, except under permit

39. The Board may prohibit, with the approval of the Minister, 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 purchasing bananas, or any class, grade or quantity thereof determined by the Board for any purpose determined by the Board, except under the authority of a permit which may be issued by the Board subject to the conditions (if any) determined by the Board.

Regulation of quantity, time and place in relation to the movement of bananas

40. The Board may determine the maximum quantity of bananas which may during any week, or during any day or other period determined by the Board, be brought into or removed from any area defined by the Board.

Penalty for exceeding quantities authorized by permits

41. The Board may recover from a producer who has delivered to the Board for sale a larger quantity of bananas than he was authorized so to deliver under a permit contemplated under section 75 (2) of the Act, an amount assessed, on the surplus so delivered, at a rate determined by the Board with the approval of the Minister, and may deal with the amount so recovered in such a manner as may be approved by the Minister.

Prohibition of the introduction of bananas into a defined area

42. The Board may prohibit from time to time, with the approval of the Minister, any person from introducing into any area defined by the Board, bananas, except such class or grade thereof as the Board has determined, or except for such purposes as the Board has defined.

PART V

MISCELLANEOUS PROVISIONS

Offences and penalties

43. Any person who—

(a) fails to pay a levy imposed under section 22 or a special levy imposed under section 23 in the prescribed manner or within the prescribed period;

(b) fails to comply with a requirement issued under section 30;

(c) waar die Raad dit billik ag om dit te doen, van 'n produsent wat aan die Raad 'n hoeveelheid piesangs gelewer het—

(i) wat verskil van die hoeveelheid waarvan die betrokke produsent aldus kennis gegee het; of

(ii) ten opsigte waarvan daardie produsent versuim het om aldus kennis te gee;

'n bedrag ten bate van die betrokke poel verhaal wat, volgens skatting deur die Raad met goedkeuring van die Minister gemaak, ongeveer gelyk staan met die bedrag van verlies deur daardie poel gelyk as gevolg van sodanige verskil in hoeveelheid of sodanige versuim om kennis te gee: Met dien verstande dat die bedrag wat per 20 kg piesangs verhaal word nie 50c mag oorskry nie.

Verbod op die verkoop van piesangs, behalwe 'n bepaalde klas, graad, hoeveelheid of persentasie daarvan, of vir 'n omskrewe doel

38. Die Raad kan met die Minister se goedkeuring 'n produsent van piesangs van tyd tot tyd verbied om piesangs 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.

Verbod op die koop van piesangs vir 'n bepaalde doel, behalwe kragtens 'n permit

39. Die Raad kan met die Minister se goedkeuring enigiemand, of enigiemand wat tot 'n klas of groepe persone behoort, of enigiemand behalwe iemand wat tot 'n klas of groep persone behoort, verbied om piesangs, of 'n klas, graad of hoeveelheid daarvan deur die Raad bepaal, te koop vir 'n doel deur die Raad bepaal, behalwe kragtens 'n permit wat die Raad kan uitreik onderworpe aan die voorwaardes (as daar is) deur die Raad bepaal.

Reëling van hoeveelheid, tyd en plek met betrekking tot die verplasing van piesangs

40. Die Raad kan die grootste hoeveelheid piesangs vasstel wat gedurende 'n week of gedurende 'n dag of ander tydperk deur die Raad bepaal, in 'n deur die Raad omskrewe gebied ingebring of daaruit verwyder kan word.

Straf vir oorskryding van hoeveelhede deur permitte gemagtig

41. Die Raad kan op 'n produsent wat 'n groter hoeveelheid piesangs aan die Raad vir verkoop gelewer het as wat hy gemagtig was om aldus te lewer ingevolge 'n permit in artikel 75 (2) van die Wet beoog, 'n bedrag verhaal wat aldus die gelewerde oormaat bepaal word teen 'n koers deur die Raad met die goedkeuring van die Minister vasgestel, en kan met die aldus verhaalde bedrag handel op die wyse deur die Minister goedgekeur.

Verbod op die inbring van piesangs in 'n omskrewe gebied

42. Die Raad kan met die Minister se goedkeuring enigiemand van tyd tot tyd verbied om piesangs behalwe 'n klas of graad daarvan wat die Raad vasgestel het, of behalwe vir 'n doel wat die Raad bepaal het, in 'n deur die Raad omskrewe gebied in te bring.

DEEL V

DIVERSE BEPALINGS

Misdrywe en strawwe

43. Iemand wat—

(a) versuim om 'n kragtens artikel 22 opgelegde heffing of 'n kragtens artikel 23 opgelegde spesiale heffing op die voorgeskrewe wyse of binne die voorgeskrewe tydperk te betaal;

(b) versuim om aan 'n voorskrif uitgereik kragtens artikel 30 te voldoen;

(c) contravenes the provisions of any prohibition imposed under section 34, 35, 38, 39 and 42; shall be guilty of an offence and liable on conviction to a fine not exceeding R200 or to imprisonment for a period not exceeding six months, or to both such fine and such imprisonment.

Savings in regard to the repeal of previous Scheme

44. Any appointment, authorization, decision, levy, special levy, prohibition, requirement, direction, determination, regulation or notice, made, granted, taken, imposed, promulgated or published or any other thing done under a provision of the Banana Scheme, published by Proclamation R.254 of 1962, as amended, shall be deemed to have been made, taken, imposed promulgated or published or done under the corresponding provisions of this Scheme.

GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 1081 25 June 1976
REGULATIONS RELATING TO THE GRADING AND PACKING OF MAIZE.—AMENDMENT

The Minister of Agriculture has, under the powers vested in him by section 89 of the Marketing Act, 1968 (No. 59 of 1968), further amended the regulations published by Government Notice R. 121 of 4 February 1972, as amended, as set out in the Schedule hereto.

SCHEDULE

The Schedule to Government Notice R. 121 of 4 February 1972, as amended, is hereby further amended by the substitution for regulation 5 of the following regulation:

"5. The maximum deviation from the requirements prescribed under regulation 4 that may be allowed in respect of any of the said grades, shall be as follows:

	Maximum percentage (mass by mass) of deviation allowed								
	White dent			White flint		Yellow flint	Yellow flint-and-dent		
	WD1	WD2	WD3	WF1	WF2	YF1	YM1	YM2	YM3
(i) Defective maize kernels.....	7	13	20	10	25	9	9	20	30
(ii) Maize kernels of another colour.....	2	3	5	2	10	2	2	5	5
(iii) Foreign matter (excluding stones, pieces of coal or glass and manure).....	0,3	0,5	0,75	0,3	0,75	0,3	0,3	0,5	0,75
(iv) Defective maize kernels, maize kernels of another colour, and foreign matter collectively, provided such deviations are individual within the limits specified above.....	7	13	20	10	25	9	9	20	30
(v) Pinked maize kernels.....	12	12	12	12	12	7	7	7	7"

"5. Die maksimum afwykings van die vereistes voorgeskryf volgens regulasie 4 wat ten opsigte van enigeen van die genoemde grade toegelaat mag word, is soos voel:

	Maksimum persentasie (massa per massa) afwykings toegelaat								
	Wit duikpit			Wit ronddepit		Geel ronddepit	Geel ronddepit- en duikpit		
	WD1	WD2	WD3	WF1	WF2	YF1	YM1	YM2	YM3
(i) Gebrekkige mieliepitte.....	7	13	20	10	25	9	9	20	30
(ii) Mieliepitte van 'n ander kleur.....	2	3	5	2	10	2	2	5	5
(iii) Vreemde voorwerpe (uitgesonderd klippe, stukkie steenkool of glas en mis).....	0,3	0,5	0,75	0,3	0,75	0,3	0,3	0,5	0,75
(iv) Gebrekkige mieliepitte, mieliepitte van 'n ander kleur en vreemde voorwerpe gesamentlik; mits sodanige afwyking individueel binne die perke in subparagrafe (i), (ii) en (iii) gespesifiseer is....	7	13	20	10	25	9	9	20	30
(v) Verrooide mieliepitte.....	12	12	12	12	12	7	7	7	7"

(c) die bepalings van 'n kragtens artikel 34, 35, 38, 39 en 42 opgelegde verbod oortree,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R200 of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met sowel sodanige boete as sodanige gevangenisstraf.

Voorbehoude met betrekking tot herroeping van vorige Skema

44. Enige aanstelling, magtiging, besluit, heffing, spesiale heffing, verbod, voorskrif, lasgewing, bepaling, reëling of kennisgewing, maak, geneem, opgelê, uitgevaardig of gepubliseer of enige ander stappe of enigiets gedoen kragtens 'n bepaling van die Piesangskema, afgekondig by Proklamasie R. 254 van 1962, soos gewysig, word geag maak, geneem, opgelê, uitgevaardig of gepubliseer of gedoen te gewees het kragtens die ooreenstemmende bepaling van hierdie Skema.

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN LANDBOU-EKONOMIE EN -BEMARKING

No. R. 1081 25 Junie 1976
REGULASIES MET BETREKKING TOT DIE GRADERING EN VERPAKKING VAN MIELIES.—WYSIGING

Die Minister van Landbou het, kragtens die bevoegdheid hom verleen by artikel 89 van die Bemerkingswet, 1968 (No. 59 van 1968), die regulasies afgekondig by Goewermenskennisgewing R. 121 van 4 Februarie 1972, soos gewysig, verder gewysig soos in Bylae hiervan uiteengesit.

BYLAE

Die Bylae van Goewermenskennisgewing R. 121 van 4 Februarie 1972, soos gewysig, word hierby verder gewysig deur regulasie 5 deur die volgende regulasie te vervang:

No. R. 1095 25 June 1976
DAIRY INDUSTRY CONTROL BOARD, (S.W.A.)
PRICES OF CREAMERY BUTTER.—SOUTH WEST
AFRICA

In terms of provision of section 12 (3) of the Dairy Control Ordinance (S.W.A.) 1962 (No. 29 of 1962), it is hereby made known that the Dairy Industry Control Board, established under section 2 of the said Ordinance, has, under the powers vested in it by section 10 (c) of the said Ordinance, with the approval of the Minister of Agriculture and with effect from 1 July 1976, determined the prices of creamery butter in South West Africa, as set out in the Schedule hereto, in substitution of the prices published by Government Notice R. 1264 of 27 June 1975, which is hereby repealed with effect from the same date.

SCHEDULE

1. In this notice unless inconsistent with the context, a word or expression to which a meaning has been assigned in the Dairy Industry Control Ordinance (S.W.A.), 1962 (No. 29 of 1962), shall have a corresponding meaning.

2. No creamery butter manufacturer shall sell creamery butter of any grade at a price other than the fixed price indicated hereunder for the grade concerned:

- (a) Choise grade: 144c per kg.
- (b) Table grade: 138c per kg.
- (c) Household grade: 132c per kg.

3. Subject to the provisions of clause 2, no person shall sell creamery butter of any grade at a price exceeding the price indicated hereunder for the grade concerned:

- (a) Choise grade: 151c per kg.
- (b) Table grade: 145c per kg.
- (c) Household grade: 139c per kg.

Provided that at any place other than Gobabis, Otjiwarongo, Uchab, Walvis Bay and Windhoek the actual transport costs by rail and/or motor transport from the nearest wholesale supplier may be added to the said price.

No. R. 1128 25 June 1976
DEPARTMENT OF AGRICULTURAL ECONOMICS
AND MARKETING

REGULATIONS RELATING TO APPEAL AGAINST
DECISIONS OF THE KO-OPERATIEVE WIJN-
BOUWERS VERENIGING VAN ZUID-AFRIKA,
BEPERKT.—SECTION 7 OF THE WINE AND SPIRIT
CONTROL ACT, 1970—AMENDMENT

The Minister of Agriculture has, under the powers vested in him by section 11 of the Wine and Spirit Control Act, 1970 (No. 47 of 1970), amended the regulations published by Government Notice R. 863 of 2 May 1975, as set out in the Schedule hereto, with effect from the date of publication hereof.

SCHEDULE

The Schedule to Government Notice R. 863 of 2 May 1975 is hereby amended by the substitution for subregulation (4) of regulation 12 of the following subregulation:

“(4) No evidence given, or other statements made, before the Board shall be recorded *verbatim*, but the Chairman of the Board may direct that such evidence and statements shall be recorded in any other manner determined by him: Provided that the parties may jointly or separately at their own expense, record the proceedings before the Board *verbatim* for their own purposes.”.

No. R. 1095 25 Junie 1976
RAAD VAN BEHEER OOR DIE SUIWELNYWER-
HEID, (S.W.A.) PRYSE VAN FABRIEKSBOTTER.—
SUIDWES-AFRIKA

Ingevolge die bepalings van artikel 12 (3) van die Ordonnansie op die Beheer van die Suiwelnywerheid (S.W.A.), 1962 (No. 29 van 1962), word hierby bekend gemaak dat die Raad van Beheer oor die Suiwelnywerheid, ingestel kragtens artikel 2 van genoemde Ordonnansie, kragtens die bevoegdheid hom verleen by artikel 10 (c) van genoemde Ordonnansie, met die goedkeuring van die Minister van Landbou en met ingang 1 Julie 1976, die pryse van fabrieksbutter in Suidwes-Afrika bepaal het soos in die Bylae hiervan uiteengesit, ter vervanging van die pryse afgekondig by Goewermentskennisgewing R. 1264 van 27 Junie 1975 wat hierby met ingang van dieselfde datum herroep word.

BYLAE

1. In hierdie kennisgewing, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan die Ordonnansie op die Beheer van die Suiwelnywerheid (S.W.A.), 1962 (No. 29 van 1962), 'n betekenis geheg is, 'n ooreenstemmende betekenis.

2. Geen fabrieksbotterversvaardiger mag fabrieksbutter van enige graad verkoop teen 'n ander prys as die vaste prys hieronder aangedui vir die betrokke graad nie:

- (a) Keurgraad: 144c per kg.
- (b) Tafelgraad: 138c per kg.
- (c) Huisgraad: 132c per kg.

3. Behoudens die bepalings van klousule 2, mag niemand fabrieksbutter van enige graad verkoop teen 'n hoër prys as die maksimum prys hieronder aangedui vir die betrokke graad nie:

- (a) Keurgraad: 151c per kg.
- (b) Tafelgraad: 145c per kg.
- (c) Huisgraad: 139c per kg.

Met dien verstande dat op enige plek behalwe Gobabis, Otjiwarongo, Uchab, Walvisbaai en Windhoek die werklike vervoerkoste per spoor en/of padmotordiens vanaf die naaste groothandelsverskaffer by die genoemde prys gevoeg mag word.

No. R. 1128 25 Junie 1976
DEPARTEMENT VAN LANDBOU-EKONOMIE EN
-BEMARKING

REGULASIES MET BETREKKING TOT APPËL
TEEN BESLUIT VAN DIE KO-OPERATIEVE WIJN-
BOUWERS VERENIGING VAN ZUID-AFRIKA,
BEPERKT.—ARTIKEL 7 VAN DIE WET OP BEHEER
OOR WYN EN SPIRITUS, 1970.—WYSIGING

Die Minister van Landbou het, kragtens die bevoegd-
hom verleen by artikel 11 van die Wet op Beheer oor Wyn
en Spiritus, 1970 (No. 47 van 1970)), die regulasies af-
gekondig by Goewermentskennisgewing R. 863 van 2 Mei
1975, met ingang van die datum van publikasie hiervan,
gewysig soos in die bylae hiervan uiteengesit.

BYLAE

Die Bylae van Goewermentskennisgewing R. 863 van 2 Mei 1975 word hierby gewysig deur subregulasie (4) van regulasie 12 deur die volgende subregulasie te vervang:

“(4) Geen getuienis en ander verklarings wat voor die Raad afgelê word, word deur die Raad *verbatim* afgeneem nie, maar die Voorsitter van die Raad gelas dat sodanige getuienis en verklarings op 'n ander wyse wat hy bepaal, afgeneem word: Met dien verstande dat die partye gesamentlik of afsonderlik die verrigtinge voor die Raad op eie koste *verbatim* vir hul eie doeleindes kan afneem.”.

DEPARTMENT OF AGRICULTURAL TECHNICAL SERVICES

No. R. 1085

25 June 1976

WINE, OTHER FERMENTED BEVERAGES AND SPIRITS ACT, 1957 (ACT 25 OF 1957)

REGULATIONS PERTAINING TO VINE CUL- TIVARS DESIGNATED FOR THE PRODUCTION OF MANUFACTURE OF WINE

The Minister of Agriculture has, under the powers vested in him by section 39 read with section 3 (2) of the Wine, Other Fermented Beverages and Spirits Act, 1957 (Act 25 of 1957) made the regulations hereunder.

DESIGNATION OF VINE CULTIVARS FOR THE PRODUCTION OR MANUFACTURE OF WINE

1. An article sold for drinking purposes in the Republic under the name of wine or under any name popularly or commercially used as a designation for wine, shall only be derived from the vine cultivars indicated in columns 1, 2 or 3 of the Table hereto.

REPEAL OF GOVERNMENT NOTICE

2. Government Notice 124 of 4 February 1972, as amended by Government Notices 69 of 19 January 1973 and 527 of 5 April 1973, is hereby repealed.

DEPARTEMENT VAN LANDBOU-TEGNIËSE DIENSTE

No. R. 1085

25 Junie 1975

WET OP WYN, ANDER GEGISTE DRANK EN SPIRITUALIEË, 1957 (WET 25 VAN 1957)

REGULASIES MET BETREKKING TOT DRUIF- CULTIVARS WAT VIR DIE PRODUKSIE OF VER- VAARDIGING VAN WYN AANGEWYS IS

Die Minister van Landbou het, kragtens die bevoegdheid hom verleen by artikel 39 gelees met artikel 3 (2) van die Wet op Wyn, Ander Gegiste Drank en Spiritualieë, 1957 (Wet 25 van 1957) die regulasies hieronder uitgevaardig.

AANWYSING VAN DRUIFCULTIVARS VIR DIE PRODUKSIE OF VERVAARDIGING VAN WYN

1. 'n Artikel wat in die Republiek vir drinkdoeleindes verkoop word onder die naam van wyn of onder 'n naam wat in die algemeen of in die handel as 'n benaming vir wyn gebruik word, mag slegs afkomstig wees van dié druifcultivars aangedui in kolomme 1, 2 of 3 van die Tabel hierby.

HERROEPING VAN GOEWERMENSKENNIS- GEWING

2. Goewermenskennisgewing 124 van 4 Februarie 1972, soos gewysig deur Goewermenskennisgewings 69 van 19 Januarie 1973 en 527 van 5 April 1973 word hierby herroep.

TABLE—TABEL

VINE CULTIVARS DESIGNATED FOR THE PRODUCTION OR MANUFACTURE OF WINE DRUIF CULTIVARS VIR DIE PRODUKSIE OF VERVAARDIGING VAN WYN AANGEWYS

1	2	3
Recommended cultivars (and synonyms) Aanbevole cultivars (en sinonieme)	Permitted cultivars (and synonyms) Toegelate cultivars (en sinonieme)	Provisionally permitted cultivars (and synonyms) Voorlopig toegelate cultivars (en sinonieme)
Bukettraube.....	Alicante Bouschet.....	Almeria
Cabernet franc.....	Barbera.....	Alphonse Lavelleé
Cabernet sauvignon.....	Barlinka.....	Barbarossa
Chenel.....	Bastardo do Castelo.....	Cornichon
Chenin blanc (Steen).....	Bastardo do Menudo.....	Donzellinho do Castelo
Cinsaut.....	Black Prince.....	Donzellinho do Gallego
Clairette blanche.....	Cape Curren/Kaapse Korente.....	Ferdinand de Lesseps
Colombar(d).....	—	Flaming Tokai/Vlamkleur Tokai
Cornifesto.....	Carignan.....	—
Gamay.....	Ceresa.....	Folle blanche
Gewürztraminer.....	Chardonnay.....	Formosa
Grenache (Red Grenache/Rooi Grenache).....	Chasselas.....	Golden Hill
—	Cinsaut blanc.....	Gros Colmar
Heroldrebe.....	Cinsaut gris.....	Gros Noir
Kerner.....	Grand Noir de la Calmette.....	Henab Turki
Merlot.....	Grenache blanc (White Grenache / Wit Grenache)	Keuka
—	—	—
Muller-Thurgau.....	Grenache gris (Grey Grenache / Grys Grenache)	Kristal
Muscadel (Red Muscadel, White Muscadel/ Rooi Muskadel, Wit Muskadel)	Inzolia Bianca.....	K2 (Ugni blanc×Steen)
Muscat d'Alexandrie	Cape Curren/Kaapse Korente.....	K33 (Ugni blanc×Folle blanche)
(White Hanepoot, Red Hanepoot/Wit Hanepoot, Rooi Hanepoot)	—	Lady Downe's
—	Kanaän (Belies).....	Madeleine Angevine
Muscat de Frontignan.....	Malbec.....	Madeleine Royale
Pinotage.....	Malvasia Rey (Tinta Amarella).....	Mazuelo
Pinot noir.....	—	Molinera Gorda
Pontac/Pontak (Teinturier mâle).....	Mourisco tinto.....	—
Riesling.....	Mourvèdre (Mataro).....	Montepulciano
Sémillon (Greengrape/Groendruif).....	Muscat de Hambourg.....	New Cross
—	—	Olivette Barthelet
Shiraz.....	—	Olivette blanche
—	Muscat Ottonel.....	Pearl of Csaba
Souzaõ.....	Palomino (White French/Fransdruif).....	Pirovano
Tinta Barocca.....	—	Prune de Cazouls
Ugni blanc (Trebbiano).....	—	Red Emperor

1	2	3
Recommended cultivars (and synonyms) Aanbevole cultivars (en sinonieme)	Permitted cultivars (and synonyms) Toegelate cultivars (en sinonieme)	Provisionally permitted cultivars (and synonyms) Voorlopig toegelate cultivars (en sinonieme)
Verdot.....	Pedro (False/Valse)..... Pedro Ximines..... Ferricone..... Raisin blanc..... Sauvignon blanc..... Sultanina (Sultana, Thompson's Seedless).. — Sylvaner..... Tinta Francisca..... Tinta Roriz..... Zinfandel.....	Salba Savvatiano Queen of the Vineyard Flaming Tokai/Vlamkleur Tokai — Waltham Cross White Cross — White grape ex Steen/Witdruif ex Steen White Prince White grape ex Steen/Witdruif ex Steen

NOTES—NOTAS

1. Cultivars in column 1 have been found satisfactory and normally produce a generally acknowledged good quality wine in the Republic/Cultivars in kolom 1 is bevredigend gevind en lower normaalweg in die Republiek 'n algemeen erkende goeie kwaliteit wyn.

2. Cultivars in column 2 normally produce a reasonable quality wine in the Republic/Cultivars in kolom 2 lower normaalweg in die Republiek 'n redelike kwaliteit wyn.

3. Cultivars in column 3 do not comply with the requirements laid down for those in columns 1 and 2 but are at present in the Republic of enough importance to justify inclusion in this list/Cultivars in kolom 3 voldoen nie aan die vereistes vir dié in kolomme 1 en 2 neergelê nie maar is tans in die Republiek van genoeg belang om insluiting in hierdie lys te regverdig.

DEPARTMENT OF BANTU ADMINISTRATION AND DEVELOPMENT

No. R. 1069

25 June 1976

REGULATIONS.—EKULIKO KAVANGO LIMITED

Under and by virtue of the powers vested in me by section 26 of the Promotion of the Economic Development of Bantu Homelands Act, 1968 (Act 46 of 1968), I, Michiel Coenraad Botha, Minister of Bantu Administration and Development, hereby make the regulations contained in the Schedule hereto in respect of the Ekuliko Kavango Limited, established by Proclamation R. 67 of 1976.

M. C. BOTHA, Minister of Bantu Administration and Development.

SCHEDULE

DEFINITIONS

1. In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Promotion of the Economic Development of Bantu Homelands Act, 1968 (Act 46 of 1968), shall bear the meaning so assigned thereto, and—

“Act” means the Promotion of the Economic Development of Bantu Homelands Act, 1968 (Act 46 of 1968);

“auditor” means the person appointed in terms of section 21 (2) of the Act to audit the accounts of the Corporation;

“Board” means the board of directors of the Corporation, appointed in terms of section 9 of the Act;

“Corporation” means the Ekuliko Kavango Limited, established by Proclamation R. 67 of 1976;

“director” means a director of the Corporation, appointed in terms of section 9 of the Act;

“secretary” means the person appointed by the Board to perform the duties of secretary.

HEAD OFFICE

2. The head office of the Corporation shall be situated in Rundu until such time as the Minister after consultation with the Corporation determines otherwise.

FINANCIAL YEAR

3. The financial year of the Corporation shall end on 31 March of each year.

DEPARTEMENT VAN BANTOE-ADMINISTRASIE EN -ONTWIKKELING

No. R. 1069

25 Junie 1976

REGULASIES.—EKULIKO KAVANGO BEPERK

Kragtens die bevoegdheid my verleen by artikel 26 van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Bantoetuislande, 1968 (Wet 46 van 1968), vaardig ek, Michiel Coenraad Botha, Minister van Bantoe-administrasie en -ontwikkeling, hierby die regulasies vervat in die Bylae hiervan uit ten opsigte van die Ekuliko Kavango Beperk, ingestel by Proklamasie R. 67 van 1976.

M. C. BOTHA, Minister van Bantoe-administrasie en -ontwikkeling.

BYLAE

WOORDOMSKRYWING

1. In hierdie regulasies, tensy uit die samehang anders blyk, het 'n uitdrukking waaraan 'n betekenis in die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Bantoetuislande, 1968 (Wet 46 van 1968), geheg is, die betekenis aldus daaraan geheg, en beteken—

“direkteur” 'n direkteur van die Korporasie ingevolge artikel 9 van die Wet aangestel;

“Korporasie” die Ekuliko Kavango Beperk wat by Proklamasie R. 67 van 1976 ingestel is;

“ouditeur” die persoon wat ingevolge artikel 21 (2) van die Wet benoem is om die rekeninge van die Korporasie te ouditeer;

“Raad” die raad van direkteure van die Korporasie ingevolge artikel 9 van die Wet aangestel;

“sekretaris” die persoon deur die Raad aangestel om die pligte van die sekretaris te vervul;

“Wet” die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Bantoetuislande, 1968 (Wet 46 van 1968).

HOOFKANTOOR

2. Die hoofkantoor van die Korporasie is in Rundu geleë tot tyd en wyl die Minister na oorleg met die Korporasie anders bepaal.

BOEKJAAR

3. Die boekjaar van die Korporasie eindig op 31 Maart van elke jaar.

MATTERS TO BE SUBMITTED TO THE TRUSTEE FOR DECISION

4. The Board shall submit to the Trustee for decision—
- any matter which the Trustee is required in terms of the Act to decide upon, approve or determine;
 - any matter which the Trustee may in terms of section 24 of the Act require the Board to submit to him;
 - any matter arising from the operation of the Act or these regulations or the exercise by the Board of its powers or the performance of its duties which it is deemed expedient to submit to the Trustee.

PROCEDURE TO BE FOLLOWED TO OBTAIN THE TRUSTEE'S DECISION

5. Any matter submitted to the Trustee in terms of regulation 4—

- shall be submitted to the Minister, unless the Minister determines otherwise;
- shall be in writing;
- shall, if it is not a copy of a resolution by the Board or an extract from the minutes of a meeting of the Board, duly certified by the chairman and the secretary, be accompanied by a resolution of the Board which shall be certified as such and which shall contain a recommendation by or the views of the Board; and
- shall, if any director so desires, be accompanied by a separate report by such director:

Provided that the Minister may direct that any particular matter shall be submitted in such other manner as he may deem fit.

CONDITIONS ATTACHING TO OFFICE OF DIRECTOR

6. The period of office of the directors and of the chairman of the Board and the remuneration of a director shall be as determined by the Trustee in terms of section 13 of the Act.

7. A director shall be compensated on a basis as determined by the Board for all travelling and other expenses necessarily incurred in connection with the business of the Corporation and attendance at meetings of the Board.

8. The office of a director shall be deemed to have been vacated—

- upon the death of such director; or
- upon the expiration of his period of office; or
- upon receipt by the Board of his resignation as a director, provided that he shall have given 30 days' notice, in writing, to the Board of his intention to resign and provided further that such resignation is accepted by the Board; or
- if for a period of six consecutive months he fails, without leave of absence having been granted by the Board, to attend the meetings of the Board unless he is absent in connection with the business of the Corporation; or
- if he is subject to an order of court declaring him to be of unsound mind or mentally ill or is lawfully detained as mentally ill under the Mental Health Act, 1973 (Act 18 of 1973); or
- if he becomes insolvent or assigns his estate for the benefit of or compounds with his creditors; or
- if he is directly or indirectly concerned in any contract with the Corporation or shares in the profits of any contract with the Corporation: Provided that he shall

AANGELEENTHEDE WAT AAN DIE TRUSTEE VIR BESLISSING VOORGELÊ MOET WORD

4. Die Raad lê die volgende aan die Trustee vir sy beslissing voor:

- Enige aangeleentheid waaroor die Trustee moet besluis of wat hy moet goedkeur of bepaal, ingevolge die Wet;
- enige aangeleentheid wat die Raad aan die Trustee moet voorlê indien die Trustee dit ingevolge artikel 24 van die Wet vereis;
- enige aangeleentheid wat uit die toepassing van die Wet of hierdie regulasies of die uitoefening, deur die Raad, van sy bevoegdhede of die vervulling van sy pligte voortspuit en waarvan voorlegging aan die Trustee dienstig geag word.

PROSEDURE WAT GEVOLG MOET WORD OM TRUSTEE SE BESLISSING TE VERKRY

5. Enige aangeleentheid wat ingevolge regulasie 4 aan die Trustee voorgelê word—

- moet aan die Minister voorgelê word, tensy die Minister anders bepaal;
- moet skriftelik voorgelê word;
- moet, indien dit nie 'n afskrif is nie van 'n besluit van die Raad of 'n uittreksel uit die notule van 'n vergadering van die Raad, behoorlik deur die voorsitter en die sekretaris gesertifiseer, vergesel gaan van 'n besluit van die Raad wat as sodanig gesertifiseer moet wees en wat 'n aanbeveling deur of die sienswyse van die Raad moet bevat; en

- moet, indien 'n direkteur dit verlang, vergesel gaan van 'n afsonderlike verslag deur sodanige direkteur: Met dien verstande dat die Minister kan gelas dat enige bepaalde aangeleentheid voorgelê moet word op 'n ander wyse wat hy goed ag.

VOORWAARDES VERBONDE AAN AMP VAN DIREKTEUR

6. Die ampstermyn van die direkteur en van die voorsitter van die Raad en die besoldiging van 'n direkteur is soos deur die Trustee ingevolge artikel 13 van die Wet bepaal.

7. 'n Direkteur ontvang, volgens 'n grondslag deur die Raad bepaal, vergoeding vir alles reis- en ander kostes noodsaaklikerwys aangegaan in verband met die sake van die Korporasie en die bywoning van vergaderings van die Raad.

8. Die amp van 'n direkteur word geag ontruim te wees—

- by die afsterwe van sodanige direkteur; of
- by verstryking van sy ampstermyn; of
- wanneer die Raad sy bedanking as direkteur ontvang, mits hy 30 dae skriftelik kennis aan die Raad geegee het van sy voorneme om te bedank en verder mits die Raad sodanige bedanking aanvaar; of
- indien hy vir 'n tydperk van ses agtereenvolgende maande versuim, sonder dat die Raad afwesigheidsverlof toegestaan het, om die vergaderings van die Raad by te woon tensy hy in verband met die sake van die Korporasie afwesig is; of
- indien hy onderworpe is aan 'n hofbevel wat hom krankinnig of geestesongesteld verklaar, of indien hy wettiglik kragtens die Wet op Geestesgesondheid, 1973 (Wet 18 van 1973), as geestesongesteld aangehou word; of
- indien hy insolvent raak of sy boedel afstand doen ten voordele van of 'n akkoord tref met sy krediteure; of
- indien hy regstreeks of onregstreeks betrokke is by 'n kontrak met die Korporasie of deel het in die winste van enige kontrak met die Korporasie: Met dien verstande dat hy nie sy amp ontruim nie indien hy die

not vacate his office if he has informed the Board of the nature and extent of his interest in such contract and he does not vote in respect of such contract or any matter arising therefrom.

POWERS AND DUTIES OF DIRECTORS

9. It shall be competent for the Board at a duly constituted meeting, at which a quorum is present, to exercise and perform all or any of the powers and duties under the Act or these regulations which for the time being are vested in or may be exercised or performed by the Corporation.

10. A resolution, in writing, signed by all the directors, shall have the same force and effect as a resolution adopted at a duly convened and constituted meeting of the Board.

11. (1) The Board may enter into an agreement with the investment corporation that the investment corporation make available officers and employees to the Corporation on the conditions which apply to personnel of the investment corporation.

(2) The Board may from time to time entrust to or confer upon any officer or employee of the Corporation or any officer or employee made available to the Corporation in terms of subregulation (1) such duties or powers as the Board may deem desirable or necessary to be exercised or performed for any particular object or purpose and upon such terms and conditions and with such restrictions or reservations as the Board may deem expedient, and may add to, vary or revoke all or any of such powers or duties.

12. (1) The Board may, in its discretion, appoint a committee consisting of such director or directors as it may designate to exercise such powers or perform such duties on behalf of the Corporation as the Board may deem desirable or expedient.

(2) Any committee appointed in terms of subregulation (1) shall in the exercise of its powers or the performance of its duties conform and adhere to such rules, terms and conditions as the Board may from time to time determine and shall record its acts and proceedings in the same manner as is required of the Board.

QUORUM AND PROCEDURE AT MEETINGS OF THE BOARD

13. The quorum required for the transaction of the business of the Board shall be a majority of the serving directors.

14. As far as practicable meetings of the Board shall be held monthly, but not fewer than six meetings a year shall be held: Provided that the secretary shall at the request of any director at any time convene a meeting of the Board.

15. The Board shall appoint the time and place for its meetings, and may meet for the dispatch of business, adjourn and otherwise regulate its meetings as it may deem fit.

16. At least 10 days' notice of the date, time and place of a meeting of the Board shall be given to each director or alternate director, as the case may be, and such notice shall be served in the manner provided for in regulation 28: Provided that the chairman may authorise a notice of such shorter period as he may determine in respect of a meeting deemed by him to be urgent.

17. The chairman shall preside at all meetings of the Board: Provided that if on the date and at the place appointed for a meeting the chairman is not present within 10 minutes after the time appointed for the commencement of that meeting, the directors then present may elect one of their number to act as chairman for that meeting.

18. (1) No resolution of the Board shall be binding unless it has been passed by a majority of votes.

Raad van die aard en omvang van sy belange in sodanige kontrak verwittig het en nie ten opsigte van sodanige kontrak of enige aangeleentheid wat daaruit voortspuit, stem nie.

BEVOEGDHEDE EN PLIGTE VAN DIREKTEURE

9. Die Raad is bevoeg om op 'n behoorlik gekonstitueerde vergadering, waarop 'n kworum teenwoordig is, al die of enige van die bevoegdhede en pligte ingevolge die Wet of hierdie regulasies uit te oefen en te vervul wat, of waarvan die uitoefening en vervulling, as dan by die Korporasie berus.

10. 'n Skriftelike besluit, deur al die direkteure onderteken, het dieselfde regs krag en geldigheid as 'n besluit geneem op 'n behoorlik belegde en gekonstitueerde vergadering van die Raad.

11. (1) Die Raad kan met die beleggingskorporasie ooreenkom dat die beleggingskorporasie amptenare en werknemers aan die Korporasie beskikbaar stel op die voorwaardes wat op personeel van die beleggingskorporasie van toepassing is.

(2) Die Raad kan van tyd tot tyd enige amptenaar of werknemer van die Korporasie of enige amptenaar of werknemer wat ingevolge subregulasie (1) aan die Korporasie beskikbaar gestel is, belas of beklee met pligte of bevoegdhede waarvan die vervulling of uitoefening na die Raad se mening wenslik of noodsaaklik is vir 'n bepaalde oogmerk of doel, en wel op die bedelinge en voorwaardes en met die beperkings of voorbehoude wat die Raad dienstig ag, en kan al of enige van sodanige pligte of bevoegdhede uitbrei, verander of herroep.

12. (1) Die Raad kan na goedvinde 'n komitee aanstel wat bestaan uit sodanige direkteur of direkteure as wat hy aanwys, om namens die Korporasie die bevoegdhede uit te oefen of die pligte te vervul wat die Raad wenslik of dienstig ag.

(2) 'n Komitee wat ingevolge subregulasie (1) aangestel is, moet in die uitoefening van sy bevoegdhede of die vervulling van sy pligte die reëls, bedinge en voorwaardes wat die Raad van tyd tot tyd mag bepaal, nakom en hom daaraan hou en moet sy handeling en verrigtinge notuleer op dieselfde wyse as wat van die Raad vereis word.

KWORUM EN PROSEDURE OP VERGADERINGS VAN DIE RAAD

13. Die vereistes kworum vir die verrigting van die sake van die Raad is 'n meerderheid van die dienende direkteure.

14. Sover doenlik word vergaderings van die Raad elke maand gehou, maar minstens ses vergaderings per jaar moet gehou word: Met dien verstande dat die Sekretaris te eniger tyd op versoek van 'n direkteur 'n vergadering van die Raad moet belê.

15. Die Raad bepaal die tyd en plek vir sy vergaderings en kan na goeddunke vir die afhandeling van sake vergader, sy vergaderings verdaag en andersins reël.

16. Minstens 10 dae kennis van die datum, tyd en plek van 'n vergadering van die Raad moet aan elke direkteur of plaasvervangende direkteur, na gelang van die geval, gegee word en sodanige kennisgewing moet beteken word op die wyse in regulasie 28 bepaal: Met dien verstande dat die voorsitter magtiging kan verleen tot kennisgewing van 'n korter tydperk wat hy mag vasstel ten opsigte van 'n vergadering wat hy as dringend beskou.

17. Die voorsitter neem die voorsitterstoel op alle vergaderings van die Raad in: Met dien verstande dat as die voorsitter op die datum en plek wat vir 'n vergadering bepaal is binne 10 minute na die vasgestelde tyd vir die aanvang van daardie vergadering nie teenwoordig is nie, die teenwoordige direkteure een uit hulle geledere kan kies om vir daardie vergadering as voorsitter op te tree.

18. (1) Geen besluit van die Raad is bindend nie tensy dit by meerderheid van stemme aangeneem is.

(2) In the case of an equality of votes the chairman shall have a second or casting vote.

KEEPING OF REGISTERS, RECORDS AND BOOKS OF ACCOUNT

19. The Corporation shall keep, at its head office, a register of directors and alternate directors, if any, in which shall be recorded the following particulars in respect of each director or alternate director:

- (a) His full name;
- (b) the date of his appointment and the period for which he was appointed;
- (c) his residential and business addresses, one of which shall be indicated by such director or alternate director as his registered address for the purpose of the service of notices in terms of regulation 28;
- (d) his occupation;
- (e) in respect of an alternate director, the name of the director in whose place he acts as director; and
- (f) the date upon which he ceased to hold office.

20. Every director present at any meeting of the Board shall sign his name in a book which shall be kept for this purpose.

21. The Board shall cause written records to be kept in suitable registers in which the following particulars shall be recorded:

- (a) The names of directors present at each meeting of the Board and of each committee appointed in terms of regulation 12;
- (b) all appointments of officers and employees made by the Board;
- (c) all directions or instructions given by the Board; and
- (d) all resolutions and proceedings at meetings of the Board and committees appointed in terms of regulation 12.

22. (1) The Board shall cause such books of account to be kept as are necessary to give a true and correct record of—

- (a) the state of affairs, the transactions and the financial position of the Corporation;
- (b) the moneys received and expended by the Corporation; and
- (c) the assets, credits and liabilities of the Corporation.

(2) The books referred to in subregulation (1) shall be kept in the head office of the Corporation and at such place or places as the Board may deem fit and shall be open for inspection by the Minister or any person duly authorised by him or by the Board.

(3) The Board shall after consultation with the auditor issue instructions in respect of the collection, receipt, banking, custody, payment, maintenance and control of moneys and of the acquisition, custody and control of property.

OFFICIAL SEAL AND THE USE THEREOF

23. There shall be an official seal of the Corporation upon which its name shall be engraved in legible characters in the official languages of Kavango.

24. The use of the official seal shall be subject to the following requirements:

- (a) It shall not be affixed to any document except on the authority of a resolution of the Board;
- (b) it shall not be so affixed except in the presence of two directors and the secretary or such other person as the Board may authorise thereto in such resolution;

(2) In die geval van 'n staking van stemme het die voorsitter 'n tweede of beslissende stem.

HOU VAN REGISTERS, REKORDS EN REKENING-BOEKE

19. Die Korporasie moet op sy hoofkantoor 'n register hou van direkteure en plaasvervangende direkteure, as daar is, waarin die volgende besonderhede ten opsigte van elke direkteur of plaasvervangende direkteur opgeteken moet word:

- (a) Sy volle naam;
- (b) die datum van sy aanstelling en die tydperk waarvoor hy aangestel is;
- (c) sy woon- en besigheidsadres waarvan die direkteur of plaasvervangende direkteur een as sy geregistreerde adres moet aandui vir die betekening van kennisgewing ingevolge regulasie 28;
- (d) sy beroep;
- (e) ten opsigte van 'n plaasvervangende direkteur, die naam van die direkteur in wie se plek hy as direkteur optree; en
- (f) die datum waarop hy ophou om sy amp te beklee.

20. Elke direkteur wat op 'n vergadering van die Raad teenwoordig is, moet sy naam teken in 'n boek wat vir dié doel gehou word.

21. Die Raad moet skriftelik rekords laat hou in geskikte registers waarin die volgende besonderhede opgeteken moet word:

- (a) Die name van direkteure teenwoordig op elke vergadering van die Raad en van elke komitee ingevolge regulasie 12 aangestel;
- (b) alle aanstellings van amptenare en werknemers deur die Raad gedoen;
- (c) alle opdragte of voorskrifte deur die Raad uitgereik; en
- (d) alle besluite en verrigtinge op vergaderings van die Raad en komitees ingevolge regulasie 12 aangestel.

22. (1) Die Raad moet sodanige rekeningboeke laat hou as wat nodig is om 'n ware en juiste weergawe te bied van—

- (a) die stand van sake, die transaksies en finansiële toestand van die Korporasie;
- (b) die gelde ontvang en bestee deur die Korporasie; en
- (c) die bates, kredits en laste van die Korporasie.

(2) Die boeke in subregulasie (1) genoem, moet in die hoofkantoor van die Korporasie gehou word en wel op 'n plek of plekke wat die Raad goed ag en lê ter insae vir die Minister of enige persoon behoorlik deur hom of deur die Raad daartoe gemagtig.

(3) Die Korporasie moet na oorlegpleging met die ouditeur voorskrifte uitreik oor die invordering, ontvangs, bank, bewaring, uitbetaling, versorging en beheer van gelde en oor die verkryging, bewaring en beheer van eiendom.

AMPTELIKE SEËL EN DIE GEBRUIK DAARVAN

23. Daar moet 'n amptelike seël van die Korporasie wees waarop sy naam in leesbare letters in die amptelike tale van Kavango gegraveer moet wees.

24. Die gebruik van die amptelike seël is onderworpe aan die volgende voorskrifte:

- (a) Dit mag nie op 'n dokument aangebring word nie tensy magtiging by besluit van die Raad daartoe verleen is;
- (b) dit mag nie aldus aangebring word nie tensy dit geskied in teenwoordigheid van twee direkteure en die sekretaris of 'n ander persoon wat die Raad in sodanige besluit daartoe magtig;

(c) the said two directors and the secretary or such other person shall, in the presence of one another, sign every document to which the official seal is so affixed.

25. Every document to which the official seal has been affixed in terms of these regulations shall be binding on the Corporation.

26. The Board shall make suitable provision for the safekeeping of the official seal.

SUBMISSION TO THE TRUSTEE OF BALANCE SHEET, STATEMENT OF INCOME AND EXPENDITURE AND REPORT BY THE BOARD

27. The balance sheet, statement of income and expenditure and the report by the Board submitted to the Trustee in terms of section 22 of the Act shall be signed by two directors and the secretary.

SERVICE OF NOTICES

28. A notice of the Corporation or the Board to a director, alternate director or any other person shall be served by the chairman or the secretary—

(a) by informing him personally of the text of the notice; or

(b) by handing the notice to him personally; or

(c) by posting a registered letter, containing the notice and properly addressed and franked, to—

(i) the director or alternate director at the registered address indicated by him for this purpose in terms of regulation 19 (c); and

(ii) any other person at his last known address.

29. A notice served by post in terms of regulation 28 (c) shall be deemed to have been served at the time at which the letter would be delivered in the normal course of mail delivery.

CONSULTATION WITH GOVERNMENT OF KAVANGO

30. The Corporation may in respect of any project in the area for which it was established consult with the Government of Kavango if it deems it necessary within the scope of its operations.

INTERIM ARRANGEMENTS

31. Notwithstanding the provisions of these regulations, the Minister may take such steps as he may deem necessary to convene the first meeting of the Board.

No. R. 1070 25 June 1976 REGULATIONS.—OWAMBO DEVELOPMENT CORPORATION LIMITED

Under and by virtue of the powers vested in me by section 26 of the Promotion of the Economic Development of Bantu Homelands Act, 1968 (Act 46 of 1968), I, Michiel Coenraad Botha, Minister of Bantu Administration and Development, hereby make the regulations contained in the Schedule hereto in respect of the Owambo Development Corporation Limited, established by Proclamation R. 68 of 1976.

M. C. BOTHA, Minister of Bantu Administration and Development.

SCHEDULE DEFINITIONS

1. In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Promotion of the Economic Development of Bantu Homelands Act, 1968 (Act 46 of 1968), shall bear the meaning so assigned thereto, and—

“Act” means the Promotion of the Economic Development of Bantu Homelands Act, 1968 (Act 46 of 1968);

(c) genoemde twee direkteure en die sekretaris of sodanige ander persoon moet, in mekaar se teenwoordigheid, elke dokument onderteken waarop die amptelike seël aldus aangebring word.

25. Elke dokument waarop die amptelike seël ooreenkomstig hierdie regulasies aangebring is, is bindend vir die Korporasie.

26. Die Raad moet behoorlike voorsiening maak vir die veilige bewaring van die amptelike seël.

VOORLEGGING AAN DIE TRUSTEE VAN BALANSSTAAT, STAAT VAN INKOMSTE EN UITGAWE EN VERSLAG DEUR DIE RAAD

27. Die balansstaat, staat van inkomste en uitgawe en die verslag deur die Raad wat ingevolge artikel 22 van die Wet aan die Trustee voorgelê moet word, moet deur twee direkteure en die sekretaris onderteken wees.

BETEKENING VAN KENNISGEWINGS

28. 'n Kennisgewing van die Korporasie of die Raad aan 'n direkteur, plaasvervangende direkteur of enige ander persoon moet deur die voorsitter of die sekretaris beteken word—

(a) deur hom persoonlik van die teks van die kennisgewing te verwittig; of

(b) deur die kennisgewing aan hom persoonlik te oorhandig; of

(c) deur 'n geregistreerde brief, met die kennisgewing daarin, behoorlik te adresseer en te franker en te pos aan—

(i) die direkteur of plaasvervangende direkteur by die geregistreerde adres deur hom vir dié doel ingevolge regulasie 19 (c) aangedui; en

(ii) enige ander persoon by sy jongs bekende adres.

29. 'n Kennisgewing wat per pos ooreenkomstig regulasie 28 (c) beteken word, word geag beteken te gewees het op die tydstip waarop die brief in die gewone loop van posaflewering afgelewer sou word.

OORLEGPLEGING MET REGERING VAN KAVANGO

30. Die Korporasie kan ten opsigte van enige projek in die gebied waarvoor hy ingestel is met die Regering van Kavango oorleg pleeg indien hy dit binne die bestek van sy werksaamhede nodig ag.

TUSSENTYDSE REËLINGS

31. Ondanks die bepalings van hierdie regulasies, kan die Minister die stappe doen wat hy nodig ag ten einde die eerste vergadering van die Raad te belê.

No. R. 1070 25 Junie 1976 REGULASIES.—OWAMBO-ONTWIKKELINGSKORPORASIE BEPERK

Kragtens die bevoegdheid my verleen by artikel 26 van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Bantoetuislande, 1968 (Wet 46 van 1968), vaardig ek, Michiel Coenraad Botha, Minister van Bantoe-administrasie en -ontwikkeling, hierby die regulasies vervat in die Bylae hiervan uit ten opsigte van die Owambo-ontwikkelingskorporasie Beperk, ingestel by Proklamasie R. 68 van 1976.

M. C. BOTHA, Minister van Bantoe-administrasie en -ontwikkeling

BYLAE WOORDOMSKRYWING

1. In hierdie regulasies, tensy uit die samehang anders blyk, het 'n uitdrukking waaraan 'n betekenis in die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Bantoetuislande, 1968 (Wet 46 van 1968), geheg is, die betekenis aldus daaraan geheg, en beteken—

“direkteur” 'n direkteur van die Korporasie ingevolge artikel 9 van die Wet aangestel;

"auditor" means the person appointed in terms of section 21 (2) of the Act to audit the accounts of the Corporation;

"Board" means the board of directors of the Corporation, appointed in terms of section 9 of the Act;

"Corporation" means the Owambo Development Corporation Limited, established by Proclamation R. 68 of 1976;

"director" means a director of the Corporation, appointed in terms of section 9 of the Act;

"secretary" means the person appointed by the Board to perform the duties of secretary.

HEAD OFFICE

2. The head office of the Corporation shall be situated in Oshakati until such time as the Minister after consultation with the Corporation determines otherwise.

FINANCIAL YEAR

3. The financial year of the Corporation shall end on 31 March of each year.

MATTERS TO BE SUBMITTED TO THE TRUSTEE FOR DECISION

4. The Board shall submit to the Trustee for decision—

(a) any matter which the Trustee is required in terms of Act to decide upon, approve or determine;

(b) any matter which the Trustee may in terms of section 24 of the Act require the Board to submit to him;

(c) any matter arising from the operation of the Act or these regulations or the exercise by the Board of its powers or the performance of its duties which it is deemed expedient to submit to the Trustee.

PROCEDURE TO BE FOLLOWED TO OBTAIN THE TRUSTEE'S DECISION

5. Any matter submitted to the Trustee in terms of regulation 4—

(a) shall be submitted to the Minister, unless the Minister determines otherwise;

(b) shall be in writing;

(c) shall, if it is not a copy of a resolution by the Board or an extract from the minutes of a meeting of the Board, duly certified by the chairman and the secretary, be accompanied by a resolution of the Board which shall be certified as such and which shall contain a recommendation by or the views of the Board; and

(d) shall, if any director so desires, be accompanied by a separate report by such director: Provided that the Minister may direct that any particular matter shall be submitted in such other manner as he may deem fit.

CONDITIONS ATTACHING TO OFFICE OF DIRECTOR

6. The period of office of the directors and of the chairman of the Board and the remuneration of a director shall be as determined by the Trustee in terms of section 13 of the Act.

7. A director shall be compensated on a basis as determined by the Board for all travelling and other expenses necessarily incurred in connection with the business of the Corporation and attendance at meetings of the Board.

8. The office of a director shall be deemed to have been vacated—

(a) upon the death of such director; or

(b) upon the expiration of his period of office; or

"Korporasie" die Owambo-ontwikkelingskorporasie Beperk wat by Proklamasie R. 68 van 1976 ingestel is; "ouditeur" die persoon wat ingevolge artikel 21 (2) van die Wet benoem is om die rekeninge van die Korporasie te ouditeer;

"Raad" die raad van direkteure van die Korporasie ingevolge artikel 9 van die Wet aangestel;

"sekretaris" die persoon deur die Raad aangestel om die pligte van sekretaris te vervul;

"Wet" die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Bantoetuislande, 1968 (Wet 46 van 1968).

HOOFKANTOOR

2. Die hoofkantoor van die Korporasie is in Oshakati geleë tot tyd en wyl die Minister na oorleg met die Korporasie anders bepaal.

BOEKJAAR

3. Die boekjaar van die Korporasie eindig op 31 Maart van elke jaar.

AANGELEENTHEDE WAT AAN DIE TRUSTEE VIR BESLISSING VOORGELÊ MOET WORD

4. Die Raad lê die volgende aan die Trustee vir sy beslissing voor:

(a) Enige aangeleentheid waaroor die Trustee moet beslis of wat hy moet goedkeur of bepaal, ingevolge die Wet;

(b) enige aangeleentheid wat die Raad aan die Trustee moet voorlê indien die Trustee dit ingevolge artikel 24 van die Wet vereis;

(c) enige aangeleentheid wat uit die toepassing van die Wet of hierdie regulasies of die uitoefening, deur die Raad, van sy bevoegdhede of die vervulling van sy pligte voortspuit en waarvan voorlegging aan die Trustee dienstig geag word.

PROSEDURE WAT GEVOLG MOET WORD OM TRUSTEE SE BESLISSING TE VERKRY

5. Enige aangeleentheid wat ingevolge regulasie 4 aan die Trustee voorgelê word—

(a) moet aan die Minister voorgelê word, tensy die Minister anders bepaal;

(b) moet skriftelik voorgelê word;

(c) moet, indien dit nie 'n afskrif is nie van 'n besluit van die Raad of 'n uittreksel uit die notule van 'n vergadering van die Raad, behoorlik deur die voorsitter en die sekretaris gesertifiseer, vergesel gaan van 'n besluit van die Raad wat as sodanig gesertifiseer moet wees en wat 'n aanbeveling deur of die sienswyse van die Raad moet bevat; en

(d) moet, indien 'n direkteur dit verlang, vergesel gaan van 'n afsonderlike verslag deur sodanige direkteur: Met dien verstande dat die Minister kan gelas dat enige bepaalde aangeleentheid voorgelê moet word op 'n ander wyse wat hy goed ag.

VOORWAARDES VERBONDE AAN AMP VAN DIREKTEUR

6. Die ampstermyn van die direkteure en van die voorsitter van die Raad en die besoldiging van 'n direkteur is soos deur die Trustee ingevolge artikel 13 van die Wet bepaal.

7. 'n Direkteur ontvang, volgens 'n grondslag deur die Raad bepaal, vergoeding vir alle reis- en ander koste noodsaaklikerwys aangegaan in verband met die sake van die Korporasie en die bywoning van vergaderings van die Raad.

8. Die amp van 'n direkteur word geag ontruim te wees—

(a) by die afsterwe van sodanige direkteur; of

(b) by verstryking van sy ampstermyn; of

(c) upon receipt by the Board of his resignation as a director, provided that he shall have given 30 days' notice, in writing, to the Board of his intention to resign and provided further that such resignation is accepted by the Board; or

(d) if for a period of six consecutive months he fails, without leave of absence having been granted by the Board, to attend the meetings of the Board unless he is absent in connection with the business of the Corporation; or

(e) if he is subject to an order of court declaring him to be of unsound mind or mentally ill or is lawfully detained as mentally ill under the Mental Health Act, 1973 (Act 18 of 1973); or

(f) if he becomes insolvent or assigns his estate for the benefit of or compounds with his creditors; or

(g) if he is directly or indirectly concerned in any contract with the Corporation or shares in the profits of any contract with the Corporation: Provided that he shall not vacate his office if he has informed the Board of the nature and extent of his interest in such contract and he does not vote in respect of such contract or any matter arising therefrom.

POWERS AND DUTIES OF DIRECTORS

9. It shall be competent for the Board at a duly constituted meeting, at which a quorum is present, to exercise and perform all or any of the powers and duties under the Act or these regulations which for the time being are vested in or may be exercised or performed by the Corporation.

10. A resolution, in writing, signed by all the directors, shall have the same force and effect as a resolution adopted at a duly convened and constituted meeting of the Board.

11. (1) The Board may enter into an agreement with the investment corporation that the investment corporation make available officers and employees to the Corporation on the Conditions which apply to personnel of the investment corporation.

(2) The Board may from time to time entrust to or confer upon any officer or employee of the Corporation or any officer or employee made available to the Corporation in terms of subregulation (1) such duties or powers as the Board may deem desirable or necessary to be exercised or performed for any particular object or purpose and upon such terms and conditions and with such restrictions or reservations as the Board may deem expedient, and may add to, vary or revoke all or any of such powers or duties.

12. (1) The Board may, in its discretion, appoint a committee consisting of such director or directors as it may designate to exercise such powers or perform such duties on behalf of the Corporation as the Board may deem desirable or expedient.

(2) Any committee appointed in terms of subregulation (1) shall in the exercise of its powers or the performance of its duties conform and adhere to such rules, terms and conditions as the Board may from time to time determine and shall record its acts and proceedings in the same manner as is required of the Board.

QUORUM AND PROCEDURE AT MEETINGS OF THE BOARD

13. The quorum required for the transaction of the business of the Board shall be a majority of the serving directors.

(c) wanneer die Raad sy bedanking as direkteur ontvang, mits hy 30 dae skriftelik kennis aan die Raad gegee het van sy voorneme om te bedank en verder mits die Raad sodanige bedanking aanvaar; of

(d) indien hy vir 'n tydperk van ses agtereenvolgende maande versuim, sonder dat die Raad afwesigheidsverlof toegestaan het, om die vergaderings van die Raad by te woon tensy hy in verband met die sake van die Korporasie afwesig is; of

(e) indien hy onderworpe is aan 'n hofbevel wat hom kranksinnig of geestesongesteld verklaar, of indien hy wettiglik kragtens die Wet op Geestesgesondheid, 1973 (Wet 18 van 1973), as geestesongesteld aangehou word; of

(f) indien hy insolvent raak of van sy boedel afstand doen ten voordele van of 'n akkoord tref met sy krediteure; of

(g) indien hy regstreeks of onregstreeks betrokke is by 'n kontrak met die Korporasie of deel het in die winste van enige kontrak met die Korporasie: Met dien verstande dat hy nie sy amp ontruim nie indien hy die Raad van die aard en omvang van sy belange in sodanige kontrak verwittig het en nie ten opsigte van sodanige kontrak of enige aangeleentheid wat daaruit voortspuit, stem nie.

BEVOEGDHEDE EN PLIGTE VAN DIREKTEURE

9. Die Raad is bevoeg om op 'n behoorlik gekonstitueerde vergadering, waarop 'n kworum teenwoordig is, al die of enige van die bevoegdhede en pligte ingevolge die Wet of hierdie regulasies uit te oefen en te vervul wat, of waarvan die uitoefening en vervulling, asdan by die Korporasie berus.

10. 'n Skriftelike besluit, deur al die direkteure onderteken, het dieselfde regsrag en geldigheid as 'n besluit geneem op 'n behoorlik belegde en gekonstitueerde vergadering van die Raad.

11. (1) Die Raad kan met die beleggingskorporasie ooreenkom dat die beleggingskorporasie amptenare en werknemers aan die Korporasie beskikbaar stel op die voorwaardes wat op personeel van die beleggingskorporasie van toepassing is.

(2) Die Raad kan van tyd tot tyd enige amptenaar of werknemer van die Korporasie of enige amptenaar of werknemer wat ingevolge subregulasie (1) aan die Korporasie beskikbaar gestel is, belas of beklee met pligte of bevoegdhede waarvan die vervulling of uitoefening na die Raad se mening wenslik of noodsaaklik is vir 'n bepaalde oogmerk of doel, en wel op die bedinge en voorwaardes en met die beperkings of voorbehoude wat die Raad dienstig ag, en kan al of enige van sodanige pligte of bevoegdhede uitbrei, verander of herroep.

12. (1) Die Raad kan na goedvinde 'n komitee aanstel wat bestaan uit sodanige direkteur of direkteure as wat hy aanwys, om namens die Korporasie die bevoegdhede uit te oefen of die pligte te vervul wat die Raad wenslik of dienstig ag.

(2) 'n Komitee wat ingevolge subregulasie (1) aangestel is, moet in die uitoefening van sy bevoegdhede of die vervulling van sy pligte die reëls, bedinge en voorwaardes wat die Raad van tyd tot tyd mag bepaal, nakom en hom daaraan hou en moet sy handelinge en verrigtinge notuleer op dieselfde wyse as wat van die Raad vereis word.

KWORUM EN PROSEDURE OP VERGADERINGS VAN DIE RAAD

13. Die vereiste kworum vir die verrigting van die sake van die Raad is 'n meerderheid van die dienende direkteure.

14. As far as practicable meetings of the Board shall be held monthly, but not fewer than six meetings a year shall be held: Provided that the secretary shall at the request of any director at any time convene a meeting of the Board.

15. The Board shall appoint the time and place for its meetings, and may meet for the dispatch of business, adjourn and otherwise regulate its meetings as it may deem fit.

16. At least 10 days' notice of the date, time and place of a meeting of the Board shall be given to each director or alternate director, as the case may be, and such notice shall be served in the manner provided for in regulation 28: Provided that the chairman may authorise a notice of such shorter period as he may determine in respect of a meeting deemed by him to be urgent.

17. The chairman shall preside at all meetings of the Board: Provided that if on the date and at the place appointed for a meeting the chairman is not present within 10 minutes after the time appointed for the commencement of that meeting, the directors then present may elect one of their number to act as chairman for that meeting.

18. (1) No resolution of the Board shall be binding unless it has been passed by a majority of votes.

(2) In the case of an equality of votes the chairman shall have a second or casting vote.

KEEPING OF REGISTERS, RECORDS AND BOOKS OF ACCOUNT

19. The Corporation shall keep, at its head office, a register of directors and alternate directors, if any, in which shall be recorded the following particulars in respect of each director or alternate director:

- (a) His full name;
- (b) the date of his appointment and the period for which he was appointed;
- (c) his residential and business addresses, one of which shall be indicated by such director or alternate director as his registered address for the purpose of the service of notices in terms of regulation 28;
- (d) his occupation;
- (e) in respect of an alternate director, the name of the director in whose place he acts as director; and
- (f) the date upon which he ceased to hold office.

20. Every director present at any meeting of the Board shall sign his name in a book which shall be kept for this purpose.

21. The Board shall cause written records to be kept in suitable registers in which the following particulars shall be recorded:

- (a) The names of directors present at each meeting of the Board and of each committee appointed in terms of regulation 12;
- (b) all appointments of officers and employees made by the Board;
- (c) all directions or instructions given by the Board; and
- (d) all resolutions and proceedings at meetings of the Board and committees appointed in terms of regulation 12.

22. (1) The Board shall cause such books of account to be kept as are necessary to give a true and correct record of—

- (a) the state of affairs, the transactions and the financial position of the Corporation;
- (b) the moneys received and expended by the Corporation; and
- (c) the assets, credits and liabilities of the Corporation.

14. Sover doenlik word vergaderings van die Raad elke maand gehou, maar minstens ses vergaderings per jaar moet gehou word: Met dien verstande dat die Sekretaris te eniger tyd op versoek van 'n direkteur 'n vergadering van die Raad moet belê.

15. Die Raad bepaal die tyd en plek vir sy vergaderings en kan na goeë dunnke vir die afhandeling van sake vergader, sy vergaderings verdaag en andersins reël.

16. Minstens 10 dae kennis van die datum, tyd en plek van 'n vergadering van die Raad moet aan elke direkteur of plaasvervangende direkteur, na gelang van die geval, gegee word en sodanige kennisgewing moet beteken word op die wyse in regulasie 28 bepaal: Met dien verstande dat die voorsitter magtiging kan verleen tot kennisgewing van 'n korter tydperk wat hy mag vasstel ten opsigte van 'n vergadering wat hy as dringend beskou.

17. Die voorsitter neem die voorsitterstoel op alle vergaderings van die Raad in: Met dien verstande dat as die voorsitter op die datum en plek wat vir 'n vergadering bepaal is binne 10 minute na die vasgestelde tyd vir die aanvang van daardie vergadering nie teenwoordig is nie, die teenwoordige direkteure een uit hulle geledere kan kies om vir daardie vergadering as voorsitter op te tree.

18. (1) Geen besluit van die Raad is bindend nie tensy dit by meerderheid van stemme aangeneem is.

(2) In die geval van 'n staking van stemme het die voorsitter 'n tweede of beslissende stem.

HOU VAN REGISTERS, REKORDS EN REKENINGBOEKE

19. Die Korporasie moet op sy hoofkantoor 'n register hou van direkteure en plaasvervangende direkteure, as daar is, waarin die volgende besonderhede ten opsigte van elke direkteur of plaasvervangende direkteur opgeteken moet word:

- (a) Sy volle naam;
- (b) die datum van sy aanstelling en die tydperk waarvoor hy aangestel is;
- (c) sy woon- en besigheidsadres waarvan die direkteur of plaasvervangende direkteur een as sy geregistreerde adres moet aandui vir die betekening van kennisgewings ingevolge regulasie 28;
- (d) sy beroep;
- (e) ten opsigte van 'n plaasvervangende direkteur, die naam van die direkteur in wie se plek hy as direkteur optree; en
- (f) die datum waarop hy ophou om sy amp te beklee.

20. Elke direkteur wat op 'n vergadering van die Raad teenwoordig is, moet sy naam teken in 'n boek wat vir dié doel gehou word.

21. Die Raad moet skriftelike rekords laat hou in geskikte registers waarin die volgende besonderhede opgeteken moet word:

- (a) Die name van direkteure teenwoordig op elke vergadering van die Raad en van elke komitee ingevolge regulasie 12 aangestel;
- (b) alle aanstellings van amptenare en werknemers deur die Raad gedoen;
- (c) alle opdragte of voorskrifte deur die Raad uitge-reik; en
- (d) alle besluite en verrigtinge op vergaderings van die Raad en komitees ingevolge regulasie 12 aangestel.

22. (1) Die Raad moet sodanige rekeningboeke laat hou as wat nodig is om 'n ware en juiste weergawe te bied van—

- (a) die stand van sake, die transaksies en finansiële toestand van die Korporasie;
- (b) die gelde ontvang en bestee deur die Korporasie; en
- (c) die bates, kredits en laste van die Korporasie.

(2) The books referred to in subregulation (1) shall be kept in the head office of the Corporation and at such place or places as the Board may deem fit and shall be open for inspection by the Minister or any person duly authorised by him or by the Board.

(3) The Board shall after consultation with the auditor issue instructions in respect of the collection, receipt, banking, custody, payment, maintenance and control of moneys and of the acquisition, custody and control of property.

OFFICIAL SEAL AND THE USE THEREOF

23. There shall be an official seal of the Corporation upon which its name shall be engraved in legible characters in the official languages of Owambo.

24. The use of the official seal shall be subject to the following requirements:

(a) It shall not be affixed to any document except on the authority of a resolution of the Board;

(b) it shall not be so affixed except in the presence of two directors and the secretary or such other person as the Board may authorise thereto in such resolution;

(c) the said two directors and the secretary or such other person shall, in the presence of one another, sign every document to which the official seal is so affixed.

25. Every document to which the official seal has been affixed in terms of these regulations shall be binding on the Corporation.

26. The Board shall make suitable provision for the safekeeping of the official seal.

SUBMISSION TO THE TRUSTEE OF BALANCE SHEET, STATEMENT OF INCOME AND EXPENDITURE AND REPORT BY THE BOARD

27. The balance sheet, statement of income and expenditure and the report by the Board submitted to the Trustee in terms of section 22 of the Act shall be signed by two directors and the secretary.

SERVICE OF NOTICES

28. A notice of the Corporation or the Board to a director, alternate director or any other person shall be served by the chairman or the secretary—

(a) by informing him personally of the text of the notice; or

(b) by handing the notice to him personally; or

(c) by posting a registered letter, containing the notice and properly addressed and franked, to—

(i) the director or alternate director at the registered address indicated by him for this purpose in terms of regulation 19 (c); and

(ii) any other person at his last known address.

29. A notice served by post in terms of regulation 28 (c) shall be deemed to have been served at the time at which the letter would be delivered in the normal course of mail delivery.

CONSULTATION WITH GOVERNMENT OF OWAMBO

30. The Corporation may in respect of any project in the area for which it was established consult with the Government of Owambo if it deems it necessary within the scope of its operations.

(2) Die boeke in subregulasie (1) genoem, moet in die hoofkantoor van die Korporasie gehou word en wel op 'n plek of plekke wat die Raad goed ag en lê ter insae vir die Minister of enige persoon behoorlik deur hom of deur die Raad daartoe gemagtig.

(3) Die Korporasie moet na oorlegpleging met die ouditeur voorskrifte uitreik oor die invordering, ontvangs, bank, bewaring, uitbetaling, versorging en beheer van gelde en oor die verkryging, bewaring en beheer van eiendom.

AMPTELIKE SEËL EN DIE GEBRUIK DAARVAN

23. Daar moet 'n amptelike seël van die Korporasie wees waarop sy naam in leesbare letters in die amptelike tale van Owambo gegraveer moet wees.

24. Die gebruik van die amptelike seël is onderworpe aan die volgende voorskrifte:

(a) Dit mag nie op 'n dokument aangebring word nie tensy magtiging by besluit van die Raad daartoe verleen is;

(b) dit mag nie aldus aangebring word nie tensy dit geskied in teenwoordigheid van twee direkteure en die sekretaris of 'n ander persoon wat die Raad in sodanige besluit daartoe magtig;

(c) genoemde twee direkteure en die sekretaris of sodanige ander persoon moet, in mekaar se teenwoordigheid, elke dokument onderteken waarop die amptelike seël aldus aangebring word.

25. Elke dokument waarop die amptelike seël ooreenkomstig hierdie regulasies aangebring is, is bindend vir die Korporasie.

26. Die Raad moet behoorlike voorsiening maak vir die veilige bewaring van die amptelike seël.

VOORLEGGING AAN DIE TRUSTEE VAN BALANS-STAAT, STAAT VAN INKOMSTE EN UITGAWE EN VERSLAG DEUR DIE RAAD

27. Die balansstaat, staat van inkomste en uitgawe en die verslag deur die Raad wat ingevolge artikel 22 van die Wet aan die Trustee voorgelê moet word, moet deur twee direkteure en die sekretaris onderteken wees.

BETEKENING VAN KENNISGEWINGS

28. 'n Kennisgewing van die Korporasie of die Raad aan 'n direkteur, plaasvervangende direkteur of enige ander persoon moet deur die voorsitter of die sekretaris beteken word—

(a) deur hom persoonlik van die teks van die kennisgewing te verwittig; of

(b) deur die kennisgewing aan hom persoonlik te oorhandig; of

(c) deur 'n geregistreerde brief, met die kennisgewing daarin, behoorlik te adresseer en te franker en te pos aan—

(i) die direkteur of plaasvervangende direkteur by die geregistreerde adres deur hom vir dié doel ingevolge regulasie 19 (c) aangedui; en

(ii) enige ander persoon by sy jongs bekende adres.

29. 'n Kennisgewing wat per pos ooreenkomstig regulasie 28 (c) beteken word, word geag beteken te gewees het op die tydstip waarop die brief in die gewone loop van posaflewering afgelewer sou word.

OORLEGPLEGING MET REGERING VAN OWAMBO

30. Die Korporasie kan ten opsigte van enige projek in die gebied waarvoor hy ingestel is met die Regering van Owambo oorleg pleeg indien hy dit binne die bestek van sy werksaamhede nodig ag.

INTERIM ARRANGEMENTS

31. Notwithstanding the provisions of these regulations, the Minister may take such steps as he may deem necessary to convene the first meeting of the Board.

No. R. 1084

25 June 1976

KWAZULU LEGISLATIVE ASSEMBLY
ACT 2 OF 1975

(APPROPRIATION ACT)

The State President has been pleased, under and by virtue of the powers vested in him by section 3 (2) of the Bantu Homelands Constitution Act, 1971 (Act 21 of 1971), to approve the following Act:

ACT

TO APPLY A SUM OF MONEY TOWARDS THE SERVICES OF THE AREA OF THE KWAZULU LEGISLATIVE ASSEMBLY FOR THE FINANCIAL YEAR ENDING ON THE 31ST DAY OF MARCH 1977

Be it enacted by the kwaZulu Legislative Assembly, as follows:

Revenue Fund charged with sums of money as shown in column 1 of Schedule

1. The Revenue Fund of the area of the kwaZulu Legislative Assembly is hereby charged with such sums of money as may be required for the services of the said area for the financial year ending on the 31st day of March 1977, as shown in column 1 of the Schedule.

How money to be applied

2. The money appropriated by this Act shall be applied to the services detailed in the Schedule, and more particularly specified in the Estimates of Expenditure, as submitted to and approved by the kwaZulu Legislative Assembly, and to no other purpose.

Chief Executive Councillor may approve variation

3. With the approval of the Chief Executive Councillor, a saving on any subhead of a vote may be made available to meet excess expenditure on any other subhead, or expenditure on a new subhead of the same vote: Provided that the sums appearing in column 2 of the Schedule shall not be exceeded and savings thereon may with the approval of the Chief Executive Councillor, be made available to defray other expenditure for which insufficient provision was made under that vote.

Chief Executive Councillor may authorise excess of amounts appearing in column 2 of Schedule

4. Notwithstanding the provisions of section 3, the Chief Executive Councillor may grant approval that money in the Revenue Fund be made available during the financial year to defray expenditure in connection with anticipated excess of amounts appearing in column 2 of the Schedule: Provided that the amount thus exceeded shall be submitted to the Legislative Assembly for appropriation at its next ensuing session.

Short title

5. This Act shall be called the kwaZulu Appropriation Act, 1976.

TUSSENTYDSE REËLINGS

31. Ondanks die bepalings van hierdie regulasies, kan die Minister die stappe doen wat hy nodig ag ten einde die eerste vergadering van die Raad te belê.

No. R. 1084

25 Junie 1976

KWAZULU- WETGEWENDE VERGADERING
WET 2 VAN 1975

(BEGROTINGSWET)

Dit het die Staatspresident behaag om kragtens die bevoegdheid hom verleen by artikel 3 (2) van die Grondwet van die Bantoetuislande, 1971 (Wet 21 van 1971), sy goedkeuring te heg aan onderstaande Wet:

WET

TOT AANWENDING VAN 'N SOM GELD VIR DIE DIENSTE VAN DIE GEBIED VAN DIE KWAZULU- WETGEWENDE VERGADERING VIR DIE BOEKJAAR WAT OP DIE 31STE DAG VAN MAART 1977 EINDIG

Daar word bepaal deur die kwaZulu- Wetgewende Vergadering, soos volg:

Inkomstefonds belas met somme geld soos uiteengesit in kolom 1 van die Bylae

1. Die Inkomstefonds van die gebied van die kwaZulu- Wetgewende Vergadering word hierby belas met die somme geld wat nodig is vir die dienste van genoemde gebied vir die boekjaar wat op die 31ste dag van Maart 1977 eindig, soos uiteengesit in kolom 1 van die Bylae.

Hoe die geld bestee moet word

2. Die geld wat deur hierdie Wet beskikbaar gestel word, moet aangewend word vir die dienste in besonderhede in die Bylae vermeld en meer omstandig uiteengesit in die Begroting van Uitgawes, soos aan die kwaZulu- Wetgewende Vergadering voorgelê en deur die kwaZulu- Wetgewende Vergadering goedgekeur, en vir geen ander doel nie.

Hoof-Uitvoerenderaadslid kan afwyking goedkeur

3. Met die goedkeuring van die Hoof-Uitvoerenderaadslid kan 'n besparing onder die een subhoof van 'n begrotingspos aangewend word tot dekking van uitgawes bo die gemagtigde bedrag onder 'n ander subhoof, of van uitgawes onder 'n nuwe subhoof van dieselfde begrotingspos: Met dien verstande dat die somme wat in kolom 2 van die Bylae voorkom nie oorskry mag word nie en besparings daarop met die goedkeuring van die Hoof-Uitvoerenderaadslid, aangewend kan word ter bestryding van ander uitgawes waarvoor 'n onvoldoende bewilliging onder daardie begrotingspos gemaak is.

Hoof-Uitvoerenderaadslid kan oorskryding van bedrae soos uiteengesit in kolom 2 van die Bylae goedkeur

4. Ondanks die bepalings van artikel 3 kan die Hoof-Uitvoerenderaadslid magtiging verleen dat geld in die Inkomstefonds gedurende die boekjaar aangewend word ter bestryding van uitgawes in verband met 'n verwagte oorskryding van bedrae wat in kolom 2 van die Bylae voorkom: Met dien verstande dat die bedrag aldus oorskry aan die Wetgewende Vergadering vir bewilliging tydens sy eersvolgende sitting voorgelê word.

Kort titel

5. Hierdie Wet heet die kwaZulu-wet op die Begroting, 1976.

SCHEDULE

No.	Vote Designation	Column 1	Column 2
		R	R
1	Authority Affairs and Finance... Including: Entertainment.....	1 606 380	1 100
2	Community Affairs..... Including: Entertainment.....	19 546 900	700
3	Works..... Including: Entertainment..... Development of Government Headquarters.....	57 882 090	700 1 590 000
4	Education and Culture..... Including: Entertainment..... Grant-in-aid to the Natal African Division of Boy Scouts of South Africa...	24 558 200	700 1 000
5	Agriculture..... Including: Entertainment.....	8 662 700	700
6	Justice..... Including: Entertainment.....	1 371 930	700
	Total.....R	113 628 200	

BYLAE

No.	Begrotingspos Benaming	Kolom 1	Kolom 2
		R	R
1	Owerheidsake en Finansies.... Met inbegrip van: Onthaal..	1 606 380	1 100
2	Gemeenskapsake..... Met inbegrip van: Onthaal....	19 546 900	700
3	Werke..... Met inbegrip van: Onthaal..... Ontwikkeling van Regerings- hoofsetel.....	57 882 090	700 1 590 000
4	Onderwys en Kultuur..... Met inbegrip van: Onthaal..... Hulpotoelae aan die "Natal African Division of Boy Scouts of South Africa"...	24 558 200	700 1 000
5	Landbou..... Met inbegrip van: Onthaal..	8 662 700	700
6	Justisie..... Met inbegrip van: Onthaal..	1 371 930	700
	Totaal.....R	113 628 200	

DEPARTMENT OF CUSTOMS AND EXCISE

No. R. 1074 25 June 1976

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/406)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

O. P. F. HORWOOD, Minister of Finance.

DEPARTEMENT VAN DOEANE EN AKSYNS

No. R. 1074 25 Junie 1976

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/406)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae 1 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

O. P. F. HORWOOD, Minister van Finansies.

SCHEDULE

I Tariff Heading	II Statistical Unit	III IV V Rate of Duty		
		General	M.F.N.	Preferential
04.04 By the substitution for tariff heading No. 04.04 of the following:				
"04.04 CHEESE AND CURD:				
04.04.10 Curd	kg	20%		
04.04.50 Cheese of the following kinds: Canestrato, Siciliano, Coulommier, Creme du Mont Blanc, Danablu, Danbo, Elbo, Esrom, Fynbo, Grano Reggiano, Gruyère, Gulbrandsdal- sost, Havarti, Maribo, Molbo, Mycella, Robbiola, Samsøe, Stilton, Tybo	kg	22%		
04.04.90 Other	kg	25%		

Note.—Tariff heading No. 04.04 is restated and the rates of duty are amended to the extent indicated.

BYLAE

I Tariefpos	II Statistiese Eenheid	III IV V Skaal van Reg		
		Algemeen	M.B.N.	Voorkeur
04.04 Deur tariefpos No. 04.04 deur die volgende te vervang:				
"04.04 KAAS EN WRONGEL:				
04.04.10 Wrangel	kg	20%		
04.04.50 Kaas van die volgende soorte: Canestrato, Siciliano, Coulommier, Creme du Mont Blanc, Danablu, Danbo, Elbo, Esrom, Fynbo, Grano Reggiano, Gruyère, Gulbrandsdal- sost, Havarti, Maribo, Molbo, Mycella, Robbiola, Samsøe, Stilton, Tybo	kg	22%		
04.04.90 Ander	kg	25%		

Opmerking.—Tariefpos No. 04.04 word herskryf en die skale van reg gewysig in die mate aangedui.

No. R. 1075

25 June 1976

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/470)

Under section 75 of the Customs and Excise Act, 1964, Schedule 3 to the said Act is hereby amended to the extent set out in the Schedule hereto.

O. P. F. HORWOOD, Minister of Finance.

No. R. 1075

25 Junie 1976

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/470)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 3 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

O. P. F. HORWOOD, Minister van Finansies.

SCHEDULE

I	II	III
Item	Tariff Heading and Description	Extent of Rebate
311.40	By the deletion of tariff heading No. 58.05.	

Note.—The provision for a rebate of duty on webbing, for use by the clothing industry, is withdrawn.

BYLAE

I	II	III
Item	Tariefpos en Beskrywing	Mate van Korting
311.40	Deur tariefpos No. 58.05 te skrap.	

Opmerking.—Die voorsiening vir 'n korting op reg op weefselband, vir gebruik deur die klerasie nywerheid, word ingetrek.

No. R. 1076

25 June 1976

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/471)

Under section 75 of the Customs and Excise Act, 1964, Schedule 3 to the said Act is hereby amended to the extent set out in the Schedule hereto.

O. P. F. HORWOOD, Minister of Finance.

No. R. 1076

25 Junie 1976

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/471)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 3 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

O. P. F. HORWOOD, Minister van Finansies.

SCHEDULE

I	II	III
Item	Tariff Heading and Description	Extent of Rebate
307.04	By the substitution for paragraph (3) of tariff heading No. 39.02 of the following: “(3) Biaxially oriented styrene polymer film, sheet or strip	Full duty”

Note.—The provision for a rebate of duty on multilayer film, sheet or strip of styrene polymers and copolymers, for the manufacture of plastic goods of plate, sheet, strip or film, is withdrawn.

BYLAE

I	II	III
Item	Tariefpos en Beskrywing	Mate van Korting
307.04	Deur paragraaf (3) van tariefpos No. 39.02 deur die volgende te vervang: „(3) Tweeassig-georiënteerde stireenpolimeerfilm, -vel of -reep	Volle reg”

Opmerking.—Die voorsiening vir 'n korting op reg op multilaagfilm, -vel of -reep van stireenpolimere en -kopolimere, vir die vervaardiging van plastiekgoedere van plaat, vel, reep of film, word ingetrek.

No. R. 1077

25 June 1976

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 6 (No. 6/65)

Under section 75 of the Customs and Excise Act, 1964, Schedule 6 to the said Act is hereby amended to the extent set out in the Schedule hereto.

O. P. F. HORWOOD, Minister of Finance.

No. R. 1077

25 Junie 1976

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 6 (No. 6/65)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 6 by genoemde Wet hierby gewysig in die mate in die Bylae hiervan aangetoon.

O. P. F. HORWOOD, Minister van Finansies.

SCHEDULE

I Item	II Tariff Item and Description	III Extent of Rebate	IV Extent of Refund
605.04.10	By the insertion after paragraph (2) of tariff item 104.20 of the following: “(3) In the extraction of absolutes		Full duty”

Note.—Provision is made for a refund of the excise duty on plain spirits for use in the extraction of absolutes for export.

BYLAE

I Item	II Tariefitem en Beskrywing	III Mate van Korting	IV Mate van Terugbetaling
605.04.10	Deur na paragraaf (2) van tariefitem 104.20 die volgende in te voeg: „(3) By die ekstraksie van ontwaste vlugtige olies		Volle reg”

Opmerking.—Voorsiening word gemaak vir 'n terugbetaling van die aksynsreg op skoonspiritus gebruik by die ekstraksie van ontwaste vlugtige olies vir uitvoer.

DEPARTMENT OF DEFENCE WARRANT

BY THE STATE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA CONCERNING THE INSTITUTION OF THE “PRO PATRIA MEDAL.—PRO PATRIA-MEDALJE”

To all to whom these presents may come:
GREETINGS!

Whereas a medal the, “Pro Patria Medal—Pro Patria-medalje” was instituted in terms of a Warrant dated the 23rd day of October 1974, in recognition of service rendered in connection with the prevention or combating of terrorism by members of the South African Defence Force or other armed forces attached to or serving with or rendering service to the South African Defence Force;

And whereas the conditions for the award of the said medal are contained in the abovesaid Warrant and the Rules and Regulations thereto;

And whereas I am desirous of replacing the abovesaid medal by a medal with the same designation to afford appropriate recognition to members of the South African Defence Force or of other armed forces attached to or serving with or rendering service to the South African Defence Force, who rendered service in the defence of the Republic or for the prevention or suppression of terrorism as defined in the Defence Act, 1957 (Act 44 of 1957);

Now, therefore, in terms of section 136 (1) and (3) of the said Act, I do repeal the said Warrant dated the 23rd day of October 1974 and the Rules and Regulations thereto without prejudice to anything lawfully done thereunder;

And now, therefore, further in terms of section 136 (1) of the Defence Act, 1957 (Act 44 of 1957), I do hereby institute for that purpose a medal which shall also be known as the “Pro Patria Medal—Pro Patria-medalje” and ordain that the Rules embodied in the Schedule hereto together with the Regulations made by me in terms of section 136 (3) of the said Act shall govern the grant, annulment and restoration of the medal.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Eighth day of June, One Thousand Nine hundred and Seventy-six.

N. DIEDERICHS, State President.

By Order of the State President-in-Council:

P. W. BOTHA.

DEPARTEMENT VAN VERDEDIGING BEVELSKRIF

VAN DIE STAATSPRESIDENT VAN DIE REPUBLIEK VAN SUID-AFRIKA BETREFFENDE DIE INSTELLING VAN DIE “PRO PATRIA-MEDALJE.—PRO PATRIA MEDAL”

Aan almal wat hiervan kennis mag neem:
SALUUT!

Nademaal 'n medalje, die “Pro Patria-medalje—Pro Patria Medal”, kragtens 'n Bevelskrif gedateer die 23ste dag van Oktober 1974 ingestel is ter erkenning van diens gelewer in verband met die voorkoming of bestryding van terrorisme deur lede van die Suid-Afrikaanse Weermag of ander gewapende magte wat toegevoeg is of diens doen by of diens bewys aan die Suid-Afrikaanse Weermag;

En nademaal die voorwaardes vir die toekenning van bedoelde medalje vervat is in bovermelde Bevelskrif en die Reëls en Regulasies daarby;

En nademaal ek begerig is dat bovermelde medalje vervang word deur 'n medalje met dieselfde benaming om gepaste erkenning te verleen aan lede van die Suid-Afrikaanse Weermag of van ander gewapende magte wat toegevoeg is of diens doen by of diens bewys aan die Suid-Afrikaanse Weermag, wat diens ter verdediging van die Republiek of ter voorkoming of onderdrukking van terrorisme soos in die Verdedigingswet, 1957 (Wet 44 van 1957), omskryf, gelewer het;

So is dit dat ek kragtens artikel 136 (1) en (3) van bedoelde Wet dié Bevelskrif gedateer die 23ste dag van Oktober 1974 en die Reëls en Regulasies daarby herroep sonder om afbreuk te doen aan enigiets wat regtens daarkragtens verrig is;

En so is dit voorts dat ek kragtens artikel 136 (1) van die Verdedigingswet, 1957 (Wet 44 van 1957), hierby 'n medalje vir daardie doel instel, wat ook die “Pro Patria-medalje—Pro Patria Medal” heet en verorden dat die Reëls in die Bylae hiertoe beliggzaam tesame met die Regulasies wat kragtens artikel 136 (3) van bedoelde Wet deur my gemaak word, vir die toekenning, nietigverklaring en teruggawe van die medalje sal geld.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Agtste dag van Junie Eenduisend Negehoenderd Ses-en-Sewentig.

N. DIEDERICHS, Staatspresident.

Op las van die Staatspresident-in-rade:

P. W. BOTHA.

SCHEDULE

RULES FOR THE AWARD OF THE "PRO PATRIA MEDAL"

DESIGN AND WEARING OF MEDAL

Rule 1

The Pro Patria Medal shall be struck in bronze in the shape of an octagon the obverse surmounted by a blue roundel charged with a golden aloe. The reverse bears in relief the embellished Coat of Arms of the Republic of South Africa.

Rule 2

The clasp which may be awarded in accordance with Rule 6 shall be struck in bronze 32 millimetres in length and 6 millimetres in width, thereon in relief the distinctive designation of the operation referred to in Rule 5 (b). The clasp shall only be worn on the ribbon from which the medal is pendent.

Rule 3

The medal shall be worn on the left breast from a bronze clasp affixed to a ribbon 32 millimetres in width consisting of vertical stripes in the following colours and widths from left to right:

- Orange: 3 millimetres.
- White: 1,5 millimetres.
- Orange: 5 millimetres.
- Dark blue: 6 millimetres.
- Orange: 1 millimetre.
- Dark blue: 6 millimetres.
- Orange: 5 millimetres.
- White: 1,5 millimetres.
- Orange: 3 millimetres.

AWARD OF THE MEDAL OR CLASP

Rule 4

The Chief of the South African Defence Force may in accordance with these Rules and the Regulations for the Grant, Annulment and Restoration of the Medal (hereinafter referred to as the "Regulations")—

- (a) award the medal or clasp;
- (b) annul such award;
- (c) restore the medal or clasp withdrawn in terms of paragraph (b).

Rule 5

The medal may be awarded to a person who, while performing service in defence of the Republic or for the prevention or suppression of terrorism—

- (a) was involved in combat or skirmish or in a combat situation with the enemy; or
- (b) participated in a specific operation that shall be acknowledged by order of the Minister by means of the medal and a clasp indicating the name of the operation concerned; or
- (c) rendered such service for a continuous period of at least 60 days in an operational area designated for that purpose by the Minister.

Rule 6

A person to whom the medal has already been awarded and who after the date of such award participates or again participates in an operation referred to in Rule 5 (b), may be awarded a clasp as defined in Rule 2 for each such operation.

Rule 7

The medal and clasp may be awarded posthumously.

Rule 8

The conferment of the medal shall not entitle the recipient to any individual precedence.

BYLAE

REËLS VIR DIE TOEKENNING VAN DIE "PRO PATRIA-MEDALJE"

ONTWERP EN DRA VAN MEDALJE

Reël 1

Die Pro Patria-medalje sal van brons geslaan word in die vorm van 'n agthoek belaaie met 'n sirkelvormige skyf van blou met 'n aalwyn van goud op die voorkant. Op die keersy is die versierde Wapen van die Republiek van Suid-Afrika in reliëf.

Reël 2

Die gespe wat ooreenkomstig Reël 6 toegeken kan word sal van brons geslaan word, 32 millimeters lank en 6 millimeters breed, daarop in reliëf die onderskeidende benaming van die operasie in Reël 5 (b) bedoel. Die gespe word slegs met seremoniële drag gedra op die lint waaraan die medalje hang.

Reël 3

Die medalje word op die linkerbors gedra en hang aan 'n brons gespe geheg aan 'n lint 32 millimeters breed en bestaan uit vertikale strepe in die volgende kleure en breedtes van links na regs:

- Oranje: 3 millimeter.
- Wit: 1,5 millimeter.
- Oranje: 5 millimeter.
- Donkerblou: 6 millimeter.
- Oranje: 1 millimeter.
- Donkerblou: 6 millimeter.
- Oranje: 5 millimeter.
- Wit: 1,5 millimeter.
- Oranje: 3 millimeter.

TOEKENNING VAN DIE MEDALJE EN GESPE

Reël 4

Die Hoof van die Suid-Afrikaanse Weermag kan ooreenkomstig hierdie Reëls en die Regulasies vir die Toekenning, Nietigverklaring en Teruggawe van die Medalje (hierna die "Regulasies" genoem)—

- (a) die medalje of gespe toeken;
- (b) sodanige toekenning nietig verklaar;
- (c) die medalje of gespe wat ooreenkomstig paragraaf (b) ingetrek is, teruggee.

Reël 5

Die medalje kan toegeken word aan iemand wat terwyl hy diens ter verdedeging van die Republiek of ter voorkoming of onderdrukking van terrorisme verrig—

- (a) in 'n geveg of skermutseling of in 'n gevegsituasie met die vyand betrokke was; of
- (b) aan 'n besondere operasie deelgeneem het wat op las van die Minister deur middel van die medalje en 'n gespe wat die naam van die betrokke operasie aandui, erken moet word; of
- (c) vir 'n ononderbroke tydperk van minstens 60 dae sodanige diens gelewer het in 'n operasionele gebied wat deur die Minister vir die doel aangewys is.

Reël 6

Aan iemand aan wie die medalje reeds toegeken is en wat ná die datum van toekenning aan 'n operasie of weer aan 'n operasie in Reël 5 (b) bedoel deelneem, kan 'n gespe soos in Reël 2 omskryf, toegeken word vir elke sodanige operasie.

Reël 7

Die medalje en gespe kan postuum toegeken word.

Reël 8

Die toekenning van die medalje verleen aan die ontvanger geen individuele voorrang nie.

GENERAL

Rule 9

A sealed model of the medal as well as a sealed model of reproductions thereof in miniature half the size of the medal which may be worn on certain occasions by persons to whom the medal has been awarded, shall be kept in the office of the Prime Minister of the Republic of South Africa.

No. R. 1129

25 June 1976

PROMULGATION OF REGULATIONS FOR THE GRANT, ANNULMENT AND RESTORATION OF THE "PRO PATRIA MEDAL"

The State President has in terms of section 136 (3) of the Defence Act, 1957 (Act 44 of 1957), made the following regulations concerning the grant, annulment and restoration of the "Pro Patria Medal" instituted by his Warrant of 8 June 1976.

AWARD OF THE MEDAL OR CLASP TO A PRISONER OF WAR OR MISSING PERSON

1. If the medal or clasp is awarded to a person who is a prisoner of war or is missing, such award shall not be announced until the person concerned has ceased to be a prisoner of war or to be missing. The date of the award shall be mentioned in such announcement.

DESIGNATION OF OPERATIONS

2. The Minister shall for the purposes of the award of the medal or clasp for participation in a operation referred to in Rule 5 (b), determine the designation of the operation concerned and indicate the duration of the operation.

ANNULMENT AND RESTORATION OF THE MEDAL OR CLASP

3. (1) The Chief of the South African Defence Force may in terms of Rule 4 (b) of the Rules, annul an award if the recipient has been—

(a) convicted of treason, sedition, mutiny or any similar offence; or

(b) sentenced to imprisonment without the option of a fine for a period of not less than six months or to cashiering, dismissal or discharge with ignominy from any part of the South African Defence Force.

(2) The recipient concerned shall on annulment of the award, surrender the medal or clasp to a designated officer.

(3) The Chief of the South African Defence Force may in terms of Rule 4 (c) of the Rules restore the annulled medal or clasp if the recipient is in every way deserving and worthy of such restoration.

ISSUE OF MEDAL AND CLASP

4. (1) The medal, the clasp and the ribbon shall be supplied at Government expense to a recipient.

(2) Miniatures of the medal and ribbon may be supplied against payment.

(3) A replica of the model, clasp and the ribbon and of any miniature may, subject to conditions approved by Treasury, be made available to any museum or similar institution approved by a designated officer.

REGISTRATION

5. (1) A serial number shall be stamped on the rim of every medal.

(2) A designated officer shall keep a register in which shall be recorded—

(a) the serial number of every medal;

(b) the names of recipients of such medals including the names of museums or institutions to which the said medals have been made available;

ALGEMEEN

Reël 9

'n Verseëlde model van die medalje asmede 'n verseëlde model van reproduksies daarvan in miniatuurformaat, die helfte so groot as die medalje, wat by sekere geleenthede gedra kan word deur persone aan wie die medalje toegeken is, word in die kantoor van die Eerste Minister van die Republiek van Suid-Afrika bewaar.

No. R. 1129

25 Junie 1976

AFKONDIGING VAN REGULASIES VIR DIE TOEKENNING, NIETIGVERKLARING EN TERUGGAWE VAN DIE "PRO PATRIA-MEDALJE"

Die Staatspresident het kragtens artikel 136 (3) van die Verdedigingswet, 1957 (Wet 44 van 1957), die volgende regulasies betreffende die toekenning, nietigverklaring en teruggawe van die "Pro Patria-medalje" ingestel by sy Bevelskrif van 8 Junie 1976, gemaak.

TOEKENNING VAN DIE MEDALJE OF GESPE AAN 'N KRYGSGEVANGENE OF VERMISTE LID

1. Indien die medalje of gespe toegeken word aan 'n persoon wat 'n krygsgevangene is of vermis word, word sodanige toekenning nie bekendgemaak nie tot tyd en wyl die betrokke persoon nie meer 'n krygsgevangene is of vermis word nie. Die toekenningsdatum moet in sodanige bekendmaking vermeld word.

AANWYSINGS VAN OPERASIES

2. Vir doeleindes van die toekenning van die medalje of gespe vir deelname aan 'n operasie in reël 5 (b) van die Reëls bedoel, moet die Minister die benaming van die betrokke operasie bepaal en die tydperk wat die operasie geduur het aandui.

NIETIGVERKLARING EN TERUGGAWE VAN DIE MEDALJE OF GESPE

3. (1) Die Hoof van die Suid-Afrikaanse Weermag kan ingevolge Reël 4 (b) van die Reëls 'n toekenning nietig verklaar indien die ontvanger—

(a) weens hoogverraad, sedisie, munitery of 'n soortgelyke oortreding veroordeel is; of

(b) sonder die keuse van 'n boete tot gevangenisstraf vir 'n tydperk van minstens ses maande of kassering, afdanking of ontslag met oëer uit enige deel van die Suid-Afrikaanse Weermag gevonnies is.

(2) Die betrokke ontvanger moet by nietigverklaring van die toekenning die medalje of gespe aan 'n aangewese offisier terugbesorg.

(3) Die Hoof van die Suid-Afrikaanse Weermag kan ingevolge Reël 4 (c) van die Reëls die nietigverklarde medalje of gespe teruggee indien die ontvanger in alle opsigte sodanige teruggawe verdien het en waardig is.

UITREIKING VAN MEDALJE EN GESPE

4. (1) Die medalje, die gespe en die lint word teen staatskoste aan 'n ontvanger verskaf.

(2) Miniature van die medalje en lint kan teen betaling aan ontvangers verskaf word.

(3) 'n Replika van die medalje, die gespe en die lint en van enige miniatuur kan, behoudens voorwaardes wat die Tesourie goedkeur, oorgemaak word aan enige museum of soortgelyke inrigting goedgekeur deur 'n aangewese offisier.

REGISTRASIE

5. (1) 'n Reeksnommer word op die rand van elke medalje gestempel.

(2) 'n Aangewese offisier hou 'n register waarin—

(a) die reeksnommers van elke medalje;

(b) die name van ontvangers van sodanige medaljes insluitende die name van museums of inrigtings waaraan bedoelde medaljes oorgemaak is;

- (c) the award of a clasp;
(d) the loss or replacement of the medal or clasp.

PRESENTATION

6. Where practicable, the medal or clasp shall be presented to a recipient on parade: Provided that—

(a) a medal or clasp awarded to a person who dies before the presentation thereof; or

(b) a medal or clasp awarded posthumously;

may at the discretion of a designated officer be presented to the next-of-kin or any relative.

LOSS OR DISPOSAL

7. (1) No person to whom the medal or clasp has been awarded in terms of these regulations shall pledge, barter or sell it or dispose of it other than by way of testamentary bequest.

(2) The recipient shall report the loss of a medal or clasp in writing to the Chief of the South African Defence Force.

(3) If, in the opinion of a designated officer, the loss was not due to the negligence or default of the recipient, he may authorise the replacement at government expense.

DEFINITIONS

8. In these regulations, unless the context otherwise indicates—

(a) "clasp" means the clasp referred to in Rule 2 of the Rules;

(b) "designated officer" means an officer designated for the purpose by the Chief of the South African Defence Force;

(c) "medal" means the "Pro Patria Medal";

(d) "recipient" means any person to whom the medal or clasp has been awarded, or presented in terms of regulation 6;

(e) "Rules" means the Rules concerning the award of the "Pro Patria Medal".

DEPARTMENT OF HEALTH

No. R. 1067

25 June 1976

APPLICATION OF PART III OF ACT 45 OF 1965 TO CERTAIN LOCAL AUTHORITY AREAS

In terms of section 14 (1) of the Atmospheric Pollution Prevention Act, 1965 (Act 45 of 1965), and after consultation with the Minister of Economic Affairs, I, Schalk Willem van der Merwe, Minister of Health, hereby declare the provisions of Part III of the said Act to be applicable to the area of jurisdiction of the local authority mentioned in the Schedule hereto with effect from the date of publication hereof.

SCHEDULE

Municipality of Marble Hall.

No. R. 1087

25 June 1976

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT 54 OF 1972)

REGULATION.—SOFT DRINKS

It is hereby notified for general information in terms of section 15 (6) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972), that the Minister of Health intends to amend further the regulation published under Government Notice R. 70 of 18 January 1974, as amended, by the insertion of—

- (a) an asterisk (*) immediately after the word "Caffein" in the table in subregulation (2); and

- (c) die toekenning van 'n gespe;
(d) die verlies of vervanging van die medalje of gespe, aangeteken word.

AANBIEDING

6. Waar uitvoerbaar, word die medalje of gespe aan 'n ontvanger oorhandig: Met dien verstande dat—

(a) 'n medalje of gespe wat toegeken is aan 'n persoon wat voor die oorhandiging daarvan sterf; of

(b) 'n medalje of gespe wat postuum toegeken is; na goedvinde van 'n aangewese offisier aan die naasbestaande of enige familielid oorhandig kan word.

VERLIES OF BESKIKKING

7. (1) Niemand aan wie die medalje of gespe kragtens hierdie regulasies toegeken is, mag sodanige medalje of gespe verpand, verruil of dit verkoop of dit wegmaak anders as by wyse van testamentêre bemaking nie.

(2) Die ontvanger moet die verlies van 'n medalje of gespe skriftelik aan die Hoof van die Suid-Afrikaanse Weermag rapporteer.

(3) Indien die verlies volgens die oordeel van 'n aangewese offisier nie aan die ontvanger se nalatigheid of verzuim te wyte nie, kan hy magtiging vir vervanging teen staatskoste verleen.

WOORDBEPALINGS

8. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

(a) "aangewese offisier" 'n offisier deur die Hoof van die Suid-Afrikaanse Weermag vir die doel aangewys;

(b) "gespe" die gespe in Reël 2 van die Reëls bedoel;

(c) "medalje" die "Pro Patria-medalje";

(d) "ontvanger" iemand aan wie die medalje of gespe toegeken is of ingevolge regulasie 6 aangebied is;

(e) "Reëls" die Reëls betreffende die toekenning van die "Pro Patria-medalje".

DEPARTEMENT VAN GESONDHEID

No. R. 1067

25 Junie 1976

TOEPASSING VAN DEEL III VAN WET 45 VAN 1965 OP GEBIEDE VAN SEKERE PLAASLIKE BESTURE

Kragtens artikel 14 (1) van die Wet op Voorkoming van Lugbesoedeling, 1965 (Wet 45 van 1965), en na oorlegging met die Minister van Ekonomiese Sake, verklaar ek, Schalk Willem van der Merwe, Minister van Gesondheid, hierby dat die bepalings van Deel III van genoemde Wet met ingang van die datum van publikasie hiervan op die regsgebied van die plaaslike bestuur in die Bylae hiervan genoem, van toepassing is.

BYLAE

Munisipaliteit van Marble Hall.

No. R. 1087

25 Junie 1976

WET OP VOEDINGSMIDDELS, SKOONHEIDSMIDDELS EN ONTSMETTINGSMIDDELS, 1972 (WET 54 VAN 1972)

REGULASIE.—KOELDRANKE

Hierby word vir algemene inligting kragtens artikel 15 (6) van die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet 54 van 1972), bekendgemaak dat die Minister van Gesondheid voornemens is om die regulasie gepubliseer by Goewermentskennisgewing R. 70 van 18 Januarie 1974, soos gewysig, verder te wysig deur—

- (a) 'n sterretjie (*) direk na die woord "kaffeïen" in die tabel in subregulasie (2) in te voeg; en

(b) “* in cola drinks only: Provided that it may be present only as a carry-over from the ingredients used in manufacture and shall not be added independently of such ingredients.” immediately after the item “Stannous chloride . . . 22” in the said subregulation.

Interested persons are invited to furnish the Secretary for Health, Private Bag X88, Pretoria, with any comments on, or representations they wish to make in regard to, the proposed regulation within three months of the date of publication of this notice.

DEPARTMENT OF LABOUR

No. R. 1088 25 June 1976

INDUSTRIAL CONCILIATION ACT, 1956

MOTOR INDUSTRY, R.S.A.

EXTENSION OF PERIOD OF OPERATION OF MAIN AGREEMENT

I, Stephanus Petrus Botha, Minister of Labour, hereby in terms of section 48 (4) (a) (i) of the Industrial Conciliation Act, 1956, extend the periods fixed in Government Notices R. 1055 of 21 June 1974, R. 1635 of 22 August 1975 and R. 393 of 12 March 1976 by a further period of six months ending 31 December 1976.

S. P. BOTHA, Minister of Labour.

No. R. 1096 25 June 1976

INDUSTRIAL CONCILIATION ACT, 1956

FURNITURE MANUFACTURING INDUSTRY, EASTERN CAPE PROVINCE

The following correction to Government Notice R. 969 appearing in *Government Gazette* 5151 of 11 June 1976, is published for general information:

In the Afrikaans version of the Schedule:

In clause I (1) (b) of Part I, delete the words “en Fort Beaufort”.

No. R. 1097 25 June 1976

INDUSTRIAL CONCILIATION ACT, 1956

IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRIES.—AMENDMENT OF ISPA SUB-GROUP AGREEMENT

I, Stephanus Petrus Botha, Minister of Labour, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Iron, Steel, Engineering and Metallurgical Industries, shall be binding, with effect from 1 July 1976 and for the period ending 30 June 1977, upon the employers' organisation and the trade unions which entered into the Amending Agreement and upon Dunswart Iron and Steel Works Limited, McWillaw Iron and Steel Foundry (Pty) Ltd, Scaw Metals Limited, George Stott & Co. (Pty) Ltd and Cape Town Iron and Steel Works (Pty) Ltd, who are members of the said organisation and their employees who are members of the said unions;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement shall be binding, with effect from 1 July 1976 and for the period ending 30 June 1977, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industries in the areas occupied by Dunswart Iron and

(b) die volgende direk na die item “Stannoehloried . . . 22” in genoemde subregulasie in te voeg: “* slegs in koladrinke: Met dien verstande dat dit alleenlik teenwoordig is omdat dit oorgedra word van die bestanddele wat by vervaardiging gebruik word en nie onafhanklik van sulke bestanddele bygevoeg word nie.”.

Belanghebbende persone word versoek om binne drie maande na die datum van publikasie van hierdie kennisgewing opmerkings oor, of vertoë wat hulle wil rig in verband met die voorgestelde regulasie aan die Sekretaris van Gesondheid, Privaatsak X88, Pretoria, te verstrek.

DEPARTEMENT VAN ARBEID

No. R. 1088 25 Junie 1976

WET OP NYWERHEIDSVERSOENING, 1956

MOTORNYWERHEID, R.S.A.

VERLENGING VAN GELDIGHEIDSDUUR VAN HOOFOOREENKOMS

Ek, Stephanus Petrus Botha, Minister van Arbeid, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Nywerheidsversoening, 1956, die tydperke vasgestel in Goewermentskennisgewings R. 1055 van 21 Junie 1974, R. 1635 van 22 Augustus 1975 en R. 393 van 12 Maart 1976 met 'n verdere tydperk van ses maande wat op 31 Desember 1976 eindig.

S. P. BOTHA, Minister van Arbeid.

No. R. 1096 25 Junie 1976

WET OP NYWERHEIDSVERSOENING, 1956

MEUBELNYWERHEID, OOSTELIKE KAAPPROVINSIE

Onderstaande verbetering van Goewermentskennisgewing R. 969 wat in *Staatskoerant* 5155 van 11 Junie 1976 verskyn, word vir algemene inligting gepubliseer:

In die Afrikaanse teks van die Bylae:

In klousule I (1) (b) van Deel I, skrap die woorde “en Fort Beaufort”.

No. R. 1097 25 Junie 1976

WET OP NYWERHEIDSVERSOENING, 1956

YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID.—WYSIGING VAN ISPA-SUBGROEPOOREENKOMS

Ek, Stephanus Petrus Botha, Minister van Arbeid, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid betrekking het, met ingang van 1 Julie 1976 en vir die tydperk wat op 30 Junie 1977 eindig, bindend is vir die werkgewersorganisasie en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir Dunswart Iron and Steel Works Limited, McWillaw Iron and Steel Foundry (Pty) Ltd, Scaw Metals Limited, George Stott & Co. (Pty) Ltd en Cape Town Iron and Steel Works (Pty) Ltd, wat lede van genoemde organisasie is en hul werknemers wat lede van genoemde verenigings is;

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms met ingang van 1 Julie 1976 en vir die tydperk wat op 30 Junie 1977 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie

Steel Works Limited, McWillaw Iron and Steel Foundry (Pty) Ltd, Scaw Metals Limited, George Stott & Co. (Pty) Ltd and Cape Town Iron and Steel Works (Pty) Ltd, in the Magisterial Districts of Benoni, Durban, Germiston, Johannesburg and Kuils River; and

(c) in terms of section 48 (3) (a) of the said Act, declare that in the areas specified in paragraph (b) of this notice and with effect from 1 July 1976 and for the period ending 30 June 1977, the provisions of the Amending Agreement shall *mutatis mutandis* be binding upon all Bantu employed in the said Industries by the employers upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of Bantu in their employ.

S. P. BOTHA, Minister of Labour.

SCHEDULE

NATIONAL INDUSTRIAL COUNCIL FOR THE IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRY

AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, 1956, made and entered into between the

Iron and Steel Producers' Association of South Africa

(hereinafter referred to as the "employers" or the "employers' organisation"), of the one part, and the

Amalgamated Engineering Union of South Africa
Amalgamated Society of Woodworkers of South Africa
Iron Moulders' Society of South Africa
S.A. Boilermakers', Iron and Steel Workers', Shipbuilders and Welders' Society

S.A. Electrical Workers' Association

S.A. Engine Drivers', Firemen's and Operators' Association

Suid-Afrikaanse Yster, Staal en Verwante Nywerhede-Unie

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being parties to the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industry,

to amend the ISPA Subgroup Agreement published under Government Notice R. 1319 of 2 August 1974, as amended by Government Notice R. 950 of 16 May 1975, as follows:

PART III

Substitute the following table for the existing table:

"Rate classification"	Rate per hour Cents
Rate F.....	66
Rate G.....	58
Rate H.....	54
Rate I.....	54".

Signed at Johannesburg on behalf of the parties this 10th day of June 1976.

W. E. KIRKWOOD, Chairman.

W. BORNMAN, Vice-Chairman.

A. O. DE JAGER, General Secretary.

No. R. 1098 25 June 1976

INDUSTRIAL CONCILIATION ACT, 1956

IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRIES.— EXTENSION OF AGREEMENTS

I, Stephanus Petrus Botha, Minister of Labour, hereby, in terms of section 48 (4) (a) (i) of the Industrial Conciliation Act, 1956, extend the periods fixed in Government Notices—

(a) R. 479 of 29 March 1974, R. 1316 and R. 1317 of 2 August 1974, R. 947 of 16 May 1975 and R. 379 of 12 March 1976; and

(b) R. 1319 of 2 August 1974 and R. 950 of 16 May 1975;

by a further period ending 30 June 1977.

S. P. BOTHA, Minister of Labour.

kennisgewing, wat betrokke is by of in diens is in genoemde Nywerhede in die gebiede geokkupeer deur Dunswart Iron and Steel Works Limited, McWillaw Iron and Steel Foundry (Pty) Ltd, Scaw Metals Limited, George Stott & Co. (Pty) Ltd en Cape Town Iron and Steel Works (Pty) Ltd, in die landdrosdistrikte Benoni, Durban, Germiston, Johannesburg en Kuilsrivier; en

(c) kragtens artikel 48 (3) (a) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms met ingang van 1 Julie 1976 en vir die tydperk wat op 30 Junie 1977 eindig, in die gebiede gespesifiseer in paragraaf (b) van hierdie kennisgewing *mutatis mutandis* bindend is vir alle Bantoes in diens in genoemde Nywerhede by dié werkgewers vir wie enigeen van genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van Bantoes in hul diens.

S. P. BOTHA, Minister van Arbeid.

BYLAE

NASIONALE NYWERHEIDSRAAD VIR DIE YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID

OOREENKOMS

ingevolge die Wet op Nywerheidsversoening, 1956, gesluit deur en aangegaan tussen die

Iron and Steel Producers' Association of South Africa

(hierna die "werkgewers" of die "werkgewersorganisasie" genoem), aan die een kant, en die

Amalgamated Engineering Union of South Africa
Amalgamated Society of Woodworkers of South Africa
Iron Moulders' Society of South Africa
S.A. Boilermakers', Iron and Steel Workers', Shipbuilders and Welders' Society

S.A. Electrical Workers' Association

S.A. Engine Drivers', Firemen's and Operators' Association

Suid-Afrikaanse Yster, Staal en Verwante Nywerhede-Unie

(hierna die "werknemers" of die "vakverenigings" genoem), aan die ander kant,

wat die partye is by die Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid,

om die ISPA-subgroeпоoreenkoms, gepubliseer by Goewermments-kennisgewing R. 1319 van 2 Augustus 1974, soos gewysig by Goewermmentskennisgewing R. 950 van 16 Mei 1975, te wysig.

DEEL III

Vervang die bestaande tabel deur die volgende tabel:

"Loonindeling"	Loon per uur Sent
Loon F.....	66
Loon G.....	58
Loon H.....	54
Loon I.....	54".

Namens die partye of hede die 10de dag van Junie 1976 in Johannesburg onderteken.

W. E. KIRKWOOD, Voorsitter.

W. BORNMAN, Ondervoorsitter.

A. O. DE JAGER, Hoofsekretaris.

No. R. 1098 25 Junie 1976

WET OP NYWERHEIDSVERSOENING, 1956

YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID.—VERLENGING VAN OOREENKOMSTE

Ek, Stephanus Petrus Botha, Minister van Arbeid, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Nywerheidsversoening, 1956, die tydperke vasgestel in Goewermmentskennisgewings—

(a) R. 479 van 29 Maart 1974, R. 1316 en R. 1317 van 2 Augustus 1974, R. 947 van 16 Mei 1975 en R. 379 van 12 Maart 1976; en

(b) R. 1319 van 2 Augustus 1974 en R. 950 van 16 Mei 1975;

met 'n verdere tydperk wat op 30 Junie 1977 eindig.

S. P. BOTHA, Minister van Arbeid.

No. R. 1099

25 June 1976

INDUSTRIAL CONCILIATION ACT, 1956

IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRIES. — AMENDMENT OF MAIN AGREEMENT

I, Stephanus Petrus Botha, Minister of Labour, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Iron, Steel, Engineering and Metallurgical Industries, shall be binding, with effect from 1 July 1976 and for the period ending 30 June 1977, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement shall be binding, with effect from 1 July 1976 and for the period ending 30 June 1977, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industries in the Republic of South Africa; and

(c) in terms of section 48 (3) (a) of the said Act, declare that in the Republic of South Africa and with effect from 1 July 1976 and for the period ending 30 June 1977, the provisions of the Amending Agreement shall *mutatis mutandis* be binding upon all Bantu employed in the said Industries by the employers upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of Bantu in their employ.

S. P. BOTHA, Minister of Labour.

SCHEDULE

NATIONAL INDUSTRIAL COUNCIL FOR THE IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRY

AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act 1956, made and entered into between the

Association of Electric Cable Manufacturers of South Africa
Automotive Parts Production Engineers' Association
Cape Engineers' and Founders' Association
Constructional Engineering Association
East London Engineers' and Founders' Employers' Association
Edge Hand and Small Tool Manufacturers' Association
Electrical Engineering and Allied Industries Association
Electronics and Telecommunications Industries Association
Engineers' and Founders' Association (Transvaal, Orange Free State and Northern Cape)
Gate and Fence Manufacturers' Association of the Transvaal
Heavy Engineering Manufacturers' Association
Lift Engineering Association of South Africa
Light Engineering Industries Association of South Africa
Materials Handling and Construction Plant Association of South Africa
Natal Engineering Industries Association
Non-Ferrous Metal Industries Association of South Africa
Plastics Manufacturers' Association of South Africa
Port Elizabeth Engineers' Association
Precision Manufacturing Engineers' Association
Sheetmetal Industries Association of South Africa
S.A. Agricultural and Irrigation Machinery Manufacturers' Association
S.A. Association of Shipbuilders and Repairers
S.A. Burglar Alarm Systems Association
S.A. Electro Plating Industries Association
S.A. Fasteners Manufacturers' Association
S.A. Industrial Refrigeration and Air Conditioning Contractors' Association
S.A. Machine Tool Manufacturers' Association
S.A. Production Founders' Association
S.A. Reinforced Concrete Engineers' Association

No. R. 1099

25 Junie 1976

WET OP NYWERHEIDSVERSOENING, 1956

YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID. — WYSIGING VAN HOOFOOREENKOMS

Ek, Stephanus Petrus Botha, Minister van Arbeid, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid betrekking het, met ingang van 1 Julie 1976 en vir die tydperk wat op 30 Junie 1977 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is;

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms met ingang van 1 Julie 1976 en vir die tydperk wat op 30 Junie 1977 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerhede in die Republiek van Suid-Afrika; en

(c) kragtens artikel 48 (3) (a) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms met ingang van 1 Julie 1976 en vir die tydperk wat op 30 Junie 1977 eindig, in die Republiek van Suid-Afrika *mutatis mutandis* bindend is vir alle Bantoes in diens in genoemde Nywerhede by dié werkgewers vir wie enigteen van genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van Bantoes in hul diens.

S. P. BOTHA, Minister van Arbeid.

BYLAE

NASIONALE NYWERHEIDSRaad VIR DIE YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID

OOREENKOMS

ingevolge die Wet op Nywerheidsversoening, 1956, gesluit deur en aangegaan tussen die

Association of Electric Cable Manufacturers of South Africa
Automotive Parts Production Engineers' Association
Cape Engineers' and Founders' Association
Constructional Engineering Association
East London Engineers' and Founders' Employers' Association
Edge Hand and Small Tool Manufacturers' Association
Electrical Engineering and Allied Industries Association
Electronics and Telecommunications Industries Association
Engineers' and Founders' Association (Transvaal, Orange Free State and Northern Cape)
Gate and Fence Manufacturers' Association of the Transvaal
Heavy Engineering Manufacturers' Association
Lift Engineering Association of South Africa
Light Engineering Industries Association of South Africa
Materials Handling and Construction Plant Association of South Africa
Natal Engineering Industries Association
Non-Ferrous Metal Industries Association of South Africa
Plastics Manufacturers' Association of South Africa
Port Elizabeth Engineers' Association
Precision Manufacturing Engineers' Association
Sheetmetal Industries Association of South Africa
S.A. Agricultural and Irrigation Machinery Manufacturers' Association
S.A. Association of Shipbuilders and Repairers
S.A. Burglar Alarm Systems Association
S.A. Electro Plating Industries Association
S.A. Fasteners Manufacturers' Association
S.A. Industrial Refrigeration and Air Conditioning Contractors' Association
S.A. Machine Tool Manufacturers' Association
S.A. Production Founders' Association
S.A. Reinforced Concrete Engineers' Association

S.A. Tube Makers' Association
S.A. Wire and Wire Rope Manufacturers' Association
S.A. Wrought Non-Ferrous Metal Manufacturers' Association

Transvaal and Orange Free State Foundry Association
(hereinafter referred to as the "employers" or the "employers' organisations"), of the one part, and the

Amalgamated Engineering Union of South Africa
Amalgamated Society of Woodworkers of South Africa
Electrical and Allied Trades Union of South Africa
Engineering Industrial Workers' Union of South Africa
Iron Moulders' Society of South Africa
Radio, Television, Electronic and Allied Workers' Union
S.A. Boilermakers', Iron and Steel Workers', Shipbuilders' and Welders' Society
S.A. Electrical Workers' Association
S.A. Engine Drivers', Firemen's and Operators' Association
S.A. Yster-, Staal- en Verwante Nywerhede-Unie

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being parties to the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industry,

to amend the Main Agreement published under Government Notice R. 479 of 29 March 1974, as amended and extended by Government Notices R. 1316 and R. 1317 of 2 August 1974, R. 947 of 16 May 1975 and R. 379 of 12 March 1976, as follows:

A. PART I

1. SECTION 1.—SCOPE OF APPLICATION OF AGREEMENT

(1) In subsection (5), add the following proviso: "Provided further that with effect from 16 August 1976 it shall be deemed to be R1,83 per hour."

(2) In subsection (6), for the figure R247,65 substitute the figure "R276,90".

2. SECTION 13.—ADDITIONAL LEAVE PAY

In subsections (1) and (3) for the word "seventh" substitute the word "sixth".

3. SECTION 14.—HOLIDAY BONUS

In subsection (1), substitute the following table for the existing table:

	First leave cycle	Second leave cycle	Third leave cycle	Fourth or more leave cycles
	R	R	R	R
Where the employee's scheduled rate does not exceed 55c per hour and employees employed on watchman's work.....	32,00	37,00	42,00	47,00
Where the employee's scheduled rate exceeds 55c per hour but does not exceed 87,5c per hour.....	45,00	53,00	61,00	69,00
Where the employee's scheduled rate exceeds 87,5c per hour but does not exceed 108,5c per hour.....	96,00	109,00	123,00	136,00
Where the employee's scheduled rate exceeds 108,5c per hour but does not exceed 119c per hour.....	112,00	127,00	142,00	157,00
Where the employee's scheduled rate exceeds 119c per hour but does not exceed 141,5c per hour.....	159,00	181,00	203,00	225,00
Where the employee's scheduled rate exceeds 141,5c per hour.....	175,00	200,00	225,00	250,00"

4. SECTION 16.—ALLOWANCES

In subsection (A), substitute the following for paragraph (4):

"(4) Where an employee, who, by reason of his employment is away from his usual working place, is required by his employer to live away from his usual domicile, board and lodging shall be paid or provided on the job. Where no hotel or other suitable accommodation is available within a reasonable distance of the working place and accommodation is supplied

S.A. Tube Makers' Association
S.A. Wire and Wire Rope Manufacturers' Association
S.A. Wrought Non-Ferrous Metal Manufacturers' Association
Transvaal and Orange Free State Foundry Association

(hierna die "werkgewers" of die "werkgewersorganisasies" genoem), aan die een kant, en die

Amalgamated Engineering Union of South Africa
Amalgamated Society of Woodworkers of South Africa
Electrical and Allied Trades Union of South Africa
Engineering Industrial Workers' Union of South Africa
Iron Moulders' Society of South Africa
Radio, Television, Electronic and Allied Workers' Union
S.A. Boilermakers', Iron and Steel Workers', Shipbuilders' and Welders' Society
S.A. Electrical Workers' Association
S.A. Engine Drivers', Firemen's and Operators' Association
S.A. Yster-, Staal- en Verwante Nywerhede-Unie

(hierna die "werknemers" of die vakverenigings" genoem), aan die ander kant,

wat die partye is by die Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid,

om die Hoofooreenkoms, gepubliseer by Goewermenskennisgewing R. 479 van 29 Maart 1974, soos gewysig en verleng by Goewermenskennisgewings R. 1316 en R. 1317 van 2 Augustus 1974, R. 947 van 16 Mei 1975 en R. 379 van 12 Maart 1976, soos volg te wysig:

A. DEEL I

1. KLOUSULE 1.—TOEPASSINGSBESTEK VAN OOREENKOMS

(1) In subklousule (5), voeg die volgende voorbehoudsbepaling by:

"Voorts met dien verstande dat met ingang van 16 Augustus 1976 dit geag R1,83 per uur te wees."

(2) In subklousule (6), vervang die syfer R247,65 deur die syfer R276,90.

2. KLOUSULE 13.—ADDISIONELE VERLOFBESOLDIGING

In subklousules (1) en (3), vervang die woord "sewende" deur die woord "sesde".

3. KLOUSULE 14.—VERLOFBONUS

In subklousule (1), vervang die bestaande tabel deur die volgende tabel:

	Eerste verlof-siklus	Tweede verlof-siklus	Derde verlof-siklus	Vierde of latere verlof-siklus
	R	R	R	R
Waar die werknemer se ingelyste loon hoogstens 55c per uur is en werknemers in diens as wagte.....	32,00	37,00	42,00	47,00
Waar die werknemer se ingelyste loon meer as 55c per uur maar hoogstens 87,5c per uur is.....	45,00	53,00	61,00	69,00
Waar die werknemer se ingelyste loon meer as 87,5c per uur maar hoogstens 108,5c per uur is.....	96,00	109,00	123,00	136,00
Waar die werknemer se ingelyste loon meer as 108,5c per uur maar hoogstens 119c per uur is.....	112,00	127,00	142,00	157,00
Waar die werknemer se ingelyste loon meer as 119c per uur maar hoogstens 141,5c per uur is.....	159,00	181,00	203,00	225,00
Waar die werknemer se ingelyste loon meer as 141,5c per uur is.....	175,00	200,00	225,00	250,00

4. KLOUSULE 16.—TOELAES

In subklousule (A), vervang paragraaf (4) deur die volgende:

"(4) Waar 'n werknemer vanweë sy diens nie op sy gewone werkplek werk nie en sy werkgever van hom vereis om op 'n ander plek as sy gewone woonplek te woon, moet kos en inwoning by die werk aan hom verskaf word of moet hy daarvoor betaal word. Waar daar geen hotel of ander geskikte huisvesting binne 'n redelike afstand van die werkplek af beskikbaar is nie en huisvesting op die terrein verskaf word, moet 'n verblyftoelae

on site, the employee shall be paid a subsistence allowance for each day he is required by his employer to live away from his usual domicile. The subsistence allowance per day shall be:

For employees whose work is scheduled in this Agreement at Rates A, AA, AB or B: R6.

For employees whose work is scheduled in this Agreement at Rates C, D, DD or DDD: R5,50.

For employees whose work is scheduled in this Agreement at Rates E to I: R2.

The accommodation supplied shall include a bed and mattress on site; where board is supplied by the employer on site he shall not be required to pay a subsistence allowance but the standard of the meals provided shall be commensurate with the allowance that would have been paid."

B. PART III

1. SECTION 1.—WAGES AND OR EARNINGS

Substitute the following for subsection (3):

"(3) Every employee who on 1 July 1976 is employed by an employer on work classified in the Agreement shall, whilst in the employ of the same employer and whether or not his actual rate of pay immediately prior to the said date was in excess of the rate specified for his class of work in this Agreement, be paid not less than the actual rate he was receiving immediately prior to the said date plus an additional amount for his class of work as follows:

Class of work	Amount per hour Cents
Rate A.....	20
Rate AA—	
employees in their first six months of continuous service on the above date.....	17
employees in their second six months of continuous service on the above date.....	17
employees with more than 12 months continuous service on the above date.....	18
Rate AB.....	16
Rate B.....	15
Rate C.....	15
Rate D.....	15
Rate DD.....	14
Rate DDD.....	12
Rate E.....	11
Rate F.....	11
Rate G.....	11
Rates H and I.....	10
Vehicle driving:	

Internal transport (i.e. not driven on public roads)

(a) Vehicles which would, if driven on public roads require a light motor vehicle driving licence: Gross mass of vehicle up to 3 500 kg.....	11
(b) Vehicles which would, if driven on public roads, require a heavy vehicle driving licence: Gross mass of vehicle over 3 500 kg and up to 13 600 kg.....	11
(c) Vehicles which would, if driven on public roads, require an extra heavy motor vehicle driving licence: Gross mass of vehicle over 13 600 kg.....	12

External Transport

Driving of any other vehicle authorised to carry a pay-load—	
up to and including 3 000 kg.....	11
over 3 000 kg.....	14
Watchman's work.....	R4,50 per week

Provided that—

(i) the additional amount payable in terms of this subsection to an employee for his class of work may be reduced by the amount of any increase or increases granted to such employee on or subsequent to 1 January 1976;

(ii) any employee who was engaged after 1 January 1976 at a rate of pay not less than the rate of pay prescribed for his class of work as at 1 July 1976 shall not be entitled to be paid the additional amount specified in this subsection for his class of work;

(iii) no employer shall reduce the rate of pay of any employee to whom an increase in excess of the additional amount specified in this subsection for his class of work has been awarded on or subsequent to 1 January 1976 and no employee shall be paid wages at a rate less than the rate for his class of work specified in this Agreement.

aan die werknemer betaal word vir elke dag wat sy werkgewer van hom vereis om op 'n ander plek as sy gewone woonplek te woon. Die daaglikse verblyfstoelae moet soos volg wees:

Vir werknemers wie se werk in hierdie Ooreenkoms onder Lone A, AA, AB of B ingelys is: R6.

Vir werknemers wie se werk in hierdie Ooreenkoms onder Lone C, D, DD of DDD ingelys is: R5,50.

Vir werknemers wie se werk in hierdie Ooreenkoms onder Lone E tot I ingelys is: R2.

Die huisvesting wat op die terrein verskaf word, moet 'n bed en 'n matras insluit. Waar die werkgewer kos op die terrein verskaf, word daar nie van hom vereis om 'n verblyfstoelae te betaal nie, maar die standaard van die etes wat verskaf word, moet eweredig wees aan die toelae wat betaal sou gewees het."

B. DEEL III

1. KLOUSULE 1.—LONE EN/OF VERDIENSTE

Vervang subklousule (3) deur die volgende:

"(3) 'n Werknemer wat op 1 Julie 1976 by 'n werkgewer in diens is vir die verrigting van werk wat in die Ooreenkoms ingedeel is, moet, terwyl hy in diens van dieselfde werkgewer is en afgesien daarvan of sy werklike loon onmiddellik voor genoemde datum hoër was as die loon wat vir sy klas werk in hierdie Ooreenkoms gespesifiseer is, minstens die werklike loon betaal word wat hy onmiddellik voor genoemde datum ontvang het, plus die volgende addisionale bedrag vir sy klas werk:

Klas werk	Bedrag per uur Sent
Loon A.....	20
Loon AA—	
werknemers in hul eerste ses maande ononderbroke diens op bogenoemde datum.....	17
werknemers in hul tweede ses maande ononderbroke diens op bogenoemde datum.....	17
werknemers met meer as 12 maande ononderbroke diens op bogenoemde datum.....	18
Loon AB.....	16
Loon B.....	15
Loon C.....	15
Loon D.....	15
Loon DD.....	14
Loon DDD.....	12
Loon E.....	11
Loon F.....	11
Loon G.....	11
Lone H en I.....	10

Voertuie dryf:

Binnevervoer (d.w.s. wat nie op openbare paaie gedryf word nie)

(a) Voertuie wat, indien hulle op openbare paaie gedryf word, 'n rybewys vir 'n ligte motorvoertuig sal vereis: Bruto massa van voertuig tot en met 3 500 kg.....	11
(b) Voertuie wat, indien hulle op openbare paaie gedryf word, 'n rybewys vir 'n swaar motorvoertuig sal vereis: Bruto massa van voertuig oor 3 500 kg en tot en met 13 600 kg.....	11
(c) Voertuie wat, indien hulle op openbare paaie gedryf word, 'n rybewys vir 'n ekstra swaar motorvoertuig sal vereis: Bruto massa van voertuig oor 13 600 kg....	12

Buitevervoer

Enige ander voertuig dryf wat gelisensieer is om 'n loonvrag met die volgende perke te vervoer:

Tot en met 3 000 kg.....	11
Meer as 3 000 kg.....	14
Werk van 'n wag.....	R4,50 per week

Met dien verstande dat—

(i) die addisionele bedrag wat ingevolge hierdie subklousule aan 'n werknemer vir sy klas werk betaalbaar is, verminder mag word met die bedrag van enige verhoging of verhogings wat op of na 1 Januarie 1976 aan sodanige werknemer toegestaan word;

(ii) 'n werknemer wat na 1 Januarie 1976 in diens geneem was teen 'n loonskaal wat minstens gelyk is aan die loonskaal vir sy klas werk voorgeskryf op 1 Julie 1976 nie geregtig is op die addisionele bedrag wat in hierdie subklousule vir sy klas werk gespesifiseer word nie;

(iii) 'n werkgewer nie die loonskaal van 'n werknemer aan wie 'n groter verhoging as die addisionele bedrag in hierdie subklousule gespesifiseer op of na 1 Januarie 1976 vir sy klas werk toegeken is, mag verminder nie en dat 'n werknemer nie 'n laer loon betaal mag word nie as die loon wat vir sy klas werk in hierdie Ooreenkoms voorgeskryf word,

For purposes of this Agreement, the rates applicable in terms of this subsection shall *mutatis mutandis* apply to employees employed on 'incentive bonus work' in terms of section 10 of Part I of this Agreement."

2. SCHEDULE G

- (1) In Job 154, for the figures "112" and "119" substitute the figures "125" and "133" respectively.
- (2) In Job 164, for the figures "56", "63" and "82" substitute the figures "67", "74" and "94" respectively.
- (3) In Job 165, for the figures "59", "63", "87", "100" and "102" substitute the figures "70", "74", "101", "114" and "116" respectively.
- (4) In Job 170, for the figure "R20,70" substitute the figure "R25,20".
- (5) In Job 183, for the figures "135", "139", "106" and "127" substitute the figures "150", "154", "122" and "142" respectively.

3. SCHEDULE D

- (1) *Division D/4.*—In Job 1, for the figures "71", "94", "111" and "118" substitute the figures "79", "104", "123" and "131" respectively.
- (2) *Division D/12.*—Under the heading "PROBATIONARY PERIODS AND RATES OF PAY THEREFOR", for the figure "107" substitute the figure "120".
- (3) *Division D/19.*—(a) In Job 32, for the figures "160" and "170" substitute the figures "177" and "188" respectively.
- (b) In Jobs 34 and 35 for the figures "46" substitute the figure "57".
- (4) *Division D/22.*—(a) In Jobs 33 and 104 for the figure "127" substitute the figure "127".
- (b) In Job 34 for the figure "88" substitute the figure "101".
- (c) In Jobs 135 to 139 inclusive, for the figure "114" substitute the figure "127".
- (d) In Jobs 140 to 142 inclusive, for the figure "78" substitute the figure "90".
- (e) In Jobs 143 to 155 inclusive, for the figure "50" substitute the figure "61".
- (f) In Jobs 156 to 167 inclusive, for the figure "46" substitute the figure "56".
- (5) *Division D/23.*—Under the heading "PROBATIONARY PERIODS AND RATES OF PAY THEREFOR", for the figures "62" and "55" substitute the figures "72" and "64" respectively.
- (6) *Division D/24.*—In Job 5, for the figure "116" substitute the figure "130".

4. SCHEDULE E

Division E/3.—In Job 6, for the figure "R1,15" substitute the figure "R1,28" wherever it occurs.

5. SCHEDULE F

- (1) In Jobs 23 to 52 inclusive, for the figure "46" substitute the figure "57".
- (2) Under the heading "PROBATIONARY PERIODS AND RATES OF PAY THEREFOR", for the figures "112" and "119" substitute the figures "125" and "133" respectively.

6. SECTION 2.—TABLE OF WAGE RATES

Substitute the following subsections for subsections (1) and (2):

"(1) Wage rates applicable throughout this Agreement (n.e.s.)—

Rate classification	Rate per hour
	R
Rate A.....	2,10
Rate AA.....	1,70
After six months' continuous employment with the same employer, inclusive of continuous employment on 1 July 1976.....	1,75
After 12 months' continuous employment with the same employer, inclusive of continuous employment on 1 July 1976.....	1,82
Rate AB.....	1,59
Rate B.....	1,51
Rate C.....	1,47
Rate D.....	1,42
Rate DD.....	1,09
Rate DDD.....	0,88
Rate E.....	0,79
Rate F.....	0,67
Rate G.....	0,59
Rate H.....	0,55
Rate I.....	0,55

Vir die toepassing van hierdie Ooreenkoms is die lone wat ingevolge hierdie subklousule van toepassing is, *mutatis mutandis* van toepassing op werknemers wat 'aansporingsbonuswerk' ooreenkomstig klousule 10 van Deel I van hierdie Ooreenkoms verrig."

2. BYLAE G

- (1) In Item 154, vervang die syfers "112" en "119" deur onderskeidelik die syfers "125" en "133".
- (2) In Item 164, vervang die syfers "56", "63" en "82" deur onderskeidelik die syfers "67", "74" en "94".
- (3) In Item 165, vervang die syfers "59", "63", "87", "100" en "102" deur onderskeidelik die syfers "70", "74", "101", "114" en "116".
- (4) In Item 170, vervang die syfer "R20,70" deur die syfer "R25,20".
- (5) In Item 183, vervang die syfers "135", "139", "106" en "127" deur onderskeidelik die syfers "150", "154", "122" en "142".

3. BYLAE D

- (1) *Afdeling D/4.*—In Item 1, vervang die syfers "71", "94", "111" en "118" deur onderskeidelik die syfers "79", "104", "123" en "131".
- (2) *Afdeling D/12.*—Onder die opskrif "PROEFTYDPERKE EN LONE DAARVOOR", vervang die syfer "107" deur die syfer "120".
- (3) *Afdeling D/19.*—(a) In Item 32, vervang die syfers "160" en "170" deur onderskeidelik die syfers "177" en "188".
- (b) In Items 34 en 35, vervang die syfer "46" deur die syfer "57".
- (4) *Afdeling D/22.*—(a) In Items 33 en 104, vervang die syfer "114" deur die syfer "127".
- (b) In Item 34, vervang die syfer "88" deur die syfer "101".
- (c) In Items 135 tot en met 139, vervang die syfer "114" deur die syfer "127".
- (d) In items 140 tot en met 142, vervang die syfer "78" deur die syfer "90".
- (e) In Items 143 tot en met 155, vervang die syfer "50" deur die syfer "61".
- (f) In Items 156 tot en met 167, vervang die syfer "46" deur die syfer "56".
- (5) *Afdeling D/23.*—Onder die opskrif "PROEFTYDPERKE EN LONE DAARVOOR", vervang die syfers "62" en "55" deur onderskeidelik die syfers "72" en "64".
- (6) *Afdeling D/24.*—In Item 5, vervang die syfer "116" deur die syfer "130".

4. BYLAE E

Afdeling E/3.—In Item 6, vervang die syfer "R1,15" oral waar dit voorkom deur die syfer "R1,28".

5. BYLAE F

- (1) In Items 23 tot en met 52, vervang die syfer "46" deur die syfer "57".
- (2) Onder die opskrif "PROEFTYDPERKE EN LONE DAARVOOR", vervang die syfers "112" en "119" deur onderskeidelik die syfers "125" en "133".

6. KLOUSULE 2.—LOONTABEL

Vervang subklousules (1) en (2) deur die volgende subklousules:

"(1) Lone van toepassing oral in hierdie Ooreenkoms (n.e.v.)—

Loonindeling	Loon per uur
	R
Loon A.....	2,10
Loon AA.....	1,70
Na ses maande ononderbroke diens by dieselfde werk- gewer, met inbegrip van ononderbroke diens op 1 Julie 1976.....	1,75
Na 12 maande ononderbroke diens by dieselfde werk- gewer, met inbegrip van ononderbroke diens op 1 Julie 1976.....	1,82
Loon AB.....	1,59
Loon B.....	1,51
Loon C.....	1,47
Loon D.....	1,42
Loon DD.....	1,09
Loon DDD.....	0,88
Loon E.....	0,79
Loon F.....	0,67
Loon G.....	0,59
Loon H.....	0,55
Loon I.....	0,55

(2) The rate of R2,10 per hour for Rate A work shall not apply to fifth-year apprentices for whom the minimum rate shall be R1,65 per hour for the duration of the contract: Provided that, with effect from 16 August 1976, it shall be R1,83 per hour."

Signed at Johannesburg for and on behalf of the parties this the 10th day of June 1976.

W. E. KIRKWOOD, Chairman.
W. BORNMAN, Vice-Chairman.
A. O. DE JAGER, General Secretary.

No. R. 1100

25 June 1976

APPRENTICESHIP ACT, 1944

NATIONAL APPRENTICESHIP COMMITTEE FOR THE METAL INDUSTRY.—PROPOSED AMENDMENT OF CONDITIONS OF APPRENTICESHIP

I, Stephanus Petrus Botha, Minister of Labour, acting in terms of section 16 of the above-mentioned Act, propose to—

(a) amend Government Notice R. 156 of 1 February 1974 (as applied by Government Notice R. 478 of 22 March 1974) and amended by Government Notices R. 1826 of 11 October 1974, R. 884 of 28 April 1975 (as applied by Government Notice R. 1054 of 30 May 1975) by the substitution, for clause 3 (a) of the Conditions, of the following:

"An employer shall remunerate an apprentice at not less than the rates specified hereunder:

(1) An apprentice in a four-year trade:

	Per week
	R
First year.....	33,30
Second year.....	37,80
Third year.....	47,25
Fourth year.....	54,90

Provided that an apprentice whose period of apprenticeship is extended in terms of clause 6 (c) (ii) shall, with effect from the day following upon the date of termination of his fourth year of apprenticeship, be paid not less than R1,83 per hour.

(2) An apprentice in a five-year trade:

	Per week
	R
First year.....	33,30
Second year.....	37,80
Third year.....	47,25
Fourth year.....	54,90
	Per hour
	R
Fifth year.....	1,83."

(b) determine that the Conditions of Apprenticeship set out above shall from the date of prescription thereof also apply to apprentices who are employed in any trade which is or was a designated trade in the Industry and area in respect of which the National Apprenticeship Committee for the Metal Industry was established.

All interested persons who have any objections to the above proposals are called upon to lodge such objections in writing with the Secretary, National Apprenticeship Committee for the Metal Industry, Private Bag X117, Pretoria, 0001, within 30 days from the date of publication of this notice.

S. P. BOTHA, Minister of Labour.

(2) Die loon van R2,10 per uur vir Loon A-werk is nie van toepassing nie op vyfdejaarvakleerlinge wie se minimum loon R1,65 per uur is vir die duur van die kontrak: Met dien verstande dat dit, met ingang van 16 Augustus 1976, R1,83 per uur sal wees."

Namens die partye op hede die 10de dag van Junie 1976 te Johannesburg onderteken.

W. E. KIRKWOOD, Voorsitter.
W. BORNMAN, Ondervoorsitter.
A. O. DE JAGER, Hoofsekretaris.

No. R. 1100

25 Junie 1976

WET OP VAKLEERLINGE, 1944

NASIONALE VAKLEERLINGSKAPKOMITEE VIR DIE METAALNYWERHEID.—VOORGENOME WYSIGING VAN LEERVOORWAARDES

Ek, Stephanus Petrus Botha, Minister van Arbeid, handelende kragtens artikel 16 van bogemelde Wet, is voornemens om—

(a) Goewermentskennisgewing R. 156 van 1 Februarie 1974 (soos toegepas by Goewermentskennisgewing R. 478 van 22 Maart 1974) en gewysig by Goewermentskennisgewings R. 1826 van 11 Oktober 1974, R. 884 van 28 April 1975 (soos toegepas by Goewermentskennisgewing R. 1054 van 30 Mei 1975) te wysig deur klousule 3 (a) van die Leervoordesdes deur die volgende te vervang:

"'n Werkgewer moet 'n vakleerling besoldig teen minstens die skale hieronder gespesifiseer:

(1) 'n Vakleerling in 'n vierjaarambag:

	Per week
	R
Eerste jaar.....	33,30
Tweede jaar.....	37,80
Derde jaar.....	47,25
Vierde jaar.....	54,90

Met dien verstande dat 'n vakleerling wie se leertyd ingevolge klousule 6 (c) (ii) verleng word, met ingang van die dag na die datum waarop die vierde jaar van sy leertyd verstreke, minstens R1,83 per uur betaal moet word.

(2) 'n Vakleerling in 'n vyfjaarambag:

	Per week
	R
Eerste jaar.....	33,30
Tweede jaar.....	37,80
Derde jaar.....	47,25
Vierde jaar.....	54,90
	Per uur
	R
Vyfde jaar.....	1,83."

(b) te bepaal dat die Leervoordesdes hierbo gemeld vanaf die datum van voorskrywing daarvan van toepassing is ook op vakleerlinge wat in diens is in enige ambag wat 'n aangewese ambag is of was in die Nywerheid en gebied ten opsigte waarvan die Nasionale Vakleerlingskapkomitee vir die Metaalnywerheid ingestel is.

Alle belanghebbende persone wat enige besware teen bogemelde voornemens het, word versoek om binne 30 dae na die datum van publikasie van hierdie kennisgewing sodanige besware skriftelik in te dien by die Sekretaris, Nasionale Vakleerlingskapkomitee vir die Metaalnywerheid, Privaatsak X117, Pretoria, 0001.

S. P. BOTHA, Minister van Arbeid.

DEPARTMENT OF SPORT AND RECREATION

No. R. 1082

25 June 1976

**BOXING AND WRESTLING CONTROL ACT, 1954
(ACT 39 OF 1954), AS AMENDED****AMENDMENT OF BOXING CONTROL
REGULATIONS**

In terms of section 9 of the Boxing and Wrestling Control Act, 1954 (Act 39 of 1954), the Minister of Sport and Recreation, after consultation with the South African National Boxing Control Board, hereby amends the Boxing Control Regulations promulgated in terms thereof and published under Government Notice R. 423 of 22 March 1963, as follows:

(a) Regulation 15 (2).

(i) Insert the following proviso after the word "therein:" in the 12th line of regulation 15 (2):

"Provided that a White boxer from abroad may be assisted by a Non-White second and a Non-White boxer from abroad may be assisted by a White second if the Minister so approves:"

(ii) Add the word "further" after the word "Provided" in the 12th line.

(b) Regulation 37.

Substitute "R30,00" for "R20,00" in subparagraph (a).

(c) Form A of the Annexure.

Delete the words "White or Non-White person" in the 14th line.

No. R. 1083

25 June 1976

**BOXING AND WRESTLING CONTROL ACT, 1954
(ACT 39 OF 1954), AS AMENDED****AMENDMENT OF WRESTLING CONTROL
REGULATIONS**

In terms of section 9 of the Boxing and Wrestling Control Act, 1954 (Act 39 of 1954), the Minister of Sport and Recreation, after consultation with the South African National Wrestling Control Board, hereby amends the Wrestling Control Regulations made in terms thereof and published under Government Notice R. 424 of 22 March 1963, as follows:

1. Regulation 3.**(a) Subregulation (g) (i).**

Delete the words "Referee", "judge" and "second", and substitute the words "Three rand (R3,00)" for the words "Fifty cents (50c)".

(b) Subregulation (g) (ii).

Substitute "R6,00 for the initial registration or renewal thereof" for the words following "Manager".

(c) Subregulation (g) (iii).

Substitute "R25,00" for "R10,50".

(d) Subregulation (g) (iv).

(i) Substitute "R6,00 for the initial registration or renewal thereof" for the words "R2,10 for the initial registration and R1,05 for a renewal" appearing before the proviso.

(ii) Substitute "two rand fifty cents (R2,50)" for the words "fifty cents (50c)" in the sixth line.

(e) Add the following paragraph (vi) after paragraph (v) of regulation 3 (g):

"(vi) An amount of R5,00 will be payable by anyone applying to be tested as a wrestler or for a retest."

**DEPARTEMENT VAN SPORT EN
ONTSPANNING**

No. R. 1082

25 Junie 1976

**WET OP DIE BEHEER VAN BOKS EN STOEI, 1954
(WET 39 VAN 1954), SOOS GEWYSIG****WYSIGING VAN BOKSBEHEERREGULASIES**

Ingevolge artikel 9 van die Wet op die Beheer van Boks en Stoei, 1954 (Wet 39 van 1954), wysig die Minister van Sport en Ontspanning hierby, na oorlegpleging met die Suid-Afrikaanse Nasionale Boksbeheerraad, die boksbeheerregulasies opgestel en gepubliseer in Goewermentskennisgewing R. 423 van 22 Maart 1963, soos volg:

(a) Regulasie 15 (2).

(i) Voeg die volgende voorbehoudsbepaling by na die woord "nie:" in die 13de reël van regulasie 15 (2):

"Met dien verstande dat 'n buitelandse Blanke bokser deur 'n Nie-Blanke helper en 'n buitelandse Nie-Blanke bokser deur 'n Blanke helper bygestaan kan word indien die Minister dit goedkeur:"

(ii) Voeg die woord "voorts" in na die woord "verstande" in die 13de reël.

(b) Regulasie 37.

Vervang "R20,00" in subparagraaf (a) deur "R30,00".

(c) Vorm A van die Bylae.

Skrap die woorde "Blanke of Nie-Blanke persoon" in die 13de reël.

No. R. 1083

25 Junie 1976

**WET OP DIE BEHEER VAN BOKS EN STOEI, 1954
(WET 39 VAN 1954), SOOS GEWYSIG****WYSIGING VAN STOEIBEHEERREGULASIES**

Ingevolge artikel 9 van die Wet op die Beheer van Boks en Stoei, 1954 (Wet 39 van 1954), wysig die Minister van Sport en Ontspanning hierby, na oorlegpleging met die Suid-Afrikaanse Nasionale Stoeibeheerraad, die stoeibeheerregulasies daarkragtens opgestel en gepubliseer in Goewermentskennisgewing R. 424 van 22 Maart 1963, soos volg:

1. Regulasie 3.**(a) Subregulasie (g) (i).**

Skrap die woorde "skeidsregter", "beoordelaar" en "helper" en vervang die woorde "Vyftig sent (50c)" deur die woorde "Drie rand (R3,00)".

(b) Subregulasie (g) (ii).

Vervang die gedeelte na "Bestuurder" deur die volgende:

"R6,00 vir die eerste registrasie of hernuwing daarvan."

(c) Subregulasie (g) (iii).

Vervang "R10,50" deur "R25,00".

(d) Subregulasie (g) (iv).

(i) Vervang die woorde "R2,10 vir die eerste registrasie en R1,05 vir 'n hernuwing" voor die voorbehoudsbepaling deur die volgende:

"R6,00 vir die eerste registrasie of hernuwing daarvan."

(ii) Vervang die woorde "vyftig sent (50c)" in die vyfde reël deur "twee rand en vyftig sent (R2,50)".

(e) Voeg die volgende paragraaf (vi) by na paragraaf (v) van regulasie 3 (g):

"(vi) 'n Bedrag van R5,00 sal betaalbaar wees deur iemand wat aansoek doen om as 'n stoeier getoets te word of vir 'n hertoetsing."

2. Regulation 5.**Subregulation (b) (i).**

- (a) Substitute "6,5" for "3½" in the sixth line.
 (b) Substitute "R50" for "R10" in the seventh line.

3. Regulation 10.**(a) Subregulation (2) (b).**

Delete the words "bare footed, or in socks" and add the word "in" after the word "wrestle" in the second line.

(b) Subregulation (2) (d) (ix).

Substitute "R100,00" for "R10,50".

4. Regulation 12.**Subregulation (4).**

(a) Delete the words "and promoters' profits" in the second and third lines and "to be paid by every promotor shall be 2½ per cent of the net profits of every tournament and the levy" in the fourth, fifth and sixth lines.

(b) Substitute "1½" for "2½" in the seventh line.

2. Regulasie 5.**Subregulasie (b) (i).**

- (a) Vervang die woorde "drie-en-driekwart" in die sesde reël deur "6,5".
 (b) Vervang "R10" in die negende reël deur "R50".

3. Regulasie 10.**(a) Subregulasie (2) (b).**

Skrap die woorde "kaalvoet of met kouse" en voeg die woord "met" in na die woord "kan" in die eerste reël.

(b) Subregulasie (2) (d) (ix).

Vervang "R10,50" deur "R100,00".

4. Regulasie 12.**Subregulasie (4).**

(a) Skrap die woorde "en die promotor se winste" in die derde reël en "wat elke promotor moet betaal, is 2½ persent van sy netto wins uit elke toernooi en die heffing" in die vyfde en sesde reëls.

(b) Vervang "2½" deur "1½" in die sewende reël.

AGROANIMALIA

This publication is a continuation of the South African Journal of Agricultural Science Vol. 1 to 11 1958-1968 and deals with Animal Production and Technology, Livestock Management and Ecology, Physiology, Genetics and Breeding, Dairy Science and Nutrition. Four parts of the journal are published annually.

Contributions of scientific merit on agricultural research are invited for publication in this journal. Directions for the preparation of such contributions are obtainable from the Director, Agricultural Information, Private Bag X144, Pretoria, to whom all communications in connection with the journal should be addressed.

The journal is obtainable from the above-mentioned address at 50 cents per copy or R2 per annum, post free (foreign 60 cents per copy or R2,40 per annum).

AGROANIMALIA

Hierdie publikasie is 'n voortsetting van die Suid-Afrikaanse Tydskrif vir Landbouwetenskap Jaargang 1 tot 11, 1958-1968 en bevat artikels oor Dierreproduksie en -tegnologie, Diereversorging en -ekologie, Fisiologie, Genetika en Teelt, Suiwelkunde en Voeding. Vier dele van die tydskrif word per jaar gepubliseer.

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