

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Selling price • Verkoopprys
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Local **50c** Plaaslik
Other countries **70c** Buitelands
Post free • Posvry

**Regulation Gazette
Regulasiekoerant
No. 4286**

Registered at the Post Office
as a Newspaper
As 'n Nuusblad by die
Poskantoor geregistreer

Vol. 281

PRETORIA, 25 NOVEMBER 1988

No. 11587

PROCLAMATION

by the

State President of the Republic of South Africa

No. R. 199, 1988

AMENDMENT OF MATTERS INVOLVING THE PUBLIC SERVICE ASSIGNED TO MINISTERS AND ADMINISTRATORS

By virtue of the powers vested in me by section 6 (2) of the Commission for Administration Act, 1984 (Act 65 of 1984), I hereby amend Part A of the Annex to Proclamation 88 of 1983, as published in *Government Gazette* 8745 of 1 June 1983, to the extent indicated in the Annex hereto.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this Seventh day of November, One thousand Nine hundred and Eighty-eight.

P. W. BOTHA,
State President.

By Order of the State President-in-Cabinet:

D. J. DE VILLIERS,
Minister of the Cabinet.

ANNEX

Substitute for item No. 2 of Section VIII the following item:

"2. Promotions/transfers of officers holding posts in the B Division to posts in the A Division (restricted to those posts in respect of which appointments may be made in accordance with the salary recognition bases laid down by the Commission) as well as the promotion of officers in the B Division whose turn it is for promotion to vacant posts in the A Division in the same occupational class but restricted to posts of which the maxima of the standard salary scales are lower than those attached to the rank of Director: Administration."

PROKLAMASIE

van die

Staatspresident van die Republiek van Suid-Afrika

No. R. 199, 1988

WYSIGING VAN AANGELEENTHEDE RAKENDE DIE STAATSDIENS OPGEDRA AAN MINISTERS EN ADMINISTRATEURS

Kragtens die bevoegdheid my verleen by artikel 6 (2) van die Wet op die Kommissie vir Administrasie, 1984 (Wet 65 van 1984), wysig ek hierby Deel A van die Bylae tot Proklamasie 88 van 1983, soos afgekondig in *Staatskoerant* 8745 van 1 Junie 1983, in die mate aangetoon in die Bylae hiervan.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Sewende dag van November Eenduisend Negehonderd Agt-en-tagtig.

P. W. BOTHA,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

D. J. DE VILLIERS,
Minister van die Kabinet.

BYLAE

Vervang item No. 2 van Afdeling VIII deur die volgende item:

"2. Bevorderings/oorplasinge van beamptes wat poste in die B-afdeling beklee tot poste in die A-afdeling (beperk tot daardie poste waarin aanstellings aan die hand van salaris-erkenningsgrondslae deur die Kommissie neergelê, kan geskied) sowel as die bevordering van beamptes in die B-afdeling wie se beurt op bevordering aangebreek het tot vakante poste in die A-afdeling in dieselfde beroepsklas, maar beperk tot daardie poste waarvan die maksima van die standdaarsalarisskaal laer is as dié van Direkteur: Administrasie."

GOVERNMENT NOTICES**ADMINISTRATION: HOUSE OF
ASSEMBLY****DEPARTMENT OF EDUCATION AND CULTURE****No. R. 2405****25 November 1988****UNIVERSITY OF PORT ELIZABETH.—AMENDMENT
OF REGULATIONS**

The Council of the University of Port Elizabeth has, with the approval of the Minister of Education and Culture, under section 17 (1) of the Universities Act, 1955 (Act 61 of 1955), framed the regulations set out in the Schedule hereto.

SCHEDULE

1. In this Schedule the expression "the Regulations" means the regulations published under Government Notice R. 233 of 9 February 1979, as amended by Government Notices R. 113 of 25 January 1985 and R. 10 of 2 January 1987.

2. Paragraph 1 of the Regulations is hereby amended by the substitution for the existing course designations listed below of the course designations listed opposite them:

<i>Existing course designation</i>	<i>Course designation by which the existing course designation is replaced</i>
Introduction to Computer Science and Data Processing 1A.	Commercial Computer Science 1 and 1B
Any course in Mathematics for Economists	Any course in Mathematics Special

**DEPARTMENT OF AGRICULTURAL
ECONOMICS AND MARKETING****No. R. 2400****25 November 1988****MARKETING ACT, 1968 (ACT 59 OF 1968)****POTATO SCHEME**

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, acting under section 14 (1), read with section 15 (2) (g), of the Marketing Act, 1968 (Act 59 of 1968), hereby—

(a) publish the Potato Scheme set out in the Schedule, in substitution for the Potato Scheme published by Proclamation R. 268 of 1970, as amended;

(b) declare that the said Scheme shall come into operation on the date of publication hereof; and

(c) repeal, subject to the provisions of section 44 of the said Scheme, Proclamations R. 268 of 1970, R. 246 of 1971, R. 23 of 1973, R. 278 of 1973, R. 141 of 1978, R. 152 of 1980, R. 137 of 1982, R. 61 of 1984 and Government Notices R. 2581 of 15 November 1985 and R. 1623 of 1 August 1986, with effect from the said date of commencement.

J. J. G. WENTZEL,
Minister of Agriculture.

SCHEDULE

[Note: The figures specified in square brackets at the headings of sections of this Scheme denote the numbers of the applicable authorising sections in the Act therefor.]

GOEWERMENSKENNISGEWINGS**ADMINISTRASIE: VOLKSRAAD****DEPARTEMENT VAN ONDERWYS EN KULTUUR****No. R. 2405****25 November 1988****UNIVERSITEIT VAN PORT ELIZABETH.—
WYSIGING VAN REGULASIES**

Die Raad van die Universiteit van Port Elizabeth het kragtens artikel 17 (1) van die Wet op Universiteite, 1955 (Wet 61 van 1955), met die goedkeuring van die Minister van Onderwys en Kultuur, die regulasies in die Bylae hiervan uiteengesit, opgestel.

BYLAE

1. In hierdie Bylae beteken die uitdrukking "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing R. 233 van 9 Februarie 1979, soos gewysig by Goewermentskennisgewings R. 113 van 25 Januarie 1985 en R. 10 van 2 Januarie 1987.

2. Paragraaf 1 van die Regulasies word hierby gewysig deur die bestaande kursusbenamings hieronder vermeld, deur die kursusbenamings daarnaas vermeld, te vervang:

<i>Bestaande kursusbenaming</i>	<i>Kursusbenaming waardeur die bestaande kursusbenaming vervang word</i>
Inleiding tot Rekenaarwetenskap en Dataverwerking 1A	Handelsrekenaarswetenskap 1 en 1B
Enige kursus in Wiskunde vir Ekonomie	Enige kursus in Wiskunde Spesiaal.

**DEPARTEMENT VAN LANDBOU-
EKONOMIE EN -BEMARKING****No. R. 2400****25 November 1988****BEMARKINGSWET, 1968 (WET 59 VAN 1968)****AARTAPPELSKEMA**

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, handelende kragtens artikel 14 (1), gelees met artikel 15 (2) (g), van die Bemarkingswet, 1968 (Wet 59 van 1968)—

(a) publiseer hierby die Aartappelskema in die Bylae uiteengesit, ter vervanging van die Aartappelskema gepubliseer by Proklamasie R. 268 van 1970, soos gewysig;

(b) verklaar hierby dat genoemde Skema op die datum van publikasie hiervan in werking tree; en

(c) herroep hierby, behoudend die bepalings van artikel 44 van genoemde Skema, Proklamasies R. 268 van 1970, R. 246 van 1971, R. 23 van 1973, R. 278 van 1973, R. 141 van 1978, R. 152 van 1980, R. 137 van 1982, R. 61 van 1984; en Goewermentskennisgewings R. 2581 van 15 November 1985 en R. 1623 van 1 Augustus 1986, met ingang van genoemde datum van inwerkingtreding.

J. J. G. WENTZEL,
Minister van Landbou.

BYLAE

[Nota: Die syfers in vierkantige hakies by die opskrifte van artikels van hierdie Skema vermeld, dui die nommers van die toepaslike magtigende artikels in die Wet daarvoor aan.]

Definitions

1. In this Scheme, unless the context otherwise indicates—

“agent” means any person appointed under section 38 of this Scheme as a person through whom potatoes shall be sold;

“agricultural co-operative” means an agricultural co-operative within the meaning of the Co-operatives Act, 1981 (Act 91 of 1981);

“class”, in relation to potatoes, includes any category thereof determined according to—

(a) the size, mass, measure, number, measurement, colour, appearance, purity, composition or other feature or characteristic of those potatoes or of a unit or quantity thereof; or

(b) the country, area, place or premises in, upon, to or from which, the person or class of persons by, to or through whom, the manner in which, the time at which, the conditions under which or the purpose for which those potatoes are or have been produced, consigned, conveyed, delivered, received, kept, treated, processed, manufactured, packed, sold, acquired, used or dealt with in any other manner, or any other act in connection therewith is or has been performed,

or on the basis of any other circumstance or matter in connection with such potatoes; and “classify” has a corresponding meaning;

“commission agent” means a commission agent as defined in section 1 of the Agricultural Produce Agency Sales Act, 1975 (Act 12 of 1975), who deals in the course of trade with potatoes by selling them on behalf of the owner thereof;

“controlled area” means an area specified in the Annexure to this Scheme;

“dealing in the course of trade” includes—

(a) every purchase of potatoes from the producer thereof by any person, if the potatoes so purchased, or any quantity thereof—

(i) are or are intended to be disposed of by that person for any consideration whatsoever;

(ii) are used or are intended to be used by that person in the manufacture or processing of any product or commodity disposed of or intended to be disposed of by that person for any consideration whatsoever; or

(iii) are or are intended to be supplied by that person in any form whatsoever and whether separately or as part of any meal or dish, to any other person not being a member of the first-mentioned person's household or a bona fide non-paying guest of himself or of a member of his household; and

(b) for the purposes of sections 37 and 39 of this Scheme, the processing, treatment, storage, conveyance or sale of potatoes on behalf of the owner thereof;

“fresh produce market” means a fresh produce market as defined in section 1 of the Commission for Fresh Produce Markets Act, 1970 (Act 82 of 1970);

“local authority” means an institution or body contemplated in section 84 (1) (f) of the Provincial Government Act, 1961 (Act 32 of 1961) or section 2 of the Black Local Authorities Act, 1982 (Act 102 of 1982), but excluding a regional services council, divisional council or other rural council of a similar nature;

“market master” means a market master as defined in section 1 of the Agricultural Produce Agency Sales Act, 1975;

Woordomskrywing

1. In hierdie Skema, tensy uit die samehang anders blyk, beteken—

“aartappels” die knolle van plante van *Solanum tuberosum*;

“aartappelmoere” aartappels bestem vir verkoop vir voortplantingsdoeleindes wat geproduseer is deur 'n produsent wat as 'n aartappelmoerkweker deur die Direkteur-generaal: Departement van Landbou-ekonomie en -bemarking erken word en deur 'n beamppte van daardie Departement op enige stadium na die oes daarvan vir genoemde doeleindes goedgekeur is;

“agent” enige persoon wat kragtens artikel 38 van hierdie Skema aangewys is as iemand deur bemiddeling van wie aartappels verkoop moet word;

“as 'n besigheid handel” ook—

(a) elke aankoop van aartappels van die produsent daarvan deur enigiemand, indien die aartappels aldus aangekoop, of 'n hoeveelheid daarvan—

(i) van die hand gesit word of bestem is om van die hand gesit te word deur daardie persoon vir enige vergoeding hoegenaamd;

(ii) gebruik word of bestem is om gebruik te word deur daardie persoon by die vervaardiging of verwerking van 'n produk of handelsartikel wat van die hand gesit word of bestem is om van die hand gesit te word deur daardie persoon vir enige vergoeding hoegenaamd; of

(iii) in watter vorm ookal en hetsy afsonderlik of as deel van 'n maaltyd of gereg, verskaf word of bestem is om verskaf te word deur daardie persoon aan iemand anders as 'n lid van eergenoemde se huisgesin of 'n bona fide nie-betalende gas van hom of van 'n lid van sy huisgesin; en

(b) by die toepassing van artikels 37 en 39 van hierdie Skema, die verwerking, behandeling, opberging, vervoer of verkoop van aartappels ten behoeve van die eienaar daarvan

“beheerde gebied” enige een of meer van die gebiede in die Aanhangsel by hierdie Skema;

“die Raad” die Aartappelraad bedoel in artikel 6 van hierdie Skema;

“die Wet” die Bemarkingswet, 1968 (Wet 59 van 1968);

“klas”, met betrekking tot aartappels, ook 'n kategorie daarvan bepaal volgens—

(a) die grootte, massa, hoeveelheid, getal, afmetings, kleur, voorkoms, suiwerheid, samestelling of ander kenmerk of eienskap van daardie aartappels of van 'n eenheid of hoeveelheid daarvan; of

(b) die land, gebied, plek of perseel waarin, waarop, waarheen of waarvandaan, die persoon of klas van persone deur, aan of deur middel van wie, die wyse waarop, die tyd wanneer, die toestande waaronder of die doel waarvoor daardie aartappels geproduseer, versend, vervoer, gelewer, ontvang, gehou, behandel, verwerk, vervaardig, verpak, verkoop, verkry, gebruik of op 'n ander wyse mee gehandel word of is, of 'n ander handeling in verband daarmee verrig word of is,

of op die grondslag van enige ander omstandigheid of aangeleentheid in verband met daardie aartappels; en het “klassifiseer” 'n ooreenstemmende betekenis;

“kommissie-agent” 'n kommissie-agent soos omskryf in artikel 1 van die Wet op die Agentskapverkoop van Landbouprodukte, 1975 (Wet 12 van 1975), wat met aartappels as 'n besigheid handel deur dit ten behoeve van die eienaar daarvan op 'n varsproduktemark te verkoop;

"Minister" means the Minister of Agriculture;

"National Marketing Council" means the National Marketing Council established by section 2 of the Act;

"potatoes" means the tubers of plants of *Solanum tuberosum*;

"producer" includes—

(a) any person concerned in the production of potatoes;

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

(c) in relation to any quantity of potatoes that is imported into the Republic, the person who so imports that quantity; and

(d) in relation to any quantity of potatoes which has been produced in a self-governing territory and is introduced into the Republic for the purpose of sale or processing thereof in the Republic, the person who so introduces that quantity;

"regulation" means a regulation made by the Minister under section 89 of the Act;

"seed potatoes" means potatoes intended for sale for propagation purposes which have been grown by a producer recognised by the Director-General: Department of Agricultural Economics and Marketing as a seed potato grower and approved for the said purposes by an official of that Department at any stage after the harvest thereof;

"self-governing territory" means a territory declared as a self-governing territory under section 26 of the National States Constitution Act, 1971 (Act 21 of 1971);

"sell" includes to export, offer, advertise, keep, expose, transit, convey, deliver or prepare for sale, or to exchange or to dispose of for any consideration whatsoever, or to export, transmit, convey or deliver in pursuance of a sale, exchange or disposal as aforesaid; and "selling" and "sale" have corresponding meanings;

"special farmers' co-operative" means a special farmers' co-operative within the meaning of the Co-operatives Act, 1981 (Act 91 of 1981);

"table potatoes" means potatoes other than seed potatoes;

"the Act" means the Marketing Act, 1968 (Act 59 of 1968); and

"the Board" means the Potato Board referred to in section 6 of this Scheme.

Name of Scheme [sec. 18]

2. This Scheme shall be known as the Potato Scheme.

Product to which Scheme relates [sec. 18, 19]

3. (1) This Scheme shall relate to potatoes, including any quantity thereof—

(a) imported into the Republic; or

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

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

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

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

"landboukoöperasie" 'n landboukoöperasie ooreenkomstig die bedoeling van die Koöperasiewet, 1981 (Wet 91 van 1981);

"markmeester" 'n markmeester soos omskryf in artikel 1 van die Wet op die Agentskapverkoop van Landbouprodukte, 1975;

"Minister" die Minister van Landbou;

"Nasionale Bemerkingsraad" die Nasionale Bemerkingsraad ingestel by artikel 2 van die Wet;

"plaaslike owerheid" 'n instelling of liggaam beoog in artikel 84 (1) (f) van die Wet op Provinsiale Bestuur, 1961 (Wet 32 van 1961) of artikel 2 van die Wet op Swart Plaaslike Owerhede, 1982 (Wet 102 van 1982), maar nie ook 'n streeksdiensteraad, afdelingsraad of ander landelike raad van 'n soortgelyke aard nie;

"produsent" ook—

(a) iemand wat betrokke is by die produksie van aartappels;

(b) met betrekking tot 'n hoeveelheid aartappels wat van iemand verkry is as vergoeding vir die reg om grond te gebruik waarop daardie persoon 'n hoeveelheid aartappels geproduseer het, of as beloning vir dienste aan 'n produsent van aartappels gelever, die persoon wat daardie hoeveelheid aldus verkry het;

(c) met betrekking tot 'n hoeveelheid aartappels wat in die Republiek ingevoer word, die persoon wat daardie hoeveelheid aldus invoer; en

(d) met betrekking tot 'n hoeveelheid aartappels wat in 'n selfregerende gebied geproduseer is en in die Republiek ingebring word vir verkoop of verwerking daarvan in die Republiek, die persoon wat daardie hoeveelheid aldus inbring;

"regulasie" 'n regulasie kragtens artikel 89 deur die Minister uitgevaardig;

"selfregerende gebied" 'n gebied wat kragtens artikel 26 van die Grondwet van die Nasionale State, 1971 (Wet 21 van 1971), tot 'n selfregerende gebied verklaar is;

"spesiale boerekoöperasie" 'n spesiale boerekoöperasie ooreenkomstig die bedoeling van die Koöperasiewet, 1981 (Wet 91 van 1981);

"tafelaartappels" aartappels behalwe aartappelmoere;

"varsproduktemark" 'n varsproduktemark soos omskryf in artikel 1 van die Wet op die Kommissie vir Varsproduktemarkte, 1970 (Wet 82 van 1970); en

"verkoop" ook vir verkoop uitvoer, aanbied, adverteer, hou, uitstal, versend, vervoer, lewer of berei, of verruil of teen enige vergoeding hoegenaamd van die hand sit, of ingevolge 'n verkoping, verruiling of vandie-hand-setting soos voormeld, uitvoer, versend, vervoer of lewer; en het "verkoop" en "verkoping" ooreenstemmende betekenisse.

Naam van Skema [art. 18]

2. Hierdie Skema heet die Aartappelskema.

Produk waarop Skema betrekking het [art. 18, 19]

3. (1) Hierdie Skema het betrekking op aartappels, insluitende 'n hoeveelheid daarvan wat—

(a) in die Republiek ingevoer is; of

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

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

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

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

Area in which Scheme applies [sec. 18, 20]

4. (1) This Scheme shall apply in the Republic.
- (2) Any requirement or prohibition imposed or decision taken by the Board—
- (a) relating 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; or
 - (b) may apply only to a specified portion of the Republic.

Persons to whom the Scheme applies [sec. 21]

5. This Scheme shall apply to—
- (a) all producers of potatoes;
 - (b) all persons dealing in the course of trade with potatoes; and
 - (c) any agricultural co-operative or special farmers' co-operative which handles potatoes, in the same manner as if the co-operative concerned were a producer of such potatoes.

Establishment of Board [sec. 25]

6. There is hereby established a board to be known as the Potato Board to administer this Scheme.

Objects of Board [sec. 25 (2)]

7. The objects of the Board shall be to regulate the orderly marketing of potatoes, including the export thereof from the Republic, in accordance with the provisions of the Act and this Scheme.

Constitution of Board [sec. 28]

8. (1) The Board shall consist of—
- (a) six persons representing producers of potatoes, of whom at least one shall also be a grower of seed potatoes;
 - (b) one person representing consumers of potatoes;
 - (c) one person representing commission agents; and
 - (d) one person representing market masters.
- (2) Only persons who produce potatoes shall be appointed as members of the board to represent producers of potatoes thereon.
- (3) (a) The Board may, with the approval of the Minister, for any particular purpose co-opt one person as an advisory member of the Board.
- (b) Such advisory member shall have the right to take part in the proceedings of the Board, but shall not have the right to vote.

Period of office of members of Board [sec. 28 (1) (b)]

9. (1) A member of the Board shall, subject to the provisions of sections 28 and 28A of the Act, serve on the Board for the period determined by the Minister at the appointment of that member under section 28 (1) (b) of the Act.
- (2) An advisory member shall serve on the Board for the period determined by the Board at the co-opting of that advisory member under section 8 (3) of this Scheme.
- (3) A member or an advisory member of the Board may at the expiry of his period of office be reappointed or re-co-opted.

Allowances to members and advisory member [sec. 30]

10. Members and the advisory member of the Board shall in respect of their services in the said capacity be paid from a general fund referred to in section 30 of this Scheme such allowances as the Board may determine with the approval of the Minister.

Gebied waarin Skema van toepassing is [art. 18, 20]

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 op slegs 'n aangegewe gedeelte van die Republiek van toepassing wees.

Persone op wie Skema van toepassing is [art. 21]

5. Hierdie Skema is van toepassing op—
- (a) alle produsente van aartappels;
 - (b) alle persone wat met aartappels as 'n besigheid handel; en
 - (c) 'n landboukoöperasie of spesiale boerekoöperasie wat aartappels hanteer, op dieselfde wyse asof daardie koöperasie 'n produsent van sodanige aartappels was.

Instelling van Raad [art. 25]

6. Daar word hierby 'n raad wat die Aartappelraad heet, ingestel om hierdie Skema uit te voer.

Doelstellings van Raad [art. 25 (2)]

7. Die doelstellings van die Raad is om die ordelike be-marking van aartappels, met inbegrip van die uitvoer daarvan uit die Republiek, ooreenkomstig die bepalings van die Wet en hierdie Skema te reël.

Samestelling van Raad [art. 28]

8. (1) Die Raad bestaan uit—
- (a) ses persone wat produsente van aartappels verteenwoordig, waarvan minstens een ook 'n kweker van aartappelmoere moet wees;
 - (b) een persoon wat verbruikers van aartappels verteenwoordig;
 - (c) een persoon wat kommissie-agente verteenwoordig; en
 - (d) een persoon wat markmeesters verteenwoordig.
- (2) Slegs persone wat aartappels produseer, word as lede van die Raad aangestel om produsente van aartappels daarop te verteenwoordig.
- (3) (a) Die Raad kan met die Minister se goedkeuring een persoon vir 'n bepaalde doel as 'n adviserende lid van die Raad koöpteer.
- (b) So 'n adviserende lid het die reg om aan die verrigtinge van die Raad deel te neem, maar het nie die reg om 'n stem uit te bring nie.

Ampstermyn van lede van Raad [art. 28 (1) (b)]

9. (1) 'n Lid van die Raad dien, behoudens die bepalings van artikels 28 en 28A van die Wet, in die Raad vir die tydperk deur die Minister by die aanstelling van daardie lid kragtens artikel 28 (1) (b) van die Wet bepaal.
- (2) 'n Adviserende lid dien in die Raad vir die tydperk deur die Raad by die koöptering van daardie adviserende lid kragtens artikel 8 (3) van hierdie Skema bepaal.
- (3) 'n Lid of 'n adviserende lid van die Raad kan by verstryking van sy ampstermyn weer aangestel of gekoöpteer word.

Toelaes aan lede en adviserende lid [art. 30]

10. Aan die lede en adviserende lid van die Raad kan daar ten opsigte van hulle dienste in daardie hoedanigheid, uit 'n algemene fonds in artikel 30 van hierdie Skema bedoel, die toelaes betaal word wat die Raad met die goedkeuring van die Minister vasstel.

Filling of vacancies [sec. 28A]

11. (1) A vacancy on the Board arising by virtue of the provisions of section 28A (1) of the Act or as a result of the death of a member shall be filled by appointment in the same manner as that in which the member who vacated his office or died, was required to be appointed.

(2) A member of the Board who is appointed under subsection (1) to fill a vacancy shall hold office for the unexpired portion of the period for which the member who vacated his office or died, was appointed.

(3) The provisions of subsection (2) shall apply *mutatis mutandis* to an advisory member of the Board.

Chairman and vice-chairman [sec. 24]

12. (1) The Board shall whenever the office of chairman or vice-chairman has become vacant for any reason whatsoever, elect one of its members to be the chairman and one of its members to be the vice-chairman of the Board.

(2) Any such election shall take place at the first meeting of the Board after the office of chairman or vice-chairman has become vacant.

(3) The chairman and the vice-chairman of the Board shall hold office until and during the first ordinary meeting of the Board held after expiry of a period of one year after the date on which they have been elected as such, and may be re-elected to their offices if at the time of such election they are still members of the Board.

(4) The chief executive officer of the Board shall preside during the election of the chairman of the Board.

(5) The chairman and the vice-chairman of the Board may vacate their offices as such without terminating their membership of the Board.

Calling of meetings [sec. 31]

13. (1) The ordinary meetings of the Board shall be held as often and at such times and places as the Board may from time to time determine.

(2) Notwithstanding the provisions of subsection (1), the chairman of the Board may at his discretion call a special meeting of the Board at such time and place as he may determine, with a view to dealing with special or urgent matters, and he shall call a special meeting within 14 days of the date on which he has received a written request to that effect by the Minister or at least four members of the Board.

(3) The person who performs the functions of secretary of the Board shall notify each member of the Board, the chairman of the National Marketing Council and, if applicable, the advisory member of the Board—

(a) in the case of an ordinary meeting, at least seven days in advance; and

(b) in the case of a special meeting, at least 48 hours in advance,

of the date, time and place of each such meeting.

Quorum for meetings [sec. 31]

14. (1) Except where expressly provided otherwise in this section, the majority of the members of the Board with the right to vote shall constitute a quorum for a meeting of the Board.

(2) (a) If a quorum is not present at the appointed time for a meeting, the chairman of the Board shall, subject to the provisions of subsection (4), at his discretion—

(i) postpone the beginning of the meeting to a later time determined by him on that day; or

(ii) convene a further meeting of the Board for a future date.

Vulling van vakatures [art. 28A]

11. (1) 'n Vakature in die Raad wat ontstaan uit hoofde van die bepalings van artikel 28A (1) van die Wet of as gevolg van die dood van 'n lid, word gevul by wyse van aanstelling op dieselfde wyse as dié waarop die lid wat sy amp ontruim of te sterwe gekom het, aangestel moes word.

(2) 'n Lid van die Raad wat kragtens subartikel (1) aangestel word om 'n vakature te vul, beklee sy amp vir die onverstreke gedeelte van die tydperk waarvoor die lid wat sy amp ontruim of te sterwe gekom het, aangestel was.

(3) Die bepalings van subartikel (2) is *mutatis mutandis* van toepassing op 'n adviserende lid van die Raad.

Voorsitter en ondervoorsitter [art. 24]

12. (1) Die Raad kies so dikwels as wat die amp van voorsitter of ondervoorsitter om welke rede ook al vakant geraak het, een van sy lede as voorsitter en een van sy lede as ondervoorsitter van die Raad.

(2) Sodanige verkiesing geskied op die eerste vergadering van die Raad nadat die amp van voorsitter of ondervoorsitter vakant geraak het.

(3) Die voorsitter en die ondervoorsitter van die Raad beklee hul ampte tot by en gedurende die eerste gewone vergadering van die Raad wat gehou word na verstryking van 'n tydperk van een jaar na die datum waarop hulle as sodanig verkies is, en kan in hul ampte herkies word indien hulle ten tyde van sodanige verkiesing steeds lede van die Raad is.

(4) Die hoof-uitvoerende beampte van die Raad sit voor tydens die verkiesing van die voorsitter van die Raad.

(5) Die voorsitter en die ondervoorsitter van die Raad kan hul ampte as sodanig ontruim sonder om hul lidmaatskap van die Raad te beëindig.

Byeenroep van vergaderings [art. 31]

13. (1) Die gewone vergaderings van die Raad word so dikwels en op dié tye en plekke gehou as wat die Raad van tyd tot tyd bepaal.

(2) Ondanks die bepalings van subartikel (1), kan die voorsitter van die Raad na goeddunke 'n buitengewone vergadering van die Raad belê op die tyd en plek wat hy bepaal, met die oog op die behandeling van spesiale of dringende aangeleenthede, en hy moet 'n buitengewone vergadering belê binne 14 dae na die datum waarop hy 'n skriftelike versoek te dien effekte deur die Minister of minstens vier lede van die Raad ontvang het.

(3) Die persoon wat die pligte van sekretaris van die Raad verrig, moet elke lid van die Raad, die voorsitter van die Nasionale Bemarkingsraad en, indien van toepassing, die adviserende lid van die Raad—

(a) in die geval van 'n gewone vergadering, minstens sewe dae voor die tyd; en

(b) in die geval van 'n spesiale vergadering, minstens 48 uur voor die tyd,

in kennis stel van die datum, tyd en plek van elke sodanige vergadering.

Kworum vir vergaderings [art. 31]

14. (1) Behalwe waar in hierdie artikel uitdruklik anders bepaal, maak die meerderheid van die stemgeregtigde lede van die Raad 'n kworum vir 'n vergadering van die Raad uit.

(2) (a) Indien 'n kworum nie op die bepaalde tyd vir 'n vergadering teenwoordig is nie, moet die voorsitter van die Raad, behoudens die bepalings van subartikel (4), na goeddunke—

(i) die aanvang van die vergadering tot 'n latere tyd deur hom bepaal, op daardie dag uitstel; of

(ii) 'n verdere vergadering van die Raad vir 'n toekomstige datum belê.

(b) If a meeting has been convened for a future date as contemplated in paragraph (a) (ii)—

(i) the provisions of section 13 (3) of this Scheme shall apply *mutatis mutandis* in respect of a notice of the date, time and place of such further meeting; and

(ii) the members of the Board with the right to vote who are present at that meeting shall constitute a quorum.

(3) If at any time during the course of a meeting of the Board other than a further meeting referred to in subsection (2) (b), a quorum is not present—

(a) the person presiding at that meeting shall, subject to the provisions of subsection (4)—

(i) suspend the business of that meeting until a quorum is present; or

(ii) adjourn the meeting to a future date; and

(b) the provisions of subsection (2) (b) shall apply *mutatis mutandis* in respect of a meeting thus adjourned.

(4) If there is not a quorum at a meeting of the Board because of the recusal of members with the right to vote on the ground of having an interest in the matter being considered by the Board, the members who thus recused themselves may sit in on a decision in terms of section 7C (2) of the Act, to refer the matter concerned to the Agricultural Reference Board established under section 7A of the Act.

Chairman at meetings [sec. 31]

15. (1) Subject to the provisions of section 12 (4) of this Scheme, the chairman of the Board shall preside at all meetings thereof at which he is present.

(2) If the chairman of the Board is not able to attend a meeting or part of a meeting of the Board or to preside thereat, the vice-chairman of the Board shall preside thereat.

(3) If the vice-chairman is also unable to attend such meeting or to preside thereat, the members with the right to vote who are present shall elect a person from among themselves to preside for the period during which the chairman as well as the vice-chairman is absent or unable to preside.

(4) The vice-chairman of the Board or a person elected in terms of subsection (3) may for the duration of the period during which he presides, exercise all the powers and perform all the functions of the chairman.

(5) Except in so far as there exists other express provisions in this Scheme, the person who presides at a meeting of the Board shall determine the procedure at that meeting.

Attendance of meetings [sec. 31]

16. (1) The Board may grant to any of its members leave of absence from any of its meetings or from consecutive meetings for a continuous period not exceeding six months.

(2) When a member of the Board is or expects to be prevented from attending a meeting of which he has been notified as contemplated in section 13 (3) of this Scheme, he shall as soon as possible notify the chairman of the Board or the person who performs the duties of secretary of the Board of the circumstances that are preventing him or that he expects will prevent him from attending such meeting.

(3) The absence of a member of the Board from a particular meeting shall be recorded in the minutes of that meeting.

(4) The provisions of subsections (1), (2) and (3) shall apply *mutatis mutandis* to an advisory member of the Board.

(b) Indien 'n vergadering vir 'n toekomstige datum belê word soos in paragraaf (a) (ii) beoog—

(i) is die bepalings van artikel 13 (3) van hierdie Skema *mutatis mutandis* van toepassing met betrekking tot 'n kennisgewing van die datum, tyd en plek van sodanige verdere vergadering; en

(ii) maak die stemgeregtigde lede van die Raad wat by daardie vergadering teenwoordig is, 'n kworum uit.

(3) Indien daar te eniger tyd gedurende die loop van 'n vergadering van die Raad anders as 'n verdere vergadering in subartikel (2) (b) bedoel, nie 'n kworum teenwoordig is nie—

(a) moet die persoon wat by daardie vergadering voorsit, behoudens die bepalings van subartikel (4)—

(i) die werksaamhede van daardie vergadering opskort totdat 'n kworum teenwoordig is; of

(ii) die vergadering tot 'n toekomstige datum verdaag; en

(b) is die bepalings van subartikel (2) (b) *mutatis mutandis* van toepassing met betrekking tot 'n vergadering wat aldus verdaag is.

(4) Indien daar nie 'n kworum by 'n vergadering van die Raad is nie as gevolg van die onttrekking van stemgeregtigde lede op grond daarvan dat hulle 'n belang in die aangelegenheid het wat deur die Raad oorweeg word, kan die lede wat hulle aldus onttrek het, deelneem aan 'n besluit ingevolge artikel 7C (2) van die Wet om die betrokke aangelegenheid na die Landbouverwysingsraad ingestel by artikel 7A van die Wet, te verwys.

Voorsitter by vergaderings [art. 31]

15. (1) Behoudens die bepalings van artikel 12 (4) van hierdie Skema, moet die voorsitter van die Raad op alle vergaderings daarvan waarop hy teenwoordig is, voorsit.

(2) Indien die voorsitter van die Raad nie in staat is om 'n vergadering of 'n gedeelte van 'n vergadering van die Raad by te woon of daarop voor te sit nie, moet die ondervoorsitter van die Raad daarop voorsit.

(3) Indien die ondervoorsitter ook nie in staat is om so 'n vergadering by te woon of daarop voor te sit nie, moet die aanwesige stemgeregtigde lede uit hulle midde iemand kies om voor te sit vir die tydperk waartydens die voorsitter sowel as die ondervoorsitter afwesig is of nie in staat is om voor te sit nie.

(4) Die ondervoorsitter van die Raad of iemand wat ingevolge subartikel (3) verkies is, kan vir die duur van die tydperk waartydens hy voorsit, al die bevoegdhede van die voorsitter uitoefen en al sy pligte verrig.

(5) Behalwe vir sover daar uitdruklik in hierdie Skema ander voorsiening bestaan, bepaal die persoon wat by 'n vergadering van die Raad voorsit, die prosedure op daardie vergadering.

Bywoning van vergaderings [art. 31]

16. (1) Die Raad kan aan enigeen van sy lede verlof tot afwesigheid van enigeen van sy vergaderings of van agtereenvolgende vergaderings vir 'n aaneenlopende tydperk van hoogstens ses maande verleen.

(2) Wanneer 'n lid van die Raad verhinder word of na verwagting verhinder sal word om 'n vergadering by te woon waarvan hy in kennis gestel is soos in artikel 13 (3) van hierdie Skema beoog, moet hy die voorsitter van die Raad of die persoon wat die pligte van sekretaris van die Raad verrig, so spoedig moontlik in kennis stel van die omstandighede wat hom verhinder of wat hy verwag hom sal verhinder om sodanige vergadering by te woon.

(3) Die afwesigheid van 'n lid van die Raad van 'n bepaalde vergadering moet in die notule van daardie vergadering aangeteken word.

(4) Die bepalings van subartikels (1), (2) en (3) is *mutatis mutandis* van toepassing op 'n adviserende lid van die Raad.

Decisions of Board [sec. 31]

17. A decision of the majority of the members of the Board with the right to vote, who are present at any meeting thereof shall constitute the decision of the Board: Provided that in the event of an equality of votes the member presiding at that meeting shall have a casting vote in addition to his deliberative vote.

Committees [sec. 29 (2)]

18. (1) The Board may from time to time 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 Board shall in respect of each separate committee determine rules relating to—

- (a) the election or appointment, period of office and status of a chairman and, if applicable, a vice-chairman;
- (b) the calling of meetings; and
- (c) the filling of vacancies.

(3) Any investment of powers of the Board in any such committee shall not be construed so as to empower that committee to amend or set aside any decision of the Board.

(4) Any decision taken or act performed by or on authority of any such committee shall be of full force and effect unless it is set aside or amended by the Board.

(5) The provisions of sections 14 (1), (2) and (3), 15, 16 and 17 of this Scheme shall apply *mutatis mutandis* to such committee.

Advisory committees [sec. 29 (1)]

19. (1) the Board may establish one or more committees for the purpose of advising the Board in regard to any matter relating to the administration of this Scheme or any of its provisions in general or in a part of the Republic.

(2) Such advisory committee shall be constituted in such manner as may be determined by the Board with the approval of the Minister.

(3) (a) The members of an advisory committee shall be appointed by the Board.

(b) A member of an advisory committee shall be appointed for such period as the Board may determine.

(c) Such member may at the expiry of his period of office be reappointed.

(4) The provisions of sections 10 and 18 (2) of this Scheme and section 28A of the Act shall apply *mutatis mutandis* to an advisory committee and the members thereof.

(5) The Board shall in respect of each separate advisory committee determine rules relating to—

- (a) the quorum for meetings;
- (b) the decisions of such advisory committee;
- (c) the attendance of meetings of such advisory committee; and
- (d) any other matter which it considers necessary or expedient, and the generality of this provision shall not be limited by the preceding paragraphs of this subsection.

Employment of persons [sec. 33]

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

Besluite van Raad [art. 31]

17. 'n Besluit van die meerderheid van die stemgeregtigde lede van die Raad wat op 'n vergadering daarvan teenwoordig is, maak die besluit van die Raad uit: Met dien verstande dat by 'n staking van stemme die lid wat op daardie vergadering voorsit, benewens sy beraadslagende stem ook 'n beslissende stem het.

Komitees [art. 29 (2)]

18. (1) Die Raad kan van tyd tot tyd met die Minister se toestemming en onderworpe aan die voorwaardes wat die Raad opleë, een of meer komitees uit sy lede aanstel en na goeë dunks van sy bevoegdheids 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 Raad moet ten opsigte van elke afsonderlike komitee reëls bepaal met betrekking tot—

- (a) die verkiesing of aanstelling, ampstermyn en status van 'n voorsitter en, indien van toepassing, 'n ondervoorsitter;
- (b) die byeenroep van vergaderings; en
- (c) die vulling van vakatures.

(3) 'n Oordrag van bevoegdheids van die Raad aan so 'n komitee word nie uitgelê nie as sou dit daardie komitee magtig om enige besluit van die Raad te wysig of tersyde te stel.

(4) Enige besluit geneem of handeling verrig deur of op gesag van so 'n komitee is ten volle van krag tensy dit deur die Raad tersyde gestel of gewysig word.

(5) Die bepalings van artikels 14 (1), (2) en (3), 15, 16 en 17 van hierdie Skema is *mutatis mutandis* op so 'n komitee van toepassing.

Adviserende komitees [art. 29 (1)]

19. (1) Die Raad kan een of meer komitees instel ten einde die Raad te adviseer aangaande enige aangeleentheid betreffende die uitvoering van hierdie Skema of 'n bepaling daarvan in die algemeen of in 'n gedeelte van die Republiek.

(2) So 'n adviserende komitee word saamgestel op die wyse deur die Raad met die goedkeuring van die Minister bepaal.

(3) (a) Die lede van 'n adviserende komitee word deur die Raad aangestel.

(b) 'n Lid van 'n adviserende komitee word vir die tydperk wat die Raad bepaal aangestel.

(c) So 'n lid kan by verstryking van sy ampstermyn weer aangestel word.

(4) Die bepalings van artikels 10 en 18 (2) van hierdie Skema en artikel 28A van die Wet is *mutatis mutandis* op 'n adviserende komitee en die lede daarvan van toepassing.

(5) Die Raad moet ten opsigte van elke afsonderlike adviserende komitee reëls bepaal met betrekking tot—

- (a) die kworum vir vergaderings;
- (b) die besluite van sodanige adviserende komitee;
- (c) die bywoning van vergaderings van sodanige adviserende komitee; en
- (d) enige ander aangeleentheid wat hy nodig of dienstig ag, en die algemeenheid van hierdie bepaling word nie deur die voorafgaande paragrawe van hierdie subartikel beperk nie.

Indiensneming van persone [art. 33]

20. (1) Die Raad kan die 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.

(2) Sodanige persone word, behoudens die voorskrifte wat die Minister in 'n bepaalde geval uitreik—
(a) op 'n voltydse grondslag en op die voorwaardes wat die Raad bepaal, in diens geneem; of
(b) in diens geneem vir die verrigting van 'n besondere handeling of besondere werk of die lewering van besondere dienste.
(3) Die persone aldus in diens geneem, verrig hul werk op die koste en onderworpe aan die opdragte en beheer van die Raad, en word besoldig uit 'n algemene fonds bedoel in artikel 30 van hierdie Skema.

Pensioenfonds [art. 24]

21. Wanneer die Raad iemand ingevolge artikel 20 van hierdie Skema op 'n voltydse grondslag in diens neem—
(a) moet die Raad reëlings tref vir die toelating van daardie persoon as 'n lid van die Landbou- en Pensioenfonds;

(b) moet sodanige persoon die geldelike bydrae wat ingevolge die reëls van sodanige pensioenfonds bepaal word, in daardie pensioenfonds stort; en
(c) moet die Raad ten opsigte van sodanige geldelike bydrae van die betrokke persoon, uit 'n algemene fonds in artikel 30 van hierdie Skema bedoel, die bedrag wat ingevolge die reëls van sodanige pensioenfonds bepaal word, in daardie pensioenfonds stort.

Verkryging van eiendom [art. 34]

22. (1) Behoudens die bepaling van artikel 34 (2) van die Wet, kan die Raad die eiendom aanskaaf of huur wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die oogmerke van hierdie skema.

(2) Die Raad kan—

(a) geld of eiendom aanneem wat by wyse van geskenk, toekennings of andersins aan die Raad gegee word; en
(b) sodanige geld of eiendom gebruik op die wyse wat die Minister goedkeur.

Bystand aan sekere ondernemings en navorsingswerk [art. 35]

23. (1) Die Raad kan met die Minister se goedkeuring, deur middel van toekennings of lening of op 'n ander wyse bystande verleen—

(a) aan enige onderneming vir die bewaring, verwerking, vervaardiging, opberging of bewerking van aartappels; en
(b) in verband met navorsingswerk met betrekking tot die verbetering, produksie, vervaardiging, verwerking, opberging of bewerking van aartappels;
(c) aan 'n komitee of organisasie wat deur die Suid-Afrikaanse Landbou-unie ingestel of in die lewe geroep is om die aartappelbedryf te bevorder; en
(d) aan 'n organisasie wat ingestel of in die lewe geroep is om die aartappelbedryf te bevorder, en wat by die Suid-Afrikaanse Landbou-unie of 'n provinsiale landbou-unie geaffilieer is.

(2) Ondanks die bepaling van subartikel (1) verleen die Raad nie bystand aan 'n komitee of organisasie in paragraaf (c) of (d) van daardie subartikel bedoel, nie tensy die komitee of organisasie deur en met die goedkeuring van die Suid-Afrikaanse Landbou-unie vertoë daarvoor tot die Raad gerig het.

Verstreking van inligting en advies [art. 36]

24. Die Raad kan—
(a) 'n inligtingsdiens instel tot einde produsente van tyd tot tyd in te lig aangaande bemarkingsstande oor die algemeen of aangaande die toestand van 'n besondere mark; en

(2) Such persons shall, subject to such directions as the Minister may issue in a particular case—

(a) be employed on a full-time basis and on the conditions determined by the Board; or
(b) be employed for the performance of any particular act or particular work or the rendering of particular services.

(3) The persons thus employed shall perform their work at the expense and subject to the directions and control of the Board, and shall be remunerated out of a general fund referred to in section 30 of this Scheme.

Pension fund [sec. 24]

21. When the Board employs a person on a full-time basis in terms of section 20 of this Scheme—

(a) the Board shall arrange for the admission of such person as a member of the Agricultural Control Boards Pension Fund;

(b) such person shall pay into that pension fund the monetary contribution determined in terms of the rules of such pension fund; and

(c) the Board shall in respect of such monetary contribution of the person concerned, pay out of a general fund referred to in section 30 of this Scheme into that pension fund the amount determined in terms of the rules of such pension fund.

Acquisition of property [sec. 34]

22. (1) Subject to the provisions of section 34 (2) of the Act, the Board may 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.

(2) The Board may—

(a) accept money or property given to the Board by way of donation, grant or otherwise; and
(b) utilise such money or property in such manner as the Minister may approve.

Assistance to certain undertakings and research work [sec. 35]

23. (1) The Board may, with the approval of the Minister, assist by way of grant of loan or in any other manner—
(a) any undertaking for preserving, processing, manufacturing, storing or conditioning potatoes;

(b) research work relating to the improvement, production, manufacture, processing, storing or marketing of potatoes;

(c) a committee or organisation established or instituted by the South African Agricultural Union to promote the potato industry; and

(d) any organisation established or instituted to promote the potato industry, and which is affiliated with the South African Agricultural Union or a provincial agricultural union.

(2) Notwithstanding the provisions of subsection (1) the Board shall not grant assistance to a committee or organisation referred to in paragraph (c) or (d) of that subsection unless that committee or organisation has through and with the approval of the South African Agricultural Union made representations therefor to the Board.

Furnishing of information and advice [sec. 36]

24. 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; and

(b) advise the Minister as to—

(i) the conditions regarding grades, standards of quality, methods of packing and the marking of any receptable containing potatoes, and subject to which potatoes may be sold or imported for sale;

(ii) the issue, amendment or withdrawal of a notice under section 87 of the Act; and

(iii) all matters relating to the marketing or processing of potatoes.

Stimulating demand for potatoes [sec. 37]

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

Co-operation by Board [sec. 38]

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

(a) co-operate with any person in doing any act which the Board may perform; and

(b) on behalf of any other board established under any law for or in respect of any agricultural or related industry, do any act which such other board may perform.

Imposition of levy and special levy [sec. 41, 44, 79]

27. The Board may, with the approval of the Minister, impose a levy and a special levy, on such basis as the Board may determine, on potatoes or seed potatoes, or on potatoes of a particular class, grade or standard of quality.

Persons by whom levy and special levy are payable [sec. 42, 44]

28. A levy and a special levy that are imposed in terms of section 27 of this Scheme shall—

(a) in the case of table potatoes—

(i) that are sold on behalf of the producer or owner thereof at a municipal fresh produce market in a controlled area, be payable by the market master in control of such market;

(ii) that are sold on behalf of the producer or owner thereof in a controlled area, other than at a municipal fresh produce market, through a commission-agent or broker, be payable by such commission-agent or broker;

(iii) that are sold by the producer thereof in a controlled area—

(aa) to a person dealing in the course of trade with potatoes, be payable by such person; or

(bb) to a person other than a person dealing in the course of trade with potatoes, be payable by such producer;

(iv) that are introduced for sale into a controlled area by a person dealing in the course of trade with potatoes, be payable by such person;

(v) that are processed in a controlled area by or on behalf of the owner thereof, be payable by such owner;

(b) in the case of seed potatoes—

(i) that are sold on behalf of the producer thereof—

(aa) by an agricultural co-operative or special farmers' co-operative, be payable by such agricultural co-operative or special farmers' co-operative; or

(bb) by a commission-agent or broker, be payable by such commission-agent or broker;

(ii) that are sold by the producer thereof, be payable by such producer.

(b) die Minister van advies dien aangaande—

(i) die voorwaardes wat betref grade, kwaliteitstandaarde, verpakkingsmetodes en die merk van 'n houër wat aartappels bevat, en waarop aartappels verkoop of vir verkoop ingevoer mag word;

(ii) die uitreiking, wysiging of intrekking van 'n kennisgewing kragtens artikel 87 van die Wet; en

(iii) alle aangeleenthede betreffende die bemarking of verwerking van aartappels.

Bevordering van vraag na aartappels [art. 37]

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

Samewerking deur Raad [art. 38]

26. Die Raad kan met die Minister se goedkeuring—

(a) met enigteen meedoen aan 'n handeling wat die Raad kan verrig; en

(b) namens 'n ander raad wat kragtens 'n wetsbepaling vir of ten opsigte van 'n landbou- of verwante bedryf ingestel is, alle handelinge verrig wat daardie ander raad kan verrig.

Oplegging van heffing en spesiale heffing [art. 41, 44, 79]

27. Die Raad kan met die goedkeuring van die Minister, 'n heffing en 'n spesiale heffing, op die grondslag wat die Raad bepaal, opleë op aartappels en aartappelmoere, of op aartappels van 'n bepaalde klas, grond of kwaliteitstandaard.

Persone deur wie heffing en spesiale heffing betaalbaar is [art. 42, 44]

28. 'n Heffing en 'n spesiale heffing wat ingevolge artikel 27 van hierdie Skema opgelê is, is—

(a) in die geval van tafelaartappels—

(i) wat ten behoeve van die produsent of eienaar daarvan op 'n munisipale varsproduktemark in 'n beheerde gebied verkoop word, deur die markmeester in beheer van sodanige mark betaalbaar;

(ii) wat ten behoeve van die produsent of eienaar daarvan in 'n beheerde gebied deur bemiddeling van 'n kommissie-agent of makelaar anders as op 'n munisipale varsproduktemark verkoop word, deur sodanige kommissie-agent of makelaar betaalbaar;

(iii) wat deur die produsent daarvan in die beheerde gebied verkoop word—

(aa) aan 'n persoon wat met aartappels as 'n besigheid handel, deur sodanige persoon betaalbaar; of

(bb) aan iemand anders as 'n persoon wat met aartappels as 'n besigheid handel, deur sodanige produsent betaalbaar;

(iv) wat deur 'n persoon wat met aartappels as 'n besigheid handel vir verkoop in 'n beheerde gebied ingebring word, deur sodanige persoon betaalbaar;

(v) wat deur of ten behoeve die eienaar daarvan in 'n beheerde gebied verwerk word, deur sodanige eienaar betaalbaar; en

(b) In die geval van aartappelmoere—

(i) wat ten behoeve van die produsent daarvan verkoop word—

(aa) deur 'n landboukoöperasie of spesiale boerekoöperasie, deur sodanige landboukoöperasie of spesiale boerekoöperasie betaalbaar; of

(bb) deur 'n agent, deur sodanige agent betaalbaar; en

(ii) wat deur die produsent daarvan verkoop word, deur sodanige produsent betaalbaar.

Recovery of levy and special levy [sec. 42 (2), (3), 44]

29. (1) A market master, commission-agent, agricultural co-operative or special farmers' co-operative who has paid or should pay a levy and special levy to the Board on potatoes sold by him on behalf of the producer thereof or a person dealing in the course of trade with potatoes, may recover the amount of such a levy and special levy from the producer or person concerned by deducting it from the proceeds of the potatoes sold by him.

(2) The Board may pay to a person referred to in subsection (1) the commission determined by the Board on the amount paid by him by way of such levy or special levy.

General fund [sec. 46 (1)]

30. (1) The Board shall establish one or more general funds to be administered and controlled by the Board, and—

(a) into which all moneys received by the Board shall be paid, except such moneys as are to be paid into a reserve fund referred to in section 31 of this Scheme or a special fund referred to in section 32 of this Scheme; and

(b) from which all administrative expenses of the Board shall be paid.

(2) The Board may, with the approval of the Minister, utilise money in such a general fund for any other object which in the opinion of the Board will be to the advantage of persons interested in potatoes.

Reserve funds [sec. 46 (2)]

31. (1) The Board shall establish one or more reserve funds to 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 may deal with money in any reserve fund in such manner as may be approved by the Minister.

Special funds [sec. 46 (3)]

32. (1) The Board shall—

(a) establish one or more special funds to be administered and controlled by the Board; and

(b) pay into such special fund or funds the moneys derived from a special levy referred to in section 27 of this Scheme, such other moneys received by the Board as may be determined by the Minister and such amounts at the disposal of the Board as may be approved by the Minister.

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

Financial year [sec. 50]

33. The financial year under this Scheme shall be the period from 1 January in any year until 31 December of the same year, both days included.

Estimates of income and expenditure [sec. 24]

34. (1) The Board shall annually submit to the National Marketing Council for approval by the Minister an estimate of its expected income and expenditure for the following financial year.

(2) Such estimate shall—

(a) be set out in the form determined by the Minister for this purpose; and

(b) be submitted to the National Marketing Council at least 30 days prior to the commencement of the financial year concerned.

Verhaling van heffing en spesiale heffing [art. 42 (2), (3), 44]

29. (1) 'n Markmeester, kommissie-agent, landbouko-operasie of spesiale boerekoöperasie wat 'n heffing en spesiale heffing aan die Raad betaal het of moet betaal op aartappels wat hy ten behoeve van 'n produsent of 'n persoon wat met aartappels as 'n besidheid handel verkoop het, kan die bedrag van so 'n heffing en spesiale heffing van die betrokke produsent of persoon verhaal deur dit af te trek van die opbrengs van die aartappels deur hom verkoop.

(2) Die Raad kan aan 'n persoon in subartikel (1) bedoel, die kommissie wat die Raad bepaal, betaal op die bedrag wat deur hom ten opsigte van sodanige heffing of spesiale heffing aan die Raad betaal is.

Algemene fonds [art. 46 (1)]

30. (1) Die Raad moet een of meer algemene fondse instel wat deur die Raad bestuur en beheer word, en—

(a) waarin alle gelde gestort moet word wat deur die Raad ontvang word, behalwe die gelde wat in 'n reserwefonds in artikel 31 van hierdie Skema bedoel, of 'n spesiale fonds in artikel 32 van hierdie Skema bedoel, gestort moet word; en

(b) waaruit alle administratiewe uitgawes van die Raad betaal moet word.

(2) Die Raad kan met die Minister se goedkeuring geld in so 'n algemene fonds vir enige ander doel aanwend wat na die oordeel van die Raad tot die voordeel sal strek van persone wat belang het by aartappels.

Reserwefondse [art. 46 (2)]

31. (1) Die Raad moet een of meer reserwefondse instel 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 einde van 'n boekjaar ingevolge hierdie Skema en na oorlegpleging met die Raad bepaal, gestort moet word.

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

Spesiale fondse [art. 46 (3)]

32. (1) Die Raad moet—

(a) een of meer spesiale fondse instel wat deur die Raad bestuur en beheer moet word; en

(b) die gelde uit 'n spesiale heffing in artikel 27 van hierdie Skema bedoel, verkry, die ander gelde deur die Raad ontvang wat die Minister bepaal, en die bedrae tot die beskikking van die Raad wat die Minister goedkeur, in sodanige spesiale fonds of fondse stort.

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

Boekjaar [art. 50]

33. Die boekjaar ingevolge hierdie Skema is die tydperk van 1 Januarie in enige jaar tot 31 Desember van dieselfde jaar, albei dae ingesluit.

Raming van inkomste en uitgawes [art. 24]

34. (1) Die Raad moet jaarliks 'n raming van sy verwagte inkomste en uitgawes vir die daaropvolgende boekjaar aan die Nasionale Bemarkingsraad vir goedkeuring deur die Minister voorlê.

(2) So 'n raming moet—

(a) in die vorm uiteengesit word wat vir dié doel deur die Minister bepaal is; en

(b) minstens 30 dae voor die aanvang van die betrokke boekjaar aan die Nasionale Bemarkingsraad voorgelê word.

(3) The Board shall annually within 120 days of the end of each financial year submit to the National Marketing Council a comparative statement of its estimated and actual income and expenditure for that financial year together with, if necessary, explanations of any deviations.

Borrowing of money [sec. 45]

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

Disposal of remaining assets in event of discontinuance of Scheme [sec. 49]

36. In the event of the discontinuance of this Scheme—

(a) any assets of the Board remaining 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 potato industry; and

(b) any deficit which may exist after all the assets of the Board have been realised shall be made good by contributions by producers of potatoes *pro rata* to the respective amounts paid by them in the form of levies and special levies under this Scheme during the period of three years immediately preceding the date on which this Scheme is discontinued.

Records, returns and information [sec. 52 (2), 79]

37. 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 potatoes as may be available to such person and as the Board may specify; and

(b) prescribe the records to be kept in connection with potatoes, the period for which any such records shall be retained and the returns to be rendered in regard to potatoes 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 thus rendered.

Appointment of agents [sec. 53]

38. The Board may appoint, on the conditions determined by it, such agent or agents as it may consider necessary for the proper performance of such of its functions as it may determine with the approval of the Minister.

Authorisation of inspectors [sec. 54]

39. 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 of or person dealing in the course of trade with potatoes, or any place or vehicle in or on which there is kept or is suspected to be kept any quantity of potatoes by any person;

(b) to inspect any such potatoes 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 such potatoes, and to make copies of or take extracts from such books and documents;

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

(d) to demand from the owner or custodian of any such book or document an explanation of any entry therein;

(3) Die Raad moet jaarliks binne 120 dae na die einde van elke boekjaar 'n vergelykende staat van sy geraamde en werklike inkomste en uitgawes vir daardie boekjaar aan die Nasionale Bemakingsraad voorlê tesame met, indien nodig, verduidelikings van enige afwykings.

Leen van geld [art. 45]

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

Beskikking oor oorblywende bates by opheffing van Skema [art. 49]

36. Ingeval hierdie Skema opgehef word—

(a) word die oorblywende bates van die Raad nadat al sy skulde betaal is, aan die Minister oorhandig, en word die bates wat aldus oorhandig is, deur die Minister na goeëddunke ter bevordering van die aartappelbedryf aangewend; en

(b) word enige tekort wat bestaan nadat al die bates van die Raad te gelde gemaak is, aangesuiwer deur bydraes deur produsente van aartappels in verhouding tot die onderskeie bedrae in die vorm van heffings en spesiale heffings wat kragtens hierdie Skema gedurende die tydperk van drie jaar onmiddellik voor die datum waarop hierdie Skema opgehef is, deur hulle betaal is.

Aantekeninge, opgawes en inligting [art. 52 (2), 79]

37. 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 aartappels te verstrek waarvoor bedoelde persoon beskik en wat die Raad spesifiseer; en

(b) aantekeninge wat in verband met aartappels gehou moet word, die tydperk waarvoor sodanige aantekeninge gehou moet word en die opgawes wat ten opsigte van aartappels 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 bedoelde opgawes aldus verstrek moet word.

Aanstelling van agent [art. 53]

38. Die Raad kan op die voorwaardes deur hom bepaal, die agent of agente aanstel wat hy nodig ag vir die behoorlike verrigting van dié van sy werksaamhede wat hy met die goedkeuring van die Minister bepaal.

Magtiging van inspekteurs [art. 54]

39. Die Raad kan, vir die uitvoering van die bepalinge 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, aartappels, of 'n plek of voertuig waarin of waarop daar 'n hoeveelheid aartappels deur iemand gehou word of na vermoede gehou word;

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

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

(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, or any quantity of potatoes in respect of which any such offence is suspected to have been committed, and to remove from the place or vehicle in question or to leave at such place or on such vehicle any books, documents or articles or any quantity of such potatoes which has been so seized, and, if he deems fit, to place on any such book, document, article or potatoes or on the container thereof, any identification mark which he may consider necessary; and

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

Dealings with potatoes, plant material thereof and containers [sec. 56]

40. The Board may—

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

(b) treat in such a manner as it may deem fit, classify, grade, pack, store, process, adapt for sale, insure, transport and, subject to the provisions of section 25 of this Scheme, advertise potatoes which it has bought;

(c) sell, whether in their original form or processed wholly or in part, potatoes which it has bought, at such a price or on such a basis as the Minister may approve, or withhold any part thereof from the market;

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

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

(i) purchase containers which producers may require for the marketing of potatoes; and

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

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

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

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

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

Restriction on the sale of potatoes [sec. 67, 79]

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

Restriction on the introduction of potatoes in specified areas [sec. 77, 79]

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

Directions regarding the export of potatoes [sec. 78, 79]

43. The Board may direct any person who exports potatoes to consign or dispose of any quantity of the potatoes which he exports, to or through the Board or such persons

(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 regulasie, of op 'n hoeveelheid aartappels ten opsigte waarvan so 'n misdryf vermoedelik gepleeg is, en om boeke, stukke of artikels of 'n hoeveelheid van sodanige aartappels 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 identifikasie-merk wat hy nodig ag, aan te bring op so 'n boek, stuk, artikel of aartappels of op die houer daarvan; en;

(f) monsters te neem van sodanige aartappels, met inbegrip van 'n hoeveelheid daarvan waarop daar beslag gelê is kragtens magtiging verleen uit hoofde van paragraaf (e), en sodanige monsters te ondersoek, te ontleed, te klassifiseer of te gradeer of te laat ondersoek, ontleed, klassifiseer of gradeer.

Handelinge met aartappels, plantmateriaal daarvan en houters [art. 56]

40. Die Raad kan—

(a) aartappels koop teen die prys of op die grondslag wat die Minister goedkeur;

(b) aartappels wat hy gekoop het, behandel soos hy goeie, klassifiseer, gradeer, verpak, opberg, verwerk, vir verkoop geskik maak, verseker, vervoer en, behoudens die bepalings van artikel 25 van hierdie Skema, adverteer;

(c) aartappels wat hy gekoop het, teen die prys of op die grondslag wat die Minister goedkeur, verkoop, hetsy in sy oorspronklike of in gedeeltelik of geheel en al verwerkte vorm, of 'n deel daarvan van die mark onthou;

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

(e) op die voorwaardes wat die Minister goedkeur—

(i) houters koop wat produsente nodig het vir die bemaking van aartappels; en

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

(f) op die voorwaardes wat die Minister goedkeur—

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

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

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

Bepierking op die verkoop van aartappels [art. 67, 79]

41. Die Raad kan van tyd tot tyd met die Minister se goedkeuring 'n produsent van aartappels verbied om aartappels wat hy geproduseer het, behalwe 'n klas, graad, hoeveelheid of persentasie daarvan wat die Raad vasgestel het, of behalwe vir 'n doel wat die Raad bepaal het, te verkoop.

Bepierking op die inbring van aartappels in bepaalde gebiede [art. 77, 79]

42. Die Raad kan van tyd tot tyd met die Minister se goedkeuring enigiemand verbied om aartappels, 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.

Lasgewings betreffende uitvoer van aartappels [art. 78, 79]

43. Die Raad kan iemand wat aartappels uitvoer, gelas om enige hoeveelheid van die aartappels wat hy uitvoer, aan of deur bemiddeling van die Raad of die persone of agentskappe (met inbegrip van 'n agentskap deur die Raad

or agencies (including an agency established by the Board) as it may designate, or to consign any quantity of the potatoes which he exports to a specified overseas market.

Offences and penalties [sec. 23]

44. Any person who—

(a) fails to pay a levy or special levy imposed under section 27 of this Scheme;

(b) fails to comply with a requirement of a direction or prescription imposed under section 37 or 43 of this Scheme; or

(c) contravenes a prohibition imposed under section 41 or 42 of this Scheme

shall be guilty of an offence and liable on conviction to a fine not exceeding R5 000 or to imprisonment for a period not exceeding two years, or to both such fine and such imprisonment.

Transitional provisions and savings

45. (1) In this section—

“commencement date” means the date of publication of this Scheme;

“Potato Scheme” means the Potato Scheme published by Proclamation R. 268 of 1970, as amended by Proclamations R. 246 of 1971, R. 23 of 1973, R. 278 of 1973, R. 141 of 1978, R. 152 of 1980, R. 137 of 1982, R. 61 of 1984 and Government Notices R. 2581 of 15 November 1985 and R. 1623 of 1 August 1986; and

“Potato Board” means the Potato Board established by section 6 of the Potato Scheme.

(2) (a) The Potato Board as it existed as a body corporate immediately prior to the commencement date shall, notwithstanding the repeal of the Potato Scheme, continue to exist and be deemed to have been established by section 6 of this Scheme.

(b) Any person who immediately prior to the commencement date was an appointed member or a co-opted advisory member of the Potato Board shall respectively be deemed to have been appointed as a member of the Board, and to have been co-opted under section 8 (3) of this Scheme, for the remaining portion of his period of office.

(c) The persons who immediately prior to the commencement date served as chairman and vice-chairman of the Potato Board shall respectively be deemed to have been elected under section 12 (1) of this Scheme as chairman and vice-chairman of the Board, and shall serve in their respective offices for the period for which they would have served had section 12 (3) of this Scheme been applicable to them.

(3) A committee of the Potato Board which immediately prior to the commencement date was appointed under section 18 of the Potato Scheme and existed, shall be deemed to have been appointed under section 18 (1) of this Scheme as a committee of the Board, and powers invested in it shall be deemed to have been so invested.

(4) An advisory committee established by and constituted under, and the members of any such committee appointed by virtue of, section 18 of the Potato Scheme immediately prior to the commencement date shall respectively be deemed to have been established and constituted under, and to have been appointed by virtue of, section 19 of this Scheme, and the said members shall so serve for the remaining portion of their periods of office.

(5) Any person who immediately prior to the commencement date was appointed as an agent under section 34 (1) of the Potato Scheme shall be deemed to have been so appointed under section 38 of this Scheme, and his appointment shall so remain in force for a period of 12 months after the commencement date.

ingestel), wat die Raad aanwys, te versend of van die hand te sit, of om 'n hoeveelheid van die aartappels wat hy uitvoer, na 'n bepaalde oorsese mark te stuur.

Misdrywe en strawwe [art. 23]

44. Iemand wat—

(a) versuim om 'n kragtens artikel 27 van hierdie Skema opgelegde heffing of spesiale heffing te betaal;

(b) versuim om aan 'n vereiste van 'n lasgewing of voorskrif kragtens artikel 37 of 43 van hierdie Skema opgelê, te voldoen;

(c) 'n verbod opgelê kragtens artikel 41 of 42 van hierdie Skema oortree,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R5 000 of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar, of met sowel sodanige boete as sodanige gevangenisstraf.

Oorgangsbepalings en voorbehoude

45. (1) In hierdie artikel beteken—

“Aartappelraad” die Aartappelraad ingestel by artikel 6 van die Aartappelskema;

“Aartappelskema” die Aartappelskema gepubliseer by Proklamasie R. 268 van 1970 soos gewysig deur Proklamasies R. 246 van 1971, R. 23 van 1973, R. 278 van 1973, R. 141 van 1978, R. 152 van 1980, R. 137 van 1982, R. 61 van 1984, en Goewermentskennisgewings R. 2581 van 15 November 1985 en R. 1623 van 1 Augustus 1986; en

“inwerkingtreddingsdatum” die datum van publikasie van hierdie Skema.

(2) (a) Die Aartappelraad soos dit onmiddellik voor die inwerkingtreddingsdatum as 'n regspersoon bestaan het, bly ondanks die herroeping van die Aartappelskema voortbestaan en word geag by artikel 6 van hierdie Skema ingestel te wees.

(b) 'n Persoon wat onmiddellik voor die inwerkingtreddingsdatum 'n aangestelde lid of 'n gekoöpteerde adviserende lid van die Aartappelraad was, word geag onderskeidelik as lid van die Raad aangestel, en kragtens artikel 8 (3) van hierdie Skema gekoöpteer te wees, vir die oorblywende gedeelte van sy ampstermyn.

(c) Die persone wat onmiddellik voor die inwerkingtreddingsdatum as voorsitter en ondervoorsitter van die Aartappelraad gedien het, word geag kragtens artikel 12 (1) van hierdie Skema onderskeidelik as voorsitter en ondervoorsitter van die Raad verkies te wees, en dien in hul onderskeie ampte vir die tydperk waarvoor hulle sou gedien het indien artikel 12 (3) van hierdie Skema op hulle van toepassing was.

(3) 'n Komitee van die Aartappelraad wat onmiddellik voor die inwerkingtreddingsdatum kragtens artikel 18 van die Aartappelskema benoem was en bestaan het, word geag kragtens artikel 18 (1) van hierdie Skema as 'n komitee van die Raad aangestel te wees, en bevoegdhede aan hom opgedra word geag aldus opgedra te wees.

(4) 'n Adviserende komitee wat onmiddellik voor die inwerkingtreddingsdatum ingestel was by en saamgestel was kragtens, en die lede van so 'n komitee wat aldus aangestel was uit hoofde van artikel 18 van die Aartappelskema, word geag onderskeidelik ingestel en saamgestel, en aangestel, te wees kragtens en uit hoofde van artikel 19 van hierdie Skema, en bedoelde lede dien aldus vir die oorblywende gedeelte van hul ampstermyn.

(5) Iemand wat onmiddellik voor die inwerkingtreddingsdatum kragtens artikel 34 (1) van die Aartappelskema as agent aangestel was, word geag kragtens artikel 38 van hierdie Skema aldus aangestel te wees, en sy aanstelling bly aldus vir 'n tydperk van 12 maande na die inwerkingtreddingsdatum van krag.

(6) Subject to the provisions of this section, any appointment made, decision taken, authority granted, levy or special levy imposed, fund established, prohibition imposed, prescription, direction, provision or notice published, or any other thing done prior to the commencement date under a provision of the Potato Scheme, and in force immediately prior to such commencement date shall be deemed to have been made, taken, granted, imposed, established, published or done under the corresponding provision of this Scheme.

(7) Any action in relation to potatoes that has been instituted prior to the commencement date by the Potato Board shall be deemed to have been instituted by the Board under the corresponding provision of this Scheme.

(6) Behoudens die bepalings van hierdie artikel word enige aanstelling gemaak, besluit geneem, magtiging verleen, heffing of spesiale heffing opgelê, fonds ingestel, verbod opgelê, voorskrif, lasgewing, bepaling of kennisgewing gepubliseer of enigiets anders gedoen, voor die inwerkingtredingsdatum kragtens 'n bepaling van die Aartappelskema, en wat onmiddellik voor die inwerkingtredingsdatum van krag is, geag gemaak, geneem, verleen, opgelê, ingestel, gepubliseer of gedoen te wees kragtens die ooreenstemmende bepaling van hierdie Skema.

(7) Enige aksie met betrekking tot aartappels wat voor die inwerkingtredingsdatum deur die Aartappelraad ingestel is, word geag deur die Raad kragtens die ooreenstemmende bepaling van hierdie Skema ingesel te wees.

SCHEDULE/AANHANGSEL CONTROLLED AREAS/BEHEERDE GEBIEDE

Name of area Naam van gebied	Description/Beskrywing
1. Bloemfontein	The area of jurisdiction of the local authority of Bloemfontein/Die regsgebied van die plaaslike owerheid van Bloemfontein.
2. Durban, Pietermaritzburg.....	The Magisterial Districts of Camperdown, Durban, Inanda, Pietermaritzburg, Pinetown and Umlazi/Die landdrosdistrikte Camperdown, Durban, Inanda, Pietermaritzburg, Pinetown en Umlazi.
3. George.....	The areas of jurisdiction of the local authorities of George, Mossel Bay and Oudtshoorn/Die regsgebiede van die plaaslike owerhede van George, Mosselbaai en Oudtshoorn.
4. Cape Town/Kaapstad	The Magisterial Districts of Bellville, Cape Town, Goodwood, Kuils River, Simon's Town and Wynberg/Die landdrosdistrikte Bellville, Goodwood, Kaap, Kuilsrivier, Simonstad en Wynberg.
5. Kimberley.....	The area of jurisdiction of the local authority of Kimberley/Die regsgebied van die plaaslike owerheid van Kimberley.
6. Klerksdorp	The areas of jurisdiction of the local authorities of Klerksdorp, Orkney, Potchefstroom and Stilfontein/Die regsgebiede van die plaaslike owerhede van Klerksdorp, Orkney, Potchefstroom en Stilfontein.
7. East London/Oos-Londen	The Magisterial District of East London and the area of jurisdiction of the local authority of King William's Town/Die landdrosdistrik Oos-Londen en die regsgebied van die plaaslike owerheid van King William's Town.
8. Pietersburg.....	The areas of jurisdiction of the local authorities of Louis Trichardt, Pietersburg and Potgietersrus/Die regsgebiede van die plaaslike owerhede van Louis Trichardt, Pietersburg en Potgietersrus.
9. Port Elizabeth.....	The magisterial area of Port Elizabeth and the areas of jurisdiction of the local authorities of Despatch and Uitenhage/Die landdrosdistrik Port Elizabeth en die regsgebiede van die plaaslike owerhede van Despatch en Uitenhage.
10. Pretoria, Witwatersrand.....	The Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Cullinan, Germiston, Heidelberg, Johannesburg, Kempton Park, Krugersdorp, Nigel, Oberholzer, Pretoria, Randfontein, Roodepoort, Sasolburg, Springs, Vanderbijlpark, Vereeniging, Westonaria and Wonderboom/Die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan, Cullinan, Germiston, Heidelberg, Johannesburg, Kempton Park, Krugersdorp, Nigel, Oberholzer, Pretoria, Randburg, Randfontein, Roodepoort, Sasolburg, Springs, Vanderbijlpark, Vereeniging, Westonaria en Wonderboom.
11. Welkom	The areas of jurisdiction of the local authorities of Allanridge, Kroonstad, Odendaalsrus, Virginia and Welkom/Die regsgebiede van die plaaslike owerhede van Allanridge, Kroonstad, Odendaalsrus, Virginia en Welkom.
12. Witbank	The areas of jurisdiction of the local authorities of Middelburg (Transvaal) and Witbank/Die regsgebiede van die plaaslike owerhede van Middelburg (Transvaal) en Witbank.

DEPARTMENT OF ENVIRONMENT AFFAIRS

No. R. 2401

25 November 1988

REGULATIONS IN TERMS OF THE SEA-SHORE ACT, 1935 (ACT 21 OF 1935)

The Minister of Environment Affairs has made the regulations in the Schedule under section 10 (1) of the Sea-shore Act, 1935 (Act 21 of 1935).

SCHEDULE

1. In these regulations any word or expression to which a meaning has been assigned in the Act, shall bear that meaning, and unless the context otherwise indicates—

“area” means that portion of the sea-shore and the sea as defined in regulation 2;

“the Act” means the Sea-Shore Act, 1935 (Act 21 of 1935);

“vehicle” means any vehicle, object or device which is pushed, pulled, dragged or driven on, in, upon or by which a person or goods may be transported or drawn;

“vessel” means any vessel capable of sailing on the sea, mechanically or otherwise, including any boat, submarine or ship, fishing boat, rowing boat, pleasure boat, or any other vessel which can be used for the transportation of passengers or goods of any nature whatsoever.

2. These regulations shall apply to that portion of the sea-shore opposite the seaward boundary of Portion 15 of the farm Buffelshoek 455, situated in the Administrative District of Riversdale, in extent 2 455,4711 hectares, held by the Republic of South Africa by deed of transfer and to be transferred to the Atomic Energy Corporation of South Africa Limited, and a corresponding portion of the sea for a distance of two kilometres seawards from the low-water mark.

3. No person, except a person mentioned in regulation 4, shall—

(a) operate, drive, sail, cause to sail or propel a vessel or a vehicle in the area;

(b) beach or launch a vessel in the area; and

(c) enter the area, linger, swim or practice any sport there.

4. These regulations are not applicable to—

(a) a person entering or leaving the area with the permission of the Chief Executive Officer of the Atomic Energy Corporation of South Africa Limited, or any person duly authorised by him to grant such permission;

(b) a person whose vessel drifts or becomes stranded in the area as a result of unfavourable weather conditions or mechanical defects over which he has no control; and

(c) a person entering the area to save or to attempt to save any person whose life or vessel is in danger.

5. Any person who contravenes or fails to comply with any provision of these regulations shall be guilty of an offence and liable on conviction to a fine not exceeding R500 or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

DEPARTEMENT VAN OMGEWINGSAKE

No. R. 2401

25 November 1988

REGULASIES KRAGTENS DIE STRANDWET, 1935 (WET 21 VAN 1935)

Die Minister van Omgewingsake het kragtens artikel 10 (1) van die Strandwet, 1935 (Wet 21 van 1935), die regulasies in die Bylae uitgevaardig.

BYLAE

1. In hierdie regulasies het enige woord of uitdrukking waarin daar in die Wet 'n betekenis geheg word, dieselfde betekenis, en tensy uit die samehang anders blyk, beteken—

“die Wet” die Strandwet, 1935 (Wet 21 van 1935);

“gebied” die gedeelte van die strand en die see soos omskryf in regulasies 2;

“vaartuig” enige vaartuig waarmee daar op die see gevaar kan word, meganies of andersins, insluitende enige boot, duikboot of skip, vissersboot, roeiboot, plezierboot of enige ander vaartuig wat vir die vervoer van passasiers of goedere van watter aard ook al, gebruik kan word;

“voertuig” enige voertuig, voorwerp of toestel wat gestoot, getrek, gesleep of aangedryf word en waarin, waarop of waardeur 'n persoon of goedere vervoer of getrek kan word.

2. Hierdie regulasies is van toepassing op daardie gedeelte van die strand teenoor die seewaartse grens van Gedeelte 15 van die plaas Buffelshoek 455, geleë in die administratiewe distrik van Riversdal, groot 2 455,4711 hektaar, gehou deur die Republiek van Suid-Afrika kragtens transportakte en wat aan die Atoomenergiekorporasie van Suid-Afrika Beperk oorgedra staan te word, en 'n ooreenstemmende gedeelte van die see oor 'n afstand van twee kilometer seewaarts vanaf die laagwatermerk.

3. Niemand, behalwe 'n persoon in regulasies 4 vermeld, mag—

(a) 'n vaartuig of voertuig binne die gebied bestuur, ry, vaar, laat vaar of aandryf nie;

(b) binne die gebied 'n vaartuig aan wal bring of te water laat nie; en

(c) die gebied binnegaan, daar vertoef, swem, of enige sport beoefen nie.

4. Hierdie regulasies is nie van toepassing nie op—

(a) 'n persoon wat die gebied binnegaan of verlaat met die toestemming van die Hoof Uitvoerende Beamppte van die Atoomenergiekorporasie van Suid-Afrika Beperk of enigiemand behoorlik deur hom gemagtig om sodanige toestemming te gee;

(b) 'n persoon wie se vaartuig binne die gebied dryf of daar strand as gevolg van ongunstige weersomstandighede of meganiese defekte waaroor hy geen beheer het nie; en

(c) 'n persoon wat die gebied binnegaan om enige persoon wie se lewe of vaartuig in gevaar verkeer, te red of te probeer red.

5. Iemand wat 'n bepaling van hierdie regulasies oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R500 of met gevangenisstraf vir 'n tydperk van hoogstens een jaar of met daardie boete sowel as daardie gevangenisstraf.

No. R. 2402

25 November 1988

SEA FISHERIES ACT, 1973 (ACT 58 OF 1973)

AMENDMENT OF THE LEVY ON FISH

The Minister of Environment Affairs, has, in terms of section 20 of the Sea Fisheries Act, 1973 (Act 58 of 1973), amended the levy on fish imposed by Government Notice R. 276 of 26 February 1988, in terms of the said Act, as set out in the Schedule hereto.

SCHEDULE

1. By the substitution for the words "or part thereof" where they occur in paragraphs 2 (1), 3 (1) and 6 (1) of the words "plus a *pro rata* levy calculated on any portion of a metric ton".

2. This amendment shall be effective from 1 March 1988.

DEPARTMENT OF FINANCE

No. R. 2371

25 November 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/91)

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.

G. MARAIS,

Deputy Minister of Finance.

No. R. 2402

25 November 1988

WET OP SEEVISSERYE, 1973 (WET 58 VAN 1973)

WYSIGING VAN DIE HEFFING OP VIS

Die Minister van Omgewingsake het ingevolge artikel 20 van die Wet op Seevisserye, 1973 (Wet 58 van 1973), die heffing op vis wat opgelê is by Goewermentskennisgewing R. 276 van 26 Februarie 1988, kragtens genoemde Wet gewysig, soos in die Bylae uiteengesit.

BYLAE

1. Deur die woorde "of 'n gedeelte daarvan" waar dit in paragrawe 2 (1), 3 (1) en 6 (1) voorkom, deur die woorde "plus 'n *pro rate*-heffing bereken op enige gedeelte van 'n metrieke ton", te vervang.

2. Hierdie wysiging is van krag vanaf 1 Maart 1988.

DEPARTEMENT VAN FINANSIES

No. R. 2371

25 November 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/91)

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

G. MARAIS,

Adjunk-minister van Finansies.

SCHEDULE

Head- ing	Subhead- ing	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
10.08			By the substitution for heading No. 10.08 of the following:			
"10.08			Buckwheat, millet and canary seed; other cereals			
	1008.10	2	Buckwheat	kg	free	
	1008.20	7	Millet	kg	20%	
	1008.30	1	Canary Seed	kg	20%	
	1008.90	9	Other Cereals	kg	free"	

Note.—The effect of this notice is that the rate of duty on buckwheat and certain other cereals is reduced to free whereas the rate of duty on canary seed is amended from 20% or 4,55 c/kg to 20%.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
10.08			Deur pos No. 10.08 deur die volgende te vervang:			
"10.08			Bokwiet, giers en kanariesaad; ander graansoorte			
	1008.10	2	Bokwiet	kg	vry	
	1008.20	7	Giers	kg	20%	
	1008.30	1	Kanariesaad	kg	20%	
	1008.90	9	Ander graansoorte	kg	vry"	

Opmerking.—Die uitwerking van hierdie kennisgewing is dat die skaal van reg op bokwiet en sekere ander graansoorte na vry verlaag word terwyl die skaal van reg op kanariesaad van 20% of 4,55c/kg na 20% gewysig word.

No. R. 2372

25 November 1988

CUSTOMS AND EXCISE ACT, 1964
AMENDMENT OF SCHEDULE 1 (No. 1/1/92)

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.

G. MARAIS,
Deputy Minister of Finance.

No. R. 2372

25 November 1988

DOEANE- EN AKSYNSWET, 1964
WYSIGING VAN BYLAE 1 (No. 1/1/92)

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

G. MARAIS,
Adjunk-minister van Finansies.

SCHEDULE

Head- ing	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
87.12			By the substitution for heading No. 87.12 of the following:			
87.12	8712.00		Bicycles and other cycles (including delivery tricycles), not motorised			
	8712.00.05	9	Bicycles, of a value for duty purposes not exceeding R500	no.	60%	
	.15	7	Bicycles, of a value for duty purposes exceeding R500	no.	30%	
	.25	4	Delivery tricycles	no.	25%	
	.30	0	Other tricycles	no.	20% or 100c each	
	.90	4	Other	no.	5%''	

Note.—Heading No. 87.12 is restated and the effect thereof is that the rate of duty on bicycles is amended.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Anno- tasies
87.12			Deur pos No. 87.12 deur die volgende te vervang:			
87.12	8712.00		Tweewielfietse en ander fietse (met inbegrip van besteldriewielers), nie gemotoriseer nie			
	8712.00.05	9	Tweewielfietse, met 'n waarde vir belastingdoel-eindes van hoogstens R500	getal	60%	
	.15	7	Tweewielfietse, met 'n waarde vir belastingdoel-eindes van meer as R500	getal	30%	
	.25	4	Besteldriewielers	getal	25%	
	.30	0	Ander driewielfietse	getal	20% of 100c elk	
	.90	4	Ander	getal	5%''	

Opmerking.—Pos No. 87.12 word herskryf en die uitwerking daarvan is dat die skaal van reg op tweewielfietse gewysig word.

No. R. 2373

25 November 1988

CUSTOMS AND EXCISE ACT, 1964
AMENDMENT OF SCHEDULE 1 (No. 1/1/93)

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.

G. MARAIS,
Deputy Minister of Finance.

No. R. 2373

25 November 1988

DOEANE- EN AKSYNSWET, 1964
WYSIGING VAN BYLAE 1 (No. 1/1/93)

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

G. MARAIS,
Adjunk-minister van Finansies.

SCHEDULE

Head- ing	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
84.13			By the substitution for subheading No. 8413.30 of the following:			
	"8413.30	7	Fuel, lubricating or cooling medium pumps for internal combustion piston engines	no.	20%"	
			By the substitution for subheading No. 8413.91 of the following:			
	"8413.91		Of pumps:			
	.10	1	For the pumps of subheading No. 8413.11		10%	
	.20	9	Identifiable for the use in motor vehicle engines (excluding those put up as repair kits for water pumps for motor vehicle engines)		15%	
	.30	6	Other, identifiable for use with the pumps of subheading No. 8413.30		15%	
	.60	8	For the pumps of subheading No. 8413.70.10		20%	
	.90	4	Other		15%"	

Notes.—1. The effect of this amendment is that the provisions for internal combustion piston engines are combined at a rate of duty of 20 %.

2. The rates of duty on parts of pumps are amended.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
84.13			Deur subpos No. 8413.30 deur die volgende te vervang:			
	"8413.30	7	Brandstof-, smeermiddel- of koelmiddelpompe vir binnebrandsuierenjins	getal	20%"	
			Deur subpos No. 8413.91 deur die volgende te vervang:			
	"8413.91		Van pompe:			
	.10	1	Vir die pompe van subpos No. 8413.11		10%	
	.20	9	Uitkenbaar as vir gebruik in motorvoertuigenjins (uitgesonderd dié as reparasiestelle vir waterpompe vir motorvoertuigenjins bemark)		15%	
	.30	6	Ander, uitkenbaar as vir gebruik in die pompe van subpos No. 8413.30		15%	
	.60	8	Vir die pompe van subpos No. 8413.70.10		20%	
	.90	4	Ander		15%"	

Opmerkings.—1. Die uitwerking van hierdie wysiging is dat die voorsienings vir pompe vir binnebrandsuierenjins gekombineer word teen 'n skaal van reg van 20 %.

2. Die skale van reg op onderdele van pompe word gewysig.

No. R. 2374

25 November 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/94)

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.

G. MARAIS,
Deputy Minister of Finance.

No. R. 2374

25 November 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/94)

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

G. MARAIS,
Adjunk-minister van Finansies.

SCHEDULE

Head- ing	Sub- heading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
84.25			By the substitution for subheading No. 8425.49.20 of the following:			
	..15	0	Lifting Jacks, mechanical, hand-type, of a lifting height of 800 mm or more when fully extended (excluding trolley mounted garage jacks)	no.	15%	
	.25	8	Other mechanical lifting jacks, hand-type, of a lifting capacity not exceeding 90,7 t	no.	10%''	

Note.—Specific provision is made for certain hand-type mechanical lifting jacks, of a lifting height of 800 mm or more when fully extended, at a rate of duty of 15%.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Anno- tasies
84.25			Deur subpos No. 8425.49.20 deur die volgende te vervang:			
	..15	0	Hysdomkragte, meganies, hand-tipe, met 'n hyshoogte van minstens 800 mm wanneer ten volle uitgestrek (uitgesonderd garageroldomkragte)	getal	15%	
	.25	8	Ander meganiese hysdomkragte, hand-tipe, met 'n hysvermoë van hoogstens 90,7 t	getal	10%''	

Opmerking.—Spesifieke voorsiening word gemaak vir sekere hand-tipe meganiese hysdomkragte, met 'n hyshoogte van minstens 800 mm wanneer ten volle uitgestrek, teen 'n skaal van reg van 15%.

No. R. 2375

25 November 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/95)

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.

G. MARAIS,

Deputy Minister of Finance.

No. R. 2375

25 November 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/95)

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

G. MARAIS,

Adjunk-minister van Finansies.

SCHEDULE

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
30.03			By the substitution in subheading No. 3003.90.15 for check digit "4" of check digit "5".			
			By the substitution in subheading No. 3003.90.20 for check digit "5" of check digit "1".			
			By the substitution in subheading No. 3003.90.25 for check digit "4" of check digit "2".			
			By the substitution in subheading No. 3003.90.30 for check digit "2" of check digit "9".			
Chapter 35			By the insertion in the Afrikaans text of the title after the expression "EIWITSTOWWE;" of the expression "GEMODIFISEERDE STYSELS;"			
39.12			By the substitution for subheading No. 3912.39 of the following:			
	..3912.39	2	Other	kg	10%	
	3912.90		Other:			
	.10	4	Artificial resins	kg	free	
	.90	8	Other	kg	10%''	

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
39.14			By the substitution in subheading No. 3914.00.20 for check digit "7" of check digit "3". By the substitution in subheading No. 3914.00.25 for check digit "3" of check digit "4". By the substitution in subheading No. 3914.00.30 for check digit "4" of check digit "0". By the substitution in subheading No. 3914.00.35 for check digit "0" of check digit "1". By the substitution in subheading No. 3914.00.40 for check digit "0" of check digit "8".			
39.21			By the substitution in subheading No. 3921.19.10 for check digit "3" of check digit "5". By the substitution in subheading No. 3921.90.16 for check digit "6" of check digit "8".			
48.05			By the subheading for subheading No. 4805.21.50 of the following:			
	50	8	Other, of a mass of 35 g/m ² or more but not exceeding 50 g/m ² and of a value for duty purposes exceeding R560/t but not exceeding R980/t (in rolls) or R1 100/t (in sheets)	kg	10%	
58.10			By the substitution in subheading No. 5810.92.90 for check digit "5" of check digit "8".			
60.01			By the substitution in subheading No. 6001.92.80 for check digit "6" of check digit "5".			
73.26			By the substitution in subheading No. 7326.90.13 for check digit "2" of check digit "3".			

Note.—The effect of this notice is that certain transposition errors, check digits and typographical errors are rectified.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
30.03			Deur in subpos No. 3003.90.15, toetssyfer "4" deur toetssyfer "5" te vervang. Deur in subpos No. 3003.90.20, toetssyfer "5" deur toetssyfer "1" te vervang. Deur die subpos No. 3003.90.25, toetssyfer "4" deur toetssyfer "2" te vervang. Deur in subpos No. 3003.90.30, toetssyfer "2" deur toetssyfer "9" te vervang.			
Hoofstuk 35			Deur in die titel na die uitdrukking "EIWITSTOWWE;" die uitdrukking "GE-MODIFISEERDE STYSELS;" in te voeg.			
39.12			Deur subpos No. 3912.39 deur die volgende te vervang:			
	3912.39	2	Ander	kg	10%	
	3912.90		Ander:			
	.10	4	Kunsharse	kg	vry	
	.90	8	Ander	kg	10%	

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
39.14			Deur in subpos No. 3914.00.20, toetssyfer "7" deur toetssyfer "3" te vervang. Deur in subpos No. 3914.00.25, toetssyfer "3" deur toetssyfer "4" te vervang. Deur in subpos No. 3914.00.30, toetssyfer "4" deur toetssyfer "0" te vervang. Deur in subpos No. 3914.00.35, toetssyfer "0" deur toetssyfer "1" te vervang. Deur in subpos No. 3914.00.40, toetssyfer "0" deur toetssyfer "8" te vervang.			
39.21			Deur in subpos No. 3921.19.10, toetssyfer "3" deur toetssyfer "5" te vervang. Deur in subpos No. 3921.90.16, toetssyfer "6" deur toetssyfer "8" te vervang.			
48.05			Deur subpos No. 4805.21.50 deur die volgende te vervang:			
	50	8	Ander, met 'n massa van minstens 35 g/m ² maar hoogstens 50 g/m ² en met 'n waarde vir belastingdoeleindes van meer as R560/t maar hoogstens R980/t (in rolle) of R1 100/t (in velle)	kg	10%	
58.10			Deur in subpos No. 5810.92.90, toetssyfer "5" deur toetssyfer "8" te vervang.			
60.01			Deur in die Engelse teks van subpos No. 6001.92.80, toetssyfer "6" deur toetssyfer "5" te vervang.			
73.26			Deur in subpos No. 7326.90.13, toetssyfer "2" deur toetssyfer "3" te vervang.			

Opmerking.—Die uitwerking van hierdie kennisgewing is dat sekere oorskakelingsfoute, toetssyfers en drukfoute reggestel word.

No. R. 2376

25 November 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/96)

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.

G. MARAIS,

Deputy Minister of Finance.

No. R. 2376

25 November 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/96)

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

G. MARAIS,

Adjunk-minister van Finansies.

SCHEDULE

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
72.07			By the substitution for heading No. 72.07 of the following: Semi-finished products of iron or non-alloy steel.			
72.07	7207.1		Containing by mass less than 0,25 per cent of carbon:			
	7207.11	8	Of rectangular (including square) cross-section, the width measuring less than twice the thickness	kg	15% or 70c/kg less 85%	
	7207.12	4	Other, of rectangular (excluding square) cross-section	kg	15% or 70c/kg less 85%	
	7207.19	9	Other	kg	15% or 70c/kg less 85%	
	7207.20	6	Containing by mass 0,25 per cent or more of carbon	kg	15% or 70c/kg less 85%	

Note.—Heading No. 72.07 is restated.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
72.07			Deur pos No. 72.07 deur die volgende te vervang:			
"72.07			Halfafgewerkte produkte van yster of nielegeringstaal.			
	7207.1		Wat, volgens massa, minder as 0,25 persent koolstof bevat:			
	7207.11	8	Met 'n reghoekige (met inbegrip van vierkantige) dwarsdeursnee, waarvan die wydte 'n afmeting van minder as tweekeer die dikte het	kg	15% of 70c/kg min 85%	
	7207.12	4	Ander, met 'n reghoekige (uitgesonderd vierkantige) dwarsdeursnee	kg	15% of 70c/kg min 85%	
	7207.19	9	Ander	kg	15% of 70c/kg min 85%	
	7207.20	6	Wat, volgens massa, minstens 0,25 persent koolstof bevat	kg	15% of 70c/kg min 85%	

Opmerking.—Pos No. 72.07 word herskryf.

No. R. 2377

25 November 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/97)

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.

G. MARAIS,

Deputy Minister of Finance.

No. R. 2377

25 November 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/97)

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

G. MARAIS,

Adjunk-minister van Finansies.

SCHEDULE

Head-ing	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota-tions
85.25			By the substitution for subheading No. 8525.20 of the following:			
	"8525.20		Transmission apparatus incorporating reception apparatus:			
	.10	5	Of a kind designed to be fitted into motor vehicles, for operation in the frequency range 27,185 to 27,275 megahertz, and incapable of operation outside of this frequency range	no.	15%	
	.20	2	Of a kind designed to be fitted into motor vehicles, for operation in the frequency ranges 27,290 to 27,500 megahertz and 29,710 to 29,985 megahertz, and incapable of operation outside of these frequency ranges	no.	15%	
	.30	7	Portable, for operation in the frequency ranges 27,185 to 27,500 megahertz and 29,710 to 29,985 megahertz, and incapable of operation outside of these frequency ranges	no.	15%	
	.35	0	For operation in the frequency range 1,6 to 26 megahertz, and incapable of operation outside of this frequency range	no.	free	
	.40	7	Other, for operation in the frequency ranges 27,185 to 27,500 megahertz and 29,710 to 29,985 megahertz, and incapable of operation outside of these frequency ranges	no.	15%	
	.45	8	For operation in the frequency range 118 to 136,975 megahertz, and incapable of operation outside of this frequency range	no.	free	
	.50	4	Other microwave apparatus	no.	15%	
	.90	3	Other	no.	15%	

Note.—The effect of this amendment is that subheading No. 8525.20 is restated and the rate of duty on certain transmission apparatus incorporating reception apparatus, is reduced from 15% to free.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
85.25			Deur subpos No. 8525.20 deur die volgende te vervang:			
	"8525.20		Transmissie-apparate wat ontvangsapparate inkorporeer:			
	.10	5	Van 'n soort ontwerp vir montering in motorvoertuie, vir bedryf in die frekwensiebestek 27,185 tot 27,275 megahertz, en nie geskik om te bedryf buite dié frekwensiebestek nie	getal	15%	
	.20	2	Van 'n soort ontwerp vir montering in motorvoertuie, vir bedryf in die frekwensiebestekke 27,290 tot 27,500 megahertz en 29,710 tot 29,985 megahertz, en nie geskik om te bedryf buite dié frekwensiebestekke nie	getal	15%	
	.30	7	Draagbaar, vir bedryf in die frekwensiebestekke 27,185 tot 27,500 megahertz en 29,710 tot 29,985 megahertz, en nie geskik om te bedryf buite dié frekwensiebestekke nie	getal	15%	
	.35	0	Vir bedryf in die frekwensiebestek 1,6 tot 26 megahertz, en nie geskik om te bedryf buite dié frekwensiebestek nie	getal	vry	
	.40	7	Ander, vir bedryf in die frekwensiebestekke 27,185 tot 27,500 megahertz en 29,710 tot 29,985 megahertz, en nie geskik om te bedryf buite dié frekwensiebestekke nie	getal	15%	
	.45	8	Vir bedryf in die frekwensiebestek 118 tot 136,975 megahertz, en nie geskik om te bedryf buite dié frekwensiebestek nie	getal	vry	
	.50	4	Ander mikrogolfapparate	getal	15%	
	.90	3	Ander	getal	15%"	

Opmerking.—Die uitwerking van hierdie wysiging is dat subpos No. 8525.20 herskryf word en die skaal van reg op sekere transmissie apparate wat ontvangsapparate inkorporeer, van 15 % na vry verlaag word.

No. R. 2378

25 November 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 4 (No. 4/19)

Under section 75 of the Customs and Excise Act, 1964, Schedule 4 to the said Act is hereby amended to the extent set out in the Schedule hereto.

G. MARAIS,
Deputy Minister of Finance.

No. R. 2378

25 November 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 4 (No. 4/19)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 4 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

G. MARAIS,
Adjunk-minister van Finansies.

SCHEDULE

I Rebate Item	II				III Extent of Rebate	Annotations
	Tariff-Heading	Rebate Code	C. D.	Description		
411.00 460.16	"85.00	01.00	26	By the deletion of tariff heading No. 85.00. By the insertion after tariff heading No. 84.08 of the following: Parts, certified by the supplier to have been manufactured for use solely or principally in radiotelephonic transmission and reception apparatus for operation in the frequency ranges 1,6 to 26 megahertz and 118 to 136,975 megahertz	Full duty	
		02.00	20	Parts for radar apparatus and radio navigational aid apparatus, certified on entry that they will be used for nautical and aero-nautical purposes and that they will not be sold or disposed of for any other purpose	Full duty"	

Note.—This amendment is consequential to the amendment of subheading No. 8525.20 in Schedule 1. The remainder of rebate item 411.00/85.00 is transposed to rebate item 460.16.

BYLAE

I Korting- item	II				III Mate van Korting	Annota- sies
	Tarief- pos	Korting- kode	T. S.	Beskrywing		
411.00 460.16	85.00	01.00	26	Deur tariefpos No. 85.00 te skrap. Deur na tariefpos No. 84.08 die volgende in te voeg: Onderdele, gesertifiseer deur die verskaffer dat dit vervaardig is vir gebruik slegs of hoofsaaklik in radio-telefoniese transmissie- en ontvangsapparate vir bedryf in die frekwensiebestekke 1,6 tot 26 megahertz en 118 tot 136,975 megahertz	Volle reg	
		02.00	20	Onderdele vir radar- en radionavigasiehulpapparate, by klaring gesertifiseer dat dit vir see- en lugvaartkundige doeleindes gebruik sal word en dat dit vir geen ander doel verkoop of vervreem sal word nie	Volle reg"	

Opmerking.—Hierdie wysiging spruit voort uit die wysiging van subpos No. 8525.20 in Bylae 1. Die oorblywende gedeelte van kortingitem 411.00/85.00 word na kortingitem 460.16 oorgeplaas.

No. R. 2379

25 November 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/98)

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

G. MARAIS,
Deputy Minister of Finance.

No. R. 2379

25 November 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/98)

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

G. MARAIS,
Adjunk-minister van Finansies.

SCHEDULE

Heading	Subhead- ing	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
40.11			By the substitution in subheading No. 4011.30 for check digit "6" of check digit "3".			
72.04			By the substitution for subheading No. 7204.50 of the following:			
	7204.50	9	Remelting scrap ingots	kg	20 %	
87.04			By the substitution in subheading No. 8704.31.60 for check digit "2" of check digit "7".			

Note.—The effect of these amendments is that—

- (a) subheading No. 7204.50 is restated; and
- (b) certain check digits are rectified.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annota- sies
40.11			Deur in subpos No. 4011.30, toetssyfer "6" deur toetssyfer "3" te vervang.			
72.04			Deur subpos No. 7204.50 deur die volgende te vervang:			
	7204.50	9	Afvalgielblokke vir hersmelting	kg	20 %	
87.04			Deur in subpos No. 8704.31.60, toetssyfer "2" deur toetssyfer "7" te vervang.			

Opmerking.—Die uitwerking van hierdie wysigings is dat—

- (a) subpos No. 7204.50 herskryf word; en
- (b) sekere toetssyfers reggestel word.

No. R. 2380

25 November 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/4/24)

Under section 48 of the Customs and Excise Act, 1964, Part 4 of Schedule 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

G. MARAIS,
Deputy Minister of Finance.

No. R. 2380

25 November 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/4/24)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 4 van Bylae 1 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

G. MARAIS,
Adjunk-minister van Finansies.

SCHEDULE

I			II		III	Annotations
Surcharge Item	Tariff Heading	Surcharge Code	Description		Rate of Surcharge	
173.00		"02.00	By the substitution for surcharge code 02.00 to tariff heading No. 69.00 of the following: Goods of headings Nos. 69.09, 69.11 and 69.12		20%"	

Note.—The goods of tariff heading No. 69.09 are made liable to payment of surcharge at a rate of 20 %.

BYLAE

I			II		III	Annotations
Bobelastingitem	Tariefpos	Bobelastingkode	Beskrywing		Skaal van Bobelasting	
173.00		"02.00	Deur bobelastingkode 02.00 by tariefpos No. 69.00 deur die volgende te vervang: Goedere van poste Nos. 69.09, 69.11 en 69.12		20%"	

Opmerking.—Goedere van tariefpos No. 69.09 word onderhewig aan betaling van bobelasting teen 'n skaal van 20 %, gemaak.

No. R. 2381

25 November 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 2 (No. 2/3)

Under section 56 of the Customs and Excise Act, 1964, Part 1 of Schedule 2 to the said Act is hereby amended to the extent set out in the Schedule hereto.

G. MARAIS,
Deputy Minister of Finance.

No. R. 2381

11 November 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 2 (No. 2/3)

Kragtens artikel 56 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae 2 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

G. MARAIS,
Adjunk-minister van Finansies.

SCHEDULE

I	II			III	IV	V	VI
	Tariff Heading	Code	Description				
218.00 and 218.01			By the deletion of items 218.00 and 218.01				

Note.—The anti-dumping duty on single-phase electricity supply meters imported from or originating in Brazil, is abolished.

BYLAE

I	II			III	IV	V	VI
	Tariefpos	Kode	Beskrywing				
218.00 en 218.01			Deur items 218.00 en 218.01 te skrap				

Opmerking.—Die anti-dumpingreg op enkelfase elektrisiteitstoevermeters ingevoer vanaf of afkomstig van Brasilië, word

No. R. 2382

25 November 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/43)

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.

G. MARAIS,
Deputy Minister of Finance.

No. R. 2382

25 November 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/43)

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

G. MARAIS,
Adjunk-minister van Finansies.

SCHEDULE

I Rebate Item	II				III Extent of Rebate	Annota- tions
	Tariff Heading	Rebate Code	C. D.	Description		
306.09		"01.00	46	By the substitution for rebate code 01.00 to tariff heading No. 29.32 of the following: Heterocyclic compounds (excluding carbofuran), for use as active ingredients in the manufacture of pesticides	Full duty"	

Notes.—1. The effect of this amendment is that carbofuran can no longer be cleared under rebate of duty.

2. As atrazine and simazine are not classifiable in heading No. 29.32, the reference thereto is deleted.

BYLAE

I Korting- item	II				III Mate van Korting	Annota- sies
	Tarief- pos	Korting- kode	T. S.	Beskrywing		
306.09		"01.00	46	Deur kortingkode 01.00 by tariefpos No. 29.32 deur die volgende te vervang: Heterosikliese verbindings (uitgesonderd karbofuraan), vir gebruik as aktiewe bestanddele by die vervaardiging van plaagdoders	Volle reg"	

Opmerkings.—1. Die uitwerking van hierdie wysiging is dat karbofuraan nie meer met korting op reg geklaar kan word nie.

2. Aangesien atrisien en simasien nie by pos No. 29.32 indeelbaar is nie, word die verwysiging daarna geskrap.

No. R. 2383

25 November 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/44)

Under section 75 of the Customs and Excise Act, 1964, Schedule 3 to the said Act is hereby amended, with retrospective effect to 15 July 1988, to the extent set out in the Schedule hereto.

G. MARAIS,
Deputy Minister of Finance.

No. R. 2383

25 November 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/44)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 3 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 15 Julie 1988, in die mate in die Bylae hiervan aangetoon.

G. MARAIS,
Adjunk-minister van Finansies.

SCHEDULE

I Rebate Item	II				III Extent of Rebate	Annota- tions
	Tariff Heading	Rebate Code	C. D.	Description		
307.01	"3907.20	01.00	60	By the insertion after tariff heading No. 39.07 of the following: Polytetramethylene ether glycol, for the manufacture of polyurethane prepolymers	Full duty"	

Note.—Provision is made, with retrospective effect to 15 July 1988, for a rebate of the full duty on polytetramethylene ether glycol, for the manufacture of polyurethane prepolymers.

BYLAE

I Korting- item	II				III Mate van Korting	Annota- sies
	Tarief- pos	Korting- kode	T. S.	Beskrywing		
307.01	"3907.20	01.00	60	Deur na tariefpos No. 39.07 die volgende in te voeg: Politetrametileeneterglikol, vir die vervaardiging van poliuretaanprepolimere	Volle reg"	

Opmerking.—Voorsiening word gemaak, met terugwerkende krag tot 15 Julie 1988, vir 'n volle korting op reg op politetrametileeneterglikol, vir die vervaardiging van poliuretaanprepolimere.

No. R. 2384

25 November 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/45)

Under section 48A of the Customs and Excise Act, 1964—

1. Schedule 3 to the said Act is hereby amended to the extent set out in the Schedule hereto; and
2. this amendment, in so far as it relates to tariff heading No. 1511.90 in rebate item 303.01 and tariff heading No. 1511.90 in rebate item 306.06, shall be deemed to have come into operation on 1 January 1988.

G. MARAIS,
Deputy Minister of Finance.

No. R. 2384

25 November 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/45)

Kragtens artikel 48A van die Doeane-en Aksynswet, 1964—

1. Word Bylae 3 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon; en
2. word hierdie wysiging, vir sover dit betrekking het op tariefpos No. 1511.90 in kortingitem 303.01 en tariefpos No. 1511.90 in kortingitem 306.06, geag op 1 Januarie 1988 in werking te getree het.

G. MARAIS,
Adjunk-minister van Finansies.

SCHEDULE

I Rebate Item	II			III Extent of Rebate	Annota- tions
	Tariff Heading	Rebate Code	C. D.		
303.01	"1511.90	01.00	64	Full duty"	
306.06	"1511.90	01.00	62	Full duty"	

Note.—The provisions for a rebate of duty on palm stearine for the manufacture of margarine and other prepared edible fats and soap, are rectified.

BYLAE

I Korting- Item	II			III Mate van Korting	Annotasies
	Tariefpos	Korting- kode	T. S.		
303.01	"1511.90	01.00	64	Volle reg"	
306.06	"1511.90	01.00	62	Volle reg"	

Opmerking.—Die voorsienings vir 'n korting op reg op palmstearien vir die vervaardiging van margarien en ander voorbereide spysvete en seep, word reggestel.

No. R. 2385

25 November 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 4 (No. 4/18)

Under section 75 of the Customs and Excise Act, 1964 Schedule 4 to the said Act is hereby amended to the extent set out in the Schedule hereto.

G. MARAIS,
Deputy Minister of Finance.

No. R. 2385

25 November 1988

DOEANE- EN AKSYNSWET, 1965

WYSIGING VAN BYLAE 4 (No. 4/18)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 4 by genoemde wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

G. MARAIS,
Adjunk-minister van Finansies.

SCHEDULE

I Rebate Item	II				III Extent of Rebate	Annota tions
	Tariff Heading	Rebate Code	C. D.	Description		
460.17	89.01	01.00	46	By the substitution for tariff headings Nos. 89.01 and 89.02 of the following: Ships, boats and other vessels (excluding yachts and other vessels for pleasure or sport, rowing boats and canoes), entered for home consumption on or before 31 December 1988, in such quantities and subject to such conditions as the Minister of Economic Affairs and Technology, on the recommendation of the Board of Trade and Industry, may allow by specific permit	Full duty	
	89.02	01.00	42	Ships, boats and other vessels (excluding yachts and other vessels for pleasure or sport, rowing boats and canoes), entered for home consumption on or before 31 December 1988, in such quantities and subject to such conditions as the Minister of Economic Affairs and Technology, on the recommendation of the Board of Trade and Industry, may allow by specific permit	Full duty"	

Note.—The effect of this amendment is that the provision for a rebate of duty on certain ships, boats and other vessels can only be made use of until 31 December 1988.

BYLAE

I Korting- item	II				III Mate van Korting	Annota- sies
	Tarief pos	Korting- kode	T. S.	Beskrywing		
460.17	89.01	01.00	46	Deur tariefposte Nos. 89.01 en 89.02 deur die volgende te vervang: Skepe, bote en ander vaartuie (uitgesonderd jagte en ander vaartuie vir plesier of sport, roeibote en kano's), op of voor 31 Desember 1988 vir binnelandse verbruik geklaar, in die hoeveelhede en onderworpe aan die voorwaardes wat die Minister van Ekonomiese Sake en Tegnologie, op aanbeveling van die Raad van Handel en Nywerheid, by bepaalde permit toelaat	Volle reg	
	89.02	01.00	42	Skepe, bote en ander vaartuie (uitgesonderd jagte en ander vaartuie vir plesier of sport, roeibote en kano's), op of voor 31 Desember 1988 vir binnelandse verbruik geklaar, in die hoeveelhede en onderworpe aan die voorwaardes wat die Minister van Ekonomiese Sake en Tegnologie, op aanbeveling van die Raad van Handel en Nywerheid, by bepaalde permit toelaat	Volle reg"	

Opmerking.—Die uitwerking van hierdie wysiging is dat die voorsiening vir 'n korting op reg op sekere skepe, bote en ander vaartuie slegs tot 31 Desember 1988 van gebruik gemaak kan word.

DEPARTMENT OF MANPOWER

No. R. 2357

25 November 1988

MACHINERY AND OCCUPATIONAL SAFETY ACT,
1983 (ACT 6 OF 1983)PORTABLE GAS CONTAINER REGULATIONS.—
INCORPORATION OF SAFETY STANDARD

By virtue of the powers vested in me by section 36 (1) of the Machinery and Occupational Safety Act, 1983 (Act 6 of 1983), I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby incorporate the Code of Practice entitled "SABS 019-1975 Code of Practice for Portable Metal Containers for Compressed Gases: Basic Design Criteria, Use and Maintenance", into the Regulations published by Government Notice R. 3475 of 9 October 1969.

P. T. C. DU PLESSIS,
Minister of Manpower.

DEPARTEMENT VAN MANNEKRAG

No. R. 2357

25 November 1988

WET OP MASJINERIE EN BEROEPSVEILIGHEID,
1983 (WET 6 VAN 1983)DRAAGBARE GASHOUER-REGULASIES.—
INLYWING VAN VEILIGHEIDSTANDAARD

Kragtens die bevoegdheid my verleen by artikel 36 (1) van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet 6 van 1983), lyf ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, hierby die gebruikskode getiteld "SABS 019-1975 Gebruikskode vir Vervoerbare Metaalhouers vir Saamgeperste Gasse: Basiese Ontwerpmaatstawwe, Gebruik en Instandhouding" in by die Regulasies afgekondig by Goewermentskennisgewing R. 3475 van 9 Oktober 1969.

P. T. C. DU PLESSIS,
Minister van Mannekrag.

DEPARTMENT OF NATIONAL EDUCATION

No. R. 2370

25 November 1988

UNIVERSITIES ACT, 1955 (ACT 61 OF 1955) JOINT STATUTES OF THE UNIVERSITIES.— AMENDMENT

The Committee of University Principals, established under section 6 of the Universities Act, 1955 (Act 61 of 1955), has, with the approval of the Minister of National Education, in terms of section 18 of the said Act, amended the Joint Statute of the Universities as set out in the Schedule hereto.

SCHEDULE

1. In this Schedule the expression "the Joint Statute" means the Joint Statute of the Universities published under Government Notice R. 822 of 25 May 1962, as amended by Government Notices R. 937 of 25 June 1965, R. 1940 of 8 December 1967, R. 2256 of 6 December 1968, R. 1422 of 28 August 1970, R. 2185 of 3 December 1971, R. 2301 of 24 December 1971, R. 1795 of 4 October 1974, R. 646 of 4 April 1975, R. 1541 of 27 August 1976, R. 2123 of 27 October 1978, R. 354 of 29 February 1980, R. 593 of 30 March 1984 and R. 888 of 16 May 1986.

2. The Joint Statute is hereby amended by the insertion of the following chapter after Chapter V:

"CHAPTER V A

GUIDE-LINES IN RESPECT OF AGREEMENTS IN CONNECTION WITH THE TRAINING OF STUDENTS (Section 10B of the Universities Act, 1955)

Training of students with a view to a degree, diploma or certificate of a university

18A. An agreement entered into between the council of a university and a provincial, educational or other authority or the council or governing body of an institution whose purpose it is to provide a division of higher education in connection with the training of students with a view to a degree, diploma or certificate of that university, shall provide that—

(a) the council of the university shall accept final responsibility for the instructional programmes and instructional offerings;

(b) the admission requirements for the students shall be determined by the council of the university: Provided that provision may be made that the admission requirements for the students be determined after consultation with the authority or institution concerned;

(c) all members of staff of the authority or institution concerned who provide tuition to students with a view to the degree, diploma or certificate shall—

(i) be appointed by the council of the university, on a joint establishment; or

(ii) be accredited as lecturers by the council of the university; or

(iii) be selected and appointed in participation with the council of the university;

(d) decisions on the utilisation of all resources (including staff, library facilities and equipment) for the performance of the activities contemplated in subparagraph (a) shall effectively vest in the council of the university;

(e) the council of the university shall bring the students into account for subsidy purposes: Provided that provision may be made for the council of the university to recompense the authority or institution concerned for aid in the provision of tuition for the degree, diploma or certificate;

DEPARTEMENT VAN NASIONALE OPVOEDING

No. R. 2370

25 November 1988

WET OP UNIVERSITEITE, 1955 (WET 61 VAN 1955) GEMEENSKAPLIKE STATUUT VAN DIE UNIVERSI- TEITE.—WYSIGING

Die Komitee van Universiteitshoofde, ingestel by artikel 6 van die Wet op universiteite, 1955 (Wet 61 van 1955), het, met die goedkeuring van die Minister van Nasionale Opvoeding, kragtens artikel 18 van vermeldde Wet die Gemeenskaplike Statuut van die Universiteite gewysig soos in die Bylae uiteengesit.

BYLAE

1. In hierdie Bylae beteken die uitdrukking "die Gemeenskaplike Statuut" die Gemeenskaplike Statuut van die Universiteite afgekondig by Goewermentskennisgewing R. 822 van 25 Mei 1962, soos gewysig by Goewermentskennisgewings R. 937 van 25 Junie 1965, R. 1940 van 8 Desember 1967, R. 2256 van 6 Desember 1968, R. 1422 van 28 Augustus 1970, R. 2185 van 3 Desember 1971, R. 2301 van 24 Desember 1971, R. 1795 van 4 Oktober 1974, R. 646 van 4 April 1975, R. 1541 van 27 Augustus 1976, R. 2123 van 27 Oktober 1978, R. 354 van 29 Februarie 1980, R. 593 van 30 Maart 1984 en R. 888 van 16 Mei 1986.

2. Die Gemeenskaplike Statuut word hierby gewysig deur na Hoofstuk V die volgende hoofstuk in te voeg:

"HOOFSTUK V A

RIGLYNE TEN OPSIGTE VAN OOREENKOMSTE IN VERBAND MET DIE OPLEIDING VAN STUDENTE (Artikel 10B van die Wet op Universiteite, 1955)

Opleiding van studente met die oog op 'n graad, diploma of sertifikaat van 'n universiteit

18A. 'n Ooreenkoms wat die raad van 'n universiteit met 'n provinsiale, onderwys- of ander owerheid of met die raad of bestuursliggaam van 'n inrigting waarvan die doel is om 'n afdeling van hoër onderwys aan te bied, aangaan in verband met die opleiding van studente met die oog op 'n graad, diploma of sertifikaat van daardie univesiteit, moet daarvoor voorsiening maak—

(a) dat die raad van die universiteit die finale verantwoordelijkheid aanvaar vir die onderrigprogramme en onderrigaanbiedinge;

(b) dat die toelatingsvereistes vir die studente deur die raad van die universiteit bepaal word: Met dien verstande dat daarvoor voorsiening gemaak kan word dat die toelatingsvereistes vir die studente na oorlegpleging met die betrokke owerheid of inrigting bepaal word;

(c) dat alle personeel van die betrokke owerheid of inrigting wat onderrig aan die studente gee met die oog op die graad, diploma of sertifikaat—

(i) deur die raad van die universiteit op 'n gesamentlike diensstaat aangestel word; of

(ii) deur die raad van die universiteit as dosente geakkrediteer word; of

(iii) met deelname van die raad van die universiteit gekeur en aangestel word;

(d) dat besluite in verband met die aanwending van alle hulpbronne (met inbegrip van personeel, biblioteekgeriewe en toerusting) vir die uitvoering van die werksaamhede in subparagraaf (a) bedoel, effektief by die raad van die universiteit berus;

(e) dat die raad van die universiteit die studente vir subsidiedoeleindes in berekening bring: Met dien verstande dat daarvoor voorsiening gemaak kan word dat die raad van die universiteit die betrokke owerheid of inrigting kan vergoed vir hulp verleen met die onderrig vir die graad, diploma of sertifikaat;

(f) the student fees for tuition shall be determined by the council of the universities and be paid to the university; and

(g) the council of the university, as far as necessary with the assistance of the authority or institution concerned, shall report to the head of the relevant Government department responsible for education on the activities in terms of the agreement, according to the directions applicable from time to time.

Training of students with a view to a diploma or certificate of a provincial, educational or other authority or of an institution whose purpose it is to provide a division of higher education

18B. An agreement entered into between the council of a university and a provincial, educational or other authority or the council or governing body of an institution whose purpose it is to provide a division of higher education in connection with the training of students with a view to a diploma or certificate of the authority or institution concerned shall provide that—

(a) the council of the university and the authority concerned or the council or governing body of the institution concerned shall—

(i) compile curricula and syllabuses; and

(ii) determine the means of training and examining of students,

by means of a joint academic body;

(b) admission requirements be determined for the students;

(c) that the diploma or certificate shall be issued by the authority or institution concerned;

(d) the university's participation in the training of the students shall be acknowledged by means of an endorsement on the diploma or certificate;

(e) the allocation of resources or subsidies from public funds shall accrue to the authority or institution concerned: Provided that provision may be made for the authority or institution concerned to recompense the university for its participation in the training of the students; and

(f) the teaching staff of the university who provide tuition to the students with a view to the diploma or certificate may be accredited by the authority concerned or the council or governing body of the institution concerned."

**DEPARTMENT OF NATIONAL
HEALTH AND POPULATION
DEVELOPMENT**

No. R. 2398

25 November 1988

FOODSTUFFS, COSMETICS AND DISINFECTANTS
ACT, 1972 (ACT 54 OF 1972)

WITHDRAWAL OF REGULATIONS

The Deputy Minister of National Health has, by virtue of the powers vested in him by section 15 of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972), read with section 29 of that Act, withdrawn the regulations set out in the Schedule hereto.

SCHEDULE

Regulations 1, 4, 6 (1), 6 (4), 10, 12 (5) and (6), 14 (2) (b), (c), (d) and (e), 19, 25, 26 (7), (8), (9), (10) and (11), 29, 32, 33, 35, 36 (1), (3), (4), (5), (6) and (7), 39 and 40 of the regulations promulgated under the Food, Drugs and Disinfectants Act, 1929 (Act 13 of 1929), and published under Government Notice 575 of 28 March 1930.

(f) dat die studentegelde vir onderrig vasgestel word deur die raad van die universiteit en aan die universiteit betaal word; en

(g) dat die raad van die universiteit, met sover nodig die ondersteuning van die betrokke owerheid of inrigting, aan die hoof van die betrokke Staatsdepartement wat verantwoordelik is vir onderwys verslag doen oor die werksaamhede kragtens die ooreenkoms en wél ooreenkomstig die voorskrifte wat van tyd tot tyd van toepassing is.

Opleiding van studente met die oog op 'n diploma of sertifikaat van 'n provinsiale, onderwys- of ander owerheid of van 'n inrigting waarvan die doel is om 'n afdeling van hoër onderwys aan te bied

18B. 'n Ooreenkoms wat die raad van 'n universiteit met 'n provinsiale, onderwys- of ander owerheid of met die raad of bestuursliggaam van 'n inrigting waarvan die raad of bestuursliggaam van 'n inrigting waarvan die doel is om 'n afdeling van hoër onderwys aan te bied, aangaan in verband met die opleiding van studente met die oog op 'n diploma of sertifikaat van die betrokke owerheid of inrigting, moet daarvoor voorsiening maak—

(a) dat die raad van die universiteit en die betrokke owerheid of die raad of bestuursliggaam van die betrokke inrigting deur middel van 'n gesamentlike akademiese liggaam—

(i) leergange en leerplanne saamstel; en

(ii) die wyse van onderrig en eksaminering van die studente bepaal;

(b) dat toelatingsvereistes vir die studente bepaal word;

(c) dat die diploma of sertifikaat deur die betrokke owerheid of inrigting toegeken word;

(d) dat die universiteit se deelname aan die opleiding van die studente erken word by wyse van 'n endossement op die diploma of sertifikaat;

(e) dat die toekenning van hulpbronne of subsidies uit openbare fondse aan die betrokke owerheid of inrigting toeval: Met dien verstande dat daarvoor voorsiening gemaak kan word dat die betrokke owerheid of inrigting die universiteit vir sy deelname aan die opleiding van die studente kan vergoed; en

(f) dat die doserende personeel van die universiteit wat onderrig aan die studente gee met die oog op die diploma of sertifikaat, deur die betrokke owerheid of die raad of bestuursliggaam van die betrokke inrigting geakkrediteer kan word."

**DEPARTEMENT VAN NASIONALE
GESONDHEID EN BEVOLKINGS-
ONTWIKKELING**

No. R. 2398

25 November 1988

WET OP VOEDINGSMIDDELS, SKOONHEIDSMIDDELS EN ONTSMETTINGSMIDDELS, 1972 (WET 54 VAN 1972)

HERROEPING VAN REGULASIES

Die Adjunk-minister van Nasionale Gesondheid het kragtens die bevoegdheid hom verleen by artikel 15 van die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet 54 van 1972), gelees met artikel 29 van daardie Wet, die regulasies in die Bylae hiervan vermeld, herroep.

BYLAE

Regulasies 1, 4, 6 (1), 6 (4), 10, 12 (5) en (6), 14 (2) (b), (c), (d) en (e), 19, 25, 26 (7), (8), (9), (10) en (11), 29, 32, 33, 35, 36 (1), (3), (4), (5), (6) en (7), 39 en 40 van die regulasies uitgevaardig kragtens die Wet op Voedingsmiddels, Medisyne en Ontsmettingsmiddels, 1929 (Wet 13 van 1929), en afgekondig by Goewermentskennisgewing 575 van 28 Maart 1930.

SOUTH AFRICAN TRANSPORT SERVICES**No. R. 2351****25 November 1988****TRANSMED REGULATIONS.—SCHEDULE OF AMENDMENT**

Under the powers vested in me by section 25 of the South African Transport Services Conditions of Service Act, 1988 (Act 41 of 1988), I, Eli van der Merwe Louw, Minister of Transport Affairs of the Republic of South Africa, do hereby approve of the Transmed Regulations published in Government Notice R. 34 of 7 January 1983, as amended, being further amended as follows with effect from 1 April 1988:

REGULATION 21

Substitute the following for paragraph (3):

(3) A member/beneficiary who resides or is on holiday outside the Republic of South Africa by own choice or who is outside the Republic of South Africa due to official duties, shall be entitled to the benefits which Transmed is liable for in the Republic of South Africa. The member shall settle the account and thereafter claim a refund as prescribed in regulation 25. A refund of 75 per cent of the total cost shall be made by Transmed.

Delete paragraph (4) and renumber paragraphs (5) and (6) to (4) and (5) respectively.

REGULATION 22

Substitute the following for paragraph (1):

(1) No membership fees shall be payable by a member, but a serving member shall contribute R10 per month. These contributions are paid into Transmed's Working Account from which grants are made and against which moneys that deceased members were owing to Transmed are written off.

REGULATION 23

Substitute the following for paragraphs (1) (a) (i) and (1) (a) (ii):

(1) (a) (i) Transmed shall pay as follows for the services of a general medical practitioner or specialist for consultations in consulting rooms, at outpatients' departments of hospitals and at residences:

All members: 75 per cent of the tariff of fees. Members shall make a partial payment of 25 per cent, based on the tariff of fees, direct to the supplier.

(1) (a) (ii) Transmed shall normally pay as follows for the services of a general medical practitioner or specialist for treatment, small operations or other procedures in consulting rooms and for surgical dressings and injections, including the material used in consulting rooms. Surgical dressings and injections (insulin injections excluded) are not supplied on prescription. The medical practitioner can claim the costs thereof on his account:

All members: 75 per cent of the tariff of fees or of the costs of the surgical dressings, injections or material used. Members shall make a partial payment of 25 per cent, based on the tariff of fees or the costs of the surgical dressings, injections or material used, direct to the supplier.

In paragraph (1) (a) (iii), in the *second last sentence* substitute "75 per cent" for "50 per cent".

Substitute the following for paragraph (1) (b):

(1) (b) Transmed shall normally pay 100 per cent of the tariff of fees for the services of a general medical practitioner or specialist for operations and surgical procedures in hospitals, institutions or theatres registered in terms of the Health Act, 1977 (Act 63 of 1977).

SUID-AFRIKAANSE VERVOERDIENSTE**No. R. 2351****25 November 1988****TRANSMED-REGULASIES.—WYSIGINGSLYS**

Ingevolge die bevoegdheid aan my verleen by artikel 25 van die Wet op Diensvoorwaardes vir die Suid-Afrikaanse Vervoerdienste, 1988 (Wet 41 van 1988), verleen ek, Eli van der Merwe Louw, Minister van Vervoerwese van die Republiek van Suid-Afrika, goedkeuring daaraan dat die Transmed-regulasies gepubliseer in Goewermentskennisgewing R. 34 van 7 Januarie 1983, soos gewysig, verder soos volg gewysig word met ingang van 1 April 1988:

REGULASIE 21

Vervang paragraaf (3) deur die volgende:

(3) 'n Lid/voordeeltrekker wat uit eie keuse buite die Republiek van Suid-Afrika woon of met vakansie is of wat weens amptelike pligte buite die Republiek van Suid-Afrika is, is geregtig op die voordele waarvoor Transmed in die Republiek van Suid-Afrika aanspreeklik is. Die lid moet die rekening vereffen en daarna 'n terugbetaling eis soos bepaal in regulasie 25. 'n Terugbetaling van 75 persent van die totale koste word deur Transmed gedoen.

Skrap paragraaf (4) en hernommer paragrawe (5) en (6) onderskeidelik na (4) en (5).

REGULASIE 22

Vervang paragraaf (1) deur die volgende:

(1) 'n Lid betaal geen ledegeld nie, maar 'n dienende lid dra R10 per maand by. Hierdie bydraes word in Transmed se Bedryfsrekening gestort waaruit toekennings gedoen word en waarteen gelde wat afgestorwe lede aan Transmed verskuldig was, afgeskryf word.

REGULASIE 23

Vervang paragrawe (1) (a) (i) en (1) (a) (ii) deur die volgende:

(1) (a) (i) Transmed betaal soos volg vir die dienste van 'n algemene mediese praktisyn of spesialis vir konsultasies in spreekkamers, by buitepasiëntafdelings van hospitale en by wonings:

Alle lede: 75 persent van die geldetarief. Lede moet 'n gedeeltelike betaling van 25 persent, gebaseer op die geldetarief, regstreeks aan die leweransier doen.

(1) (a) (ii) Transmed betaal normaalweg soos volg vir die dienste van 'n algemene mediese praktisyn of spesialis vir behandeling, klein operasies of ander prosedures in spreekkamers en vir chirurgiese wonddekkings en inspuitings, met inbegrip van die materiaal wat in spreekkamers gebruik word. Chirurgiese wonddekkings en inspuitings (insulien-inspuitings uitgesluit) word nie op voorskrif verskaf nie. Die mediese praktisyn kan die koste daarvan op sy rekening eis:

Alle lede: 75 persent van die geldetarief of van die koste van chirurgiese wonddekkings, inspuitstof of materiaal gebruik. Lede moet 'n gedeeltelike betaling van 25 persent, gebaseer op die geldetarief of die koste van die chirurgiese wonddekkings, inspuitstof of materiaal wat gebruik is, regstreeks aan die leweransier doen.

In paragraaf (1) (a) (iii), die *tweede laaste sin*, vervang "50 persent" deur "75 persent".

Vervang paragraaf (1) (b) deur die volgende:

(1) (b) Transmed betaal normaalweg 100 persent van die geldetarief vir die dienste van 'n algemene mediese praktisyn of spesialis vir operasies en chirurgiese prosedures in hospitale, inrigtings of teaters wat kragens die Wet op Gesondheid, 1977 (Wet 63 van 1977), geregistreer is.

Substitute the following for paragraph (2)(c):

(2)(c) If a beneficiary receives treatment as an outpatient or in the casualty section of a hospital, Transmed shall pay 75 per cent of the costs, based on the tariff of fees, direct to the hospital. Members shall make a partial payment of 25 per cent, based on the tariff of fees, direct to the hospital.

Substitute the following for paragraph (5)(a):

(5)(a) For the purpose of these regulations "medicine" means any medical preparation registered as such with the Medicines Control Council and prescribed by a medical practitioner for the treatment or prevention of an indisposition, illness or injury or to restore health.

In paragraph (5)(c)(i) substitute "25 per cent" for "20 per cent".

Substitute the following for paragraph (5)(c)(ii):

(5)(c)(ii) Private chemists and medical practitioners dispensing medicine themselves

Full payment to chemist or medical practitioner dispensing medicine himself

The member is responsible for settlement of the account. A copy of the original handwritten prescription shall accompany the claim. The member shall endorse the claim to the effect that the medicine was in fact received at the specified cost.

A payment/refund of 75 per cent of the costs shall be made to the member in accordance with regulation 25.

Delete paragraphs (5)(c)(iii) and (5)(c)(iv).

Substitute the following for paragraph (5)(d):

(5)(d) When medicine is obtained from a Transmed Dispensary the beneficiary shall acknowledge receipt thereof by signing the face of the original hand-written prescription and by inserting the date of receipt thereon.

In paragraph (6)(a) substitute "R740" for "R340".

Substitute the following for paragraph (6)(b):

(6)(b) Transmed shall pay 75 per cent of the costs to a member, subject to the prescribed maximum amount. The member shall endorse the account to the effect that the service was in fact received at the cost reflected on the account. The member may claim a payment/refund as prescribed in regulation 25.

Delete paragraph (6)(c) and renumber paragraph 6(d) to 6(c).

Substitute the following for paragraph (7)(a):

(7)(a) Transmed shall pay 75 per cent of the amount claimed, direct to the supplier. Members shall make a partial payment of 25 per cent of the costs direct to the supplier. The costs of eye tests, spectacle frames, lenses and contact lenses are included. The costs of artificial eyes and sunglasses are not covered.

Delete paragraphs 7(b) and 7(c).

Substitute the following for paragraph (8)(a):

(8)(a) Transmed shall pay 75 per cent, based on the tariff of fees, of the all-inclusive amount for a maternity case (including a caesarian section) charged by a hospital or other institution or a recognised maternity nurse or a certificated midwife as well as of the amount payable to a general medical practitioner or specialist for a maternity case, direct to the supplier. Members shall make a partial payment of 25 per cent, based on the tariff of fees, direct to the supplier.

Vervang paragraaf (2)(c) deur die volgende:

(2)(c) As 'n voordeeltrekker behandeling as 'n buite-pasiënt of in die ongevalleafdeling van 'n hospitaal ontvang, betaal Transmed 75 persent van die koste, gebaseer op die geldetarief, regstreeks aan die hospitaal. Lede moet 'n gedeeltelike betaling van 25 persent, gebaseer op die geldetarief, regstreeks aan die hospitaal doen.

Vervang paragraaf (5)(a) deur die volgende:

(5)(a) Vir die doel van hierdie regulasies beteken "medisyne" enige mediese preparaat wat as sulks by die Medisynenebeheerraad geregistreer is en wat deur 'n mediese praktisyn voorgeskryf word vir die behandeling of voorkoming van 'n ongesteldheid, siekte of besering of om gesondheid te herstel.

In paragraaf (5)(c)(i) vervang "20 persent" deur "25 persent".

Vervang paragraaf 5(c)(ii) deur die volgende:

(5)(c)(ii) Private apteke en mediese praktisyns wat self medisyne resepteer

Volle betaling aan apteek of mediese praktisyn wat self medisyne resepteer

Die lid is aanspreeklik vir vereffening van die rekening. 'n Afdruk van die oorspronklike handgeskrewe voorskrif van die mediese praktisyn moet die eis vergesel. Die lid moet die eis endosseer ten effekte, dat die medisyne wel ontvang is teen die gespesifiseerde koste.

'n Betaling/terugbetaling van 75 persent van die koste word ooreenkomstig regulasie 25 aan die lid gedoen.

Skrap paragrafe 5(c)(iii) en 5(c)(iv).

Vervang paragraaf (5)(d) deur die volgende:

(5)(d) Wanneer medisyne van 'n Transmed-apteek verkry word, moet die voordeeltrekker ontvangs daarvan erken deur die oorspronklike handgeskrewe voorskrif van die mediese praktisyn op die voorkant te onderteken en die datum van ontvangs daarop in te skryf.

In paragraaf (6)(a), vervang "R340" deur "R740".

Vervang paragraaf (6)(b) deur die volgende:

(6)(b) Transmed betaal 75 persent van die koste aan 'n lid onderworpe aan die voorgeskrewe maksimum bedrag. Die lid moet die rekening endosseer ten effekte dat die diens wel ontvang is teen die koste wat op die rekening aangetoon word. Die lid kan 'n betaling/terugbetaling eis soos bepaal in regulasie 25.

Skrap paragraaf (6)(c) en hernommer paragraaf 6(d) na 6(c).

Vervang paragraaf (7)(a) deur die volgende:

(7) Transmed betaal 75 persent van die bedrag geëis vir optiese dienste regstreeks aan die leweransier. Lede moet 'n gedeeltelike betaling van 25 persent van die koste regstreeks aan die leweransier doen. Die koste vir oogtoetse, brilrame, lense en kontaklense is hierby ingesluit. Die koste van kunsoë en sonbrille word nie gedek nie.

Skrap paragrafe (7)(b) en (7)(c).

Vervang paragraaf (8)(a) deur die volgende:

(8)(a) Transmed betaal 75 persent, gebaseer op die geldetarief, van die allesinsluitende bedrag wat vir 'n kraamgeval (met inbegrip van 'n keisersnee) deur 'n hospitaal of ander inrigting of 'n erkende kraamverpleegster of gesertifiseerde vroedvrou geëis word, asook van die bedrag wat aan 'n algemene mediese praktisyn of spesialis vir 'n kraamgeval betaalbaar is, regstreeks aan die leweransier. Lede moet 'n gedeeltelike betaling van 25 persent, gebaseer op die geldetarief, regstreeks aan die leweransier doen.

Delete paragraph (8) (b) and renumber paragraphs (8) (c) and (8) (d) to (8) (b) and (8) (c) respectively.

Substitute the following for paragraph (10) (a):

(10) (a) Transmed shall pay 75 per cent of the costs for chiropodic services to a member, subject to a maximum amount of R170 per beneficiary per financial year.

Substitute the following for paragraph (10) (b):

(10) (b) The member shall endorse the account to the effect that the service was in fact received at the cost reflected on the account. The member may claim a payment/refund as prescribed in regulation 25.

Substitute the following for paragraph (12) (a):

(12) Transmed shall normally pay 75 per cent of the costs, based on the tariff of fees, direct to the supplier. Members shall make a partial payment of 25 per cent, based on the tariff of fees, direct to the supplier.

Delete paragraph (12) (b).

Substitute the following for paragraph (13) (a):

(13) Transmed shall normally pay 75 per cent of the costs, based on the tariff of fees, direct to the supplier. Members shall make a partial payment of 25 per cent, based on the tariff of fees, direct to the supplier.

Delete paragraph (13) (b).

Substitute the following for paragraph (14) (a):

(14) Transmed shall normally pay 75 per cent of the costs, based on the tariff of fees, direct to the supplier. Members shall make a partial payment of 25 per cent, based on the tariff of fees, direct to the supplier.

Delete paragraph (14) (b).

Substitute the following for paragraph (15) (a):

(15) (a) Transmed shall pay 75 per cent of the costs to a member for clinical psychologic services, including accommodation in an institution (irrespective of whether or not he was admitted thereto by a medical practitioner), only where the service was provided by a medical practitioner qualified therefor or a registered clinical psychologist, subject to a maximum amount of R170 per beneficiary per financial year.

Substitute the following for paragraph (15) (b):

(15) (b) The member shall endorse the account to the effect that the service was in fact received at the cost reflected on the account. The member may claim a payment/refund as prescribed in regulation 25.

Delete paragraph (15) (c).

Substitute the following for paragraph (16) (a):

(16) (a) If a medical practitioner recommends speech therapy, occupational therapy or orthoptic treatment Transmed shall pay 75 per cent of the costs to a member, subject to a maximum amount of R170 per beneficiary per financial year for each of these services.

Substitute the following for paragraph (16) (b):

(16) (b) The member shall endorse the account to the effect that the service was in fact received at the cost reflected on the account. The member may claim a payment/refund as prescribed in regulation 25.

Skrap paragraaf (8) (b) en hernommer paragrawe (8) (c) en (8) (d) onderskeidelik na (8) (b) en (8) (c).

Vervang paragraaf (10) (a) deur die volgende:

(10) (a) Transmed betaal 75 persent van die koste vir chiropodiese dienste aan 'n lid, onderworpe aan 'n maksimum bedrag van R170 per voordeeltrekker per boekjaar.

Vervang paragraaf (10) (b) deur die volgende:

(10) (b) Die lid moet die rekening endosseer ten effekte dat die diens wel ontvang is teen die koste wat op die rekening aangetoon word. Die lid kan 'n betaling/terugbetaling eis soos bepaal in regulasie 25.

Vervang paragraaf 12 (a) deur die volgende:

(12) Transmed betaal normaalweg 75 persent van die koste, gebaseer op die geldetarief, regstreeks aan die leweransier. Lede moet 'n gedeeltelike betaling van 25 persent, gebaseer op die geldetarief, regstreeks aan die leweransier doen.

Skrap paragraaf (12) (b).

Vervang paragraaf (13) (a) deur die volgende:

(13) Transmed betaal normaalweg 75 persent van die koste, gebaseer op die geldetarief, regstreeks aan die leweransier. Lede moet 'n gedeeltelike betaling van 25 persent, gebaseer op die geldetarief, regstreeks aan die leweransier doen.

Skrap paragraaf (13) (b).

Vervang paragraaf (14) (a) deur die volgende:

(14) Transmed betaal normaalweg 75 persent van die koste, gebaseer op die geldetarief, regstreeks aan die leweransier. Lede moet 'n gedeeltelike betaling van 25 persent, gebaseer op die geldetarief, regstreeks aan die leweransier doen.

Skrap paragraaf (14) (b).

Vervang paragraaf (15) (a) deur die volgende:

(15) (a) Transmed betaal 75 persent van die koste aan 'n lid vir klinies sielkundige dienste, met inbegrip van verblyf in 'n inrigting (afgesien daarvan of hy daartoe deur 'n mediese praktisyn toegelaat is of nie), net as die diens deur 'n mediese praktisyn wat daarvoor gekwalifiseer is of 'n geregistreerde kliniese sielkundige gelewer is, onderworpe aan 'n maksimum bedrag van R170 per voordeeltrekker per boekjaar.

Vervang paragraaf (15) (b) deur die volgende:

(15) (b) Die lid moet die rekening endosseer ten effekte dat die diens wel ontvang is teen die koste wat op die rekening aangetoon word. Die lid kan 'n betaling/terugbetaling eis soos bepaal in regulasie 25.

Skrap paragraaf (15) (c).

Vervang paragraaf (16) (a) deur die volgende:

(16) (a) As 'n mediese praktisyn spraakterapie, arbeidsterapie of ortooptiese behandeling aanbeveel, betaal Transmed 75 persent van die koste aan 'n lid, onderworpe aan 'n maksimum bedrag van R170 per voordeeltrekker per boekjaar, vir elk van hierdie dienste.

Vervang paragraaf (16) (b) deur die volgende:

(16) (b) Die lid moet die rekening endosseer ten effekte dat die diens wel ontvang is teen die koste wat op die rekening aangetoon word. Die lid kan 'n betaling/terugbetaling eis soos bepaal in regulasie 25.

Delete paragraph (16) (c).

Substitute the following for paragraph (17) (a):

(17) (a) If a medical practitioner recommends specific surgical, medical or orthopaedic appliances and requirements such as sheepskins for bedridden beneficiaries, elastic stockings, crutches, hearing-aids and artificial parts for the body, e.g. artificial breasts (following an operation to remove a malignancy), hands, arms, legs and eyes, to improve quality of life or to restore normal function temporarily or permanently, Transmed shall pay 75 per cent of the costs thereof to a member subject to a maximum amount of R1 000 per beneficiary per financial year.

In paragraph (17) (c) substitute "subparagraph (a)" for "subparagraph (d)".

Substitute the following for paragraph (17) (d):

(17) (d) Transmed shall accept full liability for colostomy and ileostomy appliances.

Substitute the following for paragraph (17) (e):

(17) (e) The member shall endorse the account to the effect that the service was in fact received at the cost reflected on the account. The member may claim a payment/refund as prescribed in regulation 25.

Substitute the following for paragraph (18):

(18) Where oxygen is prescribed by a medical practitioner Transmed shall pay 75 per cent of the costs thereof, including the apparatus, direct to the supplier. Members shall make a partial payment of 25 per cent of the costs direct to the supplier. Transmed shall also pay the full deposit on the apparatus direct to the supplier.

Substitute the following for paragraphs (19) (a) and (19) (b):

Chiropractic services

(19) (a) Transmed shall pay 75 per cent of the costs for chiropractic services to a member, subject to a maximum amount of R170 per beneficiary per financial year.

(19) (b) The member shall endorse the account to the effect that the services was in fact received at the cost reflected on the account. The member may claim a payment/refund as prescribed in regulation 25.

REGULATION 24

In paragraph (2), in the *first sentence* substitute "75 per cent" for "50 per cent".

Substitute the following for paragraph (8):

(8) The full 25 per cent of the costs of medicine obtained from a Transmed dispensary shall be recovered monthly from a member's salary/annuity. If a member is subject to high medical expenses in unavoidable circumstances, assistance from Transmed's Working Account shall be considered.

REGULATION 25

Substitute the following for paragraph (1):

(1) If a member has paid an account for benefits directly, he should submit a claim where practicable on the prescribed form, to the District Manager (Medical Scheme) concerned, together with the receipted account. Where applicable, a legible photostatic copy of the original handwritten prescription of the medical practitioner, on which the original signature of the recipient and the date of receipt of the medicine appear in ink, should also be attached.

Skrap paragraaf (16) (c):

Vervang paragraaf (17) (a) deur die volgende:

(17) (a) As 'n mediese praktisyn bepaalde chirurgiese, mediese of ortopediese toestelle en benodigdhede soos skaapvelle vir bedlêende voordeeltrekkers, elastiese kouse, krukke, gehoortoeselle en kunsledemate bv. kunsborste (na 'n operasie om kwaadaardigheid te verwyder), kunshande, -arms, -bene en -oë, aanbeveel ten einde lewensgehalte te verbeter of normale funksie tydelik of permanent te herstel, betaal Transmed 75 persent van die koste daarvan aan 'n lid, onderworpe aan 'n maksimum bedrag van R1 000 per voordeeltrekker per boekjaar.

In paragraaf (17) (c) vervang "subparagraaf (d)" deur "subparagraaf (a)".

Vervang paragraaf (17) (d) deur die volgende:

(17) (d) Transmed aanvaar volle aanspreeklikheid vir kolostomie- en ileostomietoestelle.

Vervang paragraaf (17) (e) deur die volgende:

(17) (e) Die lid moet die rekening endosseer ten effekte dat die diens wel ontvang is teen die koste wat op die rekening aangetoon word. Die lid kan 'n betaling/terugbetaling eis soos bepaal in regulasie 25.

Vervang paragraaf (18) deur die volgende:

(18) As suurstof deur 'n mediese praktisyn voorgeskryf word, betaal Transmed 75 persent van die koste daarvan, met inbegrip van die apparaat, regstreeks aan die leweransier. Lede moet 'n gedeeltelike betaling van 25 persent regstreeks aan die leweransier doen. Transmed betaal ook die volle deposito vir die apparaat regstreeks aan die leweransier.

Vervang paragrawe (19) (a) en (19) (b) deur die volgende:

Chiropraktiese dienste

(19) (a) Transmed betaal 75 persent van die koste vir chiropraktiese dienste aan 'n lid, onderworpe aan 'n maksimum bedrag van R170 per voordeeltrekker per boekjaar.

(19) (b) Die lid moet die rekening endosseer ten effekte dat die diens wel ontvang is teen die koste wat op die rekening aangetoon word. Die lid kan 'n betaling/terugbetaling eis soos bepaal in regulasie 25.

REGULASIE 24

In paragraaf (2), in die *eerste sin*, vervang "50 persent" deur "75 persent".

Vervang paragraaf (8) deur die volgende:

(8) Die volle 25 persent van die koste van medisyne wat van 'n Transmed-apteek verkry is, word maandeliks van 'n lid se salaris/jaargeld verhaal. As 'n lid in onvermydelike omstandighede aan hoë mediese koste onderwerp word, word bystand uit Transmed se Bedryfsrekening oorweeg.

REGULASIE 25

Vervang paragraaf (1) deur die volgende:

(1) Indien 'n lid 'n rekening vir voordele regstreeks betaal het, moet hy 'n eis, waar doenlik op die voorgeskrewe vorm, tesame met die gekwiteerde rekening aan die betrokke Distriksbestuurder (Mediese Skema) stuur. Indien van toepassing, moet 'n leesbare fotostaat van die oorspronklike handgeskrewe voorskrif van die mediese praktisyn aangeheg word waarop die ontvanger se oorspronklike handtekening en die datum van ontvangs van die medisyne met ink aangebring is.

Substitute the following paragraphs (2) (a) and (2) (b) for paragraph (2):

(2) (a) Where Transmed is responsible for settlement of an account (100 per cent or 75 per cent of the tariff of fees) a specified account shall be submitted to the District Manager (Medical Scheme) concerned.

(2) (b) Where the member is responsible for settlement of an account, he shall endorse the account to the effect that the service/medicine was in fact received at the cost reflected on the account. In the case of medicine a legible photostatic copy of the original hand-written prescription of the medical practitioner, on which the original signature of the recipient and the date of receipt of the medicine appear in ink, should also be attached.

Vervang paragraaf (2) deur die volgende:

(2) (a) Indien Transmed aanspreeklik is vir vereffening van 'n rekening (100 persent of 75 persent van die geldetarf) moet 'n gespesifiseerde rekening aan die betrokke Distriksbestuurder (Mediese Skema) gestuur word.

(2) (b) Indien die lid aanspreeklik is vir vereffening van 'n rekening moet hy die rekening endosseer ten effekte dat die diens/medisyne wel ontvang is teen die koste wat op die rekening aangetoon word. In die geval van medisyne moet 'n leesbare fotostaat van die oorspronklike handgeskrewe voorskrif van die mediese praktisyn aangeheg word waarop die ontvanger se oorspronklike handtekening en die datum van ontvangs van die medisyne met ink aangebring is.

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