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GOVERNMENT NOTICE

DEPARTMENT OF AGRICULTURE

No. R. 840

10 May 1993

MARKETING ACT, 1968
(ACT No. 59 OF 1968)

PROPOSED WOOL SCHEME

It is hereby notified for general information that the Minister of Agriculture has under section 9 (1) of the Marketing Act, 1968 (Act No. 59 of 1968), provisionally approved the proposed Scheme set out in the Schedule in substitution of the Wool Scheme published by Proclamation No. R. 155 of 1972, as amended.

The present Wool Board has accordingly prepared explanatory notes regarding the functioning and motivation of the envisaged Scheme, as stated hereunder.

Persons who have an interest in the wool industry are hereby invited in terms of section 9 (2) (b) of the said Act, to lodge any objections to or representations concerning the proposed Scheme in writing to the **Director-General, Department of Agriculture, Dirk Uys Building, Hamilton Street, Pretoria, or Private Bag X250, Pretoria, 0001**, within **four weeks** from the date of publication of this notice.

C. S. BLIGNAUT,

Deputy Director-General: Agriculture.

SCHEDULE

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

GOEWERMENTSKENNISGEWING

DEPARTEMENT VAN LANDBOU

No. R. 840

10 Mei 1993

BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)

VOORGESTELDE WOLSKEMA

Hiermee word vir algemene inligting bekendgemaak dat die Minister van Landbou kragtens artikel 9 (1) van die Bemerkingswet, 1968 (Wet No. 59 van 1968), die voorgestelde Skema in die Bylae uiteengesit, voorlopig goedgekeur het ter vervanging van die Wolskema gepubliseer by Proklamasie No. R. 155 van 1972, soos gewysig.

Die huidige Wolraad het dienooreenkomstig verduidelikende notas betreffende die funksionering en motivering van die beoogde Skema voorberei soos hieronder uiteengesit word.

Persone wat 'n belang het by die wolbedryf word hierby ingevolge artikel 9 (2) (b) van vermeldde Wet uitgenooi om binne **vier weke** vanaf die datum van publikasie van hierdie kennisgewing enige besware teen of verhoë aangaande die voorgestelde Skema skriftelik by die **Direkteur-generaal, Departement van Landbou, Dirk Uysgebou, Hamiltonstraat, Pretoria, of Privaatsak X250, Pretoria, 0001**, in te dien.

C. S. BLIGNAUT,

Adjunk-direkteur-generaal: 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, any word or expression to which a meaning has been assigned in the Act shall have that meaning and, unless the context otherwise indicates—

“**agent**” means any person that processes, treats, keep, convey or sell wool on behalf of a producer or cause such actions to be taken on behalf of the producer;

“**Minister**” means the Minister of Agriculture;

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

“**the Board**” means the Wool Board referred to in section 6 of this Scheme; and

“**wool**” means the removed natural coat of sheep (*genus ovis*), in whatever form.

Name of Scheme [sect. 18]

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

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

3. (1) This Scheme shall relate to wool produced in the Republic as well as 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 the 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 wool may differ from any such requirement or prohibition or decision in relation to any other class of wool; or

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

Area in which Scheme applies [sect. 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 [sect. 21]

5. This Scheme shall apply to—

(a) all producers of wool; and

(b) all persons dealing in the course of trade with wool.

Establishment of Board [sect. 25]

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

Woordomskrywing

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

“**agent**”, 'n persoon wat ten behoeve van 'n produsent wol verwerk, behandel, opberg, vervoer of verkoop of sodanige handelinge ten behoeve van 'n produsent laat verrig;

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

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

“**Minister**” die Minister van Landbou;

“**regulasie**” 'n regulasie kragtens artikel 89 van die Wet deur die Minister uitgevaardig; en

“**wol**” die verwyderde natuurlike bedekking van die skaap (*genus ovis*), in watter vorm ook al.

Naam van Skema [art. 18]

2. Hierdie Skema heet die Wolskema.

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

3. (1) Hierdie Skema het betrekking op wol wat in die Republiek geproduseer is, asook '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 wol kan verskil van so 'n voorskrif of verbod of besluit met betrekking tot 'n ander klas wol; of

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

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

4. (1) Hierdie Skema is in die Republiek van toepassing.

(2) 'n Voorskrif 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 wol; en

(b) alle persone wat met wol as 'n besigheid handel.

Instelling van Raad [art. 25]

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

Constitution of the Board [sect. 28]

7. (1) Subject to the provisions of section 28 (1) (b) (ii) of the Act, the Board shall consist of—

- (a) nine persons representing producers of wool;
- (b) one person dealing with wool in the course of trade;
- (c) one person representing persons acting as agents; and
- (d) one person representing persons dealing with wool products in the course of trade.

(2) (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 the Board [sect. 28 (1) (b)]

8. (1) A member of the Board and an additional member referred to in section 28 (1) (b) (ii) of the Act 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 or additional 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 7 (2) of this Scheme.

(3) A member, additional member and advisory member of the Board may at the expiry of his period of office be reappointed.

Allowances to members, additional member and advisory member [sect. 30]

9. A member, additional member and advisory member of the Board may in respect of their services in the said capacity be paid from a general fund referred to in section 28 of this Scheme such allowances as the Board may determine with the approval of the Minister.

Filling of vacancies [sect. 28A]

10. (1) A vacancy on the Board arising by virtue of the provisions of section 28A 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 additional and advisory member of the Board.

Samestelling van Raad [art. 28]

7. (1) Behoudens die bepalings van artikel 28 (1) (b) (ii) van die Wet, bestaan die Raad uit—

- (a) nege persone wat produsente van wol verteenwoordig;
- (b) een persoon wat persone wat met wol as 'n besigheid handel, verteenwoordig;
- (c) een persoon wat persone wat as agent optree, verteenwoordig; en
- (d) een persoon wat persone wat met wolprodukte as 'n besigheid handel, verteenwoordig.

(2) (a) Die Raad kan met die Minister se goedkeuring een persoon vir 'n bepaalde doel as 'n adviseerende lid van die Raad koöpteer.

(b) So 'n adviseerende 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)]

8. (1) 'n Lid van die Raad en 'n addisionele lid bedoel in artikel 28 (1) (b) (ii) van die Wet 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 of addisionele lid kragtens artikel 28 (1) (b) van die Wet bepaal.

(2) 'n Adviseerende lid dien in die Raad vir die tydperk deur die Raad by die koöptering van daardie adviseerende lid kragtens artikel 7 (2) van hierdie Skema bepaal.

(e) 'n Lid, addisionele lid en adviseerende lid van die Raad kan by verstryking van sy ampstermyn weer aangestel word.

Toelaes aan lede, addisionele lid en adviseerende lid [art. 30]

9. Aan die lede en addisionele en adviseerende lid van die Raad kan daar ten opsigte van hulle dienste in daardie hoedanigheid, uit 'n algemene fonds in artikel 28 van hierdie Skema bedoel, die toelaes betaal word wat die Raad met die goedkeuring van die Minister vasstel.

Vulling van vakatures [art. 28A]

10. (1) 'n Vakature in die Raad wat ontstaan uit hoofde van die bepalings van artikel 28A van die Wet of as gevolg van die dood van 'n lid, word gevul by wyse van aanstelling op dieselfde wyse as die wyse 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 addisionele en adviseerende lid van die Raad.

Chairman and vice-chairman [sect. 24]

11. (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) 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 11 months 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 [sect. 31]

12. (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) If the Board is unable to determine the time and place of any ordinary meeting, the chief executive officer may, with the consent of three members of the board, determine the time and place of such a meeting.

(3) Notwithstanding the provisions of subsection (1), the chairman of the Board, or in his absence, the vice-chairman, 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 from the Minister or at least three members of the Board.

(4) In the absence of both the chairman and the vice-chairman, the chief executive officer of the Board may, with the consent of three members of the Board, act as contemplated in subsection (3).

(5) 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.

Voorsitter en ondervoorsitter [art. 24]

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

(2) Sodanige verkiesing moet 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 en gedurende die eerste gewone vergadering van die Raad wat gehou word na verstryking van 'n tydperk van 11 maande 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]

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

(2) Indien die Raad nie in staat is om die tyd en plek van enige gewone vergadering te bepaal nie, kan die hoof uitvoerende beampte van die Raad met die instemming van drie lede van die Raad, die tyd en plek van so 'n vergadering bepaal.

(3) Ondanks die bepalings van subartikel (1), kan die voorsitter van die Raad, of in sy afwesigheid, die ondervoorsitter, 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 van die Minister of minstens drie lede van die Raad ontvang het.

(4) In die afwesigheid van sowel die voorsitter as die ondervoorsitter, kan die hoof uitvoerende beampte van die Raad met die instemming van drie lede van die Raad, optree soos in subartikel (3) beoog.

(5) Die persoon wat die pligte van sekretaris van die Raad verrig, moet elke lid van die Raad, die voorsitter van die Nasionale Bemakingsraad 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.

Quorum for meetings [sect. 31]

13. (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 of 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 on that day; or

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

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

(i) the provisions of section 12 (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 be deemed to 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 provision 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 remaining members at that meeting shall constitute a quorum for the purpose of 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 [sect. 31]

14. (1) Subject to the provisions of section 11 (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.

Kworum vir vergaderings [art. 31]

13. (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 guddunke—

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

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

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

(i) is die bepalings van artikel 12 (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) word die stemgeregtigde lede van die Raad wat by daardie vergadering teenwoordig is, geag 'n kworum te vorm.

(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 aanwesig 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 by die aangeleentheid het wat deur die Raad oorweeg word, maak die oorblywende lede by daardie vergadering 'n kworum uit vir doeleindes van 'n besluit ingevolge artikel 7C (2) van die Wet om die betrokke aangeleentheid na die Landbouwerwysingsraad ingestel by artikel 7A van die Wet, te verwys.

Voorsitter by vergaderings [art. 31]

14. (1) Behoudens die bepalings van artikel 11 (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) 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) The person who presides at a meeting of the Board shall determine the procedure at that meeting.

Attendance of meetings [sect. 31]

15. (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 12 (5) 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.

Decisions of Board [sect. 31]

16. (1) A decision of the majority of the members of the Board with the right to vote who are present at a meeting thereof shall constitute the decision of the Board.

(2) 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 [sect. 29 (2)]

17. (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 such a 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) An investment of powers of the Board in such a committee shall not be construed as empowering that committee to amend or set aside any decision of the Board.

(3) Indien die ondervoorsitter ook nie in staat is om so 'n vergadering by te woon of daarop voor te sit nie, moet die aanwesiges 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) Die persoon wat by 'n vergadering van die Raad voorsit, bepaal die prosedure op daardie vergadering.

Bywoning van vergaderings [art. 31]

15. (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 sal word om 'n vergadering by te woon waarvan hy in kennis gestel is soos in artikel 12 (5) 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 bepalinge van subartikels (1), (2) en (3) is *mutatis mutandis* van toepassing op 'n adviserende lid van die Raad.

Besluite van Raad [art. 31]

16. (1) '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.

(2) By 'n staking van stemme het die lid wat op daardie vergadering voorsit, benewens sy beraadslagende stem ook 'n beslissende stem.

Komitees [art. 29 (2)]

17. (1) Die Raad kan van tyd tot tyd met die Minister se toestemming en onderworpe aan die voorwaardes wat die Raad opla, een of meer komitees uit sy lede aanstel en na goeddunke van sy bevoeghede 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 bevoegdhede 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) Any decision taken or act performed by or on authority of such a committee shall be of full force and effect unless it is set aside or amended by the Board.

(5) The provisions of sections 13 (1), (2) and (3), 14, 15 and 16 of this Scheme shall apply *mutatis mutandis* to such a committee.

Advisory committees [sect. 29 (1)]

18. (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, or in respect of wool.

(2) Such advisory committee shall be constituted in a 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 the period, but not exceeding three years, as the Board may determine.

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

(4) The provisions of sections 9 and 17 (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 [sect. 33]

19. (1) The Board may employ such persons as it may consider necessary for the proper performance of its functions.

(2) Such persons shall, subject to the directions that 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 28 of this Scheme.

Pension fund [sect. 24]

20. When the Board employs a person on a full-time basis in terms of section 19 of this Scheme—

- (a) the Board shall arrange for the admission of such person as a member of the pension fund of the Wool Board;

(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 13 (1), (2) en (3), 14, 15 en 16 van hierdie Skema is *mutatis mutandis* op so 'n komitee van toepassing.

Adviserende Komitees [art. 29 (1)]

18. (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, of ten opsigte van wol.

(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, maar hoogstens drie jaar, aangestel.

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

(4) Die bepalings van artikels 9 en 17 (2) van hierdie Skema en artikel 28A van die Wet is *mutatis mutandis* van toepassing op 'n adviserende komitee en die lede daarvan.

(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]

19. (1) Die Raad kan die persone in diens neem wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede.

(2) Sodanige persone word, behoudens die voor skrifte wat die Minister in 'n bepaalde geval uitreik—

- (a) op 'n voltijdse 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 28 van hierdie Skema.

Pensioenfonds [art. 24]

20. Wanneer die Raad iemand ingevolge artikel 19 van hierdie Skema op 'n voltijdse grondslag in diens neem—

- (a) moet die Raad reëlings tref vir die toelating van daardie persoon as 'n lid van die pensioenfonds van die Wolraad;

- (b) such person shall pay into that pension fund the monetary contribution determined in terms of the rules of the pension fund; and
- (c) the Board shall in respect of the monetary contribution of the person concerned, pay out of a general fund referred to in section 28 of this Scheme into that pension fund the amount determined in terms of the rules of the pension fund.

Acquisition of property [sect. 34]

21. (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.

- (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 the manner that the Minister may approve.

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

22. (1) The Board may, with the approval of the Minister, assist by way of grant or loan or in any other manner—

- (a) research work relating to the improvement, production, manufacture, processing, storing or marketing of wool;
- (b) a committee or organization established or instituted by the South African Agricultural Union to promote the wool industry; and
- (c) any organization established or instituted to promote the wool 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 organization referred to in paragraph (b) or (c) of that subsection unless that committee or organization has through and with the approval of the South African Agricultural Union made representations therefor to the Board.

Furnishing of information and advice [sect. 36]

23. 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 condition regarding grades, standards of quality, methods of packing and the marking of wool or of any receptacle containing wool and subject to which wool 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 wool.

(b) moet sodanige persoon die geldelike bydrae wat ingevolge die reëls van die 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 28 van hierdie Skema bedoel, die bedrag wat ingevolge die reëls van die pensioenfonds bepaal word, in daardie pensioenfonds stort.

Verkryging van eiendom [art. 34]

21. (1) Behoudens die bepalings van artikel 34 (2) van die Wet, kan die Raad die eiendom aanskaf of huur wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede.

- (2) Die Raad kan—
 - (a) geld of eiendom aanneem wat by wyse van geskenk, toekenning 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]

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

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

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

Verstreking van inligting en advies [art. 36]

23. Die Raad kan—

- (a) 'n inligtingsdiens instel ten einde produsente van tyd tot tyd in te lig aangaande bemarkingstoestande oor die algemeen of aangaande die toestand van 'n besondere mark; en
- (b) die Minister van advies dien aangaande—
 - (i) die voorwaardes wat betref grade, kwaliteitstandaarde, verpakkingsmetodes en die merk van wol of van 'n houer wat wol bevat waarkragtens wol 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 wol.

Stimulating demand for wool [sect. 37]

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

Co-operation by Board [sect. 38]

25. 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 [sect. 41, 44, 79]

26. 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 wool or on wool of a particular class, grade or standard of quality.

Persons by whom levy and special levy are payable [sect. 42 (1), 44]

27. A levy and a special levy that are imposed in terms of section 26 of this Scheme shall in the case of—

- (a) wool produced in the Republic and destined to be sold internally or externally, be payable by the producer of that wool; and
- (b) wool that is imported into the Republic or has been introduced into the Republic from a self-governing territory for the purpose of the sale or processing thereof in the Republic, be payable by the person by whom that wool has been imported or introduced.

General funds [sect. 46 (1)]

28. (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 29 of this Scheme or a special fund referred to in section 30 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, utilize money in such a general fund for any other object which in the opinion of the Board will be to the advantage of persons having an interest in wool.

Reserve funds [sect. 46 (2)]

29. (1) The Board shall establish one or more reserve funds to be administered and controlled by the Board, and into which the Board shall pay 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 such reserve fund in a manner as may be approved by the Minister.

Special funds [sect. 46 (3)]

30. (1) The Board shall—

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

Bevordering van vraag na wol [art. 37]

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

Samewerking deur Raad [art. 38]

25. Die Raad kan met die Minister se goedkeuring—

- (a) met enigeen 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]

26. Die Raad kan met die goedkeuring van die Minister 'n heffing en 'n spesiale heffing, op die grondslag wat die Raad bepaal, opleë op wol, of op wol van 'n bepaalde klas, graad of kwaliteitstandaard.

Persone deur wie heffing en spesiale heffing betaalbaar is [art. 42 (1), 44]

27. 'n Heffing en 'n spesiale heffing wat ingevolge artikel 26 van hierdie Skema opgelê is, is in die geval van—

- (a) wol wat in die Republiek geproduseer en bestem is vir verkoop binnelands of buitelands, betaalbaar deur die produsent van daardie wol; en
- (b) wol wat in die Republiek ingevoer is of uit 'n selfregerende gebied in die Republiek ingebring is vir verkoop of verwerking daarvan in die Republiek, betaalbaar deur die persoon deur wie daardie wol ingevoer of ingebring is.

Algemene fondse [art. 46 (1)]

28. 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 29 van hierdie Skema bedoel, of 'n spesiale fonds in artikel 30 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 voordeel sal strek van persone wat belang het by wol.

Reserwefondse [art. 46 (2)]

29. (1) Die Raad moet een of meer reserwefondse instel wat deur die Raad bestuur en beheer 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)]

30. (1) Die Raad moet—

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

- (b) pay into such special fund the moneys derived from a special levy referred to in section 26 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 a manner as may be approved by the Minister.

Financial year [sect. 50]

31. The financial year under this Scheme shall be the period from 1 July in any year until 30 June of the ensuing year, both days included.

Estimates of income and expenditure [sect. 24]

32. (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.

(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 [sect. 45]

33. 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 the event of discontinuance of the Scheme [sect. 49]

34. (1) In the event of the discontinuance of this Scheme, the remaining assets of the Board, after its debts has been settled, shall in a manner approved by the Minister be divided between persons by whom a levy and special levy under section 26 is payable, *pro rata* to the respective amounts paid by them as such levies and special levies during the three years immediately preceding the date on which this Scheme is discontinued.

(2) Any deficit which may exist at the discontinuance of this Scheme, shall be made good by contributions from persons by whom a levy and special levy under section 24 is payable *pro rata* to the respective amounts paid by them as such levies and special levies during the three years immediately preceding the date on which this Scheme is discontinued.

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

35. 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 wool as may be available to such person and as the Board may specify; and

- (b) die gelde uit 'n spesiale heffing in artikel 26 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 'n spesiale fonds beskik op 'n wyse wat die Minister goedkeur.

Boekjaar [art. 50]

31. Die boekjaar ingevolge hierdie Skema is die tydperk van 1 Julie in enige jaar tot 30 Junie van die daaropvolgende jaar, albei dae ingesluit.

Raming van inkomste en uitgawes [art. 24]

32. (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 die 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) 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 Bemarkingsraad voorlê tesame met, indien nodig, verduidelikings van enige afwykings.

Leen van geld [art. 45]

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

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

34. (1) Indien hierdie Skema opgehef word, word die bates van die Raad, nadat sy skulde vereffen is, op 'n wyse wat die Minister goedkeur verdeel tussen persone deur wie 'n heffing en spesiale heffing kragtens artikel 26 betaalbaar is, in verhouding tot die onderskeie bedrae wat as sodanige heffings en spesiale heffings gedurende die drie jaar onmiddellik voor die datum waarop hierdie Skema opgehef is, deur hulle betaal is.

(2) Enige tekort wat by die opheffing van hierdie Skema bestaan, word aangesuiwer deur bydraes deur persone deur wie 'n heffing en spesiale heffing kragtens artikel 24 betaalbaar is in verhouding tot die onderskeie bedrae wat as sodanige heffings en spesiale heffings gedurende die drie jaar onmiddellik voor die datum waarop hierdie Skema opgehef is, deur hulle betaal is.

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

35. 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 die inligting met betrekking tot wol te verstrek waarvoor bedoelde persoon beskik en wat die Raad spesifiseer; en

- (b) prescribe the records to be kept in connection with wool, the period for which any such records shall be retained and the returns to be rendered in regard thereto 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, as well as the times at which and the form and manner in which such returns shall be thus rendered.

Appointment of agents [sect. 53]

36. 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 the Board may determine with the approval of the Minister.

Authorization of inspectors [sect. 54]

37. 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 of being a producer of wool or a person dealing or suspected of dealing in the course of trade with wool or any place or vehicle in or on which any quantity of wool is kept or transported or is suspected of being kept or transported by any person;
- (b) to inspect any such wool 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 wool and to make copies of or take extracts from such books and documents;
- (c) to demand from the owner or custodian of such wool any information concerning such wool;
- (d) to demand from the owner or custodian of any such book or document an explanation of any entry therein;
- (e) to seize any books, documents or articles which may afford evidence of the commission of an offence under the Act or this Scheme or any regulation, or any quantity of wool 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 wool which have been so seized, and, if he deems fit, to place on any such book, document, article or wool or on the container thereof, any identification mark which he may consider necessary; and
- (f) to take samples of such wool including any quantity thereof which have 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.

- (b) aantekeninge wat in verband met wol gehou moet word, die tydperk waarvoor sodanige aantekeninge gehou moet word en die opgawes wat ten opsigte daarvan aan die Raad verstrekt 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 verstrekt moet word.

Aanstelling van agente [art. 53]

36. 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 die Raad met die goedkeuring van die Minister bepaal.

Magtiging van inspekteurs [art. 54]

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

- (a) 'n plek te betree wat geokkupeer word deur iemand wat 'n produsent van wol is of vermoed word so 'n produsent te wees, of deur iemand wat as 'n besigheid handel of vermoed word as 'n besigheid te handel met wol of 'n plek of voertuig waarin of waarop daar 'n hoeveelheid wol deur iemand gehou of vervoer word of na vermoede gehou of vervoer word;
- (b) wol 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 die wol betrekking het, en afskrifte van of uittreksels uit dié boeke en stukke te maak;
- (c) van die eienaar van wol of van die persoon wat dit in sy bewaring het, inligting aangaande die wol te eis;
- (d) van die eienaar van so 'n boek of stukke of van die persoon wat dit in sy bewaring het, 'n verklaring van 'n inskrywing daarin te eis;
- (e) beslag te lê op boeke, stukke of artikels wat bewys kan lewer van die pleeg van 'n misdryf ingevolge die Wet of hierdie Skema of 'n regulasie, of op 'n hoeveelheid wol ten opsigte waarvan so 'n misdryf vermoedelik gepleeg is, en om boeke, stukke of artikels of 'n hoeveelheid van die wol waarop aldus beslag gelê is, van die betrokke plek of voertuig te verwyder of dit op bedoelde plek of voertuig te laat en na goeddunke 'n identifikasiemerk wat hy nodig ag, aan te bring op so 'n boek, stuk, artikel of wol of op die houer daarvan; en
- (f) monsters te neem van die wol, met inbegrip van 'n hoeveelheid daarvan waarop 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.

Registration of certain persons [sect. 59, 79]

38. (1) Each producer who produces wool within the Republic for purposes of the sale thereof shall be registered with the Board.

(2) Each person who deals with wool in the course of trade shall be registered with the Board.

Offences and penalties [sect. 23]

39. Any person who—

- (a) fails to pay a levy or special levy imposed under section 26 of this Scheme;
- (b) fails to comply with a requirement or a direction or prescription imposed under section 35 of this Scheme; or
- (c) fails to comply with the requirements of section 38 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

40. (1) In this section—

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

“Wool Scheme” means the Wool Scheme published by Proclamation No. R. 155 of 1972, as amended; and

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

(2) (a) The Wool Board as it existed as a body corporate immediately prior to the commencement date shall, notwithstanding the repeal of the Wool 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 Wool Board shall respectively be deemed to have been appointed as a member of the Board, and to have been co-opted under section 7 (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 Wool Board shall respectively be deemed to have been elected under section 11 (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 11 (3) of this Scheme been applicable to them.

(3) A committee of the Wool Board which immediately prior to the commencement date was appointed under section 15 of the Wool Scheme and existed shall be deemed to have been appointed under section 17 (1) of this Scheme as a committee of the Board, and powers invested in it shall be deemed to have been so invested.

Registrasie van sekere persone [art. 59, 79]

38. (1) (a) Elke produsent wat wol binne die Republiek produseer vir doeleindes van die verkoop daarvan, moet by die Raad geregistreer wees.

(b) Elke persoon wat met wol as 'n besigheid handel, moet by die Raad geregistreer wees.

Misdrywe en strawwe [art. 23]

39. Iemand wat—

- (a) versuim om 'n heffing of spesiale heffing wat kragtens artikel 26 van hierdie Skema opgelê is, te betaal;
- (b) versuim om aan 'n vereiste lasgewing of voorskrif kragtens artikel 35 van hierdie Skema te voldoen; of
- (c) versuim om aan die bepalings van artikel 38 van hierdie Skema te voldoen,

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

40. (1) In hierdie artikel beteken—

“inwerkingtredingsdatum” die datum van inwerkingtreding van hierdie Skema;

“Wolskema” die Skema gepubliseer by Proklamasie No. R. 155 van 1972, soos gewysig; en

“Wolraad” die Wolraad ingestel by artikel 6 van die Wolskema.

(2) (a) Die Wolraad soos dit onmiddellik voor die inwerkingtredingsdatum as 'n regs persoon bestaan het, bly ondanks die herroeping van die Wolskema voortbestaan en word geag by artikel 6 van hierdie Skema ingestel te wees.

(b) 'n Persoon wat onmiddellik voor die inwerkingtredingsdatum 'n aangestelde lid of 'n gekoöpteerde adviserende lid van die Wolraad was, word geag onderskeidelik as lid van die Raad aangestel, en kragtens artikel 7 (3) van hierdie Skema gekoöpteer te wees, vir die oorblywende gedeelte van sy ampstermyn.

(c) Die persone wat onmiddellik voor die inwerkingtredingsdatum as voorsitter en ondervoorsitter van die Wolraad gedien het, word geag kragtens artikel 11 (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 11 (3) van hierdie Skema op hulle van toepassing was.

(3) 'n Komitee van die Wolraad wat onmiddellik voor die inwerkingtredingsdatum kragtens artikel 15 van die Wolskema aangestel was en bestaan het, word geag kragtens artikel 17 (1) van hierdie Skema as 'n komitee van die Raad aangestel te gewees het, en bevoegdhede aan hom opgedra word geag aldus opgedra te wees.

(4) An advisory committee established by and constituted under, and the members of any such committee appointed by virtue of sections 15A to 15E of the Wool 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 18 (1) 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 31 of the Wool Scheme shall be deemed to have been appointed under section 36 of this Scheme, for the performance of those functions of the Board that are justified under this Scheme.

(6) Any person who immediately prior to the commencement date was registered in terms of section 34 of the Wool Scheme shall be deemed to have been registered under section 38 of this Scheme.

(7) Any appointment made, decision taken, authority granted, levy or special levy imposed, fund established, registration made, prohibition imposed, prescription, direction, provision or notice published, or any other thing done prior to the commencement date under a provision of the Wool 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, in so far as it is applicable for the purposes of this Scheme.

(8) Any action that has been instituted prior to the commencement date by the Wool Board shall be deemed to have been instituted by the Board under the corresponding provision of this Scheme.

(9) All rights and obligations and all assets and liabilities acquired or accumulated under the Wool Scheme shall be deemed to be acquired or accumulated under this Scheme.

WOOL SCHEME

EXPLANATORY NOTES

1. INTRODUCTION

Control over the marketing of wool is currently exercised by the Wool Board by virtue of the powers conferred upon it by the present Wool Scheme, as published in Government Notice No. R155 of 1972. In terms of the Marketing Act, 1968 (Act No. 59 of 1968). The Wool Board operates a single-channel marketing system in terms of the Wool Scheme in which all wool produced in the Republic must be delivered to the Board as the sole seller of wool in the market place.

After deduction of all relevant costs, producers receive a "voorskot" (advance payment) and, depending on market movements, a possible "middelskot" (interim payment) as well as an "agterskot" (final payment). The pool system is self-supporting as all costs for its operations are recovered directly from the pool involved.

(4) 'n Adviserende komitee wat onmiddellik voor die inwerkingtredingsdatum ingestel was by en saamgestel was kragtens, en die lede van so 'n komitee wat aldus aangestel was uit hoofde van artikels 15A tot 15E van die Wolskema, word geag onderskeidelik ingestel en saamgestel, en aangestel, te wees kragtens en uit hoofde van artikel 18 (1) van hierdie Skema, en bedoelde lede dien aldus vir die oorblywende gedeelte van hul ampstermyn.

(5) Iemand wat onmiddellik voor die inwerkingtredingsdatum kragtens artikel 31 van die Wolskema as agent aangestel was, word geag kragtens artikel 36 van hierdie Skema aangestel te wees vir die verrigting van daardie funksies van die Raad wat deur hierdie Skema veroorloof word.

(6) Iemand wat onmiddellik voor die inwerkingtredingsdatum ingevolge artikel 34 van die Wolskema geregistreer was, word geag kragtens artikel 38 van hierdie Skema geregistreer te wees.

(7) Enige aanstelling gemaak, besluit geneem, magtiging verleen, heffing of spesiale heffing opgelê, fonds ingestel, registrasie gemaak, verbod opgelê, voorskrif, lasgewing, bepaling of kennisgewing gepubliseer of enigiets anders gedoen voor die inwerkingtredingsdatum van hierdie Skema kragtens 'n bepaling van die Wolskema, en wat onmiddellik voor die inwerkingtredingsdatum van krag is, word geag gemaak, geneem, verleen, opgelê, ingestel, gepubliseer of gedoen te wees kragtens die ooreenstemmende bepaling van hierdie Skema, in soverre dit toepaslik vir die doeleindes van hierdie Skema is.

(8) Enige aksie wat voor die inwerkingtredingsdatum deur die Wolraad ingestel is, word geag deur die Raad kragtens die ooreenstemmende bepaling van hierdie Skema ingestel te wees.

(9) Alle regte en verpligtinge en alle bates en laste kragtens die Wolskema verkry of opgeloo, word geag kragtens hierdie Skema verkry of opgeloo te wees.

WOLSKEMA

VERDUIDELIKENDE NOTAS

1. INLEIDING

Die beheer oor die bemarking van wol word tans deur die Wolraad uitgeoefen kragtens die bevoegdhede aan hom verleen deur die huidige Wolskema soos gepubliseer in Goewermentskennisgewing No. R155 van 1972, ingevolge die Bemarkingswet, 1968 (Wet No. 59 van 1968). Die Wolraad bedryf 'n eenkanaalbemarkingstelsel ingevolge die Wolskema waarvolgens alle wol wat in die Republiek geproduseer word aan die Raad gelewer moet word en die Raad as die alleenverkooper van wol in die markplek optree.

Produsente ontvang, na alle koste verhaal is, 'n voorskot en na gelang van markbewegings, 'n moontlike middel- asook 'n agterskot. Die poelstelsel is selfonderhoudend deurdat alle kostes vir die bedryf daarvan, direk van die betrokke poele verhaal word.

The other activities of the Board are financed by means of a levy imposed on the gross selling value of wool. This levy amounts to 7,5%.

From investigations it was concluded that, in view of the current financial situation of the Board, the objectives of the pool systems were beyond reach. This gave rise to the Board's decision to abolish the one channel scheme as from 1 July 1993.

Alternative methods of levy collection would have to be implemented from 1 July 1993.

As from 1 July 1993, if the proposed Scheme is implemented, producers will market their wool in a free market dispensation. It is expected that the current auction system with the use of BKB's handling facilities, would be used by the majority of producers.

A special taskgroup of the NWGA is at present busy facilitating potential collective groups.

2. AIM OF NEW SCHEME

The aim of the Scheme is to execute the functions as stipulated in the Scheme.

3. THE BOARD [sect. 2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18]

The Scheme shall be administered by a Board that will be composed of representatives of the wool industry in its entirety, with a majority of producer members. Normal procedure for the holding of meetings will be followed.

4. IMPLEMENTATION OF THE SCHEME [sect. 1, 3, 4, 5]

The Scheme shall be applicable to all the wool produced in the Republic or imported into the Republic. In the case of imported wool, the provisions of the Scheme will have a bearing on greasy wool only. All producers of wool, as well as persons dealing with wool as a business, will come within the jurisdiction of this Scheme. The application of the Scheme will be spread over a wide front, as all interests involved with the wool industry will benefit from the services that in future will be provided by the Board.

5. EMPLOYMENT OF PERSONS [sect. 19, 20]

In order to provide specified services to the industry, the Board is empowered to employ persons whom it may consider necessary for the proper execution of its functions and for attaining the objectives of the Scheme. Persons thus employed will perform their duties at the cost of and subject to the instructions and control of the Board, and they will be remunerated from a general fund as envisaged in sect. 28 of this Scheme.

Die oorblywende aktiwiteite van die Raad word befonds deur middel van 'n heffing wat verhaal word van die bruto verkoops waarde van wol. Hierdie heffing beloop tans 7,5%.

Uit ondersoeke is tot die gevolgtrekking gekom dat weens die huidige finansiële posisie waarin die Raad verkeer, die doelwitte van die poelstelsel nie haalbaar is nie. Dit het daartoe aanleiding gegee dat die Raad besluit het om vanaf 1 Julie 1993 nie langer die eenkanaalskema te bedryf nie.

Alternatiewe metodes van heffingversameling sal vanaf 1 Julie 1993 in werking gestel moet word.

Produsente sal vanaf 1 Julie 1993, indien die voorgestelde Skema in werking is, binne 'n vryemark bedeling hulle wol kan verhandel. Daar word verwag dat die bestaande veilingstelsel met benutting van BKB se hanteringsfasiliteite, deur die oorgrote meerderheid produsente gebruik sal word.

'n Spesiale taakgroep van die NWKV is reeds besig om moontlike kollektiewe groeperings te fasiliteer.

2. DOEL VAN DIE NUWE SKEMA

Die doel van die Skema is om die funksies soos vervat in die Skema, uit te voer.

3. DIE RAAD [art. 2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18]

Die Skema sal bestuur word deur 'n Raad wat verteenwoordigend van die wolbedryf in sy geheel, saamgestel sal word met 'n meerderheid van produsentelede. Normale vergaderingsprosedure sal gevolg word.

4. TOEPASSING VAN DIE SKEMA [art. 1, 3, 4, 5]

Hierdie Skema sal betrekking hê op alle wol wat binne die Republiek geproduseer is of in die Republiek ingevoer is. In geval van ingevoerde wol sal die bepalings van die Skema slegs op vetwol betrekking hê. Alle produsente van wol asook persone wat met wol as 'n besigheid handel, sal onder hierdie Skema resorteer. Die Skema word oor 'n breë front toegepas, omrede alle partye wat in die wolbedryf betrokke is, voordeel sal trek uit die dienste wat die Raad voortaan sal lewer.

5. INDIENSNEMING VAN PERSONE [art. 19, 20]

Ten einde bepaalde dienste aan die bedryf te lewer, word die Raad gemagtig om persone in diens te neem wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die oogmerke van die Skema. 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 art. 28 van hierdie Skema.

6. ASSISTANCE TO UNDERTAKINGS AND RESEARCH WORK [sect. 22]

The Board will make certain funds available for research on a priority basis, with a view to the development and improvement of:

(a) Production/Production Research

The promotion of production will be conducted in co-operation with:

- ▷ The Department of Agriculture;
- ▷ The Agricultural Development centres;
- ▷ The Agricultural Research Council;
- ▷ Agricultural Co-operatives; and
- ▷ Production/economical information.

(b) International and Internal Research

By means of its membership of IWS, finance will be made available for international and local research for the benefit of the local wool and processing industry.

(c) Greasy wool marketing

By means of its membership of the IWS it will endeavour, in co-operation with member countries, to improve greasy wool marketing in respect of:

- ▷ Classing;
- ▷ Prevention of contamination;
- ▷ Preparation and packing; and
- ▷ Wool flow.

(d) Funds will also be made available by the Board to recognised organisations affiliated to Organised Agriculture to promote the wool industry.

7. FURNISHING OF INFORMATION AND ADVICE [sect. 23]

The Board will operate a market information and statistical service for the uninterrupted provision of information to producers, the industry and ancillary organisations.

(a) Worldwide market-information service

By means of its membership of IWS and liaison with other large wool producing countries such as Australia and New Zealand, the Board has access to a worldwide market-information service that can be utilised for the direct benefit of the local industry. Information gathered in this way includes:

- ▷ International market and price movements;
- ▷ Intertype movements;
- ▷ New markets;
- ▷ Developments in final usage and secondary processing; and
- ▷ Technological developments.

(b) Clip advisory service

The Board will assist the industry to operate a clip advisory service in order to provide producers collectively with guidance on how to prepare clips ready for marketing, so as to gain competitive advantage on the international market.

6. BYSTAND AAN SEKERE ONDERNEMINGS EN NAVORSINGSWERK [art. 22]

Die Raad sal op 'n prioriteitsbasis fondse bewillig vir navorsing met die oog op ontwikkeling en verbetering van:

(a) Produksie/produksienavorsing

Produksiebevordering sal gedoen word in samewerking met:

- ▷ Die Departement van Landbou;
- ▷ Die Landbou-ontwikkelingssentra;
- ▷ Die Landbounavorsingsraad;
- ▷ Landbou-koöperasies; en
- ▷ Produksie-/ekonomiese inligting.

(b) Internasionale en Plaaslike Navorsing

Deur middel van sy lidmaatskap van IWS, navorsing internasionaal en plaaslik finansier tot voordeel van die plaaslike wol- en verwerkingsbedryf.

(c) Vetwobemarking

Deur middel van sy lidmaatskap van die IWS, in samewerking met vennootlande, die vetwobemarkingsaksie te verbeter ten opsigte van:

- ▷ Klassering;
- ▷ Voorkoming van besoedeling;
- ▷ Voorbereiding en verpakking; en
- ▷ Wolvloei.

(d) Fondse sal ook deur die Raad bewillig word aan erkende bedryfsorganisasies wat by die Georganiseerde Landbou geaffilieer is om die wolbedryf te bevorder.

7. VERSTREKKING VAN INLIGTING EN ADVIES [art. 23]

Die Raad sal 'n markinligtings- en statistiekdiens bedryf waardeur inligting deurlopend aan produsente, die bedryf en verwante organisasies voorsien sal word.

(a) Wêreldwye markinligtingsdiens

Deur middel van sy lidmaatskap van IWS en skakeling met ander groot wolproduserende lande soos Australië en Nieu-Seeland het die Raad toegang tot 'n wêreldwye markinligtingsdiens wat regstreeks tot voordeel van die plaaslike bedryf aangewend word. Inligting wat op hierdie vlak bekom word is:

- ▷ Internasionale mark- en prysbewegings;
- ▷ Intertipe bewegings;
- ▷ Nuwe markte;
- ▷ Verwikkelings in finale verbruik en sekondêre verwerking; en
- ▷ Tegnologiese ontwikkelings.

(b) Skeersel-adviesdiens

Die Raad sal bystand verleen vir die bedryf van 'n skeersel-adviesdiens ten einde produsente kollektief van advies te bedien oor hoe om skeersels markklaar voor te berei ten einde 'n mededingende voordeel in die internasionale mark te bekom.

(c) Shearer training service

The Board will make funds available for the administration of a shearer-training service which will ensure the smooth running of the wool-harvesting process as well as the maintenance of a standard acceptable to the international market.

8. STIMULATING DEMAND FOR WOOL [sect. 24]**(a) Promotion overseas**

As 85% of the local clip is consumed by the export market it follows that the major part of the funds collected by the Board by means of the levy will be utilised for promotion overseas.

Thus the Board will make funds available for the launching of campaigns designed to continuously promote the demand for wool, both locally and overseas, by means of its membership of the IWS. Important aspects of the demand-creation and price-benefitting actions are:

- ▷ Price benefit against competitors;
- ▷ New products and processes;
- ▷ Publicity;
- ▷ Woolmark/Product quality control;
- ▷ Exerting influence on fashion trends for the benefit of the industry;
- ▷ Technology transfer;
- ▷ Image-building actions; and
- ▷ Identification of new consumer niches.

(b) IWS budget

Approximately 67% of the total levy income is allocated to the IWS. The Board has to consistently monitor this allocation to ensure that the maximum benefit is obtained for South African producers.

(c) International Research budget

By association within IWS, international research is carried out in co-operation with Australia, to which South Africa's contribution is relatively small, and benefits are gained from a pool of research projects conducted by internationally acclaimed research organisations.

(d) Price advantage

In the longterm the Woolmark and other demand-building actions have boosted the wool-synthetic fibre price-relationship that stood at 1:1 in 1965, to an average of 3:1.

(e) Positioning of South African products on the international markets

The IWS may also be utilised to position South African raw materials and intermediate products (virgin wool, yarn, scoured wool, semi-processed wool) internationally, especially in the northern hemisphere.

(c) Skeeropleidingsdiens

Die Raad sal fondse bewillig om 'n skeeropleidingsdiens te bedryf wat sal verseker dat die wol-oesproses glad verloop en 'n standaard gehandhaaf word wat vir die internasionale mark aanvaarbaar is.

8. BEVORDERING VAN VRAAG NA WOL [art. 24]**(a) Buitelandse bevordering**

Aangesien 85% van die plaaslike skeersel in die buitenland verbruik word, volg dit logies dat die grootste deel van die fondse wat die Raad deur middel van die heffing invorder, vir buitelandse bevordering aangewend word.

Die Raad sal dus fondse bewillig om beide binnelands en internasionaal deur middel van sy lidmaatskap van IWS aksies te loods om die vraag na wol deurlopend te bevorder. Belangrike aspekte van die vraagskeppings-en prysbevoordelingsaksies is:

- ▷ Prysbevoordeling teenoor konkurrente;
- ▷ Nuwe produkte en prosesse;
- ▷ Reklame;
- ▷ Wolmerk/Produkgehaltebeheer;
- ▷ Beïnvloeding van mode-neigings tot voordeel van die bedryf;
- ▷ Tegnologie oordraging;
- ▷ Beeldbou-aksies; en
- ▷ Identifikasie van nuwe verbruikersnisse.

(b) IWS-begroting

Nagenoeg 67% van die totale heffingsinkomste gaan na die IWS en die Raad moet dit deurlopend monitor ten einde te verseker dat die maksimum voordeel vir Suid-Afrikaanse produsente verkry word.

(c) Internasionale Navorsingsbegroting

Deur assosiasie binne die IWS, word internasionale navorsing in samewerking met Australië gedoen, waarvan Suid-Afrika verhoudelik slegs 'n baie klein bydrae lewer, en word voordeel getrek uit 'n poel van navorsingsprojekte wat gedoen word deur internasionaal erkende navorsingsinstansies.

(d) Prysvoordeel

Op die lang termyn het die Wolmerk en ander vraagbou-aksies daartoe bygedra dat die wol/kunsvesel-prysverhouding wat in 1965 1:1 was, gemiddeld tot 3:1 verbeter het.

(e) Posisionering van Suid-Afrikaanse produkte in die internasionale mark

IWS kan ook gebruik word om Suid-Afrikaanse grondstowwe en intermediêre produkte (rouwol, garing, gewaste wol, halfverwerkte wol) internasionaal in veral die noordelike halfgrond te posisioneer.

(f) Market Development

In the case of local market development the Board will operate a liaison and information service for local and international clients of South African wool (greasewool and semi-processed wool), and henceforth this action will also be undertaken to introduce qualities and technical aspects of South African wool to new and potential markets. Furthermore, the worldwide IWS infrastructure will be at the disposal of the Board for the execution of this function. The advantage is that the information generated globally by the IWS could be utilised, in certain aspects of the pipeline, to the benefit of the local industry.

9. CO-OPERATION BY THE BOARD [sect. 25]

With the Minister's approval the Board may participate with anyone in an action which the Board may undertake.

10. FUNDING OF ACTIVITIES**Imposition and collection of levies [art. 26, 27]**

The above-mentioned activities will be financed by means of a levy. The levy will be collected at the first point of wool disposal. At present, in terms of the single-channel marketing system, the levy is recovered from the producer's "voorskot" cheque. The new modified approach to levy collection is designed to operate an uncomplicated system of levy collection which can easily be legally applied and which would ensure equitable competition in the market-place by eliminating levy evasion as much as possible.

The amount of levy to be collected will continue to be based on value, as determined by the Board. Payment of the levy will remain the responsibility of the producer, while its transfer will be undertaken by persons defined by regulation. The levy will be applicable to all wools, excluding wool on skins.

The transfer procedure and the levy amount will be determined in accordance with the provisions of the undermentioned regulations issued in terms of sect. 89 of the Marketing Act:

REGULATIONS RELATING TO THE MANNER AND TIME OF PAYMENT OF LEVIES IMPOSED ON WOOL

The following persons are empowered to operate as levy collectors, who will be required to remit the levy collected to the Board:

- ▷ In the case of a levy on wool imported into the Republic, by the person through whom the wool was imported;
- ▷ In the case of a levy on wool exported from the Republic, by the person through whom the wool was exported;
- ▷ In the case of a levy on wool received by a processor of wool or in the case of wool removed from skins by a processor of wool in the Republic for processing of the wool or the skins, whatever the case may be, remittance must be made by the processor through whom the wool was received;

(f) Markontwikkeling

In geval van plaaslike markontwikkeling sal die Raad 'n skakel- en inligtingsdiens na die kliënte vir Suid-Afrikaanse wol (vet en semi-verwerkte wol) plaaslik en internasionaal bedryf en voorts sal hierdie aksie ook toegepas word om kwaliteite en tegniese aspekte van Suid-Afrikaanse wol aan nuwe en potensiele markte bekend te stel. Voorts is die IWS se wêreldwye infrastruktuur tot die Raad se beskikking vir die lewering van die funksie. Die voordeel is dat die inligting wat deur die IWS globaal gegenereer word tot voordeel van die plaaslike bedryf, in sekere aspekte van die pyplyn-bedryf, aangewend kan word.

9. SAMEWERKING DEUR DIE RAAD [art. 25]

Die Raad kan met die Minister se goedkeuring met enigeen meedoen aan 'n handeling wat die Raad kan verrig.

10. BEFONDSING VAN AKTIWITEITE**Oplê en invordering van heffings [art. 26, 27]**

Befondsing van bogemelde aktiwiteite sal deur middel van 'n heffing geskied. Die heffing sal by die eerste punt van verhandeling gevorder word. Huidiglik, onder die eenkanaalbemarkingstelsel, word die heffing van die produsent se voorskottjek verhaal. Hierdie gewysigde benadering van heffingsvordering is daarop gemik om 'n eenvoudige benadering in heffingsvordering daar te stel wat maklik wetlik toepasbaar gemaak kan word en gelyke mededinging in dié markplek verseker deur heffingsontduiking sover moontlik uit te sluit.

Die toeslag van heffingsvordering sal steeds op 'n waardebasis plaasvind soos deur die Raad bepaal. Die heffingsaanspreeklikheid sal steeds by die produsent gesetel wees, terwyl oorbetalings deur persone soos per regulasie gestipuleer, sal plaasvind. Die heffing sal van toepassing wees op alle wol, uitgesluit wol aan velle.

Die oorbetalingsprosedure en die bedrag van die heffing sal volgens die onderstaande regulasies, uitgevaardig kragtens art. 89 van die Bemarkingswet, gereël word:

REGULASIES BETREFFENDE DIE WYSE EN TYD VAN BETALING VAN HEFFINGS OP WOL

Die volgende persone sal as heffingsvorderaars optree, wat die heffing aan die Raad moet oorbetaal:

- ▷ In die geval van 'n heffing op wol wat in die Republiek ingevoer word, die persoon deur wie die wol ingevoer is;
- ▷ In die geval van 'n heffing op wol wat uit die Republiek uitgevoer word, die persoon deur wie die wol uitgevoer is;
- ▷ In die geval van 'n heffing op wol wat deur 'n verwerker van wol of in die geval van wol wat van velle verwyder is, deur 'n verwerker van velle, in die Republiek vir verwerking van die wol of die velle, na gelang van die geval, ontvang word, die verwerker deur wie die wol ontvang is;

- ▷ In the case of a levy on wool sold at an auction through the offices of an agent, by the agent through whose offices the wool was sold;
- ▷ In the case of a levy on wool sold to, or through a buyer, the person through or to whom the wool was sold; and
- ▷ In the case of exports by way of direct sales other than the normal trading channels, the producer will be responsible for payment of the levy.

The Board will issue proof to certify that the levy was paid.

The levy will be payable at the following times:

- ▷ In case of selling between the 1st and 14th day of any month, inclusive of both days, within 10 days of transaction date, but not later than the 24th day of the month in which the sales took place;
- ▷ In the case of sales concluded between the 15th and the last day of the month, inclusive of both days, within 10 days of transaction date, but not later than the 10th day of the following month;
- ▷ In the case of a processor, before the processing process is commenced;
- ▷ In the case of direct exports, within 7 days of the date of transaction; and
- ▷ In the case of imports, within 7 days of the arrival of the wool in South Africa.

REGULATIONS RELATING TO LEVIES AND SPECIAL LEVIES

In the case of wool produced in the Republic and destined for sale internally or externally, the producer who produced the wool will be liable for the payment of the levy to the Board.

In the case of wool imported into the Republic or brought into the Republic from a self-governing territory for disposal or for processing in the Republic, the person by whom such wool was imported will be liable for the payment of the current levy to the Board.

11. CONTROL MEASURES FOR THE COLLECTION OF THE LEVY

Powers of inspectors [sect. 37]

In order to give effect to the provisions of this Scheme the Board may appoint inspectors to:

- ▷ Enter, for inspection purposes, places which are operated by a producer or a person dealing in wool as a business;
- ▷ Examine all records and books;
- ▷ Demand information regarding specific wool;
- ▷ Take statements in regard to entries in records;
- ▷ Seize documentation; and
- ▷ Takes samples of wool in order to determine the value.

- ▷ In die geval van 'n heffing op wol wat deur bemiddeling van 'n agent op 'n veiling verkoop word, die agent deur bemiddeling van wie die wol verkoop is;
- ▷ In die geval van 'n heffing op wol wat aan, of deur middel van 'n koper verkoop word, die persoon aan of deur bemiddeling van wie die wol verkoop is; en
- ▷ In geval van uitvoere, by wyse van direkte verkope anders as die normale handelskanale, is die produsent aanspreeklik vir die heffingsoorbetaling.

Die Raad sal 'n klaringsbewys uitreik as sertifisering dat die heffing oorbetal is.

Die heffings sal op die volgende tye betaalbaar wees:

- ▷ In geval van verkope tussen die 1ste en 14de dag van enige maand, albei dae ingesluit, binne 10 dae vanaf transaksiedatum, maar nie later as die 24ste dag van die maand waarin verkope plaasgevind het nie;
- ▷ In gevalle waar verkope tussen die 15de dag en die laaste dag van die maand, albei dae ingesluit, geskied, binne 10 dae vanaf transaksiedatum, maar nie later as die 10de dag van die daaropvolgende maand nie;
- ▷ In geval van 'n verwerker, voor die verwerkingsproses 'n aanvang neem;
- ▷ In geval van direkte uitvoere, binne 7 dae na die datum van die transaksie; en
- ▷ In geval van invoere, binne 7 dae na aankoms van die wol in Suid-Afrika.

REGULASIES BETREFFENDE HEFFING EN SPESIALE HEFFING

In geval van wol wat in die Republiek geproduseer en bestem is vir verkoop binnelands of buitelands, sal die produsent wat die wol geproduseer het, 'n heffing aan die Raad betaal.

Wol wat in die Republiek ingevoer is of uit 'n selfregerende gebied in die Republiek ingebring is vir verkoop of vir verwerking daarvan, in die Republiek, sal die persoon deur wie daardie wol ingevoer is, die heersende heffing aan die Raad oorbetal.

11. KONTROLEMAATREËLS VIR DIE INVORDERING VAN DIE HEFFING

Bevoegdhede van inspekteurs [art. 37]

Die Raad kan inspekteurs aanstel om, vir die uitvoering van die bepalings van hierdie Skema:

- ▷ Plekke wat deur 'n produsent of 'n persoon wat met wol as 'n besigheid handel, vir inspeksiedoeleindes te betree;
- ▷ Alle rekords en boeke na te gaan;
- ▷ Inligting aangaande bepaalde wol te vereis;
- ▷ Verklarings af te neem insake inskrywings in rekords;
- ▷ Beslag lê op dokumentasie; en
- ▷ Monsters te neem van wol ten einde waarde te bepaal.

Records, Returns and Information [sect. 35]

Under the Scheme it will be compulsory for market participants to make returns and notes available to the Board on a regular basis, as defined in the Scheme by the Act.

REGULATION RELATING TO RETURNS THAT MUST BE FURNISHED AND NOTES THAT MUST BE KEPT WITH REGARD TO WOOL

This regulation will provide that the following groups of persons will be required to submit the necessary returns for a specified period, at a determined time, on a form prescribed by the Board:

- ▷ Wool buyers;
- ▷ Importers of wool;
- ▷ Exporters of wool;
- ▷ If necessary, from producers; and
- ▷ Persons consigning wool for processing in the Republic.

Registration of producers/processors [sect. 38]

For control purposes it is compulsory for all producers and persons dealing in wool as a business to register with the Board.

12. DISSOLUTION OF THE BOARD

In accordance with the provisions of the Scheme all assets of the Board, after settlement of all its debts, will be disbursed among those obliged to pay the levy, in proportion to the different amounts paid to the Board as levies and special levies during the preceding three years of the Scheme. On the basis of the same formula, deficits will be payable by those liable for the levy.

Aantekeninge, Opgawes en Inligting [art. 35]

Markdeelnemers sal onder die Skema verplig word om opgawes en aantekeninge op 'n gereelde basis soos deur die Wet in die Skema omskryf, aan die Raad beskikbaar te stel.

REGULASIE BETREFFENDE OPGAWES WAT VERSTREK EN AANTEKENINGE WAT GEHOU MOET WORD IN VERBAND MET WOL

Hierdie regulasie sal bepaal dat die volgende groepe persone die nodige opgawes op 'n vorm soos voorgeskryf deur die Raad, vir 'n bepaalde periode, op 'n bepaalde tydstip moet inhandig:

- ▷ Wolkopers;
- ▷ Invoerders van wol;
- ▷ Uitvoerders van wol;
- ▷ Vanaf produsente, indien dit nodig sou word; en
- ▷ Persone wat wol vir verwerking in die Republiek versend.

Registrasie van produsente/verwerkers [art. 38]

Vir kontroledoeleindes word alle produsente en persone wat met wol as 'n besigheid handel, verplig om by die Raad te registreer.

12. ONTBINDING VAN DIE RAAD

Volgens die Skema sal alle bates van die Raad, nadat al sy skulde betaal is, verdeel word tussen die heffingpligtiges in verhouding tot die onderskeie bedrae wat as heffings en spesiale heffings gedurende die voorafgaande 3 jaar van die Skema aan die Raad oorbetal is. Tekorte sal op dieselfde formule deur heffingpligtiges betaalbaar wees.

Aankomende Opgawes en Inligting [art. 35]

Marktoesetters sal onder die Skema verskuldig word om opgewas en aankomende op 'n gereelde basis aan die Raad te verskaf. Die Raad sal die Skema oorsiglik aan die Raad beskikbaar stel.

REGULASIE BETREFFENDE OPGAWES VAN VER-
STERK EN AANKOMINGE VAN GEDRUKTE WERK
IN VERBAND MET WOL

Hierdie regulasie sal bepaal dat die volgende groepe persone die nodige opgewas op 'n gereelde basis aan die Raad, vir 'n bepaalde periode, op 'n gereelde tydskeel moet inligting.

- > Wolkopers;
- > Invoerders van wol;
- > Uitvoerders van wol;
- > Verskeie produsente, indien dit nodig sou word;
- > Persone wat wol vir verwerking in die Repu-
blik versend.

Regulasie van produsente/verwerkers [art. 36]

Vir kontroletoelae word alle produsente en ver-
werkers wat wol as in bepaalde handel, verskaf om by
die Raad te registreer.

12. ONTBINDING VAN DIE RAAD

Volgens die Skema sal alle bates van die Raad, nadat
al 'n skuld betaal is, verskaf word tussen die heffing-
pligter in verhouding tot die oorsakele bates wat
as heffing op bepaalde heffing gedurende die voor-
gaande 3 jaar van die Skema aan die Raad oordra-
al. Tekore sal op dieselfde manier vorme deur heffing-
ligte betaalbaar wees.

Regress, Returns and Information [art. 37]

Under the Scheme it will be compulsory for market
participants to make returns and notes available to the
Board on a regular basis as defined in the Scheme by
the Act.

REGULATION RELATING TO RETURNS THAT MUST BE
FURNISHED AND NOTES THAT MUST BE KEPT WITH
REGARD TO WOOL

This regulation will provide that the following groups of
persons will be required to submit the necessary
returns for a specified period, at a determined time, on
a form prescribed by the Board.

- > Wool buyers;
- > Importers of wool;
- > Exporters of wool;
- > If necessary, from producers; and
- > Persons consigning wool for processing in the
Republic.

Regulation of producers/processors [art. 38]

For control purposes it is compulsory for all producers
and persons dealing in wool as a business to register
with the Board.

13. DISSOLUTION OF THE BOARD

In accordance with the provisions of the Scheme all
assets of the Board, after settlement of all its debts, will
be distributed among those obliged to pay the levy, in
proportion to the interest and amount paid to the Board as
levy and special levies during the preceding three
years of the Scheme. On the basis of the same for-
mula, levies will be payable by those liable for the
levy.

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