

REPUBLIEK
VAN
SUID-AFRIKA



REPUBLIC
OF
SOUTH AFRICA

Staatskoerant Government Gazette

*Regulasiekoerant
Regulation Gazette*
No. 5310

Vol. 346

PRETORIA, 22 APRIL 1994

No. 15668

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN LANDBOU

No. R. 826 22 April 1994

BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)

OLIESADESKEMA: WYSIGING*

Ek, André Isak van Niekerk, Minister van Landbou, handelende kragtens artikel 14 soos toegepas by artikel 15 (3) van die Bemarkingswet, 1968 (Wet No. 59 van 1968)—

- (a) publiseer hierby die wysiging, in die Bylae uiteengesit, van die Oliesadeskema gepubliseer by Proklamasie No. R. 73 van 1982, soos gewysig; en
- (b) verklaar hierby dat genoemde wysiging op die datum van publikasie hiervan in werking tree.

A. I. VAN NIEKERK,
Minister van Landbou.

* Wysiging van die skema ten einde voorsiening te maak dat die Oliesaderaad nie verplig is om poele te administreer nie.

BYLAE

Woordskrywing

1. In hierdie Bylae beteken "die Skema" die Oliesadeskema gepubliseer by Proklamasie No. R. 73 van 1982, soos gewysig by Proklamasie No. R. 154 van 1984 en Goewermentskennisgewings Nos. R. 715 van 29 Maart 1985, R. 1262 van 14 Junie 1985, R. 660 van 11 April 1986, R. 216 van 6 Februarie 1987, R. 2535 van 13 November 1987, R. 3056 van 13 Desember 1991 en R. 1113 van 2 Julie 1993.

GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURE

No. R. 826 22 April 1994

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

OILSEEDS SCHEME: AMENDMENT*

I, André Isak van Niekerk, Minister of Agriculture, acting under section 14 as applied by section 15 (3) of the Marketing Act, 1968 (Act No. 59 of 1968), hereby—

- (a) publish the amendment, set out in the Schedule, of the Oilseeds Scheme published by Proclamation No. R. 73 of 1982, as amended; and
- (b) declare that the said amendment shall come into operation on the date of publication hereof.

A. I. VAN NIEKERK,
Minister of Agriculture.

* Amendment of the scheme in order to provide that the Oilseeds Board is not obliged to administer pools.

SCHEDULE

Definitions

1. In this Schedule "the Scheme" means the Oilseeds Scheme published by Proclamation No. R. 73 of 1982, as amended by Proclamation No. R. 154 of 1984 and Government Notices Nos. R. 715 of 29 March 1985, R. 1262 of 14 June 1985, R. 660 of 11 April 1986, R. 216 of 6 February 1987, R. 2535 of 13 November 1987, R. 3056 of 13 December 1991 and R. 1113 of 2 July 1993.

Wysiging van artikel 20 van die Skema

2. Artikel 20 van die Skema word hiermee gewysig deur subartikels (2), (3), (4) en (5) deur die volgende subartikels te vervang:

“(2) ’n Heffing wat ingevolge subartikel (1) opgelê is, is—

- (a) deur ’n produsent betaalbaar op oliesade wat deur hom vir verkoop geproduseer is;
- (b) deur ’n invoerder betaalbaar op oliesade wat deur hom in die Republiek ingevoer word.

(3) ’n Heffing wat ingevolge subartikel (2) (a) deur ’n produsent in daardie subartikel bedoel betaalbaar is, word deur die eerste persoon wat met daardie oliesade as ’n besigheid handel van so ’n produsent verhaal indien daardie oliesade nie aan of deur bemiddeling van die Raad verkoop word nie.

(4) ’n Heffing wat ingevolge subartikel (2) of (3) betaalbaar of verhaal is, word aan die Raad oorbetal op die tye en wyse by regulasie kragtens artikel 89 van die Wet voorgeskryf.

(5) Die Raad kan aan ’n persoon in subartikel (3) bedoel wat ’n heffing van ’n produsent verhaal, die kommissie op die betrokke bedrag betaal wat die Raad bepaal.”.

Wysiging van artikel 21 van die Skema

3. Artikel 21 van die Skema word hiermee gewysig deur die uitdrukking “artikel 20 (2)” waar dit in subartikel (2) voorkom, deur die uitdrukking “artikel 20 (2), (3), (4) en (5)” te vervang.

Wysiging van artikel 35 van die Skema

4. Artikel 35 van die Skema word hiermee gewysig deur die woord “moet” waar dit in die eerste reël van subartikel (1) voorkom, deur die woord “kan” te vervang.

No. R. 827**22 April 1994**

BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)

OLIESADESKEMA: VERBOD OP DIE KOOP EN VERKOOP VAN OLIESADE*

Ek, André Isak van Niekerk, Minister van Landbou, maak hierby kragtens artikel 79 van die Bemerkingswet, 1968 (Wet No. 59 van 1968), bekend dat—

- (a) die Oliesaderaad bedoel in artikel 6 van die Oliesadeskema gepubliseer by Proklamasie No. R. 73 van 1982, soos gewysig, kragtens artikel 33 en 34 van genoemde Skema die verbodsbepalings in die Bylae uiteengesit, opgelê het;
- (b) genoemde verbodsbepalings deur my goedgekeur is en op die datum van publikasie hiervan in werking tree; en
- (c) Goewermentskennisgewing No. R. 127 van 27 Januarie 1989 met ingang van genoemde datum van inwerkingtreding herroep word.

A. I. VAN NIEKERK,
Minister van Landbou.

*Uitvaardiging van ’n verbod deur die Oliesaderaad op die koop en verkoop van sekere oliesade deur produsente en ander persone.

Amendment of section 20 of the Scheme

2. Section 20 of the Scheme is hereby amended by the substitution for subsections (2), (3), (4) and (5) of the following subsections:

“(2) A levy imposed in terms of subsection (1) shall—

- (a) be payable by a producer on oilseeds produced by him for the purpose of sale thereof;
- (b) be payable by an importer who imports oilseeds into the Republic.

(3) A levy which in terms of subsection (2) (a) is payable by a producer referred to in that subsection, shall be recovered by the first person dealing in the course of trade with such oilseeds from such producer if such oilseeds are not sold to or through the Board.

(4) A levy which in terms of subsection (2) or (3) is payable or recovered shall be paid over to the Board at the time and the manner prescribed by regulation under section 89 of the Act.

(5) The Board may pay to a person referred to in subsection (3) who recovers an amount from a producer the commission on the amount concerned that the Board determines.”.

Amendment of section 21 of the Scheme

3. Subsection 21 of the Scheme is hereby amended by the substitution for the expression “section 20 (2)” where it occurs in subsection (2), of the expression “section 20 (2), (3), (4) and (5)”.

Amendment of section 35 of the Scheme

4. Section 35 of the Scheme is hereby amended by the substitution for the word “shall”, where it occurs in the first line of subsection (1), of the word “may”.

No. R. 827**22 April 1994**

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

OILSEEDS SCHEME: PROHIBITION ON THE PURCHASE AND SALE OF OILSEEDS*

I, André Isak van Niekerk, Minister of Agriculture, hereby make known under section 79 of the Marketing Act, 1968 (Act No. 59 of 1968), that—

- (a) the Oilseeds Board referred to in section 6 of the Oilseeds Scheme published by Proclamation No. 73 of 1982, as amended, has under section 33 and 34 of the said Scheme imposed the prohibitions set out in the Schedule;
- (b) the said prohibitions have been approved by me and shall come into operation on the date of publication hereof; and
- (c) Government Notice No. R. 127 of 27 January 1989 is repealed with effect from the said date of commencement.

A. I. VAN NIEKERK,
Minister of Agriculture.

*Promulgation of a prohibition by the Oilseeds Board on the purchase and sale of certain oilseeds by producers and other persons.

BYLAE**SCHEDULE****Woordomskrywing**

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Skema geheg is, daardie betekenis, en beteken—

“**die Skema**” die Oliesadeskema gepubliseer by Proklamasie No. R. 73 van 1982, soos gewysig; en

“**klas F-sonneblomsaad**” klas F-sonneblomsaad en klas F-ondergraad sonneblomsaad soos bedoel in die Sonneblomsaadgraderingsregulasies kragtens die Wet op Landbouprodukstandaarde, 1990 (Wet No. 119 van 1990), uitgevaardig.

Verbod op die verkoop van oliesade

2. (1) Niemand mag enige oliesade van 'n produsent koop nie, behalwe kragtens 'n permit wat ingevolge artikel 33 van die Skema uitgereik is.

(2) Die bepalings van subklousule (1) is nie van toepassing nie op die koop van—

- (a) oliesade wat uit hoofde van 'n permit wat in terme van artikel 87 van die Wet uitgereik, in die Republiek ingevoer is;
- (b) klas F—sonneblomsaad; en
- (c) alle klasse grondbone bestem vir die plaaslike mark.

Verbod op die verkoop van oliesade deur produsente

3. (1) Geen produsent van oliesade mag enige oliesade verkoop nie, behalwe aan die Raad.

(2) Behoudens artikel 34 (1) (b) van die Skema, kan die Raad vrystelling van die verbod in subklousule (1) bedoel verleen.

(3) Die bepalings van subklousule (1) is nie van toepassing nie op die verkoop van—

- (a) klas F—sonneblomsaad; en
- (b) alle klasse grondbone bestem vir die plaaslike mark.

Aansoek om permitte en vrystellings

4. (1) 'n Aansoek om 'n permit of 'n vrystelling in klousule 2 (1) of 3 (1) bedoel, moet op 'n vorm gedoen word wat vir dié doel van die Raad verkrygbaar is, of op 'n duidelik leesbare faksimile daarvan.

(2) So 'n aansoek moet—

- (a) deur die persoon wat die betrokke permit of vrystelling verlang, voltooi word; en
- (b) by die Hoofbestuurder van die Raad ingedien word.

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning and—

“**the Scheme**” means the Oilseeds Scheme published by Proclamation No. R. 73 of 1982, as amended; and

“**class F sunflower seed**” means class F sunflower seed and class F undergrade sunflower seed referred to in the Sunflower Seed Grading Regulations made under the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990).

Prohibition on the purchase of oilseeds

2. (1) No person shall purchase any oilseeds from a producer, except on authority of a permit issued in terms of section 33 of the Scheme.

(2) The provisions of subclause (1) shall not apply to the purchase of—

- (a) oilseeds imported into the Republic by virtue of a permit issued in terms of section 87 of the Act;
- (b) class F sunflower seed; and
- (c) all classes of groundnuts intended for the local market.

Prohibition on the sale of oilseeds by producers

3. (1) No producer of oilseeds shall sell any oilseeds, except to the Board.

(2) Subject to section 34 (1) (b) of the Scheme, the Board may grant exemption from the prohibition referred to in subclause (1).

(3) The provisions of subclause (1) shall not apply to the sale of—

- (a) class F sunflower seed; and
- (b) all classes of groundnuts intended for the local market.

Application for permits and exemptions

4. (1) An application for a permit or an exemption referred to in clause 2 (1) or 3 (1) shall be made on a form which is obtainable from the Board for this purpose, or a clearly legible facsimile thereof.

(2) Such application shall—

- (a) be completed by the person requiring the permit or exemption concerned; and
- (b) be lodged with the General Manager of the Board.

INHOUD			CONTENTS		
No.		Bladsy No.	No.		Page No.
GOEWERMENSKENNISGEWINGS			GOVERNMENT NOTICES		
Landbou, Departement van			Agriculture, Department of		
Goewermentskennisgewings			Government Notices		
R. 826	Bemarkingswet (59/1968): Oliesade- skema: Wysiging.....	1 15668	R. 826	Marketing Act (59/1968): Oilseeds Scheme: Amendment	1 15668
R. 827	do.: do.: Verbod op die koop en verkoop van oliesade.....	2 15668	R. 827	do.: do.: Prohibition on the purchase and sale of oilseeds.....	2 15668