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GOEWERMENTSKENNISGEWING

DEPARTEMENT VAN LANDBOU

No. R. 1507

1 September 1994

BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)

LUSERNSAADSKEMA: WYSIGING

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

- (a) publiseer hierby die wysiging in die Bylae uiteengesit, van die Lusernraadschema gepubliseer by Proklamasie No. R. 30 van 1963, 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.

BYLAE

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 Lusernsaadskema gepubliseer by Proklamasie No. R. 30 van 22 Februarie 1963, soos gewysig deur Proklamasie No. R. 99 van 28 April 1967 (soos verbeter deur Proklamasie No. R. 2105 van 29 Desember 1967), R. 21 van 11 Februarie, R. 132 van 9 Junie 1978, R. 69 van 3 April 1981 en R. 138 van 24 Augustus 1984 en Goewermentskennisgewings Nos. R. 1108 van 17 Mei 1985, R. 2370 van 18 Oktober 1985, R. 2419 van 21 November 1986, R. 1046 van 3 Junie 1988, R. 1879 van 9 Augustus 1991, R. 2489 van 18 Oktober 1991 en R. 3400 van 24 Desember 1992.

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GOVERNMENT NOTICE

DEPARTMENT OF AGRICULTURE

No. R. 1507

1 September 1994

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

LUCERNE SEED SCHEME: AMENDMENT

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

- (a) publish the amendment set out in the Scheme, of the Lucerne Seed Scheme published by Proclamation No. R. 30 of 1963, 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.

SCHEDULE

Definition

1. In this Schedule any word or expression to which a meaning has been assigned in the Scheme shall have that meaning and "the Scheme" means the Lucerne Seed Scheme published by Proclamation No. R. 30 of 22 February 1963, as amended by Proclamations Nos. R. 99 of 28 April 1967 (as corrected by Proclamation No. R. 2105 of 29 December 1967), R. 21 of 11 February 1977, R. 132 of 9 June 1978, R. 69 of 3 April 1981 and R. 138 of 24 August 1984 and Government Notices Nos. R. 1108 of 17 May 1985, R. 2370 of 18 October 1985, R. 2419 of 21 November 1986, R. 1046 of 3 June 1988, R. 1879 of 9 August 1991, R. 2489 of 18 October 1991 and R. 3400 of 24 December 1992.

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Wysiging van artikel 14 van die Skema

2. Artikel 14 van die Skema word hierby gewysig deur—

- (a) paragraaf (k) van subartikel (1) deur die volgende paragraaf te vervang:

“(k) om teen die prys of op die grondslag wat die Minister goedkeur, binnelands geproduseerde lusernseed van die variëteit SA Standaard te koop;”;

- (b) die frase “met lusernseed wat by gekoop het te handel”, waar dit in paragraaf (1) van subartikel (1) van die Afrikaanse weergawe voorkom, deur die frase “om lusernseed wat hy gekoop het, te behandel”, te vervang;

- (c) paragraaf (m) van subartikel (1) deur die volgende paragraaf te vervang:

“(m) om lusernseed wat hy gekoop het, teen die prys of op die grondslag wat die Minister goedkeur, te verkoop, hetsy in sy oorspronklike of in gedeeltelik of geheel en al verwerkte vorm, of ’n deel daarvan van die mark te onthou;” en

- (d) paragraaf (o) te skrap.

Wysiging van artikel 15 van die Skema

3. Artikel 15 van die Skema word hierby gewysig deur—

- (a) subartikel (2) deur die volgende subartikel te vervang:

“(2) ’n Heffing opgelê kragtens subartikel (1) is deur ’n produsent betaalbaar op lusernseed wat deur hom aan ’n persoon in artikel 18*bis* (1) (b) bedoel, gelewer word.”; en

- (b) die volgende subartikel by te voeg:

“(4) ’n Heffing wat ingevolge subartikel (2) betaalbaar is, word aan die Raad betaal op die tyd en wyse by regulasie kragtens artikel 89 van die Wet voorgeskryf.”.

Wysiging van artikel 16 van die Skema

4. Artikel 16 van die Skema word hierby gewysig deur die frase “15 (1) (a) en 15 (2)” waar dit in subartikel (1) voorkom, deur die frase “15 (1) (a), 15 (2) en 15 (4)” te vervang.

Skrapping van artikel 18 van die Skema

5. Artikel 18 van die Skema word hierby geskrap.

Wysiging van artikel 18*bis* van die Skema

6. Artikel 18*bis* van die Skema word hierby gewysig deur—

- (a) paragraaf (a) van die subartikel (1) deur die volgende paragraaf te vervang:

“(a) iemand wat binne die Republiek met lusernseed as ’n besigheid handel deur dit van ’n produsent aan te koop of dit in te voer of uit te voer, moet by die Raad geregistreer wees;”;

Amendment of section 14 of the Scheme

2. Section 14 of the Scheme is hereby amended by—

- (a) the substitution for paragraph (k) of subsection (1) of the following paragraph:

“(k) to buy at such a price or on such a basis as the Minister may approve, locally produced lucerne seed of the variety SA Standard;”;

- (b) the substitution for the phrase “met lusernseed wat hy gekoop het te handel” where it occurs in paragraph (1) of subsection (1) of the Afrikaans version, of the phrase “om lusernseed wat hy gekoop het, te behandel”;

- (c) the substitution for paragraph (m) of subsection (1) of the following paragraph:

“(m) to sell, whether in its original form or processed wholly or in part, lucerne seed which it has bought at such a price or on such a basis as the Minister may approve, or to withhold any part of it from the market;” and

- (d) the deletion of paragraph (o).

Amendment of section 15 of the Scheme

3. Section 15 of the Scheme is hereby amended by

- (a) the substitution for subsection (2) of the following subsection:

“(2) A levy imposed under subsection (1) is payable by a producer on lucerne seed delivered by him to a person referred to in section 18*bis* (1) (b).”;

- (b) the addition of the following subsection:

“(4) A levy payable in terms of subsection (2) shall be paid to the Board at the time and in the manner prescribed by regulation under section 89 of the Act;”.

Amendment of section 16 of the Scheme

4. Section 16 of the Scheme is hereby amended by the substitution for the phrase “15 (1) (a) and 15 (2)” where it occurs in subsection (1), of the phrase “15 (1) (a), 15 (2) and 15 (4)”.

Deletion of section 18 of the Scheme

5. Section 18 of the Scheme is hereby deleted.

Amendment of section 18*bis* of the Scheme

6. Section 18*bis* of the Scheme is hereby amended by—

- (a) the substitution for paragraph (a) of subsection (1) of the following paragraph:

“(a) Any person who deals with lucerne seed in the course of the trade within the Republic by purchasing it from a producer or by importing or exporting it, shall be registered with the Board;”;

(b) paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:

“(b) Iemand wat binne die Republiek met lusernseed as ’n besigheid handel deur dit skoon te maak, moet by die Raad geregistreer wees;”;

(c) paragraaf (e) van subartikel (2) deur die volgende paragraaf te vervang:

“(e) ’n Aansoek ingevolge paragrawe (a) of (b) van subartikel (1) word slegs toegestaan indien die aansoeker geregistreer is ingevolge die Plantverbeteringswet, 1976 (Wet No. 53 van 1976);”;

(d) subartikel (4) te skrap.

Skapping van artikels 19 en 20 van die Skema

7. Artikels 19 en 20 van die Skema word hierby geskrap.

Wysiging van artikel 21 van die Skema

8. Artikel 21 van die Skema word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

“(1) Die Raad kan ’n afsonderlike poel bestuur ten opsigte van elke klas lusernseed aan die Raad gelewer gedurende sodanige tydperk as wat die Raad met die goedkeuring van die Minister mag bepaal, en elke hoeveelheid lusernseed aan die Raad of sy agente vir verkoop gelewer, word toegewys aan die graad van elke klas waartoe sodanige hoeveelheid lusernseed na bevinding van die Raad behoort ten tye van lewering vir verkoop: Met dien verstande dat die Raad, wanneer hy dit goedvind en met die goedkeuring van die Minister, ’n poel kan bestuur ten opsigte van ’n groep klasse lusernseed.”.

(b) the substitution for paragraph (b) of subsection (1) of the following paragraph:

“(b) Any person who deals with lucerne seed in the course of trade within the Republic by cleaning it, shall be registered with the Board;”;

(c) the substitution for paragraph (e) of subsection (2) of the following paragraph:

“(e) An application in terms of paragraphs (a) or (b) of subsection (1) shall only be granted if the applicant is registered in terms of the Plant Improvement Act, 1976 (Act No. 53 of 1976);”;

(d) the deletion of subsection (4).

Deletion of sections 19 and 20 of the Scheme

7. Sections 19 and 20 of the Scheme are hereby deleted.

Amendment of section 21 of the Scheme

8. Section 21 of the Scheme is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) The Board may conduct a separate pool in respect of each class of lucerne seed delivered to the Board during such period as the Board may, with the approval of the Minister, determine, and each quantity of lucerne seed delivered to the Board or its agents for sale shall be assigned to the grade of each class to which such quantity of lucerne seed is found by the Board to belong at the time of delivery for sale: Provided that the Board may, whenever it deems it expedient and with the approval of the Minister, conduct a pool in respect of a group of classes of lucerne seed.”.

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