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GOVERNMENT NOTICES

DEPARTMENT OF MINERAL AND ENERGY AFFAIRS

No. R. 30

13 January 1995

MINES AND WORKS ACT, 1956
(ACT No. 27 OF 1956)

DECLARATION OF WORK IN THE NATIONAL INTEREST

Under section 9 (1) (f) of the Mines and Works Act, 1956 (Act No. 27 of 1956), I, Roelof Frederik Botha, Minister of Mineral and Energy Affairs, hereby declare that the performance on Sundays of work, both underground and on the surface, at the mine known as Loraine Gold Mines Limited, in the Magisterial District of Odendaalsrus, Province of the Orange Free State, is, in my opinion, necessary in the national interest for a period of 12 months from 22 January 1995.

R. F. BOTHA,

Minister of Mineral and Energy Affairs.

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN MINERAAL- EN ENERGIESAKE

No. R. 30

13 Januarie 1995

WET OP MYNE EN BEDRYWE, 1956
(WET No. 27 VAN 1956)

VERKLARING VAN WERK IN NASIONALE BELANG

Ek, Roelof Frederik Botha, Minister van Mineraal- en Energiesake, verklaar hierby, kragtens artikel 9 (1) (f) van die Wet op Myne en Bedrywe, 1956 (Wet No. 27 van 1956), dat die verrigting op Sondae van werk, ondergronds asook bogrond, by die myn bekend as Loraine Gold Mines Limited, geleë in die landdrostrik Odendaalsrus, provinsie die Oranje-Vrystaat, na my oordeel, vanaf 22 Januarie 1995, vir 'n tydperk van 12 maande, in nasionale belang noodsaaklik is.

R. F. BOTHA,

Minister van Mineraal- en Energiesake.

No. R. 31

13 January 1995

MINERALS ACT, 1991
(ACT No. 50 OF 1991)

AMENDMENT OF REGULATIONS

I, Roelof Frederik Botha, Minister of Mineral and Energy Affairs, acting under section 63 of the Minerals Act, 1991 (Act No. 50 of 1991), hereby make the regulations set out in the Schedule.

R. F. BOTHA,

Minister of Mineral and Energy Affairs.

No. R. 31

13 Januarie 1995

MINERAALWET, 1991
(WET No. 50 VAN 1991)

WYSIGING VAN REGULASIES

Ek, Roelof Frederik Botha, Minister van Mineraal- en Energiesake, handelende kragtens artikel 63 van die Mineraalwet, 1991 (Wet No. 50 van 1991), vaardig hierby die regulasies in die Bylae uiteengesit uit.

R. F. BOTHA,

Minister van Mineraal- en Energiesake.

SCHEDULE**DEFINITIONS**

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R. 992 of 26 June 1970, as amended by Government Notices Nos. R. 303, R. 304 and R. 305 of 1 March 1972, R. 1346 of 4 August 1972, R. 2101, R. 2102 and R. 2103 of 15 November 1974, R. 513 of 1 April 1977, R. 1189 of 8 June 1979, R. 537 of 21 March 1980, R. 2227 and R. 2228 of 31 October 1980, R. 2703 of 11 December 1981, R. 2264 of 31 October 1986, R. 367 of 27 February 1987, R. 2566 of 20 November 1987, R. 1352 of 8 July 1988, R. 1889 of 16 September 1988, R. 1130 of 2 June 1989, R. 1339 of 22 June 1990, R. 1644 of 13 July 1990, R. 2706 of 23 November 1990, R. 2923 of 10 December 1990, R. 398 of 1 March 1991, R. 1263 of 7 June 1991, R. 2026 of 23 August 1991 and R. 3083 of 20 December 1991, R. 814 of 13 March 1992, R. 110 of 16 April 1992, R. 2223 of 7 August 1992, R. 1556 of 20 August 1993 and R. 2449 of 24 December 1993 and Notice 160 of 1 February 1991.

AMENDMENT OF REGULATION 3 OF THE REGULATIONS

2. Regulation 3 of the Regulations is hereby amended by—

- (a) the substitution for the heading above subregulation 3.14 of the following heading:

"Safety precautions or measures relating to the management of the environment not to be damaged or removed";

- (b) the insertion at the end of paragraph (b) of subregulation 3.14 of the word "or"; and
(c) the insertion after paragraph (b) of subregulation 3.14 of the following paragraph:

"(c) alter, remove or in any way interfere with or render ineffective or disregard any measure relating to rehabilitation or to the management of the environment at a mine, unless duly authorized thereto in writing by the holder of the prospecting permit or mining authorization or the owner or manager of that mine: Provided that in the case of a mine which is closed down, such authorization shall be obtained in writing from the regional director."

AMENDMENT OF REGULATION 5 OF THE REGULATIONS

3. Regulation 5 of the Regulations is hereby amended by—

- (a) the substitution for subregulation 5.16 of the following subregulations:

"Pecuniary provision"

5.16.1 The holder of a prospecting permit or mining authorization shall demonstrate in his environmental management programme that he has the financial means and has made sufficient and acceptable pecuniary provision to the satisfaction of the regional director to carry out such programme.

BYLAE**WOORDOMSKRYWING**

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermentskennisgewing No. R. 992 van 26 Junie 1970, soos gewysig by Goewermentskennisgewings Nos. R. 303, R. 304 en R. 305 van 1 Maart 1972, R. 1346 van 4 Augustus 1972, R. 2101, R. 2102 en R. 2103 van 15 November 1974, R. 513 van 1 April 1977, R. 1189 van 8 Junie 1979, R. 537 van 21 Maart 1980, R. 2227 en R. 2228 van 31 Oktober 1980, R. 2703 van 11 Desember 1981, R. 2264 van 31 Oktober 1986, R. 367 van 27 Februarie 1987, R. 2566 van 20 November 1987, R. 1352 van 8 Julie 1988, R. 1889 van 16 September 1988, R. 1130 van 2 Junie 1989, R. 1339 van 22 Junie 1990, R. 1644 van 13 Julie 1990, R. 2706 van 23 November 1990, R. 2923 van 10 Desember 1990, R. 398 van 1 Maart 1991, R. 1263 van 7 Junie 1991, R. 2026 van 23 Augustus 1991 and R. 3083 van 20 Desember 1991, R. 814 van 13 Maart 1992, R. 110 van 16 April 1992, R. 2223 van 7 August 1992, R. 1556 van 20 Augustus 1993 en R. 2449 van 24 Desember 1993 en Kennisgewing 160 van 1 Februarie 1991.

WYSIGING VAN REGULASIE 3 VAN DIE REGULASIES

2. Regulasie 3 van die Regulasies word hierby gewysig—

- (a) deur die opskrif bo subregulasie 3.14 deur die volgende opskrif te vervang:

"Veiligheidsmiddels of maatreëls wat verband hou met die bestuur van die omgewing mag nie beskadig of verwyder word nie";

- (b) deur die woord "of" aan die einde van paragraaf (b) van subregulasie 3.14 by te voeg; en
(c) deur die volgende paragraaf na paragraaf (b) van subregulasie 3.14 by te voeg:

"(c) enige maatreël wat verband hou met die rehabilitasie of die bestuur van die omgewing by 'n myn verander, verwyder, hom daarmee bemoei of onbruikbaar maak of verontagsaam nie, tensy hy behoorlik skriftelik daartoe gemagtig is deur die houer van 'n prospekterpermit of ontginningmagtiging of die eienaar of die bestuurder van sodanige myn: Met dien verstande dat, in die geval van 'n myn wat gesluit is, sodanige magtiging skriftelik van die streekdirekteur verkry word."

WYSIGING VAN REGULASIE 5 VAN DIE REGULASIES

3. Regulasie 5 van die Regulasies word hierby gewysig—

- (a) deur subregulasie 5.16 deur die volgende subregulasies te vervang:

"Geldelike voorsiening"

5.16.1 Die houer van 'n prospekterpermit of ontginningmagtiging sal in sy omgewingsbestuursprogram bewys lewer van sy finansiële vermoëns en dat hy voldoende en aanvaarbare geldelike voorsiening gemaak het om tot die tevredenheid van die streekdirekteur sodanige program te kan uitvoer.

5.16.2 Where the holder of a prospecting permit or mining authorization is not required to have an environmental management programme, the regional director may order such holder to make, to his satisfaction, provision for—

- (a) the rehabilitation of the surface of the mining area;
- (b) the prevention of pollution of the atmosphere;
- (c) the prevention of pollution of water and the soil; and
- (d) the final closure of the mine.

5.16.3 The holder of a prospecting permit or mining authorization shall annually, to the satisfaction of the regional director and in consultation with an expert, determine the quantum of pecuniary provision which is required of him in terms of regulations 5.16.1 or 5.16.2.

5.16.4 The pecuniary provision referred to in regulations 5.16.1 and 5.16.2 shall only be used for the purposes of the said regulations."

5.16.2 Waar 'n omgewingsbestuursprogram nie van die houer van 'n prospekterpermit of ontginningsmagtiging vereis word nie, kan die streekdirekteur gelas dat sodanige houer, tot sy tevredenheid, voorsiening moet maak vir—

- (a) die rehabilitasie van die oppervlak van die mynterrein;
- (b) die voorkoming van besoedeling van die atmosfeer;
- (c) die voorkoming van besoedeling van water en die grond; en
- (d) die finale sluiting van die myn.

5.16.3 Die houer van 'n prospekterpermit of ontginningsmagtiging moet jaarliks die omvang van die geldelike voorsiening wat kragtens regulasie 5.16.1 en 5.16.2 van hom vereis word, in oorleg met 'n kundige en tot die tevredenheid van die streekdirekteur bepaal.

5.16.4 Die geldelike voorsiening in regulasies 5.16.1 en 5.16.2 bedoel mag slegs vir die doeleindes van gemelde regulasies aangewend word."

DEPARTMENT OF TRADE AND INDUSTRY

No. R. 34

13 January 1995

THE SUGAR ACT, 1978

AMENDMENT OF THE CONSTITUTION OF THE
SOUTH AFRICAN SUGAR ASSOCIATION

CORRECTION NOTICE

Substitute the following for Government Notice No. R. 2261 (Regulation Gazette No. 5446) published in *Government Gazette* No. 16190 of 30 December 1994:

I, Trevor Andrew Manuel, Minister of Trade and Industry, hereby, in terms of section 2 (2) of the Sugar Act, 1978 (Act No. 9 of 1978), publish in the Schedule the amendment of the Constitution of the South African Sugar Association.

T. A. MANUEL,

Minister of Trade and Industry.

SCHEDULE

1. The Constitution of the South African Sugar Association, published under Government Notice No. R. 860 of 27 April 1979, is hereby amended by the substitution thereof of the following:

CONSTITUTION OF THE SOUTH AFRICAN SUGAR ASSOCIATION

Name and registered office

1. (1) **Name:** The name of the Association shall be South African Sugar Association.

(2) **Registered office:** The registered office of the Association shall be situated in the greater Durban area.

Membership and representation

2. (1) **Membership:** The members of the Association shall be the South African Sugar Millers' Association Limited (representing millers and refiners) and the South African Cane Growers' Association (representing growers), hereinafter referred to as "the Millers' Section" and "the Growers' Section", respectively.

DEPARTEMENT VAN HANDEL EN NYWERHEID

No. R. 34

13 Januarie 1995

DIE SUIKERWET, 1978

WYSIGING VAN DIE GRONDWET VAN DIE SUID-
AFRIKAANSE SUIKERVERENIGING

VERBETERINGSKENNISGEWING

Vervang Goewermmentskennisgewing No. R. 2261 (Regulasiekoerant No. 5446) gepubliseer in *Staatskoerant* No. 16190 van 30 Desember 1994 met die volgende:

Ek, Trevor Andrew Manuel, Minister van Handel en Nywerheid, publiseer hierby kragtens artikel 2 (2) van die Suikerwet, 1978 (Wet No. 9 van 1978), in die Bylae die wysiging van die Grondwet van die Suid-Afrikaanse Suikervereniging.

T. A. MANUEL,

Minister van Handel en Nywerheid.

BYLAE

1. Die Grondwet van die Suid-Afrikaanse Suikervereniging, gepubliseer by Goewermmentskennisgewing No. R. 860 van 27 April 1979, word hierby gewysig deur dit deur die volgende te vervang:

GRONDWET VAN DIE SUID-AFRIKAANSE SUIKERVERENIGING

Naam en geregistreerde kantoor

1. (1) **Naam:** Die naam van die Vereniging is Suid-Afrikaanse Suikervereniging.

(2) **Geregistreerde kantoor:** Die geregistreerde kantoor van die Vereniging is in die groter Durbangebied geleë.

Lidmaatskap en verteenwoordiging

2. (1) **Lidmaatskap:** Die lede van die Vereniging is die Suid-Afrikaanse Suikermeulenaarsvereniging Beperk (wat die meulenaars en raffineerders verteenwoordig) en die Suid-Afrikaanse Rietkwekersvereniging (wat die kwekers verteenwoordig), hierna, onderskeideik "die Meulenaarsafdeling" en "die Kwekersafdeling" genoem.

(2) **Representation:** Each Section shall be represented by 18 delegates.

Administration

3. (1) The affairs of the Association shall be administered by a Council consisting of a Chairman, a Vice-Chairman, and 22 Councillors appointed annually at the general meeting, of whom 11 shall be nominated by the delegates of the Millers' Section and 11 shall be nominated by the delegates of the Growers' Section. Each section may nominate a total of four alternates to their elected Councillors, such alternates being appointed annually at the general meeting. Any Councillor failing to attend three consecutive meetings without leave of absence from the Council shall vacate office. Casual vacancies shall be filled by the Section which appointed the retired Councillor or alternate.

(2) The Chairman and Vice-Chairman shall be elected annually at the general meeting of the Association on such terms as the Association may deem fit. They need not be delegates or Councillors. Casual vacancies occurring in the offices of the Chairman or Vice-Chairman shall be filled by Council, such appointees to hold office until the following general meeting.

(3) The Council may elect an executive committee from its own members consisting of such number as the Council may decide, and shall also elect such other committees as it may consider necessary. The Council shall determine the duties of any committee appointed by it and shall have the right to alter such duties from time to time. Committees shall without undue delay report to the Council. All committees shall be subject to the directions, and under the control of, the Council. Unless otherwise agreed both the Growers' Section and Millers' Section shall be equally represented on every committee. The Chairman and Vice-Chairman of the Association shall be *ex-officio* members of all committees if not actually appointed thereto.

(4) Auditors shall be appointed by the Council.

Objects

4. The Association is established in order to carry out all functions assigned to the Council or the Association by or in terms of the Sugar Act, 1978 (Act No. 9 of 1978) (hereinafter referred to as the "Act"), or the Sugar Industry Agreement, referred to in section 4 of the Act (hereinafter referred to as the "Agreement"), and in particular but without limiting the generality of the foregoing—

- (a) to promote, foster, regulate, co-ordinate and assist with the production, storage, transport, handling and sale of sugar industry products;
- (b) to take such steps as may be considered desirable to increase the consumption of sugar industry products;
- (c) to promote reciprocal and/or preferential arrangements in respect of duties and tariffs, with the object of fostering and stimulating the promotion of the sugar industry in South Africa;

(2) **Verteenwoordiging:** Elke Afdeling word deur 18 afgevaardigdes verteenwoordig.

Administrasie

3. (1) Die sake van die Vereniging word bestuur deur 'n Raad wat bestaan uit 'n Voorster, 'n Visevoorsitter, en 22 raadslede wat jaarliks op die algemene vergadering aangestel word, van wie 11 deur die afgevaardigdes van die Meulenaarsafdeling benoem word, en 11 deur die afgevaardigdes van die Kwekersafdeling benoem word. Elke afdeling kan hoogstens vier plaasvervangers vir hul verkose raadslede benoem, welke plaasvervangers jaarliks op die algemene vergadering aangestel word. 'n Raadslid wat versuim om drie agtereenvolgende vergaderings by te woon sonder verlof tot afwesigheid van die Raad, moet sy amp neerlê. Toevallige vakatures moet gevul word deur die afdeling wat die gewese lid of plaasvervanger benoem het.

(2) Die Voorster en Visevoorsitter word jaarliks op die algemene vergadering van die Vereniging verkies op sodanige voorwaardes as wat die Vereniging goed ag. Hulle hoef nie afgevaardigdes of raadslede te wees nie. Toevallige vakatures wat in die amp van Voorster of van Visevoorsitter ontstaan, moet deur die Raad gevul word, en so 'n aangestelde beklee die amp tot die volgende algemene vergadering.

(3) Die Raad kan 'n uitvoerende komitee uit sy eie lede kies, bestaande uit soveel lede as wat die Raad besluit, en kies ook sodanige ander komitees as wat hy nodig ag. Die Raad bepaal die pligte van enige komitee wat deur hom aangestel is, en het die reg om sodanige pligte van tyd tot tyd te verander. Komitees moet sonder onnodige vertraging aan die Raad verslag doen. Alle komitees is onderworpe aan die voorskrifte en staan onder die beheer van die Raad. Tensy anders ooreengekom is, moet beide die Kwekersafdeling en die Meulenaarsafdeling deur dieselfde getal lede in elke komitee verteenwoordig wees. Die voorsitter en Visevoorsitter van die Vereniging is *ex-officio* lede van alle komitees indien hulle nie werklik daarin aangestel is nie.

(4) Ouditeure word deur die Raad aangestel.

Doelstellings

4. Die Vereniging is gestig ten einde alle funksies te vervul wat aan die Raad of die Vereniging opgedra is by of ingevolge die Suikerwet, 1978 (Wet No. 9 van 1978) (hierna die "Wet" genoem), of die Suikernywerheids-ooreenkoms in artikel 4 van die Wet bedoel (hierna die "Ooreenkoms" genoem), en in die besonder maar sonder om afbreuk te doen aan die algemeenheid van die voorgaande—

- (a) om die produksie, opberging, vervoer, hantering en verkoop van suikernywerheidsprodukte te bevorder, aan te help, te reguleer en te koördineer en daarmee behulpsaam te wees;
- (b) om die stappe te doen wat wenslik geag word om die verbruik van suikernywerheidsprodukte te verhoog;
- (c) om ten opsigte van invoerregte en tariere wedersydse en/of voorkeurreëlings te bevorder met die doel om die bevordering van die suikernywerheid in Suid-Afrika aan te moedig en te stimuleer;

- (d) to represent the views of the sugar industry to Parliament, Government and other public bodies and officials in the Republic of South Africa, and elsewhere, in such manner as the Council may deem expedient: Provided that a member shall not approach, or make representations to, the Government of the Republic of South Africa or any Government Department, or Parliament, on any matter affecting, or of general interest to, the sugar industry, without first giving the Association 10 days' written notice of his intention to do so;
- (e) to provide machinery for examining and settling major grievances between the Sections;
- (f) to establish from time to time an experiment station or experiment stations and a training and other operating centre or centres, and for such purposes to raise such loans with or without security for such amounts, and at such rates of interest and subject to such terms as may from time to time be necessary;
- (g) to promote and assist in the cause of education and other areas of social responsibility in the Republic of South Africa or elsewhere;
- (h) to take steps for the improvement of the technical knowledge of persons engaged in the sugar industry;
- (i) to collect and circulate statistics and other information on all matters of interest to the sugar industry; and
- (j) to do all such things as are in the opinion of the Association necessary, proper or advisable for the advancement generally of the sugar industry, or which are incidental or conducive to the attainment of all or any of the above objects, including the formation of any company, body or fund or the holding of any shares in any company formed to implement such objects and perform such functions.

Powers of Council

5. Without prejudice to the general power conferred upon the Council by clause 4 it shall have and exercise the following powers and functions—

- (a) carry out all functions assigned to the Council or the Association in terms of the Act and the Agreement published thereunder;
- (b) do all such things as may be incidental to the proper carrying out of the foregoing powers and of the functions hereby entrusted to it;
- (c) delegate all or any of its powers conferred upon it by clause 4 and this clause to any committee referred to in clause 3; any decision or act duly arrived at or performed pursuant to any such delegation being deemed to be the decision or act of the Council itself;

- (d) om die sienswyse van die suikernywerheid aan die Parlement, die Regering en ander openbare liggame en amptenare in die Republiek van Suid-Afrika en elders voor te lê op die wyse wat die Raad wenslik ag: Met dien verstande dat 'n lid nie die Regering van die Republiek van Suid-Afrika of enige Staatsdepartement, of die Parlement oor enige saak rakende, of in die algemene belang van, die suikernywerheid mag nader of verhoë aan hulle rig sonder om die Vereniging vooraf 10 dae skriftelike kennis te gee van sy voorneme om dit te doen nie;
- (e) om voorsiening te maak vir die ondersoek en beslegting van ernstige griewe wat tussen die Afdelings mag ontstaan;
- (f) om van tyd tot tyd 'n proefstasie of proefstasies en 'n opleidingsentrum en ander bedryfsentrums te stig, en om vir daardie doel lenings met of sonder sekuriteit vir sodanige bedrae aan te gaan, teen sodanige rentekoerse en op sodanige voorwaardes as wat van tyd tot tyd nodig mag wees;
- (g) om die saak van die onderwys en ander terreine van maatskaplike verantwoordelikheid in die Republiek van Suid-Afrika of elders te bevorder en aan te help;
- (h) om stappe te doen ter verbetering van die tegniese kennis van persone wat in die suikernywerheid werksaam is;
- (i) om statistiek en ander inligting oor alle sake van belang vir die suikernywerheid te versamel en te versprei; en
- (j) om alle sodanige dinge te doen as wat na die mening van die Vereniging nodig, behoorlik of raadsaam is vir die algemene vooruitgang van die suikernywerheid, of wat gepaard gaan met of bevorderlik is vir die bereiking van alle of enige van bostaande doelstellings, met inbegrip daarvan om enige maatskappy, liggaam of fonds te stig of om aandele te besit in enige maatskappy wat gestig is om sodanige doelstellings te bereik en sodanige funksies uit te oefen.

Bevoegdhede van die Raad

5. Sonder om afbreuk te doen aan die algemene bevoegdheid hom by klousule 4 verleen, word die Raad beklee met die onderstaande bevoegdhede en funksies—

- (a) om al die funksies te vervul wat aan die Raad of die Vereniging toegewys is by die Wet en die Ooreenkoms daarkragtens gepubliseer;
- (b) om alles te doen wat gepaard gaan met die behoorlike uitoefening van die voorgenoemde bevoegdhede en die funksies wat hierby aan hom opgedra is;
- (c) om al die bevoegdhede of enige daarvan wat by klousule 4 en hierdie klousule aan hom verleen is, te deleger aan 'n komitee in klousule 3 bedoel. Enige besluit of handeling behoorlik geneem of verrig uit hoofde van enige sodanige delegering, word beskou as synde die besluit of handeling van die Raad self;

- (d) appoint an executive director, directors, managers and staff as may be required, on such terms and conditions as it may determine from time to time;
- (e) Enter into any agreement with such person or body whether within the Republic of South Africa or outside, on such terms and conditions as the Association may think fit;
- (f) take out and hold patents, trade marks and designs;
- (g) form or become associated with such company or body as the Association may think necessary or desirable and, in so doing, collaborate with such one or more persons or bodies as the Association may, if it thinks fit, select;
- (h) acquire or hold shares in such companies or bodies as the Council may consider desirable;
- (i) acquire, deal with and dispose of both movable and immovable property;
- (j) determine the quantity of sugar required for the local market, the quantity of carry-over stocks, the quantity of sugar to be exported each year, and each mill's share of these quantities, subject only to the provisions of the Agreement and any regulation published under section 10 of the Act;
- (k) purchase, sell or deal in any sugar industry products or form any companies or bodies to purchase, sell or deal in any sugar industry products and act as the agent of any company or body in the purchase or sale of any sugar industry products;
- (l) originate, carry on, direct and control such publicity as the Association may deem it appropriate to undertake on behalf of the sugar industry in connection with the promotion and sale of sugar industry products in the local market and the export market;
- (m) make donations to whatever cause or for whatever purpose the Council may decide and sponsor where deemed advisable and in the interests of the sugar industry, development, the arts, sport or whatever other activity the Council may elect to support;
- (n) further the objects of the Association, promote and assist in the cause of education in the Republic of South Africa, or elsewhere, create one or more trusts upon such terms and conditions as the Council shall from time to time decide; contribute to any such trust such sum or sums of money as the Council shall from time to time decide; from time to time appoint a trustee or trustees of any such trust; remove any such trustee from office and fill vacancies occurring in the office of trustee under any such
- (d) om 'n uitvoerende direkteur, direkteure, bestuurders en personeel as wat nodig is op sodanige voorwaardes aan te stel as wat die Raad van tyd tot tyd bepaal;
- (e) om enige ooreenkoms aan te gaan met sodanige persoon of liggaam, hetsy in die Republiek van Suid-Afrika of daarbuite, op sodanige voorwaardes as wat die Vereniging goeddink;
- (f) om patente, handelsmerke en ontwerpe uit te neem en te hou;
- (g) om sodanige maatskappy of liggaam te stig of hom met sodanige maatskappy of liggaam te verbind as wat die Vereniging nodig of wenslik ag, en om sodoende met een of meer sodanige persone of liggame saam te werk as wat die Vereniging na goeddunke mag besluit;
- (h) om aandele te bekom en te besit in sodanige maatskappye of liggame as wat die Raad wenslik ag;
- (i) om sowel roerende as vaste eiendom te koop, te verkoop en daarmee handel te dryf;
- (j) om die hoeveelheid suiker benodig vir die binnelandse mark, die hoeveelheid oordragvoorrade, die hoeveelheid suiker wat elke jaar uitgevoer moet word en elke meul se gedeelte van hierdie hoeveelhede te bepaal, behoudens die bepalings van die Ooreenkoms en enige regulasie uitgevaardig kragtens artikel 10 van die Wet;
- (k) om enige suikernywerheidsprodukte te koop, te verkoop of daarmee handel te dryf of om maatskappye of liggame te stig om enige suikernywerheidsprodukte te koop, te verkoop of daarmee handel te dryf, en om as die agent van enige maatskappy of liggaam met die koop of verkoop van enige suikernywerheidsprodukte op te tree;
- (l) om sodanige reklame as wat die Vereniging ten behoeve van die suikernywerheid nodig ag, in verband met die promosie en verkoop van suikernywerheidsprodukte in die binnelandse mark en die uitvoermark te onderneem, vol te hou, te bestuur en te beheer;
- (m) om skenkings te maak aan watter saak of vir watter doel die Raad ook al besluit skenkings gemaak moet word, en om waar dit wenslik en in belang van die suikernywerheid geag word, ontwikkeling, die kunste, sport of watter ander aktiwiteit ook al te borg wat die Raad wens te ondersteun;
- (n) om die Vereniging se doelstellings te bevorder, om die saak van die onderwys in die Republiek van Suid-Afrika of elders te bevorder en aan te help, om een of meer trusts te skep behoudens sodanige bepalings en voorwaardes as wat die Raad van tyd tot tyd besluit; om tot enige sodanige trust sodanige bedrag of bedrae geld by te dra as wat die Raad van tyd tot tyd besluit; om van tyd tot tyd 'n trustee of trustees vir enige sodanige trust aan te stel; om enige sodanige trustee uit sy amp te onthef en om vakatures te vul wat ontstaan in die amp van trustee in enige sodanige trust; om aan die trustees van enige

trust; confer upon the trustee of any such trust all such powers and duties as the Council shall from time to time deem necessary or expedient; and generally do all such things and execute all such documents as the Council may from time to time deem necessary or expedient for any of the aforesaid purposes;

- (o) appoint auditors and determine their remuneration for the audit of the year concerned;
- (p) give the auditors appointed in terms of subclause (o) at all times such access to the records, books and vouchers of the Association as they may require, and ensure that the auditors receive such information and explanations as they may require;
- (q) determine the price per metric ton of sucrose in cane and any other designated agricultural product in respect of each year not later than the end thereof, and estimate such price at the commencement of each year and thereafter monthly during the year for the purpose of enabling payments to be made to growers in accordance with the provisions of the Agreement;
- (r) impose levies in respect of industry obligations in accordance with the Agreement, and where in the exercise of its objects it is necessary or appropriate for the Association to raise money from a particular grower, miller or refiner or from a group of growers, millers or refiners in respect of expenditure which does not constitute an industry obligation as contemplated by the Agreement, impose levies on the appropriate group of growers, millers or refiners;
- (s) incur such expenditure as it may deem necessary or desirable in carrying out the powers granted to it hereunder and in order to enable the Association to attain its objects hereinbefore set out and to fulfil the functions ascribed to the Association under the Act, and the Agreement published thereunder;
- (t) consider and decide on the persons or classes of persons to whom or the trades to which rebates shall be made in relation to the purchase of any sugar industry products, and fix the amount or amounts of such rebates in which event the Association shall bear the cost of the rebate, the amount of which shall be an industry obligation;
- (u) open a banking account or accounts as provided in clause 6, and determine who shall be responsible for the operation thereof;
- (v) raise loans for such amounts and on such terms and conditions as the Association may think fit, and give security therefor;
- (w) grant loans with or without security for such amounts, on such terms and conditions, with or without interest, as the Association may determine;
- (x) invest money on such terms and conditions as the Council may ordain;

sodanige trust sodanige bevoegdheid en pligte op te lê as wat die Raad van tyd tot tyd nodig of nuttig ag; en in die algemeen, om alle sodanige handelinge te verrig en alle sodanige dokumente te verly as wat die Raad van tyd tot tyd vir enige van genoemde doeleindes nodig of dienstig ag;

- (o) om ouditeure aan te stel en hul vergoeding vir die betrokke jaar se oudit te betaal;
- (p) om aan die ouditeure wat ingevolge subklousule (o) aangestel is te alle tye sodanige toegang as wat hulle nodig het tot die rekords, boeke en bewysstukke van die Vereniging te verleen en te verseker dat die ouditeure die inligting en verklarings wat hulle benodig, ontvang;
- (q) om die prys per metrieke ton suikrose in riet en enige ander aangewese landbouprodukt ten opsigte van elke jaar nie later nie as die einde van die jaar te bepaal, en om sodanige prys aan die begin van elke jaar en daarna maandeliks gedurende die jaar te skat ten einde betalings aan kwekers ooreenkomstig die bepalings van die Ooreenkoms moontlik te maak;
- (r) om heffings ten opsigte van nywerheidsverpligtings ooreenkomstig die Ooreenkoms op te lê, en waar vir die bereiking van sy doelstellings dit vir die Vereniging nodig of paslik is om geld te verkry van 'n bepaalde kweker, meulenaar of raffineerder of van 'n groep kwekers, meulenaars of raffineerders ten opsigte van 'n uitgawe wat nie 'n nywerheidsverpligting soos in die Ooreenkoms bedoel is nie, die betrokke groep kwekers, meulenaars of raffineerders heffings op te lê;
- (s) om sodanige koste aan te gaan as wat die Vereniging nodig of wenslik ag vir die uitoefening van die bevoegdheid wat hierby aan hom verleen word en om die Vereniging in staat te stel om sy doelstellings te bereik wat hierbo uiteengesit is en om die funksies te vervul wat by die Wet en by die Ooreenkoms wat ingevolge daarvan gepubliseer is, aan die Vereniging opgedra is;
- (t) om te oorweeg en te besluit aan welke persone of klasse persone of handelsinstansies kortings toegestaan gaan word in verband met die aankoop van enige suikernywerheidsprodukte en om die bedrag of bedrae van sodanige kortings te bepaal in welke geval die Vereniging die koste van die korting, die bedrag waarvan 'n nywerheidsverpligting is, moet dra;
- (u) om 'n bankrekening of -rekenings te open soos in klousule 6 voorsien, en te bepaal wie vir die hantering daarvan verantwoordelik sal wees;
- (v) om lenings aan te gaan vir sodanige bedrae en op sodanige voorwaardes as wat die Vereniging goed ag, en sekuriteit daarvoor te verskaf;
- (w) om lenings met of sonder sekuriteit toe te staan vir sodanige bedrae en op sodanige voorwaardes, met of sonder rentebetaling, as wat die Vereniging bepaal;
- (x) om geld te belê op sodanige voorwaardes as wat die Raad bepaal;

- (y) institute, conduct or defend, settle or abandon any legal proceedings and compromise or submit to arbitration any claims by or against the Association or the Council; and
- (z) guarantee staff housing loans on such terms and conditions as may be prescribed.

Finance

6. (1) The funds of the Association shall be banked in the name of South African Sugar Association, or in the name of any committee, fund, division or department of the Association duly appointed or established in terms hereof. An amount paid on behalf of the Association or any such committee, fund, division or department thereof shall be paid in such manner and under such authorizations as the Council may from time to time determine.

(2) No profits or gains of the Association may be distributed to the members of the Association or any other persons and the funds of the Association shall be utilised solely for investment or the objects set out in clause 4.

(3) The provisions of subclause (2) shall not be interpreted to prevent the Association from authorising or empowering any company, the operations of which are ancillary or complementary to the objects of the Association and all the shares of which are held by the Association, to pay profits or gains made by such company into any stabilisation or similar fund, established in terms of the Agreement.

Meetings

7. (1) All meetings of the Association and of the Council shall be presided over by the Chairman of the Association and in his absence by the Vice-Chairman, failing which, by a chairman elected by the meeting.

(2) A general meeting of the delegates of the Association shall be held once in every year within six months after the close of the financial year at such time and place as may be determined by the Council. The purpose of this meeting shall be to consider the report by the Council on the year's working of the Association and the duly audited annual financial statements for the past year, to elect a chairman and vice-chairman, to appoint Councillors and alternates, and to conclude such other business as it is competent to attend to. The meeting may also transact any special business.

(3) The Council may call a special meeting of the delegates of the Association whenever it deems it necessary and the Chairman, or in his absence the Vice-Chairman, shall call a special meeting of delegates of the Association whenever requested by either Section to do so. Particulars of the special business to be attended to at a general or special meeting of the Association shall be given in the notice calling the meeting.

- (y) om enige regsgeding in te stel, te voer of te verdedig, te skik of te laat vaar en enige eise deur of teen die Vereniging of die Raad, te skik of aan arbitrasie te onderwerp; en
- (z) om huislenings vir personeel te waarborg op sodanige voorwaardes as wat voorgeskryf mag word.

Finansies

6. (1) Die fondse van die Vereniging moet op naam van Suid-Afrikaanse Suikervereniging gebank word, of op die naam van enige komitee, fonds, afdeling of departement van die Vereniging wat behoorlik ingevolge hiervan aangestel of gestig is. 'n Bedrag wat namens die Vereniging of enige sodanige komitee, fonds, afdeling of departement daarvan betaal word, moet op sodanige wyse en onder sodanige magtiging betaal word as wat die Raad van tyd tot tyd bepaal.

(2) Geen winste of voordele van die Vereniging mag tussen die lede van die Vereniging of tussen of onder enige ander persone verdeel word nie en die fondse van die Vereniging mag slegs vir belegging of vir die doelstellings uiteengesit in klousule 4 gebruik word.

(3) Die bepalings van subklousule (2) moet nie vertolk word as sou dit die Vereniging verhoed om enige maatskappy waarvan die aktiwiteite bykomstig by of aanvullend tot die doelstellings van die Vereniging is, en waarvan al die aandele deur die Vereniging besit word, te magtig of in staat te stel om winste of voordele wat deur sodanige maatskappy gemaak en bewerkstellig is, in 'n stabilisasie- of soortgelyke fonds wat kragtens die Ooreenkoms ingestel is, te stort nie.

Vergaderings

7. (1) Alle vergaderings van die Vereniging en van die Raad moet gelei word deur die Voorster van die Vereniging en, in sy afwesigheid, deur die Vise-voorsitter, en in sy afwesigheid, deur 'n voorsitter gekies deur die vergadering.

(2) 'n Algemene vergadering van die afgevaardigdes van die Vereniging moet een keer elke jaar binne ses maande na die sluiting van die boekjaar gehou word op sodanige tyd en plek as wat die Raad bepaal. Die doel van hierdie vergadering is die ooreweging van die verslag deur die Raad oor die werk van die Vereniging gedurende die afgelope jaar en die behoorlik geouditeerde jaarlikse finansiële state vir die afgelope jaar, die verkiesing van 'n voorsitter en vise-voorsitter, die aanstelling van raadslede en plaasvervangers, en om sodanige ander sake as wat die vergadering bevoeg is om te hanteer, af te handel. Die vergadering kan ook enige spesiale sake behandel.

(3) Die Raad kan na goedgekeurde 'n spesiale vergadering van die afgevaardigdes van die Vereniging byeenroep, en die Voorster, of in sy afwesigheid, die Vise-voorsitter, moet 'n spesiale vergadering van afgevaardigdes van die Vereniging byeenroep wanneer hy ook al deur een van die twee Afdelings versoek word om dit te doen. Besonderhede van die spesiale sake wat op 'n algemene of spesiale vergadering van die Vereniging behandel moet word, moet verstrek word in die kennisgewing wat die vergadering belê.

(4) (a) Subject to the provisions of paragraph (b), at least 21 days' notice of every general and/or special meeting of the Association, shall be given to all delegates.

(b) In the case of an emergency the Chairman, or in his absence the Vice-Chairman, may convene a special meeting on less than seven days' notice.

(c) Notwithstanding the provisions of paragraph (b), this Constitution shall not be amended at a special meeting of which less than 21 days' notice has been given.

(d) The period of notice shall be calculated from the day of the posting or delivery of the said notice, whichever date is the earlier.

(5) The quorum for the general meeting of the Association shall be 20 delegates personally present, of whom at least eight shall be delegates from each Section. The quorum for any special meeting of the Association shall be 10 delegates personally present, of whom at least four shall be delegates from each Section. If within half an hour from the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same time and place, or, if that date is a public holiday, to the next succeeding day other than a public holiday, and if at such adjourned meeting a quorum is not present, within half an hour from the time appointed for the meeting, the members present shall be a quorum.

(6) Meetings of the Council shall be held as occasion may require, but at least once a quarter. At meetings of the Council six members personally present shall form a quorum provided that they include at least two representatives of each Section. If within half an hour from the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same time and place, or, if that day is a public holiday, to the next succeeding day other than a public holiday; and if at such adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the members present shall be a quorum.

(7) Any member of either Section or any other person may by consent of the meeting attend as an observer any meeting of the Council or of any committee or subcommittee appointed by the Association or the Council.

Voting

8. (1) At general and special meetings of the Association each delegate shall be entitled to one vote. All questions arising at such meetings shall be determined by a majority representing two-thirds of the votes of the delegates present at the meeting provided that such majority includes votes from both Sections. The Chairman and Vice-Chairman shall not exercise a vote at such meetings. This shall not apply, however, to any delegate who may be appointed to take the chair at such meetings in the absence of the Chairman or Vice-Chairman.

(4) (a) Behoudens die bepalings van paragraaf (b) moet minstens 21 dae kennis van elke algemene en/of spesiale vergadering van die Vereniging aan alle afgevaardigdes gegee word.

(b) In 'n noodgeval kan die Voorsitter, of in sy afwesigheid die Visevoorsitter, 'n spesiale vergadering met minder as sewe dae kennisgewing belê.

(c) Ongeag die bepalings van paragraaf (b) mag hierdie Grondwet nie op 'n spesiale vergadering waarvan minder as 21 dae kennis gegee is gewysig word nie.

(d) Die kennisgewingtydperk word bereken vanaf die dag waarop genoemde kennisgewing gepos of afgelewer is, watter ook al die vroegste is.

(5) Die kworum vir die algemene vergadering van die Vereniging is 20 afgevaardigdes wat persoonlik teenwoordig is, van wie ten minste agt afgevaardigdes van elke Afdeling moet wees. Die kworum vir 'n spesiale vergadering van die Vereniging is 10 afgevaardigdes wat persoonlik teenwoordig is, van wie ten minste vier afgevaardigdes van elke Afdeling moet wees. Indien 'n kworum nie teenwoordig is 'n halfuur na die vasgestelde tyd waarop die vergadering moet begin nie, word die vergadering uitgestel tot dieselfde dag in die volgende week op dieselfde tyd en plek, of indien daardie dag 'n openbare vakansiedag is, tot die eersvolgende dag wat nie 'n openbare vakansiedag is nie, en indien daar op sodanige uitgestelde vergadering 'n halfuur na die vasgestelde tyd vir die aanvang van die vergadering nog geen kworum teenwoordig is nie, maak die aanwesige lede 'n kworum uit.

(6) Vergaderings van die Raad moet gehou word na gelang dit nodig is maar ten minste een keer per kwartaal. Op vergaderings van die Raad maak ses lede wat persoonlik teenwoordig is 'n kworum uit, mits daar ten minste twee lede van elke Afdeling in hulle geledere is. Indien 'n kworum 'n halfuur na die vasgestelde aanvangstyd van die vergadering nog nie teenwoordig is nie, word die vergadering tot dieselfde dag in die volgende week op dieselfde tyd en plek uitgestel, of, indien daardie dag 'n openbare vakansiedag is, tot die eersvolgende dag wat nie 'n openbare vakansiedag is nie, en indien daar op sodanige uitgestelde vergadering 'n halfuur na die vasgestelde aanvangstyd van die vergadering nog nie 'n kworum teenwoordig is nie, maak die aanwesige lede 'n kworum uit.

(7) Enige lid van een van die twee Afdelings of enige ander persoon kan met instemming van die vergadering as 'n waarnemer 'n vergadering van die Raad of van enige komitee of subkomitee deur die Vereniging of Raad aangestel, bywoon.

Stemming

8. (1) Op algemene en spesiale vergaderings van die Vereniging is elke afgevaardigde geregtig op een stem. Alle sake wat op enige sodanige vergadering te berde gebring word, word beslis by 'n meerderheid van stemme wat twee-derdes van die stemme van die aanwesige afgevaardigdes verteenwoordig, met dien verstande dat sodanige meerderheid stemme van albei Afdelings moet insluit. Die Voorsitter en Visevoorsitter mag nie op sodanige vergaderings stem nie. Dit geld egter nie vir 'n afgevaardigde wat in die afwesigheid van die Voorsitter of Visevoorsitter aangestel is om die stoel op sodanige vergaderings in te neem nie.

(2) At all meetings of the Council each Councillor or, in his absence, his alternate, shall be entitled to one vote. All questions arising at such meetings shall be determined by a majority of votes provided such majority includes votes of councillors (or in their absence, their alternates) appointed by both Sections. The Chairman and Vice-Chairman shall not exercise a vote at such meetings. This shall not apply, however, to any person who may be appointed to take the chair at such meetings in the absence of the Chairman or Vice-Chairman.

(3) The proviso to subclauses (1) and (2) of this clause shall not apply if the meeting be one which has stood adjourned for lack of a quorum. At such adjourned meetings questions shall be determined by the required majority of votes of those present whether the majority includes votes from both Sections or not.

(4) Unless otherwise determined by the Council—

- (a) at all meetings of committees appointed in terms of clause 3 (3), each member or in his absence his alternate, shall be entitled to one vote;
- (b) all questions arising at such meetings shall be determined by a majority of votes, provided such majority includes votes of members (or in their absence their alternates) representing both Sections;
- (c) the Chairman and Vice-Chairman of the Association, whether appointed to or as *ex-officio* members of such committees, shall not exercise a vote at such meetings.

Third parties

9. In the event of the Association or Council refusing or neglecting to impose any levy which is required for the purpose of meeting any obligation or liability duly incurred by them with regard to any third party, such party shall be entitled to make application to the Court to compel the imposition of such levy to such extent as may be required in accordance with the powers conferred in this Constitution, failing which, for an order authorising and directing that such levy shall be imposed by some person or persons duly appointed thereto by the Court.

Indemnity

10. Every member of the Council or of any committee appointed by it (and every employee of the Association) is hereby indemnified and held harmless by the Association against any personal liability incurred by him arising out of or in connection with the due and diligent exercise or performance by the Council or by any such committee of any of the powers and functions which are or may be conferred upon it by or pursuant to this Constitution. Any liability imposed upon the Association by this clause may be met by means of a levy imposed under clause 5 and shall for that purpose be deemed to be an industry obligation.

(2) Op alle vergaderings van die Raad is elke raadslid, of in sy afwesigheid, sy plaasvervanger, geregtig op een stem. Alle sake wat op sodanige vergaderings te berde gebring word, word by meerderheid van stemme beslis, met dien verstande dat sodanige meerderheid die stemme moet insluit van raadslede (of in hulle afwesigheid, hul plaasvervangers) wat deur albei Afdelings aangestel is. Die Voorsitter en Visevoorsitter mag nie op sodanige vergaderings stem nie. Dit geld egter nie vir 'n persoon wat in die afwesigheid van die Voorsitter of Visevoorsitter aangestel is om die stoel op sodanige vergaderings in te neem nie.

(3) Die voorbehoudsbepaling in subklousules (1) en (2) van hierdie klousule is nie van toepassing indien die vergadering een is wat weens gebrek aan 'n kworum uitgestel was nie. Op sodanige uitgestelde vergaderings word alle sake met die vereiste meerderheid van stemme van die aanwesiges beslis hetsy die meerderheid stemme uit albei Afdelings insluit, al dan nie.

(4) Tensy anders deur die Raad bepaal—

- (a) is, op alle vergaderings van komitees wat ingevolge klousule 3 (3) aangestel is, elke lid, of in sy afwesigheid sy plaasvervanger, geregtig op een stem;
- (b) moet alle sake wat op sodanige vergaderings te berde gebring word by meerderheid van stemme beslis word, met dien verstande dat sodanige meerderheid stemme insluit van lede (of in hulle afwesigheid, hul plaasvervangers) wat beide Afdelings verteenwoordig;
- (c) mag die Voorsitter en Visevoorsitter van die Vereniging, hetsy aangestel in, of *ex officio* lede van, sodanige komitees, nie 'n stem op sodanige vergaderings uitbring nie.

Derde partye

9. Ingeval die Vereniging of Raad weier of nalaat om 'n heffing op te lê wat nodig is om aan 'n verpligting behoorlik deur hulle aangegaan, of aanspreeklikheid behoorlik deur hulle opgeloop ten opsigte van enige derde party, te voldoen, is sodanige derde party geregtig om by die Hof aansoek te doen om die oplegging van sodanige heffing kragtens die bevoegdhede in hierdie Grondwet verleen, af te dwing, of, by gebreke daarvan, om 'n bevel waarby magtiging verleen en las gegee word dat sodanige heffing opgelê moet word deur die een of ander persoon of deur persone deur die Hof behoorlik daartoe aangestel.

Vrywaring

10. Enige lid van die Raad of van enige komitee deur hom aangestel (en elke werknemer van die Vereniging) word hierby deur die Vereniging gevrywaar en skadeloos gestel ten opsigte van enige persoonlike aanspreeklikheid hom ten laste gelê ingevolge of in verband met die behoorlike en nougesette uitoefening of uitvoering deur die Raad of enige sodanige komitee, van enige bevoegdhede of funksies wat kragtens of ingevolge hierdie Grondwet aan hom verleen is of verleen mag word. Enige verpligting wat by hierdie klousule die Vereniging opgelê word, kan nagekom word deur middel van 'n heffing kragtens klousule 5, en word vir daardie doel as 'n nywerheidsverpligting beskou.

Amendment of Constitution

11. No amendment to this Constitution shall be made unless decided upon by a vote at a general or special meeting for which a period of notice has been given in accordance with the provisions of clause 7 (4). Any such amendment shall be conditional upon the consent of the Minister (as contemplated in section 2 of the Act) being obtained to such amendment and the publication of such amendment in terms of section 2 (2) of the Act. The publication of such amendment in terms of the said section shall be conclusive proof of the consent of the Minister concerned thereto.

Interpretation

12. In this Constitution unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act or the Agreement shall have that meaning.

Withdrawal of Government Notice

13. Government Notice No. R860 of 27 April 1979 is hereby withdrawn.

DEPARTMENT OF AGRICULTURE

No. R. 32 **13 January 1995**

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

**CONTROL OF THE IMPORTATION OF CERTAIN
LEGUMINOUS SEEDS: REPEAL**

I, André Isak van Niekerk, Minister of Agriculture, acting under section 87 of the Marketing Act, 1968 (Act No. 59 of 1968), hereby repeal Government Notice No. R. 1378 of 30 July 1993.

A. I. VAN NIEKERK,
Minister of Agriculture.

DEPARTMENT OF FINANCE

No. R. 20 **13 January 1995**

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/1/705)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

C. F. LIEBENBERG,
Minister of Finance.

Wysiging van Grondwet

11. Geen wysiging van hierdie Grondwet mag gemaak word nie tensy daartoe besluit is deur stemming op 'n algemene of spesiale vergadering waarvan 'n kennisgewingtydperk ooreenkomstig die bepalings van klousule 7 (4) gegee is. Enige sodanige wysiging is onderworpe aan die verkryging van die Minister se toestemming (soos in artikel 2 van die Wet bedoel) tot sodanige wysiging, en die afkondiging van sodanige wysiging ingevolge artikel 2 (2) van die Wet. Die afkondiging van sodanige wysiging ingevolge die gemelde artikel is afdoende bewys van die betrokke Minister se toestemming daartoe.

Vertolking

12. In hierdie Grondwet, tensy uit die samehang anders blyk, het enige woord of uitdrukking waaraan in die Wet of Ooreenkoms 'n betekenis geheg word die betekenis aldus daaraan geheg.

Intrekking van Goewermentskennisgewing

13. Goewermentskennisgewing No. R. 860 van 27 April 1979 word hierby ingetrek.

DEPARTEMENT VAN LANDBOU

No. R. 32 **13 Januarie 1995**

BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)

**BEHEER OOR DIE INVOER VAN SEKERE PEUL-
GEWASSADE: HERROEPING**

Ek, André Isak van Niekerk, Minister van Landbou, handelende kragtens artikel 87 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), herroep hierby Goewermentskennisgewing No. R. 1378 van 30 Julie 1993.

A. I. VAN NIEKERK,
Minister van Landbou.

DEPARTEMENT VAN FINANSIES

No. R. 20 **13 Januarie 1995**

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/705)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

C. F. LIEBENBERG,
Minister van Finansies.

SCHEDULE

Heading	Sub-heading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
07.13 "07.13			By the substitution for heading No. 07.13 of the following: Dried leguminous vegetables, shelled, whether or not skinned or split:			
	0713.10		Peas (<i>Pisum sativum</i>):			
	.20	6	Green peas, whole	kg	15%	
	.25	7	Green peas, skinned or split	kg	30%	
	.90	7	Other	kg	free	
	0713.20	6	Chick peas (garbanzos)	kg	free	
	0713.3		Beans (<i>Vigna spp.</i> , <i>Phaseolus spp.</i>):			
	0713.31	7	Beans of the species <i>Vigna mungo</i> (L.) Hepper or <i>Vigna radiata</i> (L.) Wilczek	kg	15%	

Heading	Sub-heading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
	0713.32	3	Small red (Adzuki) beans (<i>Phaseolus</i> or <i>Vigna angularis</i>)	kg	10%	
	0713.33	8	Kidney beans, including white pea beans (<i>Phaseolus vulgaris</i>)	kg	10%	
	0713.39	8	Other	kg	10%	
	0713.40	5	Lentils	kg	free	
	0713.50	8	Broad beans (<i>Vicia faba</i> var. <i>major</i>) and horse beans (<i>Vicia faba</i> var. <i>equina</i> , <i>Vicia faba</i> var. <i>minor</i>)	kg	15%	
	0713.90		Other:			
	.10	5	Whole	kg	15%	
	.20	2	Skinned or split	kg	30%	

BYLAE

Pos	Subpos	T. S.	Artikelbeskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
07.13 "07.13			Deur pos No. 07.13 deur die volgende te vervang: Gedroogde peulgroente, uitgedop, hetsy afgenerf of gesplete al dan nie:			
	0713.10		Erte (<i>Pisum sativum</i>):			
	.20	6	Groenerte, heel	kg	15%	
	.25	7	Groenerte, afgenerf of gesplete	kg	30%	
	.90	7	Ander	kg	vry	
	0713.20	6	Kebererte (garbanzos)	kg	vry	
	0713.3		Bone (<i>Vigna</i> spp., <i>Phaseolus</i> spp.):			
	0713.31	7	Bone van die <i>Vigna mungo</i> (L.) Hepper of <i>Vigna radiata</i> (L.) Wilczek-soort	kg	15%	
	0713.32	3	Klein rooi (Adzuki) bone (<i>Phaseolus</i> of <i>Vigna angularis</i>)	kg	10%	
	0713.33	8	Pronkbone, met inbegrip van wit ertbone (<i>Phaseolus vulgaris</i>)	kg	10%	
	0713.39	8	Ander	kg	10%	
	0713.40	5	Lensies	kg	vry	
	0713.50	8	Boerbone (<i>Vicia faba</i> var. <i>major</i>) en perdebone (<i>Vicia faba</i> var. <i>equina</i> , <i>Vicia faba</i> var. <i>minor</i>)	kg	15%	
	0713.90		Ander:			
	.10	5	Heel	kg	15%	
	.20	2	Afgenerf of gesplete	kg	30%	

No. R. 21

13 January 1995

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 5 (No. 5/39)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 5 to the said Act is hereby amended, with retrospective effect to 1 April 1993, to the extent set out in the Schedule hereto.

C. F. LIEBENBERG,
Minister of Finance.

No. R. 21

13 Januarie 1995

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 5 (No. 5/39)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 5 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 1 April 1993, in die mate in die Bylae hiervan aangetoon.

C. F. LIEBENBERG,
Minister van Finansies.

SCHEDULE

I Refund Item	II			III Extent of Refund	Annotations
	Tariff Heading	Code	C. D. Description		
533.00 "533.00			By the substitution for the Notes to item 533.00 of the following: NOTES: In this item— (a) "road" means any terrain over which a vehicle can be driven whether or not it is private property and "road transport" has a corresponding meaning;		

I Refund Item	II				III Extent of Refund	Annotations
	Tariff Heading	Code	C. D.	Description		
				(b) "agriculture" means the science, art and function of soil cultivation including the reaping of harvests, the rearing of and caring for animals, fish and reptiles and the keeping of bees, for the production of agricultural products, the drilling for water and the building of dams and roads and hired services performing such functions at a place where agriculture is conducted; (c) "agricultural products" means animals, fish and reptiles and their products, plants and vegetable products in their natural state or the processed produce of agriculture, and includes eggs, milk, cream, meat, honey, grain, vegetables, fresh fruit, dried fruit, wine, flowers, nursery products, wool and hides, whether or not packed for marketing; (d) "agricultural requirements" means goods that are essential for agriculture and includes goods for the cultivation of the soil, growing of crops, reaping of harvests, rearing of and caring for animals, fish and reptiles and the building of dwellings and structures for agricultural purposes; (e) "road transport in agriculture" means the transport of labour to and from the place where agriculture is carried on, agricultural products on and from such place to the premises of the buyer or other place from where the goods are marketed or where the goods will be processed by a person other than the person carrying on agriculture, whichever destination comes first and the transport of agricultural requirements on such place and from the supplier's loading point to such place. For the purpose of this definition a vehicle shall be deemed to be used for road transport in agriculture when either on the forward or return journey it conveys mainly agricultural products or requirements and includes hired services performed on behalf of the person carrying on agriculture; (f) "rail transport in agriculture" means the transport of full train loads of agricultural products, from the point of loading to the point of discharge, or the transport of full train loads of agricultural requirements, from the supplier's point of loading to the place of discharge. For the purpose of this definition a locomotive shall be deemed to be used for rail transport in agriculture when either on the forward or return journey it conveys full train loads of agricultural products or requirements and includes hired services performed on behalf of the person carrying on agricultural; (g) "forestry" means the science, art and function of planting and the maintenance of plantations, including the growing of seed, seedlings and saplings, the cultivation of the soil, the protection of plantations against fire and the felling of trees by the person carrying on forestry and the building and maintenance of roads in the plantation; (h) "road transport in forestry" means the transport of primary forestry, products, for example, seed, seedlings and saplings, bark and felled trees, in the plantation and from the plantation to the saw-mill or to any other point of discharge; transport of forestry requirements, for example, sprays, implements, seed, seedlings and saplings, in the plantation and from the supplier's point of loading to the plantation and the transport of employees for activities in forestry. For the purpose of this definition a vehicle shall be deemed to be used for road transport in forestry when either on the forward or return journey it conveys mainly such forestry products or requirements and includes hired services performed on behalf of the person carrying on forestry;		

I Refund Item	II				III Extent of Refund	Annota- tions
	Tariff Heading	Code	C. D.	Description		
533.01	"27.10	01.04	48	(ij) "rail transport in forestry" means the transport of full train loads of primary forestry products, for example, seed, seedlings and saplings, bark and felled trees, from the point of loading to the point of discharge, or the transport of full train loads of forestry requirements, for example, sprays, implements, seed, seedlings and saplings, from the supplier's point of loading to the place of discharge. For the purpose of this definition a locomotive shall be deemed to be used for rail transport in forestry when either on the forward or return journey it conveys full train loads of forestry products or requirements and includes hired services performed on behalf of the person carrying on forestry." By the substitution for tariff heading No. 27.10 of the following: Used as fuel for road or rail transport in agriculture or forestry by any person other than the person carrying on agriculture or forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)	3,634c/l	
		02.04	42	Used as fuel for the production of agricultural products (excluding such fuel used for road or rail transport in agriculture or in vehicles of headings Nos. 87.02 and 87.03) or as engine fuel in whalers, trawlers and other ocean-going fishing vessels	3,634c/l	
		03.04	47	Used as fuel for road or rail transport in agriculture by the person carrying on agriculture (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)	3,634c/l	
		04.04	41	Used as fuel in forestry (excluding such fuel used for road or rail transport in forestry or in vehicles of headings Nos. 87.02 and 87.03)	3,634c/l	
		05.04	46	Used as fuel for road or rail transport in forestry by the person carrying on forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)	3,634c/l	
540.00 "540.00				By the substitution for the Note to item 540.00 of the following: Petrol and distillate fuels used for specific purposes: NOTE: In this item "road", "agriculture", "agricultural products", "agricultural requirements", "road transport in agriculture", "rail transport in agriculture", "forestry", "road transport in forestry", and "rail transport in forestry" shall have the same meanings assigned thereto in the Notes to item 533.00 of this Schedule."		
540.02	"195.10.15			By the substitution for tariff heading No. 195.10.15 of the following: DISTILLATE FUELS:		
		01.00	76	Used as fuel for road or rail transport in agriculture or forestry by any person other than the person carrying on agriculture or forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)	16,966c/l	
		02.00	70	Used as fuel for the production of agricultural products (excluding such fuel used for road or rail transport in agriculture or in vehicles of headings Nos. 87.02 and 87.03) or as engine fuel in whalers, trawlers and other ocean-going fishing vessels	16,966c/l	
		03.00	75	Used as fuel for road or rail transport in agriculture by the person carrying on agriculture (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)	16,966c/l	
		04.00	76	Used as fuel in forestry (excluding such fuel used for road or rail transport in forestry or in vehicles of headings Nos. 87.02 and 87.03)	16,966c/l	
		05.00	74	Used as fuel for road or rail transport in forestry by the person carrying on forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)	16,966c/l"	

BYLAE

I Terugbe- taling item	II				III Mate van Terugbe- taling	Annota- sies
	Tarief- pos	Kode	T. S.	Beskrywing		
533.00 "533.00"				Deur die Opmerkings by item 533.00 deur die volgende te vervang: OPMERKINGS: By hierdie item beteken — (a) "pad" enige terrein waarop met 'n voertuig gery kan word hetsy dit private eiendom is al dan nie en "pad- vervoer" het 'n ooreenstemmende betekenis; (b) "landbou" die wetenskap, kuns en funksie van grond- bewerking met inbegrip van die insameling van oeste, die teel en versorging van diere, vis en reptiele en byboerdery, vir die produksie van landbouprodukte, die boor vir water en die bou van damme en paaie en gehuurde dienste wat sodanige funksies verrig op 'n plek waar landbou beoefen word; (c) "landbouprodukte" diere, vis en reptiele en hulle pro- dukte, plante en plantaardige produkte in hulle natuur- like staat of die verwerkte landbou produkte en sluit in eiers, melk, room, vleis, heuning, graan, groente, vars vrugte, droë vrugte, wyn, blomme, kwekeryprodukte, wol en velle, hetsy verpak vir bemarking al dan nie; (d) "landboubenodigdhede" goedere wat noodsaaklik is vir landbou en sluit in goedere vir bewerking van die grond, die verbouing van gewasse, insameling van oeste, teel en versorging van diere, vis en reptiele en die bou van wonings en strukture vir landboudoel- eindes; (e) "padvervoer in landbou" die vervoer van arbeid na en vanaf die plek waar landbou beoefen word, landbou- produkte op en vanaf sodanige plek tot by die persele van die koper of ander plek waar die goedere bemark of waar die goedere verwerk sal word deur iemand anders as die persoon wat landbou beoefen, watter bestemming ook al eerste is, en die vervoer van land- boubenodigdhede op sodanige plek en vanaf die lewe- ransier se oplaai-punt na sodanige plek. By die toepas- sing van hierdie definisie word 'n voertuig geag gebruik te word vir vervoer in landbou wanneer dit op, of die heen- of terugreis hoofsaaklik landbouprodukte of -benodigdhede vervoer en sluit in gehuurde dienste verrig namens die persoon wat landbou beoefen; (f) "spoorvervoer in landbou" die vervoer van vol trein- vragte van landbouprodukte, vanaf die oplaai-punt na die aflaai-punt, of die vervoer van vol trein-vragte van landboubenodigdhede, vanaf die leweransier se oplaai-punt na die aflaai-plek. By die toepassing van hierdie definisie word 'n lokomotief geag gebruik te word vir spoorvervoer in landbou wanneer dit op, of die heen- of terugreis vol trein-vragte van landbouprodukte of -benodigdhede vervoer en sluit in gehuurde dienste verrig namens die persoon wat landbou beoefen; (g) "bosbou" die wetenskap, kuns en funksie van die plant en onderhoud van plantasies, met inbegrip van die kweek van saad, saailinge en boompies, die bewerking van grond, die beskerming van plantasies teen brand en die vel van bome deur die persoon wat bosbou beoefen en die bou en instandhouding van paaie in die plantasies; (h) "padvervoer in bosbou" die vervoer van primêre bos- bouprodukte byvoorbeeld, saad, saailinge en boom- pies, bas en gevelde bome in die plantasie, vanaf die plantasie na die saagmeul of na enige ander aflaai- punt; vervoer van bosboubenodigdhede, byvoor- beeld, spuitmiddels, implemente, saad, saailinge en boompies, implemente, saad, saailinge en boompies, in die plantasie en vanaf die leweransies se oplaai-punt na die plantasie en die vervoer van werknemers vir bosboubedrywighede. By die toepassing van hierdie definisie word 'n voertuig geag gebruik te word vir ver- voer in bosbou wanneer dit op, of die heen- of terugreis hoofsaaklik bosbouprodukte of -benodigdhede vervoer en sluit in gehuurde dienste verrig namens die persoon wat bosbou beoefen;		

I Terugbe- taling item	II				III Mate van terugbe- taling	Annota- sies
	Tarief- pos	Kode	T. S.	Beskrywing		
533.01	"27.10	01.04	48	(ii) "spoorvervoer in bosbou" die vervoer van vol treinvragte van primêre bosbouprodukte, byvoorbeeld, saad, saailinge en boompies bas en gevelde bome, bome, vanaf die oplaaipt na die aflaaipunt, of die vervoer van vol treinvragte van bosboubenodigdhede, byvoorbeeld, spuitmiddels, implemente, saad, saailinge en boompies, vanaf die leweransies se oplaaipt na die aflaaiplek. By die toepassing van hierdie definisie word 'n lokomotief geag gebruik te word vir spoorvervoer in bosbou wanneer dit op, of die heen- of terugreis vol treinvragte van bosbouprodukte of -benodigdhede vervoer en sluit in gehuurde dienste verrig namens die persoon wat bosbou beoefen."	3,634c/ℓ	
		02.04	42	Deur tariefpos No. 27.10 deur die volgende te vervang: Gebruik as brandstof vir pad- of spoorvervoer in landbou of bosbou deur enige ander persoon as die persoon wat landbou of bosbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)	3,634c/ℓ	
		03.04	47	Gebruik as brandstof vir die produksie van landbouprodukte (uitgesonderd sodanige brandstof gebruik vir pad- of spoorvervoer in landbou of in voertuie van poste Nos. 87.02 en 87.03) of as enjinbrandstof in walvisbote, treilers en ander diepseevisvangvaartuie	3,634c/ℓ	
		04.04	41	Gebruik as brandstof vir pad- of spoorvervoer in landbou deur die persoon wat landbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)	3,634c/ℓ	
		05.04	46	Gebruik as brandstof in bosbou (uitgesonderd sodanige brandstof gebruik vir pad- of spoorvervoer in bosbou of in voertuie van poste Nos. 87.02 en 87.03)	3,634c/ℓ	
540.00	"540.00			Deur die Opmerking by item 540.00 deur die volgende te vervang:		
				Petrol en distillaatbrandstowwe gebruik vir bepaalde doeleindes:		
				OPMERKING: By hierdie item beteken "pad", "landbou", "landbouprodukte", "landboubenodigdhede", "padvervoer in landbou", "spoorvervoer in landbou", "bosbou", "padvervoer in bosbou" en "spoorvervoer in bosbou" dieselfde as die betekenis toegewys in die Opmerkings by item 533.00 van hierdie Bylae."		
				Deur tariefpos No. 195.10.15 deur die volgende te vervang:		
				Distillaatbrandstowwe:		
540.02	"195.10.15	01.00	76	Gebruik as brandstof vir pad- of spoorvervoer in landbou of bosbou deur enige ander persoon as die persoon wat landbou of bosbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)	16,966c/ℓ	
		02.00	70	Gebruik as brandstof vir die produksie van landbouprodukte (uitgesonderd sodanige brandstof gebruik vir pad- of spoorvervoer in landbou of voertuie van poste Nos. 87.02 en 87.03) of voertuie van poste Nos. 87.02 en 87.03) of as enjinbrandstof in walvisbote, treilers en ander diepseevisvangvaartuie	16,966c/ℓ	
		03.00	75	Gebruik as brandstof vir pad- of spoorvervoer in landbou deur die persoon wat landbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)	16,966c/ℓ	
		04.00	76	Gebruik as brandstof in bosbou (uitgesonderd sodanige brandstof gebruik vir pad- of spoorvervoer in bosbou of in voertuie van poste Nos. 87.02 en 87.03)	16,966c/ℓ	
		05.00	74	Gebruik as brandstof in pad- of spoorvervoer in bosbou deur die persoon wat bosbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie in poste Nos. 87.02 en 87.03)	16,966c/ℓ"	

No. R. 22

13 January 1995

No. R. 22

13 Januarie 1995

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 6 (No. 6/76)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 6 to the said Act is hereby amended, with retrospective effect to 1 April 1993, to the extent set out in the Schedule hereto.

C. F. LIEBENBERG,
Minister of Finance.

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 6 (No. 6/76)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 6 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 1 April 1993, in die mate in die Bylae hiervan aangetoon.

C. F. LIEBENBERG,
Minister van Finansies.

SCHEDULE

I Rebate item	II Tariff item	III Code	C. D.	IV Description	V Extent of Rebate	VI Extent of Refund	Annotations
609.05				By the substitution for the Notes to item 609.05 of the following: Mineral products: NOTES: In this item—			
"609.05				(a) "road" means any terrain over which a vehicle can be driven whether or not it is private property and "road transport" has a corresponding meaning; (b) "agriculture" means the science, art and function of soil cultivation including the reaping of harvests, the rearing of and caring for animals, fish and reptiles and the keeping of bees, for the production of agricultural products, the drilling for water and the building of dams and roads and hired services performing such functions at a place where agriculture is conducted; (c) "agricultural products" means animals, fish and reptiles and their products, plants and vegetable products in their natural state or the processed produce of agriculture, and includes eggs, milk, cream, meat, honey, grain, vegetables, fresh fruit, dried fruit, wine, flowers, nursery products, wool and hides, whether or not packed for marketing; (d) "agricultural requirements" means goods that are essential for agriculture and includes goods for the cultivation of the soil, growing of crops, reaping of harvests, rearing of and caring for animals, fish and reptiles and the building of dwellings and structures for agricultural purposes; (e) "road transport in agriculture" means the transport of labour to and from the place where agriculture is carried on, agricultural products on and from such place to the premises of the buyer or other place from where the goods are marketed or where the goods will be processed by a person other than the person carrying on agriculture, whichever destination comes first and the transport of agricultural requirements on such place and from the supplier's loading point to such place. For the purpose of this definition a vehicle shall be deemed to be used for road transport in agriculture when either on the forward or return journey it conveys mainly agricultural products or requirements and includes hired services performed on behalf of the person carrying on agriculture; (f) "rail transport in agriculture" means the transport of full train loads of agricultural products, from the point of loading to the point of discharge, or the transport of full train loads of agricultural requirements, from the supplier's point of loading to the place of discharge. For the purpose of this definition a locomotive shall be deemed to be used for rail transport in agriculture when either on the forward or return journey it conveys full train loads of agricultural products or requirements and includes hired services performed on behalf of the person carrying on agriculture; (g) "forestry" means the science, art and function of planting and the maintenance of plantations, including the growing of seed, seedlings and saplings, the cultivation of the soil, the protection of plantations against fire and the felling of trees by the person carrying on forestry and the building and maintenance of roads in the plantation;			

SCHEDULE

I Rebate item	II Tariff item	III Code	C. D.	IV Description	V Extent of Rebate	VI Extent of Refund	Annotations
				(h) "road transport in forestry" means the transport of primary forestry products, for example, seed, seedlings and saplings, bark and felled trees, in the plantation and from the plantation to the saw-mill or to any other point of discharge; transport of forestry requirements for example, sprays, implements, seed, seedlings and saplings, in the plantation and from the supplier's point of loading to the plantation and the transport of employees for activities in forestry. For the purpose of this definition a vehicle shall be deemed to be used for road transport in forestry when either on the forward or return journey it conveys mainly such forestry products or requirements and includes hired services performed on behalf of the person carrying on forestry; (ii) "rail transport in forestry" means the transport of full train loads of primary forestry products, for example, seed, seedlings and saplings, bark and felled trees, from the point of loading to the point of discharge, or the transport of full train loads of forestry requirements, for example, sprays, implements, seed, seedlings and saplings, from the supplier's point of loading to the place of discharge. For the purpose of this definition a locomotive shall be deemed to be used for rail transport in forestry when either on the forward or return journey it conveys full train loads of forestry products or requirements and includes hired services performed on behalf of the person carrying on forestry." By the substitution for tariff item 105.10 to item 609.05.10 of the following:			
"609.05 .10	105.10	01.00	53	Distillate fuels: Used as fuel for road or rail transport in agriculture or forestry by any person other than the person carrying on agriculture or forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)		3,634c/l	
		02.00	54	Used as fuel for the production of agricultural products (excluding such fuel used for road or rail transport in agriculture or in vehicles of headings Nos. 87.02 and 87.03) or as engine fuel in whalers, trawlers and other ocean-going fishing vessels		3,634c/l	
		03.00	59	Used as fuel for road or rail transport in agriculture by the person carrying on agriculture (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)		3,634c/l	
		04.00	53	Used as fuel in forestry (excluding such fuel used for road or rail transport in forestry or in vehicles of headings Nos. 87.02 and 87.03)		3,634c/l	
		05.00	58	Used as fuel for road or rail transport in forestry by the person carrying on forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)		3,634c/l	
640.00 "640.00				By the substitution for the Note to item 640.00 of the following: Petrol and distillate fuels used for specific purposes: NOTE: In this item "road", "agriculture", "agricultural products", "agricultural requirements", "road transport in agriculture", "rail transport in agriculture", "forestry", "road transport in forestry", and "rail transport in forestry" shall have the same meanings assigned thereto in the Notes to rebate item 609.05 of this Schedule." By the substitution for tariff item 195.10.15 of the following:			
				Distillate fuels: Used as fuel for road or rail transport in agriculture or forestry by any person other than the person carrying on agriculture or forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)		16,966c/l	
640.03	"195.10.15	01.00	76	Used as fuel for road or rail transport in agriculture or forestry by any person other than the person carrying on agriculture or forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)		16,966c/l	
		02.00	71	Used as fuel for the production of agricultural products (excluding such fuel used for road or rail transport in agriculture or in vehicles of headings Nos. 87.02 and 87.03) or as engine fuel in whalers, trawlers and other ocean-going fishing vessels		16,966c/l	

I Rebate item	II Tariff item	III Code	C. D.	IV Description	V Extent of Rebate	VI Extent of Refund	Annotations
		03.00	76	Used as fuel for road or rail transport in agriculture by the person carrying on agriculture (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)		16,966c/ℓ	
		04.00	70	Used as fuel in forestry (excluding such fuel used for road or rail transport in forestry or in vehicles of headings Nos. 87.02 and 87.03)		16,966c/ℓ	
		05.00	75	Used as fuel for road or rail transport in forestry by the person carrying on forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)		16,966c/ℓ- "	

BYLAE

I Korting- item	II Tarief- item	III Kode	T. S.	IV Beskrywing	VI Mate van Korting	VI Mate van Terug- betaling	Annotations
609.05				Deur die Opmerkings by item 609.05 deur die volgende te vervang:			
"609.05				Mineraalprodukte: OPMERKINGS: By hierdie item beteken— (a) "pad" enige terrein waarop gery kan word hetsy dit private eiendom is al dan nie en "padvervoer" het 'n ooreenstemmende betekenis; (b) "landbou" die wetenskap, kuns en funksie van grondbewerking met inbegrip van die insameling van oeste, die teel en versorging van diere, vis en reptiele en byeboerdery, die boor vir water en gehuurde dienste wat sodanige funksies verrig op 'n plek waar landbou beoefen word; (c) "landbouprodukte" diere, vis en reptiele en hulle produkte, plante en plantaardige produkte in hulle natuurlike staat of die verwerkte landbouprodukte en sluit in eiers, melk, room, vleis, heuning, graan, groente, vars vrugte, droë vrugte, wyn, blomme, kwekeryprodukte, wol en velle, hetsy verpak vir bemarking al dan nie; (d) "landboubenodigdhede" goedere wat noodsaaklik is vir landbou en sluit in goedere vir bewerking van die grond, die verbouing van gewasse, insameling van oeste, teel en versorging van diere, vis en reptiele en die bou van wonings en strukture vir landboudoel-eindes; (e) "padvervoer in landbou" die vervoer van arbeid na en vanaf die plek waar landbou beoefen word, landbouprodukte op en vanaf sodanige plek tot by die persele van die koper of ander plek waar die goedere bemark of waar die goedere verwerk sal word deur iemand anders as die persoon wat landbou beoefen, watter bestemming ook al eerste is, en die vervoer van landboubenodigdhede op sodanige plek en vanaf die leweransier se oplaai-punt na sodanige plek. By die toepassing van hierdie omskrywing word 'n voertuig geag gebruik te word vir vervoer in landbou wanneer dit op, of die heen- of terugreis hoofsaaklik landbouprodukte of benodigdhede vervoer en sluit in gehuurde dienste verrig namens die persoon wat landbou beoefen; (f) "spoorvervoer in landbou" die vervoer van vol treinvragte van landbouprodukte, vanaf die oplaai-punt na die aflaaipunt, of die vervoer van vol treinvragte van landboubenodigdhede, vanaf die leweransier se oplaai-punt na die aflaaipunt. By die toepassing van hierdie definisie word 'n lokomotief geag gebruik te word vir spoorvervoer in landbou wanneer dit op, of die heen of terugreis vol treinvragte van landbouprodukte of benodigdhede vervoer en sluit in gehuurde dienste verrig namens die persoon wat landbou beoefen.			

I Korting- item	II Tarief- item	III Kode	T. S.	IV Beskrywing	VI Mate van Korting	VI Mate van Terug- betaling	Annota- sies
				(g) "bosbou" die wetenskap, kuns en funksie van die plant en onderhoud van plantasies, insluitende die kweek van saad, saailinge en boompies, die bewerking van die grond, die beskerming van plantasies teen brand en die vel van bome deur die persoon wat bosbou beoefen en die bou en instandhouding van paaie in die plantasie; (h) "padvervoer in bosbou" die vervoer van primêre bosbouprodukte, byvoorbeeld, saad, saailinge en boompies, bas en gevelde bome in die plantasie, vanaf die plantasie na die saagmeul of na enige ander aflaai-punt; vervoer van bosboubenodighede, byvoorbeeld, spuitmiddels, implemente, saad, saailinge en boompies, in die plantasie en vanaf die leweransier se oplaai-punt na die plantasie en die vervoer van werknemers vir bosboubedryghede. By die toepassing van hierdie omskrywing word 'n voertuig geag gebruik te word vir vervoer in bosbou wanneer dit op, of die heen- of terugreis hoofsaaklik bosbouprodukte of -benodighede vervoer en sluit in gehuurde dienste verrig namens die persoon wat bosbou beoefen; (ij) "spoorvervoer in bosbou" die vervoer van vol treinvragte van primêre bosbouprodukte, byvoorbeeld, saad, saailinge en boompies, bas en gevelde bome, vanaf die oplaai-punt na die aflaai-punt, of die vervoer van voltreinvragte van bosboubenodighede, byvoorbeeld, spuitmiddels, implemente, saad, saailinge en boompies, vanaf die leweransier se oplaai-punt na die aflaai-plek. By die toepassing van hierdie definisie word 'n lokomotief geag gebruik te word vir spoorvervoer in bosbou wanneer dit op, of die heen- of terugreis vol treinvragte van bosbouprodukte of -benodighede vervoer en sluit in gehuurde dienste verrig namens die persoon wat bosbou beoefen." Deur tariefitem 105.10 by item 609.05.10 deur die volgende te vervang: Distillaatbrandstowwe: 01.00 53 Gebruik as brandstof vir pad- of spoorvervoer in landbou of bosbou deur enige ander persoon as die persoon wat landbou of bosbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03) 02.00 54 Gebruik as brandstof vir die produksie van landbouprodukte (uitgesonderd sodanige brandstof gebruik vir pad- of spoorvervoer in landbou of in voertuie van poste Nos. 87.02 en 87.03) of as enjinbrandstof in walvisbote, treilers en ander diepseevisvangvaartuie 03.00 59 Gebruik as brandstof vir pad- of spoorvervoer in landbou deur die persoon at landbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03) 04.00 53 Gebruik as brandstof in bosbou (uitgesonderd sodanige brandstof gebruik vir pad-of spoorvervoer in bosbou of in voertuie van poste Nos. 87.02 en 87.03) 05.00 58 Gebruik as brandstof vir pad-of spoorvervoer in bosbou deur die persoon wat bosbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03) Deur die Opmerking by item 640.00 deur die volgende te vervang: Petrol en distillaatbrandstowwe gebruik vir bepaalde doeleindes: OPMERKING: By hierdie item beteken "pad", "landbou", "landbouprodukte", "landboubenodighede", "padvervoer in landbou", "spoorvervoer in landbou", "bosbou", "padvervoer in bosbou" en "spoorvervoer in bosbou" dieselfde as die betekenis toegewys in die Opmerkings by item 533.00 van hierdie Bylae."			
"609.05 .10	105.10,						
						3,634c/ℓ	
						3,634c/ℓ	
						3,634c/ℓ	
						3,634c/ℓ	
						3,634c/ℓ	
640.00							
"640.00							

I Korting- item	II Tarief- item	III Kode	T. S.	IV Beskrywing	VI Mate van Korting	VI Mate van Terug- betaling	Annota- sies
640.03	"195.10.15	01.00	76	Deur tariefitem 195.10.15 deur die volgende te vervang: Distillaatbrandstowwe: Gebruik as brandstof vir pad- of spoorvervoer in landbou of bosbou deur enige ander persoon as die persoon wat landbou of bosbou beoefen en (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)		16,966c/ℓ	
		02.00	71	Gebruik as brandstof vir die produksie van landbouprodukte (uitgesonderd sodanige brandstof gebruik vir pad- of spoorvervoer in landbou of voertuie van poste Nos. 87.02 en 87.03) of as enjinbrandstof in walvisbote, treilers en ander diepsee-visvangvaartuie		16,966c/ℓ	
		03.00	76	Gebruik as brandstof vir pad- of spoorvervoer in landbou deur die persoon wat landbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)		16,966c/ℓ	
		04.00	70	Gebruik as brandstof in bosbou (uitgesonderd sodanige brandstof gebruik vir pad- of spoorvervoer in bosbou of in voertuie van poste Nos. 87.02 en 87.03)		16,966c/ℓ	
		05.00	75	Gebruik as brandstof vir pad- of spoorvervoer in bosbou deur die persoon wat bosbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)		16,966c/ℓ	

DEPARTMENT OF LABOUR**No. R. 25****13 January 1995**

LABOUR RELATIONS ACT, 1956

CLOTHING INDUSTRY, NATAL: RENEWAL OF MAIN AGREEMENT

I, Frederick Stephanus Watermeyer, Deputy Director: Labour Relations, duly authorised thereto by the Minister of Labour, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of Government Notices Nos. R. 2276 of 20 September 1991, R. 3100 of 13 November 1992 and R. 2308 of 3 December 1993, to be effective from the date of publication of this notice and for the period ending 30 June 1995.

F. S. WATERMEYER,

Deputy Director: Labour Relations.

DEPARTEMENT VAN ARBEID**No. R. 25****13 Januarie 1995**

WET OP ARBEIDSVERHOUDINGE, 1956

KLERASIENYWERHEID, NATAL: HERNUWING VAN HOOFOOREENKOMS

Ek, Frederick Stephanus Watermeyer, Adjunkdirekteur: Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Arbeid, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermentskennisgewings Nos. R. 2276 van 20 September 1991, R. 3100 van 13 November 1992 en R. 2308 van 3 Desember 1993, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1995 eindig.

F. S. WATERMEYER,

Adjunkdirekteur: Arbeidsverhoudinge.

No. R. 33**13 January 1995**

LABOUR RELATIONS ACT, 1956

FURNITURE AND BEDDING MANUFACTURING INDUSTRY, TRANSVAAL: RENEWAL OF MAIN AGREEMENT

I, Frederick Stephanus Watermeyer, Deputy Director: Labour Relations, duly authorised thereto by the Minister of Labour, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of Government Notices Nos. R. 3041 of 4 January 1991, R. 2662 of 8 November 1991, R. 3098 of 13 November 1992, R. 2079 of 5 November 1993 and R. 2248 of 23 December 1994, to be effective from the date of publication of this notice and for the period ending 30 June 1995.

F. S. WATERMEYER,

Deputy Director: Labour Relations.

No. R. 33**13 Januarie 1995**

WET OP ARBEIDSVERHOUDINGE, 1956

MEUBEL- EN BEDDEGOEDNYWERHEID, TRANSVAAL: HERNUWING VAN HOOFOOREENKOMS

Ek, Frederick Stephanus Watermeyer, Adjunkdirekteur: Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Arbeid, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermentskennisgewings Nos. R. 3041 van 4 Januarie 1991, R. 2662 van 8 November 1991, R. 3098 van 13 November 1992, R. 2079 van 5 November 1993 en R. 2248 van 23 Desember 1994, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1995 eindig.

F. S. WATERMEYER,

Adjunkdirekteur: Arbeidsverhoudinge.

**DEPARTMENT OF WATER AFFAIRS
AND FORESTRY****No. R. 27****13 January 1995**

RIETVLEI IRRIGATION DISTRICT, DISTRICT OF
MONTAGU, PROVINCE OF THE WESTERN CAPE:
DISESTABLISHMENT

By virtue of the powers vested in me by section 78
(1) (b) of the Water Act, 1956 (Act No. 54 of 1956), I,
Kader Asmal, in my capacity as Minister of Water
Affairs and Forestry, hereby disestablish the Rietvlei
Irrigation District as established by Proclamation No.
299 of 19 September 1947.

K. ASMAL,

Minister of Water Affairs and Forestry.

**DEPARTEMENT VAN WATERWESE
EN BOSBOU****No. R. 27****13 Januarie 1995**

RIETVLEI-BESPROEINGSDISTRIK, DISTRIK
MONTAGU, PROVINSIE WES-KAAP: AFSKAFFING

Kragtens die bevoegdheid my verleen by artikel 78
(1) (b) van die Waterwet, 1956 (Wet No. 54 van 1956),
skaf ek, Kader Asmal, in my hoedanigheid van Minister
van Waterwese en Bosbou, hierby die Rietvlei-
besproeiingsdistrik, ingestel by Proklamasie No. 299
van 19 September 1947, af.

K. ASMAL,

Minister van Waterwese en Bosbou.

IMPORTANT!!

Placing of languages: *Government Gazettes*

1. Notice is hereby given that the interchange of languages in the *Government Gazette* will be effected annually from the first issue in October.
2. For the period 1 October 1994 to 30 September 1995, English is to be placed FIRST.
3. This arrangement is in conformity with Gazettes containing Act of Parliament etc. where the language sequence remains constant throughout the sitting of Parliament.
4. *It is therefore expected of you, the advertiser, to see that your copy is in accordance with the above-mentioned arrangement in order to avoid unnecessary style changes and editing to correspond with the correct style.*

—oOo—

BELANGRIK!!

Plasing van tale: *Staatskoerante*

1. Hiermee word bekendgemaak dat die omruil van tale in die *Staatskoerant* jaarliks geskied met die eerste uitgawe in Oktober.
2. Vir die tydperk 1 Oktober 1994 tot 30 September 1995 word Engels EERSTE geplaas.
3. Hierdie reëling is in ooreenstemming met dié van die Parlement waarby koerante met Wette ens. die taalvolgorde deurgaans behou vir die duur van die sitting.
4. *Dit word dus van u, as adverteerder, verwag om u kopie met bogenoemde reëling te laat strook om onnodige omskakeling en stylredigering in ooreenstemming te bring.*

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