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PROCLAMATIONS

by the
President

of the Republic of South Africa

No. R. 36, 1995

ASSIGNMENT OF THE CULTURE PROMOTION ACT, 1983, TO THE PROVINCES UNDER SECTION 235 (8) OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1993

Under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), I hereby—

(a) assign the administration of the Culture Promotion Act, 1983 (Act No. 35 of 1983), excluding those provisions (if any) of the said Act which fall outside the functional areas specified in Schedule 6 to the Constitution or which relate to matters referred to in paragraphs (a) to (e) of section 126 (3) of the Constitution, to a competent authority within the jurisdiction of the government of a province mentioned in section 124 (1) of the Constitution, designated by the Premier of the province concerned;

(b) determine that the said Act is assigned to the extent specified in the first column of the Schedule in so far as that Act is applicable in, or in a part of, the province concerned; and

(c) amend the said Act to the extent set out in the second column of the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Fourth day of April, One thousand Nine hundred and Ninety-five.

N. R. MANDELA,
President.

By Order of the President-in-Cabinet:

Z. S. T. SKWEYIYA,
Minister of the Cabinet.

PROKLAMASIES

van die
President

van die Republiek van Suid-Afrika

No. R. 36, 1995

OPDRA VAN DIE WET OP BEVORDERING VAN KULTUUR, 1983, AAN DIE PROVINSIES KRAGTENS ARTIKEL 235 (8) VAN DIE GRONDWET VAN DIE REPUBLIEK VAN SUID-AFRIKA, 1993

Kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993)—

(a) dra ek hierby die uitvoering van die Wet op Bevordering van Kultuur, 1983 (Wet No. 35 van 1983), uitgesonderd daardie bepalings (indien enige) van genoemde Wet wat buite die funksionele terreine vermeld in Bylae 6 by die Grondwet val of wat betrekking het op aangeleenthede bedoel in paragrafe (a) tot (e) van artikel 126 (3) van die Grondwet, op aan 'n bevoegde gesag binne die regsbevoegdheid van die regering van 'n provinsie vermeld in artikel 124 (1) van die Grondwet wat deur die Premier van die betrokke provinsie aangewys word;

(b) bepaal ek hierby dat genoemde Wet opgedra word in die mate in die eerste kolom van die Bylae vermeld, vir sover daardie Wet in, of in 'n gedeelte van, die betrokke provinsie van toepassing is; en

(c) wysig ek hierby genoemde Wet in die mate in die tweede kolom van die Bylae uiteengesit.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Vierde dag van April Eenduisend Negehoenderd Vyf-en-negentig.

N. R. MANDELA,
President.

Op las van die President-in-Kabinet:

Z. S. T. SKWEYIYA,
Minister van die Kabinet.

SCHEDULE

EXTENT OF ASSIGNMENT, AND AMENDMENTS TO THE CULTURE PROMOTION ACT, 1983

Extent of assignment	Amendments
1. Sections 3 and 6; and	1. The amendment of section 1—
2. Sections 1 and 5 in so far as they apply or relate to sections 3 and 6.	(a) by the substitution for the definition of "Minister" of the following definition: " 'Minister' — (a) in so far as the administration of a provision of this Act has under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), been assigned to a competent authority within the jurisdiction of the government of a province and the provision is applied in or with reference to the province concerned, means that competent authority; or (b) in so far as the administration of a provision of this Act has not been so assigned, means the Minister of Arts, Culture, Science and Technology;"; (b) by the insertion after the definition of "Minister" of the following definition: " 'Minister of Finance', in so far as a provision of this Act is applied in or with reference to a particular province, means the member of the Executive Council of that province responsible for the budget in the province;"; (c) by the substitution for the definition of "officer" of the following definition: " 'officer' means an officer or employee as defined in section 1 of the Public Service Act, 1994 (Proclamation No. 103 of 1994);"; and (d) by the insertion after the definition of "officer" of the following definition: " 'province' means a province established in terms of section 124 of the Constitution of the Republic of South Africa, 1993;".
	2. The amendment of section 2—
	(a) by the substitution for subsection (3) of the following subsection: "(3) The Minister may— (a) provide such services as he may deem necessary or expedient in connection with the preservation, development, fosterage or extension of culture on a country-wide basis, whether or not in co-operation with a Department of State or any person, but excluding instruction and training for an examination conducted in terms or by virtue of the provisions of any law; and (b) subsidize or finance such functions to preserve, develop, foster or extend culture as the Minister may deem necessary or expedient on a country-wide basis."; and (b) by the deletion of subsection 6.
	3. The amendment of section 3—
	(a) by the deletion in subsection (6) of the expression ", on a country-wide basis;"; and (b) by the addition of the following subsections: "(7) Any regional council established under subsection (1) before the assignment of the administration of a provision of this Act under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), to a competent authority within the government of a province, shall cease to exist with effect from the date of such assignment. (8) If one or more regional councils for cultural affairs have been established under section 4 (in so far as a provision thereof has been applied in or with reference to a particular province) of the Cultural Affairs Act (House of Assembly), 1989 (Act No. 65 of 1989), the provisions of this section shall not be applicable in respect of that province."
	4. The repeal of section 4.

BYLAE

MATE WAARIN OPGEDRA, EN WYSIGINGS VAN DIE WET OP BEVORDERING VAN KULTUUR, 1983

Mate waarin opgedra	Wysigings
1. Artikels 3 en 6; en 2. Artikels 1 en 5 vir sover dit van toepassing is, of betrekking het op artikels 3 en 6.	1. Die wysiging van artikel 1— (a) deur die omskrywing van “beampte” deur die volgende omskrywing te vervang: “ ‘beampte’ ’n beampte of werknemer soos omskryf in artikel 1 van die Staatsdienswet, 1994 (Proklamasie No. 103 van 1994);” (b) deur die omskrywing van “Minister” deur die volgende omskrywing te vervang: “ ‘Minister’— (a) vir sover die uitvoering van ’n bepaling van hierdie Wet kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), aan ’n bevoegde gesag binne die regsbevoegdheid van die regering van ’n provinsie opgedra is en die bepaling in of met betrekking tot die betrokke provinsie toegepas word, daardie bevoegde gesag; of (b) vir sover die uitvoering van ’n bepaling van hierdie Wet nie aldus opgedra is nie, die Minister van Kuns, Kultuur, Wetenskap en Tegnologie;” en (c) deur na die omskrywing van “Minister” die volgende omskrywings in te voeg: “ ‘Minister van Finansies’, vir sover ’n bepaling van hierdie Wet in of met betrekking tot ’n bepaalde provinsie toegepas word, die lid van die Uitvoerende Raad van daardie provinsie verantwoordelik vir die begroting in die provinsie; ‘provinsie’ ’n provinsie ingestel ingevolge artikel 124 van die Grondwet van die Republiek van Suid-Afrika, 1993;” 2. Die wysiging van artikel 2— (a) deur subartikel (3) deur die volgende subartikel te vervang: “(3) Die Minister kan— (a) die dienste verskaf wat hy nodig of dienstig ag in verband met die bewaring, ontwikkeling, bevordering of uitbouing van kultuur op landswye grondslag, hetsy in samewerking met ’n Staatsdepartement of iemand al dan nie, maar uitgesonderd onderrig en opleiding vir ’n eksamen wat ingevolge of uit hoofde van die bepalings van ’n wet afgeneem word; en (b) daardie werksaamhede om kultuur te bewaar, te ontwikkel, te bevorder of uit te bou wat die Minister op landswye grondslag nodig of dienstig ag, subsidieer of finansier.”; en (b) deur subartikel (6) te skrap. 3. Die wysiging van artikel 3— (a) deur in subartikel (6) die uitdrukking “, op landswye grondslag,” te skrap; en (b) deur die volgende subartikels by te voeg: “(7) Enige streekraad wat kragtens subartikel (1) ingestel is voor die opdra van die uitvoering van ’n bepaling van hierdie Wet kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), aan ’n bevoegde gesag binne die regering van ’n provinsie, hou op om te bestaan met ingang van die datum van sodanige opdrag. (8) Indien een of meer streekraade vir kultuursake kragtens artikel 4 (vir sover ’n bepaling daarvan in of met betrekking tot ’n bepaalde provinsie toegepas is) van die Wet op Kulturele Aangeleenthede (Volksraad), 1989 (Wet No. 65 van 1989), ingestel is, is die bepalings van hierdie artikel nie ten opsigte van daardie provinsie van toepassing nie.” 4. Die herroeping van artikel 4.

No. R. 37, 1995

ASSIGNMENT OF THE HORSE-RACING AND BETTING ORDINANCE, 1978, OF THE FORMER PROVINCE OF TRANSVAAL, TO CERTAIN PROVINCES UNDER SECTION 235 (8) OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1993

Under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), I hereby—

(a) assign the administration of the Horse-racing and Betting Ordinance, 1978 (Ordinance No. 24 of 1978), of the former Province of Transvaal—

(i) excluding sections 9A, 9B, 11, 31, 43A, 45 (6) (a), 51, 51A and 55A (2) (a), and those provisions (if any) of the said Ordinance which fall outside the functional areas specified in Schedule 6 to the Constitution or which relate to matters referred to in paragraphs (a) to (e) of section 126 (3) of the Constitution, to a competent authority within the jurisdiction of each of the governments of the provinces Eastern Transvaal, Northern Transvaal and North-West, designated by the Premier of the province concerned; and

(i) excluding sections 9C and 45 (6) (b), and those provisions (if any) of the said Ordinance which fall outside the functional areas specified in Schedule 6 to the Constitution or which relate to matters referred to in paragraphs (a) to (e) of section 126 (3) of the Constitution, to a competent authority within the jurisdiction of the government of the province Pretoria-Witwatersrand-Vereeniging designated by the Premier of that province;

(b) determine that the said Ordinance is assigned in so far as that Ordinance is applicable in, or in a part of, the province concerned; and

(c) amend the said Ordinance as set out in the Schedule hereto.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Fourth day of April, One thousand Nine hundred and Ninety-five.

N. R. MANDELA,
President.

By Order of the President-in-Cabinet:

Z. S. T. SKWEIYA,
Minister of the Cabinet.

SCHEDULE

AMENDMENTS TO THE HORSE-RACING AND BETTING ORDINANCE, 1978, OF THE FORMER PROVINCE OF TRANSVAAL

1. Section 1 of the Horse-racing and Betting Ordinance, 1978 (hereinafter referred to as the Ordinance), is hereby amended—

(a) by the substitution in subsection (1) for the definition of "Account for Provincial Services: Transvaal" of the following definition:

"(i) 'Account for Provincial Services: Transvaal', in so far as a provision of this Ordinance is applied in or with reference to a particular province, means

No. R. 37, 1995

OPDRA VAN DIE ORDONNANSIE OP PERDEWEDRENNE EN WEDDENSAPPE, 1978, VAN DIE VOORMALIGE PROVINSIE TRANSVAAL, AAN SEKERE PROVINSIES KRAGTENS ARTIKEL 235 (8) VAN DIE GRONDWET VAN DIE REPUBLIEK VAN SUID-AFRIKA, 1993

Kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993)—

(a) dra ek hierby die uitvoering van die Ordonnansie op Perdewedrenne en Weddensappe, 1978 (Ordonnansie No. 24 van 1978), van die voormalige Provinsie Transvaal—

(i) uitgesonderd artikels 9A, 9B, 11, 31, 43A, 45 (6) (a), 51, 51A en 55A (2) (a), en daardie bepalings (indien enige) van genoemde Ordonnansie wat buite die funksionele terreine vermeld in Bylae 6 by die Grondwet val of wat betrekking het op aangeleenthede bedoel in paragrawe (a) tot (e) van artikel 126 (3) van die Grondwet, op aan 'n bevoegde gesag binne die regsbevoegdheid van elk van die regerings van die provinsies Oos-Transvaal, Noord-Transvaal en Noordwes, wat deur die Premier van die betrokke provinsie aangewys word; en

(ii) uitgesonderd artikels 9C en 45 (6) (b), en daardie bepalings (indien enige) van genoemde Ordonnansie wat buite die funksionele terreine vermeld in Bylae 6 by die Grondwet val of wat betrekking het op aangeleenthede bedoel in paragrawe (a) tot (e) van artikel 126 (3) van die Grondwet, op aan 'n bevoegde gesag binne die regsbevoegdheid van die regering van die provinsie Pretoria-Witwatersrand-Vereeniging wat deur die Premier van daardie provinsie aangewys word;

(b) bepaal ek hierby dat genoemde Ordonnansie opgedra word vir sover daardie Ordonnansie in, of in 'n gedeelte van, die betrokke provinsie van toepassing is; en

(c) wysig ek hierby genoemde Ordonnansie soos in die Bylae hierby uiteengesit.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Vierde dag van April Eenduisend Negehoenderd Vyf-en-negentig.

N. R. MANDELA,
President.

Op las van die President-in-Kabinet:

Z. S. T. SKWEIYA,
Minister van die Kabinet.

BYLAE

WYSIGINGS VAN DIE ORDONNANSIE OP PERDEWEDRENNE EN WEDDENSAPPE, 1978, VAN DIE VOORMALIGE PROVINSIE TRANSVAAL

1. Artikel 1 van die Ordonnansie op Perdewedrenne en Weddensappe, 1978 (hieronder die Ordonnansie genoem), word hierby gewysig—

(a) deur in subartikel (1) die omskrywing van "Administrateur" deur die volgende omskrywing te vervang:

"(i) 'Administrateur'—

(a) vir sover 'n bepaling van hierdie Ordonnansie, uitgesonderd artikels 9A, 9B, 11, 31, 43A, 51A en 55A (2) (a), in of met betrekking tot 'n bepaalde

the Provincial Revenue Fund of that province established by section 159 (1) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993); (xiiA)";

(b) by the substitution in subsection (1) for the definition of "Administrator" of the following definition:

"(iA) 'Administrator'—

(a) in so far as a provision of this Ordinance, excluding sections 9A, 9B, 11, 31, 43A, 51A and 55A (2) (a), is applied in or with reference to a particular province, means the competent authority to whom the administration of this Ordinance has under section 235 (8) of the Constitution of the Republic of South Africa, 1993, been assigned in that province; and

(b) for the purposes of sections 9A, 9B, 11, 31, 43A, 51A and 55A (2) (a), means the competent authority within the government of the province Pretoria–Witwatersrand–Vereeniging to whom the administration of this Ordinance has under section 235 (8) of the Constitution of the Republic of South Africa, 1993, been assigned; (i)";

(c) by the substitution in subsection (1) for the definition of "authorized officer" of the following definition:

"(iii) 'authorized officer'—

(a) in so far as a provision of this Ordinance is applied in or with reference to the province Eastern Transvaal, Northern Transvaal or North-West, as the case may be, means an authorized officer referred to in section 9C; or

(b) in so far as a provision of this Ordinance is applied in or with reference to the province Pretoria–Witwatersrand–Vereeniging, means an authorized officer referred to in section 9B (12) (b); (vii)";

(d) by the substitution in subsection (1) for the definition of "Director-General" of the following definition:

"(vB) 'Director-General'—

(a) in so far as a provision of this Ordinance, excluding sections 9B and 43A, is applied in or with reference to a particular province, means the Director-General of the provincial administration of that province; and

(b) for the purposes of sections 9B and 43A, means the Director-General of the provincial administration of the province Pretoria–Witwatersrand–Vereeniging; (ivB)";

(e) by the insertion in subsection (1) after the definition of "prescribe" of the following definitions:

"(xiA) 'province' means the province Eastern Transvaal, Northern Transvaal, North-West or Pretoria–Witwatersrand–Vereeniging, as the case may be, established in terms of section 124 of the Constitution of the Republic of South Africa, 1993; (xB)

(xiB) 'provincial administration' means the provincial administration established for a province by the Public Service Act, 1994 (Proclamation No. 103 of 1994); (xA)";

provinsie toegepas word, die bevoegde gesag aan wie die uitvoering van hierdie Ordonnansie kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), in daardie provinsie opgedra is; en

(b) by die toepassing van artikels 9A, 9B, 11, 31, 43A, 51A en 55A (2) (a), die bevoegde gesag binne die regering van die provinsie Pretoria–Witwatersrand–Vereeniging aan wie die uitvoering van hierdie Ordonnansie kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993, opgedra is; (iA)";

(b) deur in subartikel (1) die omskrywing van "die Provinsie" te skrap;

(c) deur in subartikel (1) die omskrywing van "Direkteur-generaal" deur die volgende omskrywing te vervang:

"(ivB) 'Direkteur-generaal'—

(a) vir sover 'n bepaling van hierdie Ordonnansie, uitgesonderd artikels 9B en 43A, in of met betrekking tot 'n bepaalde provinsie toegepas word, die Direkteur-generaal van die provinsiale administrasie van daardie provinsie; en

(b) by die toepassing van artikels 9B en 43A, die Direkteur-generaal van die provinsiale administrasie van die provinsie Pretoria–Witwatersrand–Vereeniging; (vB)";

(d) deur in subartikel (1) die omskrywing van "gemagtigde beampte" deur die volgende omskrywing te vervang:

"(vii) 'gemagtigde beampte'—

(a) vir sover 'n bepaling van hierdie Ordonnansie in of met betrekking tot die provinsie Oos-Transvaal, Noord-Transvaal of Noordwes, na gelang van die geval, toegepas word, 'n gemagtigde beampte in artikel 9C bedoel; of

(b) vir sover 'n bepaling van hierdie Ordonnansie in of met betrekking tot die provinsie Pretoria–Witwatersrand–Vereeniging toegepas word, 'n gemagtigde beampte in artikel 9B (12) (b) bedoel; (iii)";

(e) deur in subartikel (1) na die omskrywing van "perdewedren" die volgende omskrywings in te voeg:

"(xA) 'provinsiale administrasie' die provinsiale administrasie ingestel vir 'n provinsie by die Staatsdienswet, 1994 (Proklamasie No. 103 van 1994); (xiB)

(xB) 'provinsie' die provinsie Oos-Transvaal, Noord-Transvaal, Noordwes of Pretoria–Witwatersrand–Vereeniging, na gelang van die geval, ingestel ingevolge artikel 124 van die Grondwet van die Republiek van Suid-Afrika, 1993; (xiA)";

(f) deur in subartikel (1) die omskrywing van "Raad op Wedrenne en Weddenskappe" deur die volgende omskrywing te vervang:

"(xiA) 'Raad op Wedrenne en Weddenskappe'—

(a) vir sover 'n bepaling van hierdie Ordonnansie in of met betrekking tot die provinsie Oos-Transvaal, Noord-Transvaal of Noordwes, na

(f) by the substitution in subsection (1) for the definition of "Racing and Betting Board" of the following definition:

"(xiiiA) 'Racing and Betting Board' —

(a) in so far as a provision of this Ordinance is applied in or with reference to the province Eastern Transvaal, Northern Transvaal or North-West, as the case may be, means the competent authority within the government of the province concerned to whom the administration of this Ordinance has under section 235 (8) of the Constitution of the Republic of South Africa, 1993, been assigned; or

(b) in so far as a provision of this Ordinance is applied in or with reference to the province Pretoria-Witwatersrand-Vereeniging, means the Highveld Horse-racing and Betting Board referred to in section 9B (1); (xiA)"; and

(g) by the deletion in subsection (1) of the definition of "the Province".

2. Section 9A of the Ordinance is hereby amended—

(a) by the deletion of subsection (4);

(b) by the substitution in subsection (4A) for the expression "subsection (3) or (4)" of the expression "subsection (3)";

(c) by the substitution in subsection (4B) for the expression "subsection (3), (4) or (4A)" of the expression "subsection (3) or (4A)";

(d) by the substitution in subsection (5) for the expression "subsection (3), (4) or (4A)" of the expression "subsection (3) or (4A)";

(e) by the deletion of paragraph (e) of subsection (6);

(f) by the substitution in paragraph (b) of subsection (13) for the expression "subsections (3) (a) and (4) (b)" of the expression "subsection (3) (a)"; and

(g) by the substitution for the expression "the Province", wherever it occurs, of the expression "the province Pretoria-Witwatersrand-Vereeniging".

3. Section 9B of the Ordinance is hereby amended by the deletion of subsection (7A).

4. The following section is hereby inserted after section 9B of the Ordinance:

Designation of authorized officer

9C. In so far as a provision of this Ordinance is applied in or with reference to the province Eastern Transvaal, Northern Transvaal or North-West, as the case may be, the Administrator concerned may in writing designate an officer employed by the provincial administration of the province concerned as an authorized officer."

5. Section 10A of the Ordinance is hereby amended by the substitution in paragraph (b) of subsection (1) for the expression "Official Gazette" of the expression "Provincial Gazette".

gelang van die geval, toegepas word, die bevoegde gesag binne die regering van die betrokke provinsie aan wie die uitvoering van hierdie Ordonnansie kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993, opgedra is; of

(b) vir sover 'n bepaling van hierdie Ordonnansie in of met betrekking tot die provinsie Pretoria-Witwatersrand-Vereeniging toegepas word, die Hoëveldse Raad op Perdewedrenne en Weddenskappe in artikel 9B (1) bedoel; (xiiiA)"; en

(g) deur in subartikel (1) die omskrywing van "Rekening vir Provinsiale Dienste: Transvaal" deur die volgende omskrywing te vervang:

"(xiiA) 'Rekening vir Provinsiale Dienste: Transvaal', vir sover 'n bepaling van hierdie Ordonnansie in of met betrekking tot 'n bepaalde provinsie toegepas word, die Provinsiale Inkomstefonds van daardie provinsie ingestel by artikel 159 (1) van die Grondwet van die Republiek van Suid-Afrika, 1993; (i)".

2. Artikel 9A van die Ordonnansie word hierby gewysig—

(a) deur subartikel (4) te skrap;

(b) deur in subartikel (4A) die uitdrukking "subartikel (3) of (4)" deur die uitdrukking "subartikel (3)" te vervang;

(c) deur in subartikel (4B) die uitdrukking "subartikel (3), (4) of (4A)" deur die uitdrukking "subartikel (3) of (4A)" te vervang;

(d) deur in subartikel (5) die uitdrukking "subartikel (3), (4) of (4A)" deur die uitdrukking "subartikel (3) of (4A)" te vervang;

(e) deur paragraaf (e) van subartikel (6) te skrap;

(f) deur in paragraaf (b) van subartikel (13) die uitdrukking "subartikels (3) (a) en (4) (b)" deur die uitdrukking "subartikel (3) (a)" te vervang; en

(g) deur die uitdrukking "die Provinsie", waar dit ook al voorkom, deur die uitdrukking "die provinsie Pretoria-Witwatersrand-Vereeniging" te vervang.

3. Artikel 9B van die Ordonnansie word hierby gewysig deur subartikel (7A) te skrap.

4. Die volgende artikel word hierby na artikel 9B van die Ordonnansie ingevoeg:

"Aanwysing van gemagtigde beampte

9C. Vir sover 'n bepaling van hierdie Ordonnansie in of met betrekking tot die provinsie Oos-Transvaal, Noord-Transvaal of Noordwes, na gelang van die geval, toegepas word, kan die betrokke Administrateur 'n beampte in diens van die provinsiale administrasie van die betrokke provinsie skriftelik as 'n gemagtigde beampte aanwys."

5. Artikel 10A van die Ordonnansie word hierby gewysig deur in paragraaf (b) van subartikel (1) die uitdrukking "Offisiële Koerant" deur die uitdrukking "Provinsiale Koerant" te vervang.

6. Section 11 of the Ordinance is hereby amended—

(a) by the deletion of paragraph (a) of subsection (8); and

(b) by the substitution for the expression “the Province”, wherever it occurs, of the expression “the province Pretoria–Witwatersrand–Vereeniging”.

7. Section 12 of the Ordinance is hereby amended—

(a) by the substitution in paragraph (b) of subsection (1) for the expression “the Province” of the expression “the province”; and

(b) by the insertion after subsection (1A) of the following subsection:

“(1B) Any permit issued prior to the date upon which the administration of this Ordinance has under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), been assigned to a competent authority within the government of a province, and which could be issued under subsection (1) in or with reference to a particular province, shall be deemed to have been issued in or with reference to that province under the said subsection (1).”.

8. Section 13A of the Ordinance is hereby amended by the substitution in subsection (3) for the expression “the Province or the Orange Free State” of the expression “the province”.

9. Section 14 of the Ordinance is hereby amended—

(a) by the addition to subsection (1) of the following paragraph:

“(c) Any Tattersalls established prior to the date upon which the administration of this Ordinance has under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), been assigned to a competent authority within the government of a province, and which could be established under paragraph (a) in or with reference to a particular province, shall be deemed to have been established in or with reference to that province under the said paragraph (a).”; and

(b) by the addition of the following subsection:

“(6) Anything done prior to the date upon which the administration of this Ordinance has under section 235 (8) of the Constitution of the Republic of South Africa, 1993, been assigned to a competent authority within the government of a province, and which could be done in terms of this section in or with reference to a particular province, shall be deemed to have been done in or with reference to that province in terms of this section.”.

10. Section 16 of the Ordinance is hereby amended by the addition of the following subsection:

“(3) Anything done prior to the date upon which the administration of this Ordinance has under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), been assigned to a competent authority within the government of a province, and which could be

6. Artikel 11 van die Ordonnansie word hierby gewysig—

(a) deur paragraaf (a) van subartikel (8) te skrap; en

(b) deur die uitdrukking “die Provinsie”, waar dit ook al voorkom, deur die uitdrukking “die provinsie Pretoria–Witwatersrand–Vereeniging” te vervang.

7. Artikel 12 van die Ordonnansie word hierby gewysig—

(a) deur in paragraaf (b) van subartikel (1) die uitdrukking “die Provinsie” deur die uitdrukking “die provinsie” te vervang; en

(b) deur na subartikel (1A) die volgende subartikel in te voeg:

“(1B) ’n Permit uitgereik voor die datum waarop die uitvoering van hierdie Ordonnansie kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), aan ’n bevoegde gesag binne die regering van ’n provinsie opgedra is, en wat kragtens subartikel (1) in of met betrekking tot ’n bepaalde provinsie uitgereik sou kon word, word geag kragtens genoemde subartikel (1) in of met betrekking tot daardie provinsie uitgereik te gewees het.”.

8. Artikel 13A van die Ordonnansie word hierby gewysig deur in subartikel (3) die uitdrukking “die Provinsie of die Oranje-Vrystaat” deur die uitdrukking “die provinsie” te vervang.

9. Artikel 14 van die Ordonnansie word hierby gewysig—

(a) deur die volgende paragraaf by subartikel (1) te voeg:

“(c) ’n Tattersalls ingestel voor die datum waarop die uitvoering van hierdie Ordonnansie kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), aan ’n bevoegde gesag binne die regering van ’n provinsie opgedra is, en wat kragtens paragraaf (a) in of met betrekking tot ’n bepaalde provinsie ingestel sou kon word, word geag kragtens genoemde paragraaf (a) in of met betrekking tot daardie provinsie ingestel te gewees het.”; en

(b) deur die volgende subartikel by te voeg:

“(6) Enigiets gedoen voor die datum waarop die uitvoering van hierdie Ordonnansie kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993, aan ’n bevoegde gesag binne die regering van ’n provinsie opgedra is, en wat ingevolge hierdie artikel in of met betrekking tot ’n bepaalde provinsie gedoen sou kon word, word geag ingevolge hierdie artikel in of met betrekking tot daardie provinsie gedoen te gewees het.”.

10. Artikel 16 van die Ordonnansie word hierby gewysig deur die volgende subartikel by te voeg:

“(3) Enigiets gedoen voor die datum waarop die uitvoering van hierdie Ordonnansie kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), aan ’n bevoegde gesag binne die regering van ’n provinsie opgedra is, en wat ingevolge hierdie arti-

done in terms of this section in or with reference to a particular province, shall be deemed to have been done in or with reference to that province in terms of this section.”.

11. Section 18 of the Ordinance is hereby amended—

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

“(b) The advertisement contemplated in paragraph (a) shall be published in at least Afrikaans and English in a newspaper circulating in the province.”; and

(b) by the substitution in subsection (3) for the words “both official languages in a newspaper circulating in the Province” of the words “at least Afrikaans and English in a newspaper circulating in the province”.

12. Section 20 of the Ordinance is hereby amended by the addition of the following subsection:

“(4) Any bookmaker’s licence issued prior to the date upon which the administration of this Ordinance has under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), been assigned to a competent authority within the government of a province, and which could be issued in terms of subsection (1) in or with reference to a particular province, shall be deemed to have been issued in or with reference to that province in terms of the said subsection (1).”.

13. Section 24 of the Ordinance is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

“(1) Every licensed bookmaker shall be a member of the Highveld Association of Bookmakers, or shall within 14 days from the issue of a bookmaker’s licence in terms of section 20 become such a member, and shall remain such a member.”; and

(b) by the substitution for paragraph (a) of subsection (2) of the following paragraph:

“(a) The constitution and rules of the association referred to in subsection (1) shall be approved by the board referred to in paragraph (b) of the definition of ‘Racing and Betting Board’, and no amendment to such constitution or rules shall have any force or effect before the said board has approved the amendment.”.

14. Section 26 of the Ordinance is hereby amended by the addition of the following subsection:

“(8) Any person registered as a bookmaker’s manager prior to the date upon which the administration of this ordinance has under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), been assigned to a competent authority within the government of a province, and who could be so registered in terms of this section in or with reference to a particular province, shall be deemed to have been so registered in or with reference to that province in terms of this section.”.

kel in of met betrekking tot ’n bepaalde provinsie gedoen sou kon word, word geag ingevolge hierdie artikel in of met betrekking tot daardie provinsie gedoen te gewees het.”.

11. Artikel 18 van die Ordonnansie word hierby gewysig—

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

“(b) Die advertensie in paragraaf (a) beoog, word in minstens Afrikaans en Engels in ’n nuusblad wat in die provinsie sirkuleer, gepubliseer.”; en

(b) deur in subartikel (3) die woorde “beide amptelike tale in ’n nuusblad wat in die Provinsie” deur die woorde “minstens Afrikaans en Engels in ’n nuusblad wat in die provinsie” te vervang.

12. Artikel 20 van die Ordonnansie word hierby gewysig deur die volgende subartikel by te voeg:

“(4) ’n Beroepswedderslisensie uitgereik voor die datum waarop die uitvoering van hierdie Ordonnansie kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), aan ’n bevoegde gesag binne die regering van ’n provinsie opgedra is, en wat ingevolge subartikel (1) in of met betrekking tot ’n bepaalde provinsie uitgereik sou kon word, word geag ingevolge genoemde subartikel (1) in of met betrekking tot daardie provinsie uitgereik te gewees het.”.

13. Artikel 24 van die Ordonnansie word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

“(1) Elke gelisensieerde beroepswedder is lid van die Hoëveldse Vereniging van Beroepswedders, of moet binne 14 dae na die uitreiking van ’n beroepswedderslisensie ingevolge artikel 20 so ’n lid word, en moet so ’n lid bly.”; en

(b) deur paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:

“(a) Die grondwet en reëls van die vereniging in subartikel (1) bedoel, word deur die raad bedoel in paragraaf (b) van die omskrywing van ‘Raad op Wedrenne en Weddenskappe’ goedgekeur, en geen wysiging aan so ’n grondwet of reëls het enige regsrag nie alvorens genoemde raad die wysiging goedgekeur het.”.

14. Artikel 26 van die Ordonnansie word hierby gewysig deur die volgende subartikel by te voeg:

“(8) Iemand geregistreer as ’n beroepsweddersbestuurder voor die datum waarop die uitvoering van hierdie Ordonnansie kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), aan ’n bevoegde gesag binne die regering van ’n provinsie opgedra is, en wat ingevolge hierdie artikel in of met betrekking tot ’n bepaalde provinsie aldus geregistreer sou kon word, word geag ingevolge hierdie artikel in of met betrekking tot daardie provinsie aldus geregistreer te gewees het.”.

15. Section 43 of the Ordinance is hereby amended by the substitution in paragraph (b) of subsection (1) for the expression "the Province" of the expression "the province".

16. Section 45 of the Ordinance is hereby amended by the substitution for subsection (6) of the following subsection—

"(6) For the purposes of subsection (1) (b), net takings shall be determined—

(a) in so far as the said subsection (1) (b) is applied in or with reference to the province Pretoria-Witwatersrand-Vereeniging, by deducting from the gross takings at a totalizator the total amount of the commission referred to in section 13 and the levy contemplated in section 51A (1) and the tax referred to in subsection (1) (a);

(b) in so far as the said subsection (1) (b) is applied in or with reference to the province Eastern Transvaal, Northern Transvaal or North-West, as the case may be, by deducting from the gross takings at a totalizator the total amount of the commission referred to in section 13 and the tax referred to in subsection (1) (a)."

17. Section 48 of the Ordinance is hereby amended by the addition to subsection (1) of the following paragraph, the existing subsection becoming paragraph (a):

"(b) Notwithstanding the provisions of paragraph (a), a licensed bookmaker who lodged security prior to the date upon which the administration of this Ordinance has under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), been assigned to a competent authority within the government of a province, shall, for a period of 21 days from such date, continue to carry on business, provided that he or she shall lodge security within the said period in compliance with paragraph (a)."

18. The following section is hereby substituted for section 50 of the Ordinance:

"Recovery of tax"

50. Any tax payable in terms of the provisions of this Ordinance shall be a debt due to the provincial administration concerned and may be recovered in a competent court by that provincial administration or by the Racing and Betting Board on behalf of that provincial administration."

19. Section 51 of the Ordinance is hereby amended by the substitution in subsection (3) for the expression "the Province" of the expression "the province Pretoria-Witwatersrand-Vereeniging".

20. Section 55A of the Ordinance is hereby amended by the substitution in paragraph (b) of subsection (2) for the expression "Official Gazette" of the expression "Provincial Gazette".

15. Artikel 43 van die Ordonnansie word hierby gewysig deur in paragraaf (b) van subartikel (1) die uitdrukking "die Provinsie" deur die uitdrukking "die provinsie" te vervang.

16. Artikel 45 van die Ordonnansie word hierby gewysig deur subartikel (6) deur die volgende subartikel te vervang:

"(6) By die toepassing van subartikel (1) (b) word die netto ontvangste bepaal—

(a) vir sover genoemde subartikel (1) (b) in of met betrekking tot die provinsie Pretoria-Witwatersrand-Vereeniging toegepas word, deur van die bruto ontvangste by 'n totalisator die totale bedrag van die kommissie bedoel in artikel 13, die heffing in artikel 51A (1) beoog en die belasting bedoel in subartikel (1) (a), af te trek;

(b) vir sover genoemde subartikel (1) (b) in of met betrekking tot die provinsie Oos-Transvaal, Noord-Transvaal of Noordwes, na gelang van die geval, toegepas word, deur van die bruto ontvangste by 'n totalisator die totale bedrag van die kommissie bedoel in artikel 13 en die belasting bedoel in subartikel (1) (a), af te trek."

17. Artikel 48 van die Ordonnansie word hierby gewysig deur die volgende paragraaf by subartikel (1) te voeg, terwyl die bestaande subartikel paragraaf (a) word:

"(b) Ondanks die bepalings van paragraaf (a), gaan 'n gelisensieerde beroepswedder wat sekuriteit verskaf het voor die datum waarop die uitvoering van hierdie Ordonnansie kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), aan 'n bevoegde gesag binne die regering van 'n provinsie opgedra is, vir 'n tydperk van 21 dae vanaf sodanige datum voort om besigheid te dryf, mits hy of sy binne genoemde tydperk sekuriteit ooreenkomstig paragraaf (a) verskaf."

18. Artikel 50 van die Ordonnansie word hierby deur die volgende artikel vervang:

"Verhaal van belasting"

50. 'n Belasting ingevolge die bepalings van hierdie Ordonnansie betaalbaar, maak 'n skuld uit wat aan die betrokke provinsiale administrasie verskuldig is en kan deur daardie provinsiale administrasie of deur die Raad op Wedrenne en Weddenskappe namens daardie provinsiale administrasie in 'n bevoegde hof verhaal word."

19. Artikel 51 van die Ordonnansie word hierby gewysig deur in subartikel (3) die uitdrukking "die Provinsie" deur die uitdrukking "die provinsie Pretoria-Witwatersrand-Vereeniging" te vervang.

20. Artikel 55A van die Ordonnansie word hierby gewysig deur in paragraaf (b) van subartikel (2) die uitdrukking "Offisiële Koerant" deur die uitdrukking "Provinsiale Koerant" te vervang.

No. R. 38, 1995

ASSIGNMENT OF THE CULTURAL AFFAIRS ACT (HOUSE OF ASSEMBLY), 1989, TO THE PROVINCES UNDER SECTION 235 (8) OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1993

Under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), I hereby—

(a) assign the administration of the Cultural Affairs Act (House of Assembly), 1989 (Act No. 65 of 1989), excluding those provisions (if any) of the said Act which fall outside the functional areas specified in Schedule 6 to the Constitution or which relate to matters referred to in paragraphs (a) to (e) of section 126 (3) of the Constitution, to a competent authority within the jurisdiction of the government of a province mentioned in section 124 (1) of the Constitution, designated by the Premier of the province concerned;

(b) determine that the said Act is assigned in so far as that Act is applicable in, or in a part of, the province concerned;

(c) amend the said Act as set out in Part 1 of the Schedule; and

(d) regulate the matters as set out in Part 2 of the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Fourth day of April, One thousand Nine hundred and Ninety-five.

N. R. MANDELA,
President.

By Order of the President-in-Cabinet:

Z. S. T. SKWEIYA,
Minister of the Cabinet.

SCHEDULE**PART 1: AMENDMENTS TO THE CULTURAL AFFAIRS ACT (HOUSE OF ASSEMBLY), 1989**

1. Section 1 of the Cultural Affairs Act (House of Assembly), 1989 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the substitution for the definition of "Minister" of the following definition:

" 'Minister', in so far as a provision of this Act is applied in or with reference to a particular province, means the competent authority to whom the administration of this Act has under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), been assigned in that province;";

(b) by the insertion after the definition of "Minister" of the following definitions:

" 'Minister of the Budget and Works', in so far as a provision of this Act is applied in or with reference to a particular province, means the member of the Executive Council of that province responsible for the budget in the province;

No. R. 38, 1995

OPDRA VAN DIE WET OP KULTURELE AANGELEENTHEDE (VOLKSRAAD), 1989, AAN DIE PROVINSIES KRAGTENS ARTIKEL 235 (8) VAN DIE GRONDWET VAN DIE REPUBLIEK VAN SUID-AFRIKA, 1993

Kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993)—

(a) dra ek hierby die uitvoering van die Wet op Kulturele Aangeleentheid (Volksraad), 1989 (Wet No. 65 van 1989), uitgesonderd daardie bepalings (indien enige) van genoemde Wet wat buite die funksionele terreine vermeld in Bylae 6 by die Grondwet val of wat betrekking het op aangeleentheid bedoel in paragrafe (a) tot (e) van artikel 126 (3) van die Grondwet, op aan 'n bevoegde gesag binne die regsbevoegdheid van die regering van 'n provinsie vermeld in artikel 124 (1) van die Grondwet wat deur die Premier van die betrokke provinsie aangewys word;

(b) bepaal ek hierby dat genoemde Wet opgedra word vir sover daardie Wet in, of in 'n gedeelte van, die betrokke provinsie van toepassing is;

(c) wysig ek hierby genoemde Wet soos in Deel 1 van die Bylae uiteengesit; en

(d) reël ek hierby die aangeleentheid soos in Deel 2 van die Bylae uiteengesit.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Vierde dag van April, Eenduisend Negehoenderd Vyf-en-negentig.

N. R. MANDELA,
President.

Op las van die President-in-Kabinet:

Z. S. T. SKWEIYA,
Minister van die Kabinet.

BYLAE**DEEL 1: WYSIGINGS VAN DIE WET OP KULTURELE AANGELEENTHEDE (VOLKSRAAD), 1989**

1. Artikel 1 van die Wet op Kulturele Aangeleentheid (Volksraad), 1989 (hieronder die Hoofwet genoem), word hierby gewysig—

(a) deur die omskrywing van "Minister" deur die volgende omskrywing te vervang:

" 'Minister', vir sover 'n bepaling van hierdie Wet in of met betrekking tot 'n bepaalde provinsie toegepas word, die bevoegde gesag aan wie die uitvoering van hierdie Wet kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), in daardie provinsie opgedra is;";

(b) deur na die omskrywing van "Minister" die volgende omskrywings in te voeg:

" 'Minister van Begroting en Werke', vir sover 'n bepaling van hierdie Wet in of met betrekking tot 'n bepaalde provinsie toegepas word, die lid van die Uitvoerende Raad van daardie provinsie verantwoordelik vir die begroting in die provinsie;

'province' means a province established in terms of section 124 of the Constitution of the Republic of South Africa, 1993;

'provincial administration' means the provincial administration established for a province of the Public Service Act, 1994 (Proclamation No. 103 of 1994); and

(c) by the substitution for the definition of "regional council" of the following definition:

"'regional council', in so far as a provision of this Act is applied in or with reference to a particular province, means a regional council for cultural affairs established under section 4 (1);".

2. Section 2 of the principal Act is hereby repealed.

3. Section 3 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:

"In addition to the other powers assigned to the Minister by this Act, the Minister may out of moneys appropriated by the Provincial legislature concerned for such purpose in order to foster culture in the province concerned—"; and

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

"(b) award bursaries and make grants for the undertaking of tours to and from foreign countries";

4. Section 11 of the Principal Act is hereby amended by the deletion of subparagraph (ii) of paragraph (f) of subsection (1).

5. The following section is hereby substituted for section 13 of the principal Act:

"Performance of administrative work of regional councils"

13. The administrative work incidental to the performance of the functions of regional councils shall be performed by officers and employees of the provincial administration concerned who are placed at the disposal of a regional council in terms of the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994)."

6. Section 18 of the principal Act is hereby amended by the substitution in subsection (1) for the words "of the Department of Education and Culture: Administration: House of Assembly" of the words "in the provincial administration".

7. Section 20 of the principal Act is hereby repealed.

8. The long title of the principal Act is hereby amended by the deletion of the expression "in the Republic".

PART 2: REGULATION OF MATTERS AS A RESULT OF ASSIGNMENT

1. Every regional council established under section 4 (1) of the Cultural Affairs Act (House of Assembly), 1989 (Act No. 65 of 1989), before the assignment of the administration of that Act under section 235 (8) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), to a competent authority within the government of a province, shall be dissolved with effect from the date of such assignment.

'provinsiale administrasie' die provinsiale administrasie ingestel vir 'n provinsie by die Staatsdienswet, 1994 (Proklamasie No. 103 van 1994);

'provinsie' 'n provinsie ingestel ingevolge artikel 124 van die Grondwet van die Republiek van Suid-Afrika, 1993;"; en

(c) deur die omskrywing van "streekraad" deur die volgende omskrywing te vervang:

"'streekraad', vir sover 'n bepaling van hierdie Wet in of met betrekking tot 'n bepaalde provinsie toegepas word, 'n streekraad vir kultuursake wat kragtens artikel 4 ingestel is.".

2. Artikel 2 van die Hoofwet word hierby herroep.

3. Artikel 3 van die Hoofwet word hierby gewysig—

(a) deur in subartikel (1) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

"Benewens die ander bevoegdhede wat by hierdie Wet aan die Minister opgedra word, kan die Minister uit geld wat die betrokke Provinsiale wetgewer vir dié doel bewillig ter bevordering van kultuur in die betrokke provinsie—"; en

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

"(b) beurse toeken en toekennings doen vir die onderneming van reise na en van die buiteland;".

4. Artikel 11 van die Hoofwet word hierby gewysig deur subparagraaf (ii) van paragraaf (f) van subartikel (1) te skrap.

5. Artikel 13 van die Hoofwet word hierby deur die volgende artikel vervang:

"Verrigting van administratiewe werk van streekraade"

13. Die administratiewe werk verbonde aan die verrigting van die werksaamhede van streekraade word verrig deur beamptes en werknemers van die betrokke provinsiale administrasie wat ingevolge die bepalings van die Staatsdienswet, 1994 (Proklamasie No. 103 van 1994), tot die beskikking van 'n streekraad gestel word."

6. Artikel 18 van die Hoofwet word hierby gewysig deur in subartikel (1) die woord "van die Departement van Onderwys en Kultuur: Administrasie: Volksraad" deur die woorde "in die provinsiale administrasie" te vervang.

7. Artikel 20 van die Hoofwet word hierby herroep.

8. Die langtitel van die Hoofwet word hierby gewysig deur die uitdrukking "in die Republiek" te skrap.

DEEL 2: REËL VAN AANGELEENTHEDE AS GEVOLG VAN OPDRAG

1. Elke streekraad wat kragtens artikel 4 (1) van die Wet op Kulturele Aangeleenthede (Volksraad), 1989 (Wet No. 65 van 1989), ingestel was voor die opdra van die uitvoering van daardie Wet kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), aan 'n bevoegde gesag binne die regering van 'n provinsie, word ontbind met ingang van die datum van sodanige opdrag.

2. The funds referred to in section 15 of the Cultural Affairs Act (House of Assembly), 1989—

(a) of the Regional Council for Cultural Affairs: Northern Transvaal are hereby dissolved and the moneys in such funds—

(i) designated for—

(aa) the Hartbeespoortdam Campsites (Akasia, Olienhout, Karee), shall be paid into the Provincial Revenue Fund of the province North-West, or, where a regional council has been established under section 4 (1) of the said Act in that province, into the funds of such a regional council;

(bb) the F. R. Tomlinson Campsite, shall be paid into the Provincial Revenue Fund of the province Pretoria-Witwatersrand-Vereeniging, or, where a regional council has been established under section 4 (1) of the said Act in that province, into the funds of such a regional council;

(cc) the Far North Campsite (Pietersburg) and the Bushveld Campsite (near Ellisras), shall be paid into the Provincial Revenue Fund of the province Northern Transvaal, or, where a regional council has been established under section 4 (1) of the said Act in that province, into the funds of such a regional council;

(dd) the Elandshoek Campsite (Near Nelspruit) and the Rietspruit Campsite (Near Nelspruit), shall be paid into the Provincial Revenue Fund of the province Eastern Transvaal, or, where a regional council has been established under section 4 (1) of the said Act in that province, into the funds of such a regional council; and

(ii) not so designated, shall in equal shares be paid into the Provincial Revenue Funds of the province Northern Transvaal and the province Eastern Transvaal respectively;

(b) of the Regional Council for Cultural Affairs: Southern Transvaal are hereby dissolved and the moneys in such funds—

(i) designated for—

(aa) the Rustenburg Cultural Centre, shall be paid into the Provincial Revenue Fund of the province North-West, or, where a regional council has been established under section 4 (1) of the said Act in that province, into the funds of such a regional council;

(bb) the Highveld Campsite (Delmas), shall be paid into the Provincial Revenue Fund of the province Eastern Transvaal, or, where a regional council has been established under section 4 (1) of the said Act in that province, into the funds of such a regional council; and

(ii) not so designated, shall be paid into the Provincial Revenue Fund of the province Pretoria-Witwatersrand-Vereeniging;

(c) of the Regional Council for Cultural Affairs: Western Transvaal are hereby dissolved and the moneys in such funds—

(i) designated for the Noyons Campsite (Potchefstroom), shall be paid into the Provincial Revenue Fund of the province North-West, or,

2. Die fondse bedoel in artikel 15 van die Wet op Kulturele Aangeleenthede (Volksraad), 1989—

(a) van die Streekraad vir Kultuursake: Noord-Transvaal word hierby ontbind en die gelde in sodanige fondse—

(i) wat bestem is vir—

(aa) die Hartbeespoortdam Kampterreine (Akasia, Olienhout, Karee), word gestort in die Provinsiale Inkomstefonds van die provinsie Noordwes, of, waar 'n streekraad kragtens artikel 4 (1) van genoemde Wet in daardie provinsie ingestel is, in die fondse van so 'n streekraad;

(bb) die F. R. Tomlinson Kampterrein, word gestort in die Provinsiale Inkomstefonds van die provinsie Pretoria-Witwatersrand-Vereeniging, of, waar 'n streekraad kragtens artikel 4 (1) van genoemde Wet in daardie provinsie ingestel is, in die fondse van so 'n streekraad;

(cc) die Verre-Noord Kampterrein (Pietersburg) en die Bosveld Kampterrein (naby Ellisras), word gestort in die Provinsiale Inkomstefonds van die provinsie Noord-Transvaal, of, waar 'n streekraad kragtens artikel 4 (1) van genoemde Wet in daardie provinsie ingestel is, in die fondse van so 'n streekraad;

(dd) die Elandshoek Kampterrein (naby Nelspruit) en die Rietspruit Kampterrein (Naby Nelspruit), word gestort in die Provinsiale Inkomstefonds van die provinsie Oos-Transvaal, of, waar 'n streekraad kragtens artikel 4 (1) van genoemde Wet in daardie provinsie ingestel is, in die fondse van so 'n streekraad; en

(ii) wat nie aldus bestem is nie, word in gelyke dele gestort in die Provinsiale Inkomstefondse van onderskeidelik die provinsie Noord-Transvaal en die provinsie Oos-Transvaal;

(b) van die Streekraad vir Kultuursake: Suid-Transvaal word hierby ontbind en die gelde in sodanige fondse—

(i) wat bestem is vir—

(aa) die Rustenburg Kultuursentrum, word gestort in die Provinsiale Inkomstefonds van die provinsie Noordwes, of, waar 'n streekraad kragtens artikel 4 (1) van genoemde Wet in daardie provinsie ingestel is, in die fondse van so 'n streekraad;

(bb) die Hoëveld Kampterrein (Delmas), word gestort in die Provinsiale Inkomstefonds van die provinsie Oos-Transvaal, of, waar 'n streekraad kragtens artikel 4 (1) van genoemde Wet in daardie provinsie ingestel is, in die fondse van so 'n streekraad; en

(ii) wat nie aldus bestem is nie, word gestort in die Provinsiale Inkomstefonds van die provinsie Pretoria-Witwatersrand-Vereeniging;

(c) van die Streekraad vir Kultuursake: Wes-Transvaal word hierby ontbind en die gelde in sodanige fondse—

(i) wat bestem is vir die Noyons Kampterrein (Potchefstroom), word gestort in die Provinsiale Inkomstefonds van die provinsie Noordwes, of,

where a regional council has been established under section 4 (1) of the said Act in that province, into the funds of such a regional council; and

(ii) not so designated, shall be paid into the Provincial Revenue Fund of the province North-West;

(d) of the Regional Council for Cultural Affairs: Western Cape are hereby dissolved and the moneys in such funds—

(i) designated for the Okkie Jooste Campsite (Stellenbosch), Melkbos Cultural Centre, Koekenaap Campsite, Schoemanspoort Campsite (Oudtshoorn), Bien Donné Cultural Centre (near Paarl) and the Bien Donné Mansion, shall be paid into the Provincial Revenue Fund of the province Western Cape, or, where a regional council has been established under section 4 (1) of the said Act in that province, into the funds of such a regional council; and

(ii) not so designated, shall be paid into the Provincial Revenue Fund of the province Western Cape;

(e) of the Regional Council for Cultural Affairs: Northern Cape are hereby dissolved and the moneys in such funds—

(i) designated for the Warrenton Cultural Resort, shall be paid into the Provincial Revenue Fund of the province Northern Cape, or, where a regional council has been established under section 4 (1) of the said Act in that province, into the funds of such a regional council; and

(ii) not so designated, shall be paid into the Provincial Revenue Fund of the province Northern Cape;

(f) of the Regional Council for Cultural Affairs: Eastern Cape are hereby dissolved and the moneys in such funds—

(i) designated for the C. C. Claassens Campsite (East London) and the Culturama Campsite (Port Elizabeth), shall be paid into the Provincial Revenue Fund of the province Eastern Cape, or, where a regional council has been established under section 4 (1) of the said Act in that province, into the funds of such a regional council; and

(ii) not so designated, shall be paid into the Provincial Revenue Fund of the province Eastern Cape;

(g) of the Regional Council for Cultural Affairs: OFS are hereby dissolved and the moneys in such funds—

(i) designated for the J. J. P. Op't Hof Education Centre (Bloemfontein) and the Wouter van der Merwe Campsite (Bloemfontein), shall be paid into the Provincial Revenue Fund of the province Orange Free State, or, where a regional council has been established under section 4 (1) of the said Act in that province, into the funds of such a regional council; and

waar 'n streekraad kragtens artikel 4 (1) van genoemde Wet in daardie provinsie ingestel is, in die fondse van so 'n streekraad; en

(ii) wat nie aldus bestem is nie, word gestort in die Provinsiale Inkomstefonds van die provinsie Noordwes;

(d) van die Streekraad vir Kultuursake: Wes-Kaap word hierby ontbind en die gelde in sodanige fondse—

(i) wat bestem is vir die Okkie Jooste Kampterein (Stellenbosch), Melkbos Kultuursentrum, Koekenaap Kampterein, Schoemanspoort Kampterein (Oudtshoorn), Bien Donné Kultuursentrum (naby Paarl) en die Bien Donné Herehuis, word gestort in die Provinsiale Inkomstefonds van die provinsie Wes-Kaap, of, waar 'n streekraad kragtens artikel 4 (1) van genoemde Wet in daardie provinsie ingestel is, in die fondse van so 'n streekraad; en

(ii) wat nie aldus bestem is nie, word gestort in die Provinsiale Inkomstefonds van die provinsie Wes-Kaap;

(e) van die Streekraad vir Kultuursake: Noord-Kaap word hierby ontbind en die gelde in sodanige fondse—

(i) wat bestem is vir die Warrenton Kultuuroord, word gestort in die Provinsiale Inkomstefonds van die provinsie Noord-Kaap, of, waar 'n streekraad kragtens artikel 4 (1) van genoemde Wet in daardie provinsie ingestel is, in die fondse van so 'n streekraad; en

(ii) wat nie aldus bestem is nie, word gestort in die Provinsiale Inkomstefonds van die provinsie Noord-Kaap;

(f) van die Streekraad vir Kultuursake: Oos-Kaap word hierby ontbind en die gelde in sodanige fondse—

(i) wat bestem is vir die C. C. Claassens Kampterein (Oos-Londen) en die Culturama Kampterein (Port Elizabeth), word gestort in die Provinsiale Inkomstefonds van die provinsie Oos-Kaap, of, waar 'n streekraad kragtens artikel 4 (1) van genoemde Wet in daardie provinsie ingestel is, in die fondse van so 'n streekraad; en

(ii) wat nie aldus bestem is nie, word gestort in die Provinsiale Inkomstefonds van die provinsie Oos-Kaap;

(g) van die Streekraad vir Kultuursake: OVS word hierby ontbind en die gelde in sodanige fondse—

(i) wat bestem is vir die J. J. P. Op't Hof Opvoedingsentrum (Bloemfontein) en die Wouter van der Merwe Kampterein (Bloemfontein), word gestort in die Provinsiale Inkomstefonds van die provinsie Oranje-Vrystaat, of, waar 'n streekraad kragtens artikel 4 (1) van genoemde Wet in daardie provinsie ingestel is, in die fondse van so 'n streekraad; en

(ii) not so designated, shall be paid into the Provincial Revenue Fund of the province Orange Free State;

(h) of the Regional Council for Cultural Affairs: Natal are hereby dissolved and the moneys in such funds—

(i) designated for the R. S. Skinner Campsite (Pietermaritzburg), the Cathedral Peak Education Centre (Drakensberg mountains) and the Majuba Youth Hostel (near Newcastle), shall be paid into the Provincial Revenue Fund of the province Kwa-Zulu/Natal, or, where a regional council has been established under section 4 (1) of the said Act in that province, into the funds of such a regional council; and

(ii) not so designated, shall be paid into the Provincial Revenue Fund of the province Kwa-Zulu/Natal.

3. The assets, liabilities, rights and obligations—

(a) of the Regional Council for Cultural Affairs: Northern Transvaal incident to—

(i) the Hartbeespoortdam Campsites (Akasia, Olienhout, Karee), hereby vest in the government of the province North-West;

(ii) the F. R. Tomlinson Campsite, hereby vest in the government of the province Pretoria-Witwatersrand-Vereeniging;

(iii) the Far North Campsite (Pietersburg) and the Bushveld Campsite (near Ellisras), hereby vest in the government of the province Northern Transvaal;

(iv) the Elandshoek Campsite (near Nelspruit) and the Rietspruit Campsite (near Nelspruit), hereby vest in the government of the province Eastern Transvaal;

(b) of the Regional Council for Cultural Affairs: Southern Transvaal incident to—

(i) the Rustenburg Cultural Centre, hereby vest in the government of the province North-West;

(ii) the Highveld Campsite (Delmas), hereby vest in the government of the province Eastern Transvaal;

(c) of the Regional Council for Cultural Affairs: Western Transvaal incident to the Noyons Campsite (Potchefstroom), hereby vest in the government of the province North-West;

(d) of the Regional Council for Cultural Affairs: Western Cape incident to the Okkie Jooste Campsite (Stellenbosch), Melkbos Cultural Centre, Koeke-naap Campsite, Schoemanspoort Campsite (Oudtshoorn), Bien Donn  Cultural Centre (near Paarl) and the Bien Donn  Mansion, hereby vest in the government of the province Western Cape;

(e) of the Regional Council for Cultural Affairs: Northern Cape incident to the Warrenton Cultural Resort, hereby vest in the government of the province Northern Cape;

(ii) wat nie aldus bestem is nie, word gestort in die Provinsiale Inkomstefonds van die provinsie Oranje-Vrystaat;

(h) van die Streekraad vir Kultuursake: Natal word hierby ontbind en die gelde in sodanige fondse—

(i) wat bestem is vir die R. S. Skinner Kampterein (Pietermaritzburg), die Cathedral Peak Opvoedingsentrum (Drakensberge) en die Majuba Jeugherberg (naby Newcastle), word gestort in die Provinsiale Inkomstefonds van die provinsie Kwa-Zulu/Natal, of, waar 'n streekraad kragtens artikel 4 (1) van genoemde Wet in daardie provinsie ingestel is, in die fondse van so 'n streekraad; en

(ii) wat nie aldus bestem is nie, word gestort in die Provinsiale Inkomstefonds van die provinsie KwaZulu/Natal.

3. Die bates, laste, regte en verpligtinge—

(a) van die Streekraad vir Kultuursake: Noord-Transvaal verbonde aan—

(i) die Hartbeespoortdam Kampterreine (Akasia, Olienhout, Karee), vestig hierby in die regering van die provinsie Noordwes;

(ii) die F. R. Tomlinson Kampterein, vestig hierby in die regering van die provinsie Pretoria-Witwatersrand-Vereeniging;

(iii) die Verre-Noord Kampterein (Pietersburg) en die Bosveld Kampterein (naby Ellisras), vestig hierby in die regering van die provinsie Noord-Transvaal;

(iv) die Elandshoek Kampterein (naby Nelspruit) en die Rietspruit Kampterein (naby Nelspruit), vestig hierby in die regering van die provinsie Oos-Transvaal;

(b) van die Streekraad vir Kultuursake: Suid-Transvaal verbonde aan—

(i) die Rustenburg Kultuursentrum, vestig hierby in die regering van die provinsie Noordwes;

(ii) die Ho veld Kampterein (Delmas), vestig hierby in die regering van die provinsie Oos-Transvaal;

(c) van die Streekraad vir Kultuursake: Wes-Transvaal verbonde aan die Noyons Kampterein (Potchefstroom), vestig hierby in die regering van die provinsie Noord-Wes;

(d) van die Streekraad vir Kultuursake: Wes-Kaap verbonde aan die Okkie Jooste Kampterein (Stellenbosch), Melkbos Kultuursentrum, Koeke-naap Kampterein, Schoemanspoort Kampterein (Oudtshoorn), Bien Donn  Kultuursentrum (naby Paarl) en die Bien Donn  Herehuis, vestig hierby in die regering van die provinsie Wes-Kaap;

(e) van die Streekraad vir Kultuursake: Noord-Kaap verbonde aan die Warrenton Kultuuroord, vestig hierby in die regering van die provinsie Noord-Kaap;

(f) of the Regional Council for Cultural Affairs: Eastern Cape incident to the C. C. Claassens Campsite (East London) and the Culturama Campsite (Port Elizabeth), hereby vest in the government of the province Eastern Cape;

(g) of the Regional Council for Cultural Affairs: OFS incident to the J. J. P. Op't Hof Education Centre (Bloemfontein) and the Wouter van der Merwe Campsite (Bloemfontein), hereby vest in the government of the province Orange Free State; and

(h) of the Regional Council for Cultural Affairs: Natal incident to the R. S. Skinner Campsite (Pietermaritzburg), the Cathedral Peak Education Centre (Drakensberg mountains) and the Majuba Youth Hostel (near Newcastle), hereby vest in the government of the province KwaZulu/Natal.

4. Any committee appointed under section 8 (1) of the Cultural Affairs Act (House of Assembly), 1989, before the assignment of the administration of that Act under section 235 (8) of the Constitution of the Republic of South Africa, 1993, to a competent authority within the government of a province, shall be dissolved with effect from the date of such assignment.

(f) van die Streekraad vir Kultuursake: Oos-Kaap verbonde aan die C. C. Claassens Kampterrein (Oos-Londen) en die Culturama Kampterrein (Port Elizabeth), vestig hierby in die regering van die provinsie Oos-Kaap;

(g) van die Streekraad vir Kultuursake: OVS verbonde aan die J. J. P. Op't Hof Opvoeding-sentrum (Bloemfontein) en die Wouter van der Merwe Kampterrein (Bloemfontein), vestig hierby in die regering van die provinsie Oranje-Vrystaat; en

(h) van die Streekraad vir Kultuursake: Natal verbonde aan die R. S. Skinner Kampterrein (Pietermaritzburg), die Cathedral Peak Opvoeding-sentrum (Drakensberge) en die Majuba Jeugherberg (naby Newcastle), vestig hierby in die regering van die provinsie KwaZulu/Natal.

4. 'n komitee wat kragtens artikel 8 (1) van die Wet op Kulturele Aangeleenthede (Volksraad), 1989, aangestel was voor die opdra van die uitvoering van daardie Wet kragtens artikel 235 (8) van die Grondwet van die Republiek van Suid-Afrika, 1993, aan 'n bevoegde gesag binne die regering van 'n provinsie, word ontbind met ingang van die datum van sodanige opdrag.

GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURE

No. R. 538

13 April 1995

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

OILSEEDS SCHEME: LEVIES AND SPECIAL LEVIES: AMENDMENT

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

(a) the Oilseeds Board referred to in section 6 of the Oilseeds Scheme published by Proclamation No. R. 73 of 1982, as amended, has under section 20 and 21 of the said Scheme amended the Schedule to Government Notice No. R. 202 of 10 February 1995 to the extent set out in the Schedule hereto; and

(b) the said amendment has been approved by me and shall come into operation on the date of publication hereof.

A. I. VAN NIEKERK,
Minister of Agriculture.

SCHEDULE

The Schedule to Government Notice No. R. 202 of 10 February 1995 is hereby amended by the substitution of Table 1 of the following table:

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN LANDBOU

No. R. 538

13 April 1995

BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)

OLIESADESKEMA: HEFFINGS EN SPESIALE HEFFINGS: WYSIGING

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

(a) die Oliesaderaad bedoel in artikel 6 van die Oliesadeskema gepubliseer by Proklamasie, No. R. 73 van 1982, soos gewysig, kragtens artikels 20 en 21 van die genoemde Skema, die Bylae by Goewermentskennisgewing No. R. 202 van 10 Februarie 1995, gewysig het in die mate in die Bylae uiteengesit; en

(b) die genoemde wysiging deur my goedgekeur is en op datum van publikasie hiervan in werking tree.

A. I. VAN NIEKERK,
Minister van Landbou.

BYLAE

Die Bylae by Goewermentskennisgewing No. R. 202 van 10 Februarie 1995 word hiermee gewysig deur Tabel 1 daarvan deur die volgende tabel te vervang:

"TABLE 1 • TABEL 1

Kind of oilseeds Soort oliesade	Levy per ton on—* Heffing per ton op—		Special levy per ton on—* Spesiale heffing per ton op—	
	Imported oilseeds Ingevoerde oliesade	Locally produced oilseeds Plaaslike geprodu- seerde oliesade	Imported oilseeds Ingevoerde oliesade	Locally produced oilseeds Plaaslike geprodu- seerde oliesade
1	2	3	4	5
	R	R	R	R
1. Shelled edible groundnuts/Gedopte eetgrondbone	4,30	17,20	4,20	16,80
2. Unshelled edible groundnuts/Ongedopte eetgrondbone	3,12	12,47	3,05	12,18
3. Shelled crushing groundnuts/Gedopte persgrondbone	4,30	17,20	4,20	16,80
4. Unshelled crushing groundnuts/Ongedopte persgrondbone	3,12	12,47	3,05	12,18
5. Sunflower seed/Sonneblomsaad	4,00	16,00	0,70	2,80
6. Soya beans/Sojabone	4,00	16,00	4,45	17,80

* VAT calculated in accordance with arrangement with Commissioner of Inland Revenue in terms of section 9 (4) of the Value-Added Tax Act, 1991/BTW verreken volgens reëling met Kommissaris van Binnelandse Inkomste kragtens artikel 9 (4) van die Wet op Belasting op Toegevoegde Waarde, 1991."

No. R. 551**13 April 1995**

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

REGULATIONS RELATING TO THE TIME AND MANNER OF PAYMENT OF LEVIES ON MAIZE

The Minister of Agriculture has under section 89 of the Marketing Act, 1968 (Act No. 59 of 1968)—

- made the regulations in the Schedule;
- determined that the said regulations shall come into operation on 1 May 1995; and
- repealed Government Notices Nos. R. 913 of 24 April 1987, R. 2930 of 6 December 1991 and R. 670 of 28 February 1992 with effect from the said date of commencement.

SCHEDULE**Definitions**

1. Any word or expression in these regulations to which a meaning has been assigned in the Scheme shall have that meaning, and unless the context otherwise indicates—

"levy" means—

- a levy imposed by the Board under section 23 of the Scheme;
- a special levy imposed by the Board under section 24 of the Scheme; and
- a general levy imposed by the Minister under section 46A of the Act; and

"the Scheme" means the Summer Grain Scheme published by Proclamation No. R. 45 of 1979, as amended by Proclamations Nos. R. 163

No. R. 551**13 April 1995**

BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)

REGULASIES MET BETREKKING TOT DIE TYE EN WYSE VAN BETALINGS VAN HEFFINGS OP MIELIES

Die Minister van Landbou het kragtens artikel 89 van die Bemerkingswet, 1968 (Wet No. 59 van 1968)—

- die regulasies in die Bylae uitgevaardig;
- bepaal dat genoemde regulasies op 1 Mei 1995 in werking tree; en
- Goewermentskennisgewings Nos. R. 913 van 24 April 1987, R. 2930 van 6 Desember 1991 en R. 670 van 28 Februarie 1992 met ingang van genoemde datum van inwerkingtreding herroep.

BYLAE**Woordomskrywing**

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

"die Skema" die Somergraanskema gepubliseer by Proklamasie No. R. 45 van 1979, soos gewysig deur Proklamasies Nos. R. 163 van 1979, R. 211 van 1979, R. 106 van 1980, R. 24 van 1984 en R. 38 van 1984 en Goewermentskennisgewings Nos. R. 2757 van 13 Desember 1985, R. 188 van 31 Januarie 1986, R. 680 van 8 April 1988 en R. 2249 van 20 September 1991;

"heffing"—

- 'n heffing opgelê deur die Raad kragtens artikel 23 van die Skema;

of 1979, R. 211 of 1979, R. 106 of 1980, R. 24 of 1984 and R. 38 of 1984 and Government Notices Nos. R. 2757 of 13 December 1985, R. 188 of 31 January 1986, R. 680 of 8 April 1988 and R. 2249 of 20 September 1991.

Times at and manner in which levy is payable

2. (1) A levy that is payable on —

(a) maize that is, whether as such or as a maize product or as part of a maize product, sold in the Republic otherwise than to the Board; and

(b) maize that is, whether as such or as a maize product or as part of a maize product, utilized by the producer thereof otherwise than for his household consumption or to feed his own animals,

shall be paid to the Board before or on the 15th day of the month first following the month during which that maize was thus sold or utilized.

(2) A levy that is payable on maize sold to the Board, shall be paid by deducting it from the price of that maize that is payable to the seller concerned, and is payable when it is thus deducted.

Disposal of general levy

3. The General Manager of the Board shall —

(a) pay the amount payable in respect of a general levy and included in an amount deducted by or paid to the Board in terms of regulation 2, into the special account referred to in section 46C of the Act; and

(b) pay such amount into the said account within 30 days of the date on which it has been thus deducted or payment thereof has been received by the Board.

Offences and penalties

4. Any person who contravenes or fails to comply with a provision of these regulations that is not already an offence in terms of section 90 (1) of the Act, shall be guilty of an offence and liable on conviction to a fine not exceeding R5 000.

(b) 'n spesiale heffing opgelê deur die Raad kragtens artikel 24 van die Skema; en

(c) 'n algemene heffing opgelê deur die Minister kragtens artikel 46A van die Wet.

Tye en wyse waarop heffing betaalbaar is

2. (1) 'n Heffing wat betaalbaar is op —

(a) mielies wat, hetsy as sodanig of as 'n mielie-produk of as deel van 'n mielieproduk, in die Republiek anders as aan die Raad verkoop word; en

(b) mielies wat, hetsy as sodanig of as 'n mielie-produk of as 'n deel van 'n mielieproduk, deur die produsent daarvan aangewend word op enige wyse behalwe vir sy huishoudelike gebruik of om sy eie diere mee te voer,

word betaal deur dit voor of op die 15de dag van die maand eersvolgend op die maand waarin daardie mielies aldus verkoop of aangewend is, aan die Raad te betaal.

(2) 'n Heffing wat betaalbaar is op mielies wat aan die Raad verkoop word, word betaal deur dit af te trek van die prys van daardie mielies wat aan die betrokke verkoper betaalbaar is, en is betaalbaar wanneer dit aldus afgetrek word.

Beskikking oor algemene heffing

3. Die Hoofbestuurder van die Raad moet —

(a) die bedrag betaalbaar ten opsigte van 'n algemene heffing en ingesluit by 'n bedrag wat ingevolge regulasie 2 deur die Raad afgetrek of aan die Raad betaal is, in die spesiale rekening in artikel 46C van die Wet bedoel, stort; en

(b) sodanige bedrag binne 30 dae na die datum waarop dit aldus afgetrek of betaling daarvan deur die Raad ontvang is, in genoemde rekening stort.

Misdrywe en strawwe

4. Iemand wat 'n bepaling van hierdie regulasies wat nie reeds ingevolge artikel 90 (1) van die Wet 'n misdryf is nie, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R5 000.

No. R. 552

13 April 1995

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

SUMMER GRAIN SCHEME: AMENDMENT

I, André Isak van Niekerk, Minister of Agriculture, acting under section 14 (1) as applied by section 15 (3) of the Marketing Act, 1968 (Act No. 59 of 1968), hereby —

(a) publish the amendments set out in the Schedule, of the Summer Grain Scheme published by Proclamation No. R. 45 of 1979, as amended; and

(b) declare that the said amendments shall come into operation on 1 May 1995.

A. I. VAN NIEKERK,
Minister of Agriculture.

No. R. 552

13 April 1995

BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)

SOMERGRAANSKEMA: WYSIGING

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

(a) publiseer hierby die wysigings in die Bylae uiteengesit, van die Somergraanskema gepubliseer by Proklamasie No. R. 45 van 1979, soos gewysig; en

(b) verklaar hierby dat genoemde wysigings op 1 Mei 1995 in werking tree.

A. I. VAN NIEKERK,
Minister van Landbou.

SCHEDULE**Definitions**

1. In this Schedule "the Scheme" means the Summer Grain Scheme published by Proclamation No. R. 45 of 1979, as amended by Proclamations Nos. R. 163 of 1979, R. 211 of 1979, R. 106 of 1980, R. 24 of 1984 and R. 38 of 1984, and Government Notices Nos. R. 2757 of 13 December 1985, R. 188 of 31 January 1986, R. 680 of 8 April 1988 and R. 2249 of 20 September 1991.

Amendment of section 1 of the Scheme

2. Section 1 of the Scheme is hereby amended by—

(a) the deletion of the definitions of "local authority", "merchant", "miller", "summer grain" and "summer grain products";

(b) the insertion of the following definition after the definition of "Board":

" 'maize' means the threshed and unthreshed product of plants of *zea mays indentata* and *zea mays indurata* or one or more crossings thereof, but not also seed maize, green mealies for human consumption or maize utilized as silage;";

(c) the substitution for the definition of "producer" of the following definition:

" 'producer' not also the importer of maize or maize products;"; and

(d) the substitution for the definition of "seed maize" of the following definition:

" 'seed maize' means seed maize of a variety of which the name has been entered in the varietal list which is kept in terms of section 15 of the Plant Improvement Act, 1976 (Act No. 53 of 1976), and which is utilized as propagating material as defined in the said Act;".

Substitution of section 2 of the Scheme

3. The following section is hereby substituted for section 2 of the Scheme:

"Name of Scheme"

2. This Scheme shall be known as the Maize Marketing Scheme."

Substitution of section 3 of the Scheme

4. The following section is hereby substituted for section 3 of the Scheme:

"Product to which Scheme relates"

3. (1) This Scheme shall relate to maize and maize products produced within the Republic and offered in the commercial market.

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

(a) which relates to any class of maize or maize products may differ from any such requirement or decision which relates to any other class of maize or maize products;

(b) may relate only to a specified class of maize or maize products."

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Skema" die Somergraanskema gepubliseer by Proklamasie No. R. 45 van 1979, soos gewysig by Proklamasies Nos. R. 163 van 1979, R. 211 van 1979, R. 106 van 1980, R. 24 van 1984 en R. 38 van 1984, en Goewerments-kennissgewings Nos. R. 2757 van 13 Desember 1985, R. 188 van 31 Januarie 1986, R. 680 van 8 April 1988 en R. 2249 van 20 September 1991.

Wysiging van artikel 1 van die Skema

2. Artikel 1 van die Skema word hiermee gewysig deur—

(a) die omskrywings van "handelaar", "meulenaar", "plaaslike bestuur", "somergraan" en "somergraanprodukte" te skrap;

(b) die volgende omskrywing na die omskrywing van "die Wet" in te voeg:

" 'mielies' die gedorste en ongedorste produk van plante van *zea mays indentata* en *zea mays indurata* of een of meer kruisings daarvan, maar nie ook mieliesaad, groenmielies vir menslike verbruik of mielies aangewend as kuilvoer nie;";

(c) die omskrywing van "mieliesaad" deur die volgende omskrywing te vervang:

" 'mieliesaad' mieliesaad van 'n variëteit waarvan die benaming in die variëteitslys, wat in terme van artikel 15 van die Plantverbeteringswet, 1976 (Wet No. 53 van 1976), gehou word, aangeteken is en wat aangewend word as voortplantingsmateriaal soos omskryf in genoemde Wet;"; en

(d) die omskrywing van "produsent" deur die volgende omskrywing te vervang:

" 'produsent' nie ook die invoerder van mielies of mielieprodukte nie."

Vervanging van artikel 2 van die Skema

3. Artikel 2 van die Skema word hiermee deur die volgende artikel vervang:

"Naam van Skema"

2. Hierdie Skema heet die Mieliebemarkingskema."

Vervanging van artikel 3 van die Skema

4. Artikel 3 van die Skema word hiermee deur die volgende artikel vervang:

"Produk waarop Skema betrekking het"

3. (1) Hierdie Skema het betrekking op mielies en mielieprodukte wat in die Republiek geproduseer en in die kommersiële mark aangebied word.

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

(a) met betrekking tot 'n klas mielies of mielieprodukte, kan verskil van so 'n voorskrif of besluit met betrekking tot 'n ander klas mielies of mielieprodukte;

(b) kan betrekking hê slegs op 'n aangewese klas mielies of mielieprodukte."

Amendment of section 4 of the Scheme

5. Section 4 of the Scheme is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) Any requirement of or decision taken by the Board—

(a) which relates to any portion of the Republic may differ from any such requirement or decision which relates to any other portion of the Republic;

(b) may apply only to a specified portion of the Republic.”.

Substitution of section 5 of the Scheme

6. The following section is hereby substituted for section 5 of the Scheme:

“Persons to whom the Scheme applies

5. This Scheme shall apply to all persons producing or dealing in the course of trade with maize.”.

Amendment of section 7 of the Scheme

7. Section 7 of the Scheme is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) The Board shall consist of 13 members of whom—

(a) eight shall be the representatives of producers of maize;

(b) one shall be the representative of agents of the Board;

(c) one shall be the representative of end consumers of white maize products;

(d) one shall be the representative of end consumers of yellow maize and yellow maize products;

(e) one shall be the representative of millers of maize; and

(f) one shall be the representative of persons dealing in the course of trade with maize.”.

Substitution of section 16 of the Scheme

8. The following section is hereby substituted for section 16 of the Scheme:

“Advisory committees

16. (1) The Board may establish one or more advisory committees to advise the Board.

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

(3) Such committee shall follow the normal procedure of meetings and the provisions of section 13 shall apply *mutatis mutandis* to such committee and the members thereof.”.

Amendment of section 19 of the Scheme

9. Section 19 of the Scheme is hereby amended by the substitution for paragraphs (a) and (b) of the following paragraphs:

“(a) any undertaking for preserving, processing, storing or conditioning maize or maize products;

(b) research work relating to the improvements, production, processing, storing or marketing of maize or maize products;”.

Wysiging van artikel 4 van die Skema

5. Artikel 4 van die Skema word hiermee gewysig deur subartikel (2) deur die volgende subartikel te vervang:

“(2) ’n Voorskrif van of besluit geneem deur die Raad—

(a) met betrekking tot ’n gedeelte van die Republiek kan verskil van so ’n voorskrif of besluit met betrekking tot ’n ander gedeelte van die Republiek; of

(b) kan van toepassing wees slegs op ’n aangegeve gedeelte van die Republiek.”.

Vervanging van artikel 5 van die Skema

6. Artikel 5 van die Skema word hiermee deur die volgende artikel vervang:

“Persone op wie Skema van toepassing is

5. Hierdie Skema is van toepassing op alle persone wat mielies produseer of as ’n besigheid daarmee handel.”.

Wysiging van artikel 7 van die Skema

7. Artikel 7 van die Skema word hiermee gewysig deur subartikel (1) deur die volgende subartikel te vervang:

“(1) Die Raad bestaan uit 13 lede van wie—

(a) agt die verteenwoordigers moet wees van produsente van mielies;

(b) een die verteenwoordiger moet wees van agente van die Raad;

(c) een die verteenwoordiger moet wees van finale verbruikers van witmielieprodukte;

(d) een die verteenwoordiger moet wees van finale verbruikers van geelmielies en geelmielieprodukte;

(e) een die verteenwoordiger moet wees van meulenaars van mielies; en

(f) een die verteenwoordiger moet wees van persone wat met mielies as ’n besigheid handel.”.

Vervanging van artikel 16 van die Skema

8. Artikel 16 van die Skema word hiermee deur die volgende artikel vervang:

“Advieskomitees

16. (1) Die Raad kan een of meer adviserende komitees instel om die Raad te adviseer.

(2) So ’n komitee word in elke geval, saamgestel op die wyse deur die Raad met die goedkeuring van die Minister bepaal.

(3) So ’n komitee sal normale vergaderingprosedure volg en die bepalings van artikel 13 is *mutatis mutandis* van toepassing op so ’n komitee en die lede daarvan.”.

Wysiging van artikel 19 van die Skema

9. Artikel 19 van die Skema word hiermee gewysig deur paragrafe (a) en (b) deur die volgende paragrafe te vervang:

“(a) aan enige onderneming vir die bewaring, verwerking, opberging of bewerking van mielies en mielieprodukte;

(b) in verband met navorsingswerk met betrekking tot die verbetering, produksie, verwerking, opberging of bemarking van mielies en mielieprodukte;”.

Substitution of section 20 of the Scheme

10. The following section is hereby substituted for section 20 of the Scheme:

"Furnishing of information and advice"

20. The Board may —

(a) establish an information service about marketing conditions in general or about the condition of any particular market;

(b) advise the Minister as to —

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

(ii) the prohibition, control or regulation of the importation or export of maize and maize products;

(iii) all matters relating to the marketing or processing of maize and maize products."

Substitution of section 21 of the Scheme

11. The following section is hereby substituted for section 21 of the Scheme:

"Stimulating demand for maize"

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

Substitution of section 23 of the Scheme

12. The following section is hereby substituted for section 23 of the Scheme:

"Imposition of levy"

23. (1) The Board may, with the approval of the Minister, impose a levy on such basis as the Board may determine, on maize or on maize of a particular class, grade or standard of quality, which is dealt with as contemplated in subsection (2).

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

(a) in cases where maize is sold by the producer thereof to a person registered in terms of section 36 as a person dealing in the course of trade with maize, be payable by the buyer and the buyer may recover any amount paid by way of such levy from the producer of the maize concerned;

(b) be payable by the producer in cases where maize is utilised by him otherwise than —

(i) to sell it as contemplated in paragraph (a);

(ii) for his household consumption; or

(iii) to feed his own animals.

(3) A levy which is 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."

Vervanging van artikel 20 van die Skema

10. Artikel 20 van die Skema word hiermee deur die volgende artikel vervang:

"Verstreking van inligting en advies"

20. Die Raad kan —

(a) 'n inligtingsdiens instel aangaande bemarkingstoestande oor die algemeen of aangaande die toestand ten opsigte van 'n besondere mark;

(b) die Minister van advies dien aangaande —

(i) die voorwaardes wat betref grade, kwaliteitstandaarde, verpakkingsmetodes en die merk van mielies en mielieprodukte of 'n houer, of omhulsel wat dit bevat, en waarop mielies en mielieprodukte verkoop of vir verkoop ingevoer mag word;

(ii) die verbod op, of beheer of reëling van die invoer of uitvoer van mielies en mielieprodukte; en

(iii) alle aangeleenthede betreffende die bemarking of verwerking van mielies en mielieprodukte."

Vervanging van artikel 21 van die Skema

11. Artikel 21 van die Skema word hiermee deur die volgende artikel vervang:

"Bevordering van vraag na mielies"

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

Vervanging van artikel 23 van die Skema

12. Artikel 23 van die Skema word hiermee deur die volgende artikel vervang:

"Oplegging van heffing"

23. (1) Die Raad kan, met die goedkeuring van die Minister, 'n heffing op die grondslag wat die Raad bepaal, opleë op mielies of op mielies van 'n bepaalde klas, graad of kwaliteitstandaard waarmee gehandel word soos beoog in subartikel (2).

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

(a) in gevalle waar mielies deur die produsent daarvan verkoop word aan 'n persoon wat kragtens artikel 36 geregistreer is as iemand wat met mielies as 'n besigheid handel, deur die koper betaalbaar en die koper kan 'n bedrag wat ten opsigte van sodanige heffing betaal is, van die produsent van die betrokke mielies verhaal;

(b) deur die produsent betaalbaar in gevalle waar mielies deur hom anders aangewend word as —

(i) om dit te verkoop soos in paragraaf (a) bedoel;

(ii) vir sy huishoudelike gebruik; of

(iii) om sy eie diere mee te voer.

(3) 'n Heffing wat ingevolge subartikel (2) betaalbaar is, word aan die Raad oorbetal op die tyte en wyse by regulasie kragtens artikel 89 van die Wet voorgeskryf."

Substitution of section 24 of the Scheme

13. The following section is hereby substituted for section 24 of the Scheme:

"Imposition of special levy

24. (1) The Board may, with the approval of the Minister, impose a special levy for stabilisation on maize of a particular class, grade or standard of quality, which is dealt with as contemplated in section 23 (2).

(2) The amount of the special levy for stabilisation shall, if imposed in terms of subsection (1), be calculated annually prior to the commencement of the financial year, according to the following formula:

$$Z = [30\% (A + B) \times (C + D)] \div A$$

in which formula—

Z = the amount of the special levy to be calculated, in rand and cent per ton (exclusive of VAT);

A = the average annual commercial domestic consumption of maize in tons during the immediately preceding three years as determined by the Board;

B = one million tons;

C = railage cost in rand and cent per ton of maize over a distance of 935 kilometres on the date of the calculation;

D = the harbour costs in relation to the export of maize in rand and cent per ton, as agreed upon between the Board and the suppliers of the services concerned for each particular year.

(3) The provisions of section 23 (2) and (3) shall apply *mutatis mutandis* to a special levy imposed in terms of subsection (1)."

Amendment of section 25 of the Scheme

14. Section 25 of the Scheme is hereby amended by the substitution for subsections (1) and (3) respectively of the following subsections:

"(1) There is hereby established a fund to be known as the General Fund, which shall be administered and controlled by the Board and into which shall be paid all moneys received by the Board, except such moneys as are to be paid into the Reserve Fund referred to in section 26 or into the Stabilisation Fund contemplated in section 27 or into a fund or account contemplated in section 37.

(3) The Board may, with the approval of the Minister, utilize the money in the General Fund for any other object which in the opinion of the Board will be to the advantage of persons interested in maize and maize products."

Vervanging van artikel 24 van die Skema

13. Artikel 24 van die Skema word hiermee deur die volgende artikel vervang:

"Oplegging van spesiale heffing

24. (1) Die Raad kan met die goedkeuring van die Minister, 'n spesiale heffing vir stabilisasie opleg op mielies van 'n bepaalde klas, graad of kwaliteitstandaard waarmee gehandel word soos beoog in artikel 23 (2).

(2) Die bedrag van die spesiale heffing vir stabilisasie word, wanneer dit opgelê word ingevolge subartikel (1), jaarliks voor die aanvang van die boekjaar bereken ooreenkomstig die volgende formule:

$$Z = [30\% (A + B) \times (C + D)] \div A$$

in welke formule—

Z = die bedrag in rand en sent per ton (sonder BTW) van die spesiale heffing wat bereken staan te word;

A = die gemiddelde jaarlikse kommersiële binnelandse verbruik van mielies in ton gedurende die onmiddellik voorafgaande drie jaar soos deur die Raad bepaal;

B = een miljoen ton;

C = spoorvrag in rand en sent per ton mielies oor 'n afstand van 935 kilometer op datum van die berekening;

D = die hawekoste in rand en sent per ton ten opsigte van die uitvoer van mielies soos vir elke besondere jaar deur die Raad en die betrokke diensverskaffers ooreengekom.

(3) Die bepalings van artikel 23 (2) en (3) is *mutatis mutandis* van toepassing op 'n spesiale heffing wat ingevolge subartikel (1) opgelê is."

Wysiging van artikel 25 van die Skema

14. Artikel 25 van die Skema word hiermee gewysig deur subartikels (1) en (3) onderskeidelik deur die volgende subartikels te vervang:

"(1) Hierby word 'n fonds ingestel, wat die Algemene Fonds heet, wat deur die Raad bestuur en beheer moet word en waarin alle gelde gestort moet word wat deur die Raad ontvang word, behalwe dié gelde wat in die artikel 26 bedoelde Reserwefonds of in die Stabilisasiefonds in artikel 27 beoog, of in 'n fonds of 'n rekening in artikel 37 beoog, gestort moet word.

(3) Die Raad kan, met die Minister se goedkeuring, geld in die Algemene Fonds vir enige ander doel aanwend wat na die oordeel van die Raad tot die voordeel sal strek van persone wat belang het by mielies en mielieprodukte."

Substitution of section 26 of the Scheme

15. The following section is hereby substituted for section 26 of the Scheme:

"Reserve fund

26. (1) There is hereby established a Reserve Fund to be administered and controlled by the Board, into which shall be paid such moneys received by the Board as may be determined by the Minister and such amounts at the disposal of the Board as may from time to time be approved by the Minister or as may after the end of any financial year under this Scheme be determined by the Minister after consultation with the Board.

(2) The Board may deal with the money in the Reserve Fund referred to in subsection (1) in such manner as may be approved by the Minister."

Substitution of section 27 of the Scheme

16. The following section is hereby substituted for section 27 of the Scheme:

"Special fund

27. (1) A special fund, to be known as the Stabilisation Fund, is hereby established to be administered and controlled by the Board.

(2) Into the Stabilisation Fund shall be paid all moneys derived from the special levy referred to in section 24 and the amounts contemplated in the proviso to section 37 (2).

(3) The money in the Stabilisation Fund shall, subject to the provisions of subsection (4) and to the extent allowed by the fund, be utilized to support the delivery price to producers of maize for maize received by the Board in a pool referred to in section 37.

(4) The amount per ton which is utilized out of the Stabilisation Fund in accordance with subsection (3) in any particular financial year, shall not exceed an amount calculated according to the following formula:

$$Y = C + D + E$$

in which formula—

Y = the amount in rand and cent per ton to be calculated;

C = railage cost in rand and cent per ton of maize over a distance of 935 kilometres on the date of the calculation;

D = the harbour costs in relation to the export of maize in rand and cent per ton, as agreed upon between the Board and the suppliers of the services concerned for each particular year;

E = the Board's cost, in rand and cent per ton, in connection with the handling, fumigation, storage and financing of the maize to be exported, as determined by the Board prior to the commencement of the financial year concerned.

Vervanging van artikel 26 van die Skema

15. Artikel 26 van die Skema word hiermee deur die volgende artikel vervang:

"Reserwefonds

26. (1) Hierby word 'n Reserwefonds ingestel, wat deur die Raad bestuur en beheer moet word en waarin die gelde deur die Raad ontvang wat die Minister bepaal en die bedrae tot die beskikking van die Raad wat die Minister van tyd tot tyd goedkeur, of wat die Minister na die einde van 'n boekjaar ingevolge hierdie Skema en na oorlegpleging met die Raad bepaal, gestort moet word.

(2) Die Raad kan oor die gelde in die in subartikel (1) bedoelde Reserwefonds beskik op die wyse wat die Minister goedkeur."

Vervanging van artikel 27 van die Skema

16. Artikel 27 van die Skema word hiermee deur die volgende artikel vervang:

"Spesiale fonds

27. (1) Hierby word 'n spesiale fonds ingestel wat die Stabilisasiefonds heet en wat deur die Raad bestuur en beheer word.

(2) In die Stabilisasiefonds word die gelde verkry uit die spesiale heffing in artikel 24 bedoel en die bedrae beoog in die voorbehoudsbepaling tot artikel 37 (2), gestort.

(3) Die gelde in die Stabilisasiefonds word aangewend om, behoudens die bepalings van subartikel (4) en in die mate waarin die fonds dit toelaat, die leweringsprys aan produsente vir mielies wat deur die Raad in 'n poel beoog in artikel 37 ontvang word, te stut.

(4) Die bedrag per ton wat in 'n gegewe boekjaar ooreenkomstig subartikel (3) uit die Stabilisasiefonds aangewend word, mag nie 'n bedrag bereken ooreenkomstig die volgende formule oorskry nie:

$$Y = C + D + E$$

in welke formule—

Y = die bedrag in rand en sent per ton wat bereken staan te word;

C = spoorvrag in rand en sent per ton mielies oor 'n afstand van 935 kilometer op datum van die berekening;

D = die hawekoste in rand en sent per ton ten opsigte van die uitvoer van mielies soos vir elke besondere jaar deur die Raad en die betrokke diensverskaffers ooreengekom;

E = die Raad se koste verbonde aan hanteering, beroking, opberging en finansiering van die mielies wat uitgevoer staan te word, in rand en sent per ton, soos voor die aanvang van die betrokke boekjaar deur die Raad bepaal.

(5) The Board may pay a support amount, subject to the basis or the amount approved by the Minister, out of the Stabilisation Fund to persons who export maize products in a surplus year."

Substitution of section 28 of the Scheme

17. The following section is hereby substituted for section 28 of the Scheme:

"Disposal of assets at discontinuance of Scheme

28. In the event of discontinuance of this Scheme—

(a) all the assets of the Board after all its debts have been paid, shall be handed over to the Minister and the assets so handed over shall be utilized by the Minister at his discretion for the advancement of the maize industry;

(b) any deficit which may exist after all the assets of the Board have been realised, shall be borne by producers of maize *pro rata* to the different amounts paid by them by way of levies and special levies under this Scheme during the period of three years immediately preceding the date on which this Scheme is discontinued."

Substitution of section 31 of the Scheme

18. The following section is hereby substituted for section 31 of the Scheme:

"Records, returns and information

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

(a) require any person, or any person belonging to any class or group of persons, or any person other than a person belonging to any class or group of persons, to furnish the Board with such information relating to maize and maize products as may be available to such person and as the Board may specify;

(b) prescribe the records to be kept in connection with maize and maize products, the period for which any such records shall be retained and the returns to be rendered in regard to maize and maize products to the Board by any person, or by any person belonging to any class or group of persons, or by any person other than a person belonging to any class or group of persons, and the times at which and the form and manner in which such returns shall be so rendered."

Substitution of section 33 of the Scheme

19. The following section is hereby substituted for section 33 of the Scheme:

"Authorization of inspectors

33. The Board may for the purpose of the enforcement of the provisions of this Scheme, empower any person generally or in any particular case at all reasonable hours—

(a) to enter any place occupied by any person who is or is suspected to be, a producer of or a person dealing in the course of trade with maize or maize products, or any place or vehicle in or on which there is kept or is suspected to be kept any quantity of maize or maize products by any person;

(5) Die Raad kan 'n stutbedrag, onderworpe aan die grondslag of die bedrag wat die Minister goedkeur, uit die Stabilisasiefonds betaal aan persone wat mielieprodukte uitvoer in 'n surplusjaar."

Vervanging van artikel 28 van die Skema

17. Artikel 28 van die Skema word hiermee deur die volgende artikel vervang:

"Beskikking oor bates van Raad by opheffing van Skema

28. Ingeval hierdie Skema opgehef word—

(a) word alle bates van die Raad, nadat all sy skulde betaal is, aan die Minister oorhandig en die bates aldus oorhandig word deur die Minister na goeddunke vir die bevordering van die mieliebedryf aangewend;

(b) word enige tekort wat mag bestaan nadat al die bates van die Raad tot geld gemaak is, gedra deur produsente van mielies in verhouding tot die onderskeie bedrae in die vorm van heffing en spesiale heffing kragtens hierdie Skema gedurende die tydperk van drie jaar onmiddellik voor die datum waarop die Skema opgehef is, deur hulle betaal."

Vervanging van artikel 31 van die Skema

18. Artikel 31 van die Skema word hiermee deur die volgende artikel vervang:

"Aantekeninge, opgawes en inligting

31. Die Raad kan, met die Minister se goedkeuring—

(a) enigiemand of enigiemand wat tot 'n klas of groep persone behoort, of enigiemand behalwe iemand wat tot 'n klas of groep persone behoort, gelas om aan die Raad dié inligting met betrekking tot mielies en mielieprodukte te verstrek waarvoor bedoelde persoon beskik en wat die Raad spesifiseer;

(b) aantekeninge wat in verband met mielies en mielieprodukte gehou moet word, die tydperk waarvoor so 'n aantekening behou moet word en die opgawes wat ten opsigte van sodanige mielies en mielieprodukte aan die Raad verstrek moet word deur enigiemand, of deur enigiemand wat tot 'n klas of groep persone behoort, of deur enigiemand behalwe iemand wat tot 'n klas of groep persone behoort, voorskryf, asook die tye waarop, die vorm waarin en die wyse waarop bedoelde opgawes aldus verstrek moet word."

Vervanging van artikel 33 van die Skema

19. Artikel 33 van die Skema word hiermee deur die volgende artikel vervang:

"Magtiging van inspekteurs

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

(a) 'n plek te betree wat geokkupeer word deur iemand wat 'n produsent is of vermoed word 'n produsent te wees van of deur iemand wat as 'n besigheid handel of vermoed word as 'n besigheid te handel met mielies of mielieprodukte of 'n plek of voertuig waarin of waarop daar 'n hoeveelheid mielies of mielieprodukte deur iemand gehou word of na vermoede gehou word;

(b) to inspect any such maize or maize products and to examine all books and documents at any such place or in or on any such vehicle, which are believed on reasonable grounds to relate to maize or maize products, and to make copies of or take abstracts from such books and documents;

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

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

(e) to seize any books, documents or articles which may afford evidence of the commission of an offence under the Act or this Scheme or any regulation made under the Act, or any quantity of maize or maize products in respect of which any such offence is suspected to have been committed, and to remove from the place or vehicle in question or to leave at such place or on such vehicle any books, documents or articles or any quantity of such maize or maize products which have been so seized, and, if he deems fit, to place on any such book, document, article, maize or maize products or on the container thereof, any identification mark which he may consider necessary;

(f) to take samples of such maize or maize products, including any quantity thereof which has been seized in terms of paragraph (e), and to examine, analyse, classify or grade such samples or cause them to be examined, analysed, classified or graded."

Substitution of section 34 of the Scheme

20. The following section is hereby substituted for section 34 of the Scheme:

"Dealings with maize and maize products"

34. The Board may—

(a) buy, at such a price or on such a basis as the Minister may approve, maize and maize products;

(b) treat in such manner as it may deem fit, grade, pack, store, process, adapt for sale, insure, transport and, subject to the provisions of section 37 of the Act, advertise any maize or maize products which it has bought;

(c) sell, whether in its original form or processed wholly or in part, maize and maize products 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;

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

(e) issue directions, with the approval of the Minister, relating to the classification, grading, packing and marking of maize and maize products which it is empowered to buy in terms of paragraph (a) or to receive in terms of paragraph (d)."

Deletion of section 35 of the Scheme

21. Section 35 of the Scheme is hereby deleted.

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

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

(d) van die eienaar van so 'n boek of stuk of van die persoon wat dit in sy bewaring het, 'n verklaring van 'n inskrywing daarin te eis;

(e) beslag te lê op boeke, stukke of artikels wat bewys kan lewer van die pleeg van 'n misdryf ingevolge die Wet of hierdie Skema of 'n kragtens die Wet uitgevaardigde regulasie, of op 'n hoeveelheid van sodanige mielies of mielieprodukte ten opsigte waarvan so 'n misdryf vermoedelik gepleeg is, en om boeke, stukke of artikels of enige hoeveelheid van sodanige mielies of mielieprodukte waarop beslag gelê is, van die betrokke plek of voertuig te verwyder of dit op bedoelde plek of voertuig te laat en na goedgekeurde 'n identifikasiemerk wat hy nodig ag, aan te bring op so 'n boek, stuk, artikel of op sodanige mielies of mielieprodukte of op die houer daarvan;

(f) monsters te neem van sodanige mielies of mielieprodukte met inbegrip van 'n hoeveelheid daarvan waarop daar beslag gelê is ingevolge paragraaf (e), en sodanige monsters te ondersoek, te ontleed of te gradeer, of te laat ondersoek, ontleed of gradeer."

Vervanging van artikel 34 van die Skema

20. Artikel 34 van die Skema word hiermee deur die volgende artikel vervang:

"Handelinge met mielies en mielieprodukte"

34. Die Raad kan—

(a) teen dié prys of op dié grondslag wat die Minister goedkeur mielies en mielieprodukte koop;

(b) mielies en mielieprodukte wat hy gekoop het, behandel soos hy goedgevind, gradeer, verpak, opberg, verwerk, vir verkoop geskik maak, versker, vervoer en, behoudens die bepalings van artikel 37 van die Wet, adverteer;

(c) mielies en mielieprodukte wat hy gekoop het, teen dié prys of op dié grondslag wat die Minister goedkeur, verkoop, hetsy in sy oorspronklike of in gedeelteilik of geheel en al verwerkte vorm of 'n deel daarvan aan die mark te onthou;

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

(e) met die goedkeuring van die Minister, voorskrifte uitreik betreffende die klassifisering, gradering, verpakking en merk van mielies en mielieprodukte wat hy ingevolge paragraaf (a) gemagtig is om te koop of ingevolge paragraaf (d) gemagtig is om te ontvang."

Skrapping van artikel 35 van die Skema

21. Artikel 35 van die Skema word hiermee geskrap.

Substitution of section 36 of the Scheme

22. The following section is hereby substituted for section 36 of the Scheme:

"Registration of certain persons"

36. (1) (a) Each producer who produces maize within the Republic for the purpose of the sale thereof shall be registered with the Board.

(b) Each person dealing in the course of trade with maize shall be registered with the Board.

(2) The Board may, with the approval of the Minister, prescribe the procedure in connection with the submission of applications for registration in terms of subsection (1).

(3) The Board may—

(a) grant any registration for such period as it may determine; and

(b) renew such registration upon expiry of the period concerned.

(4) In the application of this section, 'dealing in the course of trade' shall exclude a person who treats, stores or conveys maize on behalf of the owner thereof."

Substitution of section 37 of the Scheme

23. The following section is hereby substituted for section 37 of the Scheme:

"Conducting of export pool"

37. (1) The Board shall, for every financial year of this Scheme, conduct an export pool for the sale of such grades and/or classes of maize as the Board may determine and that is delivered to the Board for that purpose.

(2) The Board may only export maize delivered into the export pool and sell it in the domestic market in accordance with the provisions of subsection (7): Provided that the Board shall, in respect of maize thus sold in the domestic market, recover an amount equal to the special levy imposed in terms of section 24 for the financial year concerned, from the selling price of such maize, and pay it into the Stabilisation Fund.

(3) The Board may—

(a) treat in such manner as it may deem fit, classify, grade, pack, store, adapt for sale, insure, transport and, subject to the provisions of section 21, advertise maize delivered into the export pool; and

(b) finance the export pool out of money borrowed for that purpose in terms of section 29.

(4) The Board shall on delivery of the maize to the Board, advance to participants of the export pool an amount of money as determined annually by the Board prior to the commencement of the particular export pool, with due consideration to the expected export earnings, all costs in connection with the conducting of the export pool and the sale of the maize and the contribution that may be utilized out of the Stabilisation Fund for this purpose: Provided that the amount thus advanced shall not exceed 95% of the thus estimated realisation for the pool maize.

Vervanging van artikel 36 van die Skema

22. Artikel 36 van die Skema word hiermee deur die volgende artikel vervang:

"Registrasie van sekere persone"

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

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

(2) Die Raad kan, met die Minister se goedkeuring, die prosedure in verband met die indiening en oorweging van aansoeke om registrasie in subartikel (1) bedoel, voorskryf.

(3) Die Raad kan—

(a) 'n registrasie toestaan vir die tydperk wat hy bepaal; en

(b) so 'n registrasie by verstryking van die betrokke tydperk hernu.

(4) By die toepassing van hierdie artikel beteken 'as 'n besigheid handel', nie ook iemand wat mielies ten behoeve van die eienaar daarvan behandel, opberg of vervoer nie."

Vervanging van artikel 37 van die Skema

23. Artikel 37 van die Skema word hiermee deur die volgende artikel vervang:

"Bestuur van uitvoerpoel vir mielies"

37. (1) Die Raad moet vir elke boekjaar van hierdie Skema 'n uitvoerpoel bestuur vir die verkoop van die grade en/of klasse mielies wat die Raad bepaal en wat vir dié doel aan die Raad gelever word.

(2) Die Raad mag mielies wat in die uitvoerpoel gelever word slegs uitvoer en dit ooreenkomstig die bepalinge van subartikel (7), in die binne-landse mark verkoop: Met dien verstande dat die Raad ten opsigte van mielies aldus in die binne-landse mark verkoop, 'n bedrag gelyk aan die spesiale heffing wat ingevolge artikel 24 vir die betrokke boekjaar opgelê is, van die verkoopprijs van sodanige mielies moet verhaal en in die Stabilisasiefonds moet stort.

(3) Die Raad kan—

(a) mielies wat in die uitvoerpoel gelever word, behandel soos hy goeie, klassifiseer, gradeer, verpak, opberg, vir verkoop geskik maak, versker, vervoer en behoudens die bepalinge van artikel 21 adverteer; en

(b) die uitvoerpoel finansier uit geld wat ingevolge artikel 29 vir dié doel geleen is.

(4) Die Raad skiet, by lewering van die mielies aan die Raad, aan deelnemers in die uitvoerpoel 'n bedrag geld voor wat die Raad jaarliks voor die aanvang van die betrokke uitvoerpoel bepaal met inagneming van die verwagte uitvoerverdienste, alle koste verbonde aan die bestuur van die uitvoerpoel asook die verkoop van die mielies en die bydrae wat uit die Stabilisasiefonds vir dié doel aangewend mag word: Met dien verstande dat die bedrag wat aldus voorgeskiet word nie 95% van die Raad se aldus beraamde realisasie vir die poelmelies mag oorskry nie.

(5) As soon as possible after the sale of the total quantity of maize delivered to the Board for sale through the export pool, the Board shall determine the net realisation of the export pool by subtracting from the gross proceeds thereof the cost in connection with the sale of that maize, including all expenses and costs incurred in connection with the receipt, classification, grading, handling, packing, storage, insurance, transport, financing and sale thereof as determined by the Board.

(6) The Board shall divide the net proceeds of each export pool as determined in terms of subsection (5), among the participants of that export pool in proportion to the quantities of maize delivered by them to the Board for sale through that export pool: Provided that—

(a) the quantities of maize concerned shall for the purposes of such division be deemed to be of the classes or grades that it was found to have belonged to at the time of delivery to the Board;

(b) the Board may increase or decrease any amount due to a participant of the export pool in proportion to his realisation respectively above or below the average realisation of maize of other participants of the export pool;

(c) the Board may subtract from an amount due to a participant any cost or expenditure incurred in terms of subsection (5) if, in the Board's opinion, it should not be shared on an equal basis among all the participants of the export pool;

(d) where the balance in the export pool when its accounts are closed is, in the opinion of the Board and the Minister, so small that a division thereof among the participants of the export pool is not justified, the balance may be dealt with in any manner approved by the Minister;

(e) the Board may, with the approval of the Minister, transfer any portion of the proceeds of the export pool of a particular financial year to the export pool of the ensuing financial year; and

(f) moneys which accrue to the export pool after its accounts have been closed, may be dealt with in a manner approved by the Minister.

(7) Maize is sold out of the export pool in the domestic market on a tender or auction basis at a free-on-rail price that shall, with an addition for the transport costs from the grain silo concerned to the premises of the buyer, not be less than the estimated landed cost of imported USA No. 2 yellow maize on the buyer's premises plus R20 per ton."

Deletion of sections 38 to 41 of the Scheme

24. Sections 38 up to and including 41 of the Scheme are hereby deleted.

Substitution of section 42 of the Scheme

25. The following section is hereby substituted for section 42 of the Scheme:

"Offences and penalties

42. Any person who—

(a) fails to pay a levy or special levy imposed in terms of sections 23 and 24;

(5) So gou doenlik nadat die totale hoeveelheid mielies wat vir verkoop deur middel van die uitvoerpoel aan die Raad gelewer is, verkoop is, moet die Raad die netto opbrengs van die uitvoerpoel bepaal deur die koste verbonde aan die verkoop van daardie mielies met inbegrip van alle uitgawes en koste in verband met die ontvangs, klassifikasie, gradering, hantering, verpakking, opberging, versekering, vervoer, finansiering en verkoop daarvan aangegaan, soos deur die Raad bepaal, van die bruto opbrengs daarvan af te trek.

(6) Die Raad moet die netto opbrengs van elke uitvoerpoel ingevolge subartikel (5) bepaal, onder deelnemers in die uitvoerpoel verdeel in verhouding tot die hoeveelhede mielies wat deur hulle aan die Raad gelewer is vir verkoop deur middel van daardie uitvoerpoel: Met dien verstande dat—

(a) die betrokke hoeveelhede mielies vir die doeleindes van sodanige verdeling geag word van die klasse of grade te wees waartoe dit ten tyde van lewering aan die Raad gevind was te behoort;

(b) die Raad enige bedrag verskuldig aan 'n deelnemer in die uitvoerpoel kan vermeerder of verminder in verhouding tot sy realisasie vir onderskeidelik bo of onder die gemiddelde realisasie vir mielies van ander deelnemers in die uitvoerpoel;

(c) die Raad van 'n bedrag aan 'n deelnemer verskuldig enige koste of uitgawe ingevolge subartikel (5) aangegaan mag aftrek wat na die oordeel van die Raad nie op 'n gelyke basis deur al die deelnemers in die uitvoerpoel gedra behoort te word nie;

(d) waar 'n saldo in die uitvoerpoel, wanneer sy rekeninge afgesluit word, na die oordeel van die Raad en die Minister so klein is dat 'n verdeling daarvan onder die deelnemers in die uitvoerpoel nie geregverdig is nie, met sodanige saldo gehandel kan word op 'n wyse wat die Minister goedkeur;

(e) die Raad, met goedkeuring van die Minister, 'n gedeelte van die opbrengs van 'n bepaalde boekjaar se uitvoerpoel kan oordra na die uitvoerpoel van die daaropvolgende boekjaar; en

(f) daar met gelde wat die uitvoerpoel toeval nadat die rekeninge daarvan afgesluit is, gehandel kan word op 'n wyse wat deur die Minister goedgekeur word.

(7) Mielies word uit die uitvoerpoel in die binne-landse mark verkoop op 'n tender- of veiling-grondslag teen 'n vry-op-spoorprys wat met 'n bytelling van die vervoerkoste vanaf die betrokke graansilo na die koper se perseel, nie laer sal wees nie as die beraamde gelande koste van ingevoerde VSA No. 2 geelmielies op die koper se perseel plus R20 per ton."

Skapping van artikels 38 tot 41 van die Skema

24. Artikels 38 tot en met 41 van die Skema word hiermee geskrap.

Vervanging van artikel 42 van die Skema

25. Artikel 42 van die Skema word hiermee deur die volgende artikel vervang:

"Misdrywe en strawwe

42. Iemand wat—

(a) versuim om 'n heffing of spesiale heffing wat kragtens artikels 23 en 24 opgelê is, te betaal;

(b) fails to comply with a direction or prescription issued in terms of section 31 or 34, or who, in terms of such a direction or prescription, renders incorrect or incomplete information or returns or who keeps incorrect or incomplete records;

(c) contravenes a provision of section 36,

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

No. R. 553

13 April 1995

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

REGULATIONS RELATING TO THE REQUIREMENTS FOR REGISTRATION TO DEAL WITH MAIZE OR MAIZE PRODUCTS IN THE COURSE OF TRADE: REPEAL

The Minister of Agriculture has under section 89 of the Marketing Act, 1968 (Act No. 59 of 1968), repealed the regulations published by Government Notice No. R. 780 of 1 May 1993 with effect from 1 May 1995.

No. R. 554

13 April 1995

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

SUMMER GRAIN SCHEME: PROHIBITION OF EARLY DELIVERIES: REPEAL

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

(a) the Maize Board referred to in section 6 of the Summer Grain Scheme published by Proclamation No. R. 45 of 1979, as amended, has under section 40 of the said Scheme repealed the prohibition published by Government Notice No. R. 587 of 22 March 1994 with effect from 1 May 1995;

(b) the said repeal has been approved by me and shall come into operation on 1 May 1995; and

(c) Government Notice No. R. 587 of 22 March 1994 is repealed with effect from the said date of commencement.

A. I. VAN NIEKERK,
Minister of Agriculture.

(b) versuim om aan 'n lasgewing of voorskrif uitgereik kragtens artikel 31 of 34 te voldoen, of ingevolge so 'n lasgewing of voorskrif foutiewe of onvolledige inligting of opgawes verstrek, of foutiewe of onvolledige aantekeninge hou;

(c) 'n bepaling van artikel 36 oortree,

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

No. R. 553

13 April 1995

BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)

REGULASIES MET BETREKKING TOT DIE VEREISTES VIR REGISTRASIE OM MET MIELIES OF MIELIEPRODUKTE AS 'N BESIGHEID TE HANDEL: HERROEPING

Die Minister van Landbou het kragtens artikel 89 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), die regulasies gepubliseer by Goewermentskennisgewing No. R. 780 van 1 Mei 1993 met ingang van 1 Mei 1995 herroep.

No. R. 554

13 April 1995

BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)

SOMERGRAANSKEMA: VERBOD OP VROEE LEWERINGS: HERROEPING

Ek, André Isak van Niekerk, Minister van Landbou, maak hiermee ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), bekend dat—

(a) die Mielieraad bedoel in artikel 6 van die Somergraanskema gepubliseer by Proklamasie No. R. 45 van 1979, soos gewysig, kragtens artikel 40 van genoemde Skema die verbod gepubliseer by Goewermentskennisgewing No. R. 587 van 22 Maart 1994, met ingang van 1 Mei 1995 herroep het;

(b) genoemde herroeping deur my goedgekeur is en op 1 Mei 1995 in werking tree; en

(c) Goewermentskennisgewing No. R. 587 van 22 Maart 1994 met ingang van genoemde datum van inwerkingtreding herroep word.

A. I. VAN NIEKERK,
Minister van Landbou.

No. R. 555**13 April 1995****MARKETING ACT, 1968
(ACT No. 59 OF 1968)****SUMMER GRAIN SCHEME: PROHIBITION OF THE
SALE OF MAIZE BY PRODUCERS: REPEAL**

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

(a) the Maize Board referred to in section 6 of the Summer Grain Scheme published by Proclamation No. R. 45 of 1979, as amended, has under section 38 of the said Scheme repealed the prohibition published by Government Notice No. R. 779 of 1 May 1993, as amended by Government Notice No. R. 1500 of 2 September 1994, with effect from 1 May 1995;

(b) the said repeal has been approved by me and shall come into operation on 1 May 1995; and

(c) Government Notices Nos. R. 779 of 1 May 1993 and R. 1500 of 2 September 1994 are repealed with effect from the said date of commencement.

A. I. VAN NIEKERK,
Minister of Agriculture.

No. R. 556**13 April 1995****MARKETING ACT, 1968
(ACT No. 59 OF 1968)****SUMMER GRAIN SCHEME: SPECIAL LEVY ON
MAIZE AND MAIZE PRODUCTS EXPORTED:
REPEAL**

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

(a) the Maize Board referred to in section 6 of the Summer Grain Scheme published by Proclamation No. R. 45 of 1979, as amended, has under section 24 of the said Scheme repealed the special levy published by Government Notice No. R. 1727 of 2 September 1977 with effect from 1 May 1995;

(b) the said repeal has been approved by me and shall come into operation on 1 May 1995; and

(c) Government Notice No. R. 1727 of 2 September 1977 is repealed with effect from the said date of commencement.

A. I. VAN NIEKERK,
Minister of Agriculture.

No. R. 555**13 April 1995****BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)****SOMERGRAANSKEMA: VERBOD OP DIE VER-
KOOP VAN MIELIES DEUR PRODUSENTE: HER-
ROEPING**

Ek, André Isak van Niekerk, Minister van Landbou, maak hiermee ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), bekend dat—

(a) die Mielieraad bedoel in artikel 6 van die Somergraanskema gepubliseer by Proklamasie No. R. 45 van 1979, soos gewysig, kragtens artikel 38 van genoemde Skema die verbod gepubliseer by Goewermentskennisgewing No. R. 779 van 1 Mei 1993, soos gewysig by Goewermentskennisgewing No. R. 1500 van 2 September 1994, met ingang van 1 Mei 1995 herroep het;

(b) genoemde herroeping deur my goedgekeur is en op 1 Mei 1995 in werking tree; en

(c) Goewermentskennisgewings Nos. R. 779 van 1 Mei 1993 en R. 1500 van 2 September 1994 met ingang van genoemde datum van inwerking-treding herroep word.

A. I. VAN NIEKERK,
Minister van Landbou.

No. R. 556**13 April 1995****BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)****SOMERGRAANSKEMA: SPESIALE HEFFING OP
MIELIES EN MIELIEPRODUKTE UITGEVOER:
HERROEPING**

Ek, André Isak van Niekerk, Minister van Landbou, maak hiermee ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), bekend dat—

(a) die Mielieraad bedoel in artikel 6 van die Somergraanskema gepubliseer by Proklamasie No. R. 45 van 1979, soos gewysig, kragtens artikel 24 van genoemde Skema die spesiale heffing gepubliseer by Goewermentskennisgewing No. R. 1727 van 2 September 1977, met ingang van 1 Mei 1995 herroep het;

(b) genoemde herroeping deur my goedgekeur is en op 1 Mei 1995 in werking tree; en

(c) Goewermentskennisgewing No. R. 1727 van 2 September 1977 met ingang van genoemde datum van inwerking-treding herroep word.

A. I. VAN NIEKERK,
Minister van Landbou.

No. R. 564**13 April 1995****SOUTH AFRICAN VETERINARY COUNCIL**

In terms of the Regulations relating to Veterinary and Para-Veterinary Professions appearing in Government Notice R. 2085 of 1 October 1982, as amended, notice is hereby given that the following persons has been elected to the South African Veterinary Council for a three year period from 1 April 1995 until 31 March 1998:

The full names and addresses of the members is:

BOTHA, Alma Ester, Jonkershof 7, 7 Bruidjie Street,
Karen Park, Pretoria

VAN DER WALT, Pieter, 18 Mispel Avenue,
Orchards, Akasia, Pretoria

Mrs. H. KRUGER,

Registrar: The South African Veterinary Council,
Pretoria.

**DEPARTMENT OF CORRECTIONAL
SERVICES**
No. R. 537**13 April 1995**

CORRECTIONAL SERVICES ACT, 1959

AMENDMENT OF THE CORRECTIONAL SERVICES
REGULATIONS

The Minister of Correctional Services has, under section 94 of the Correctional Services Act, 1959 (Act No. 8 of 1959), made the regulations in the Schedule.

SCHEDULE**Definitions**

1. In these regulations "the Regulations" means the Correctional Services Regulations published by Government Notice No. R. 2080 of 31 December 1965, as amended by Government Notices Nos. R. 992 of 30 June 1967, R. 441 of 22 March 1968, R. 801 of 10 May 1968, R. 1865 of 11 October 1968, R. 2227 of 6 December 1968, R. 2325 of 20 December 1968, R. 1530 of 18 September 1970, R. 1979 of 13 November 1970, R. 557 of 8 April 1971, R. 1199 of 9 July 1971, R. 53 of 14 January 1972, R. 776 of 12 May 1972, R. 1476 of 25 August 1972, R. 384 of 16 March 1973, R. 922 of 30 May 1973, R. 2368 of 14 December 1973, R. 1842 of 11 October 1974, R. 1311 of 11 July 1975, R. 921 of 28 May 1976, R. 2261 of 3 December 1976, R. 173 of 11 February 1977, R. 607 of 15 April 1977, R. 966 of 3 June 1977, R. 967 of 3 June 1977, R. 968 of 3 June 1977, R. 1047 of 17 June 1977, R. 1199 of 23 June 1977, R. 1584 of 12 August 1977, R. 1731 of 2 September 1977, R. 2094 of 14 October 1977, R. 992 of 19 May 1978, R. 1759 of 1 September 1978, R. 1993 of 6 October 1978, R. 1994 of 6 October 1978, R. 2091 of 21 September 1979, R. 350 of 18 February 1980, R. 1091 of 30 May 1980, R. 1434 of 11 July 1980, R. 832 of 16 April 1981, R. 1933 of 30 August 1985, R. 1229 of 24 June 1988, R. 586 of

No. R. 564**13 April 1995****SUID-AFRIKAANSE VETERINÊRE RAAD**

Kennis word hiermee gegee ingevolge die Regulasies betreffende Veterinêre en Para-Veterinêre Beroepe vervat in Kennisgewing R. 2085 van 1 Oktober 1982, soos gewysig, dat die volgende persone verkies is tot die Suid-Afrikaanse Veterinêre Raad vir 'n tydperk van drie jaar vanaf 1 April 1995 tot en met 31 Maart 1998:

Die volle name en woonadresse van die lede is:

BOTHA, Alma Ester, Jonkershof 7, Bruidjiesstraat 7,
Karen Park, Pretoria

VAN DER WALT, Pieter, Mispellaan 18, Orchards,
Akasia, Pretoria

Mev. H. KRUGER,

Registrateur: Die Suid-Afrikaanse Veterinêre Raad,
Pretoria.

**DEPARTEMENT VAN KORREKTIEWE
DIENSTE**
No. R. 537**13 April 1995**

WET OP KORREKTIEWE DIENSTE, 1959

WYSIGING VAN DIE KORREKTIEWE DIENSTE-
REGULASIES

Die Minister van Korrektiewe Dienste het kragtens artikel 94 van die Wet op Korrektiewe Dienste, 1959 (Wet No. 8 van 1959), die regulasies in die Bylae uitgevaardig.

BYLAE**Woordomskriving**

1. In hierdie regulasies beteken "die Regulasies" die Korrektiewe Diensteregulasies afgekondig by Goewermentskennisgewing No. R. 2080 van 31 Desember 1965, soos gewysig by Goewermentskennisgewings Nos. R. 992 van 30 Junie 1967, R. 441 van 22 Maart 1968, R. 801 van 10 Mei 1968, R. 1865 van 11 Oktober 1968, R. 2227 van 6 Desember 1968, R. 2325 van 20 Desember 1968, R. 1530 van 18 September 1970, R. 1979 van 13 November 1970, R. 557 van 8 April 1971, R. 1199 van 9 Julie 1971, R. 53 van 14 Januarie 1972, R. 776 van 12 Mei 1972, R. 1476 van 25 Augustus 1972, R. 384 van 16 Maart 1973, R. 922 van 30 Mei 1973, R. 2368 van 14 Desember 1973, R. 1842 van 11 Oktober 1974, R. 1311 van 11 Julie 1975, R. 921 van 28 Mei 1976, R. 2261 van 3 Desember 1976, R. 173 van 11 Februarie 1977, R. 607 van 15 April 1977, R. 966 van 3 Junie 1977, R. 967 van 3 Junie 1977, R. 968 van 3 Junie 1977, R. 1047 van 17 Junie 1977, R. 1199 van 23 Junie 1977, R. 1584 van 12 Augustus 1977, R. 1731 van 2 September 1977, R. 2094 van 14 Oktober 1977, R. 992 van 19 Mei 1978, R. 1759 van 1 September 1978, R. 1993 van 6 Oktober 1978, R. 1994 van 6 Oktober 1978, R. 2091 van 21 September 1979, R. 350 van 18 Februarie 1980, R. 1091 van 30 Mei 1980, R. 1434 van 11 Julie 1980, R. 832 van 16 April 1981, R. 1933 van 30 Augustus 1985, R. 1229 van 24 Junie 1988, R. 586 van 31 Maart

31 March 1989, R. 774 of 30 March 1990, R. 2251 of 21 September 1990, R. 2486 of 28 August 1992, R. 3042 of 30 October 1992 and R. 1809 of 27 September 1993.

Amendment of regulation 71 of the Regulations

1. Regulation 71 of the Regulations are hereby amended—

- (a) by the deletion of paragraph (ii) of subregulation (1);
- (b) by the deletion of paragraph (jj) of subregulation (1);
- (c) by the deletion of paragraph (kk) of subregulation (1).

DEPARTMENT OF TRANSPORT

No. R. 563

13 April 1995

RECTIFICATION NOTICE

MERCHANT SHIPPING FEES REGULATIONS, 1993

The following correction to Regulation Gazette No. 5230 (*Gazette* No. 15389, Government Notice No. R. 2513) of 31 December 1993 is published for general information:

1. Substitute the number "50" with the number "25" in subregulations 14 (i) (a) and (b) in the Afrikaans text of the Regulations.

DEPARTMENT OF MINERAL AND ENERGY AFFAIRS

No. R. 530

13 April 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.

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. 227 and R. 228 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. 1899 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, 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, R. 2449 of 24 December 1993 and R. 31 of 13 January 1995 and Notice 160 of 1 February 1991.

1989, R. 774 van 30 Maart 1990, R. 2251 van 21 September 1990, R. 2486 van 28 Augustus 1992, R. 3042 van 30 Oktober 1992 en R. 1809 van 27 September 1993.

Wysiging van regulasie 71 van die Regulasies

1. Regulasie 71 van die Regulasies word hierby gewysig—

- (a) deur paragraaf (ii) van subregulasie (1) te skrap;
- (b) deur paragraaf (jj) van subregulasie (1) te skrap;
- (c) deur paragraaf (kk) van subregulasie (1) te skrap.

DEPARTEMENT VAN VERVOER

No. R. 563

13 April 1995

REGSTELLINGSKENNISGEWING

REGULASIES IN VERBAND MET HANDELSKEEPVAARTGELDE, 1993

Die ondergenoemde regstelling aan Regulasiekoe-rant No. 5230 (*Staatskoerant* No. 15389, Goewermentskennisgewing No. R. 2513) van 31 Desember 1993 word vir algemene inligting gepubliseer:

1. Vervang die nommer "50" met die nommer "25" in subregulasies 14 (i) (a) en (b) van die Afrikaanse teks van die Regulasies.

DEPARTEMENT VAN MINERAAL- EN ENERGIESAKE

No. R. 530

13 April 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.

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. 227 en R. 228 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. 1899 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, R. 3083 van 20 Desember 1991, R. 814 van 13 Maart 1992, R. 110 van 16 April 1992, R. 2223 van 7 Augustus 1992, R. 1556 van 20 Augustus 1993, R. 2449 van 24 Desember 1993 en R. 31 van 13 Januarie 1995 en Kennisgewing 160 van 1 Februarie 1991.

AMENDMENT OF REGULATION 2 OF THE REGULATIONS

2. Regulation 2 of the Regulations is hereby amended by the substitution for subregulation 2.16 of the following subregulation:

"Environmental Control Officers to be appointed"

2.16.1 At every underground mine, or such other mines as the regional director may direct, the manager shall appoint a competent person or persons who shall hold a qualification in Mine Environmental Control, recognised by the Director-General for the purpose of regulation 2.16.2: Provided that the regional director may, subject to such conditions as he may determine, on written application by the manager grant permission for the appointment of such a person who is not in the full time employ of the mine.

2.16.2.1 The person appointed in terms of regulation 2.16.1 shall examine or cause to be examined the environmental conditions and related aspects at places where persons travel or work in or on the mine concerned, and report in writing to the manager on—

- (a) the concentration of dust present in the air;
- (b) the temperature and humidity of the air;
- (c) the concentration of gases present in the air;
- (d) the quantity and distribution of the mine's ventilating air;
- (e) the levels of noise and illumination;
- (f) the quality, distribution and use of the mine's supply of water;
- (g) the measures taken to prevent or suppress explosions of coal dust or flammable gas;
- (h) the measures taken to prevent and detect mine fires;
- (i) the establishment of escape and rescue procedures; and
- (j) any other factors or practices which the regional director may, from time to time, specify as being applicable to individual mines.

2.16.2.2 The person appointed in terms of regulation 2.16.1 shall ensure that the tracings or prints referred to in regulations 10.18 and 24.13.1 are kept up to date.

2.16.2.3 The result of any examination of environmental conditions and related aspects in terms of regulation 2.16.2.1 shall as soon as possible be reported in a book or file provided by the manager for this purpose, and each such report shall—

- (a) be signed by the person appointed in terms of regulation 2.16.1; and
- (b) include recommendations for the correction of unsatisfactory conditions revealed by the examination.

WYSIGING VAN REGULASIE 2 VAN DIE REGULASIES

2. Regulasie 2 van die Regulasies word hierby gewysig deur regulasie 2.16 deur die volgende regulasie te vervang:

"Mynomgewingsbeheerbeamptes moet aangestel word"

2.16.1 By elke ondergrondse myn, of sodanige ander myne as wat die streekdirekteur mag bepaal, moet die bestuurder 'n bevoegde persoon of persone aanstel wat die houer is van 'n kwalifikasie in Mynomgewingsbeheer wat deur die Direkteur-generaal vir die doeleindes van regulasie 2.16.2 erken word: Met dien verstande dat die streekdirekteur, op die voorwaardes wat hy bepaal, op skriftelike versoek van die bestuurder toestemming mag verleen vir die aanstelling van so 'n persoon wat nie in voltydse diens van die myn is nie.

2.16.2.1 Die persoon ingevolge regulasie 2.16.1 aangestel moet omgewingstoestande en verwante aangeleenthede by plekke in of op die betrokke myn waar persone reis of werk, ondersoek of laat ondersoek en skriftelik aan die bestuurder verslag doen oor—

- (a) die konsentrasie van stof teenwoordig in die lug;
- (b) die temperatuur en voggehalte van die lug;
- (c) die konsentrasie van die gasse teenwoordig in die lug;
- (d) die kwantiteit en verspreiding van die lug wat die myn ventileer;
- (e) die vlakke van geraas en verligting;
- (f) die kwaliteit, verspreiding en gebruik van die myn se watervoorraad;
- (g) maatreëls wat getref is om ontploffings van steenkoolstof of vlambare gasse te voorkom of te smoor;
- (h) maatreëls wat getref is om mynbrande te voorkom en te ontdek;
- (i) die daarstelling van ontsnappings- en reddingsprosedures; en
- (j) enige ander faktore of gebruike wat die streekdirekteur, van tyd tot tyd, as toepaslik vir individuele myne mag spesifiseer.

2.16.2.2 Die persoon ingevolge regulasie 2.16.1 aangestel moet toesien dat die natrektekeninge of -kopieë in regulasies 10.18 en 24.13.1 bedoel, bygehou word.

2.16.2.3 Die resultate van enige ondersoek na omgewingstoestande en verwante aangeleenthede ingevolge regulasie 2.16.2.1 moet so gou doenlik in 'n boek of lêer deur die bestuurder vir dié doel voorsien, aangeteken word, en elke sodanige verslag moet—

- (a) deur die persoon wat ingevolge regulasie 2.16.1 aangestel is, onderteken word; en
- (b) aanbevelings bevat vir die regstelling van onbevredigende toestande wat deur die ondersoek aan die lig gekom het.

2.16.2.4 The manager shall ensure that—

(a) responsible persons concerned are supplied forthwith with a copy of the report contemplated in regulation 2.16.2.3;

(b) the recommendations contained in such report are implemented without delay by the responsible person concerned; and

(c) such responsible person record in the book or file referred to in regulation 2.16.2.3 the measures taken to implement the recommendations concerned.

2.16.2.5 The manager or subordinate manager referred to in regulation 2.6.1 shall—

(a) examine and sign the book or file referred to in regulation 2.16.2.3 at least once a month;

(b) keep such book or file at a place determined by him; and

(c) ensure that such book or file is open for inspection by any person employed at the mine at all reasonable hours.

2.16.3 Notwithstanding the provisions of regulation 2.16.1, a mine may continue its activities without a person appointed in terms of that regulation for 60 days in any period of six consecutive months: Provided that—

(a) the manager shall appoint a competent person in writing and such person shall perform all the duties and assume all the responsibilities assigned in terms of regulation 2.16.2.1; and

(b) the appointment of such person shall not be taken to relieve the person appointed in terms of regulation 2.16.1 of any personal liability in terms of the regulations".

2.16.2.4 Die bestuurder moet toesien—

(a) dat betrokke verantwoordelike persone onverwyld voorsien word van 'n afskrif van die verslag in regulasie 2.16.2.3 bedoel;

(b) dat die aanbevelings in so 'n verslag vervat sonder versuim deur die betrokke verantwoordelike persoon geïmplimenteer word; en

(c) dat so 'n verantwoordelike persoon die maatreëls wat hy geneem het om die betrokke aanbevelings te implementeer, in die boek of lêer in regulasie 2.16.2.3 bedoel, aanteken.

2.16.2.5 Die bestuurder of ondergeskikte bestuurder in regulasie 2.6.1 bedoel, moet—

(a) die boek of lêer in regulasie 2.16.2.3 bedoel ten minste een keer per maand nagaan en onderteken;

(b) sodanige boek of lêer in 'n plek wat deur hom bepaal word, hou; en

(c) toesien dat so 'n boek of lêer te alle redelike tye vir insae beskikbaar is vir enige persoon wat by die myn werkzaam is.

2.16.3 Nieteenstaande die bepalinge van regulasie 2.16.1, mag 'n myn sy bedrywighede sonder 'n persoon ingevolge daardie regulasie aangestel vir hoogstens 60 dae in enige tydperk van ses opeenvolgende maande voortsit: Met dien verstande dat—

(a) die bestuurder skriftelik 'n bevoegde persoon aanstel en so 'n persoon al die pligte verrig en verantwoordelikhede aanvaar wat ingevolge regulasie 2.16.2.1 opgedra word; en

(b) die aanstelling van so 'n persoon nie beteken dat die persoon kragtens regulasie 2.16.1 aangestel vir enige persoonlike aanspreeklikheid ingevolge die regulasies onthef word nie."

DEPARTMENT OF LABOUR**No. R. 529****13 April 1995**

LABOUR RELATIONS ACT, 1956

LIQUOR AND CATERING TRADE, CAPE: RENEWAL OF PENSION FUND AGREEMENT

I, Dennis van der Walt, 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 R. 1298 of 24 June 1983 and R. 583 of 20 March 1987, to be effective from the date of publication of this notice and for the period ending 30 March 1997.

D. VAN DER WALT,

Director: Labour Relations.

DEPARTMENT OF HEALTH**No. R. 542****13 April 1995**

EXCLUSION OF CERTAIN MEDICINES FROM THE OPERATION OF CERTAIN PROVISIONS OF THE MEDICINES AND RELATED SUBSTANCES CONTROL ACT, 1965 (ACT No. 101 OF 1965)

I, Johann Schlebusch, Registrar of Medicines according to a delegation in terms of section 34A of the Medicines and Related Substances Control Act, 1965

DEPARTEMENT VAN ARBEID**No. R. 529****13 April 1995**

WET OP ARBEIDSVERHOUDINGE, 1956

DRANK- EN SPYSENIERSBEDRYF, KAAP: HER-NUWING VAN PENSIOENFONDSDOOREENKOMS

Ek, Dennis van der Walt, Direkteur: 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 bepalinge van Goewermentskenningsgewings R. 1298 van 24 Junie 1983 en R. 583 van 20 Maart 1987, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Maart 1997 eindig.

D. VAN DER WALT,

Direkteur: Arbeidsverhoudinge.

DEPARTEMENT VAN GESONDHEID**No. R. 542****13 April 1995**

UITSLUITING VAN SEKERE MEDISYNE VAN DIE TOEPASSING VAN SEKERE BEPALINGS VAN DIE WET OP DIE BEHEER VAN MEDISYNE EN VERWANTE STOWWE, 1965 (WET No. 101 VAN 1965)

Ek, Johann Schlebusch, Registrateur van Medisyne, kragtens 'n delegasie ingevolge artikel 34A van die Wet op die Beheer van Medisyne en Verwante Stow-

(Act No. 101 of 1965), hereby under section 36 of Act No. 101 of 1965, on the unanimous recommendation of the Medicines Control Council, exclude the medicines listed in the Schedule hereto from the operation of the therein listed provisions of the regulations promulgated by Government Notice No. R. 352 of 21 February 1975, as amended, subject to the conditions likewise listed in the Schedule.

J. SCHLEBUSCH,
Registrar of Medicines.

we, 1965 (Wet No. 101 van 1965), sluit hierby, kragtens artikel 36 van Wet 101 van 1965, op eenparige aanbeveling aan die Medisynebeheerraad, die medisyne in die Bylae hiervan vermeld, uit van die toepassing van die daarinvermelde bepalings van die regulasies afgekondig by Goewermmentskennisgewing No. R. 352 van 21 Februarie 1975, soos gewysig, onderworpe aan die voorwaardes insgelyks in die Bylae vermeld.

J. SCHLEBUSCH,
Registrateur van Medisyne.

Name of medicine	Trade name	Manufacturer	Date of expiry
1. ...	...	...	...
2. ...	...	...	...

SCHEDULE • SKEDULE

Registration No. Registrasie No. (a)	Name of medicine Naam van medisyne (b)	Form of preparation Bereidingsvorm (c)	Provisions from which excluded Bepalings waarvan uitgesluit (d)	Conditions of exclusion Voorwaardes vir uitsluiting (e)	Applicant Applikant (f)
R/2.6.5/183.....	Buspar	Tablets/Tablette	Regulation 11 (2) (b) in respect of the advertising of a Schedule 5 medicine to the public/Regulasie 11 (2) (b) betrefende die advertering van 'n Skedule 5-medisyne aan die publiek	Only wording that contains the following health-message may be used in an advertisement for this product/Slegs bewoording wat die volgende gesondheidsboodskap bevat, kan in 'n adverteensie vir die produk gebruik word: Nowadays, it is normal to feel a bit stressed out, but for some of us anxiety becomes a constant companion, excessive worry, inability to fall asleep, irritability, sweating and a racing heart/Deesdae, is dit normaal om ietwat gestres te voel, maar vir sommige is angs 'n konstante metgesel, oormatige bekommernis, onvermoë om te slaap, liggeraak, sweet en 'n kloppende hart. Chronic anxiety can interfere with your life at home and at work. Anxiety management has made great scientific strides in the last few years. Counselling, relaxation therapy and lifestyle changes may be sufficient/Kroniese angs kan met jou lewe by die huis en werk inmeng. Gedurende die afgelope aantal jare is groot wetenskaplike deurbraak gemaak in die hantering van angs. Berading, ontspanningsterapie en veranderde lewenstyl mag voldoende wees. Medication that is effective without causing drowsiness and addiction is available and can have positive implications for home relationships and working life/Medikasie wat doeltreffend is sonder om lomerigheid of verslawing te veroorsaak, is beskikbaar. Dit kan 'n positiewe uitwerking op huislike verhoudings en werksomstandighede hê.	Bristol-Myers Squibb (Pty) Ltd.

Registration No. Registrasie No. (a)	Name of medicine Naam van medisyne (b)	Form of preparation Bereidingsvorm (c)	Provisions from which excluded Bepalings waarvan uitgesluit (d)	Conditions of exclusion Voorwaardes vir uitsluiting (e)	Applicant Applikant (f)
270517	Havrix 720 EL. U.....	Vaccine/Vaksien.....	Regulation 9 (1) in respect of the bilingualism of the immediate container label/Regulasie 9 (1) betreffende die tweetaligheid van die onmiddellike houer-etiket.	So if you have that constant stressed out feeling, consult your doctor for a professional diagnosis and appropriate therapy. It could turn your whole life . . . right side up/Indien jy so 'n konstante stresgevoel ervaar, raadpleeg jou dokter vir 'n professionele diagnose en gepaste terapie. Dit kan jou hele lewe . . . verander. (1) The outer label must comply with all the local regulatory requirements/Die buite-etiket moet aan al die plaaslike wetlike vereistes voldoen. (2) The package insert must comply with all the local regulatory requirements/Die voubiljet moet aan al die plaaslike wetlike vereistes voldoen.	SmithKline Beecham Pharmaceuticals (Pty) Ltd.
290310 H/3/292.....	Havrix 1440 EL- U Healon, 0,4 ml/Healon 0,55 ml	Vaccine/Vaksien..... Solution for injection/ Oplossing vir inspuiting	do. Syringe: Regulation 9 (1)/Spuit: Regulasie 9 (1): (1) Exemption from bilingualism of the immediate container label/Vrystelling van tweetaligheid van die onmiddellike houer-etiket; (2) exemption from listing the composition of the medicine on the immediate container label; and/vrystelling van die vermelding van die samestelling van die medisyne op die onmiddellike houer-etiket; en (3) deleting (South Africa) (Pty) Ltd from the immediate container label/skrapping (Suid-Afrika) (Edms.) Bpk. van die onmiddellike houer-etiket. Foil: Regulation 9 (1)/Foelie/Regulasie 9 (1): (1) Exemption from bilingualism/Vrystelling van tweetaligheid; (2) exemption from displaying the Scheduling status on the blister/vrystelling van die vermelding van die Skeduleringstatus op die stompverpakking;	do. (1) The outer label (carton) must comply with all the local regulatory requirements; and/Die buite-etiket (karton) moet voldoen aan al die plaaslike wetlike vereistes; en (2) the package insert must comply with all the local regulatory requirements/die voubiljet moet voldoen aan al die plaaslike wetlike vereistes.	do. (SA) Pharmacia (Pty) Ltd.

Registration No. Registrasie No. (a)	Name of medicine Naam van medisyne (b)	Form of preparation Bereidingsvorm (c)	Provisions from which excluded Bepalings waarvan uitgesluit (d)	Conditions of exclusion Voorwaardes vir uitsluiting (e)	Applicant Applikant (f)
290592	Sabax 1,5% Glycine and Ethanol 1,0%	Solution/Vloeistof	(3) exemption from displaying the registration number on the blister; and/vrystelling van vermelding van die registrasienommer op die stolpverpakking; en (4) deleting (SA) (Pty) Ltd from the blister/skrap (SA) (Edms.) Bpk. van die stolpverpakking. Regulation 9 (1) exemption from/Regulasie 9 (1) vrystelling van: (1) Bilingualism on the immediate container label/Tweetaligheid op die onmiddellike houer-etiket; (2) displaying the name of the local applicant; and/vermelding van die naam van die plaaslike applikant; en (3) displaying the application number on the immediate container label/vermelding van die aansoeknommer op die onmiddellike houer-etiket.	The overpouch must be overstickered with the applicant's name and address, application number and the Scheduling status of the medicine/'n Plakker met die naam en adres van die applikant, die aansoeknommer en die Skeduleringsstatus van die medisyne moet op die oorsak geplak word	Adcock Ingram Critical Care Ltd.
83/742	Albadry Plus	Suspension/Suspensie	Regulation 9 (1) exemption from/Regulasie 9 (1) vrystelling van: (1) Bilingualism of the immediate container label; and/Tweetaligheid van die onmiddellike houer-etiket; en (2) displaying of the application number on the immediate container label/vermelding van die aansoeknommer op die onmiddellike houer-etiket	The outer label (carton) must comply with all the local regulatory requirements; and/Die buite-etiket (karton) moet voldoen aan al die plaaslike wetlike vereistes; en the package insert must comply with all the local regulatory requirements/die voubiljet moet voldoen aan al die plaaslike wetlike vereistes	Upjohn (Pty) Ltd.

Registration No. Registrasie No. (a)	Name of medicine Naam van medisyne (b)	Form of preparation Bereidingsvorm (c)	Provisions from which excluded Bepalings waarvan uitgesluit (d)	Conditions of exclusion Voorwaardes vir uitsluiting (e)	Applicant Applikant (f)
W/21.1/287.....	Actraphane HM (GE) Penset	Insulin injection/ Insulieninspuiting	Regulation 9 (1) exemption from/Regulasie 9 (1) Vrystelling van: (1) Bilingualism on immediate and outer container label;/Tweetaligheid op die onmiddellike houer-etiket en buite-etiket (karton); (2) display of the full unique proprietary name, registration number, scheduling status, full name of applicant, Warning "keep out of reach of children" and route of administration on the immediate container label; and/vermelding van die volle unieke handelsnaam, registrasienommer, Skeduleringstatus, volle naam van applikant, Waarskuwing "hou buite bereik van kinders" en roete van toediening op die onmiddellike houer-etiket; en (3) display or full name of applicant on outer label (carton)/vermelding van die volle naam van die applikant op die buite-etiket (karton)	(1) A sticker bearing the scheduling status, full unique proprietary name and registration number must be affixed to the outer label (carton); and/n Plakker met die skeduleringstatus, volle unieke handelsnaam en registrasienommer moet op die buite-etiket (karton) geplak word; en (2) the package insert complying with all the local regulatory requirements must be attached to the outer carton/die voubiljet moet voldoen aan al die plaaslike wetlike vereistes en moet aan die buite karton geheg word	Nova Nordisk (Pty) Ltd.
W/21.1/290.....	Protaphane HM (GE) Penset	do.	do.	do.	do.
W/21.1/288.....	Actrapid HM (GE) Penset	do.	do.	do.	do.

IMPORTANT ANNOUNCEMENT

*Closing times **PRIOR TO PUBLIC HOLIDAYS** for*

LEGAL NOTICES
GOVERNMENT NOTICES 1995

The closing time is 15:00 sharp on the following days:

- ▶ **16 March**, Thursday, for the issue of Friday **24 March**
- ▶ **6 April**, Thursday, for the issue of Thursday **13 April**
- ▶ **12 April**, Wednesday, for the issue of Friday **21 April**
- ▶ **20 April**, Thursday, for the issue of Friday **28 April**
- ▶ **26 April**, Wednesday, for the issue of Friday **5 May**
- ▶ **8 June**, Thursday, for the issue of Thursday **15 June**
- ▶ **3 August**, Thursday, for the issue of Friday **11 August**
- ▶ **21 September**, Thursday, for the issue of Friday **29 September**
- ▶ **20 December**, Wednesday, for the issue of Friday **29 December**
- ▶ **28 December**, Thursday, for the issue of Friday **5 January 1996**

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