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## GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

### DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU

**No. R. 1567**

**28 November 1997**

LIVESTOCK BRANDS ACT, 1962 (ACT No. 87 OF 1962)

#### COMPULSORY BRANDING OF LIVESTOCK

I, Angela Thokozile Didiza, Deputy Minister of Agriculture, acting on behalf of the Minister of Agriculture under section 5A of the Livestock Brands Act, 1962 (Act No. 87 of 1962), hereby declare that the branding of cattle and small stock shall be compulsory from 1 December 1997, for the purpose of the said Act in the Magisterial Districts of Bafokeng, Ditsobotla, Ganyesa, Kudumane, Lehurutshe, Madikwe, Mankwe, Molopo, Moretele, Odi, Taung and Vryburg.

**A. T. DIDIZA**

**Deputy Minister of Agriculture**

**No. R. 1567**

**28 November 1997**

WET OP VEEBRANDMERKE, 1962 (WET No. 87 VAN 1962)

#### VERPLIGTE BRANDMERK VAN VEE

Ek, Angela Thokozile Didiza, Adjunkminister van Landbou, handelende namens die Minister van Landbou kragtens artikel 5A van die Wet op Veebrandmerke, 1962 (Wet No. 87 van 1962), verklaar hierby dat die brandmerk van beeste en kleinvee in die landdrosdistrikte Bafokeng, Ditsobotla, Ganyesa, Kudumane, Lehurutshe, Madikwe, Mankwe, Molopo, Moretele, Odi, Taung en Vryburg, ingevolge die bepalings van gemelde Wet vanaf 1 Desember 1997 verpligtend is.

**A. T. DIDIZA**

**Adjunkminister van Landbou**

No. R. 1575

28 November 1997

## MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996 (ACT No. 47 OF 1996)

**ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS BY EXPORTERS, IMPORTERS, PROCESSORS, PURCHASERS AND STORERS OF MAIZE**

I, Derek André Hanekom, Minister of Agriculture, acting under sections 13 and 18 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the Schedule.

**D. A. HANEKOM****Minister of Agriculture****SCHEDULE****Definitions**

1. In this Schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning, and unless the context otherwise indicates—

“**maize**” means the threshed and unthreshed product of plants of *zea mays indentata* and *zea mays indurata* or one or more crossings thereof, but excludes seed maize intended for propagation purposes, green mealies for human consumption and maize utilised as silage;

“**own premises**” means premises of which the person referred to is the owner, lessee, or otherwise have the control of and, where such person has more than one such premises, includes all such premises;

“**processor**” means any person who grinds, crushes, grists or otherwise processes maize for the production of maize products, whether by means of the dry milling or wet milling process or otherwise, where the maize is thus processed for the purposes of the sale of the resulting products;

“**purchase**” means every purchase of maize by the buyer where the maize has been delivered in terms of the contract between the seller and the buyer, irrespective of whether the maize has been thus delivered to the buyer's own premises or to the premises of other persons;

“**purchaser**” means any person who purchases maize directly from the producer thereof;

“**SAGIS**” means the South African Grain Information Service, an association not for gain incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973);

“**storer**” means every person who stores maize, excluding the producer of that maize;

“**the Act**” means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996);

“**white maize**” means maize of which the endosperm by nature has a white colour;

“**yellow maize**” means maize of which the endosperm by nature has a yellow colour.

**Purpose and aims of statutory measure and the relation thereof to objectives of the Act**

2. The purpose and aims of this statutory measure are, to compell exporters, importers, processors, purchasers and storers of maize to keep records and furnish returns to SAGIS. This is deemed necessary to ensure that continuous, timeous and accurate market information relating to maize is made available for all roleplayers. Information gathered by SAGIS from the records and returns will be freely distributed to the market place. Market information is deemed essential for all roleplayers in a deregulated market, in order for them to be able to make informed decisions. By the compulsory furnishing of monthly returns on an individual basis, market information for the whole of the country can be processed and disseminated to the market place.

The establishment of this statutory measure will not only enhance market access for all market participant but should also promote the efficiency of the marketing of maize. Furthermore, proper market information will enhance the viability of the maize industry and the agricultural sector at large.

This statutory measure will be administered by SAGIS, a company incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973). SAGIS was specifically established for the purpose of information gathering, collation and distribution in respect of the various grain and oilseeds industries in South Africa.

It is envisaged that SAGIS will publish macro generic market information to the maize industry and other interested parties on a monthly basis. This information will be obtained from the returns rendered to SAGIS and will be supplied on a national basis in the format set out in Annexure A. The information will furthermore be published in a manner suitable to reach the majority of the roleplayers in the maize industry.

**Product to which statutory measure applies**

3. This statutory measure shall apply to maize.

**Area in which statutory measure applies**

4. This statutory measure shall apply within the geographical area of the Republic of South Africa.

**Records to be kept by exporters, importers, processors, purchasers and storers of maize**

5. (1) Each exporter, importer, processor, purchaser and storer of maize shall keep the following records with regard to maize that he or she has in his or her possession or under his or her control:

- (a) The opening stock of maize physically on his or her own premises at the beginning of each calendar month;
- (b) the quantity of maize purchased by him or her from producers thereof during each calendar month;
- (c) the quantity of maize purchased by him or her from other persons than the producers thereof during each calendar month;
- (d) in respect of the purchases in (b) and (c) above, the quantity of each that was purchased on his or her own premises and the quantity of each that was purchased on other persons' premises;
- (e) the quantity of maize owned by him or her that was transferred from other persons' premises to his or her own premises during each calendar month;
- (f) the quantity of maize owned by him or her that was transferred from his or her own premises to other persons' premises during each calendar month;
- (g) the quantity of maize imported by him or her during each calendar month. Separate records shall be kept for—
  - (i) imports over land;
  - (ii) imports over sea;
  - (iii) imports received on his or her own premises; and
  - (iv) imports received on other persons' premises;
- (h) the quantity of maize owned by him or her ground, crushed, gristed or otherwise processed into maize products for the domestic market on his or her own premises during each calendar month. Separate records shall be kept for maize products intended for the—
  - (i) human market;
  - (ii) animal market; and
  - (iii) industrial market;
- (i) the quantity of maize owned by him or her sold and delivered to end consumers in the domestic market during each calendar month, separately for sales delivered from his or her own premises and sales delivered from other persons' premises;
- (j) the quantity of maize owned by him or her sold and delivered to maize traders in the domestic market during each calendar month, separately for sales delivered from his or her own premises and sales delivered from other persons' premises;
- (k) the quantity of maize owned by him or her exported during each calendar month. Separate records shall be kept for—
  - (i) exports from his or her own premises;
  - (ii) exports from other persons' premises;
  - (iii) exports over land; and
  - (iv) exports over sea;
- (l) the quantity of maize owned by him or her ground, crushed, gristed or otherwise processed into maize products for export purposes during each calendar month. Separate records shall be kept for—
  - (i) maize processed on his or her own premises;
  - (ii) maize processed on other persons' premises;
  - (iii) maize products intended for export over land; and
  - (iv) maize products intended for export over the sea;
- (m) the quantity of maize owned by him or her physically in stock at his or her own premises at the end of each calendar month and the quantity of his or her own maize physically in stock at other persons' premises at the end of each calendar month;
- (n) the quantity of maize intended for gristing purposes physically stored on his or her own premises on behalf of other owners at the end of each calendar month;
- (o) the quantity of maize [excluding that mentioned under (n) above] physically stored on his or her own premises on behalf of the producers thereof at the end of each calendar month;
- (p) the quantity of maize [excluding that mentioned under (n) above] physically stored on his or her own premises on behalf of other South African owners at the end of each calendar month, separately for maize produced in South Africa and maize imported from other countries;
- (q) the quantity of maize physically stored on his or her own premises on behalf of owners from other African countries at the end of each calendar month;
- (r) the total quantity of maize physically stored on his or her own premises at the end of each calendar month.

- (2) The records referred to in subclause (1) shall—
- (a) be kept separately in respect of white maize and yellow maize;
  - (b) be recorded on a computer or with ink in a book; and
  - (c) be kept at the head office or usual place of business of the person required to keep it for a period of at least four years after the end of the period for which such records must be kept.

**Returns to be rendered by exporters, importers, processors, purchasers and storers of maize**

6. (1) Each exporter, importer, processor, purchaser and storer of maize shall within 15 days after the end of each calendar month, furnish an accurate return to SAGIS in respect of his or her acquisition, utilisation and storage of maize.

(2) The return shall be furnished on the form contained in Annexure B, copies of which form are obtainable free of charge from SAGIS, and shall be completed in ink.

(3) The return shall—

- (a) when forwarded by post, be addressed to—

**The Director: SAGIS  
P.O. Box 669  
Pretoria  
0001, or**

- (b) when delivered by hand, be delivered to—

**The Director: SAGIS  
Maize Board Building  
503 Belvedere Street  
Arcadia  
Pretoria.**

(4) The return shall be forwarded or delivered so as to reach the Director of SAGIS before or on the return date mentioned in subclause (1).

(5) The return shall be rendered even if there is nothing to be reported on the return.

**Commencement and period of validity**

7. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 28 February 2002.



# ANNEXURE A

## SAGIS MAIZE INFO RELEASE FOR THE MONTH OF \_\_\_\_\_

\*

### STOCK POSITION AND UTILISATION OF MAIZE

|                          |                                       |                                    |                             | WHITE         | YELLOW |
|--------------------------|---------------------------------------|------------------------------------|-----------------------------|---------------|--------|
| 1.OPENING STOCK          |                                       |                                    |                             |               |        |
| 2. ACQUISITION           | 2.1 DOMESTIC                          | (a) Purchases from producers       |                             |               |        |
|                          |                                       | (b) Storage on behalf of producers | (i) Not in producers' pools |               |        |
|                          |                                       |                                    | (ii) In producers' pools    |               |        |
|                          | 2.2 IMPORTS                           |                                    |                             | (a) Over land |        |
|                          |                                       | (b) Over the sea                   |                             |               |        |
| 3. UTILISATION           | 3.1 DOMESTIC                          | (a) Maize processed for            | (i) Human market            |               |        |
|                          |                                       |                                    | (ii) Animal market          |               |        |
|                          |                                       |                                    | (iii) Industrial market     |               |        |
|                          | (b) Whole Maize sold to end consumers |                                    |                             |               |        |
|                          | 3.2 EXPORTS                           | (a) Maize processed for export     | (i) Over land               |               |        |
|                          |                                       |                                    | (ii) Over the sea           |               |        |
| (b) Whole maize exported |                                       | (i) Over land                      |                             |               |        |
|                          | (ii) Over the sea                     |                                    |                             |               |        |
| 4. CLOSING STOCK         |                                       |                                    |                             |               |        |

\* All figures supplied in metric tons

## ANNEXURE B

**SAGIS****MAIZE RETURN**

**SAGIS REGISTRATION/REFERENCE NUMBER:**  
(if allocated)

**RETURN FOR THE MONTH OF:**

**RETURN FURNISHED BY:**  
(name of purchaser, processor,  
importer, exporter or warehouser)

**ADDRESS:**

**NUMBER OF OWN PREMISES:** (To be completed  
only by those not registered with SAGIS) (if more than  
one, attach a list with physical addresses of each premises)

**NB:** Read the following remarks carefully before completing the return:

1. If you have any trouble in completing the return or any doubts as to any aspect thereof, please do not hesitate to contact the SAGIS maize return helpline at tel. no. (012) ..... extension .....
2. All figures must be supplied in metric tons and must be rounded off to the nearest full ton.
3. For a more complete guide to completing the return, refer to the booklet Your SAGIS Maize Return, obtainable from SAGIS.

\_\_\_\_\_  
Name of person authorised  
to complete this return

\_\_\_\_\_  
Signature

# SECTION A: ACQUISITION AND UTILISATION OF OWN MAIZE

SECTION A: ACQUISITION AND UTILISATION OF OWN MAIZE

|                   |                                      |                                       |                                   | PHYSICALLY ON OWN PREMISES |        | ON OTHERS' PREMISES |        |
|-------------------|--------------------------------------|---------------------------------------|-----------------------------------|----------------------------|--------|---------------------|--------|
|                   |                                      |                                       |                                   | WHITE                      | YELLOW | WHITE               | YELLOW |
| 1.OPENING STOCK   |                                      |                                       |                                   |                            |        |                     |        |
| 2. ACQUISITION    | 2.1 DOMESTIC                         | (a) Purchases from producers          |                                   |                            |        |                     |        |
|                   |                                      | (b) Purchases from dealers            |                                   |                            |        |                     |        |
|                   |                                      | (c) Transferred from others' premises |                                   |                            |        |                     |        |
|                   |                                      | (d) Transferred from own premises     |                                   |                            |        |                     |        |
|                   | 2.2 IMPORTS                          | (a) Over land                         |                                   |                            |        |                     |        |
|                   |                                      | (b) Over the sea                      |                                   |                            |        |                     |        |
| 3. UTILISATION    | 3.1 DOMESTIC                         | (a) Maize processed for               | (i) Human market                  |                            |        |                     |        |
|                   |                                      |                                       | (ii) Animal market                |                            |        |                     |        |
|                   |                                      |                                       | (iii) Industrial market           |                            |        |                     |        |
|                   |                                      | (b) Whole Maize                       | (i) Sold to end consumers         |                            |        |                     |        |
|                   |                                      |                                       | (ii) Sold to trade                |                            |        |                     |        |
|                   |                                      |                                       | (iii) Transferred to own premises |                            |        |                     |        |
|                   | (iv) Transferred to others' premises |                                       |                                   |                            |        |                     |        |
|                   | 3.2 EXPORTS                          | (a) Maize processed for export        | (i) Over land                     |                            |        |                     |        |
|                   |                                      |                                       | (ii) Over the sea                 |                            |        |                     |        |
|                   |                                      | (b) Whole maize exported              | (i) Over land                     |                            |        |                     |        |
| (ii) Over the sea |                                      |                                       |                                   |                            |        |                     |        |
| 4. CLOSING STOCK  |                                      |                                       |                                   |                            |        |                     |        |

# SECTION B: STORAGE OF MAIZE ON OWN PREMISES

SECTION E: STORAGE OF MAIZE ON OWN PREMISES

|                                                               |                            | WHITE | YELLOW |
|---------------------------------------------------------------|----------------------------|-------|--------|
| 1. UNUTILISED OWN STOCK (figures as supplied in A4 above)     |                            |       |        |
| 2. STORAGE ON BEHALF OF OTHER PERSONS / CONCERNS FOR GRISTING |                            |       |        |
| 3. STORAGE ON BEHALF OF PRODUCERS                             | 3.1 Not in producers' pool |       |        |
|                                                               | 3.2 In producers' pool     |       |        |
| 4. STORAGE ON BEHALF OF OTHER OWNERS IN R.S.A                 |                            |       |        |
| 5. STORAGE ON BEHALF OF OWNERS IN OTHER AFRICAN COUNTRIES     |                            |       |        |
| 6. TOTAL STOCK IN STORAGE                                     |                            |       |        |

No. R. 1575

28 November 1997

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996 (WET No. 47 VAN 1996)

**INSTELLING VAN STATUTÊRE MAATREËL: AANTEKENINGE EN OPGAWES DEUR UITVOERDERS, INVOERDERS, VERWERKERS, KOPERS EN OPBERGERS VAN MIELIES**

Ek, Derek André Hanekom, Minister van Landbou, handelende kragtens artikels 13 en 18 van die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No. 47 van 1996), stel hiermee die statutêre maatreël in die Bylae uiteengesit, in.

**D. A. HANEKOM**

Minister van Landbou

**BYLAE****Woordskrywing**

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

“aankoop” elke aankoop van mielies deur die koper waar die mielies in terme van die kontrak tussen die koper en die verkoper gelewer is, ongeag of die mielies aldus gelewer is op die koper se eie perseel of op die perseel van 'n ander persoon;

“die Wet” die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No. 47 van 1996);

“eie perseel” 'n perseel waarvan die persoon waarna verwys word die eienaar of huurder is of andersins die beheer oor het en, waar sodanige persoon meer as een so 'n perseel het, sluit dit al sulke persele in;

“geelmielies” mielies waarvan die endosperm van nature 'n geel kleur het;

“koper” 'n persoon wat mielies direk van die produsent daarvan aankoop;

“mielies” die gedorste en ongedorste produk van plante van *zea mays indentata* en *zea mays indurata* of een of meer kruisings daarvan, maar sluit mieliesaad bestem vir voortplantingsdoeleindes, groenmielies vir menslike gebruik en mielies aangewend vir kuilvoer uit;

“opberger” 'n persoon wat mielies opberg met uitsluiting van die produsent van daardie mielies;

“SAGIS” die Suid-Afrikaanse Graaninligtingsdiens, 'n vereniging sonder winsoogmerk ingelyf kragtens artikel 21 van die Maatskappywet, 1973 (Wet No. 61 van 1973);

“verwerker” 'n persoon wat mielies maal, breek, tot gruis maak of andersins verwerk vir die vervaardiging van mielieprodukte, hetsy by wyse van die droëmaal- of natmaalproses of op enige ander wyse, waar die mielies aldus verwerk word met die doel om die resulterende produkte te verkoop;

“witmielies” mielies waarvan die endosperm van nature 'n wit kleur het.

**Doel en doelwitte van statutêre maatreël en die verband daarvan met die oogmerke van die Wet**

2. Die doel en doelwitte van hierdie statutêre maatreël is om uitvoerders, invoerders, verwerkers, kopers en opbergers van mielies te verplig om aantekeninge te hou en opgawes aan SAGIS te verstrek. Dit word noodsaaklik geag ten einde te verseker dat deurlopende, tydige en akkurate markinligting aangaande mielies vir alle rolspelers beskikbaar gestel word. Inligting wat deur SAGIS van die aantekeninge en opgawes versamel word, sal vrylik in die markplek versprei word. Markinligting word noodsaaklik geag vir alle rolspelers in 'n gedereguleerde mark ten einde hulle in staat te stel om ingeligte besluite te kan neem. Deur die verpligte verskaffing van maandelikse opgawes op 'n individuele basis, kan markinligting vir die hele land verwerk en in die markplek versprei word.

Die instelling van hierdie statutêre maatreël sal nie slegs marktoegang vir alle markdeelnemers verbeter nie, maar behoort ook die doeltreffendheid van die bemaking van mielies te bevorder. Voorts sal behoorlike markinligting die lewensvatbaarheid van die mieliebedryf en die landbousektor in die breë bevorder.

Hierdie statutêre maatreël sal geadministreer word deur SAGIS, 'n maatskappy geïnkorporeer ingevolge artikel 21 van die Maatskappywet, 1973 (Wet No. 61 van 1973). SAGIS is spesifiek gestig vir die doel van inligtingversameling, -sortering en -verspreiding met betrekking tot die verskillende graan- en olisaadbedrywe in Suid-Afrika.

Dit word voorsien dat SAGIS makrogeneriese markinligting op 'n maandelikse basis aan die mieliebedryf en ander belanghebbende partye sal publiseer. Hierdie inligting sal verkry word uit die opgawes wat aan SAGIS verstrek word en sal op 'n nasionale basis verskaf word in die formaat uiteengesit in Aanhangsel A. Die inligting sal voorts gepubliseer word op 'n wyse wat geskik is om die meerderheid van die rolspelers in die mieliebedryf te bereik.

**Produk waarop statutêre maatreël van toepassing is**

3. Hierdie statutêre maatreël is op mielies van toepassing.

**Gebied waarin statutêre maatreël van toepassing is**

4. Hierdie statutêre maatreël is in die geografiese gebied van die Republiek van Suid-Afrika van toepassing.



**Aantekeninge wat gehou moet word deur uitvoerders, invoerders, verwerkers, kopers en opbergers van mielies**

5. (1) Elke uitvoerder, invoerder, verwerker, koper en opberger van mielies moet die volgende aantekeninge hou in verband met mielies wat hy of sy in sy of haar besit of onder sy of haar beheer het:

- (a) Die beginvoorraad mielies fisies op sy of haar eie perseel aan die begin van elke kalendermaand;
- (b) die hoeveelheid mielies deur hom of haar van die produsente daarvan aangekoop gedurende elke kalendermaand;
- (c) die hoeveelheid mielies deur hom of haar van ander persone as die produsente daarvan aangekoop gedurende elke kalendermaand;
- (d) met betrekking tot die aankope in (b) en (c) hierbo, die hoeveelheid van elke wat op sy of haar eie perseel aangekoop is en die hoeveelheid van elk wat op ander persone se persele aangekoop is;
- (e) die hoeveelheid mielies waarvan hy of sy die eienaar is en wat van ander persone se persele na sy of haar eie perseel oorgeplaas is gedurende elke kalendermaand;
- (f) die hoeveelheid mielies waarvan hy of sy die eienaar is en wat van sy of haar eie perseel na ander persone se persele oorgeplaas is gedurende elke kalendermaand;
- (g) die hoeveelheid mielies deur hom of haar ingevoer gedurende elke kalendermaand. Afsonderlike aantekeninge moet gehou word vir—
  - (i) invoere oor land;
  - (ii) invoere oor die see;
  - (iii) invoere op sy of haar eie perseel ontvang; en
  - (iv) invoere op ander persone se persele ontvang;
- (h) die hoeveelheid mielies waarvan hy of sy die eienaar is wat gedurende elke kalendermaand op sy of haar eie perseel gemaal, gebreek, tot gruis gemaak of andersins verwerk is tot mielieprodukte vir die binnelandse mark. Afsonderlike aantekeninge moet gehou word vir mielieprodukte bestem vir die—
  - (i) menslike mark;
  - (ii) dierlike mark; en
  - (iii) industriële mark;
- (i) die hoeveelheid mielies waarvan hy of sy die eienaar is wat gedurende elke kalendermaand verkoop en gelewer is aan eindverbruikers in die binnelandse mark, afsonderlik vir verkope gelewer van sy of haar eie perseel en verkope gelewer van ander persone se persele;
- (j) die hoeveelheid mielies waarvan hy of sy die eienaar is wat gedurende elke kalendermaand aan mieliehandelaars in die binnelandse mark verkoop en gelewer is, afsonderlik vir verkope gelewer van sy of haar eie perseel en verkope gelewer van ander persone se persele;
- (k) die hoeveelheid mielies waarvan hy of sy die eienaar is gedurende elke kalendermaand uitgevoer. Afsonderlike aantekeninge moet gehou word vir—
  - (i) uitvoere van sy of haar eie perseel;
  - (ii) uitvoere van ander persone se persele;
  - (iii) uitvoere oor land; en
  - (iv) uitvoere oor die see;
- (l) die hoeveelheid mielies waarvan hy of sy die eienaar is gedurende elke kalendermaand gemaal, gebreek, tot gruis gemaak of andersins verwerk tot mielieprodukte vir uitvoerdoeleindes. Afsonderlike aantekeninge moet gehou word vir—
  - (i) mielies verwerk op sy of haar eie perseel;
  - (ii) mielies verwerk op ander persone se persele;
  - (iii) mielieprodukte bestem vir uitvoer oor land; en
  - (iv) mielieprodukte bestem vir uitvoer oor die see;
- (m) die hoeveelheid mielies waarvan hy of sy die eienaar is fisies in voorraad op sy of haar eie perseel aan die einde van elke kalendermaand en die hoeveelheid van sy of haar eie mielies fisies in voorraad op ander persone se persele aan die einde van elke kalendermaand;
- (n) die hoeveelheid mielies bestem vir klandisiemaaldoeleindes wat fisies aan die einde van elke kalendermaand ten behoeve van ander eienaars op is of haar eie perseel opgeberg word;
- (o) die hoeveelheid mielies [uitgesonderd dié genoem onder (n) hierbo] wat fisies aan die einde van elke kalendermaand op sy of haar eie perseel ten behoeve van die produsente daarvan opgeberg word;
- (p) die hoeveelheid mielies [uitgesonderd dié genoem onder (n) hierbo] wat fisies aan die einde van elke kalendermaand op sy of haar eie perseel ten behoeve van ander Suid-Afrikaanse eienaars opgeberg word, afsonderlik vir mielies geproduseer in Suid-Afrika en mielies ingevoer uit ander lande;

- (q) die hoeveelheid mielies wat fisies aan die einde van elke kalendermaand op sy of haar eie perseel ten behoeve van eienaars van ander Afrika-lande opgeberg word;
  - (r) die totale hoeveelheid mielies wat fisies aan die einde van elke kalendermaand op sy of haar eie perseel opgeberg word.
- (2) Die aantekeninge genoem in subklousule (1) moet—
- (a) afsonderlik gehou word ten opsigte van witmielies en geelmielies;
  - (b) aangeteken word op 'n rekenaar of met ink in 'n boek; en
  - (c) by die hoofkantoor of gewone plek van besigheid van die persoon van wie vereis word om dit te hou, gehou word vir 'n tydperk van ten minste vier jaar na die einde van die tydperk ten opsigte waarvan sodanige aantekeninge gehou moet word.

***Opgawes wat verstrek moet word deur uitvoerders, invoerders, verwerkers, kopers en opbergers van mielies***

6. (1) Elke uitvoerder, invoerder, verwerker, koper en opberger van mielies moet binne 15 dae na die einde van elke kalendermaand, 'n akkurate opgawe van SAGIS verstrek ten opsigte van sy of haar verkryging, aanwending en opberging van mielies.

(2) Die opgawe moet verstrek word op die vorm in Aanhangsel B vervat, afskrifte van welke vorm gratis van SAGIS verkrygbaar is, en moet in ink ingevul word.

(3) Die opgawe moet—

- (a) wanneer dit per pos gestuur word, geadresseer word aan—

**Die Direkteur: SAGIS  
Posbus 669  
Pretoria  
0001, of**

- (b) wanneer per hand afgelewer, afgelewer word by—

**Die Direkteur: SAGIS  
Mielieraadgebou  
Belvederestraat 503  
Arcadia  
Pretoria.**

(4) Die opgawe moet gestuur of afgelewer word om die Direkteur van SAGIS te bereik voor of op die keurdatum genoem in subklousule (1).

(5) Die opgawe moet verstrek word selfs indien daar niks is om in die opgawe te rapporteer nie.

***Inwerkingtreding en tydperk van geldigheid***

7. Hierdie statutêre maatregel tree in werking op die datum van publikasie hiervan en verval op 28 Februarie 2002.

## SAGIS MIELIE-INLIGTING VRYSTELLING VIR DIE MAAND \_\_\_\_\_

VOORRAADPOSISIE EN AANWENDING VAN MIELIES

|                  |               |                                             |                            | WIT | GEEL |
|------------------|---------------|---------------------------------------------|----------------------------|-----|------|
| 1. BEGINVOORRAAD |               |                                             |                            |     |      |
| 2. VERKRYGING    | 2.1 BINNELAND | (a) Aankope van produsente                  |                            |     |      |
|                  |               | (b) Opberging namens produsente             | (i) Nie in produsentepoele |     |      |
|                  |               |                                             | (ii) In produsentepoele    |     |      |
|                  | 2.2 INVOERE   |                                             | (a) Oor land               |     |      |
|                  |               |                                             | (b) Oor die see            |     |      |
| 3. AANWENDING    | 3.1 BINNELAND | (a) Mielies verwerk vir                     | (i) Menslike mark          |     |      |
|                  |               |                                             | (ii) Dierlike mark         |     |      |
|                  |               |                                             | (iii) Industriële mark     |     |      |
|                  |               | (b) Heelmielies verkoop aan eindverbruikers |                            |     |      |
|                  | 3.2 UITVOERE  | (a) Mielies verwerk vir uitvoer             | (i) Oor land               |     |      |
|                  |               |                                             | (ii) Oor die see           |     |      |
|                  |               | (b) Heelmielies uitgevoer                   | (i) Oor land               |     |      |
|                  |               |                                             | (ii) Oor die see           |     |      |
| 4. EINDVOORRAAD  |               |                                             |                            |     |      |

\* Alle syfers verskaf in metrieke ton

## AANHANGSEL B

## SAGIS

## MIELIE-OPGAWE

SAGIS REGISTRASIE-/VERWYSINGSNOMMER:  
(indien toegeken)

OPGAWE VIR DIE MAAND VAN:

OPGAWE VERSTREK DEUR:  
(naam van uitvoerder, invoerder,  
verwerker, koper of opberger)

ADRES:

AANTAL EIE PERSELE: (Slegs ingevul te word deur  
diegene wat nie by SAGIS geregistreer is nie) (indien  
meer as een, heg 'n lys met fisiese adresse van elke perseel aan)

**NB:** Lees die volgende opmerkings sorgvuldig voor voltooiing van die opgawe:

1. Moet asseblief nie huiwer om die SAGIS mielie-opgawe helplyn te kontak by tel. no. (012) ..... uitbreiding ..... indien u enige probleme ondervind om die opgawe te voltooi of indien u twyfel oor enige aspek daarvan nie.
2. Alle syfers moet in metrieke ton verstrek word en moet afgerond word tot die naaste vol ton.
3. Verwys na die boekie U SAGIS Mielie-Opgawe, wat van SAGIS verkrygbaar is, vir 'n meer volledige gids tot voltooiing van die opgawe.

Naam van persoon gemagtig om hierdie  
opgawe te voltooi

Handtekening

# **AFDELING A: VERKRYGING EN AANWENDING VAN EIE MIELIES**

|                  |                                     |                                     |                                 | FISIES OP EIE PERSELE |      | OP ANDER SE PERSELE |      |
|------------------|-------------------------------------|-------------------------------------|---------------------------------|-----------------------|------|---------------------|------|
|                  |                                     |                                     |                                 | WIT                   | GEEL | WIT                 | GEEL |
| 1.BEGINVOORRAAD  |                                     |                                     |                                 |                       |      |                     |      |
| 2. VERKRYGING    | 2.1 BINNELANDS                      | (a) Aankope van produsente          |                                 |                       |      |                     |      |
|                  |                                     | (b) Aankope van handelaars          |                                 |                       |      |                     |      |
|                  |                                     | (c) Oorgeplaas van ander se persele |                                 |                       |      |                     |      |
|                  |                                     | (d) Oorgeplaas van eie persele      |                                 |                       |      |                     |      |
|                  | 2.2 INVOERE                         | (a) Oor land                        |                                 |                       |      |                     |      |
|                  |                                     | (b) Oor die see                     |                                 |                       |      |                     |      |
| 3. AANWENDING    | 3.1 BINNELANDS                      | (a) Mielies verwerk vir             | (i) Menslike mark               |                       |      |                     |      |
|                  |                                     |                                     | (ii) Dierlike mark              |                       |      |                     |      |
|                  |                                     |                                     | (iii) Industriële mark          |                       |      |                     |      |
|                  |                                     | (b) Heelmielies                     | (i) Verkoop aan eindverbruikers |                       |      |                     |      |
|                  |                                     |                                     | (ii) Verkoop aan handel         |                       |      |                     |      |
|                  |                                     |                                     | (iii) Oorgeplaas na eie persele |                       |      |                     |      |
|                  | (iv) Oorgeplaas na ander se persele |                                     |                                 |                       |      |                     |      |
|                  | 3.2 UITVOERE                        | (a)Mielies verwerk vir uitvoer      | (i) Oor land                    |                       |      |                     |      |
|                  |                                     |                                     | (ii) Oor die see                |                       |      |                     |      |
|                  |                                     | (b) Heelmielies uitgevoer           | (i) Oor land                    |                       |      |                     |      |
| (ii) Oor die see |                                     |                                     |                                 |                       |      |                     |      |
| 4. EINDVOORRAAD  |                                     |                                     |                                 |                       |      |                     |      |

## **AFDELING B: OPBERGING VAN MIELIES BY EIE PERSELE**

|                                                                  |                           | WIT | GEEL |
|------------------------------------------------------------------|---------------------------|-----|------|
| 1. ONAANGEWENDE EIE VOORRAAD (syfers soos verstrek in A4 hierbo) |                           |     |      |
| 2. OPBERGING NAMENS ANDER PERSONE / INSTANSIES VIR KLANDISIEMAAL |                           |     |      |
| 3. OPBERGING NAMENS PRODUSENTE                                   | 3.1 Nie in produsentepoel |     |      |
|                                                                  | 3.2 In produsentepoel     |     |      |
| 4. OPBERGING NAMENS ANDER EIENAARS IN R.S.A                      |                           |     |      |
| 5. OPBERGING NAMENS EIENAARS IN ANDER AFRIKA-LANDE               |                           |     |      |
| 6. TOTALE VOORRADE IN OPBERGING                                  |                           |     |      |



No. R. 1576

28 November 1997

## MARKETING AND AGRICULTURAL PRODUCTS ACT, 1996 (ACT No. 47 OF 1996)

**ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF PROCESSORS AND PURCHASERS OF MAIZE**

I, Derek André Hanekom, Minister of Agriculture, acting under sections 13 and 19 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the Schedule.

**D. A. HANEKOM****Minister of Agriculture****SCHEDULE****Definitions**

1. In this Schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning, and unless the context otherwise indicates—

“**maize**” means the threshed and unthreshed product of plants of *zea mays indentata* and *zea mays indurata* or one or more crossings thereof, but excludes seed maize intended for propagation purposes, green mealies for human consumption and maize utilised as silage;

“**processor**” means any person who grinds, crushes, grists or otherwise processes maize for the production of maize products, whether by means of the dry milling or wet milling process or otherwise, where the maize is thus processed for the purpose of the sale of the resulting products;

“**purchaser**” means any person who purchases maize directly from the producer thereof;

“**SAGIS**” means the South African Grain Information Service, an association not for gain incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973);

“**the Act**” means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996).

**Purpose and aims of statutory measure and the relation thereof to objectives of the Act**

2. The purpose and aims of this statutory measure are to compel processors and purchasers of maize to register with SAGIS. Registration is necessary to assist SAGIS in ensuring that continuous, timeous and accurate market information relating to maize is made available to all roleplayers. Market information is deemed essential for all roleplayers in a deregulated market, in order for them to be able to make informed decisions. By combining the compulsory registration with the furnishing of monthly returns on an individual basis, market information for the whole of the country can be processed and disseminated to the market place.

The establishment of this statutory measure will not only assist in enhancing market access for all market participants but should also assist in promoting the efficiency of the marketing of maize. The viability of the maize industry will thus be enhanced.

This statutory will be administered by SAGIS, a company incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973). SAGIS was specifically established for the purpose of registration and information gathering, collation and distribution in respect of the various grain and oilseed industries in South Africa.

**Product to which statutory measure applies**

3. This statutory measure shall apply to maize.

**Area in which statutory measure applies**

4. This statutory measure shall apply within the geographical area of the Republic of South Africa.

**Registration of processors and purchasers**

5. (1) All processors and purchasers shall register as such with SAGIS in the manner set out in clause 6.

(2) An application for registration in terms of subclause (1) shall be made within 30 days from the date of commencement of this statutory measure and, in the case of a person becoming a processor or a purchaser after such date of commencement, with 30 days of becoming a purchaser or a processor.

(3) Upon registration a certificate of registration shall be issued to the applicant.

(4) A registration certificate issued in terms of subclause (3) shall lapse—

- (a) after a period of two years from the date of issue thereof; or
- (b) upon cancellation in terms of subclause (6).

(5) (a) An application for continued registration shall be lodged at least 30 days before the termination date in terms of subclause (4) (a).

(b) The provisions of clause 6 shall *mutatis mutandis* apply to an application for continued registration.

(6) Each processor and each purchaser shall within 30 days of ceasing to be a processor or purchaser notify SAGIS in writing thereof whereupon his or her registration shall be cancelled.

**Application for registration as processor or purchaser**

6. (1) Application for registration in terms of clause 5 shall be made on the application form in the Annexure, copies of which are obtainable free of charge from SAGIS.

(2) The application form shall be completed in ink, signed by a person duly authorised thereto and shall be accompanied by the substantiating documentation as specified in the form.

(3) The application form shall—

(a) when forwarded by post, be addressed to—

**The Director: SAGIS  
P.O. Box 669  
Pretoria  
0001; or**

(b) when delivered by hand, be delivered to—

**The Director: SAGIS  
Maize Board Building  
503 Belvedere Street  
Arcadia  
Pretoria.**

**Commencement and period of validity**

7. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 28 February 2002.

**No. R. 1576**

**28 November 1997**

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996 (WET NO. 47 VAN 1996)

**INSTELLING VAN STATUTÊRE MAATREËL: REGISTRASIE VAN VERWERKERS EN KOPERS VAN MIELIES**

Ek, Derek André Hanekom, Minister van Landbou, handelende kragtens artikels 13 en 19 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996), stel hiermee die statutêre maatreël in die Bylae uiteengesit, in.

**D. A. HANEKOM**

**Minister van Landbou**

**BYLAE****Woordomskrywing**

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

“**die Wet**” die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996);

“**koper**” 'n persoon wat mielies direk van die produsent daarvan aankoop;

“**mielies**” die gedorse en ongedorse produk van plante van *zea mays indentata* en *zea mays indurata* of een of meer kruisings daarvan, maar sluit mieliesaad bestem vir voortplantingsdoeleindes, groenmielies vir menslike gebruik en mielies aangewend vir kuilvoer uit;

“**SAGIS**” die Suid-Afrikaanse Graaninligtingsdiens, 'n vereniging sonder winsoogmerk ingelyf kragtens artikel 21 van die Maatskappywet, 1973 (Wet No. 61 van 1973);

“**verwerker**” 'n persoon wat mielies maal, breek tot gruis maak of andersins verwerk vir die vervaardiging van mielieprodukte, hetsy by wyse van die droëmaal- of natmaalproses of op enige ander wyse, waar die mielies aldus verwerk word met die doel om die resulterende produkte te verkoop.

**Doel en doelwitte van statutêre maatreël en die verband daarvan met die oogmerke van die Wet**

2. Die doel en doelwitte van hierdie statutêre maatreël is om verwerkers en kopers van mielies te verplig om by SAGIS te registreer. Registrasie is nodig om SAGIS te help om te verseker dat deurlopende, tydige en akkurate markinligting aangaande mielies vir alle rolspelers beskikbaar gestel word. Markinligting word noodsaaklik geag vir alle rolspelers in 'n gedereguleerde mark ten einde hulle in staat te stel om ingeligte besluite te kan neem. Deur die kombinerende van verpligte registrasie met die verskaffing van maandelikse opgawes op 'n individuele basis, kan markinligting vir die hele land verwerk en in die markplek versprei word.

Die instelling van hierdie statutêre maatreël sal nie slegs help om marktoegang vir alle markdeelnemers te verbeter nie, maar behoort ook te help om die doeltreffendheid van die bemarking van mielies te bevorder. Die lewensvatbaarheid van die mieliebedryf word sodoende bevorder.

Hierdie statutêre maatreël sal geadministreer word deur SAGIS, 'n maatskappy geïnkorporeer ingevolge artikel 21 van die Maatskappywet, 1973 (Wet No. 61 van 1973). SAGIS is spesifiek gestig vir die doel van registrasie en inligtingversameling, -sortering en -verspreiding met betrekking tot die verskillende graan- en oliesaadbedrywe in Suid-Afrika.

**Produk waarop statutêre maatreël van toepassing is**

3. Hierdie statutêre maatreël is op mielies van toepassing.

**Gebied waarin statutêre maatreël van toepassing is**

4. Hierdie statutêre maatreël is in die geografiese gebied van die Republiek van Suid-Afrika van toepassing.

**Registrasie van kopers en verwerkers**

5. (1) Alle verwerkers en kopers moet as sulks registreer by SAGIS op die wyse in klousule 6 uiteengesit.
- (2) 'n Aansoek om registrasie ingevolge subklousule (1) moet binne 30 dae na die datum van inwerkingtreding van hierdie statutêre maatreël gedoen word en, in die geval van 'n persoon wat 'n verwerker of koper word na sodanige datum van inwerkingtreding, binne 30 dae nadat hy of sy 'n verwerker of koper geword het.
- (3) By registrasie word 'n sertifikaat van registrasie aan die applikant uitgereik.
- (4) 'n Registrasiesertifikaat ingevolge subklousule (3) uitgereik, verval—
- (a) na 'n tydperk van twee jaar vanaf die datum van uitreiking daarvan; of
- (b) wanneer gekanselleer ooreenkomstig subklousule (6).
- (5) (a) 'n Aansoek om voortgesette registrasie moet minstens 30 dae voor die vervaldatum ingevolge subklousule (4) (a) ingedien word.
- (b) Die bepalinge van klousule 6 is *mutatis mutandis* van toepassing op 'n aansoek om voortgesette registrasie.
- (6) Elke verwerker en elke koper moet SAGIS binne 30 dae nadat hy of sy ophou om 'n verwerker of koper te wees skriftelik daarvan in kennis stel waarop sy of haar registrasie gekanselleer word.

**Aansoek om registrasie as koper of verwerker**

6. (1) Aansoek om registrasie in terme van klousule 5 moet gedoen word op die aansoekvorm in die Aanhangsel, afskrifte van welke aansoekvorm gratis van SAGIS verkrygbaar is.
- (2) Die aansoekvorm moet in ink ingevul word, onderteken word deur 'n persoon wat behoorlik daartoe gemagtig is en moet vergesel word deur die stawende dokumentasie in die vorm gespesifiseer.
- (3) Die aansoekvorm moet—

- (a) wanneer dit per pos gestuur word, geadresseer wees aan—

**Die Direkteur: SAGIS  
Posbus 669  
Pretoria  
0001; of**

- (b) wanneer per hand afgelewer, afgelewer word by—

**Die Direkteur: SAGIS  
Mielieraadgebou  
Belvederestraat 503  
Arcadia  
Pretoria.**

**Inwerkingtreding en tydperk van geldigheid**

7. Hierdie statutêre maatreël tree in werking op die datum van publikasie hiervan en verval op 28 Februarie 2002.

**SAGIS**

**ANNEXURE / AANHANGSEL**  
**South African Grain Information Services**  
**Suid-Afrikaanse Graan Inligtingsdiens**

PO Box 669/Posbus 669, PRETORIA, 0001  
 503 Belvedere Street/Belvederestraat 503, Arcadia, 0083

Telephone/Telefoon (012) 325-2133  
 Fax/Faks (012) 321-7864

## **AANSOEK OM REGISTRASIE AS 'N MIELIE HANDELAAR/ APPLICATION FOR REGISTRATION AS A MAIZE TRADER**

- Alle persone wat mielies van produsente aankoop of verwerk moet aansoek om registrasie by SAGIS doen / All persons buying maize from producers or process it, must apply for registration at SAGIS
- Let daarop dat elke regspersoon afsonderlik moet registreer / Kindly note that each legal person must apply and register separately.
- Verskaf asseblief 'n afsonderlike lys van die verskillende persele waar u besigheid bedryf word saam met hierdie aansoek / Furnish a list of the different premises where your business is being operated.

### **BESONDERHEDE VAN AANSOEKER / PARTICULARS OF APPLICANT**

**Voltooi asseblief in drukskrif / Please complete in print**

**\* = merk toepaslike blokkie met 'n X / Mark the relevant block with a X**

### **C BESONDERHEDE VAN ONDERNEMING / PARTICULARS OF ENTERPRISE**

#### **C1 Natuurlike persoon (Eenmansaak) / Natural person (One man business)**

Titel/Title Dr ☐ Mnr/Mr ☐ Prof ☐ Me ☐

Voorletters/Initials: .....

Van/Surname: .....

Identiteitsnommer: .....

#### **C2 Maatskappye en Beslote korporasies / Companies and Closed Corporations**

Geregistreerde naam/Registered name: .....

Handelsnaam/Trading name : .....

Fisiese adres/Physical address: .....

Registrasienommer/Registration number: .....

*Verskaf 'n afskrif van u registrasie dokumente by die betrokke registrateur saam met hierdie aansoek/Furnish a copy of your registration documentation at the relevant registrar with this application*

**C3 Ander ondernemings (Trusts, Vennootskappe ens.) / Other enterprises (Trusts, Partnerships ect.)**

Ondernemings tipe/Type of enterprise: .....

Geregistreerde naam/Registered name: .....

Handelsnaam/Trading name: .....

Registrasienuommer/Registration number: .....

**C4 Besonderhede benodig van al bogenoemde aansoekers / Information needed of all the abovementioned applicants**

Posadres/Postal address: .....

Poskode/Postal code: .....

Kode/Code:

Nommer/Number:

Telefoon/Telephone: .....

Faksimile/Facsimile: .....

Sellulêre nommer/Cellular number: .....

Kontak persoon/Contact person: .....

**Persoon gemagtig om aansoek om registrasie te doen/ Person authorised to apply for registration:**

Voorletters/Initials: .....

Van/Surname: .....

Hoedanigheid/Capacity: .....

Handtekening/Signature: ..... Datum/Date: .....

**C5 Besorg die aansoek aan / Deliver the application to:**

Die Hoofbestuurder/The General manager

SAGIS

Posbus 669/PO Box 669, Pretoria, 0001 or

Belvederestraat 503/503 Belvedere street, Arcadia.



**No. R. 1580****28 November 1997****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996 (ACT No. 47 OF 1996)****REQUEST FOR STATUTORY MEASURES: LEVIES TO FINANCE INFORMATION AND RESEARCH FUNCTIONS FOR WINTER CEREALS**

It is hereby made known in terms of section 11 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), that the Minister of Agriculture has received a request for statutory measures in terms of section 10 of the said Act as set out in the Schedule hereto.

Directly affected groups are hereby invited to lodge any objection or representation regarding the proposed statutory measures with the National Agricultural Marketing Council within 14 days of the publication thereof.

Submissions should be in writing and be addressed to:

**The Chairperson  
National Agricultural Marketing Council  
Private Bag X935  
PRETORIA  
0001.  
Fax: (012) 325-2157.  
Enquiries: Ms Lizette Mellet.  
Tel. (012) 325-2150.**

**W. E. KASSIER**

**Chairperson: National Agricultural Marketing Council**

**APPLICATION FOR A STATUTORY MEASURE ON WINTER CEREALS IN  
TERMS OF THE MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996  
(ACT) No. 47 of 1996)**

**1. STATUTORY MEASURE – LEVIES**

The statutory measure that is requested to be established, is that the Minister –

- 1.1 in terms of section 15 of the Act, by notice in the Government Gazette, direct that a levy amounting to R4,00 per metric ton wheat processed, exclusive of VAT, shall be payable by commercial millers to the Winter Cereal Research Trust not later than the 15<sup>th</sup> day of the month following the month in which wheat was processed, and the levy shall be imposed on all wheat processed by commercial millers;
- 1.2 in terms of section 15 of the Act, by notice in the Government Gazette, direct that a levy amounting to 50c per metric ton wheat, durum wheat, barley or oats processed, exclusive of VAT, shall be payable by –
  - 1.2.1 commercial millers in respect of wheat processed by them;
  - 1.2.2 other wheat processors in respect of durum wheat processed by them;
  - 1.2.3 barley processors in respect of barley processed by them; and
  - 1.2.4 oats processors in respect of oats processed by them,to the Winter Cereal Research Trust not later than the 15<sup>th</sup> day of the month following the month in which wheat was processed and the levy shall be imposed on all winter cereals processed by commercial millers, other wheat processors, durum wheat millers, barley processors and oats processors.

**2. INFORMATION REQUIRED BY SECTION 10 OF THE ACT**

- 2.1 The particulars are required under section 10 of the Act to be included in a request for the establishment of a statutory measure, are as follows:
- 2.2 The statutory measures that are proposed, would relate to wheat, barley and oats as far as the information levy is concerned and to wheat as far as the research levy is concerned.
- 2.3 The categories of directly affected groups which would probably be effected by the establishment of the proposed statutory measure, are those groups of persons who are party to the production, purchasing and processing of winter cereals as well as to the consumption of winter cereal products in the Republic of South Africa.
- 2.4 The proposed statutory measures should apply to the whole of the Republic of South Africa, in order to have a uniform system of registration without the discrimination that would exist on imposing levies in certain areas and not in others.

- 2.5 According to the applicant, the establishment of the statutory measure applied for, will further the objectives of the Act as stipulated in section 2(2) thereof. Such establishment will also not contravene section 2(3) of the Act.

The manner in which the objectives referred to in section 2(2) of the Act will be furthered (namely the increasing of market access for all market participants, the promotion of the efficiency of the marketing of agricultural products, the optimisation of export earnings from agricultural products and the enhancement of the viability of the agricultural sector), are summarised below:

**2.5.1 Levy to finance the winter cereal information function**

The maintenance of macro industry information is regarded as critical for strategic planning by the winter cereal industry as well as the directly affected groups individually.

In order for the market to operate effectively, the industry regards the supplying of generic market information to all role players on a continuous basis, as essential. The phasing out of the Wheat Board which has up to now rendered this service to the industry, will result in a vacuum with regard to the supply of generic market information.

The winter cereal industry has supported the conclusion that information previously obtained by the statutory control boards' should in future also be obtained by means of statutory measures in terms of the Act and that the proposed section 21 company to be established for this purpose (SAGIS) would be the ideal vehicle to achieve this. A statutory levy is required to ensure that the winter cereal industry also shares in the envisaged gathering and dissemination of information.

Proper and accurate winter cereal market information obtainable on a continuous and timeous manner, will not only increase market access for all participants, but will also promote efficiency in the marketing of winter cereals and winter cereal products. Winter cereal marketing will furthermore enhance the viability of the winter cereal industry in particular and the agricultural sector at large.

Market information will also enhance food security, as the information on national stock levels of winter cereals will be available. The measure will not be detrimental to the number of job opportunities within the economy or to fair labour practice.

Winter cereals and winter cereal products are annually exported to neighbouring countries and in record crop years significant volumes are also exported overseas. To achieve optimisation of export earnings, reliable information is essential.

### **2.5.2 Levy to support research on wheat**

The agricultural sector is expected to ensure food security, strengthen the economy and promote social wealth by providing job opportunities in rural areas. This aim can be reconciled with the provisions of section 2(3) of the Act. In order to achieve these aims the agriculture sector is dependent on continued research.

According to experts in the field of research, the performance of the South African agricultural sector despite the lack of high-potential arable land, could to a great extent be attributed to the development and application of agricultural research results. The complex interaction between changing behavioral patterns of crops and external factors affecting them, such as disease and pests, often impacts negatively on production and quality, thus creating an urgent demand for new technology in order to keep the agricultural sector profitable. Account should also continually be taken of consumer preferences within the market.

As regards research on winter cereal, specific infrastructure has been created over time in respect of research, among others at the following institutions: University of Pretoria, University of the Free State, University of Stellenbosch, Small Grain Institute, Sensako and CSIR. It is essential that the above infrastructure created by contributions from the Winter Cereal Research and Development Fund be retained and maintained to the benefit of the winter cereal industry.

The development of new cultivars with improved quality characteristics constitutes an important part of the research undertaken by the Small Grain Institute and Sensako. The continuous development of new cultivars is indispensable to the sustained production of winter cereals.

- 2.6 Research levy:** Traditionally, the amounts appropriated to researchers for a specific calendar year are based on the amount collected in the preceding season by means of levies to strengthen the relevant fund. A portion of the interest earnings in the previous financial year is also used for the relevant year's appropriations if necessary. This was to ensure that sufficient money would be kept in reserve in the event of a crop failure where the income from levies might not be sufficient to maintain continuous projects (as well as possible new ones).

On 31 October 1996, the balance of the Winter Cereal Research and Development Fund amounted to R25,1 million of which R12,2 million has been allocated, with ministerial approval, to projects to be financed during the 1997 calendar year. If the average annual payments for the past 5 years of approximately R7,9 million are taken into account, it is clear that continued supplementation of the fund is needed for continued research.

In view of the need for continued research in all sectors of the industry, it is envisaged that the most appropriate mechanism for continued funding would be by way of levies.

Due to the variation in the wheat crop from year to year and the logistics involved in collecting levies directly from more than 6 000 producers, it was decided by the Wheat Forum that wheat milled should form the basis for collection of this levy. In view of the fewer number of collection points, namely approximately 137 commercial millers at present, much more effective control is possible.

Based on an annual wheat consumption figure of approximately 2,5 million tons and on future annual research grants of about R10 million, a levy of R4/ton was decided on by the Wheat Forum to be collected on all wheat milled for human consumption.

The Wheat Forum would in future also be the body responsible for the application, announcement and publication of the levy agreed upon by the directly affected groups represented in the Forum.

It is proposed that all levies collected would be deposited into the bank account of the Winter Cereal Research Trust.

- 2.7 **Information levy:** as in the case of the research levy and due to the variation in the wheat crop from year to year which would make it almost impossible to budget, and also to ensure a uniform basis of collection of all winter cereal industry levies, it is also envisaged that wheat, barley and oats processed, should form the basis of collection of this levy. The fewer number of collection points, namely approximately 232 in total at present (the number of processors would be known and registered with SAGIS), would also ensure more effective collection of the levy than what the case would be if the levy is applied on transactions between buyers and producers of wheat, the details of which is not always readily known.

A levy of 50c/ton was decided on by the Wheat forum to fund the winter cereal industry's share of the SAGIS budget.

The Wheat Forum would in future also be the body responsible for the application, announcement and publication of the levy agreed upon by the directly affected groups represented in the Forum.

It is proposed that all levies collected would be deposited into the bank account of the Winter Cereal Research Trust.

- 2.8 The applicant suggested that the proposed statutory measures be implemented as soon as possible in order to ensure the continuance of the information and research functions which are deemed as essential for the winter cereal industry after the discontinuance of the Wheat Board functions on 31 October 1997.



Until such time as the needs of the winter cereal industry change, the implementation of an appropriate statutory measure to enable funds to be generated to finance the information and research functions is necessary. To comply with the requirements of section 13(2)(a) of the Act however, and in the light of expected changes in the levy collection system next year, it is suggested that the initial duration of this measure be one year from date of implementation. The amount of the levy will be reconsidered on an annual basis.

Statutory measures will in terms of the Act, in any case be subject to evaluation and review by the National Agricultural Marketing Council at least every two years whilst the Act also provides for an application to be made for the repeal of a statutory measure at any time.

- 2.9 It is envisaged that the administrators of the Winter Cereal General Trust and the Winter Cereal Research Trust will be responsible for the collection and administration functions associated with the information and research levies, respectively. The trusts will have the option to appoint independent contractors to carry out these functions.

The object of the Winter Cereal General Trust (which will assume responsibility for the information levy) is to further the winter cereal industry in the RSA by supporting market and production orientated research with regard to winter cereal, the broadening of the market for SA produced winter cereal, the collection, processing and distribution of market information on winter cereals and the winter cereal industry in the RSA and the administration of the Wheat Forum as structured at the time of the establishment of this trust.

The above trust shall have ten trustees, representing commercial producers, emerging farmers, grain handlers, processors, consumers, labour and the Minister of Agriculture.

The object of the Winter Cereal Research Trust (which will assume responsibility for the research levy) is to undertake and/or support research with regard to winter cereal in the RSA in the interest of the winter cereal industry in the RSA.

The above trust shall have eight trustees, representing commercial producers, emerging farmers, processors, consumers and the Minister of Agriculture.

- 2.10 The most appropriate means of organising the inspection and enforcement of the intervention, would be to assign that function to the administration of the two trusts who could either appoint personnel for this purpose or contact independent inspectors to inspect and enforce the proposed measures. Lists of persons obliged to pay levies under the measure will correspond to those registered at SAGIS and inspections can also be carried out from time to time to ensure compliance with the measure.

**No. R. 1581****28 November 1997****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996 (ACT No. 47 OF 1996)****REQUEST FOR STATUTORY MEASURES: REGISTRATION, RECORDS AND RETURNS RELATING TO OILSEEDS (SUNFLOWER SEED, SOYA BEANS, GROUNDNUTS AND CANOLA SEED)**

It is hereby made known in terms of section 11 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), that the Minister of Agriculture has received a request for statutory measures in terms of section 10 of the said Act as set out in the Schedule hereto.

Directly affected groups are hereby invited to lodge any objection or representation regarding the proposed statutory measures with the National Agricultural Marketing Council within 14 days of the publication thereof.

Submissions should be in writing and be addressed to:

**The Chairperson  
National Agricultural Marketing Council  
Private Bag X 935  
PRETORIA  
0001.  
Fax: (012) 325-2157.  
Enquiries: Ms Lizette Mellet.  
Tel. (012) 325-2150.**

**W. E. KASSIER**

**Chairperson: National Agricultural Marketing Council**

**APPLICATION FOR STATUTORY MEASURES ON OILSEEDS IN  
TERMS OF THE MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996  
(ACT NO 47 OF 1996)**

**1. STATUTORY MEASURES – REGISTRATION AND RECORDS AND RETURNS**

The statutory measures that are requested to be established, are that the Minister –

- 1.1 in terms of section 19 of the Act, by notice in the Government Gazette, direct that, in respect of oilseeds (sunflower seed, soya beans, groundnuts and canola seed), the purchasers and processors of oilseeds be registered with the South African Grain Information Service as specified in the notice; and
- 1.2 in terms of section 18 of the Act, by notice in the Government Gazette-
  - 1.2.1 direct that the traders and processors of oilseeds shall keep the records and returns with regard to oilseeds which such person has in his or her possession or under his or her control, and direct that such records and returns be furnished to the South African Grain Information Service; and
  - 1.2.2 direct that such records and returns shall be kept for the period and furnished at the time and in the manner as set out therein.

**2. INFORMATION REQUIRED BY SECTION 10 OF THE ACT**

- 2.1 The particulars as required by section 10 of the Act to be included in a request for the establishment of a statutory measure, are given in the same sequence, as that required by the Act. Where applicable, separate particulars are supplied in respect of registration and in respect of records and returns. Where separate particulars are not supplied, the particulars are identical for both statutory measures:
- 2.2 The statutory measures that are proposed would relate to the following oilseeds utilised for expelling, seed, human and product of plants for animal consumption purposes:

"canola" means the seed of the rapeseed plant *Brassicca napus* and *B. campestris*;

"groundnuts" means the underground fruit of the groundnut plant *Arachis hypogaeae*, whether shelled or unshelled;

"processor" means any person who processes oilseeds for the purpose of manufacturing products for the purpose of the sale of the resulting products;

"purchaser" means any person who purchases oilseeds directly from the producer thereof (a purchaser is also considered as a trader);

"soya beans" means the seed of the soya plant, *Glycine soya*;

"sunflower seed" means the seed of the sunflower plant *Helianthus annuus*;

"trader" means any person who handles oilseeds in the process of trade.

- 2.3** The categories of directly affected groups which would probably be effected by the establishment of the proposed statutory measure, are:

**2.3.1 Registration**

Those groups of persons who are party to the trading and processing of oilseeds.

**2.3.2 Records and returns**

Those groups of persons who are party to the trading and processing of oilseeds. It needs to be noted that other persons than those defined as directly affected groups in the Act, will also be affected by the establishment of the proposed statutory measure, namely such persons who import or export oilseeds or who stores oilseeds, excluding producers who store their own oilseeds.

- 2.4** Support for the proposed statutory measures on oilseeds by the different categories of directly affected and other groups in the oilseeds industry, Working is evidenced by the members of the relevant Forums in the Oilseeds Industry.

- 2.5** The proposed statutory measures should apply to the whole of the Republic of South Africa, in order to have a uniform system of registration without the discrimination that would be consequent on requiring registration in certain areas and not in others, to obtain a comprehensive and total picture of the oilseeds market and to be able to disseminate to the industry a full report on market information within the country as a whole.

- 2.6** According to the applicant, market information is essential for all role-players in a deregulated market, in order for them to be able to make informed decisions and for the market to operate effectively. Without proper and accurate market information that is available on a continuous and timeous manner, the market will not develop properly and role-players will not be able to participate on an equal footing based on the same information.

To be able to disseminate information as accurately as possible, it will be necessary to compel persons to render monthly returns on an individual basis, so that market information for the whole of the country could be processed and disseminated to the market place. A system of compulsory registration will assist the administration of the statutory measure relating to records and returns.

The establishment of the statutory measures applied for, will therefore not only increase market access for all market participants but will also promote the efficiency of the marketing of oilseeds and their products. Furthermore, proper market information will definitely enhance the viability of the oilseeds industry and the agricultural sector at large, and will even, to some extent, contribute towards the optimisation of export earnings from oilseeds and their products. From this it can be seen that the establishment of these statutory measures will further all the objectives of the Act as stipulated in section 2(2) thereof.



The intended statutory measures will indirectly also enhance food security as the information on national stock levels and oilseeds stored by owners of commercial grain storage facilities, will be available. The measures will further not be detrimental to the number of employment opportunities within the economy or to fair labour practices. Therefore the statutory measures will not prejudice any of the objectives of the Act and will not contravene section 2(3) of the Act.

- 2.7 The applicant suggested that the proposed statutory measures be implemented for an indefinite duration in order to ensure continuity of registration and the flow of information envisaged. To comply with the provisions of section 13(2)(a) of the Act, however, it is suggested that the initial duration thereof be approximately four years from the date of implementation in order to coincide with the financial year of the proposed company responsible for the administration. This is of course subject to an application for the continuance thereof, should the directly affected groups require it. Although the initial period may seem long, it needs to be borne in mind that the measures will, in terms of the Act, be subject to evaluation and review by the National Agricultural Marketing Council at least every two years. Furthermore, the Act provides for an application to be made for the repeal of statutory measures.
- 2.8 The applicant's viewpoint is that a non profit seeking company under section 21 of the Companies Act, which is to be formed jointly by the different grain and oilseeds sectors of the agricultural industry, is the most appropriate vehicle for implementation of the proposed statutory measures. The company shall be known as the South African Grain Information Service. Both the Department of Agriculture and the Central Statistical Services were considered as possibilities for the administration and enforcement of the proposed statutory measures. However, due to a lack of the necessary personpower and other bureaucratic constraints, both these bodies indicated their inability to do so, and the winter cereal and other industries involved came to the conclusion that an independent structure should be formed to fulfil the task. Such a structure will be industry driven and will therefore be able to develop and to adhere to the specific needs of each industry involved.
- 2.9 As the company mentioned in (d) above will be formed specifically for the purpose of administering the proposed statutory measures and similar measures that may be applied for by other agricultural sectors, the most appropriate way of organising the inspection and enforcement of the intervention, would be to assign that function to the company. In this regard it is envisaged that the Minister would appoint either personnel of the company or independent contractors as inspectors in terms of section 21 of the Act to inspect and enforce the proposed measures. Lists of persons obliged to register and obliged to keep and render records and the company will keep returns under the measures. The company will be aware of failures to comply with the measures as those liable to register and to keep records and render returns, will mostly be included in the lists kept by the company. Furthermore, the inspectors can carry out random inspections from time to time to ensure the compliance with the measures.



- 2.10 As it is proposed that the company, in the case of oilseeds and the particular proposed statutory measures, be funded by the Oil and Protein Seeds Development Trust, there will be no financial implication on the fiscus. The formation of the Trust and the transfer of assets of the Oilseeds Board to it were contained in the Business Plan of the Oilseeds Board which was approved by the Minister on 8 September 1997. The Trust Deed was approved by the Minister on 16 September 1997 and the Oil and Protein Seeds Development Trust was registered on 18 September 1997. It is envisaged that there may in future be a necessity to fund the company by means of levies under section 15 of the Act, but at such time the appropriate application will be made therefore. Even then, there will be no financial implication for the fiscus.

### 3. BACKGROUND AND MOTIVATION

- 3.1 The oilseeds industry regards it as essential that the market information should be supplied to all role-players on a continuous basis in order for the market to operate effectively. The phasing out of the Oilseeds Board, as prescribed by the Act, will result in a vacuum with regard to the supply of generic market information. The oilseeds industry therefore, and in liaison with some of the other agricultural industries, developed a framework to address this issue.
- 3.2 In the development of the framework, the following important criteria were applied:
- 3.2.1 Only generic market information is to be made available and access to individual information must be kept strictly confidential (at all cost).
  - 3.2.2 The disseminator of the information should be neutral, objective, credible and timely.
  - 3.2.3 The needs of the total industry in respect of information must be complied with, including the commercial and the emerging sectors.
  - 3.2.4 Costs should be kept to the minimum. It would therefore be preferable for a number of reasons, that different industries should strive to work together in this regard.
- 3.3 The oilseeds industry has come to the conclusion that the information should be obtained by means of statutory measures in terms of the Act. The organisational structure envisaged for the administration of the measures, will also be accessible to other industries. The planning in this regard has been done with the involvement of the maize, sorghum and oilseeds industries, but each of these industries will lodge their own application for statutory measures and for the funding and nature of the information that their respective industries should require.

No. R. 1582

28 November 1997

## PLANT BREEDERS' RIGHTS ACT, 1976 (ACT No. 15 OF 1976)

## REGULATIONS RELATING TO PLANT BREEDERS' RIGHTS: AMENDMENT\*

The Deputy Minister of Agriculture, acting under section 44 of the Plant Breeders' Rights Act, 1976 (Act No. 15 of 1976), on behalf of the Minister of Agriculture, has made the regulations set out in the Schedule.

\* Addition of certain plants to the list of plants declared in terms of the Act.

## SCHEDULE

## Definition

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R. 1186 of 12 September 1997.

## Amendment of Table 1 of the Regulations

2. Table 1 of the Regulations is hereby amended by the insertion of the entries in the Annexure in the alphabetically correct positions.

No. R. 1582

28 November 1997

## WET OP PLANTTELEERSREGTE, 1976 (WET No. 15 VAN 1976)

## REGULASIES BETREFFENDE PLANTTELEERSREGTE: WYSIGINGS\*

Die Adjunkminister van Landbou, handelende kragtens artikel 44 van die Wet op Planttelersregte, 1976 (Wet No. 15 van 1976), namens die Minister van Landbou, het die regulasies in die Bylae uitgevaardig.

\* Toevoeging van sekere plante tot die lys van plante wat ingevolge die Wet verklaar is.

## BYLAE

## Woordomskrywing

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermmentskennisgewing No. R. 1186 van 12 September 1997.

## Wysiging van Tabel 1 van die Regulasies

2. Tabel 1 van die Regulasies word hierby gewysig deur die inskrywings in die Aanhangel in die alfabeties korrekte posisies in te voeg.

## ANNEXURE • AANHANGSEL

## TABLE 1 • TABEL 1

KINDS OF PLANTS AND PERIODS OF RIGHTS  
SOORTE PLANTE EN TERMINE VAN REGTE

[Reg. 11; 11 (a)]

| 1                                |                                          | 2                     | 3                                                                                       | 4                                                                       |
|----------------------------------|------------------------------------------|-----------------------|-----------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| Kind of plant/Soort plant        |                                          | Category<br>Kategorie | Period of<br>plant breeder's<br>right (Years)<br>Termyn van<br>planttelersreg<br>(Jare) | Period of<br>sole right<br>(Years)<br>Termyn van<br>alleenreg<br>(Jare) |
| Botanical name<br>Botaniese naam | Common name<br>Gewone naam               |                       |                                                                                         |                                                                         |
| "Antirrhinum L. ....             | Snapdragon/Leeubekkie .....              | A                     | 20                                                                                      | 5                                                                       |
| Melia azedarach L. ....          | Persian lilac, Bead tree, Seringa/Sering | B                     | 25                                                                                      | 8                                                                       |
| Potentilla L. ....               | Cinquefoil/Vyfvingerkruid, Ganserik ...  | A                     | 20                                                                                      | 5                                                                       |
| Saccharum officinarum L. ....    | Sugar cane/Suikerriet.....               | A                     | 20                                                                                      | 5"                                                                      |

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM  
DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME**

**No. R. 1558****28 November 1997**

**DESIGNATION OF POSTS IN A LOCAL AUTHORITY OF WHICH THE INCUMBENTS ARE  
FISHERY CONTROL OFFICERS**

I, Zweledinga Pallo Jordan, the Minister of Environmental Affairs and Tourism, hereby under section 5 (2) (c) of the Sea Fishery Act, 1988 (Act No. 12 of 1988), as set out in the Schedule, designate the posts with the concurrence of the local authority concerned of which the incumbents are fishery control officers.

**Z. P. JORDAN****Minister of Environmental Affairs and Tourism****SCHEDULE**

| <i>Local Authority</i>            | <i>Posts</i>                                                                                                                                                                                                                                                                                                                                    |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| West Coast District Council ..... | Head: Nature Conservation Division<br>Chief Nature Conservation Officer<br>Senior Nature Conservation Officer<br>Nature Conservation Officer<br>Assistant Nature Conservation Officer<br>Pupil Nature Conservation Officer<br>Principal Inspector: Law Enforcement<br>Inspector: Law Enforcement<br>Law Enforcement Officer<br>Security Officer |

**No. R. 1558****28 November 1997**

**AANWYSING VAN POSTE IN 'N PLAASLIKE OWERHEID WAARVAN DIE BEKLEËRS  
VISSERYBEHEERBEAMPTES IS**

Ek, Zweledinga Pallo Jordan, Minister van Omgewingsake en Toerisme, wys hierby kragtens artikel 5 (2) (c) van die Wet op Seevisserij, 1988 (Wet No. 12 van 1988), soos in die Bylae uiteengesit, die poste met die instemming van die betrokke plaaslike owerheid aan waarvan die bekleërs visserybeheerbeamptes is.

**Z. P. JORDAN****Minister van Omgewingsake en Toerisme****BYLAE**

| <i>Plaaslike owerheid</i> | <i>Poste</i>                                                                                                                                                                                                                                                                                                     |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Weskus Distrikraad .....  | Hoof: Afdeling Natuurbewaring<br>Hoofnatuurbewaringsbeampte<br>Senior Natuurbewaringsbeampte<br>Natuurbewaringsbeampte<br>Assistent Natuurbewaringsbeampte<br>Leerling Natuurbewaringsbeampte<br>Eerste Inspekteur: Wetstoepassing<br>Inspekteur: Wetstoepassing<br>Wetstoepassingsbeampte<br>Sekuriteitsbeampte |

**DEPARTMENT OF HEALTH  
DEPARTEMENT VAN GESONDHEID**

**No. R. 1568****28 November 1997**

**FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT NO. 54 OF 1972)**

**REGULATIONS RELATING TO THE USE OF SWEETENERS IN FOODSTUFFS: AMENDMENT**

The Minister of Health has, in terms of section 15 (1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), made the regulations in the Schedule.

**SCHEDULE**

1. In these regulations "the Regulations" means the regulations published under Government Notice No. R. 3128 of 20 December 1991, as amended by Government Notices Nos. R. 662 of 28 February 1992 and R. 2064 of 2 December 1994.

***Amendment of regulation 1 of the Regulations***

2. Regulation 1 of the Regulations is hereby amended by the substitution for the definition of "glucose syrup" of the following definition:

"**glucose syrup**" means a purified concentrated aqueous solution of nutritive saccharides obtained from starch;".

***Amendment of regulation 5 of the Regulations***

3. Regulation 5 of the Regulations is hereby amended by the substitution for the expression "sweetener" in subregulation (1) and (2) of the expression "non-nutritive sweetener and sugar alcohol".

***Amendment of regulation 6 of the Regulations***

4. Regulation 6 of the Regulations is hereby amended by the addition of the following subregulation after subregulation (8):

"(9) A foodstuff containing sugar alcohols, singly or in combination, in excess of 50 g/kg of the final product shall be labelled with the expression 'excessive consumption may have a laxative effect': Provided that for sugar-free chewing gum the statement is required if the sugar alcohol content of the product exceeds 250 g/kg."

***Amendment of the Annexure of the Regulations***

5. The Annexure of the Regulations is hereby amended by—

- (a) the insertion in the correct alphabetical position under the heading "Sugars" of the expression "Deionised, deffavoured fruit concentrates and juices";
- (b) the insertion in the correct alphabetical position under the heading "Sugars" of the expression "Sucrose syrup"; and
- (c) the insertion in the correct alphabetical position under the heading "Non-nutritive sweeteners" of the expression "Sucralose".

**No. R. 1568****28 November 1997**

WET OP VOEDINGSMIDDELS, SKOONHEIDSMIDDELS EN ONTSMETTINGSMIDDELS, 1972 (WET No. 54 VAN 1972)

**REGULASIES BETREFFENDE DIE GEBRUIK VAN VERSOETERS IN VOEDINGSMIDDELS: WYSIGING**

Die Minister van Gesondheid het kragtens artikel 15 (1) van die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972), die regulasies in die Bylae uitgevaardig.

**BYLAE**

1. In hierdie regulasies beteken "die Regulasies" die regulasies afgekondig by Goewermenskennisgewing No. R. 3128 van 20 Desember 1991, soos gewysig by Goewermenskennisgewings Nos. R. 662 van 28 Februarie 1992 en R. 2064 van 2 Desember 1994.

***Wysiging van regulasie 1 van die Regulasies***

2. Regulasie 1 van die Regulasies word hierby gewysig deur die omskrywing van "glukosestroop" deur die volgende omskrywing te vervang:

"**glukosestroop**", 'n gesuiwerde gekonsentreerde waterige oplossing van voedsame sakkariede wat verkry is van stysel;".

***Wysiging van regulasie 5 van die Regulasies***

3. Regulasie 5 van die Regulasies word hierby gewysig deur die uitdrukking "versoeker" in subregulasies (1) en (2) te vervang deur die uitdrukking "nie-voedsame versoeter en suikeralkohol".

***Wysiging van regulasie 6 van die Regulasies***

4. Regulasie 6 van die Regulasies word hierby gewysig deur die byvoeging van die volgende subregulasie na subregulasie (8):

"(9) 'n Voedingsmiddel wat suikeralkohole bevat, afsonderlik of in kombinasie, in hoeveelhede wat 50 g/kg van die finale produk oorskry, moet geëtiketteer word met die uitdrukking 'oormatige verbruik kan 'n lakserende uitwerking hê': Met dien verstande dat in die geval van suikervrye kougom die verklaring vereis word indien die suikeralkoholinhoud van die produk 250 g/kg oorskry."



**Wysiging van die Aanhangsel by die Regulasies****5. Die Aanhangsel by die Regulasies word hierby gewysig deur—**

- (a) die invoeging in die korrekte alfabetiese posisie onder die opskrif "Suikers" van die uitdrukking "Gedeïoniseerde, ontgeurde vrugtekonsentrate en -sappe";
- (b) die invoeging in die korrekte alfabetiese posisie onder die opskrif "Suikers" van die uitdrukking "Sukroestroop"; en
- (c) die invoeging in die korrekte alfabetiese posisie onder die opskrif "Nie-voedsame versoeters" van die uitdrukking "Sukralose".

**No. R. 1569****28 November 1997****THE INTERIM NATIONAL MEDICAL AND DENTAL COUNCIL OF SOUTH AFRICA****REGULATIONS RELATING TO FEES PAYABLE TO THE COUNCIL**

The Minister of Health has, on the recommendation of the Interim National Medical and Dental Council of South Africa, in terms of section 61 (1), read with section 61 (4) of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974), made the regulations in the Schedule.

**SCHEDULE**

1. In these regulations any expression to which a meaning has been assigned in the Act shall have that meaning and, unless inconsistent with the context—

"section" means a section in this Act; and

"the Act" means the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974).

**2. The registration fees payable under the Act shall be as follows:**

- (a) By a medical practitioner or a dentist: R347,00.
- (b) By a psychologist: R279,00.
- (c) By an intern: R52,00.
- (d) By a student-intern: R35,00.
- (e) By an intern-psychologist: R29,00.
- (f) By a medical practitioner or a dentist for registration as a dispensing medical practitioner or dentist: R87,00.
- (g) By a medical practitioner or dentist for the registration of a speciality or subspeciality: R692,50.
- (h) By a medical practitioner, a dentist, a psychologist or a member of a supplementary health service profession for the registration of an additional qualification: R52,00.
- (i) By a medical or a dental student—
  - (i) for registration as such a student: R35,00;
  - (ii) for registration as such a visiting student: R35,00;
  - (iii) for changing a registration as a medical or a dental student to a registration as a dental or a medical student, respectively: R18,00;
  - (iv) for the resumption of registration by a formerly registered medical or a dental student as a dental or a medical student, respectively: R35,00;
  - (v) for reregistration as such a student after an interruption of at least one year: R18,00;
  - (vi) as a penalty for the late payment of the registration fee by such a student per month or portion of a month for which the application for registration was submitted after the prescribed time: R9,50.
- (j) By a student in psychology—
  - (i) for registration as such a student: R29,00;
  - (ii) for reregistration as such a student after an interruption of at least one year: R14,00;
  - (iii) as a penalty for the late payment of the registration fee by such a student per month or portion of a month for which the application for registration was submitted after the prescribed time: R7,00.

**3. The fees payable under the Act for the restoration of a name to a register shall be as follows:**

- (a) By a medical practitioner or a dentist for the restoration of—
  - (i) his or her name in terms of section 19 (5): R432,00;
  - (ii) his or her name in terms of section 42 or 51: R129,50;
  - (iii) his or her speciality, subspeciality or additional qualification in terms of section 35 (4): R18,00.
- (b) By a psychologist or a member of a supplementary health service profession for the restoration of—
  - (i) his or her name in terms of section 19 (5): R87,00;



- (ii) his or her name in terms of section 42 or 51: R18,00;
  - (iii) his or her additional qualification in terms of section 35 (4): R18,00.
4. The fees payable for sitting for examinations shall be as follows:
- (a) Examinations for medical practitioners and dentists who have applied for registration in terms of section 26 (1B): R655,00;
  - (b) Examinations for specialists in medicine or dentistry in terms of section 35 (1B): R750,00.
5. The fees payable in terms of section 23 for the issuing of certificates shall be as follows:
- (a) By an intern, a medical practitioner, a dentist, a psychologist, an intern-psychologist or a member of a supplementary health service profession for the issuing of—
    - (i) a certificate of status: R72,00;
    - (ii) a certified extract from the register or a certificate signed by the registrar, or a duplicate registration certificate: R14,00.
  - (b) By a medical or dental student, a student-intern, a student in psychology or a student in a supplementary health service profession for the issuing of a certified extract from the register or a certificate signed by the registrar, or a duplicate registration certificate: R7,00.
6. The fees prescribed herein shall include value-added tax.
7. Government Notice No. R. 1899 of 8 December 1995 is hereby repealed.

No. R. 1569

28 November 1997

## DIE INTERIM NASIONALE MEDIESE EN TANDHEELKUNDIGE RAAD VAN SUID-AFRIKA

## REGULASIES BETREFFENDE GELDE BETAALBAAR AAN DIE RAAD

Die Minister van Gesondheid het, op aanbeveling van die Interim Nasionale Mediese en Tandheelkundige Raad van Suid-Afrika, kragtens artikel 61 (1), gelees met artikel 61 (4), van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet No. 56 van 1974), die regulasies in die Bylae uitgevaardig:

## BYLAE

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

“artikel” ’n artikel in die Wet; en

“die Wet” die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet No. 56 van 1974).

2. Die registrasiegelde betaalbaar kragtens van die Wet is soos volg:

- (a) Deur 'n geneesheer of 'n tandarts: R347,00.
- (b) Deur 'n sielkundige: R279,00.
- (c) Deur 'n intern: R52,00.
- (d) Deur 'n student-intern: R35,00.
- (e) Deur 'n intern-sielkundige: R29,00.
- (f) Deur 'n geneesheer of 'n tandarts vir registrasie as 'n resepterende geneesheer of tandarts: R87,00.
- (g) Deur 'n geneesheer of 'n tandarts vir die registrasie van 'n spesialiteit of 'n subspesialiteit: R692,50.
- (h) Deur 'n geneesheer, 'n tandarts, 'n sielkundige of 'n lid van 'n aanvullende gesondheidsdiensberoep vir die registrasie van 'n addisionele kwalifikasie: R52,00.
- (i) Deur 'n student in die geneeskunde of die tandheelkunde—
  - (i) vir registrasie as so 'n student: R35,00;
  - (ii) vir registrasie as sodanige besoekende student: R35,00;
  - (iii) vir wysiging van registrasie as 'n student in die geneeskunde of die tandheelkunde tot registrasie as 'n student in onderskeidelik die tandheelkunde of die geneeskunde: R18,00;
  - (iv) vir die hervatting van registrasie van 'n voormalige geregistreerde student in die geneeskunde of die tandheelkunde as 'n student in onderskeidelik die tandheelkunde of die geneeskunde: R35,00;
  - (v) vir herregistrasie as so 'n student na 'n onderbreking van minstens een jaar: R18,00;
  - (vi) as 'n boete vir die laatbetaling van registrasiegeld deur so 'n student per maand of gedeelte van 'n maand wat die aansoek om registrasie ná die voorgeskrewe tyd ingedien is: R9,50.

- (j) Deur 'n student in die sielkunde—
- (i) vir registrasie as so 'n student: R29,00;
  - (ii) vir herregistrasie as so 'n student na 'n onderbreking van minstens een jaar: R14,00;
  - (iii) as 'n boete vir die laatbetaling van registrasiegeld deur so 'n student per maand of gedeelte van 'n maand wat die aansoek ná die voorgeskrewe tyd ingedien is: R7,00.
3. Die gelde betaalbaar kragtens die Wet vir die terugplasing van 'n naam op 'n register is soos volg:
- (a) Deur 'n geneesheer of 'n tandarts vir die terugplasing van—
- (i) sy of haar naam kragtens artikel 19 (5): R432,00;
  - (ii) sy of haar naam kragtens artikel 42 of 51: R129,50;
  - (iii) sy of haar spesialiteit, subspesialiteit of addisionele kwalifikasie kragtens artikel 35 (4): R18,00.
- (b) Deur 'n sielkundige of 'n lid van 'n aanvullende gesondheidsdiensberoep vir die terugplasing van—
- (i) sy of haar naam kragtens artikel 19 (5): R87,00;
  - (ii) sy of haar naam kragtens artikel 42 of 51: R18,00;
  - (iii) sy of haar addisionele kwalifikasie kragtens artikel 35 (4): R18,00.
4. Die gelde betaalbaar vir die aflê van eksamens is soos volg:
- (a) Eksamens vir geneesheer en tandartse wat kragtens artikel 26 (1B) om registrasie aansoek doen: R655,00;
- (b) Eksamens vir spesialiste in die geneeskunde of die tandheelkunde kragtens artikel 35 (1B): R750,00.
5. Die gelde betaalbaar kragtens artikel 23 vir die uitreiking van sertifikate is soos volg:
- (a) Deur 'n intern, 'n geneesheer, 'n tandarts, 'n sielkundige, 'n internsielkundige of 'n lid van 'n aanvullende gesondheidsdiensberoep vir die uitreiking van—
- (i) 'n sertifikaat van status: R72,00;
  - (ii) 'n gesertifiseerde uittreksel uit 'n register of 'n sertifikaat deur die registrateur onderteken, of 'n duplikaatregistrasiesertifikaat: R14,00.
- (b) Deur 'n student in die geneeskunde of die tandheelkunde, 'n student-intern, 'n student in die sielkunde of 'n student in 'n aanvullende gesondheidsdiensberoep vir die uitreiking van 'n gesertifiseerde uittreksel uit 'n register of 'n sertifikaat deur die registrateur onderteken, of 'n duplikaatregistrasiesertifikaat: R7,00.
6. Die gelde hierin voorgeskryf, sluit belasting op toegevoegde waarde in.
7. Goewermentskenniggewing no. R. 1899 van 8 Desember 1995 word hierby herroep.

**DEPARTMENT OF LABOUR  
DEPARTEMENT VAN ARBEID**

**No. R. 1565**

**28 November 1997**

LABOUR RELATIONS ACT, 1956

**FURNITURE MANUFACTURING INDUSTRY, EASTERN CAPE PROVINCE: AMENDMENT OF MAIN AGREEMENT**

I, Tito Titus Mboweni, Minister of Labour, hereby—

- (a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 10 May 1998, upon the employers' organisation and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or union; and
- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 10 May 1998, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

**T. T. MBOWENI**

**Minister of Labour**

**SCHEDULE****INDUSTRIAL COUNCIL FOR THE FURNITURE MANUFACTURING INDUSTRY OF THE EASTERN CAPE PROVINCE  
AGREEMENT**

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between the

**Midland Furniture Manufacturers' Association**

(hereinafter referred to as the "employers" or the "employers' organisation"), of the one part, and the

**National Union of Furniture and Allied Workers of South Africa**

(hereinafter referred to as the "employees" or the "trade union"), of the other part,

being the parties to the Industrial Council for the Furniture Manufacturing Industry of the Eastern Cape Province,

to amend the Agreement published under Government Notice No. R. 1654 of 6 August 1982, as amended, extended and renewed by Government Notices Nos. R. 33 of 7 January 1983, R. 162 and R. 163 of 3 February 1984, R. 2093 of 21 September 1984, R. 141 of 24 January 1986, R. 842 and R. 843 of 2 May 1986, R. 438 of 6 March 1987, R. 1703 and R. 1704 of 7 August 1987, R. 2808 of 18 December 1987, R. 805 of 21 April 1989, R. 1914 of 1 September 1989, R. 2525 of 17 November 1989, R. 1827 of 3 August 1990, R. 99 of 18 January 1991, R. 725 of 5 April 1991, R. 1757 of 2 August 1991, R. 751 of 13 March 1992, R. 1746 of 26 June 1992, R. 3444 and R. 3445 of 31 December 1992, R. 1415 and R. 1416 of 6 August 1993, R. 2203 of 19 November 1993, R. 2548 of 31 December 1993, R. 1423 and R. 1424 of 19 August 1994, R. 2276 of 30 December 1994, R. 235 of 17 February 1995, R. 1980 of 22 December 1995, R. 1399 of 23 August 1996, R. 2071 of 13 December 1996 and R351 of 28 February 1997.

**PART 1****PROVISIONS APPLICABLE TO THE INDUSTRY THROUGHOUT THE AREA COVERED  
BY THE AGREEMENT UNLESS THE CONTRARY IS STATED****1. SCOPE OF APPLICATION OF AGREEMENT**

- (1) The terms of this Agreement shall be observed in the Furniture Manufacturing Industry—
  - (a) by all employers who are members of the employers' organisation and by all employees who are members of the trade union and who are engaged or employed respectively in the said industry;
  - (b) within the Magisterial Districts of Port Elizabeth, Cradock, Graaff-Reinet, Humansdorp, Hankey, Somerset East, Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Colesberg, Hanover, Jansenville, Joubertina, Kirkwood, Hofmeyr, Middelburg (C.P.), Murraysburg, Noupoot, Pearston, Richmond (C.P.) [including that portion of the Magisterial District of Victoria West which, prior to 29 January 1982 (Government Notice No. 165 of 29 January 1982), fell within the Magisterial District of Richmond (C.P.)], Steytleville, Steynsburg, Uniondale, Uitenhage, Venterstad and Willowmore.

**2. CLAUSE 12: HOLIDAYS AND HOLIDAY FUND**

- (1) Substitute the following for clause 12.5.6:
 

"12.5.6 The General Holiday Fund shall be utilised for the purpose of distribution to employees of a holiday bonus to be paid on the last working day of the year or on the 15th of December, whichever is the earlier: Provided that any employee who defaults in respect of attendance on working days following the 15th of December shall be penalised to the effect that he/she receive his/her holiday bonus for the following year only on the last working day of that year."
- (2) Insert the following new clause after clause 12.5.9:
 

"12.5.9 Any employee for whom payments have been made in terms of clause 12.5.1 and whose services have been terminated shall be entitled to receive immediate payment from the Council to an amount equal to that which the Council has received to date in terms of clause 12.5.1 in respect of that employee. Any amounts still payable to the employee in terms of clause 12.5.1 shall be paid to him/her by the respective employer with his/her final pay packet."

**3. NEW CLAUSE 45**

- (1) Insert the following new clause after clause 44:

**"45. COMPASSIONATE LEAVE**

Employees shall be entitled to two days' compassionate leave per occasion of death. They shall qualify for such leave entitlement upon the death of the following categories of persons:

- 4.5.1 Spouses by legal marriage.
- 4.5.2 Parents in-law by legal marriage.
- 4.5.3 Biological parents.
- 4.5.4 Biological children.

Provided that the deceased person falling into one of these categories has, prior to his/her passing away, been registered with the respective employer. Such registration shall include the person's name and a copy of his/her ID document. A death certificate that corresponds with the registration details must be provided to the employer should the employee wish to qualify for the compassionate leave as detailed in this clause."

**PART II: WAGES****4. CLAUSE 1: GRADE 1: JOURNEYMEN****(1) Substitute the expression—**

|                                              | A rate   | B Rate |
|----------------------------------------------|----------|--------|
|                                              | Per hour |        |
|                                              | R        |        |
| "During the period ending 30 June 1998 ..... | 10,70    | 9,82"  |
| for the expression                           |          |        |
| "During the period ending 30 June 1997 ..... | 9,86     | 9,05". |

**5. CLAUSE 2: GRADE 2A + B + C: OPERATORS****(1) GRADE 2A**

Substitute the expression—

|                                              |      |        |
|----------------------------------------------|------|--------|
| "During the period ending 30 June 1998 ..... | 9,12 | 8,37"  |
| for the expression—                          |      |        |
| "During the period ending 30 June 1997 ..... | 8,41 | 7,71". |

**(2) GRADE 2B**

Substitute the expression—

|                                              |      |        |
|----------------------------------------------|------|--------|
| "During the period ending 30 June 1998 ..... | 8,35 | 7,69"  |
| for the expression—                          |      |        |
| "During the period ending 30 June 1997 ..... | 7,70 | 7,09". |

**(3) GRADE 2C**

Substitute the expression—

|                                              |      |        |
|----------------------------------------------|------|--------|
| "During the period ending 30 June 1998 ..... | 8,30 | 7,61"  |
| for the expression—                          |      |        |
| "During the period ending 30 June 1997 ..... | 7,65 | 7,01". |

**6. CLAUSE 3: GRADE 3: GENERAL ASSISTANTS****(1) GRADE 3A**

Substitute the expression—

|                                          |  |  |
|------------------------------------------|--|--|
| "During the period ending 30 June 1998"  |  |  |
| for the expression—                      |  |  |
| "During the period ending 30 June 1997". |  |  |

**(2) Substitute the expression—**

|                                                 |      |        |
|-------------------------------------------------|------|--------|
| "After the first six months on class work ..... | 7,80 | 7,18"  |
| for the expression—                             |      |        |
| "After the first six months on class work ..... | 7,19 | 6,62". |

**(3) GRADE 3B**

Substitute the expression—

|                                              |      |        |
|----------------------------------------------|------|--------|
| "During the period ending 30 June 1998 ..... | 5,86 | 5,39"  |
| for the expression—                          |      |        |
| "During the period ending 30 June 1997 ..... | 5,40 | 4,97". |

**(4) Insert the following new paragraph at the end of clause 3:**

"An employee in either grades 3A or 3B who leaves the industry and returns within 180 days shall be eligible to be re-employed in the same grade. If he/she is, however, out of the industry for more than 180 days, then he/she could expect to be remunerated at a new entrant rate."

**7. CLAUSE 4: NEW ENTRANTS****(1) Substitute the following for clause 4:**

"Employees employed as new entrants in the industry:

"For the period ending 30 June 1998:

|                                                  |      |        |
|--------------------------------------------------|------|--------|
| During the first three months in the grade ..... | 3,58 | 3,48"  |
| Between four and six months in the grade .....   | 3,91 | 3,80". |



**8. CLAUSE 5: CASUALS**

(1) Substitute the expression—

|                                          |      |       |
|------------------------------------------|------|-------|
| "For the period ending 30 June 1998..... | 3,26 | 3,17" |
| for the expression                       |      |       |
| "For the period ending 30 June 1997..... | 3,00 | 2,92" |

Signed at Port Elizabeth, on behalf of the parties, this 28th day of November 1997.

**P. S. CONNACHER**

Chairman of the Council

**C. E. HOULIE**

Vice-Chairman of the Council

**B. DU PLESSIS**

Secretary of the Council

**No. R. 1565****28 November 1997****WET OP ARBEIDSVERHOUDINGE, 1956****MEUBELNYWERHEID, OOSTELIKE KAAPPROVINSIE: WYSIGING VAN HOOFOOREENKOMS**

Ek, Tito Titus Mboweni, Minister van Arbeid, verklaar hierby—

- (a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 10 Mei 1998 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is; en
- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 10 Mei 1998 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf en Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

**T. T. MBOWENI**

Minister van Arbeid

**BYLAE****NYWERHEIDSRAAD VIR DIE MEUBELNYWERHEID VAN DIE OOSTELIKE KAAPPROVINSIE  
HOOFOOREENKOMS**

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen die

**Midland Furniture Manufacturers' Association**

(hierna die "werkgewers" of die "werkgewersorganisasie" genoem), aan die een kant, en die

**National Union of Furniture and Allied Workers of South Africa**

(hierna die "werknemers" of die "vakvereniging" genoem), aan die ander kant,

wat die partye is by die Nywerheidsraad vir die Meubelnywerheid van die Oostelike Kaapprovinsie,

tot wysiging van die Ooreenkoms gepubliseer by Goewermmentskennisgewing No. R. 1654 van 6 Augustus 1982, soos gewysig, verleng en hernieu by Goewermmentskennisgewings Nos. R. 33 van 7 Januarie 1983, R. 162 en R. 163 van 3 Februarie 1984, R. 2093 van 21 September 1984, R. 141 van 24 Januarie 1986, R. 842 en R. 843 van 2 Mei 1986, R. 438 van 6 Maart 1987, R. 1703 en R. 1704 van 7 Augustus 1987, R. 2808 van 18 Desember 1987, R. 805 van 21 April 1989, R. 1914 van 1 September 1989, R. 2525 van 17 November 1989, R. 1827 van 3 Augustus 1990, R. 99 van 18 Januarie 1991, R. 725 van 5 April 1991, R. 1757 van 2 Augustus 1991, R. 751 van 13 Maart 1992, R. 1746 van 26 Junie 1992, R. 3444 en R. 3445 van 31 Desember 1992, R. 1415 en R. 1416 van 6 Augustus 1993, R. 2203 van 19 November 1993, R. 2548 van 31 Desember 1993, R. 1423 en R. 1424 van 19 Augustus 1994, R. 2276 van 30 Desember 1994, R. 235 van 17 Februarie 1995, R. 1980 van 22 Desember 1995, R. 1399 van 23 Augustus 1996, R. 2071 van 13 Desember 1996 en R. 351 van 28 Februarie 1997.



## DEEL 1

## BEPALINGS VAN TOEPASSING OP DIE NYWERHEID ORAL IN DIE GEBIED WAT DEUR DIE OOREENKOMS GEDEK WORD TENSY DIE TEENOORGESTELDE GEMELD WORD

## 1. TOEPASSINGSBESTEK VAN OOREENKOMS

- (1) Hierdie Ooreenkoms moet in die Meubelnywerheid nagekom word—
- deur alle werkgewers wat lede is van die werkgewersorganisasie en deur alle werknemers wat lede is van die vakvereniging en wat onderskeidelik betrokke is by of werksaam is in genoemde Nywerheid;
  - in die landdrosdistrikte Port Elizabeth, Cradock, Graaff-Reinet, Humansdorp, Hankey, Somerset-Oos, Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Colesberg, Hanover, Jansenville, Joubertina, Kirkwood, Hofmeyr, Middelburg (K.P.), Murraysburg, Noupoot, Pearston, Richmond (K.P.) [met inbegrip van gedeelte van die landdrosdistrik Victoria-Wes wat voor 29 Januarie 1982 (Goewermentskennissgewing No. 165 van 29 Januarie 1982) binne die landdrosdistrik Richmond (K.P.) geval het], Steytlerville, Steynsburg, Uniondale, Uitenhage, Venterstad en Willowmore.

## 2. KLOUSULE 12: VAKANSIEDAE EN VAKANSIEFONDS

- (1) Vervang subklousule 12.5.6 deur die volgende:

"12.5.6 Die Sentrale Vakansiefonds moet gebruik word om 'n vakansiebonus onder werknemers te verdeel. Die bonus is betaalbaar op die laaste werksdag van die jaar of op die 15de Desember, watter datum ookal die vroegste is: Met dien verstande dat enige werknemer wat nie by die werk opdaag nie op werksdae wat volg op die 15 Desember gepenaliseer word deurdat hy/sy bonus vir die volgende jaar eers op die laaste werksdag van daardie jaar ontvang."

- (2) Voeg die volgende nuwe klousule in na klousule 12.5.9:

"12.5.9A Enige werknemer namens wie bedrae ingevolge klousule 12.5.1 betaal is en wie se dienste beëindig is, is daarop geregtig om onmiddellik betaling van die Raad te ontvang tot 'n bedrag gelykstaande met dit wat die Raad tot op datum ten opsigte van daardie werknemer ontvang het ingevolge klousule 12.5.1. Enige bedrae wat ingevolge klousule 12.5.1 aan die werknemer betaalbaar is moet sy/haar finale loonpakket aan hom/haar betaal word deur die bepaalde werkgewer."

## 3. NUWE KLOUSULE 45

- (1) Voeg die volgende nuwe klousule in na klousule 44:

## "45. DEERNISVERLOF

Werknemers is geregtig tot op deernisverlof van twee dae per geval van dood. Hulle kwalifiseer vir sodanige verlof geregtigheid met die dood van die volgende kategorie persoon:

- 4.5.1 Gade deur wettige huwelik.
- 4.5.2 Skoonouers deur wettige huwelik.
- 4.5.3 Biologiese ouers.
- 4.5.4 Biologiese kinders.

Met dien verstande dat die oorlede persoon wat in een van hierdie kategorieë val, voordat hy/sy oorlede is, by die bepaalde werkgewer geregistreer is. Sodanige registrasie moet die persoon se naam en 'n afskrif van sy/haar ID-dokument insluit. 'n Doodsertifikaat wat met die registrasiebesonderhede ooreenstem, moet aan die werkgewer voorsien word as die werknemer verlang om vir die deernisverlof te kwalifiseer soos in hierdie klousule uiteengesit."

## DEEL II: LONE

## 4. KLOUSULE 1: GRAAD 1: VAKMANNE

- (1) Vervang die uitdrukking—

|                                                      | A Loon  | B Loon |
|------------------------------------------------------|---------|--------|
|                                                      | Per uur |        |
|                                                      | R       |        |
| "Gedurende die tydperk eindigende 30 Junie 1998..... | 10,70   | 9,82"  |
| deur die uitdrukking                                 |         |        |
| "Gedurende die tydperk eindigende 30 Junie 1997..... | 9,86    | 9,05". |

## 5. KLOUSULE 2: GRAAD 2A + B + C: OPERATEURS

- (1) GRAAD 2A

Vervang die uitdrukking—

|                                                      |      |        |
|------------------------------------------------------|------|--------|
| "Gedurende die tydperk eindigende 30 Junie 1997..... | 8,41 | 7,71"  |
| deur die uitdrukking—                                |      |        |
| "Gedurende die tydperk eindigende 30 Junie 1998..... | 9,12 | 8,37". |

## (2) GRAAD 2B

Vervang die uitdrukking—

|                                                       |      |       |
|-------------------------------------------------------|------|-------|
| "Gedurende die tydperk eindigende 30 Junie 1997 ..... | 7,70 | 7,09" |
|-------------------------------------------------------|------|-------|

deur die uitdrukking—

|                                                       |      |        |
|-------------------------------------------------------|------|--------|
| "Gedurende die tydperk eindigende 30 Junie 1998 ..... | 8,35 | 7,69". |
|-------------------------------------------------------|------|--------|

## (3) GRAAD 2C

Vervang die uitdrukking—

|                                                       |      |       |
|-------------------------------------------------------|------|-------|
| "Gedurende die tydperk eindigende 30 Junie 1997 ..... | 7,65 | 7,01" |
|-------------------------------------------------------|------|-------|

deur die uitdrukking—

|                                                       |      |        |
|-------------------------------------------------------|------|--------|
| "Gedurende die tydperk eindigende 30 Junie 1998 ..... | 8,30 | 7,61". |
|-------------------------------------------------------|------|--------|

**6. KLOUSULE 3: GRAAD 3: ALGEMENE ASSISTENTE**

## (1) GRAAD 3A

Vervang die uitdrukking—

"Gedurende die tydperk eindigende 30 Junie 1997"

deur die uitdrukking—

"Gedurende die tydperk eindigende 30 Junie 1998".

## (2) Vervang die uitdrukking—

|                                                  |      |       |
|--------------------------------------------------|------|-------|
| "Na die eerste ses maande op die klas werk ..... | 7,19 | 6,62" |
|--------------------------------------------------|------|-------|

deur die uitdrukking—

|                                                  |      |        |
|--------------------------------------------------|------|--------|
| "Na die eerste ses maande op die klas werk ..... | 7,80 | 7,18". |
|--------------------------------------------------|------|--------|

## (3) GRAAD 3B

Vervang die uitdrukking—

|                                                       |      |       |
|-------------------------------------------------------|------|-------|
| "Gedurende die tydperk eindigende 30 Junie 1997 ..... | 5,40 | 4,97" |
|-------------------------------------------------------|------|-------|

deur die uitdrukking—

|                                                       |      |        |
|-------------------------------------------------------|------|--------|
| "Gedurende die tydperk eindigende 30 Junie 1998 ..... | 5,86 | 5,39". |
|-------------------------------------------------------|------|--------|

## (4) Voeg die volgende nuwe paragraaf in aan die einde van klousule 3:

"n Werknemer in óf graad 3A óf 3B wat die nywerheid verlaat en binne 180 dae terugkeer, kwalifiseer om in dieselfde graad herindiensgeneem te word. As hy/sy egter langer as 180 dae uit die nywerheid is, kan hy/sy verwag om teen 'n skaal vir nuwe aanstellings besoldig te word.

**7. KLOUSULE 4: NUWE AANSTELLINGS**

## (1) Vervang klousule 4 deur die volgende:

"Werknemers in diens as nuwe aanstellings in die nywerheid:

"Gedurende die tydperk eindigende 30 Junie 1998:

|                                                         |      |       |
|---------------------------------------------------------|------|-------|
| Gedurende die eerste drie maande op die klas werk ..... | 3,58 | 3,48" |
|---------------------------------------------------------|------|-------|

|                                                  |      |        |
|--------------------------------------------------|------|--------|
| Tussen vier en ses maande op die klas werk ..... | 3,91 | 3,80". |
|--------------------------------------------------|------|--------|

**8. KLOUSULE 5: LOSWERKERS**

## (1) Vervang die uitdrukking—

|                                                       |      |       |
|-------------------------------------------------------|------|-------|
| "Gedurende die tydperk eindigende 30 Junie 1997 ..... | 3,00 | 2,92" |
|-------------------------------------------------------|------|-------|

deur die uitdrukking—

|                                                       |      |        |
|-------------------------------------------------------|------|--------|
| "Gedurende die tydperk eindigende 30 Junie 1998 ..... | 3,26 | 3,17". |
|-------------------------------------------------------|------|--------|

Namens die partye op hede die 28ste dag van November 1997 te Port Elizabeth onderteken.

**P. S. CONNACHER**

Voorsitter van die Raad

**C. E. HOULIE**

Ondervoorsitter van die Raad

**B. DU PLESSIS**

Sekretaris van die Raad

No. R. 1574

28 November 1997

## LABOUR RELATIONS ACT, 1956

**ELECTRICAL INDUSTRY (NATAL): AMENDMENT OF AGREEMENT FOR THE ELECTRICAL CONTRACTING SECTION**

I, Tito Titus Mboweni, Minister of Labour, hereby—

- (a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading of this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 January 1998, upon the employers' organisation and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or unions; and
- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clauses 1 (1) (a) and (2), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 January 1998, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

**T. T. MBOWENI**

Minister of Labour

**SCHEDULE**
**INDUSTRIAL COUNCIL FOR THE ELECTRICAL INDUSTRY (NATAL): ELECTRICAL CONTRACTING SECTION  
AGREEMENT**

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between the

**Electrical Contractors' Association (South Africa)**

(hereinafter referred to as the "employers" or the "employers' organisation"), of the one part, and the

**South African Electrical Workers' Association**

and the

**Metal and Electrical Worker's Union of South Africa**

(hereinafter referred to as the "employees" or "trade unions"), of the other part,

being the parties to the Industrial Council for the Electrical Industry (Natal),

to amend the Agreement published under Government Notice No. R. 2748 of 11 December 1987 (hereinafter referred to as the "Re-enacting Agreement"), as renewed and amended by Government Notice Nos. R. 1430 of 15 July 1988, R. 1660 of 19 August 1988, R. 726 of 14 April 1989, R. 1528 of 14 July 1989, R. 2106 of 29 September 1989, R. 397 of 23 February 1990, R. 398 of 23 February 1990, R. 1321 of 15 June 1990, R. 2550 of 2 November 1990, R. 136 of 25 January 1991, R. 1636 of 12 July 1991, R. 2413 of 4 October 1991, R. 2589 of 1 November 1991, R. 1747 of 26 June 1992, R. 2115 of 24 July 1992, R. 2356 of 21 August 1992, R. 2075 of 5 November 1993, R. 2480 of 24 December 1993, R. 1173 of 1 July 1994, R. 1229 of 15 July 1994, R. 2033 of 25 November 1994, R. 1008 of 7 July 1995, R. 1233 of 18 August 1995, R. 1702 of 3 November 1995, R. 807 of 17 May 1996, R. 1624 of 4 October 1996, R. 1672 of 18 October 1996, R. 2024 of 6 December 1996 and R. 160 of 31 January 1997.

**PART I****GENERAL CONDITIONS APPLICABLE THROUGHOUT THIS AGREEMENT****1. SCOPE OF APPLICATION**

(1) The terms of this Agreement shall be observed by employers and employees in the Electrical Industry—

- (a) who are members of the employers' organisation and the trade unions, respectively; and
- (b) who are engaged or employed in the Industry in the Province of Natal, excluding any portions of that area are falling within the self-governing territory of KwaZulu, as Natal and KwaZulu existed immediately prior to the date of coming into operation of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993).

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply to apprentices, and trainees only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any conditions prescribed or any notice served in terms thereof.

(3) For the purpose of this Agreement, the "weekly wage rate" of apprentices, prescribed under the Manpower Training Act, 1981, shall be taken to the weekly wage of such employees and the "hourly rate" shall be the weekly wage calculated as above, divided by the number of ordinary hours worked in the establishment concerned.

**2. PERIOD OF OPERATION OF AGREEMENT**

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 48 (1) of the Labour Relations Act, 1956, and shall remain in force for the period ending 31 January 1998 or for such period as the Minister may determine.

**PART II****3. CLAUSE 2: EXPENSES OF COUNCIL**

(1) Substitute the following for subclause (1):

"(1) With effect from the date of coming into operation of this agreement, every employer shall contribute to the funds of the Council on the following scale:

| <b>A</b>                                                         | <b>B</b>                | <b>C</b>                |
|------------------------------------------------------------------|-------------------------|-------------------------|
| Wage group or class of employee                                  | Employee's contribution | Employer's contribution |
|                                                                  | Cents per week          | Cents per week          |
| Master installation electrician.....                             | 160                     | 160                     |
| Installation electrician.....                                    | 160                     | 160                     |
| Electrical tester for single phase.....                          | 160                     | 160                     |
| Electrician, domestic appliance mechanic and other artisans..... | 140                     | 140                     |
| Elconop 3.....                                                   | 115                     | 115                     |
| Elconop 2.....                                                   | 95                      | 95                      |
| Elconop 1.....                                                   | 75                      | 75                      |
| Domestic appliance repairer.....                                 | 75                      | 75                      |
| Driver.....                                                      | 75                      | 75                      |
| Apprentice.....                                                  | 75                      | 75                      |
| Labourer.....                                                    | 50                      | 50                      |

(2) In subclause (4), substitute the expression "R45" for the expression "R42" wherever it appears.

Signed at Durban on behalf of the parties, this 3rd day of June 1997:

**Z. CINDI**

Chairman of Council

**B. CARR**

Vice-Chairman of Council

**R. E. REDFERN**

Secretary of Council

**No. R. 1574**

**28 November 1997**

WET OP ARBEIDSVERHOUDINGE, 1956

**ELEKTROTEGNIJSE NYWERHEID (NATAL): WYSIGING VAN OOREENKOMS VIR ELEKTROTEGNIJSE AANNEMINGSEKSIE**

Ek, Tito Titus Mboweni, Minister van Arbeid, verklaar hierby—

- (a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Januarie 1998 eindig, bindend is vir die werkgewersorganisasie en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of verenigings is; en



- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousules 1 (1) (a) en 2, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Januarie 1998 eindig, bindend is vir alle ander werkgewers en werk-nemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifieer.

**T. T. MBOWENI**

**Minister van Arbeid**

## **BYLAE**

### **NYWERHEIDSRAAD VIR DIE ELEKTROTEGNEISE NYWERHEID (NATAL): ELEKTROTEGNEISE AANNEMINGSEKSIE OOREENKOMS**

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen die

**Electrical Contractors' Association (South Africa)**

(hierna die "werkgewers" of die "werkgewersorganisasie" genoem), aan die eenkant, en die

**South African Electrical Worker's Association**

en die

**Metal and Electrical Worker's Union of South Africa**

(hierna die "werkgewers" of die "vakverenigings" genoem), aan die ander kant,

wat die partye is by die Nywerheidsraad vir die Elektrotegniese Nywerheid (Natal),

as tot wysiging van die Ooreenkoms gepubliseer by Goewermenskennisgwings No. R. 2748 van 11 Desember 1987 (hierna die "Herbekragtigingsooreenkoms" genoem), soos hernieu en gewysig by Goewermenskennisgewing Nös. R. 1430 van 15 Julie 1988, R. 1660 van 19 Augustus 1988, R. 726 van 14 April 1989, R. 1528 van 14 Julie 1989, R. 2106 van 29 September 1989, R. 397 van 23 Februarie 1990, R. 398 van 23 Februarie 1990, R. 1321 van 15 June 1990, R. 2550 van 2 November 1990, R. 136 van 25 Januarie 1991, R. 1636 van 12 Julie 1991, R. 2413 van 4 Oktober 1991, R. 2589 van 1 November 1991, R. 1747 van 26 Junie 1992, R. 2115 van 24 Julie 1992, R. 2356 van 21 Augustus 1992, R. 2075 van 5 November 1993, R. 2480 van 24 Desember 1993, R. 1173 van 1 Julie 1994, R. 1229 van 15 Julie 1994, R. 2033 van 25 November 1994, R. 1008 van 7 Julie 1995, R. 1233 van 18 Augustus 1995, R. 1702 van 3 November 1995, R. 807 van 17 Mei 1996, R. 1624 van 4 Oktober 1996, R. 1672 van 18 Oktober 1996, R. 2024 van 6 Desember 1996 en R. 160 van 31 Januarie 1997.

## **DEEL I**

### **ALGEMENE VOORWAARDES VAN TOEPASSING OP HIERDIE HELE OOREENKOMS**

#### **1. TOEPASSINGSBESTEK**

- (1) Hierdie Ooreenkoms moet nagekom word deur werkgewers en werknemers in die Elektrotegniese Nywerheid—

(a) wat lede van onderskeidelik die werkgewersorganisasie en die vakverenigings is; en

(b) wat betrokke is by of in diens is in die Nywerheid in die provinsie Natal, uitgesonderd enige gedeeltes van die gebied wat binne die selfregerende gebied KwaZulu val, soos Natal en KwaZulu bestaan het onmiddellik voor die inwerkingtreding van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993).

(2) Ondanks subklousule (1) is hierdie Ooreenkoms van toepassing op vakleerlinge en kwekelinge slegs vir sover dit nie strydig is nie met die Wet op Mannekragopleiding, 1981, of met voorwaardes of kennisgewings wat daarkragtens voorgeskryf of bestel is.

(3) Vir die toepassing van hierdie Ooreenkoms word die "weeklikse loonskaal" van vakleerlinge, voorgeskryf kragtens die Wet op Mannekragopleiding, 1981, as die weekloon van sodanige werknemers beskou, en is die "uurloon" die weekloon soos hierbo bereken, gedeel deur die getal gewone ure wat daar in die betrokke bedryfsinrigting gewerk word.

#### **2. GELDIGHEIDSDUUR VAN OOREENKOMS**

Hierdie Ooreenkoms tree in werking op die datum wat die Minister van Arbeid kragtens artikel 48 (1) van die Wet vasstel, en bly van krag vir die tydperk eindigende 31 Januarie 1998 of vir die tydperk wat hy bepaal.

## DEEL II

## 3. KLOUSULE 2: UITGAWES VAN DIE RAAD

(1) Vervang subklousule (1) deur die volgende:

"(1) Elke werknemer en elke werkgever moet vanaf die datum van inwerkingtreding van hierdie ooreenkoms volgens die volgende skaal tot die fondse van die Raad bydra:

| A                                                                            | B                 | C                 |
|------------------------------------------------------------------------------|-------------------|-------------------|
| Loongroep of werknemersklas                                                  | Werknemers-bydrae | Werkgewers-bydrae |
|                                                                              | Sent per week     | Sent per week     |
| Meester-installasie-elektrisiën.....                                         | 160               | 160               |
| Installasie-elektrisiën.....                                                 | 160               | 160               |
| Elektriese Toetser vir Enkelfase.....                                        | 160               | 160               |
| Elektrisiën, werktuigkundige vir huisoudelike toestelle en ander ambagsmanne | 140               | 140               |
| Elkonop 3.....                                                               | 115               | 115               |
| Elkonop 2.....                                                               | 95                | 95                |
| Elkonop 1.....                                                               | 75                | 75                |
| Hersteller vir huishoudelike toestelle.....                                  | 75                | 75                |
| Drywer.....                                                                  | 75                | 75                |
| Vakleerling.....                                                             | 75                | 75                |
| Arbeider.....                                                                | 50                | 50"               |

(2) In subklousule (4), vervang die uitdrukking "R42" deur die uitdrukking "R45" waar dit ook al voorkom.

Namens die partye op hede die 3de dag van Junie 1997 te Durban onderteken.

**Z. CINDI**

Vorsitter van die Raad

**B. CARR**

Ondervorsitter van die Raad

**R. E. REDFERN**

Sekretaris van die Raad

**No. R. 1585**

**28 November 1997**

## LABOUR RELATIONS ACT, 1956

**LOCAL AUTHORITY UNDERTAKING OF THE PROVINCE OF THE CAPE OF GOOD HOPE: EXTENSION OF STANDARD CONDITIONS OF EMPLOYMENT AGREEMENT**

I, Dennis van der Walt, Director: Collective Bargaining, duly authorised thereto by the Minister of Labour, hereby, in terms of section 48 (4) (a) (i) of the Labour Relations Act, 1956, extend the period fixed in Government Notice No. R. 1927 of 22 November 1996, from 2 December 1997 and for the period ending 10 May 1998.

**D. VAN DER WALT**

Director: Collective Bargaining

**No. R. 1585**

**28 November 1997**

## WET OP ARBEIDSVERHOUDINGE, 1956

**PLAASLIKE BESTUURSONDERNEMING VAN DIE PROVINSIE DIE KAAP DIE GOEIE HOOP VERLENGING VAN STANDAARD DIENSVOORWAARDESOOREENKOMS**

Ek, Dennis van der Walt, Direkteur: Kollektiewe Bedinging, behoorlik daartoe gemagtig deur die Minister van Arbeid, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Arbeidsverhoudinge, 1956, die tydperk vasgestel in Goewermentskennisgewing No. R. 1927 van 22 November 1996, vanaf 2 Desember 1997 en vir die tydperk wat op 10 Mei 1998 eindig.

**D. VAN DER WALT**

Direkteur: Kollektiewe Bedinging

**DEPARTMENT OF LAND AFFAIRS  
DEPARTEMENT VAN GRONDSAKE**

**No. R. 1596****28 November 1997**

**PRESCRIBED QUALIFYING INCOME FOR THE PURPOSES OF SECTION 1 (1) (x) (c) OF THE  
EXTENSION OF SECURITY OF TENURE ACT, 1997 (ACT No. 62 OF 1997): REGULATION**

Under section 28 (1) of the Extension of Security of Tenure Act, 1997 (Act No. 62 of 1997), I, Derek André Hanekom, Minister of Land Affairs, hereby make the regulation contained in the schedule.

**D. A. HANEKOM****Minister of Land Affairs**

**SCHEDULE**

**Qualifying income**

1. (1) The prescribed amount for the purposes of section 1 (1) (x) (c) of the Extension of Security of Tenure Act, 1997 (Act No. 62 of 1997), shall be an income of R5 000 per month.

(2) In subregulation (1) "income" means—

(a) a person's gross monthly cash wage or salary; or

(b) where a person earns money—

(i) other than by way of a monthly cash wage or salary, the average monthly amount of such person's gross earnings during the immediately preceding year; or

(ii) in addition to a monthly cash wage or salary, such person's gross monthly cash wage or salary together with the average monthly amount of such person's additional gross earnings during the immediately preceding year:

Provided that remuneration in kind shall not be taken into account.

**No. R. 1596****28 November 1997**

**VOORGESKREWE KWALIFISERENDE INKOMSTE VIR DIE DOELEINDES VAN ARTIKEL 1 (1) (xiii) (c) VAN DIE WET  
OP DIE UITBREIDING VAN SEKERHEID VAN VERBLYFREG, 1997 (WET No. 62 VAN 1997): REGULASIE**

Kragtens artikel 28 (1) van die Wet op die Uitbreiding van Sekerheid van Verblyfreg, 1997 (Wet No. 62 van 1997), maak ek, Derek André Hanekom, Minister van Grondskake, hierby die regulasie in die Bylae vervat.

**D. A. HANEKOM****Minister van Grondskake**

**BYLAE**

**Kwalifiserende inkomste**

1. (1) Die voorgeskrewe bedrag vir die doeleindes van artikel 1 (1) (xiii) (c) van die Wet op die Uitbreiding van Sekerheid van Besitreg, 1997 (Wet No. 62 van 1997), is 'n inkomste van R5 000 per maand.

(2) In subregulasie (1) beteken "inkomste"—

(a) 'n persoon se bruto maandelikse kontantloon of -salaris; of

(b) waar 'n persoon geld verdien—

(i) anders as by wyse van 'n maandelikse kontantloon of -salaris, die gemiddelde maandelikse bedrag van so 'n persoon se bruto verdienste gedurende die onmiddellik voorafgaande jaar; of

(ii) bo en behalwe 'n maandelikse kontantloon of -salaris, sodanige persoon se bruto maandelikse kontantloon of -salaris saam met die gemiddelde bedrag van sodanige persoon se bykomende bruto verdienste gedurende die onmiddellik voorafgaande jaar.

Met dien verstande dat besoldiging *in natura* nie in berekening gebring word nie.

# **SOUTH AFRICAN REVENUE SERVICES SUID-AFRIKAANSE INKOMSTEDIENS**

**No. R. 1566****28 November 1997**

CUSTOMS AND EXCISE ACT, 1964

**AMENDMENT OF SCHEDULE No. 1 (No. 1/1/859)**

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

**T. A. MANUEL****Minister of Finance****SCHEDULE**

| Head=<br>ing | Subheading | C.<br>D. | Article Description                                                                                             | Statistical<br>Unit | Rate of Duty | Anno=<br>tations |
|--------------|------------|----------|-----------------------------------------------------------------------------------------------------------------|---------------------|--------------|------------------|
| 87.07        | "8707.10   | 9        | By the substitution for subheading No. 8707.10 of the following:<br><br>- For the vehicles of heading No. 87.03 | u                   | 43%"         |                  |

**No. R. 1566****28 November 1997**

DOEANE- EN AKSYNSWET, 1964

**WYSIGING VAN BYLAE No. 1 (No. 1/1/859)**

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

**T. A. MANUEL****Minister van Finansies****BYLAE**

| Pos   | Subpos   | T.<br>S. | Artikel Beskrywing                                                                                | Statistiese<br>Eenheid | Skaal van<br>Reg | Anno=<br>tasies |
|-------|----------|----------|---------------------------------------------------------------------------------------------------|------------------------|------------------|-----------------|
| 87.07 | "8707.10 | 9        | Deur subpos No. 8707.10 deur die volgende te vervang:<br><br>- Vir die voertuie van pos No. 87.03 | u                      | 43%"             |                 |

**No. R. 1570****28 November 1997****NOTICE OF APPOINTMENT OF COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE**

It is hereby announced for general information that, in terms of the provisions of item 3 of Schedule 2 to the South African Revenue Service Act, 1997 (Act No. 34 of 1997), **Mr Trevor Frederik van Heerden** is regarded as having been appointed as the Commissioner for the South African Revenue Service with effect from 1 October 1997.

**T. A. MANUEL****Minister of Finance**



**No. R. 1570****28 November 1997****KENNISGEWING VAN AANSTELLING VAN KOMMISSARIS VAN DIE SUID-AFRIKAANSE INKOMSTEDIENS**

Hiermee word vir algemene inligting aangekondig dat, ingevolge die bepalings van item 3 van Bylae 2 tot die Wet op die Suid-Afrikaanse Inkomstediens, 1997 (Wet No. 34 van 1997), **mnr. Trevor Frederik van Heerden** beskou word as aangestel te wees as die Kommissaris van die Suid-Afrikaanse Inkomstediens vanaf 1 Oktober 1997.

**T. A. MANUEL****Minister van Finansies****DEPARTMENT OF TRANSPORT  
DEPARTEMENT VAN VERVOER****No. R. 1579****28 November 1997****ROAD TRAFFIC ACT, 1989 (ACT No. 29 OF 1989)****DETERMINATION UNDER REGULATION 199 (2) OF THE ROAD TRAFFIC REGULATIONS, 1990,  
REGARDING A REGISTRATION PLATE FOR THE FREE STATE PROVINCE**

I, Sathyandranath Ragunanan Maharaj, Minister of Transport, acting under regulation 199 (2) of the Road Traffic Regulations, hereby determine that—

- (a) Government Notice No. R. 2118 of 27 December 1996 be repealed;
- (b) a registration plate displaying a registration number or motor trade number issued by a registering authority in the Free State Province on or after 1 December 1997, shall display black letters and figures on a white retro-reflective surface;
- (c) notwithstanding the provisions of paragraph (b), a registration plate displaying a registration number or motor trade number issued by a registering authority in the Free State Province on or after 1 March 1997 up and until 30 November 1997, displaying black letters and figures on a white retro-reflective surface, shall not be invalid by reason only of the fact that the registration number or motor trade number concerned was issued before 1 December 1997;
- (d) a registration plate displaying a registration number or motor trade number issued by a registering authority in the Free State Province on or after 1 December 1997 may be as prescribed in paragraph (b): Provided that a registration plate displaying black letters and figures on a yellow retro-reflective surface, shall be valid for a period of five years from 1 December 1997.

**S. R. MAHARAJ****Minister of Transport****No. R. 1579****28 November 1997****PADVERKEERSWET, 1989 (WET No. 29 VAN 1989)****BEPALING INGEVOLGE REGULASIE 199 (2) VAN DIE PADVERKEERSREGULASIES, 1990, TEN AANSIEN  
VAN 'N REGISTRASIEPLAAT VIR DIE PROVINSIE VRYSTAAT**

Ek, Sathyandranath Ragunanan Maharaj, Minister van Vervoer, handelende kragtens regulasie 199 (2) van die Padverkeersregulasies, bepaal hierby dat—

- (a) Goewermentskennisgewing No. R. 2118 van 27 Desember 1996 herroep word;
- (b) 'n registrasieplaat wat 'n registrasienommer of motorhandelnommer vertoon wat uitgereik is deur 'n registrasieowerheid in die provinsie Vrystaat op of na 1 Desember 1997, swart letters en syfers op 'n wit trukaatsoppervlak moet vertoon;
- (c) niesteenstaande die bepalings van paragraaf (b), is 'n registrasieplaat wat 'n registrasienommer of motorhandelnommer vertoon wat uitgereik is deur 'n registrasieowerheid in die provinsie Vrystaat op of na 1 Maart 1997 tot en met 30 November 1997, wat swart letters en syfers op 'n wit trukaatsoppervlak vertoon, nie ongeldig slegs weens die feit dat die betrokke registrasienommer of motorhandelnommer uitgereik is voor 1 Desember 1997 nie;
- (d) 'n registrasieplaat wat 'n registrasienommer of motorhandelnommer vertoon wat uitgereik is deur 'n registrasieowerheid in die provinsie Vrystaat op of na 1 Desember 1997, mag wees soos voorgeskryf in paragraaf (b): Met dien verstande dat 'n registrasieplaat waarop swart letters en syfers op 'n geel trukaatsoppervlak vertoon word, geldig is vir 'n periode van vyf jaar vanaf 1 Desember 1997.

**S. R. MAHARAJ****Minister van Vervoer**

**DEPARTMENT OF WATER AFFAIRS AND FORESTRY  
DEPARTEMENT VAN WATERWESE EN BOSBOU**

No. R. 1571

28 November 1997

WATER ACT, 1956 (ACT No. 54 OF 1956)

**DRAFT REGULATIONS RELATING TO MEASURES AIMED AT THE PREVENTION OF WATER POLLUTION  
RESULTING FROM MINING AND RELATED INDUSTRIES**

The Minister of Water Affairs and Forestry intends making the regulations contained in the Schedule hereto in terms of section 26 (c), (d), (e) and (f) of the Water Act, 1956 (Act No. 54 of 1956), relating to measures aimed at the prevention of water pollution resulting from mining and related industries.

Interested parties are requested to submit comments in connection with the proposed regulations within 90 days from the date of publication of this notice. Comments must be submitted to the Director-General: Department of Water Affairs and Forestry, Private Bag X313, Pretoria, 0001. (For attention: Director: Water Quality Management).

**SCHEDULE**

**1. Definitions**

In these regulations any expression to which a meaning has been assigned in the Act, shall have the meaning so assigned, unless the context indicates otherwise—

**“activity”**, includes any mining related process including washing plants, mineral processing industries, mineral refineries or extraction plants, coal-fired power stations, mineral loading or off-loading zones and mineral storage yards—

(a) in which any substance is stockpiled, stored or accumulated for use in such process; or

(b) out of which process any residue is derived, stored, stockpiled, accumulated, dumped or disposed of;

**“clean area”**, includes any area where there is no prospect for water pollution;

**“clean water system”**, includes any dam, canal, works, structure or facility built or constructed for the retention or conveyance of unpolluted water or stormwater;

**“dam”**, includes any settling dam, slurry dam, evaporation dam, catchment or barrier dam or any other impoundment used for the storage of water, whether polluted or unpolluted;

**“Director-General”**, the Director-General of the Department of Water Affairs and Forestry;

**“dirty area”**, includes any area at which any substance, residue or facility is situated, handled, produced, stored, stockpiled, dumped or spilled and which is capable of causing water pollution;

**“dirty water system”**, includes any dam, impoundment, canal, works, structure or facility built or constructed for the retention or conveyance of polluted water;

**“discard”**, includes any waste rock, slimes or residue derived from any mining operation or processing of any mineral;

**“environmental management programme”**, an environmental management programme submitted in terms of section 39 of the Minerals Act, 1991 (Act No. 50 of 1991);

**“facility”**, in relation to an activity, includes any installation or appurtenant works for the storage, stockpiling, disposal, handling or processing of any substance;

**“hydraulic conveyance”**, includes any canal, ditch, pipeline and other construction built to convey water;

**“mine”**, **“manager”** and **“mineral”**, as assigned thereto in the Minerals Act, 1991 (Act No. 50 of 1991);

**“owner”**, in relation to a mine or activity includes the lessee of the mine, activity or any part thereof as well as a tributer for the working of the mine, activity or any part thereof; also the holder of a mining authorization or prospecting permit, or if such authorization or permit does not exist, the last person who worked the mine or his successor in title; and if such owner is not resident in or not a citizen of the Republic of South Africa, an agent or representative other than the manager of such a mine or activity should be appointed to be responsible on behalf of the owner of such a mine or activity;

**“polluted water”**, includes water, whether surface or groundwater, which is rendered less fit for the purpose for which it is, was or could be ordinarily used;

**“Regional Director”**, the Regional Director of the Department of Water Affairs and Forestry;

**“residue”**, includes any debris, discard, slimes, screenings, slurry, waste rock, foundry sand, beneficiation plant waste, ash or any other substance derived from or incidental to the operation of a mine or activity which is stockpiled, stored or accumulated for potential re-use or recycling or which must be disposed of or placed on a dump;

**“residue deposit”**, includes any dump, tailings dam, slimes dam, ash dump, waste rock dump, in-pit deposit or any other heap, pile or accumulation of residue;

**"stockpile"**, includes any heap, pile, slurry pond or accumulation of any substance where such substance is stored as a product or stored for use at any mine or activity;

**"substance"**, includes any mineral or material capable of causing water pollution, whether such substance is solid, liquid, vapour or gas or a combination thereof;

**"the Act"**, the Water Act, 1956 (Act No. 54 of 1956).

## 2. Information and notification

- (1) Any person intending to operate a mine or activity must notify the Regional Director of such intention 14 days before the start of such an operation and furnish the Regional Director in writing with the following information:
  - (a) A copy of the approved environmental management programme of the mine; and
  - (b) a copy of the mining authorization issued in terms of the Minerals Act, 1991 (Act No. 50 of 1991).
- (2) Any person in control of an existing mine or activity must—
  - (a) cause the information referred to in subregulation (1) to be updated should this information for any reason require updating or if requested to do so in writing by the Regional Director;
  - (b) notify the Regional Director in writing 14 days before the temporary or permanent cessation of the operation of a mine or activity, or the resumption of such operation;
  - (c) notify the Regional Director by the quickest possible means, within six hours, of any pollution incident or potential pollution incident as defined in terms of section 22B of the Act at or incidental to the operation of a mine or activity, furnishing the following information:
    - (i) date and time of the incident;
    - (ii) description of the incident;
    - (iii) identification of the source of the pollution;
    - (iv) impact and/or potential impact on the water resource and the water users; and
    - (v) remedial action taken or to be taken by the mine or activity;
  - (d) within 14 days after the date of an incident inform the Regional Director in writing of measures taken to correct and prevent a recurrence of any incident referred to in subregulation (2) (c).

## 3. Restrictions on locality and placing to control water pollution

No person in control of a mine or activity shall, unless otherwise authorised by the Director-General in writing, and subject to conditions he/she may impose—

- (a) use any area, locate or place any residue deposit, dam, reservoir, together with any associated toe of structure, or any other facilities within the 1:100 year flood-level or within a horizontal distance of 100 metres of any watercourse, dam, pan or lake, wetland or any spring, borehole or well, excluding boreholes or wells drilled specifically to monitor the pollution of groundwater, or on water-logged ground, or on ground likely to become water-logged, undermined, unstable or cracked;
- (b) carry on any underground or opencast mining, prospecting or any other operation or activity under or within the 1:100 year flood-level or within a horizontal distance of 100 metres of any watercourse, dam, pan, lake or wetland;
- (c) place or dispose of any residue or any other substance, excluding any substance excavated and backfilled as overburden, in the workings of any underground or opencast mine excavation, prospecting diggings, pit or any other excavation;
- (d) use any area or locate any sanitary convenience, fuel depots, reservoir or depots for substances capable of causing water pollution within the 1:100 year flood-level of any watercourse, dam, pan, lake or wetland.

## 4. Restrictions on the use of material to control water pollution

No person in control of a mine or activity may, unless otherwise authorised by the Director-General in writing and subject to conditions he/she may impose, use any residues or any other substance for the construction of any dam or impoundment or any embankment, road or railway, or in any other manner which is capable of causing water pollution.

## 5. Capacity requirements of clean and dirty water systems

Any person in control of a mine or activity must, unless otherwise authorised by the Director-General in writing, and subject to conditions he/she may impose—

- (a) keep any clean runoff or stormwater away from any dirty area into a clean water system;
- (b) design, construct, maintain and operate the clean water systems at the mine or activity so that it will not spill into the dirty water systems with a recurrence interval of more than once in 100 years;
- (c) collect the water arising within any dirty area, including storm water and water seeping from mining operations, outcrops or any other activity, into a dirty water system;



- (d) design, construct, maintain and operate the dirty water systems at the mine or activity so that it will not spill into the clean water systems with a recurrence interval of more than once in 100 years;
- (e) design, construct and maintain all hydraulic conveyances in such a manner to minimise erosion of such conveyances from flows up to and including that arising as a result of the maximum flood with an average period of recurrence of once in 100 years;
- (f) on any operating, abandoned or partly retired tailings and slimes dams or ash dump, where the material therein is or was conveyed hydraulically, ensure that no erosion, instability or failure of such deposit will occur as a result of the maximum precipitation falling therein over a 24 hour period with an average frequency of recurrence of once in a 100 years.

#### 6. Prevention of water pollution

Any person in control of a mine or activity must, unless otherwise authorised by the Director-General in writing, and subject to conditions he/she may impose—

- (a) prevent any substance or polluted water as contemplated in section 22 (1) of the Act, from entering or polluting any surface or groundwater resource, either by natural flow or by seepage, and to retain or collect such substance or polluted water for use, re-use, evaporation or for purification and disposal;
- (b) design, modify, locate, construct and maintain any works or structures for the retention of water, hydraulic conveyances, residue deposits or dams, in any area as to prevent the pollution of any surface or groundwater through the operation or use thereof and as to restrict the possibility of damage thereto by erosion, subsidence or settlement;
- (c) cause effective measures to be taken to minimise any surface water or flood water from flowing into mine workings, opencast workings, other workings or subterranean caverns, through cracked or fissured formations, subsided ground, sinkholes, outcrop excavations, adits, entrances or any other opening;
- (d) design, modify, construct, maintain and use any dam or any residue deposit or stockpile used for the disposal or storage of mineral tailings, slimes, ash or other hydraulic transported substances, that the water or effluent therein, or falling therein will not in any way result in the failure or impair the stability thereof;
- (e) prevent the erosion or leaching of materials from any residue deposit or stockpile from any area and contain material or substances so eroded or leached in such area by providing suitable barrier dams, evaporation dams or such other effective measures to prevent this material or substance from entering and polluting any surface or groundwater sources;
- (f) ensure that water used in any process at a mine or activity be recycled, and any facility, sump, pumping installation, catchment dam or other impoundment used for recycling water, be of adequate design and capacity to prevent the spillage, seepage or release of water at any time;
- (g) at all times keep any water passage free from any matter or obstruction which may affect the efficiency thereof;
- (h) provide at any refuelling bay effective pollution control measures to prevent the pollution of surface and groundwater;
- (j) cause all domestic effluent, including wash-water, which cannot be treated in a municipal sewage purification plant, to be treated to an effluent conforming to the standards prescribed in terms of section 21 (1) (a) of the Act and located at the mine or activity or such other place as the Regional Director may approve in writing.

#### 7. Security of water pollution control works

Any person in control of a mine or activity must, unless otherwise authorised by the Director-General in writing, and subject to conditions he/she may impose—

- (a) cause any impoundment or dam having water containing any poisonous, toxic or injurious substance to be effectively fenced-off to restrict access thereto, and to erect warning notice boards at prominent locations to warn persons of the hazardous contents thereof;
- (b) adequately fence-in any area used for the stockpiling or disposal of any substance or residue, in order to protect any works constructed in terms of these regulations;
- (c) not allow such area to be used for any other purpose, whatsoever;
- (d) protect any existing works or replace any existing works deleteriously affected, damaged or destroyed by the removing or reclaiming of materials from any residue deposit or stockpile, and establish additional works for the prevention of water pollution which may occur, is occurring or has occurred as a result of such operations.

#### 8. Closure of a mine or activity

- (1) Any person in control of a mine or activity shall at closure of operations ensure that all water pollution control measures in terms of these regulations have been designed, modified, constructed and maintained to the satisfaction of the Regional Director.
- (2) The Regional Director may request on closure of a mine or activity a copy of any surface or underground plans as required in terms of the Minerals Act.



**9. Additional regulations relating to operations involving sand winning and alluvial minerals from a public stream**

Any person winning sand, alluvial minerals or other materials from the bed of a stream on any land shall, unless otherwise authorised in writing in terms of section 11 (1A) of the Act—

- (a) not extract sand, alluvial minerals or other materials from the channel of a river, stream, watercourse, dam, pan, lake or wetland, unless—
  - (i) adequate precautions are taken to ensure that the stability of the river banks are not affected by such operations;
  - (ii) adequate precautions are taken to prevent the scouring and erosion of the banks which may result from such operations or work incidental thereto; and
  - (iii) adequate precautions are taken to prevent the degradation of the system.
- (b) construct adequate settlement pond facilities to treat the water to the prescribed standard before returning the water to the river;
- (c) limit stockpiles or sand dumps established on the bank of any stream, watercourse, dam, pan, lake or wetland to two days of production, with all other production to be stockpiled or dumped outside of the 1:100 year flood-level;
- (d) not establish any slimes dam or settling pond on the bank of any stream, watercourse, dam, pan, lake or wetland;
- (e) implement adequate control measures to prevent the pollution of any water by oil, grease, fuel or chemicals.

**10. Additional regulations for water pollution control measures at coal residue deposits**

Any person mining or establishing coal residue deposits must, unless otherwise authorised in writing by the Director-General, and subject to conditions he/she may impose, rehabilitate such residue deposits so that—

- (a) all discard is compacted in layers of not more than 0.3 metres to prevent spontaneous combustion and infiltration of water;
- (b) the maximum side slopes are not steeper than 1:3 (vertical to horizontal) to prevent erosion;
- (c) the top surface of the dump is sloped to at least 1:40 (vertical to horizontal) to promote surface water runoff and prevent ponding;
- (d) the dump has a minimum soil cover of 0.3 metres to minimise the infiltration of rain water and oxygen;
- (e) the whole surface is covered with a minimum of 0.1 metres of topsoil and vegetated so that erosion is minimised and to promote evapotranspiration;
- (f) the rehabilitation of the coal residue deposit is implemented concurrently with the mining operation.

**11. General**

- (1) The owner of a mine or activity must provide the manager with the means and afford him every facility required to enable the manager to comply with the provisions of these regulations.
- (2) Whenever any manager or employee of any mine or activity does or omits to do any action which would be an offence under these regulations for the owner of the mine or activity to do or omit to do, then, unless it is proved that—
  - (a) in doing or omitting to do that action the manager or employee was acting without the cognisance or permission of the owner of the mine or activity;
  - (b) all reasonable steps were taken by the owner of the mine or activity to prevent any action or omission of the kind in question; and
  - (c) it was not under any condition or in any circumstance within the scope of the authority or in the course of employment of the manager or employee to do or to omit to do an action, whether lawful or unlawful, of the character of the action or omission charged;

the owner of the mine or activity shall himself/herself be presumed to have done or omitted to do that action and be liable to be convicted and sentenced in respect thereof; and the fact that the owner issued instructions forbidding any action or omission of the kind in question shall not, of itself, be sufficient proof that he/she took all reasonable steps to prevent the action or omission.

- (3) Whenever any manager or employee of a mine or activity does or omits to do an action which would be an offence under these regulations for the owner of a mine or activity to do or omit to do, such manager or employee shall be liable to be convicted and sentenced in respect thereof as if he/she were the owner.

**12. Technical investigation, reports and monitoring of water pollution**

- (1) The information to be supplied and aspects to be investigated in terms of this regulation complements information already supplied in the approved environmental management programme.

- (2) The Regional Director may require in writing from any person in control of a mine or activity a technical investigation, audit or inspection to be conducted by suitably qualified persons and a report submitted on the chemical, geophysical, geohydrological, geotechnical, hydrological, hydraulic, structural or any other aspects aimed at preventing any surface or groundwater pollution connected with or incidental to the operation or any part of the operation of a mine or activity.
- (3) Such an investigation and report must be conducted and compiled in a manner and within a time as specified by the Regional Director. The investigation shall identify all existing or potential sources of surface or groundwater pollution and shall make recommendations to prevent any further pollution.
- (4) Any person in control of a mine or activity must inform the Regional Director as to the expertise and qualifications of the persons to conduct the investigation, audit or inspection referred to in subregulation (2) before the commencement thereof.
- (5) The Regional Director may request in writing from any person in control of a mine or activity to submit a programme of implementation to rectify and/or prevent any water pollution as identified and recommended by the investigation described in subregulations (2) and (3), in order to achieve the objectives/results within a time period as specified by him/her.
- (6) The Regional Director may in writing direct any person in control of a mine or activity to implement a compliance monitoring network to monitor the objectives and/or results mentioned in subregulation (5), through establishing, operating and maintaining monitoring installations of a type, at locations and the operation thereof in a manner as specified by him/her and to submit the monitoring information and results to the Regional Director for evaluation.
- (7) The Regional Director may in writing direct any person in control of a mine or activity to conduct, to his/her satisfaction, an inspection by an external auditor to audit the objectives and programme of implementation mentioned in subregulation (5), and the results compiled into a report.
- (8) Any person in control of a mine or activity must submit plans, specifications and design reports approved by a professional engineer to the Regional Director, 60 days prior to commencement of the following:
  - (a) Any surface dam to be constructed for the purpose of impounding polluted water, effluent or slurry to prevent the pollution of surface or groundwater;
  - (b) any water pollution control measures to be implemented at any residue deposit or stockpile to prevent the pollution of surface or groundwater; and
  - (c) any water control measures to be implemented at any residue deposit or stockpile to prevent the pollution of surface or groundwater.

### 13. Reinstatement/replacement of regulations

The regulations published in Government Notice No. R. 287 of 20 February 1976 are hereby reinstated/replaced.

No. R. 1571

28 November 1997

WATERWET, 1956 (WET No. 54 VAN 1956)

### KONSEP REGULASIES BETREFFENDE MAATREËLS TER VOORKOMING VAN WATERBESOEDELING VOORTSPRUITEND UIT MYNBOU EN VERWANTE BEDRYWE

Die Minister van Waterwese en Bosbou is voornemens om kragtens artikel 26 (c), (d), (e) en (f) van die Waterwet, 1956 (Wet No. 54 van 1956), die regulasies in die Bylae uit te vaardig, betreffende maatreëls ter voorkoming van waterbesoedeling voortspruitend uit mynbou en verwante bedrywe.

Belanghebbendes word versoek om binne 90 dae na die datum van publikasie van hierdie kennisgewing kommentaar in verband met die voorgestelde regulasies in te dien by die Direkteur-generaal: Departement van Waterwese en Bosbou, Privaat Sak X313, Pretoria, 0001. (Vir aandag: Direkteur: Watergehaltebestuur).

### BYLAE

#### 1. Woordomsrywings

In hierdie regulasie het 'n woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis, tensy uit die samehang anders blyk—

“**aktiwiteit**”, sluit in enige mynbou- of ander proses, insluitende wasaanlegte, mineraalverwerkingsbedrywe, mineraalraffinaderye of -ekstraksieaanlegte, steenkoolkragstasies, mineraallaaisones en mineraalopslagwerwe—

- (a) waarin enige stof opgestapel, opgeberg of opgehoop word vir gebruik in sodanige proses; of
- (b) as gevolg waarvan enige residu ontstaan of opgeberg, opgestapel, opgehoop, gestort of oor beskik word;

“**besoedelde water**”, sluit in water, hetsy oppervlak- of grondwater, wat minder geskik gemaak is vir die doel waarvoor dit normaalweg gebruik word, is of sou kon word;

- “dam”**, sluit in 'n besinkingsdam, sliedam, verdampingsdam, opvangdam of keerdam of enige ander opdamming wat gebruik word om water, hetsy besoedel of onbesoedel, op te gaar;
- “Direkteur-generaal”**, die Direkteur-generaal van die Departement van Waterwese en Bosbou;
- “die Wet”**, die Waterwet, 1956 (Wet No. 54 van 1956);
- “eienaar”**, met betrekking tot 'n myn of aktiwiteit, ook die huurder van die myn, aktiwiteit of enige gedeelte daarvan, en ook 'n skatpligtige vir die werk of bywerk van 'n myn, aktiwiteit of enige gedeelte daarvan; en ook die houer van die ontginningsmagtiging of prospekterpermit, of indien so 'n magtiging of permit nie bestaan nie, die laaste persoon wat die myn gewerk of bewerk het of sy opvolger in titel, en indien sodanige eienaar nie 'n inwoner of landsburger van die Republiek van Suid-Afrika is nie, moet 'n agent of verteenwoordiger wat nie ook die bestuurder van sodanige myn of aktiwiteit is nie, aangestel word om namens die eienaar van sodanige myn of aktiwiteit daarvoor verantwoordelik te wees;
- “fasiliteit”**, met betrekking tot 'n aktiwiteit, sluit in enige installasie of bybehorende werke waar enige stof opgeberg, opgestapel, oor beskik, hanteer of verwerk word;
- “hidrouliese vervoermiddel”**, sluit in 'n kanaal, sloot, pyleiding of ander konstruksie wat aangelê is om water te vervoer;
- “myn”, “bestuurder” en “mineraal”**, 'n myn bestuurder en mineraal soos in die Mineraalwet, 1991 (Wet No. 50 van 1991), omskryf;
- “omgewingsbestuursprogram”**, 'n omgewingsbestuursprogram voorgelê ingevolge artikel 39 van die Mineraalwet, 1991 (Wet No. 50 van 1991);
- “residu”**, sluit in enige puin, uitskot, slied, sifels, afvalrots, gietersand, verdelingsaanlegafval, as of enige ander stof wat van die werking van 'n myn of aktiwiteit afkomstig is of daarmee gepaard gaan, wat opgestapel, opgeberg of opgehoop word vir moontlike hergebruik of hersiklering, of wat op 'n storchoop oor beskik of gestort moet word;
- “uitskothoop”**, sluit in storchoop, uitskotdam, sliedam, ashoop, afvalrotshoop, binneputstortplek of enige ander hoop, stapel of ophoping van residu;
- “skoonwaterstelsel”**, sluit in enige dam, kanaal, werke, struktuur of fasiliteit wat opgerig of aangelê is om onbesoedelde water of stormwater te berg of te vervoer;
- “stof”**, sluit in 'n mineraal of materiaal wat waterbesoedeling kan veroorsaak, ongeag of daardie stof 'n vaste stof, vloeistof, damp of gas of 'n kombinasie daarvan is;
- “Streekdirekteur”**, die Streekdirekteur van die Departement van Waterwese en Bosbou;
- “uitskot”**, sluit in enige afvalrots, slied of residu afkomstig van 'n mynwerkzaamheid of mineraalverwerking;
- “voorraadhoop”**, sluit in 'n hoop, stapel, sliedam of ophoping van enige stof, waar sodanige stof as 'n produk of vir gebruik by enige myn of aktiwiteit opgeberg word;
- “vuil gebied”**, sluit in 'n gebied waarin enige stof, residu of fasiliteit voorkom, of gehanteer, geproduseer, opgeberg, opgestapel of gestort word of oorloop, en wat waterbesoedeling kan veroorsaak;
- “vuilwaterstelsel”**, sluit in enige dam, opdamming, kanaal, werk, struktuur of fasiliteit wat opgerig of aangelê is om besoedelde water te berg of af te voer.

## 2. Inligting en verwittiging

- (1) Enige persoon wat van voornemens is om 'n myn of aktiwiteit te bedryf moet die Streekdirekteur 14 dae voor die aanvang van sodanige voorneme verwittig en moet die volgende inligting skriftelik aan die Streekdirekteur verstrek:
  - (a) 'n Afskrif van die myn se goedgekeurde omgewingsbestuursprogram; en
  - (b) 'n afskrif van die ontginningsmagtiging kragtens die Mineraalwet, 1991 (Wet No. 50 van 1991), uitgereik.
- (2) Enige persoon wat in beheer is van 'n bestaande myn of aktiwiteit moet—
  - (a) die inligting bedoel in subregulasie (1) laat opdateer indien dit om enige rede opgedateer moet word of indien skriftelik aldus deur die Streekdirekteur versoek;
  - (b) die Streekdirekteur binne 14 dae skriftelik verwittig van enige tydelike of permanente staking van die bedryf van 'n myn of aktiwiteit, of die hervatting van die sodanige bedryf;
  - (c) die Streekdirekteur binne ses ure op die vinnigste moontlike wyse verwittig van enige besoedelingsinsident of potensiele besoedelingsinsident soos omskryf in artikel 22B van die Wet, by of voortgespruit uit die bedryf van 'n myn of aktiwiteit, en die volgende inligting verskaf:
    - (i) Datum en tyd van die insident;
    - (ii) beskrywing van die insident;
    - (iii) identifisering van die bron van die besoedeling;
    - (iv) impak en/of potensiele impak op die waterbron en watergebruikers; en



- (v) remediërende stappe wat deur die myn of aktiwiteit geneem word of geneem gaan word;
- (d) die Streekdirekteur binne 14 dae na die datum van die voorval skriftelik verwittig van maatreëls wat getref is om enige voorval bedoel in subregulasie (2) (c) reg te stel en te voorkom dat dit weer plaasvind.

### 3. Beperkinge op ligging en plasing om waterbesoedeling te beheer

Geen persoon in beheer van 'n myn of aktiwiteit mag, tensy skriftelik andersins deur die Direkteur-generaal gemagtig, en onderworpe aan voorwaardes wat hy neerlê—

- (a) enige gebied gebruik, of enige uitskothoop, dam, reservoir en enige verwante toonstruktuur, of enige ander fasiliteite, oprig of plaas binne die 1:100-jaar-vloedlyn of binne 'n horisontale afstand van 100 meter van af enige waterloop, dam, pan of meer, vlei-gebied of enige fontein, boorgat of put, uitgesonderd boorgate of putte wat spesifiek gesink is om die besoedeling van grondwater te monitor, of op versuipde grond, of op grond wat moontlik sal versuip, ondermyn sal word, onstabiel sal word of sal kraak nie;
- (b) enige ondergrondse of oopgroefmynbou, prospektering of enige ander werkzaamheid of aktiwiteit onder of binne die 1:100-jaar-vloedlyn of binne 'n horisontale afstand van 100 meter vanaf enige waterloop, dam, pan, meer of vlei-gebied verrig nie;
- (c) enige residu of enige ander stof, uitgesonderd enige stof wat as deklaag uitgegrawe en teruggevuul is, in die werkplek van enige ondergrondse of oopgroefmynbou-uitgrawings, prospekterdelwerye, groef of enige ander uitgrawings plaas of daarvoor beskik nie;
- (d) enige gebied gebruik, of enige toiletgeriewe, brandstofopgaarplekke, reservoirs of depots vir stowwe wat waterbesoedeling kan veroorsaak, oprig binne die 1:100-jaar-vloedlyn van enige waterloop, dam, pan, meer of vlei-gebied nie.

### 4. Beperking op gebruik van materiaal om waterbesoedeling te beheer

Geen persoon in beheer van 'n myn of aktiwiteit mag, tensy skiftelik andersins deur die Direkteur-generaal gemagtig en onderworpe aan voorwaardes wat hy neerlê, enige residu of enige ander stof gebruik om 'n dam of opdamming of 'n wal, pad of spoorlyn te bou, of dit op enige ander manier gebruik wat waterbesoedeling kan veroorsaak nie.

### 5. Kapasiteitsvereistes vir skoon- en vuilwaterstelsels

Enige persoon in beheer van 'n myn of aktiwiteit moet, tensy skriftelik andersins deur die Direkteur-generaal gemagtig en onderworpe aan voorwaardes wat hy mag neerlê—

- (a) enige skoon afloop of stormwater weghou van enige vuil gebied deur dit weg te voer na 'n skoonwaterstelsel;
- (b) die skoonwaterstelsels by die myn of aktiwiteit so ontwerp, bou, onderhou en bedryf dat dit nie in die vuilwaterstelsels sal oorloop met 'n herhalingsinterval van meer as een keer in 100 jaar nie;
- (c) die water wat in enige vuil gebied ontstaan, met inbegrip van stormwater en water wat uit mynbou-bedrywighede, dagsome of enige ander aktiwiteit sytel, in 'n vuilwaterstelsel versamel;
- (d) die vuilwaterstelsels by die myn of aktiwiteit so ontwerp, bou, onderhou of bedryf dat dit nie in die skoonwaterstelsels sal oorloop met 'n herhalingsinterval van meer as een keer in 100 jaar nie;
- (e) alle hidrouliese vervoermiddels op so 'n wyse ontwerp, bou en onderhou dat die erosie van sodanige vervoermiddels van vloede wat ontstaan as gevolg van en insluitende die maksimum vloed met 'n gemiddelde herhalings tydperk van een keer in 100 jaar ontstaan, tot die minimum beperk word;
- (f) op enige uitskot- en sliksdamme of ashope wat nog in gebruik is, of wat verlate of deels buite bedryf is, en waarna die materiaal hidroulies vervoer word of was, verseker dat geen erosie, onstabiliteit of swigting van sodanige stortplek as gevolg van die maksimum reënval wat oor 'n tydperk van 24 uur verwag kan word, met 'n gemiddelde herhalingsfrekwensie van een keer in 100 jaar, sal voorkom nie.

### 6. Voorkoming van waterbesoedeling

Enige persoon in beheer van 'n myn of aktiwiteit moet, tensy skriftelik andersins deur die Direkteur-generaal gemagtig en onderworpe aan voorwaardes wat hy neerlê—

- (a) verhoed dat enige stof of besoedelde water bedoel in artikel 22 (1) van die Wet, in enige oppervlakte- of grondwaterbron invloei of daardeur besoedel word, hetsy deur natuurlike vloei of deur sypeling, en moet sodanige stof of besoedelde water vir gebruik, hergebruik, verdamping of vir suiwering en beskikking behou of versamel;
- (b) enige werke of strukture vir die terughou van water, hidrouliese vervoermiddels, uitskothope of damme in enige gebiede ontwerp, verander, oprig, bou en onderhou om besoedeling van enige oppervlak- of grondwater as gevolg van die bedryf of gebruik daarvan te voorkom, en om die moontlikheid van beskadiging daarvan deur gronderosie, insakking of insinking te beperk;
- (c) toesien dat doeltreffende maatreëls getref word om die invloei van oppervlak- of vloedwater in myn-, oopgroef- of ander delfplekke of onderaardse openinge deur gekraakte of gesplete formasies, ingesakte grond, sinkgate, dagsoomuitgrawings, ingangstonnels, ingange of enige ander openinge te beperk;



- (d) enige dam of enige uitskothoop of voorraadstapel wat vir die wegdoen of opgaar van mineraaluitskot, slik, as of ander hidroulies vervoerde stowwe gebruik word, so ontwerp, verander, oprig, onderhou en gebruik dat die water of uitvloeisel wat dit bevat of wat daarin stort dit hoegenaamd nie sal laat swig of onstabiel maak nie;
- (e) die erosie of uitloging voorkom van materiaal op enige uitskothoop of voorraadstapel uit enige gebied, en die materiaal of stowwe terughou wat aldus geërodeer of uitgeloog is, deur geskikte keerdamme, verdampingsdamme of sodanige ander doeltreffende middels te voorsien wat sal verhoed dat sodanige materiaal of stowwe in enige oppervlak- of grondwaterbronne invloei en dit besoedel;
- (f) verseker dat water in enige prosesse by 'n myn of aktiwiteit gebruik word, hergebruik word en dat enige fasiliteit, sinkput, pompinstallasie, opvangdam of ander opdamming vir die hergebruik van water van toereikende ontwerpkapasiteit is om te verhoed dat water te enige tyd daaruit stort, sytel of uitgelaat word;
- (g) alle watergange te alle tye skoon hou van enige materie of obstruksie wat die doeltreffendheid daarvan raak;
- (h) doeltreffende beheermaatreëls by enige brandstofpunt tref om die besoedeling van oppervlak- en grondwater te voorkom;
- (j) toesien dat alle huishoudelike uitvloeisel, met inbegrip van waswater, wat nie in 'n munisipale riolsuiweringswerk behandel kan word nie, behandel word om aan die standaard voorgeskryf ingevolge artikel 21 (1) (a) van die Wet te voldoen en by die myn of aktiwiteit of op sodanige ander plek wat die Streekdirekteur skriftelik goedkeur, opgeberg word.

#### **7. Sekuriteit van waterbesoedelingsbeheerwerke**

Enige persoon in beheer van 'n myn of aktiwiteit moet, tensy skriftelik andersins deur die Direkteur-generaal gemagtig en onderworpe aan voorwaardes wat hy neerlê—

- (a) toesien dat enige opdamming of dam met water wat enige giftige, toksiese of skadelike stof bevat, doeltreffend omhein is om toegang daartoe te beperk, en dat waarskuwingsborde op prominente plekke opgerig word om mense oor die gevaarlike inhoud daarvan te waarsku;
- (b) enige gebied wat vir die opstapeling van of beskikking oor enige stof of residu gebruik word, toereiken omhein ten einde enige werke te beveilig wat ingevolge hierdie regulasies opgerig is;
- (c) nie toelaat dat 'n gebied in paragrawe (a) en (b) bedoel vir enige ander doel hoegenaamd gebruik word nie;
- (d) enige bestaande werke beveilig, of enige bestaande werke vervang wat nadelig geraak, beskadig of vernietig is deur die verwydering of herwinning van materiaal uit enige uitskothoop of opstapeling, en addisionele werke daarstel om enige waterbesoedeling te verhoed wat as gevolg van sodanige bedrywighede voorkom, voorgekom het of mag voorkom.

#### **8. Sluiting van myn of aktiwiteit**

- (1) Enige persoon in beheer van 'n myn of aktiwiteit moet by die staking van bedrywighede verseker dat alle waterbesoedelingsbeheermaatreëls ingevolge hierdie regulasies tot tevredenheid van die Streekdirekteur ontwerp, verander, opgerig en onderhou is.
- (2) Die Streekdirekteur mag by die sluiting van 'n myn of aktiwiteit 'n kopie van enige oppervlak- of ondergrondplanne ingevolge die Mineralewet vereis, aanvra.

#### **9. Addisionele regulasies betreffende bedrywighede aangaande die ontginning van sand en alluviale minerale uit 'n openbare stroom**

Enige persoon wat sand, alluviale minerale of ander materiaal uit 'n stroombed op enige grond ontgin, moet, tensy skriftelik ingevolge artikel 11 (1A) van die wet andersins gemagtig—

- (a) nie sand, alluviale minerale of ander materiaal uit die kanaal van 'n rivier, stroom, waterloop, dam, pan, meer of vlei gebied ontgin nie, tensy—
  - (i) toereikende voorsorg getref word om te verseker dat die stabiliteit van die walle nie deur sodanige bedrywighede geraak word nie;
  - (ii) toereikende voorsorg getref word om te verhoed dat die rivierwalle geërodeer word as gevolg van sodanige bedrywighede of die werk wat daarmee gepaard gaan; en
  - (iii) toereikende voorsorg getref word om degradasie van die stelsel te voorkom;
- (b) toereikende besinkdamfasiliteite oprig om die water tot die voorgeskrewe standaard te behandel voor die water in die rivier teruggeplaas word;
- (c) voorraadhope of sandhope wat op die wal van enige stroom, waterloop, dam, pan, meer of vlei gebied geplaas word, tot twee dae se produksie beperk, en alle ander produksie buite die 1:100-jaar-vloedlyn opstapel of stort;
- (d) nie 'n sliksdam of besinkingsdam op die wal van enige stroom, waterloop, dam, pan, meer of vlei gebied plaas nie;
- (e) toereikende beheermaatreëls implementeer om waterbesoedeling deur olie, ghries, brandstof of chemikalieë te voorkom.

**10. Addisionele regulasies vir waterbesoedelingbeheermaatreëls by steenkooluitskothope**

Enige persoon wat steenkooluitskothope ontgin of vestig moet, tensy skriftelik, andersins deur die Direkteur-generaal gemagtig en onderworpe aan voorwaardes wat hy neerlê, sulke uitskothope sodanig rehabiliteer dat—

- (a) alle uitskot gekompakteer word in lae van hoogstens 0,3 meter, om selfontbranding en waterinfiltrasie te voorkom;
- (b) die maksimum kanthelling nie steiler nie as 1:3 (vertikaal tot horisontaal) is, om erosie te voorkom;
- (c) die boonste oppervlak van die hoop 'n helling van minstens 1:40 (vertikaal tot horisontaal) gegee word om die afloop van oppervlakwater te bevorder en plasvorming te voorkom;
- (d) die hoop 'n minimum grondbedekking van 0,3 meter het, om die filtrasie van reënwater en suurstof te beperk;
- (e) die oppervlak in sy geheel met 0,1 meter bogrond bedek is en beplant is om erosie te beperk en evapotranspirasie te bevorder;
- (f) die rehabilitasie van die steenkooluitskothope en die mynboubedrywigheid tegelykertyd onderneem word.

**11. Algemeen**

- (1) Die eienaar van 'n myn of aktiwiteit moet die bestuurder voorsien van die middele en aan hom al die geriewe verskaf wat nodig is ten einde die bestuurder in staat te stel om aan die voorskrifte van hierdie regulasies te voldoen.
- (2) Wanneer 'n bestuurder of werknemer van 'n myn of aktiwiteit 'n handeling verrig of versuim om dit te verrig wat 'n misdryf ingevolge hierdie regulasies sou wees indien die eienaar van die myn of aktiwiteit dit verrig of versuim om dit te verrig, dan, tensy bewys word dat—

- (a) in die verrigting van daardie handeling of versuim om dit te verrig, die bestuurder of werknemer sonder die medewete of toestemming van die eienaar van die myn of aktiwiteit gehandel het;
- (b) die eienaar van die myn alle redelike stappe gedoen het om 'n handeling of versuim van die onderhawige soort te voorkom; en
- (c) dit nie op enige voorwaarde of in enige omstandigheid binne die bestek van die bevoegdheid of in die loop van die diens van die bestuurder of werknemer was om 'n handeling te verrig of te versuim om dit te verrig, hetsy wettig of onwettig, van die ten laste gelegde aard van die handeling of versuim nie;

word veronderstel dat die eienaar van die myn of aktiwiteit self daardie handeling verrig het of versuim het om dit te verrig, en kan hy ten opsigte daarvan skuldig bevind en gevonnissen word; en die feit dat die eienaar bevel uitgereik het wat 'n handeling of versuim van die onderhawige aard verbied het, is nie sigself voldoende bewys dat hy alle redelike stappe gedoen het om die handeling of versuim te voorkom nie.

- (3) Wanneer 'n bestuurder of werknemer van 'n mynaktiwiteit 'n handeling verrig of versuim om dit te verrig en dit 'n misdryf ingevolge hierdie regulasies sou wees indien die eienaar van die myn of aktiwiteit dit verrig of versuim om dit te verrig, kan hy ten opsigte daarvan skuldig bevind en gevonnissen word asof hy die eienaar is.

**12. Tegniiese ondersoek, verslae en monitering van waterbesoedeling**

- (1) Die inligting en aspekte wat ingevolge hierdie regulasie voorsien en ondersoek moet word, is aanvullend tot die inligting wat reeds in die goedgekeurde omgewingsbestuursprogram voorsien is.
- (2) Die Streekdirekteur mag skriftelik van enige persoon in beheer van 'n myn of aktiwiteit vereis om 'n tegniiese ondersoek, oudit of inspeksie deur toepaslike gekwalifiseerde persone te laat uitvoer en 'n verslag voor te lê oor die chemiese, geofisiese, geohidrologiese, geotegniese, hidrologiese, strukturele of enige ander aspekte gerig op die voorkoming van oppervlak- of grondwaterbesoedeling wat met die bedryf of enige deel van die bedryf van 'n myn of aktiwiteit verband hou of gepaard gaan.
- (3) Sodanige ondersoek en verslag moet op die wyse en binne die tydperk wat die Streekdirekteur spesifiseer, uitgevoer en saamgestel word. Die ondersoek moet alle bestaande of potensiele bronne van oppervlak- of grondwaterbesoedeling identifiseer en aanbevelings doen hoe om enige verdere besoedeling te voorkom.
- (4) Enige persoon in beheer van 'n myn of aktiwiteit moet die Streekdirekteur voor die aanvang daarvan verwittig van die kundigheid en kwalifikasies van die persone wat die ondersoek, oudit of inspeksie in subregulasie (2) bedoel, gaan uitvoer.
- (5) Die Streekdirekteur mag enige persoon in beheer van 'n myn of aktiwiteit skriftelik versoek om 'n implementeringsprogram voor te lê vir die regstel en/of voorkoming van enige waterbesoedeling soos deur die ondersoek waarna in subregulasies (2) en (3) verwys word, geïdentifiseer en aanbeveel is, ten einde die doelwitte/resultate binne die tydperk wat hy spesifiseer, te bereik.
- (6) Die Streekdirekteur mag enige persoon in beheer van 'n myn of aktiwiteit skriftelik beveel om 'n voldoeningsmoniteringsnetwerk te implementeer om die doelwitte en/of resultate in subregulasie (5) bedoel, te monitor deur moniteringsinstallasies van 'n soort, op 'n plek en die werking daarvan op 'n wyse wat hy spesifiseer te vestig, te bedryf en te onderhou, en om die moniteringsinligting en -resultate aan die Streekdirekteur voor te lê vir evaluering.

- (7) Die Streekdirekteur mag enige persoon in beheer van 'n myn of aktiwiteit skriftelik beveel om na sy bevestiging 'n inspeksie deur 'n eksterne ouditeur te laat uitvoer om die doelwitte en implementeringsprogramme in subregulasie (5) genoem en die resultate daarvan, te ouditeer, en 'n verslag daarvoor saam te stel.
- (8) Enige persoon in beheer van 'n myn of aktiwiteit moet planne, spesifikasies en ontwerpverslae wat deur 'n professionele ingenieur goedgekeur is, binne 60 dae voor die aanvang van die volgende aan die Streekdirekteur voorlê:
- (a) Enige oppervlakdam wat opgerig gaan word met die doel om besoedelde water, uitvloeisel of sliel op te dam om die besoedeling van oppervlak- of grondwater te voorkom;
  - (b) enige waterbesoedelingsbeheermaatreëls wat by enige uitsothoop of voorraadhoop geïmplementeer gaan word om die besoedeling van oppervlak- of grondwater te voorkom;
  - (c) enige waterbeheermaatreëls wat by enige uitsothoop of voorraadhoop geïmplementeer gaan word om die besoedeling van oppervlak- of grondwater te voorkom.

### 13. Herroeping van regulasies

Die regulasies afgekondig deur Goewermmentskennisgewing No. R. 287 van 20 Februarie 1976 word hierby herroep.

## MINISTRY FOR SAFETY AND SECURITY MINISTERIE VAN VEILIGHEID EN SEKURITEIT

No. R. 1599

28 November 1997

ARMS AND AMMUNITION ACT, 1969 (ACT No. 75 OF 1969)

### AMENDMENT OF ARMS AND AMMUNITION REGULATIONS, 1994

The Deputy Minister for Safety and Security, acting on behalf of and on assignment by the Minister for Safety and Security, has, under section 43 of the Arms and Ammunition Act, 1969 (Act No. 75 of 1969), made the Regulations in the Schedule.

### SCHEDULE

#### Definition

1. In this Schedule "the Regulations" means the Arms and Ammunition Regulations published by Government Notice No. R. 787 of 22 April 1994 as amended by Government Notice No. R. 931 of 6 May 1994, General Notice No. 15735 of 6 May 1994 and Government Notice No. R. 555 of 18 April 1997.

#### Substitution of regulation 36 (4) of Regulations

2. The following regulation is hereby substituted for regulation 36 (4) of the Regulations:

"(4) The form on which the fingerprints have so been taken, shall, after conclusion of the application, if the application is unsuccessful, be destroyed and, if the application succeeds, be filed in a manner determined from time to time by the Commissioner and which is calculated to ensure that the form cannot be misused or abused for any other purpose, and can only be used for a purpose connected with the verification for purposes of the Act, of the identity of the applicant as holder of the relevant licence: Provided that whenever such person ceases to be a holder of the licence, the form shall be destroyed."

Signed at Pretoria on this Nineteenth day of November 1997.

V. J. MATTHEWS

Deputy Minister for Safety and Security

No. R. 1599

28 November 1997

WET OP WAPENS EN AMMUNISIE, 1969 (WET No. 75 VAN 1969)

### WYSIGING VAN REGULASIES OP WAPENS EN AMMUNISIE, 1994

Die Adjunkminister vir Veiligheid en Sekuriteit, handelende namens en in opdrag van die Minister vir Veiligheid en Sekuriteit, het, kragtens artikel 43 van die Wet op Wapens en Ammunisie, 1969 (Wet No. 75 van 1969), die Regulasies in die Bylae uitgevaardig.

### BYLAE

#### Woordbepaling

1. In hierdie Bylae beteken "die Regulasies" die Regulasies op Wapens en Ammunisie gepubliseer by Goewermmentskennisgewing No. R. 787 van 22 April 1994 soos gewysig deur Goewermmentskennisgewing No. R. 931 van 6 Mei 1994, Algemene Kennisgewing No. 15735 van 6 Mei 1994 en Goewermmentskennisgewing No. 555 van 18 April 1997.



**Vervanging van regulasie 36 (4) van die Regulasies**

2. Regulasie 36 (4) van die Regulasies word hierby deur die volgende regulasie vervang:

"(4) Die vorm waarop die vingerafdrucke geneem is, word, na afhandeling van die aansoek, indien die aansoek onsuksesvol is, vernietig en, indien die aansoek slaag, geliasseer op 'n wyse van tyd tot tyd deur die Kommissaris bepaal en wat bereken is om te verseker dat die vorm nie wangebruik of misbruik word vir enige ander doel nie, en slegs gebruik kan word vir 'n doel verbonde aan die verifiëring vir doeleindes van die Wet, van die identiteit van die aansoeker as houer van die betrokke lisensie: Met dien verstande dat wanneer ook al sodanige persoon ophou om die houer van die betrokke lisensie te wees, die vorm vernietig moet word."

Geteken te Pretoria op hede die Negentiende dag van November 1997.

**V. J. MATTHEWS**

Adjunkminister vir Veiligheid en Sekuriteit

**DEPARTMENT OF TRADE AND INDUSTRY  
DEPARTEMENT VAN HANDEL EN NYWERHEID**

**No. R. 1583**

**28 November 1996**

**AMENDMENT OF THE SUGAR INDUSTRY AGREEMENT, 1994**

I, Alec Erwin, Minister of Trade and Industry, hereby, in terms of section 4 (1) (c) of the Sugar Act, 1978 (Act No. 9 of 1978), publish the amendments set out in the Schedule, which have, under and in accordance with the provisions of section 4 (1) (b) of the said Act, been made by me to the Sugar Industry Agreement, 1994.

**A. ERWIN**

Minister of Trade and Industry

**SCHEDULE**

**Definition**

1. In this Schedule "the Agreement" means the Sugar Industry Agreement, 1994, published under Government Notice No. R. 592 of 31 March 1994, as amended by Government Notices Nos. R. 190 of 10 February 1995, R. 1775 of 4 August 1995, R. 699 of 26 April 1996 and R. 709 of 3 May 1996.

**Amendment of clause 1 of the Agreement**

2. Clause 1 of the Agreement is hereby amended by the insertion of the following definitions after the definition of "small grower entitlement":

"(xxxvA) 'sugar beet' or 'beet' means, botanically, an annual root crop of the species *Beta vulgaris* grown specifically for the production of sucrose from the roots which constitute a raw material which may be delivered by a grower to a mill for processing;

(xxxvB) 'sugar beet mill' means a mill which produces sugar exclusively from sugar beet and includes the miller in respect of that mill only;"

**Insertion of clauses 3A, 3B, 3C and 3D in the Agreement**

3. The following clauses are hereby inserted in the Agreement after clause 3:

"3A. The provisions of clauses 3A, 3C, 3D and 221B shall be deemed to have come into effect on 1 April 1997 and shall apply only in respect of the 1997/98 season.

3B. In terms of section 4 (2) (a) of the Act, sugar beet is designated as an agricultural product from which it is possible to manufacture sugar as a product which is subject to this Agreement.

3C. The provisions of this Agreement shall, subject to the limitations which are set out hereunder, apply to sugar beet and to sugar manufactured from sugar beet. Accordingly, any reference in this Agreement, save where the context clearly indicates otherwise and in respect of the clauses referred to hereunder, to sugar cane or sucrose in cane shall be deemed also to be a reference to sugar beet, beet or sucrose in beet, as the case may be. The foregoing shall not apply to the following clauses of this Agreement.

95, 96, 122, 140, 164, 165, 201, 205, 221A, 223 and 224.

3D. Any question as to the application or otherwise of any provision of this Agreement to sugar beet, beet or sucrose shall be referred for decision to the Administration Board."

**Substitution of clause 4 of the Agreement**

4. The following clause is hereby substituted for clause 4 of the Agreement:

"4 (1) Subject to subclause 4 (2), this Agreement shall be binding on every grower, miller and refiner.

(2) This Agreement shall not apply to sugar beet growers, and only those clauses which specifically refer to sugar beet millers shall apply to sugar beet millers."



**Insertion of clause 221B in the Agreement**

5. The following clause is hereby inserted in the Agreement after clause 221A:

"221B. Notwithstanding anything to the contrary contained in this chapter, each mill shall pay growers prices for sucrose in beet deliveries based on the actual sucrose content of the beet."

**Amendment of clause 260 of the Agreement**

6. Clause 260 of the Agreement is hereby amended—

- (a) by the substitution for paragraph (a) of the following paragraph:

"(a) each mill, including a sugar beet mill, shall during each year and according to a timetable to be issued before the commencement of the year submit to the South African Sugar Association returns, in such form as is determined from time to time by the Sugar Association, of—";

- (b) by the substitution for subparagraph (i) of paragraph (a) of the following subparagraph:

"(i) in the case of a mill other than a sugar beet mill, the estimated annual and actual monthly deliveries to the mill of cane and of sucrose in cane;";

- (c) by the substitution for subparagraph (ii) of paragraph (b) of the following subparagraph:

"(ii) final sugar and molasses production schedules in respect of each mill, including sugar beet mills; and".

**Insertion of clause 260A in the Agreement**

7. The following clause is hereby inserted in the Agreement after clause 260:

"260A. If any mill, including a sugar beet mill, fails to supply the information required in terms of clause 260, according to the timetable issued by the South African Sugar Association, then the South African Sugar Association may, in writing, call upon any such mill to supply such information as has not been supplied within 14 days of the date of such request. If the mill concerned does not supply such information within the 14-day period, then the South African Sugar Association may make an assessment of the relevant tonnage of cane, sucrose in cane, sugar or molasses, as the case may be, and its assessment shall be binding, for all purposes, on such mill."

**Substitution of clause 262 of the Agreement**

8. The following clause is hereby substituted for clause 262 of the Agreement:

"262. The South African Sugar Association shall in respect of each year determine the quantities of sugar required for the local market, including carry-over stocks, and for the export market, respectively, and shall allocate to each mill a quota of each such quantity, to which end the South African Sugar Association shall control and regulate the disposal of the total quantity of sugar produced by millers, and quotas so allocated to each mill shall be allocated separately in respect of local market white and local market brown sugar, on the one hand, and to export sugar on the other hand, and shall be determined for each such category, as may be applicable—

- (a) in each year until the end of the 1997/1998 year—

- (i) in the A Pool in the proportion which each mill's total saleable production of A Pool sugar bears to the total quantity of A Pool saleable sugar produced by all mills; and  
(ii) in the B Pool in the proportion which each mill's total saleable production of B Pool sugar bears to the total quantity of B Pool saleable sugar produced by all mills;

- (b) in each year from the 1998/1999 year in the proportion which each mill's total saleable production of sugar bears to the total quantity of saleable sugar produced by all mills, including sugar beet mills."

**Insertion of clause 262A in the Agreement**

9. The following clause is hereby inserted in the Agreement after clause 262:

"262A. in respect of sugar beet mills the South African Sugar Association shall in each year allocate to the sugar beet mill a quota for export market sugar only. The export market quota allocated to each sugar beet mill shall be in the same ratio to its total sugar production as the total export market quotas of all other mills, excluding sugar beet mills, is to the total saleable production of such mills. For the avoidance of doubt, the percentage of its total production which is sugar beet mill shall be required to export in terms of its export quota shall be determined according to the following formula:

Export obligation of a sugar beet mill as a percentage of its production =  $(Z \div X) \times 100$

in which formula the factor—

- (a) X represents the total sugar production of all mills, including sugar beet mills; and  
(b) Z represents X minus the total quantity of sugar required for the local market."

**Insertion of clause 265A in the Agreement**

10. The following clause is hereby inserted in the Agreement after clause 265:

- "265A (1) Each sugar beet mill shall be obliged to export a quantity of sugar which is no less than its export quota allocated in terms of clause 262A.
- (2) Each sugar beet mill shall advise the South African Sugar Association during each year, at regular intervals as determined by the South African Sugar Association, of the quantity of sugar already exported by it and of the quantity of export orders obtained by it but not yet fulfilled. The South African Sugar Association shall advise each sugar beet mill of the total quantity of sugar which is to be exported by mills, through Sasexcor, during the year concerned, as soon as such quantity of sugar has been determined.
- (3) By no later than 30 April in each year, each sugar beet mill shall furnish to the South African Sugar Association, in a form acceptable to it, a certificate signed by the independent auditors of such mill certifying the quantity of sugar exported during the immediately preceding year. If any sugar beet mill fails to furnish the certificate to the South African Sugar Association by 30 April in any year, then the South African Sugar Association shall be entitled to make an estimate of the quantity of sugar exported by the mill concerned and that estimate shall be binding, for all purposes, on such mill.
- (4) A sugar beet mill may, in fulfilling its obligations in terms of subclause (1), arrange for Sasexcor to export the required quantity of sugar on its behalf, in accordance with arrangements to be negotiated by any such sugar beet mill and Sasexcor from time to time.
- (5) If in any year a sugar beet mill fails to export the quantity of sugar which it is obliged to export in terms of subclause (1), then it shall within 30 days of the production of the auditor's certificate on the date of the estimate made by the South African Sugar Association, in terms of subclause (3), as the case may be, pay to the South African Sugar Association financial compensation, limited to the amount determined in terms of subclause (6).
- (6) The financial compensation payable by a sugar beet mill to the South African Sugar Association in terms of subclause (5) shall be the capital amount arrived at by multiplying the tonnage of the shortfall in such mill's export obligation in respect of that year, by the amount by which the maximum industrial price per ton for refined sugar, plus 10%, exceeds the weighted average of the net prices per ton received by Sasexcor for all sugar sold by Sasexcor in the export market during that year; plus interest calculated on that capital amount from the first day of the ensuing year to the date of payment at the rate equal to the prime overdraft rate charged by the principal bankers to the South African Sugar Association from time to time. A certificate under the hand of any manager, deputy manager or assistant manager of such bankers as to the rate applicable in respect of any period shall be *prima facie* proof of such rate.
- (7) The amount payable by a sugar beet mill in terms of subclause (5) shall be deemed to be a debt due to the South African Sugar Association and shall be recoverable by the South African Sugar Association.
- (8) Any financial compensation which is recovered by the South African Sugar Association from a sugar beet mill in terms of the foregoing provisions, shall be for the benefit of the South African Sugar Association."

No. R. 1583

28 November 1996

**WYSIGING VAN DIE SUIKERNYWERHEIDDOORENKOMS, 1994**

Ek, Alex Erwin, Minister van Handel en Nywerheid, publiseer hierby ingevolge artikel 4 (1) (c) van die Suikerwet, 1978 (Wet No. 9 van 1978), die wysigings in die Bylae uiteengesit wat kragtens en ooreenkomstig die bepalings van artikel 4 (1) (b) van genoemde Wet deur my aan die Suikernywerheidsooreenkoms, 1994, aangebring is.

**A. ERWIN**

Minister van Handel en Nywerheid

**BYLAE**

**Woordbepaling**

1. In hierdie Bylae beteken "die Ooreenkoms" die Suikernywerheidsooreenkoms, 1994, gepubliseer by Goewermenskennisgewing No. R. 592 van 31 Maart 1994, soos gewysig by Goewermenskennisgewings Nos. R. 190 van 10 Februarie 1995, R. 1775 van 4 Augustus 1995, R. 699 van 26 April 1996 en R. 709 van 3 Mei 1996.

**Wysiging van klousule 1 van die Ooreenkoms**

2. Klousule 1 van die Ooreenkoms word hierby gewysig deur die volgende woordbepalings na die omskrywing van "seisoen" in te voeg:

"(xxxiiA) 'suikerbeet', botanies; 'n jaarlikse worteloes van die spesie *Beta vulgaris* wat spesifiek gekweek word vir die

**Invoeging van klousules 3A, 3B, 3C en 3D in die Ooreenkoms**

3. Die volgende klousules word hierby in die Ooreenkoms na klousule 3 ingevoeg:

- "3A. Die bepalings van klousules 3A, 3C, 3D en 221B word geag in werking te getree het op 1 April 1997 en geld slegs ten opsigte van die 1997/98-seisoen.
- 3B. Suikerbeet word kragtens artikel 4 (2) (a) van die Wet aangewys as 'n landbouprodukt waarvan dit moontlik is om suiker te vervaardig wat onderworpe is aan hierdie Ooreenkoms.
- 3C. Die bepalings van hierdie Ooreenkoms is, behoudens die beperkinge hieronder uiteengesit, van toepassing op suikerbeet en op suiker geproduseer uit suikerbeet. Gevolglik word enige verwysing in hierdie Ooreenkoms, tensy uit die konteks duidelik anders blyk en behalwe ten opsigte van ondergenoemde klousules, na suikerriet of sukrose-in-riet geag 'n verwysing te wees na suikerbeet, beet of sukrose-in-beet, na gelang van die geval. Die voorgaande is nie op die volgende klousules van hierdie Ooreenkoms van toepassing nie.

95, 96, 122, 140, 164, 165, 201, 205, 221A, 223 en 224.

- 3D. Enige vraag oor die toepassing al dan nie van enige bepalings van hierdie Ooreenkoms op suikerbeet, beet of sukrose word na die Administrasieraad vir 'n beslissing verwys."

**Vervanging van klousule 4 van die Ooreenkoms**

4. Klousule 4 van die Ooreenkoms word hierby deur die volgende klousule vervang:

- "4 (1) Behoudens subklousule (2) is hierdie Ooreenkoms bindend vir elke kweker, meulenaar en raffineerder.
- (2) Hierdie Ooreenkoms is nie op suikerbeetkwekers van toepassing nie, en slegs die klousules wat spesifiek na suikerbeetmeulenaars verwys, is op suikerbeetmeulenaars van toepassing."

**Invoeging van klousule 221B in die Ooreenkoms**

5. Die volgende klousule word hierby in die Ooreenkoms na klousule 221A ingevoeg.

- "221B. Ondanks andersluidende bepalings vervat in hierdie hoofstuk, betaal elke meul kwekerspryse vir lewerings van sukrose-in-riet gebaseer op die werklike sukrose-inhoud van die beet."

**Wysiging van klousule 260 van die Ooreenkoms**

6. Klousule 260 van die Ooreenkoms word hierby gewysig—

- (a) deur paragraaf (a) deur die volgende paragraaf te vervang:
- "(a) moet elke meul, met inbegrip van 'n suikerbeetmeul, gedurende elke jaar ooreenkomstig 'n tyd-rooster wat voor die begin van elke jaar uitgereik word, aan die Suid-Afrikaanse Suikervereniging van tyd tot tyd opgewas in sodanige vorm as wat die Suid-Afrikaanse Suikervereniging voorskryf, voorlê van—";
- (b) deur subparagraaf (i) van paragraaf (a) deur die volgende subparagraaf te vervang:
- "(i) in die geval van 'n meul, uitgesonderd 'n suikerbeetmeul, die geskatte jaarlikse en werklike maandelikse lewerings van riet en sukrose-in-riet aan die meul;";
- (c) deur subparagraaf (ii) van paragraaf (b) deur die volgende subparagraaf te vervang:
- "(ii) finale suiker- en melasseproduksie-opgawes ten opsigte van elke meul, met inbegrip van suikerbeetmeule, opstel; en".

**Invoeging van klousule 260A in die Ooreenkoms**

7. Die volgende klousule word hierby in die Ooreenkoms na klousule 260 ingevoeg:

- "260A. Indien 'n meul, met inbegrip van 'n suikerbeetmeul, in gebreke bly om die inligting vereis ingevolge klousule 260 ooreenkomstig die tyd-rooster deur die Suid-Afrikaanse Suikervereniging uitgereik voor te lê, kan die Suid-Afrikaanse Suikervereniging sodanige meul skriftelik versoek om die inligting wat nie voorgelê is nie, binne 14 dae na die datum van sodanige versoek te verskaf. Indien die betrokke meul sodanige inligting nie binne die tydperk van 14 dae verskaf nie, kan die Suid-Afrikaanse Suikervereniging 'n skatting maak van die betrokke tonnemaat riet, sukrose-in-riet, suiker of melasse, na gelang van die geval, en sy skatting is vir alle doeleindes bindend vir sodanige meul."

**Vervanging van klousule 262 van die Ooreenkoms**

8. Klousule 262 van die Ooreenkoms word hierby deur die volgende klousule vervang:

- "262. Die Suid-Afrikaanse Suikervereniging moet ten opsigte van elke jaar die hoeveelheid suiker bepaal wat vir onderskeidelik die binnelandse mark, met inbegrip van oordragvoorrade, en die buitelandse mark benodig word en moet aan elke meul 'n kwota vir elke sodanige hoeveelheid toeken, vir welke doel die Suid-Afrikaanse Suikervereniging die beskikking oor die totale hoeveelheid suiker deur meulenaars geproduseer, moet beheer en reguleer, en kwotas aldus aan elke meul toegeken, word afsonderlik toegeken ten opsigte van witsuiker vir die binnelandse mark en bruinsuiker vir die binnelandse mark aan die een kant, en uitvoersuiker aan die ander kant, en word vir elke sodanige kategorie, soos van toepassing, bepaal—



- (a) in elke jaar tot die einde van die 1997/1998-jaar—
  - (i) in die A-poel, in die verhouding waarin elke meul se totale verkoopbare produksie A-poel-suiker staan tot die totale hoeveelheid A-poel verkoopbare suiker deur alle meule geproduseer; en
  - (ii) in die B-poel, in die verhouding waarin elke meul se totale verkoopbare produksie B-poel-suiker staan tot die totale hoeveelheid B-poel verkoopbare suiker deur alle meule geproduseer;
- (b) in elke jaar vanaf die 1998/1999-jaar, in die verhouding waarin elke meul se totale verkoopbare suikerproduksie staan tot die totale hoeveelheid verkoopbare suiker deur alle meule, met inbegrip van suikerbeetmeule, geproduseer.”.

#### **Invoeging van klousule 262A in die Ooreenkoms**

9. Die volgende klousule word hierby in die Ooreenkoms na klousule 262 ingevoeg:

“262A. ten opsigte van suikerbeetmeule moet die Suid-Afrikaanse Suikervereniging in elke jaar aan elke suikerbeetmeul 'n kwota slegs vir uitvoermarsuiker toeken. Die kwota vir die uitvoermars wat aan elke suikerbeetmeul toegeken word, moet in dieselfde verhouding tot die suikerbeetmeul se totale suikerproduksie staan as waarin die totale kwotas vir die uitvoermars van alle ander meule, behalwe suikerbeetmeule, tot die totale verkoopbare produksie van sodanige meule staan. Ten einde twyfel te voorkom, moet die persentasie van 'n suikermeul se totale produksie wat hy ingevolge sy uitveerkwota moet uitvoer, ooreenkomstig die volgende formule bepaal word:

Uitvoerverpligting van 'n suikerbeetmeul as 'n persentasie van sy produksie =  $(Z \div X) \times 100$

in welke formule—

- (a) X die totale suikerproduksie van alle meule, met inbegrip van suikerbeetmeule verteenwoordig; en
- (b) Z gelyk is aan X minus die totale hoeveelheid suiker wat vir die binnelandse mark benodig word.”.

#### **Invoeging van klousule 265A in die Ooreenkoms**

10. Die volgende klousule word hierby in die Ooreenkoms na klousule 265 ingevoeg:

- “265A (1) Elke suikerbeetmeul is verplig om 'n hoeveelheid suiker uit te voer wat nie minder is as sy uitveerkwota ingevolge subklousule 262A toegeken.
- (2) Elke suikerbeetmeul moet die Suid-Afrikaanse Suikervereniging gedurende elke jaar, met gereelde tussenposes soos deur die Suid-Afrikaanse Suikervereniging bepaal, in kennis stel van die hoeveelheid suiker reeds deur hom uitgevoer en van die hoeveelheid van uitvoerbestellings deur hom bekom maar nog nie nagekom nie. Die Suid-Afrikaanse Suikervereniging moet elke suikerbeetmeul in kennis stel van die totale hoeveelheid suiker wat gedurende die betrokke jaar deur meule, deur middel van Sasexcor, uitgevoer moet word, sodra sodanige hoeveelheid suiker bepaal is.
- (3) Teen nie later nie as 30 April elke jaar moet elke suikerbeetmeul aan die Suid-Afrikaanse Suikervereniging, in 'n vorm wat vir die Suid-Afrikaanse Suikervereniging aanvaarbaar is, 'n sertifikaat, geteken deur die onafhanklike ouditeure van sodanige meul, voorlê wat die hoeveelheid suiker sertifiseer wat gedurende die onmiddellik voorafgaande jaar uitgevoer is. Indien enige suikerbeetmeul in gebreke bly om die sertifikaat teen 30 April in enige jaar aan die Suid-Afrikaanse Suikervereniging te verskaf, is die Suid-Afrikaanse Suikervereniging daarop geregtig om 'n skatting te maak van die hoeveelheid suiker deur die betrokke meul uitgevoer, en daardie skatting is vir alle doeleindes bindend vir sodanige meul.
- (4) 'n Suikerbeetmeul kan ter nakoming van sy verpligtinge ingevolge subklousule (1) reëlins tref dat Sasexcor die vereiste hoeveelheid suiker ten behoeve van daardie suikerbeetmeul uitvoer ooreenkomstig reëlins wat so 'n suikerbeetmeul en Sasexcor van tyd tot tyd beding.
- (5) Indien 'n suikerbeetmeul in enige jaar in gebreke bly om die hoeveelheid suiker uit te voer wat hy verplig is om ingevolge subklousule (1) uit te voer, moet hy binne 30 dae na die voorlegging van die ouditeursertifikaat of die datum van die skatting gedoen deur die Suid-Afrikaanse Suikervereniging ooreenkomstig subklousule (3), na gelang van die geval, aan die Suid-Afrikaanse Suikervereniging finansiële vergoeding, beperk tot die bedrag bepaal ingevolge subklousule (6), betaal.
- (6) Die finansiële vergoeding deur 'n suikerbeetmeul ingevolge subklousule (5) aan die Suid-Afrikaanse Suikervereniging betaalbaar, is die kapitaalbedrag wat verkry word deur die tonnemaat van die tekort in sodanige meul se uitvoerverpligting ten opsigte van daardie jaar te vermenigvuldig met die bedrag waarmee die maksimum nywerheidsprys per ton geraffineerde suiker, plus 10%, die geweegde gemiddelde van die netto pryse per ton deur Sasexcor ontvang vir alle suiker deur Sasexcor in die uitvoermars gedurende daardie jaar verkoop, oorskry; plus rente bereken op daardie kapitaalbedrag van die eerste dag van die daaropvolgende jaar tot op die datum van betaling teen die koers gelyk aan die prima oortrekkingskoers wat die vernaamste bankiers die Suid-Afrikaanse Suikervereniging van tyd tot tyd vra. 'n Sertifikaat, onderteken deur enige bestuurder, adjunk-bestuurder of assistentbestuurder van sodanige bankiers, betreffende die koers van toepassing ten



- (7) Die bedrag deur 'n suikerbeetmeul ingevolge subklousule (5) betaalbaar, word geag 'n skuld aan die Suid-Afrikaanse Suikervereniging verskuldig te wees en is verhaalbaar deur die Suid-Afrikaanse Suikervereniging.
- (8) Enige finansiële vergoeding wat deur die Suid-Afrikaanse Suikervereniging van 'n suikerbeetmeul ingevolge voorgaande bepalings verhaal word, is ten bate van die Suid-Afrikaanse Suikervereniging."

**No. R. 1584****28 November 1997****AMENDMENT OF THE SUGAR INDUSTRY AGREEMENT, 1994**

I, Alec Erwin, Minister of Trade and Industry, hereby, in terms of section 4 (1) (c) of the Sugar Act, 1978 (Act No. 9 of 1978), publish the amendments set out in the Schedule, which have, under and in accordance with the provisions of section 4 (1) (b) of the said Act, been made by me to the Sugar Industry Agreement, 1994.

**A. ERWIN****Minister of Trade and Industry****SCHEDULE****Definition**

1. In this Schedule "the Agreement" means the Sugar Industry Agreement, 1994, published under Government Notice No. R. 592 of 31 March 1994, as amended by Government Notices Nos. R. 190 of 10 February 1995, R. 1775 of 4 August 1995, R. 709 of 3 May 1996.

**Substitution of clause 82 of the Agreement**

2. The following is hereby substituted for clause 82 of the Agreement:

"82. The Administration Board may cancel the small grower entitlement of any small grower—

- (a) in respect of whom a direct or indirect beneficial interest is found to be held in contravention of clause 81; or
- (b) who has failed for a period of four consecutive years to deliver any cane from his or her registered land; or
- (c) who has lost title to the whole of his or her registered land."

**No. R. 1584****28 November 1997****WYSIGING VAN DIE SUIKERNYWERHEIDDOOREENKOMS, 1994**

Ek, Alec Erwin, Minister van Handel en Nywerheid, publiseer hierby ingevolge artikel 4 (1) (c) van die Suikerwet, 1978 (Wet No. 9 van 1978), die wysigings in die Bylae uiteengesit wat kragtens en ooreenkomstig die bepalings van artikel 4 (1) (b) van genoemde Wet deur my aan die Suikernywerheidsooreenkoms, 1994, aangebring is.

**A. ERWIN****Minister van Handel en Nywerheid****BYLAE****Woordbepaling**

1. In hierdie Bylae beteken "die Ooreenkoms" die Suikernywerheidsooreenkoms, 1994, gepubliseer by Goewermmentskennisgewing No. R. 592 van 31 Maart 1994, soos gewysig by Goewermmentskennisgewings Nos. R. 190 van 10 Februarie 1995, R. 1775 van 4 Augustus 1995, R. 709 van 3 Mei 1996.

**Wysiging van klousule 82 van die Ooreenkoms**

2. Klousule 82 van die Ooreenkoms word hierby vervang deur die volgende:

"82. Die Administrasieraad kan die kleinkwekergeregtigheid van 'n kleinkweker kansleer—

- (a) ten opsigte van wie gevind word dat hy of sy 'n regstreekse of onregstreekse voordelige belang in stryd met klousule 81 het; of
- (b) wat vir 'n tydperk van vier agtereenvolgende jare in gebrek gebly het om suikerriet op sy geregistreerde grond te produseer, of
- (c) wat sy titel ingeheel of oor 'n gedeelte van sy geregistreerde grond verloor het."

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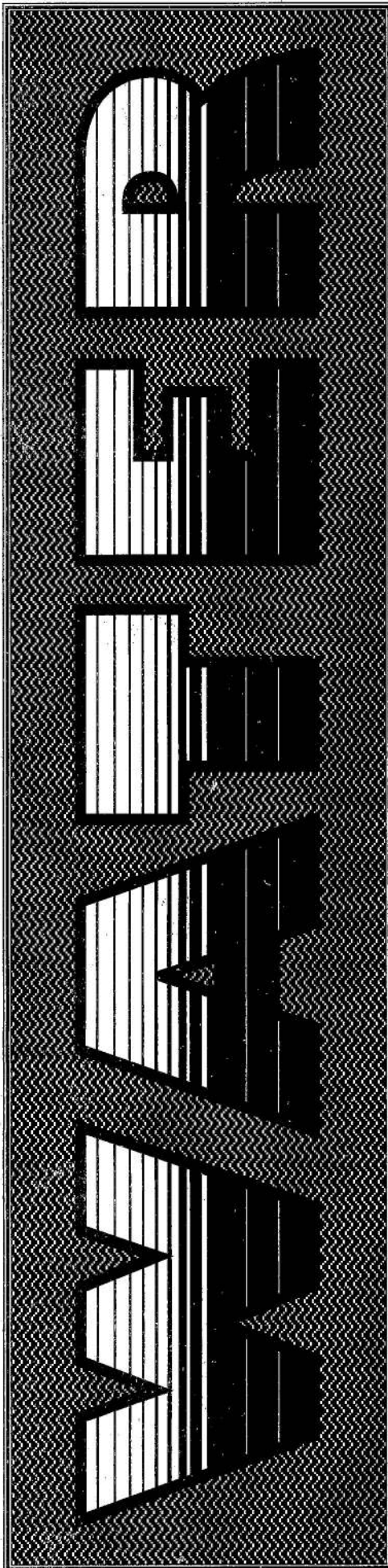


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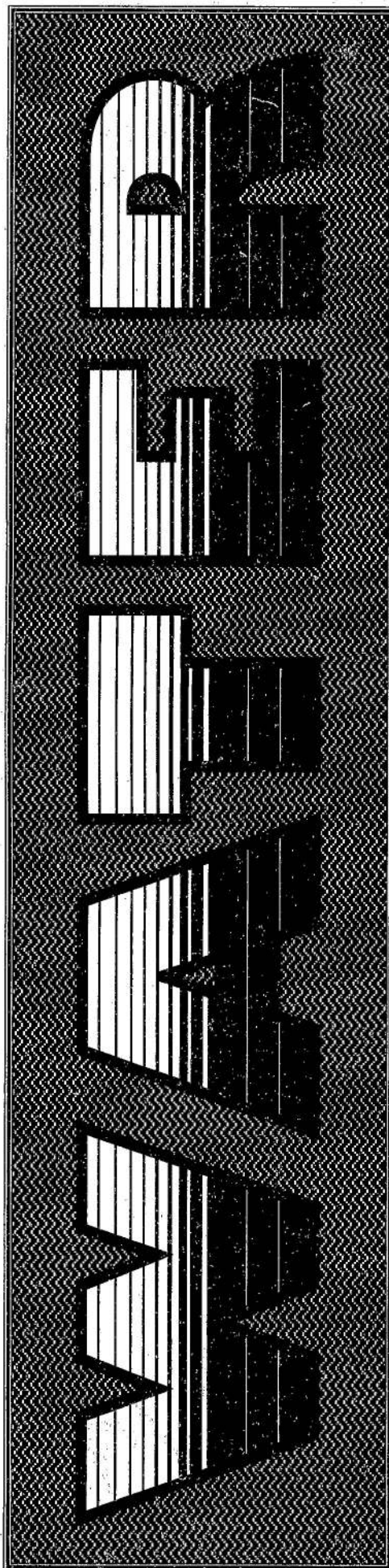
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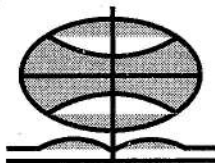
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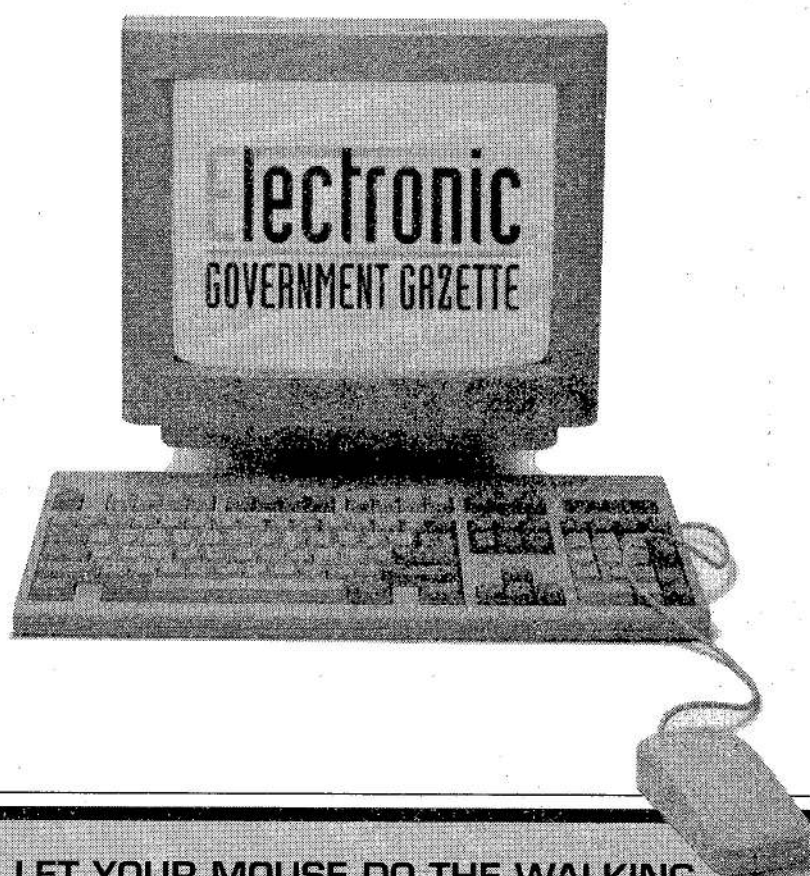
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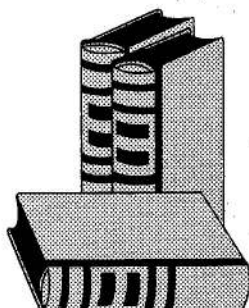
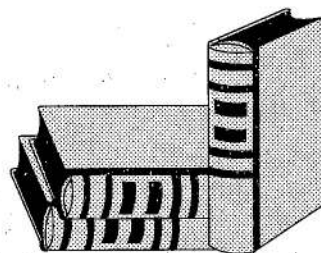


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