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UNION OF SOUTH AFRICA

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PROKLAMASIES

VAN SY EKSELLENSIE DIE EDELE ERNEST GEORGE JANSEN,
DOKTOR IN DIE REGTE, GOEWERNEUR-GENERAAL VAN DIE
UNIE VAN SUID-AFRIKA.

* No. 8, 1953.]

SKEMA VIR DIE REËLING VAN DIE BEMARKING
VAN EIERS KRAGTENS DIE BEMARKINGS-
WET, 1937, SOOS GEWYSIG, EN VIR AANGE-
LEENTHEDE WAT DAARMEE IN VERBAND
STAAN.

Nademaal die Minister van Landbou, kragtens paragraaf (c) van subartikel (3) van artikel *sewentien* van die Bemarkingswet, 1937 (Wet No. 26 van 1937), soos gewysig, die skema wat in die Bylae hiervan verskyn, aangeneem het, en kragtens paragraaf (b) van subartikel (1) van artikel *een-en-twintig* van genoemde Wet goedkeuring van genoemde skema aanbeveel het.

So is dit dat ek, kragtens die bevoegdheid my verleen by paragraaf (a) van subartikel (1) van artikel *twee-en-twintig* van genoemde Wet, hierby verklaar dat genoemde skema op die datum van publikasie hiervan in werking tree.

GOD BEHOEDE DIE KONINGIN.

Gegee onder my Hand en Grootseël te Burgersdorp, op hede die Elfde dag van Desember Eenduisend Nege-honderd Twee-en-vyftig.

E. G. JANSEN,
Goewerneur-generaal.

Op las van Sy Eksellensie die
Goewerneur-generaal-in-rade.

S. P. LE ROUX.

BYLAE.

SKEMA VIR DIE REËLING VAN DIE BEMARKING
VAN EIERS KRAGTENS DIE BEMARKINGS-
WET, 1937, SOOS GEWYSIG EN VIR AANGE-
LEENTHEDE WAT DAARMEE IN VERBAND
STAAN.

NAAM EN OMVANG VAN SKEMA.

1. (1) Hierdie skema heet die Eierbeheerskema en het betrekking op eiers.

(2) Die bepalings van die skema is van toepassing in die Unie op die hierna genoemde klasse persone wat betrokke is by die produksie van eiers of wat met eiers as 'n besigheid handel.

WOORDOMSKRYWING.

2. In hierdie skema beteken die uitdrukking „die Wet” die Bemarkingswet, 1937 (Wet No. 26 van 1937), soos gewysig, en de regulasies ingevolge daarvan uitgevaardig, en 'n uitdrukking waaraan 'n betekenis in die Wet geheg is, het, wanneer dit in hierdie skema gebesig word, dieselfde betekenis; voorts, tensy dit in stryd met die samehang is, beteken die uitdrukking—

„raad”, die Eierbeheerraad soos saamgestel ingevolge artikel 3;

„eiers”, hoendereiers; TO

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PROCLAMATIONS

BY HIS EXCELLENCY THE HONOURABLE ERNEST GEORGE JANSEN, DOCTOR OF LAWS, GOVERNOR-GENERAL OF THE UNION OF SOUTH AFRICA.

* No. 8, 1953.]

SCHEME FOR REGULATING THE MARKETING
OF EGGS IN TERMS OF THE MARKETING
ACT, 1937, AS AMENDED, AND MATTERS
INCIDENTAL THERETO.

Whereas the Minister of Agriculture has, in terms of paragraph (c) of sub-section (3) of section *seventeen* of the Marketing Act, 1937 (Act No. 26 of 1937), as amended, accepted the scheme appearing in the Schedule hereto, and has, in terms of paragraph (b) of sub-section (1) of section *twenty-one* of the said Act recommended the approval of the said scheme.

Now, therefore, under the powers vested in me by paragraph (a) of sub-section (1) of section *twenty-two* of the said Act, I do hereby declare that the said scheme shall come into operation on the date of publication hereof.

GOD SAVE THE QUEEN.

Given under my Hand and Great Seal at Burgersdorp on this Eleventh day of December, One thousand Nine hundred and Fifty-two.

E. G. JANSEN,
Governor-General.

By Command of His Excellency the
Governor-General-in-Council.

S. P. LE ROUX.

SCHEDULE.

SCHEME FOR REGULATING THE MARKETING
OF EGGS IN TERMS OF THE MARKETING
ACT, 1937, AS AMENDED, AND MATTERS
INCIDENTAL THERETO.

NAME AND SCOPE OF SCHEME.

1. (1) This scheme shall be known as the Egg Control Scheme and shall relate to eggs.

(2) The provisions of this scheme shall apply in the Union to the classes of persons hereinafter mentioned who are concerned in the production of eggs or who deal in the course of trade with eggs.

DEFINITIONS.

2. In this scheme, the expression “the Act” means the Marketing Act, 1937 (Act No. 26 of 1937), as amended, and the regulations made thereunder, and any expression to which a meaning has been assigned in that Act, bears, when used in this scheme, the same meaning; further, unless inconsistent with the context, the expression—

“board” means the Egg Control Board as constituted in terms of section 3;

“eggs” means fowl eggs;

„verkoelde eiers”, eiers opgeberg, gehou of teen bederf bewaar by lae temperature in ’n koelkamer wat ingevolge enige wet geregistreer is of geregistreer moet wees;

„graad”, met betrekking tot eiers, die graad eiers bepaal op die wyse voorgeskryf by regulasie kragtens artikel drie-en-veertig van die Wet;

„markmeester”, ’n persoon wat namens ’n plaaslike bestuur enige plek binne die regsgebied van daardie plaaslike bestuur, waar produkte in die reël in die openbaar verkoop word, beheer of bestuur;

„produsent”, die persoon deur of ten behoeve van wie eiers geproduseer word, en omvat ook, met betrekking tot enige hoeveelheid eiers—

- (i) wat verkry is van ’n persoon as vergoeding vir die reg om grond waarop daardie persoon ’n hoeveelheid eiers geproduseer het, te gebruik, die persoon wat daardie hoeveelheid aldus verkry het;
- (ii) wat verkry is deur ’n persoon as beloning vir dienste deur hom gelewer, die persoon wat daardie hoeveelheid aldus verkry het;
- (iii) wat in die Unie ingevoer word, die invoerder daarvan;

„beheerde gebied”, enigeen van die volgende gebiede, nl.—

- (a) „Bloemfontein-gebied”, bestaande uit die munisipale gebied van Bloemfontein;
- (b) „Kaapstad-gebied”, bestaande uit die munisipale gebiede van Kaapstad, Bellville, Vishoek, Goodwood, Parow en Simonstad, die plaaslike bestuursgebiede van Milnerton en Pinelands, die dorpsbestuur van Kuilsrivier en die plaaslike gebiede van Bellville-Suid, Elsiesrivier, Eppingtuin en Tiervlei;
- (c) „Durban-gebied”, bestaande uit die gebiede onder die beheer van die plaaslike besture van Durban, Amanzimtoti, Clairmontdorp, Hillcrest, Isipingostrand, Kloof, Maidstone, Malvern, Mount Edgecombe, Pinetown, Tongaat, Umbogintwini, Umhlanga Ricks, Verulam, Westville en Suid-Umlazi;
- (d) „Oos-Londen-gebied”, bestaande uit die gebiede onder die jurisdiksie van die plaaslike besture van Oos-Londen en Amalinda;
- (e) „Kimberley-gebied”, bestaande uit die munisipale gebied van Kimberley;
- (f) „Pietermaritzburg-gebied”, bestaande uit die munisipale gebied van Pietermaritzburg;
- (g) „Port Elizabeth-gebied”, bestaande uit die gebiede onder die jurisdiksie van die plaaslike besture van Port Elizabeth, Walmer, Bethelsdorp, Kleinskool, Amsterdamhoek en Redhouse, en met inbegrip van die gebiede bekend as Swartkops en Veeplaas;
- (h) „Pretoria-gebied”, bestaande uit die munisipale gebiede van Pretoria en Pretoria-Noord;
- (i) „Witwatersrand-gebied”, bestaande uit die gebiede onder jurisdiksie van die plaaslike besture van Alberton, Benoni, Boksburg, Brakpan, Edenvale, Elsburg, Germiston, Johannesburg, Krugersdorp, Nigel, Randfontein, Roodepoort-Maraiburg, Springs, Venterspos en Vereeniging.

ADMINISTRASIE VAN SKEMA EN SAMESTELLING VAN RAAD.

3. (1) Die skema word geadministreer deur die Eierbeheerraad (hierna „die raad” genoem) wat bestaan uit twaalf lede deur die Goewerneur-generaal benoem en, van wie—

- (a) sewe verteenwoordigers is van eierprodusente en genomineer word ooreenkomstig die bepalings van artikel 4;
- (b) twee verteenwoordigers is van persone wat met eiers as ’n besigheid handel en genomineer word deur ’n vereniging wat na die mening van die Minister verteenwoordigend is van sodanige persone in die Unie;

„chilled eggs” means eggs stored, kept or preserved against deterioration at low temperatures in a cold storage which is registered or required to be registered under any law;

„grade”, in relation to eggs, means the grade of eggs determined in the manner prescribed by regulation under section forty-three of the Act;

„market master” means a person who on behalf of a local authority controls or manages any place under the jurisdiction of a local authority where produce is habitually sold in public;

„producer” means the person by whom or on whose behalf eggs are produced and also includes in relation to any quantity of eggs—

- (i) acquired from any person as a consideration for the right to use land on which that person has produced a quantity of eggs, the person who so acquired that quantity;
- (ii) acquired by a person as a remuneration for services rendered by him, the person who so acquired that quantity;
- (iii) which is imported into the Union, the importer thereof;

„controlled area” means any one of the following areas, viz.—

- (a) Bloemfontein area”, which shall consist of the municipal area of Bloemfontein;
- (b) “Cape Town area”, which shall consist of the municipal areas of Cape Town, Bellville, Fishhoek, Goodwood, Parow and Simonstown, the local board areas of Milnerton and Pinelands, the Village Management Board of Kuils River, and the local areas of Bellville South, Elsies River, Epping Garden and Tiervlei;
- (c) “Durban area”, which shall consist of the areas under the control of the local authorities at Durban, Amanzimtoti, Clairmont Township, Hillcrest, Isipingo Beach, Kloof, Maidstone, Malvern, Mount Edgecombe, Pinetown, Tongaat, Umbogintwini, Umhlanga Rocks, Verulam, Westville and Southern Umlazi;
- (d) “East London area”, which shall consist of the areas under the jurisdiction of the local authorities at East London and Amalinda;
- (e) “Kimberley area”, which shall consist of the municipal area of Kimberley;
- (f) “Pietermaritzburg area”, which shall consist of the municipal area of Pietermaritzburg;
- (g) “Port Elizabeth area”, which shall consist of the areas under the jurisdiction of the local authorities at Port Elizabeth, Walmer, Bethelsdorp, Kleinskool, Amsterdamhoek and Redhouse, and inclusive of the areas known as Swartkops and Veeplaas;
- (h) “Pretoria area”, which shall consist of the municipal area of Pretoria and Pretoria North;
- (i) “Witwatersrand area”, which shall consist of the areas under the jurisdiction of the local authorities at Alberton, Benoni, Boksburg, Brakpan, Edenvale, Elsburg, Germiston, Johannesburg, Krugersdorp, Nigel, Randfontein, Roodepoort-Maraiburg, Springs, Venterspost and Vereeniging.

ADMINISTRATION OF THE SCHEME AND CONSTITUTION OF THE BOARD.

3. (1) This scheme shall be administered by the Egg Control Board (hereinafter referred to as “the board”), which shall consist of twelve members, to be appointed by the Governor-General, of whom—

- (a) seven shall represent producers of eggs and shall be nominated in accordance with the provisions of section 4;
- (b) two shall represent persons dealing in the course of trade with eggs and shall be nominated by an association which in the opinion of the Minister is representative of such persons in the Union;

- (c) twee verteenwoordigers is van verbruikers van eiers in die Unie en genomineer word ooreenkomstig die bepalings van artikel 5;
 - (d) een 'n amptenaar van die Departement van Landbou is wat deur die Minister genomineer word.
- (2) Die raad kan hoogstens twee persone as adviseerende lede van die raad koöpteer.

NOMINASIE VAN VERTEENWOORDIGERS VAN EIERPRODUSENTE.

4. (1) Van die lede van die raad genoem in paragraaf (a) van subartikel (1) van artikel 3, word
- (a) ses deur die Minister genomineer uit 'n naamlys wat deur die Suid-Afrikaanse Pluimveevereniging voorgelê word; en
 - (b) een deur die Minister genomineer uit 'n naamlys wat deur die Suid-Afrikaanse Landbou-Unie voorgelê word.
- (2) Van die lede genomineer ingevolge paragraaf (a) van subartikel (1) moet minstens een elk verteenwoordigend van eierprodusente in elkeen van die Provinsies Transvaal, Oranje-Vrystaat, Kaapprovinsie en Natal, wees.

NOMINASIE VAN VERTEENWOORDIGERS VAN VERBRUIKERS VAN EIERS.

5. Van die lede van die raad genoem in paragraaf (c) van subartikel (1) van artikel 3, word—
- (a) een deur die Minister genomineer na oorlegpleging met die Adviseerende Verbruikerskomitee;
 - (b) een deur die Adviseerende Verbruikerskomitee uit sy lede genomineer: Met dien verstande dat wanneer sodanige lid ook al ophou om 'n lid van daardie komitee te wees, hy ook ophou om 'n lid van die raad te wees en 'n ander lid van daardie komitee in sy plek genomineer moet word.

KENNISGEWING OM LEDE TE NOMINEER.

6. Wanneer 'n nominasie ingevolge paragraaf (a), (b) of (c) van subartikel (1) van artikel 3 nodig word, moet die Minister die betrokke verenignis, maatskappy of organisasies by skriftelike kennisgewing aansê of laat aansê om binne 'n tydperk in sodanige kennisgewing vasgestel, sodanige persoon of persone te nomineer as wat hulle ingevolge die betrokke artikel, geregtig is om te nomineer vir benoeming tot die raad.

MINISTER KAN NOMINEER AS GEEN GESKIKTE PERSOON GENOMINEER WORD NIE.

- 7 (1) Indien enige persoon wat soos voormeld genomineer is, na die mening van die Minister, nie geskik is om tot lid van die raad benoem te word nie, of onbevoeg is om lid van die raad te wees, kan die Minister daardie nominasie terugverwys na die betrokke vereniging, maatskappy of organisasie en daardie vereniging, maatskappy of organisasie aansê om 'n ander persoon vir benoeming tot die raad te nomineer, en indien daardie vereniging, maatskappy of organisasie weer 'n persoon nomineer wat na die mening van die Minister, soos voormeld, nie geskik of bevoeg is nie, of bevoegte die vereniging, maatskappy of organisasie in gebreke bly om iemand te nomineer, kan die Minister self, behoudens die bepalings van hierdie skema, enige ander persoon nomineer wat hy geskik ag om lid van die raad te wees ten einde die betrokke belange te verteenwoordig.

- (2) Indien 'n vereniging, maatskappy of organisasie soos dié genoem in paragrawe (a), (b) en (c) van subartikel (1) van artikel 3, of in artikel 4, nie bestaan nie, kan die Minister self 'n persoon of persone nomineer vir benoeming tot die raad ten einde die betrokke belange te verteenwoordig.

AMPSTERMYN VAN RAADSLEDE.

8. (1) Die lede van die raad word, behoudens die bepalings van subartikel (2), vir 'n tydperk van twee jaar benoem: Met dien verstande dat die lid genoem in paragraaf (d) van subartikel (1) van artikel 3, sy amp beklee solank dit die Goewerneur-generaal behaag.

- (c) two shall represent consumers of eggs in the Union and shall be nominated in accordance with the provisions of section 5;
- (d) one shall be an officer of the Department of Agriculture, nominated by the Minister.

- (2) The board may co-opt not more than two persons as advisory members of the board.

NOMINATION OF REPRESENTATIVES OF PRODUCERS OF EGGS.

4. (1) Of the members of the board referred to in paragraph (a) of sub-section (1) of section 3—
- (a) six shall be nominated by the Minister from a panel of names submitted by the South African Poultry Association; and
 - (b) one shall be nominated by the Minister from a panel of names submitted by the South African Women's Agricultural Union.
- (2) Of the members nominated in terms of paragraph (a) of sub-section (1) at least one each shall represent producers of eggs in each of the provinces of the Transvaal, Orange Free State, Cape Province and Natal.

NOMINATION OF REPRESENTATIVES OF CONSUMERS OF EGGS.

5. One of the members of the board referred to in paragraph (c) of sub-section (1) of section 3—
- (a) one shall be nominated by the Minister after consultation with the Consumers' Advisory Committee;
 - (b) one shall be nominated by the Consumers' Advisory Committee from amongst its members: Provided that whenever such member ceases to be a member of that Committee he shall also cease to be a member of the board and another member of that Committee shall be nominated in his place.

NOTICE TO NOMINATE MEMBERS.

6. Whenever a nomination in terms of paragraph (a), (b) or (c) of sub-section (1) of section 3 becomes necessary, the Minister shall call upon the societies, companies or organisations concerned, or cause them to be called upon, by notice in writing, to nominate, within a period fixed by such notice, such person or persons as they are entitled, in terms of the relevant section, to nominate for appointment to the board.

THE MINISTER MAY NOMINATE IF NO SUITABLE PERSON IS NOMINATED.

7. (1) If any person nominated as aforesaid is, in the opinion of the Minister, not suitable for appointment as a member of the board, or not qualified to be a member of the board, the Minister may refer that nomination back to the society, company or organisation concerned and call upon that society, company or organisation to nominate some other person for appointment to the board, and if that society, company or organisation thereupon again nominates a person who is, in the opinion of the Minister, not suitable or not qualified, as aforesaid, or whenever the society, company or organisation fails to nominate any person, the Minister may himself, subject to the provisions of this scheme, nominate any person whom he considers fit to be a member of the board to represent the interests concerned.

- (2) If a society, company or organisation such as is referred to in paragraphs (a), (b) and (c) of sub-section (1) of section 3 or in section 4, is not in existence, the Minister may himself nominate a person or persons for appointment to the board to represent the interests concerned.

TENURE OF OFFICE OF MEMBERS OF THE BOARD.

8. (1) The members of the board shall, subject to the provisions of sub-section (2), be appointed for a period of two years: Provided that the member referred to in paragraph (d) of sub-section (1) of section 3 shall hold office during the Governor-General's pleasure.

(2) Na verloop van een jaar met ingang van die eerste benoeming van lede van die raad, tree drie van die lede benoem ingevolge paragraaf (a), een van die lede benoem ingevolge paragraaf (b), en een van die lede benoem ingevolge paragraaf (c) van subartikel (1) van artikel 3 af, en die vakatures wat aldus ontstaan, word aangevul.

(3) Daar word deur die lot beslis watter lede van die raad ooreenkomstig subartikel (2) van hierdie artikel moet aftree.

(4) By verstryking van die tydperk waarvoor lede benoem is, bly hulle in hul amp aan totdat hul opvolgers benoem is, maar in geen geval vir 'n verdere tydperk van meer as drie maande nie.

(5) Aftredende lede is herbenoembaar.

(6) Wanneer die amp van enige lid van die raad om watter rede ook al vakant raak voor die verstryking van die tydperk waarvoor hy benoem is, kan die Minister enige ander persoon wat hy geskik ag, benoem om die vakature aan te vul totdat die tydperk waarvoor die uittredende lid benoem is, verstryk het.

(7) Wanneer die Minister daarvan oortuig is dat enige lid van die raad weens siekte, afwesigheid of enige ander rede, verhinder word om sy amppligte te vervul, kan die Minister enige ander persoon wat hy geskik ag, benoem om op te tree as plaasvervanger van daardie lid solank daardie lid aldus verhinder word.

(8) Wanneer 'n raadslid sonder die raad se verlof van drie agtereenvolgende raadsvergaderings afwesig was en niemand ingevolge subartikel (7) benoem is om as sy plaasvervanger op te tree nie, hou hy op om lid van die raad te wees.

VERKIESING EN AMPSTERMYN VAN VOORSITTER.

9. (1) Die raad moet op sy eerste vergadering en daarna, na gelang dit nodig mag wees, uit sy lede 'n voorsitter kies, wat daardie amp beklee vir een jaar of tot verstryking van die tydperk waarvoor hy tot lid van die raad benoem is, naamlik, die kortste tydperk, en daarna kan hy herkies word.

(2) Wanneer die voorsitter om watter rede ook al nie sy pligte kan waarneem nie, kies die raad een van sy ander lede om as voorsitter op te tree vir sodanige tydperk as wat die raad mag bepaal.

RAADSVERGADERINGS.

10. (1) Die eerste vergadering van die raad word gehou op 'n tyd en plek deur die Minister bepaal.

(2) Alle daaropvolgende vergaderings van die raad word gehou op sodanige tye en plekke as wat die raad of die voorsitter, indien deur die raad daartoe gemagtig, van tyd tot tyd mag bepaal.

(3) Die voorsitter van die raad kan self op enige tyd 'n spesiale vergadering van die raad byeenroep, om gehou te word op 'n tyd en plek deur hom bepaal.

(4) Op skriftelike versoek van minstens drie lede van die raad; moet die voorsitter 'n spesiale vergadering van die raad byeenroep, wat gehou moet word binne veertien dae na die datum waarop sodanige versoek ontvang word, en wel op 'n tyd en plek deur hom bepaal.

(5) Die vergaderings van die raad word byeengeroep by wyse van kennisgewing deur of op las van die voorsitter van die raad of enige beampte van die raad wat deur die raad daartoe gemagtig is.

KWORUM, MEERDERHEIDSBESLISSING EN BESLISSENDE STEM VAN VOORSITTER.

11. (1) Sewe lede van die raad, benoem ingevolge subartikel (1) van artikel 3 en subartikels (6) en (7) van artikel 8, maak 'n kworum uit vir enige vergadering van die raad.

(2) Die beslissing van die meerderheid van die raadslede wat op 'n raadsvergadering teenwoordig is, is 'n besluit van die raad: Met dien verstande dat by 'n staking van stemme die voorsitter benewens sy beraadslagende stem ook 'n beslissende stem het.

(2) After the expiration of one year from the first appointment of members to the board, three of the members appointed in terms of paragraph (a), one of the members appointed in terms of paragraph (b) and one of the members appointed in terms of paragraph (c) of sub-section (1) of section 3 shall retire, and the vacancies so arising shall be filled.

(3) Which of the members of the board shall retire in accordance with sub-section (2) of this section, shall be decided by lot.

(4) Upon the expiration of the period for which members were appointed, they shall continue to hold office until their successors have been appointed but in no case for a further period of more than three months.

(5) Retiring members shall be eligible for re-appointment.

(6) Whenever for any reason the office of any member of the board becomes vacant before the expiration of the period for which he was appointed, the Minister may appoint any other person whom he considers suitable to fill the vacancy until the expiration of the period for which the vacating member was appointed.

(7) Whenever the Minister is satisfied that any member of the board is prevented by illness, absence or any other cause from performing the duties of his office, the Minister appoint any other person whom he considers suitable to act as the deputy of that member while he is so prevented.

(8) Whenever a member of the board has, without its leave, absented himself from three consecutive meetings of the board, and no one has been appointed to act as his deputy in terms of sub-section (7), he shall cease to be a member of the board.

ELECTION AND TENURE OF OFFICE OF CHAIRMAN.

9. (1) The board shall at its first meeting and thereafter as occasion arises, elect from amongst its members a chairman, who shall hold that office for a period of one year or until the expiration of the period for which he was appointed as a member of the board, whichever is the shorter period, and shall be eligible for re-election.

(2) Whenever for any reason the chairman is unable to perform his duties, the board shall elect another of its members to act as chairman for such period as it may determine.

MEETINGS OF THE BOARD.

10. (1) The first meeting of the board shall be held at a time and place to be appointed by the Minister.

(2) All subsequent meetings of the board shall be held at such times and places as the board, or the chairman, if authorised thereto by the board, may from time to time determine.

(3) The chairman of the board may himself at any time call a special meeting of the board, to be held at a time and place to be appointed by him.

(4) At the written request of not less than three members of the board, the chairman shall call a special meeting of the board to be held within fourteen days from the date of receipt of such request, at a time and place to be appointed by him.

(5) The meetings of the board shall be convened by notice given by or by direction of the chairman of the board or any official of the board authorised thereto by the board.

QUORUM, MAJORITY DECISION AND CHAIRMAN'S CASTING VOTE.

11. (1) Seven members of the board, appointed in terms of sub-section (1) of section 3 and sub-sections (6) and (7) of section 8, shall form a quorum at any meeting of the board.

(2) The decision of the majority of the members of the board present at a board meeting shall constitute a decision of the board: Provided that in the event of an equality of votes, the chairman shall have a casting vote in addition to his deliberative vote.

KOMITEES VAN DIE RAAD.

12. (1) Die raad kan met die Minister se toestemming en onderworpe aan die voorwaardes wat die raad mag opleë, een of meer komitees uit sy lede benoem en sodanige van sy bevoegdhede as wat hy mag goed ag, aan sodanige komitee oordra: Met dien verstande dat die raad nie afstand doen van enige bevoegdheid wat hy aan sodanige komitee mag oordra nie.

(2) Wanneer enige sodanige komitee benoem word, wys die raad een van die lede van die komitee aan om as voorsitter daarvan op te tree, en die voorsitter aldus aangewys, kan op enige tyd, met die goedkeuring van die voorsitter van die raad, 'n vergadering van die komitee belê, om gehou te word op 'n tyd en plek deur hom bepaal.

(3) Die voorsitter van die raad is *ex officio* lid van elke komitee wat deur die raad benoem word en kan op enige tyd 'n vergadering van 'n komitee belê om gehou te word op 'n tyd en plek deur hom bepaal.

(4) 'n Beslissing van die meerderheid van al die lede van 'n komitee is 'n besluit van die komitee.

BOEKJAAR.

13. Die boekjaar onder hierdie skema is die tydperk van die eerste dag van Julie elke jaar tot die dertigste dag van Junie in die daaropvolgende jaar.

OUDITERING.

14. (1) Die rekeninge en balanstaat van die raad word jaarliks geouditeer deur die Kontroleur en Ouditeur-generaal wat vir die doeleindes van sodanige ouditering een of meer persone kan benoem om hom, behoudens sodanige voorskrifte as wat hy goed ag, behulpzaam te wees.

(2) 'n Bedrag wat deur die Tesourie na oorlegpleging met die Minister en die Kontroleur en Ouditeur-generaal bepaal word, moet deur die raad ten opsigte van sodanige ouditering aan die Tesourie betaal word.

BEVOEGDHEDE VAN DIE RAAD.

15. Benewens bevoegdhede kragtens ander artikels van hierdie skema aan die raad verleen, het die raad die bevoegdheid om—

- (a) sodanige amptenare aan te stel en sodanige eiendom aan te skaf of te huur as wat hy nodig ag vir die behoorlike uitoefening van sy funksies en vir die verwesenliking van die oogmerke van die skema: Met dien verstande dat geen vaste eiendom aangeskaf mag word nie, uitgenome met die toestemming van die Minister en op sodanige voorwaardes, as wat hy mag goedkeur;
- (b) met die Minister se goedkeuring die toelae vas te stel wat uit die raad se fondse aan sy lede of adviserende lede betaal mag word;
- (c) onderworpe aan voorwaardes deur die Minister goedgekeur, die agente wat hy nodig mag ag vir die behoorlike uitoefening van sy funksies, aan te stel: Met dien verstande dat indien die aansoek van enige persoon om aanstelling as 'n agent afgewys is, of die aanstelling van enige persoon as 'n agent beëindig word, hy, nadat hy 'n bedrag van vyftien pond by die Sekretaris van Landbou gestort het, teen die afwysing of beëindiging kan appelleer na die Minister wat die appèl van die hand kan wys of, as hy daarvan oortuig is dat sodanige persoon as agent aangestel behoort te word benewens enige ander persoon aldus aangesel, of dat sy aanstelling nie beëindig behoort te gewees het nie, na gelang van die geval, die appèl kan toestaan en die wyse kan bepaal waarop oor die aldus gestorte bedrag beskik moet word;
- (d) met die Minister se goedkeuring geld te leen om aangewend te word ter verwesenliking van die oogmerke van die skema, en om enige geld verkry uit enige heffing opgelê ingevolge artikel 16, aan te wend vir enige doel wat na die mening van die raad tot voordeel sal strek van persone wat belang het by die produksie en bemarking van eiers;
- (e) geld of eiendom aan te neem wat by wyse van geskenk, toekenning of andersins aan die raad gegee word, en om sodanige geld of eiendom te gebruik op sodanige wyse as wat die Minister mag goedkeur;

COMMITTEES OF BOARD.

12. (1) The board may, with the consent of the Minister, and subject to such conditions as the board may impose, appoint one or more committees from its members and invest any such committee with such of its powers as it may deem fit: Provided that the board shall not be divested of any power with which it may invest any such committee.

(2) Whenever any such committee is appointed, the board shall designate one of the members of the committee to act as chairman thereof, and the chairman so designated may at any time, with the approval of the chairman of the board, convene a meeting of the committee to be held at a time and place to be appointed by him.

(3) The chairman of the board shall *ex officio* be a member of any committee appointed by the board and may at any time convene a meeting of a committee, to be held at a time and place to be appointed by him.

(4) The decision of the majority of all the members of a committee shall constitute a decision of the committee.

FINANCIAL YEAR.

13. The financial year under this scheme shall be the period from the first day of July in each year to the thirtieth day of June in the following year.

AUDITING.

14. (1) The accounts and balance sheet of the board shall be audited annually by the Controller and Auditor-General, who may, for the purpose of such audit, appoint one or more persons to assist him, subject to such directions as he may deem fit.

(2) An amount which shall be determined by the Treasury after consultation with the Minister and the Controller and Auditor-General, shall be paid by the board to the Treasury in respect of such audit.

POWERS OF THE BOARD.

15. In addition to powers vested in the board under other sections of this scheme, the board shall have power—

- (a) to appoint such servants and to acquire or hire such property as it may consider necessary for the proper performance of its functions and for the attainment of the objects of the scheme: Provided that no immovable property shall be acquired except with the consent of the Minister and on such conditions as he may approve;
- (b) with the approval of the Minister to determine the allowances payable out of the funds of the board to its members or advisory members;
- (c) to appoint, subject to conditions approved by the Minister, such agents as it may consider necessary for the proper performance of its functions: Provided that if the application of any person for appointment as an agent has been refused, or if the appointment of any person as an agent is terminated, he may, on depositing with the Secretary for Agriculture an amount of fifteen pounds, appeal against the refusal or termination to the Minister who may dismiss the appeal or if he is satisfied that such person should be appointed as an agent in addition to any other person so appointed or that his appointment should not have been terminated, as the case may be, allow the appeal, and determine the manner in which the amount so deposited shall be disposed of;
- (d) with the approval of the Minister, to borrow money to be used for the purpose of attaining the objects of the scheme and to use any money derived from any levy imposed in terms of section 16 for any object which, in the opinion of the board, will be to the advantage of persons interested in the production and marketing of eggs;
- (e) to accept money or property given to the board by way of donation, grant or otherwise, and to utilise such money or property in such manner as the Minister may approve;

- (f) 'n inligtingsdiens in te stel ten einde produsente van tyd tot tyd in te lig aangaande bemarkingstoestande oor die algemeen of aangaande die toestand ten opsigte van enige besondere mark;
- (g) met en'geen saam te werk in enige handeling wat die raad kan verrig, en om namens enige ander soortgelyke raad, enige handeling te verrig wat daardie raad kan verrig;
- (h) van iedereen wat betrokke is by die produksie, bemarking of verwerking van eiers te vereis om aan die raad sodanige inligting te verstrek met betrekking tot daardie eiers as waaroor sodanige persoon mag beskik en as wat die raad mag spesifiseer;
- (i) deur middel van toekenning of lening of andersins hulp te verleen aan enige onderneming vir die preserving, verwerking opberging of bewerking van eiers en in verband met enige navorsingswerk met betrekking tot die verbetering, produksie, verwerking en bemarking van eiers;
- (j) as agent vir die ontvangs en verkoop van eiers op te tree;
- (k) eiers te koop;
- (l) met enige eiers wat hy gekoop het, te handel soos hy mag goedvind, hulle te gradeer, te verpak, op te berg, te verwerk, vir verkoop geskik te maak, te verseker, te adverteer of te vervoer;
- (m) eiers wat hy gekoop het, te verkoop, hetsy in hul oorspronklike of gedeeltelik of geheel en al verwerkte vorm, of 'n deel daarvan van die mark te onthou;
- (n) met die Minister se goedkeuring, die rekords wat gehou moet word, die tydperk waarvoor enige sodanige rekords bewaar moet word, en die opgawes wat aan die raad verstrek moet word deur enige persoon of klas of groep persone wat eiers produseer of daarmee as 'n besigheid handel, voor te skryf, asook die tye waarop, die vorm waarin en die wyse waarop die opgawes verstrek moet word;
- (o) die Minister van advies te dien aangaande—
 - (i) die voorwaardes wat betref grade, kwaliteit, verpakkingsmetodes en die merk van eiers of 'n houër of omhulsel wat hulle bevat, waarop eiers verkoop of vir verkoop ingevoer kan word;
 - (ii) die verbod op, beheer oor of reëling van die invoer of uitvoer van eiers; en
 - (iii) alle aangeleenthede betreffende die bemarking of verwerking van eiers;
- (p) van enige persoon wat eiers uitvoer, te vereis om enige hoeveelheid van sodanige eiers wat hy uitvoer, te versend of van die hand te sit aan of deur bemiddeling van die raad of sodanige persone of agentskappe (met inbegrip van enige agentskap deur die raad ingestel) as wat die raad mag aanwys, of om enige van die hoeveelheid van die eiers, wat hy uitvoer, na 'n bepaalde oorsese mark te stuur;
- (q) 'n kommissie vas te stel wat betaalbaar is aan markmeesters in beheerde gebiede, ten bate van die plaaslike besture binne wie se regsgebied sodanige markmeesters optree, vir dienste gelewer met die invordering van 'n heffing genoem in artikel 16 van die skema.

HEFFING OP EIERS EN INSTELLING VAN EIERHEFFINGSFONDS.

16. (1) Die raad kan met die goedkeuring van die Minister en op sodanige basis as wat die raad mag bepaal, 'n heffing van hoogstens 'n halfpennie per dosyn oplê ten opsigte van eiers—

- (a) deur 'n produsent in 'n beheerde gebied verkoop; of
- (b) in sodanige gebied vir verkoop ingebring deur 'n persoon wat met eiers as 'n besigheid handel; of
- (c) uit die Unie uitgevoer.

(2) Die heffing opgelê kragtens subartikel (1), kan ten opsigte van enige besondere klas, graad of kwaliteit eiers verskil van enige sodanige heffing ten opsigte van enige ander klas, graad of kwaliteit eiers, en enige heffing ten opsigte van enige eenheid of hoeveelheid eiers wat uit die Unie uitgevoer word, of wat uit die Unie na 'n bepaalde

- (f) to establish an information service in order to advise producers from time to time about marketing conditions in general or about the condition of any particular market;
- (g) to co-operate with any person in doing any act which the board may perform, and to do on behalf of any other similar board any act which that board may perform;
- (h) to require every person concerned in the production, marketing or processing of eggs to furnish the board with such information relating to those eggs as may be available to such person and as the board may specify;
- (i) to assist by grant, loan or otherwise, any undertaking for preserving, processing, storing or conditioning eggs and any research work relating to the improvement, production, processing and marketing of eggs;
- (j) to act as agent for the receipt and sale of eggs;
- (k) to buy eggs;
- (l) to treat in such manner as it may deem fit, grade, pack, store, process, adapt for sale, insure, advertise or transport any eggs which it has bought;
- (m) to sell, whether in its original form or processed wholly or in part, the eggs which it has bought, or withhold any part thereof from the market;
- (n) with the approval of the Minister, to prescribe the records to be kept, the period for which any such records shall be retained, and the returns to be rendered to the board by any person or class or group of persons producing or dealing in the course of trade with eggs, and the times at which and the form and manner in which such returns shall be rendered;
- (o) to advise the Minister as to—
 - (i) the conditions regarding grades, quality, methods of packing and the marking of eggs or receptacle or cover containing them subject to which any eggs may be sold or imported for sale;
 - (ii) the prohibition, control or regulation of the importation or export of eggs; and
 - (iii) all matters relating to the marketing or processing of eggs;
- (p) to require any person who exports eggs to consign or dispose of any quantity of such eggs which he exports to or through the board or such persons or agencies (including any agency established by the board) as it may designate, or to consign any quantity of the eggs which he exports to a specified overseas market;
- (q) to determine a commission payable to market masters in control areas for the benefit of the local authorities in whose area of jurisdiction such market masters operate, for services rendered in connection with the collection of a levy referred to in section 16 of the scheme.

LEVY ON EGGS AND ESTABLISHMENT OF EGG LEVY FUND.

16. (1) The board may with the approval of the Minister and on such basis as the board may determine, impose a levy not exceeding one-half penny per dozen eggs—

- (a) sold by a producer within a controlled area; or
- (b) introduced for sale into any such area by a person dealing with eggs in the course of trade; or
- (c) exported from the Union.

(2) The levy imposed under sub-section (1) may, in respect of any particular class, grade or quality of eggs differ from any such levy in respect of any other class, grade or quality of eggs; and any levy in respect of any unit or quantity of eggs which is exported from the Union

land of gebied uitgevoer word, kan verskil van enige sodanige heffing ten opsigte van enige eenheid of hoeveelheid eiers wat nie aldus uitgevoer word nie.

(3) Die heffing opgelê kragtens subartikel (1) is aan die raad betaalbaar op sodanige tye en wyse as wat kragtens die Wet by regulasie voorgeskryf mag word:—

In die geval van eiers wat—

- (a) deur bemiddeling van 'n agent of 'n markmeester verkoop word, deur daardie agent of markmeester: Met dien verstande dat eiers wat deur 'n agent verkoop word op 'n plek onder die beheer van 'n markmeester, geag word deur sodanige markmeester verkoop te wees;
 - (b) nie deur bemiddeling van 'n agent of markmeester verkoop is nie—
 - (i) deur die koper daarvan, indien hy 'n persoon is wat met eiers as 'n besigheid handel;
 - (ii) deur die produsent daarvan, indien die koper nie 'n persoon is wat met eiers as 'n besigheid handel nie;
 - (c) in 'n beheerde gebied vir verkoop ingebring word deur 'n persoon wat met eiers as 'n besigheid handel, deur die persoon wat sodanige eiers aldus inbring;
 - (d) uit die Unie uitgevoer word, deur die uitvoerder daarvan.
- (4) 'n Agent of markmeester wat die heffing betaal het op eiers wat hy ten behoeve van 'n produsent verkoop het, kan sodanige heffing op sodanige produsent verhaal.
- (5) Die bepalings van subartikels (1), (2), (3) en (4) is van toepassing op 'n koöperatiewe vereniging of koöperatiewe maatskappy wat eiers hanteer, en wel op dieselfde wyse asof daardie vereniging of maatskappy 'n produsent van eiers is.
- (6) Die raad stel 'n fonds in wat bekend staan as die Eierheffingsfonds, waarin hy alle gelde moet stort wat hy mag ontvang uit die heffing ingevolge subartikel (1) opgelê, asook enige ander gelde wat die raad mag toeval, en waaruit alle betalings deur die raad gedoen moet word.

SPEZIALE HEFFING OP EIERS EN INSTELLING VAN SPEZIALE FONDS.

17. (1) Die raad kan met die Minister se goedkeuring en op sodanige basis as wat die raad mag bepaal, 'n spesiale heffing opelê ten opsigte van eiers—

- (a) deur 'n produsent in 'n beheerde gebied verkoop; of
- (b) in sodanige gebied vir verkoop ingebring deur 'n persoon wat met eiers as 'n besigheid handel; of
- (c) uit die Unie uitgevoer.

(2) Vir die oplegging van die spesiale heffing is die bepalings van subartikels (2), (3), (4) en (5) van artikel 16 *mutatis mutandis* van toepassing.

(3) Die raad stel 'n spesiale fonds in en stort in daardie fonds die opbrengs van enige spesiale heffing opgelê kragtens subartikel (1), en sodanige ander bedrae tot beskikking van die raad as wat deur die Minister goedgekeur mag word, en die raad beskik oor gelde in daardie fonds op sodanige wyse as wat die Minister mag goedkeur.

INSTELLING VAN RESERWEFONDS.

18. Die raad stel 'n Eierreserwefonds in, waarin sodanige bedrae tot die beskikking van die raad gestort moet word as wat die Minister van tyd tot tyd goedkeur, of wat hy na afloop van enige boekjaar onder die skema en na oorlegging met die raad mag bepaal, en die raad kan oor gelde in sodanige fonds beskik op sodanige wyse as wat die Minister mag goedkeur.

VASSTELLING VAN PRYSE.

19. (1) Met die Minister se goedkeuring kan die raad van tyd tot tyd enige persoon of 'n persoon wat tot 'n klas of groep persone behoort of enigiemand anders as 'n persoon wat tot 'n klas of groep persone behoort, verbied om 'n hoeveelheid eiers of enige klas of graad daarvan te verkry, te verkoop of van die hand te sit teen 'n hoër prys as 'n prys deur die raad vasgestel of bereken ooreenkomstig 'n basis deur die raad bepaal vir eiers of vir sodanige klas, graad of hoeveelheid daarvan.

or is exported from the Union to any particular country or territory, may differ from any such levy in respect of any unit or quantity of eggs which is not so exported.

(3) The levy imposed under sub-section (1) shall be payable to the board at such time and in such a manner as may be prescribed by regulation under the Act:

In the case of eggs—

- (a) sold through an agent or a market master, by that agent or market master: Provided that eggs sold by an agent at a place under the control of a market master shall be regarded as having been sold by such a market master;
 - (b) not sold through an agent or market master—
 - (i) by the purchaser thereof, if that purchaser is a person dealing with eggs in the course of trade;
 - (ii) by the producer thereof, if the purchaser is not a person dealing with eggs in the course of trade;
 - (c) introduced for sale into a controlled area by a person dealing with eggs in the course of trade, by the person who so introduces such eggs;
 - (d) exported from the Union, by the exporter thereof.
- (4) Any agent or market master who has paid the levy on eggs sold on behalf of a producer, may recover such levy from such producer.

(5) The provisions of sub-sections (1), (2), (3) and (4) shall apply to a co-operative society or co-operative company which handles eggs in the same manner as if that society or company were a producer of eggs.

(6) The board shall establish a fund to be known as the Egg Levy Fund into which it shall pay all moneys which it may derive from the levy imposed in terms of sub-section (1), as well as any other moneys which may accrue to the board, and from which all payments by the board shall be made.

SPECIAL LEVY ON EGGS AND ESTABLISHMENT OF SPECIAL FUND.

17. (1) The board may with the approval of the Minister and on such basis as the board may determine, impose a special levy on eggs—

- (a) sold by a producer within a controlled area; or
- (b) introduced for sale into any such area by a person dealing with eggs in the course of trade; or
- (c) exported from the Union.

(2) For the purposes of the special levy the provisions of sub-sections (2), (3), (4) and (5) of section 16 shall *mutatis mutandis* apply.

(3) The board shall establish a special fund and pay into that fund the proceeds of any special levy imposed under sub-section (1) and such other amounts at the board's disposal as may be approved by the Minister and the board shall deal with any moneys in that fund in such manner as may be approved by the Minister.

ESTABLISHMENT OF RESERVE FUND.

18. The board shall establish an egg reserve fund into which shall be paid such amounts at the disposal of the board as may from time to time be approved by the Minister or as may after consultation with the board be determined by him after the end of any financial year under the scheme and the board may deal with any moneys in such fund in such manner as may be approved by the Minister.

FIXATION OF PRICES.

19. (1) With the approval of the Minister the board may from time to time prohibit any person or any person belonging to any class or group of persons or any person other than a person belonging to any class or group of persons, from acquiring, selling or disposing of any quantity of eggs or any class or grade thereof at a price above a price fixed by the board, or calculated in accordance with a basis determined by the board, for eggs or for such class, grade or quantity thereof.

(2) By die uitoefening van sy bevoegdheid kragtens sub-artikel (1), kan die raad met die Minister se goedkeuring—

- (a) ten opsigte van enige hoeveelheid eiers of 'n klas of graad daarvan, wat verkry is vir enige doel of deur enige klas persone, 'n prys vasstel wat verskil van die prys wat vasgestel is ten opsigte van 'n hoeveelheid eiers of 'n klas of graad daarvan, wat verkry is vir enige ander doel of deur enige ander klas persone; of ten opsigte van eiers of enige klas of graad daarvan verskillende pryse ten opsigte van verskillende hoeveelhede of ten opsigte van verskillende tye van die jaar vasstel;
- (b) die gelde of koste bepaal wat ingesluit of bygevoeg moet word by, of afgetrek moet word van enige prys vermeld in genoemde subartikel, of die gewig vasstel wat ten opsigte van die hoeveelheid eiers daarin vermeld, toegelaat moet word vir die houder van die eiers;
- (c) van enige persoon wat eiers of enige klas, graad of hoeveelheid daarvan, van die hand sit op krediet of teen 'n hoër bedrag as 'n bedrag deur die raad bepaal, vereis dat hy 'n faktuur moet verskaf met sodanige besonderhede as wat aldus gespesifiseer of bepaal mag word.

SPESIALE REGULASIES BETREFFENDE DIE BEMARKING VAN VERKOELDE EIERS.

20. Met die goedkeuring van die Minister kan die raad enige persoon belet om verkoelde eiers te verkoop, tensy hy sodanige eiers verkry het van die raad of van sodanige persone as wat deur die raad bepaal word.

ONDERSKEIDING TUSSEN GEBIEDE EN TUSSEN KLASSE EIERS.

21. 'n Voorskrif van of verbod opgelê of besluit geneem deur die raad, met betrekking tot enige gebied in die Unie of 'n klas eiers, kan verskil van sodanige voorskrif of verbod of besluit met betrekking tot enige ander gebied in die Unie of 'n ander klas eiers of kan slegs in bepaalde dele van die Unie van toepassing wees of slegs op bepaalde klasse eiers betrekking hê.

INSPEKSIEBEVOEGDHEDE.

22. Die raad het die bevoegdheid om vir die toepassing van die bepalings van hierdie skema, aan enige persoon in die algemeen of in enige besondere geval, die bevoegdheid te verleen om op alle redelike tye—

- (a) enige plek te betree wat geokkupeer word deur enige persoon wat 'n produsent is of vermoed word 'n produsent te wees van, of 'n persoon wat as 'n besigheid handel of vermoed word as 'n besigheid te handel met eiers, of 'n plek of voertuig waarin of waarop daar 'n hoeveelheid eiers deur enige persoon gehou word of na vermoede gehou word vir enige ander doel as verbruik deur die eienaar van sodanige eiers of deur lede van sy huisgesin;
- (b) sodanige eiers te inspekteer en alle boeke en stukke op enige sodanige plek of in of op sodanige voertuig na te gaan, wat op redelike grond vermoed word op sodanige eiers betrekking te hê en afskrifte van of uittreksels uit sodanige boeke en stukke te maak;
- (c) van die eienaar van sodanige eiers of die persoon wat dit in sy bewaring het, inligting aangaande die eiers te eis;
- (d) van die eienaar van enige sodanige boek of stuk of die persoon wat dit in sy bewaring het, 'n verklaring te eis van enige aantekening daarin;
- (e) beslag te lê op enige boeke, stukke of artikels wat bewys kan lewer van 'n misdryf wat begaan is ingevolge die Wet, of hierdie skema of enige regulasie kragtens die Wet uitgevaardig, of op enige hoeveelheid eiers ten opsigte waarvan sodanige misdryf vermoedelik begaan is, en enige boeke, stukke of artikels of enige hoeveelheid eiers waarop aldus beslag gelê is, van die betrokke plek of voertuig te verwyder of dit op die betrokke plek of voertuig te laat en om, indien hy dit goed ag, op sodanige boek, stuk, artikel of eiers of die houder daarvan, enige identifikasiemerk wat hy nodig mag ag, aan te bring;

(2) When exercising its powers under sub-section (1) the board may, with the approval of the Minister—

- (a) fix in respect of any quantity of eggs or any class or grade thereof, which is acquired for any purpose or by any class of persons, a price which differs from the price fixed in respect of a quantity of eggs or of a class or grade thereof acquired for any other purpose or by any other class of persons; or fix in respect of eggs or any class or grade thereof different prices in respect of different quantities or in respect of different times of the year;
- (b) determine the charges or costs to be included in, added to or deducted from any price referred to in the said sub-section or the weight to be allowed, in relation to any quantity of eggs therein referred to, for any container of the eggs;
- (c) require any person disposing of eggs or any class, grade or quantity thereof on credit or for an amount exceeding an amount determined by the board, to render an invoice containing such particulars as may be so specified or determined.

SPECIAL REGULATIONS RELATING TO THE MARKETING OF CHILLED EGGS.

20. With the approval of the Minister, the board may prohibit any person from selling chilled eggs unless he has acquired such eggs from the board or from such persons as may be determined by the board.

DIFFERENTIATION BETWEEN AREAS AND BETWEEN CLASSES OF EGGS.

21. Any requirement or prohibition imposed or decision taken by the board which relates to any area within the Union, or a class of eggs may differ from such requirement or prohibition or decision which relates to any other area of the Union or another class of eggs or may apply only to specified portions of the Union or relate only to specified classes of eggs.

INSPECTION POWERS.

22. The board shall have power, for the purpose of the enforcement of the provisions of this scheme, to empower any person generally or in any particular case at all reasonable hours—

- (a) to enter any place occupied by any person who is, or is suspected to be a producer of or person dealing in the course of trade with, eggs, or any place or vehicle in or upon which there is kept, or is suspected to be kept any quantity of eggs by any person for any purpose other than consumption by the owner of such eggs or by the members of his household;
- (b) to inspect such eggs and to examine all books and documents at any such place or in or upon any such vehicle which are believed, upon reasonable grounds, to relate to such eggs and to make copies of or take extracts from such books and documents;
- (c) to demand from the owner or custodian of such eggs any information concerning such eggs;
- (d) to demand from the owner or custodian of any such book or document an explanation of any entry therein;
- (e) to seize any books, documents or articles which may afford evidence of the commission of an offence under the Act or this scheme or any regulation made under the Act, or any quantity of eggs in respect of which any such offence is suspected to have been committed, and to remove from the place or vehicle in question or to leave at such place or on such vehicle any books, documents or articles or any quantity of eggs which has been so seized and if he deem fit to place on any such book document, article or eggs or on the container thereof, any identification mark which he may consider necessary;

- (f) van sodanige eiers, met inbegrip van enige hoeveelheid van sodanige eiers waarop ingevolge subparagraaf (e) beslag gelê is, monsters te neem en sodanige monsters te ondersoek, te ontleed of te gradeer of te laat ondersoek, ontleed of gradeer.

MISDRYWE EN STRAFBEPALINGS.

23. Iedereen wat enige bepaling van hierdie skema of enige verbod, voorskrif of bevel ingevolge daarvan uitgereik, oortree of versuim om daaraan te voldoen, is skuldig aan 'n misdryf en by skuldigverklaring strafbaar met 'n boete van hoogstens honderd pond of gevangenisstraf vir 'n tydperk van hoogstens ses maande, of met beide sodanige boete en gevangenisstraf.

OPHEFFING VAN SKEMA.

24. Ingeval hierdie skema opgehef word—

- (a) word alle bates van die raad, nadat al sy skulde betaal is, aan die Minister oorhandig en die bates aldus oorhandig, word deur die Minister na goed-dunke aangewend ter bevordering van die pluimveebedryf;
- (b) word enige tekort wat mag bestaan nadat al die bates van die raad tot geld gemaak is, verhaal op die persone deur wie die heffing betaalbaar is ingevolge artikel 16, in verhouding tot die onderskeie bedrae deur hulle betaal of op hulle verhaal in die vorm van 'n heffing, ingevolge daardie artikel, gedurende die tydperk van twaalf maande onmiddellik voor die datum waarop die skema opgehef is.

* No. 9, 1953.]

SKEMA VIR DIE REËLING VAN DIE BEMARKING VAN EIERS KRAGTENS DIE BEMARKINGSWET, 1937, SOOS GEWYSIG, EN VIR AANGELEENTHEDE WAT DAARMEE IN VERBAND STAAN.

Kragtens die bevoegdheid my verleen by subartikel (1) *bis* van artikel *een-en-twintig* van die Bemarkingswet, 1937 (Wet No. 26 van 1937), soos gewysig, verklaar ek hierby dat die bepalings van paragraaf (a) van subartikel (1) van genoemde artikel nie ten opsigte van 'n skema met betrekking tot eiers van toepassing is nie.

GOD BEHOEDE DIE KONINGIN.

Gegee onder my Hand en Grootseël te Burgersdorp, op hede die Elfde dag van Desember Eenduisend Nege-honderd Twee-en-vyftig.

E. G. JANSEN,
Goewerneur-generaal.

Op las van Sy Eksellensie die
Goewerneur-generaal-in-rade.

S. P. LE ROUX.

- (f) to take samples of any such eggs, including any quantity of such eggs which has been seized in terms of sub-paragraph (e), and to examine, analyse or grade such samples or cause them to be examined, analysed or graded.

OFFENCES AND PENALTIES.

23. Any person who contravenes or fails to comply with any provision of this scheme or any prohibition, requirement or order issued thereunder, shall be guilty of an offence and on conviction liable to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

LIQUIDATION OF SCHEME.

24. In the event of the discontinuance of this scheme—

- (a) any assets of the board after all its debts have been paid shall be handed over to the Minister and the assets so handed over shall be utilised by the Minister in his discretion for the advancement of the poultry industry;
- (b) any deficit which may exist after all the assets of the board have been realised, shall be recovered from the persons liable to pay the levy in terms of section 16, pro rata to the relative amounts paid by or recovered from them by way of levy in terms of that section during the period of twelve months immediately preceding the date on which the scheme is discontinued.

* No. 9, 1953.]

SCHEME FOR REGULATING THE MARKETING OF EGGS IN TERMS OF THE MARKETING ACT, 1937, AS AMENDED, AND MATTERS INCIDENTAL THERETO.

Under the powers vested in me by sub-section (1) *bis* of section *twenty-one* of the Marketing Act, 1937 (Act No. 26 of 1937), as amended, I do hereby declare that the provisions of paragraph (a) of sub-section (1) of the said section shall not apply in respect of a scheme relating to eggs.

GOD SAVE THE QUEEN.

Given under my Hand and Great Seal at Burgersdorp on this Eleventh day of December, One thousand Nine hundred and Fifty-two.

E. G. JANSEN,
Governor-General.

By Command of His Excellency
the Governor-General-in-Council.

S. P. LE ROUX.



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