

EXTRAORDINARY



BUITENGEWONE

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Staatskoerant
VAN DIE UNIE VAN SUID-AFRIKA

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CAPE TOWN, 10TH MAY, 1957.

KAAPSTAD, 10 MEI 1957.

PRYS 6d. [No. 5866.

PROCLAMATION.

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

No. 128, 1957.]

DATE OF COMING INTO OPERATION OF THE HOUSING ACT, 1957 (ACT NO. 10 OF 1957).

Under the powers vested in me by section *seventy-nine* of the Housing Act, 1957 (Act No. 10 of 1957), I hereby declare that the provisions of the said Act shall come into operation on the first day of June, 1957.

GOD SAVE THE QUEEN!

GIVEN under my Hand and Great Seal at Cape Town on the sixth day of May, One Thousand Nine Hundred and fifty-seven.

E. G. JANSSEN,
Governor-General.

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

J. H. VILJOEN.

DEPARTMENT OF THE PRIME MINISTER.

The following Government Notice is published for general information:—

No. 675.] [10th May, 1957.

It is hereby notified that His Excellency the Governor-General has been pleased to assent to the following Acts, which are hereby published for general information:—

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PROKLAMASIE.

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

No. 128, 1957.]

DATUM VAN INWERKINGTREDING VAN DIE BEHUISINGSWET, 1957 (WET NO. 10 VAN 1957).

Kragtens die bevoegdheid my verleen by artikel *nege-en-sewentig* van die Behuisingswet, 1957 (Wet No. 10 van 1957), verklaar ek hierby dat die bepaling van genoemde Wet op die eerste dag van Junie 1957 in werking tree.

GOD BEHOEDE DIE KONINGIN!

GEGEE onder my Hand en Grootseël te Kaapstad op hede die sesde dag van Mei, Eenduisend Negehonderd Sewe-en-vyftig.

E. G. JANSSEN,
Goewerneur-generaal.

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

J. H. VILJOEN.

DEPARTEMENT VAN DIE EERSTE MINISTER.

Onderstaande Goewermmentskennisgewing word ter algemene inligting gepubliseer:—

No. 675.] [10 Mei 1957.

Hierby word bekend gemaak dat dit Sy Eksellensie die Goewerneur-generaal behaag het om sy goedkeuring te heg aan onderstaande Wette, wat hierby ter algemene inligting gepubliseer word:—

	BLADSY
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No. 26 van 1957: Wysigingswet op die Kunsmatige Inseminering van Diere, 1957	23
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No. 25, 1957.]

ACT

To consolidate the laws prohibiting the use of certain substances in wine, spirits and vinegar, and regulating in certain respects the manufacture and sale of wine, spirits and vinegar.

(English text signed by the Governor-General.)

(Assented to 6th May, 1957.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Definitions.

1. In this Act, unless the context otherwise indicates—

- (i) "administering officer" means an officer designated under section *forty*; (i)
- (ii) "analyst" means an analyst designated under section *twenty-eight*; (v)
- (iii) "label" includes, when used as a verb, mark, brand or otherwise designate or describe, and, when used as a noun, any mark, brand or other designation or description; (ii)
- (iv) "manufacture" means manufacture for purposes of sale; (x)
- (v) "Minister" means the Minister of Agriculture; (iii)
- (vi) "name" includes any label, mark, brand or other designation or description; (iv)
- (vii) "proof" means the strength of proof after distillation as ascertained by Sikes' hydrometer; (vi)
- (viii) "regulation" means a regulation made and in force under this Act; (vii)
- (ix) "sell" means sell by wholesale or by retail, and includes advertise, offer, keep, expose or deliver for sale, or authorize, direct or allow a sale, or possess for purposes of sale, and also includes exchange; and "sale" shall be construed accordingly; (ix)
- (x) "spirits" includes all descriptions of brandy, whisky, liqueur, rum or gin. (viii)

CHAPTER I.

WINES.

Definitions of wines.

2. In this Chapter, and in any other provision of this Act relating to wine, unless the context otherwise indicates—

- (i) "sparkling wine" means wine surcharged with carbonic acid gas, and includes any such wine to which cane sugar or wine spirit has been added; (ii)
- (ii) "vermouth" means wine to which herbs or their extracts have been added; (i)
- (iii) "wine" means the beverage produced solely by the alcoholic fermentation of the juice of fresh grapes, without the addition, either before, during or after the making of such beverage, of any substance other than a substance which may lawfully be added thereto in terms of section *three*, and includes the beverage known as vermouth. (iii)

Restriction on addition of substances to wine.

3. No person shall sell, under the name of wine, or under any name popularly or commercially used as a designation for wine, any article to which there has been added before, during or after the making thereof, any substance other than a substance which the Governor-General has by regulation declared to be a substance which may lawfully be added thereto.

Prohibition of use of certain names or descriptions for wine.

- 4. (1) (a) Save as provided in sub-section (2), no person shall, as from a date to be fixed by the Minister by notice in the *Gazette*, sell in or export from the Union any type of wine, whether manufactured in or imported into the Union, under any name or description whereof the use in respect of wine of that type is prohibited in such notice.
- (b) The Minister may at any time withdraw or amend any notice issued in terms of this sub-section.

No. 25, 1957.]

WET

Tot samevatting van die wetsbepalings om die gebruik van sekere bestanddele in wyn, spiritueel en asyn te verbied, en die vervaardiging en verkoop van wyn, spiritueel en asyn in sekere opsigte te reël.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 6 Mei 1957.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Tensy uit die samehang anders blyk, beteken in hierdie Woordbepalings. Wet—

- (i) „beherende amptenaar” ’n kragtens artikel veertig aangewese amptenaar; (i)
- (ii) „etiket” ook ’n merk, handelsmerk of ander benaming of beskrywing; (iii)
- (iii) „Minister” die Minister van Landbou; (v)
- (iv) „naam” ook ’n etiket, merk, handelsmerk of ander aanwysing of beskrywing; (vi)
- (v) „ontleder” ’n kragtens artikel agt-en-twintig aangewese ontleder; (ii)
- (vi) „proef” die alkoholgehalte na distillasie soos deur Sikes se hidrometer bepaal; (vii)
- (vii) „regulasie” ’n regulasie ingevolge hierdie Wet uitgevaardig en van krag; (viii)
- (viii) „spiritueel” ook alle soorte brandewyn, whisky, likeur, rum of jenewer; (x)
- (ix) „verkoop” in die groot of klein maat verkoop, en ook vir verkoop adverteer, aanbied, hou, uitstal of lewer, of ’n verkoping magtig, gelas of toelaat, of vir doeleindes van verkoop besit, en ook ruil; en word „verkoping” dienoooreenkomstig uitgelê; (ix)
- (x) „vervaardig” vervaardig vir verkoop. (iv)

HOOFSTUK I.

WYNE.

2. Tensy uit die samehang anders blyk, beteken in hierdie Omskrywing
Hoofstuk, en in enige ander bepaling van hierdie Wet met van wyne.
betrekking tot wyn—

- (i) „vermouth” wyn waarby kruie of ekstrak van kruie gevoeg is; (ii)
- (ii) „vonkelwyn” wyn wat oorversadig is met koolsuurgas, en ook sodanige wyn waarby rietsuiker of wynges gevoeg is; (i)
- (iii) „wyn” die drank verkry uitsluitlik deur die alkoholiese gisting van die sap van vars druiwe, sonder byvoeging, hetsy voor, gedurende of na die vervaardiging van sodanige drank, van enige bestanddeel, behalwe ’n bestanddeel wat kragtens artikel drie wettiglik daarby gevoeg mag word, asook die drank bekend as vermouth. (iii)

3. Niemand mag ’n artikel waarby daar voor, gedurende of na die vervaardiging daarvan ’n ander bestanddeel gevoeg is as ’n bestanddeel wat die Goewerneur-generaal by regulasie ’n bestanddeel verklaar het wat wettiglik daarby gevoeg mag word, onder die naam van wyn of onder ’n naam wat algemeen of in die handel as ’n benaming vir wyn gebruik word, verkoop nie. Beperking op byvoeging van stowwe by wyn.

- 4. (1) (a) Behoudens die bepalinge van sub-artikel (2), mag niemand vanaf ’n datum deur die Minister by kennisgewing in die Staatskoerant bepaal, enige tipe wyn, hetsy in die Unie vervaardig of daarin ingevoer, onder ’n naam of beskrywing waarvan die gebruik ten opsigte van daardie soort wyn in bedoelde kennisgewing verbied word, in die Unie verkoop of daaruit uitvoer nie. Verbod op gebruik van sekere name of beskrywings vir wyn.
- (b) Die Minister kan ’n kennisgewing kragtens hierdie sub-artikel uitgevaardig, te eniger tyd intrek of wysig.

(2) The Minister may, by notice in the *Gazette*, permit the use of certain names or descriptions subject to such conditions and limitations as may be specified in that notice, and thereupon it shall be lawful, notwithstanding any prohibition under sub-section (1), to sell wine under any name or description so permitted to be used, but only if all the conditions and limitations so specified are observed.

Sugar, alcohol
and acid content
of certain wines.

5. (1) No person shall sell wine containing 20 grammes or more of sugar per litre, unless it contains not less than 16·6 per cent. of alcohol by volume: Provided that this sub-section shall not apply to sparkling wine or vermouth or to any wine produced from grapes grown on land owned or lawfully occupied by the seller and sold by him to any person who lawfully carries on the business of selling wine.

(2) No person shall sell for consumption in the Union any wine, whether manufactured in or imported into the Union, of an alcoholic strength exceeding sixteen per cent. of alcohol by volume in the case of dry wines (excluding sherries) or twenty per cent. of alcohol by volume in the case of sherries, ports and sweet wines, alcohol in either case being absolute alcohol of specific gravity 0.7938 and measured at a temperature of sixty degrees by Fahrenheit's thermometer.

(3) No person shall manufacture or sell under the name of vermouth or as a wine of the vermouth type, wine having an alcoholic content of less than 14.5 per cent. or more than 23 per cent. by volume of absolute alcohol of specific gravity 0.7938 and measured at a temperature of sixty degrees by Fahrenheit's thermometer.

(4) No person shall sell for consumption in the form of wine, any wine containing a volatile acidity of more than 1.2 per mille calculated as acetic acid.

Requirements
as to sparkling
wines.

6. No person shall manufacture or sell under the name of champagne or as a wine of champagne type, sparkling wine in which the excess of carbonic acid gas arises from direct admixture of the same.

Savings.

7. Nothing in this Act contained shall be construed—

- (a) as prohibiting the sale of any fermented beverage made from fruit or from sources other than fresh grapes, and labelled by any name including the word "wine", provided the label includes the name of the fruit or source from which such beverage is made in letters of the same size as that of the letters forming the word "wine"; or
- (b) as placing any restriction upon the manufacture or sale of temperance beverages or sacramental wine unless the same contains more than three per cent. of proof spirit.

CHAPTER II.

SPIRITS.

Definitions
of various
classes of spirits.

8. In this Chapter, and in any other provision of this Act relating to spirits, unless the context otherwise indicates—

- (i) "blended whisky" means whisky containing not less than twenty-five per cent. of malt whisky and not less than thirty parts by weight of compound ethers, calculated as ethyl acetate, .85 parts of furfural, and 120 parts of higher alcohols calculated as amyl alcohol, per 100,000 parts of alcohol; (ix)
- (ii) "brandy" means a distillate of an alcoholic strength not less than forty-three per cent. of alcohol by volume or lower than twenty-five degrees under proof, resulting from the distillation solely of wine; (i)
- (iii) "compounded gin" means grain or other spirit of an alcoholic strength not lower than 25 degrees under proof, flavoured after distillation by means of oils or essences in such a manner as to resemble gin; (viii)
- (iv) "gin" means a distillate of an alcoholic strength not lower than twenty-five degrees under proof resulting from the distillation of a fermented mash of cereal grain or the redistillation of any class of spirits with juniper berries, either with or without the addition of common salt and harmless aromatic plants and seeds; (iv)

(2) Die Minister kan by kennisgewing in die *Staatskoerant*, die gebruik van sekere name of beskrywings toelaat onderworpe aan die voorwaardes en beperkings in daardie kennisgewing vermeld, en daarop is dit, ondanks enige verbod kragtens sub-artikel (1), wettig om wyn te verkoop onder 'n naam of beskrywing waarvan die gebruik aldus toegelaat is, maar slegs indien al die aldus vermelde voorwaardes en beperkings in ag geneem word.

5. (1) Niemand mag wyn wat 20 gram of meer suiker per liter bevat, verkoop nie, tensy dit minstens 16.6 persent alkohol volgens volume bevat: Met dien verstande dat hierdie sub-artikel nie van toepassing is nie op vonkelwyn of vermout of op enige wyn gemaak van druiwe wat verbou is op grond waarvan die verkoper die eienaar is of wat hy wettiglik okkupeer, en wat deur hom verkoop word aan iemand wat wettiglik as verkoper van wyn besigheid dryf.

Suiker-, alkohol- en suurgehalte van sekere wyne.

(2) Niemand mag wyn, hetsy in die Unie vervaardig of daarin ingevoer, waarvan die alkoholgehalte in die geval van droë wyne (behalwe sjerries) sestien persent, of in die geval van sjerries, portwyne en soetwyne twintig persent, absolute alkohol volgens volume, van soortlike gewig 0.7938 by 'n temperatuur van sestig grade Fahrenheit gemeet, te bowe gaan vir verbruik in die Unie verkoop nie.

(3) Niemand mag wyn met 'n alkoholgehalte laer as 14.5 persent of hoër as 23 persent volgens volume van absolute alkohol met soortlike gewig 0.7938 by 'n temperatuur van sestig grade Fahrenheit gemeet, onder die naam van vermout of as wyn van die vermout-tipe vervaardig of verkoop nie.

(4) Niemand mag wyn met 'n hoër vlugtige suurgehalte as 1.2 per duisend, bereken as asynsuur, vir verbruik in die vorm van wyn verkoop nie.

6. Niemand mag onder die naam van sjampanje, of as 'n wyn van die sjampanje-tipe, vonkelwyn vervaardig of verkoop waarin die oormaat van koolsuurgas die gevolg van regstreekse byvoeging daarvan is nie.

Vereistes betreffende vonkelwyn.

7. Die bepalinge van hierdie Wet word nie uitgelê—

Voorbehoude.

- (a) asof dit die verkoop van gegiste drank wat uit ander vrugte of grondstowwe as vars druiwe vervaardig is, onder 'n etiket met 'n naam wat die woord „wyn” insluit, verbied nie, mits die naam van die vrugte of grondstof waaruit bedoelde drank vervaardig is, op die etiket voorkom in letters van dieselfde grootte as die letters wat die woord „wyn” uitmaak; of
- (b) asof dit die vervaardiging of verkoop van matigheidsdranke of sakramentele wyn beperk nie, behalwe waar dit meer as drie persent proefspiritus bevat.

HOOFSTUK II.

SPIRITUALIEË.

8. Tensy uit die samehang anders blyk, beteken in hierdie Hoofstuk, en in enige ander bepaling van hierdie Wet wat op spiritualieë betrekking het—

Omskrywing van verskillende klasse spiritualieë.

- (i) „brandewyn” 'n distillaat met 'n alkoholgehalte van minstens drie-en-veertig persent alkohol volgens volume of minstens vyf-en-twintig grade onder proef, wat verkry is uitsluitlik deur die distillering van wyn; (ii)
- (ii) „druibebrandewyn” 'n distillaat met 'n alkoholgehalte van minstens 25 grade onder proef, uitsluitlik deur die distillering van druiwesap met doppe verkry; (v)
- (iii) „gemengde spiritualieë” 'n mengsel (behalwe whisky, moutwhisky of vermengde whisky waarby ingevolge paragraaf (g) van artikel *agtien* sjerriewyn gevoeg is), met 'n alkoholgehalte van minstens 25 grade onder proef, van twee of meer soorte geesryke drank of sterk drank wat deur distillering uit verskillende bronne verkry is; (viii)
- (iv) „jenewer” 'n distillaat met 'n alkoholgehalte van minstens vyf-en-twintig grade onder proef, wat deur die distillering van 'n gegiste beslag van graan of die herdistillering van enige soort spiritualieë met jenerwerbessies, hetsy met of sonder byvoeging van tafelsout en skadelose aromatiese plante en sade, verkry word; (iv)

- (v) "grape brandy" means a distillate of an alcoholic strength not lower than 25 degrees under proof, resulting from the distillation solely of grape juice together with husks; (ii)
- (vi) "liqueur" means a beverage of an alcoholic strength not less than thirty per cent of alcohol by volume, produced either—
 - (a) by maceration in rectified spirit or in brandy, of fresh or dried fruit or peels of aromatic plants, leaves, herbs, roots or seeds, to which has been added subsequently a syrup made of pure cane sugar or honey; or
 - (b) by redistillation of a macerated extract, prepared as described in paragraph (a), to the resulting distillate of which a syrup made of pure cane sugar or honey has been added; (v)
- (vii) "malt whisky" means whisky derived solely from malt by pot still distillation, and containing at least two of the following constituents in proportions not lower than those specified below, namely, compound ethers calculated as ethyl acetate, not less than 45 parts by weight, furfural not less than 3.5 parts and higher alcohols (calculated as amyl alcohol) not less than 180 parts per 100,000 parts of alcohol, and, where the quantity of furfural falls below the quantity specified herein, containing such a quantity thereof as is not less than one-eightieth of the quantity of higher alcohols, and, where the quantity of furfural is not less than the quantity so specified, containing a quantity of higher alcohols not less than forty times the quantity of furfural; (vi)
- (viii) "mixed spirits" means a mixture (other than whisky, malt whisky or blended whisky to which sherry wine has been added in terms of paragraph (g) of section *eighteen*) of an alcoholic strength not lower than 25 degrees under proof, of two or more kinds of spirituous beverages or liquors derived by distillation from different sources; (iii)
- (ix) "rum" means an unrectified distillate of an alcoholic strength not lower than twenty-five degrees under proof, and not higher than forty-five degrees over proof, resulting from the distillation of the fermented juice of sugar cane or of molasses, and whereof the volatile constituents, other than water, are derived solely from those materials, and include not less than one hundred and twenty parts of compound ethers, calculated as ethyl acetate, per hundred thousand parts of alcohol; (vii)
- (x) "whisky" means spirituous liquor of an alcoholic strength not lower than 25 degrees under proof, derived from grain by fermentation and distillation, and whereof the volatile constituents, other than water, are derived solely from grain; (x)
- (xi) "wine brandy (cognac type)" means a distillate of an alcoholic strength not lower than 25 degrees under proof, resulting solely from the distillation of wine distilled at not higher than 22 degrees over proof, and whereof the volatile constituents, other than water, are derived from such wine, and include not less than one hundred and twenty-five parts of higher alcohols calculated as amyl alcohol and three hundred parts of total secondary constituents per hundred thousand parts of alcohol; (xi)
- (xii) "wine spirit" means the rectified distillate resulting from the distillation solely of wine. (xii)

Requirements
in respect of
certain classes
of spirits.

9. No person shall manufacture or sell under the name of brandy, grape brandy, wine brandy (cognac type), whisky, blended whisky, malt whisky, gin, liqueur or rum, any article which does not conform to the description of the article defined under that name in section *eight*.

Prohibition on
use of certain
names or
descriptions
for brandies.

10. (1) (a) Save as provided in sub-section (2), no person shall, as from a date to be fixed by the Minister by notice in the *Gazette*, sell in or export from the Union any type of brandy, whether produced in or imported into the Union, under any name or description whereof the use in respect of brandy of that type is prohibited in such notice.
- (b) The Minister may at any time withdraw or amend any notice issued in terms of this sub-section, by like notice in the *Gazette*.

- (v) „likeur” ’n drank met ’n alkoholgehalte van minstens dertig persent alkohol volgens volume, vervaardig of—
 - (a) deur vars of gedroogde vrugte of skille van aromatiese plante, blare, kruie, wortels of sade in gerektifiseerde spiritus of in brandewyn te week, waarby daarna ’n stroop gemaak van suiwer rietsuiker of heuning gevoeg is; of
 - (b) deur herdistillering van ’n geweekte ekstrak wat berei is soos in paragraaf (a) beskryf, by die gevolglike distillaat waarvan ’n stroop van suiwer rietsuiker of heuning gevoeg is; (vi)
- (vi) „moutwhisky” whisky wat uitsluitlik deur distillering van mout in ’n potstookketel verkry is, en wat minstens twee van die volgende bestanddele bevat in verhoudings nie laer as hieronder bepaal nie, te wete, saamgestelde eter bereken as etielasetaat, minstens 45 dele volgens gewig, furfuraal minstens 3.5 dele, en hoër alkohol, bereken as amielalkohol, minstens 180 dele per 100,000 dele alkohol, en wat, waar die hoeveelheid furfuraal benede die hierin vermelde hoeveelheid is, nie minder daarvan bevat nie as een-tagtigste van die hoeveelheid hoër alkohol, en waar die hoeveelheid furfuraal nie minder as die aldus vermelde hoeveelheid is nie, nie ’n kleiner hoeveelheid hoër alkohol as veertig maal die hoeveelheid furfuraal bevat nie; (vii)
- (vii) „rum” ’n ongerektifiseerde distillaat met ’n alkoholgehalte van minstens vyf-en-twintig grade onder proef en hoogstens vyf-en-veertig grade bo proef, wat deur die distillering van die gegiste sap van suikerriet of van melasse verkry is, en waarvan die ander vlugtige bestanddele as water uitsluitlik van die gemelde stowwe afkomstig is, en minstens honderd-en-twintig dele saamgestelde eter, bereken as etielasetaat, per honderdduisend dele alkohol bevat; (ix)
- (viii) „saamgestelde jenewer” spiritualieë uit graan of ander grondstowwe verkry, met ’n alkoholgehalte van minstens 25 grade onder proef, wat na distillering met olies of geursels gegeur is op so ’n wyse dat dit met jenewer ooreenstem; (iii)
- (ix) „vermengde whisky” whisky wat minstens vyf-en-twintig persent moutwhisky en minstens dertig gewigsdele saamgestelde eter, bereken as etielasetaat, 85 dele furfuraal en 120 dele hoër alkohol, bereken as amielalkohol, per 100,000 dele alkohol bevat; (i)
- (x) „whisky” geesryke drank met ’n alkoholgehalte van minstens 25 grade onder proef, wat deur gisting en distillering van graan verkry is, en waarvan die ander vlugtige bestanddele as water uitsluitlik van graan afkomstig is; (x)
- (xi) „wynbrandewyn (konjak-tipe)” ’n distillaat met ’n alkoholgehalte van minstens 25 grade onder proef, wat uitsluitlik deur die distillering van wyn gedistilleer by hoogstens 22 grade bo proef verkry is, en waarvan die ander vlugtige bestanddele as water van bedoelde wyn afkomstig is, en minstens honderd vyf-en-twintig dele hoër alkohol, bereken as amielalkohol, en driehonderd dele totale sekondêre bestanddele per honderdduisend dele alkohol bevat; (xi)
- (xii) „wynges” die gerektifiseerde distillaat wat uitsluitlik deur die distillering van wyn verkry is. (xii)

9. Niemand mag onder die naam brandewyn, druiwebrandewyn, wynbrandewyn (konjak-tipe), whisky, vermengde whisky, moutwhisky, jenewer, likeur of rum, ’n artikel vervaardig of verkoop wat nie aan die beskrywing van die artikel onder daardie naam in artikel *agt* omskryf, voldoen nie.

Vereistes ten aansien van sekere klasse spiritualieë.

10. (1) (a) Behoudens die bepalings van sub-artikel (2), mag niemand vanaf ’n datum deur die Minister by kennisgewing in die *Staatskoerant* bepaal, enige tipe brandewyn, hetsy in die Unie geproduseer of daarin ingevoer, onder ’n naam of beskrywing waarvan die gebruik ten opsigte van daardie tipe brandewyn in bedoelde kennisgewing verbied word, in die Unie verkoop of daaruit uitvoer nie.
- (b) Die Minister kan te eniger tyd ’n kragtens hierdie sub-artikel uitgevaardigde kennisgewing, by dergelike kennisgewing in die *Staatskoerant* intrek of wysig.

Verbod op gebruik van sekere name of beskrywings vir brandewyn.

(2) The Minister may, by notice in the *Gazette*, permit the use of certain names or descriptions subject to such conditions and limitations as may be specified in such notice, and thereupon it shall be lawful, notwithstanding any prohibition under subsection (1), to sell brandy under any name or description so permitted to be used, but only if all the conditions and limitations so specified are observed.

Prohibition on addition of unauthorized substances to certain articles.

11. No person shall manufacture or sell any article to which in section *eight* of this Act a meaning is assigned, if there has been added to such article any substance the addition whereof to such article is not expressly authorized by this Act.

Strength of certain potable spirits.

12. No person shall sell for potable purposes any spirits not mentioned in section *eight* of which the alcoholic strength is lower than twenty-five degrees under proof.

Conditions for sale of whisky.

13. No person shall—

- (a) sell whisky, malt whisky or blended whisky produced in the Union, unless it has been matured by storage for a continuous period of not less than three years in a warehouse as defined in section *one* of the Excise Act, 1956 (Act No. 62 of 1956), in wood approved by the Commissioner of Customs and Excise or a person acting under his authority; or
- (b) import into the Union any whisky, malt whisky or blended whisky, unless it is accompanied by a certificate signed by an officer of customs or excise of the country of origin thereof, to the effect that it has been matured by storage in wood in accordance with the laws of that country for a continuous period of not less than three years.

Labelling of brandy and whisky.

14. No person shall sell brandy of any description, or whisky, unless the bottle or receptacle containing it is labelled in large letters easily legible, showing whether such brandy is brandy, wine brandy (cognac type) or grape brandy or whether such whisky is whisky, blended whisky or malt whisky.

Labelling of mixed spirits.

15. No person shall sell mixed spirits, unless the bottle or receptacle containing it is labelled in such a manner as to set forth in large letters easily legible of the same size the specific spirits which have been used for the mixture.

Colouring, flavouring or adulteration of rum.

16. (1) (a) No person shall manufacture or sell rum which has been coloured otherwise than by caramel or from the wood of the cask in which such rum is stored, or has been flavoured otherwise than by means of sugar cane leaves or pure fruit.

(b) The flavouring substances permitted to be used under paragraph (a) shall be placed in the still along with the mash or megass, and shall not be added to the liquor after distillation.

(2) No person shall sell under the name of rum, or add to rum in the manufacture thereof, any silent spirit, whether flavoured or unflavoured, or any product of the distillation of maize, barley or other cereal grain.

Prohibition on sale of compounded gin.

17. No person shall manufacture or sell compounded gin or any mixture of gin with compounded gin.

Savings as to reduction of strength and flavouring and colouring of spirits.

18. Nothing in this Act contained shall be construed as rendering it unlawful—

- (a) for any person who manufactures or sells brandy, grape brandy, wine brandy (cognac type), whisky, blended whisky, malt whisky or mixed spirits, to reduce the strength of any such article which he manufactures or sells by the addition of water, provided such addition does not reduce the strength below twenty-five degrees under proof;
- (b) to flavour brandy, other than wine brandy (cognac type), or to add to any kind of brandy for sweetening purposes pure cane sugar previously made into syrup (not exceeding one and a half ounces of cane sugar per gallon) or any product of the vine, or to colour any class of brandy by means of pure caramel or by

(2) Die Minister kan by kennisgewing in die *Staatskoerant*, die gebruik van sekere name of beskrywings toelaat onderworpe aan die voorwaardes en beperkings in bedoelde kennisgewing vermeld, en daarop is dit, ondanks enige verbod kragtens sub-artikel (1), wettig om brandewyn te verkoop onder 'n naam of beskrywing waarvan die gebruik aldus toegelaat is, maar slegs indien al die aldus vermelde voorwaardes en beperkings in ag geneem word.

11. Niemand mag 'n artikel waaraan in artikel *agt* van hierdie Wet 'n betekenis toegeskryf is, vervaardig of verkoop nie, indien daar by bedoelde artikel 'n stof gevoeg is waarvan die byvoeging by bedoelde artikel nie uitdruklik deur hierdie Wet gemagtig word nie.

Verbod op byvoeging van ongeoorloofde stowwe by sekere artikels.

12. Niemand mag spiritualieë wat nie in artikel *agt* genoem word nie, en waarvan die alkoholgehalte laer as vyf-en-twintig grade onder proef is, verkoop om gedrink te word nie.

Alkoholgehalte van sekere drinkbare spiritualieë.

13. Niemand mag—

Voorwaardes vir verkoop van whisky.

(a) in die Unie vervaardigde whisky, moutwhisky of vermengde whisky verkoop nie, tensy dit deur opberging vir 'n aaneenlopende tydperk van minstens drie jaar beleë gemaak is in 'n pakhuis soos in artikel *een* van die Aksynswet, 1956 (Wet No. 62 van 1956), omskryf, in hout wat deur die Kommissaris van Doeane en Aksyns of iemand wat onder sy gesag handel, goed-gekeur is; of

(b) whisky, moutwhisky of vermengde whisky in die Unie invoer nie, tensy dit vergesel gaan van 'n sertifikaat, wat deur 'n doeane- of aksynsbeampte van die land van herkoms daarvan onderteken is, ten effekte dat dit beleë gemaak is deur opberging in hout ooreenkomstig die wette van daardie land vir 'n aaneenlopende tydperk van minstens drie jaar.

14. Niemand mag enige soort brandewyn, of whisky, verkoop nie, tensy daar op die bottel of houer wat dit bevat 'n etiket is waarop in groot letters wat maklik gelees kan word, aangedui word, in die geval van brandewyn, of dit brandewyn, wyn-brandewyn (konjak-tipe) of druiwebrandewyn is, of, in die geval van whisky, of dit whisky, gemengde whisky of moutwhisky is.

Etikette op brandewyn en whisky.

15. Niemand mag gemengde spiritualieë verkoop nie, tensy daar op die bottel of houer wat dit bevat 'n etiket is waarop in groot letters van dieselfde grootte wat maklik gelees kan word, die besondere spiritualieë wat vir die mengsel gebruik is, vermeld word.

Etikette op gemengde spiritualieë.

16. (1) (a) Niemand mag rum wat andersins as deur middel van karamel of deur die hout van die vat waarin die rum bewaar word, gekleur is, of wat andersins as met suikerrietblare of suiwer vrugte gegeur is, vervaardig of verkoop nie.

Kleur, geur of vervalsing van rum.

(b) Die geurstowwe wat kragtens paragraaf (a) gebruik mag word, moet saam met die beslag of uitgeperste suikerriet in die stookketel geplaas word, en mag nie na distillering by die drank gevoeg word nie.

(2) Niemand mag verskaalde spiritualieë, hetsy gegeur of ongegeur, of 'n produk uit die distillering van mielies, gars of 'n ander graansoort verkry, onder die naam van rum verkoop nie, of dit tydens die vervaardiging van rum daarby voeg nie.

17. Niemand mag saamgestelde jenewer of 'n mengsel van jenewer met saamgestelde jenewer vervaardig of verkoop nie.

Verbod op verkoop van saamgestelde jenewer.

18. Die bepalings van hierdie Wet word nie so uitgelê dat dit onwettig is—

Voorbehoude betreffende vermindering van alkoholgehalte en geur en kleur van spiritualieë.

(a) vir iemand wat brandewyn, druiwebrandewyn, wyn-brandewyn (konjak-tipe), whisky, vermengde whisky, moutwhisky of gemengde spiritualieë vervaardig of verkoop, om die alkoholgehalte van so 'n artikel wat hy vervaardig of verkoop, te verminder deur water daarby te voeg nie, mits die alkoholgehalte nie deur die byvoeging tot benede vyf-en-twintig grade onder proef verminder word nie;

(b) om ander brandewyn as wynbrandewyn (konjak-tipe) te geur nie, of om suiwer rietsuiker wat vooraf in stroop omgesit is (tot hoogstens anderhalf ons rietsuiker per gelling), of enige produk van die wynstok by enige soort brandewyn te voeg om dit te versoet nie, of om enige klas brandewyn deur middel

- the material derived from the wood of the cask in which it is stored;
- (c) to sweeten brandy or to flavour brandy so as to impart to it the pronounced specific flavour of aniseed, ginger, cloves, peppermint or other vegetable product, provided the designation of the flavouring used immediately precedes the word "brandy" on the label and is in letters of the same size and type as those forming the word "brandy";
 - (d) to use the real essence of mint in the manufacture of any liqueur;
 - (e) to treat distilled rum by means of pure charcoal for the purpose of improving its flavour;
 - (f) to sweeten gin by means of cane sugar previously made into a syrup;
 - (g) to flavour whisky, malt whisky or blended whisky by the addition thereto of sherry wine, or to colour any such whisky by means of pure caramel or by the material derived from the wood of the cask in which it is stored; or
 - (h) at any time prior to sale, to add water to rum or gin to such extent as will not reduce the strength below twenty-five degrees under proof.

CHAPTER III.

VINEGAR.

Definitions of various classes of vinegar.

19. In this Chapter, and in any other provision of this Act relating to vinegar, unless the context otherwise indicates—

- (i) "acetic acid" means the chemical compound known as hydrogen acetate or anhydrous acetic acid and requiring for complete neutralization of one hundred parts by weight, 66·67 parts by weight of pure sodium hydroxide; (ii)
- (ii) "blended vinegar" means a mixture of two or more different kinds of vinegar; (ix)
- (iii) "cider vinegar" or "apple vinegar" means the product made solely by the alcoholic and subsequent acetous fermentation, without distillation, of the juice of apples; (vi)
- (iv) "glucose vinegar" means the product made solely by the alcoholic and subsequent acetous fermentation of solutions of starch, sugar, glucose or glucose syrup; (iv)
- (v) "grape vinegar" means the product made solely by the alcoholic and subsequent acetous fermentation without distillation of the juice of the grape or the acetous fermentation of wine, whether or not such juice or wine has been fortified by the addition of wine spirit, wine brandy (cognac type) or grape brandy up to a maximum strength of twenty per cent. of alcohol by volume; (iii)
- (vi) "malt vinegar" means the product made solely by the alcoholic and subsequent acetous fermentation, without distillation, of an infusion solely of whole cereal grain, the starch whereof has been converted into fermentable sugar by the direct agency of malt; (v)
- (vii) "spirit vinegar" or "distilled vinegar" means the colourless product made solely by the acetous fermentation of dilute distilled alcohol, or by the distillation of any one of the forms of vinegar, other than blended vinegar, herein described; (vii)
- (viii) "sugar vinegar" means the product made solely by the alcoholic and subsequent acetous fermentation, without distillation, of solutions of sugar or molasses with or without the addition of an infusion of cereal grain; (viii)
- (ix) "vinegar" means the product made solely by the alcoholic and subsequent acetous fermentation, without distillation, of any vegetable juice, infusion or decoction; (i)
- (x) "wine vinegar" means the product made solely by the alcoholic and subsequent acetous fermentation, without distillation, of the unfortified juice of the grape, or by the acetous fermentation, without distillation, of unfortified wine; (x)

Acetic acid content of vinegar and substances which may not be added thereto.

20. No person shall manufacture or sell vinegar of any description—

- (a) which does not contain four per cent. of acetic acid; or
- (b) to which any preparation of lead, copper, sulphuric acid or any other mineral acid or any other ingredient injurious to health or any preservative has been added.

- van suiwer karamel of deur die stof afkomstig van die hout van die vat waarin dit bewaar word, te kleur nie;
- (c) om brandewyn te versoet nie, of om brandewyn te geur ten einde die uitgesproke bepaalde geur van anyssaad, gemmer, naaltjies, peperment of 'n ander plantaardige produk daaraan te gee nie, mits die naam van die gebruikte geursel die woord „brandewyn” op die etiket onmiddellik voorafgaan in letters van dieselfde grootte en tipe as die letters wat die woord „brandewyn” uitmaak;
 - (d) om egte kruisementessens by die vervaardiging van likeur te gebruik nie;
 - (e) om gedistilleerde rum met suiwer houtskool te behandel ten einde die geur daarvan te verbeter nie;
 - (f) om jenewer deur middel van rietsuiker wat vooraf in stroop omgesit is, te versoet nie;
 - (g) om whisky, moutwhisky of vermengde whisky te geur deur sjerriewyn daarby te voeg, of om sodanige whisky te kleur deur middel van suiwer karamel of deur die stof afkomstig van die hout van die vat waarin dit bewaar word nie; of
 - (h) om te eniger tyd voor verkoop, water by rum of jenewer te voeg, vir sover die alkoholgehalte daarvan nie daardeur tot benede vyf-en-twintig grade onder proef verminder word nie.

HOOFSTUK III.

ASYN.

19. Tensy uit die samehang anders blyk, beteken in hierdie Hoofstuk, en in enige ander bepaling van hierdie Wet met betrekking tot asyn—

Omskrywing van
verskillende
klasse asyn.

- (i) „asyn” die produk wat vervaardig word uitsluitlik deur alkoholiese en vervolgens asyngisting, sonder distillering, van 'n plantaardige sap, aftreksel of afkooksel; (ix)
- (ii) „asynsuur” die chemiese verbinding bekend as waterstofasetaat of watervrye asynsuur, vir die volledige neutralisering van honderd gewigsdele waarvan 66.67 gewigsdele suiwer natriumhidroksied vereis word; (i)
- (iii) „druweasyn” die produk vervaardig uitsluitlik deur alkoholiese en vervolgens asyngisting, sonder distillering, van druiwesap of die asyngisting van wyn, hetsy bedoelde sap of wyn deur die byvoeging van wynges, wynbrandewyn (konjak-tipe) of druwebrandewyn tot 'n maksimum van twintig persent alkohol volgens volume versterk is of nie; (v)
- (iv) „glukoseasyn” die produk vervaardig uitsluitlik deur alkoholiese en vervolgens asyngisting van oplossings van stysel, suiker, glukose of glukosestroop; (iv)
- (v) „moutasyn” die produk vervaardig uitsluitlik deur alkoholiese en vervolgens asyngisting, sonder distillering, van 'n aftreksel enkel van heel graankorrels, waarvan die stysel deur die regstreekse werking van mout in gisbare suiker omgesit is; (vi)
- (vi) „siderasyn” of „appelasyn” die produk vervaardig uitsluitlik deur alkoholiese en vervolgens asyngisting, sonder distillering, van appelsap; (iii)
- (vii) „spiritusasyn” of „gedistilleerde asyn” die kleurlose produk vervaardig uitsluitlik deur asyngisting van verdunde gedistilleerde alkohol, of deur die distillering van enige asynsoort, behalwe vermengde asyn, wat hierin beskryf word; (vii)
- (viii) „suikerasyn” die produk vervaardig uitsluitlik deur alkoholiese en vervolgens asyngisting, sonder distillering, van oplossings van suiker of melasse, met of sonder die byvoeging van 'n aftreksel van graan; (viii)
- (ix) „vermengde asyn” 'n mengsel van twee of meer verskillende soorte asyn; (ii)
- (x) „wynasyn” die produk vervaardig uitsluitlik deur alkoholiese en vervolgens asyngisting, sonder distillering, van onversterkte druiwesap, of deur die asyngisting, sonder distillering, van onversterkte wyn. (x)

20. Niemand mag enige soort asyn vervaardig of verkoop nie—

Asynsuurgehalte
van asyn en
stowwe wat nie
daarby gevoeg
mag word nie.

- (a) wat nie vier persent asynsuur bevat nie; of
- (b) waarby 'n preparaat van lood, koper, swaelsuur of enige ander mineraalsuur of enige ander bestanddeel wat vir die gesondheid nadelig is of 'n bederfweringsmiddel, gevoeg is.

Prohibition on addition of colouring matter to spirit or distilled vinegar.

21. No person shall sell under the name of "spirit vinegar" or "distilled vinegar", any spirit vinegar or distilled vinegar to which has been added any colouring matter or which is not entirely free from all colour other than that imparted to it by the actual process of distillation.

Requirements in connection with sale of vinegar.

22. (1) No person shall sell vinegar of any description unless—

- (a) the cask, keg, bottle or other receptacle in which it is contained is legibly labelled or otherwise durably marked with the word "wine" or "malt" or "sugar" or "distilled" or other term that describes the primary source of the vinegar; and
- (b) such descriptive term appears in conjunction with and immediately precedes the word "vinegar", in letters of the same size and type as those of the word "vinegar", wherever that word occurs upon the label; and
- (c) the word "vinegar" is so preceded by a descriptive term wherever it occurs.

(2) No person shall sell under the name of blended vinegar, cider or apple vinegar, glucose vinegar, grape vinegar, malt vinegar, sugar vinegar or spirit or distilled vinegar or wine vinegar, any article which does not conform to the description of the article defined under that name in section *nineteen*.

(3) No person shall sell blended vinegar unless the bottle or other receptacle containing it bears a label on which appears the word "blended" in letters of the same size and type as those of the word "vinegar", as also particulars, in a manner easily legible, of the various kinds of vinegar of which the mixture is composed.

(4) Nothing in this Act contained shall be construed as prohibiting the manufacture or sale as a substitute for vinegar of any article prepared otherwise than is prescribed in this Chapter, provided every cask, keg, bottle or other receptacle in which such article is or is to be sold, is legibly labelled with the word "vinegarine", and such article—

- (a) contains not less than four and a half per cent. of acetic acid; and
- (b) is free from any acid other than acetic acid, and contains no preparation of lead, copper or any other ingredient whatever injurious to health.

(5) For the purposes of this section, spirit vinegar coloured by means of caramel or other harmless substance shall be deemed to be vinegarine and shall be labelled accordingly.

CHAPTER IV.

GENERAL.

Labelling of bottles with name of retail seller and bottler.

23. (1) No person who is licensed to sell by retail, shall sell wine, spirits or vinegar of any description, unless the bottle or other receptacle containing it is labelled in letters easily legible, with the name and address of such person, and in the case of wine, spirits or vinegar bottled in the Union, with the name and address of the bottler in like letters.

(2) Nothing in this section contained shall be construed—

- (a) as requiring wine or spirits sold and actually consumed on the licensed premises to be sold in a receptacle labelled as aforesaid; or
- (b) as applying to wine, spirits or vinegar lawfully sold by such licensed person as aforesaid in a case which has not been unfastened since it was received by him from the person from whom he purchased it, if the bottles or receptacles in such case are so labelled with the name and address of the bottler.

Prohibition on sale of recipes for and adulteration of liquor or vinegar.

24. No person shall manufacture or sell—

- (a) wine, spirits, vinegar or any other article dealt with in this Act which contains zinc, lead, copper, sulphuric or other mineral acid or any substance injurious to health; or
- (b) any recipe or formula whatever for adulterating wine, spirits or vinegar of any description.

21. Niemand mag onder die naam „spiritusasyn” of „gedistilleerde asyn” enige spiritusasyn of gedistilleerde asyn waarby enige kleursel gevoeg is, of wat nie geheel en al vry is van alle kleur, behalwe kleur deur die werklike distillingsproses daaraan verleen, verkoop nie.

Verbod op byvoeging van kleursel by spiritusasyn of gedistilleerde asyn.

22. (1) Niemand mag enige soort asyn verkoop nie, tensy—
(a) die woord „wyn” of „mout” of „suiker” of „gedistilleerde”, of ’n ander uitdrukking wat die primêre bron van die asyn beskryf, op leesbare en duursame wyse gemerk is op die vat, ton, bottel of ander houer wat dit bevat of op die etiket daaraan; en

Vereistes in verband met verkoop van asyn.

(b) bedoelde beskrywende uitdrukking in verbinding met en onmiddellik voor die woord „asyn” verskyn, in letters van dieselfde grootte en tipe as die letters van die woord „asyn”, waar daardie woord ook al op die etiket voorkom; en

(c) die woord „asyn” waar dit ook al voorkom, aldus deur ’n beskrywende uitdrukking voorafgegaan word.

(2) Niemand mag onder die naam vermengde asyn, sider- of appelasyn, glukoseasyn, druiweasyn, moutasyn, suikerasyn of spiritusasyn of gedistilleerde asyn of wynasyn, ’n artikel verkoop wat nie aan die beskrywing van die artikel onder daardie naam in artikel *negentien* omskryf, voldoen nie.

(3) Niemand mag vermengde asyn verkoop nie, tensy die bottel of ander houer wat dit bevat voorsien is van ’n etiket waarop die woord „vermengde” voorkom in letters van dieselfde grootte en tipe as die letters van die woord „asyn”, asook maklik leesbare besonderhede van die verskillende soorte asyn waaruit die mengsel bestaan.

(4) Die bepalinge van hierdie Wet word nie so uitgelê dat dit die vervaardiging of verkoop, as ’n substituuat vir asyn, van ’n artikel wat op ’n ander as in hierdie Hoofstuk voorgeskrewe wyse berei is, verbied nie, mits elke vat, ton, bottel of ander houer waarin bedoelde artikel verkoop word of staan te word, voorsien is van ’n etiket waarop die woord „kunsasyn” op leesbare wyse voorkom en bedoelde artikel—

(a) minstens vier en ’n half persent asynsuur bevat; en

(b) vry is van enige ander suur as asynsuur, en geen preparaat van lood, koper of enige ander vir die gesondheid nadelige bestanddeel bevat nie.

(5) By die toepassing van hierdie artikel word spiritusasyn wat deur middel van karamel of ’n ander skadelose stof gekleur is, geag kunsasyn te wees, en moet dit dienooreenkomstig van etiket voorsien word.

HOOFSTUK IV.

ALGEMEEN.

23. (1) Niemand wat gelisensieer is om by die kleinmaat te verkoop, mag wyn, spiritualieë of asyn van enige soort verkoop nie, tensy die bottel of ander houer wat dit bevat, voorsien is van ’n etiket waarop die naam en adres van bedoelde persoon in maklik leesbare letters en, in die geval van wyn, spiritualieë of asyn wat in die Unie gebottel is, ook die naam en adres van die bottelaar in gelyksoortige letters, voorkom.

Bottels moet voorsien wees van etiket met naam van kleinhandelaar en bottelaar.

(2) Die bepalinge van hierdie artikel word nie uitgelê—

(a) asof dit vereis dat wyn of spiritualieë wat op die gelisensieerde perseel verkoop en werklik aldaar verbruik word, in ’n houer wat soos voormeld van ’n etiket voorsien is verkoop moet word nie; of

(b) asof dit geld in die geval van wyn, spiritualieë of asyn wat wettiglik deur ’n gelisensieerde persoon soos voormeld verkoop word in ’n kis wat sedert hy dit ontvang het van die persoon van wie hy dit gekoop het, nog nie oopgemaak is nie, indien die bottels of houers in bedoelde kis aldus voorsien is van etikette waarop die naam en adres van die bottelaar voorkom.

24. Niemand mag—

(a) wyn, spiritualieë, asyn of enige ander artikel waaroor hierdie Wet handel, vervaardig of verkoop wat sink, lood, koper, swaelsuur of ’n ander mineraalsuur, of enige vir die gesondheid nadelige bestanddeel bevat nie; of

Verbod op verkoop van resepte vir, en vervalsing van drank of asyn.

(b) ’n resep of formule van watter aard ook al, om enige soort wyn, spiritualieë of asyn te vervals, vervaardig of verkoop nie.

Keeping of
sugar on
certain premises.

25. (1) No person shall manufacture, manipulate or store, or permit the manufacture, manipulation or storage, of any wine or spirit on any premises whereon or in the immediate neighbourhood whereof there is present any sugar or preparation or compound of sugar which is not the product of the vine, unless the Commissioner of Customs and Excise or an officer deputed by him has granted a permit for the keeping of such sugar or preparation or compound at the place where it is present.

(2) Any person who has the possession or custody of any sugar or preparation or compound in respect of which a permit has been granted under sub-section (1), and any person to whom any such permit has been granted, shall at all reasonable times on demand submit such sugar, preparation, compound or permit for inspection to any officer in the Department of Customs and Excise or any person generally or specially authorized in terms of section *twenty-nine*.

(3) Whenever any permit has been granted to any person under sub-section (1), the quantity of sugar or preparation or compound specified therein shall be deemed to have been placed, not later than the day following the date of issue of such permit, in the place specified therein, and such person shall be guilty of an offence if he fails at any time to account in manner prescribed by regulation for not less than ninety-five per cent. of such quantity.

Application
of Act to
imported liquor.

26. The provisions of this Act shall apply to wine, spirits or vinegar of any description imported into the Union, and to all articles imported into the Union under the name of wine, spirits or vinegar of any description: Provided that wine brandy (cognac type) may, subject to the regulations, be imported and sold under the name of cognac; and provided further that the importation into the Union of wine brandy (cognac type), which is of a strength below that prescribed in the definition of "wine brandy (cognac type)" in section *eight*, may be authorized in such quantity and under such conditions as the administering officer may determine on proof being furnished to that officer that the deficiency in alcoholic strength is due to great age and that the liquor otherwise conforms to the requirements prescribed in this Act.

Importation or
sale of imported
liquor not
corresponding
to designation.

27. No person shall import into the Union for the purpose of sale therein, or sell under any name, wine, spirits or vinegar of any description unless it is of the nature, substance and quality of the article indicated by such name and unless the country where it was made or distilled is stated.

ANALYSIS.

Designation
of analysts.

28. (1) The Governor-General may from time to time designate one or more persons qualified by technical training and possessing competent knowledge, skill and experience, to be analysts for the purposes of all or any of the provisions of this Act: Provided that no person shall be so designated if he is engaged directly or indirectly in any trade or business connected with the sale of wine, spirits or vinegar.

(2) The designation of any person as such an analyst shall be notified in the *Gazette*.

Power to enter
premises, inspect
and take samples
of articles for
analysis.

29. (1) Any person generally or specially authorized in writing by the administering officer or by a magistrate, may at any time enter and inspect any vineyard, store room, wine cellar, bonded or free store, vessel, shed, shop, hotel or other place or premises if he has reasonable grounds for believing that the same is kept or used for making, storing, selling or exposing for sale any article or substance defined in this Act and bearing a designation popularly or commercially used as a designation for such article.

(2) Every person so authorized shall, when engaged on any duty under this Act, carry and on demand by any person affected by the exercise by him of any function under this Act, exhibit his authority.

(3) Any person so authorized may when entering any such place or premises aforesaid, test or otherwise examine any article defined in this Act, and may purchase at a reasonable

25. (1) Niemand mag wyn of spiritualieë vervaardig, bewerk of bewaar, of die vervaardiging, bewerking of bewaring daarvan toelaat op 'n perseel waarop of in die onmiddellike nabyheid waarvan daar suiker of 'n preparaat of samestelling van suiker, wat nie 'n produk van die wynstok is, aanwesig is nie, tensy die Kommissaris van Doeane en Aksyns of 'n deur hom gemagtigde amptenaar, 'n permit om daardie suiker of preparaat of samestelling te hou op die plek waar dit aanwesig is, verleen het.

Aanhou van suiker op sekere persele.

(2) Iemand wat suiker of 'n preparaat of samestelling ten opsigte waarvan 'n permit kragtens sub-artikel (1) uitgereik is, in sy besit of bewaring het, en iemand aan wie so 'n permit verleen is, moet bedoelde suiker, preparaat, samestelling of permit op alle redelike tye op aanvraag deur 'n amptenaar van die Departement van Doeane en Aksyns of 'n in die algemeen of in die besonder kragtens artikel *nege-en-twintig* gemagtigde persoon vir inspeksie toon.

(3) Wanneer kragtens sub-artikel (1) 'n permit aan iemand verleen is, word die daarin vermelde hoeveelheid suiker of preparaat of samestelling geag nie later nie as die dag na die datum van uitreiking van bedoelde permit op die daarin gemelde plek geplaas te gewees het, en bedoelde persoon is aan 'n misdryf skuldig indien hy te eniger tyd in gebreke bly om op die by regulasie voorgeskrewe wyse van minstens vyf-en-negentig persent van bedoelde hoeveelheid rekenskap te gee.

26. Die bepalings van hierdie Wet is van toepassing op enige in die Unie ingevoerde soort wyn, spiritualieë of asyn, en op alle artikels wat onder die naam van wyn, spiritualieë of asyn van enige soort in die Unie ingevoer word: Met dien verstande dat, onderworpe aan die regulasies, wynbrandewyn (konjak-tipe), onder die naam van konjak ingevoer en verkoop mag word; en met dien verstande voorts dat magtiging verleen kan word vir die invoer in die Unie van wynbrandewyn (konjak-tipe) met 'n laer alkoholgehalte as wat in die omskrywing van „wynbrandewyn (konjak-tipe)” in artikel *agt* voorgeskryf word, in die hoeveelhede en onderworpe aan die voorwaardes wat die beherende amptenaar mag bepaal, indien aan daardie amptenaar bewys gelewer word dat die ontoereikende alkoholgehalte aan hoë ouderdom toe te skryf is en dat die drank andersins aan die in hierdie Wet voorgeskrewe vereistes voldoen.

Toepassing van Wet op ingevoerde drank.

27. Niemand mag enige soort wyn, spiritualieë of asyn in die Unie invoer om dit daarin te verkoop of dit onder enige naam verkoop nie, tensy dit wat betref die aard, inhoud en gehalte daarvan ooreenstem met die artikel wat deur bedoelde naam aangedui word, en tensy die land waar dit vervaardig of gedistilleer is, vermeld word.

Invoer of verkoop van ingevoerde drank wat nie met benaming ooreenstem nie.

ONTLEDING.

28. (1) Die Goewerneur-generaal kan van tyd tot tyd een of meer persone wat deur tegniese opleiding gekwalifiseer is en toereikende kennis, bekwaamheid en ondervinding besit, as ontleders vir die doeleindes van enige van of al die bepalings van hierdie Wet aanwys: Met dien verstande dat niemand aldus aangewys word indien hy regstreeks of onregstreeks by 'n bedryf of besigheid in verband met die verkoop van wyn, spiritualieë of asyn betrokke is nie.

Aanwys van ontleders.

(2) Die aanwysing van iemand as so 'n ontleder, word in die *Staatskoerant* bekend gemaak.

29. (1) Iemand wat in die algemeen of in die besonder skriftelik deur die beherende amptenaar of deur 'n magistraat daartoe gemagtig is, kan te eniger tyd 'n wingerd, pakkamer, wynkelder, doeanepakhuis of vry pakhuis, vaartuig, skuur, winkel, hotel of ander plek of perseel betree en inspekteer, indien hy redelike gronde het om te vermoed dat dit gehou of gebruik word vir die vervaardiging, opberging, verkoop of uitstalling vir verkoop van enige artikel of stof wat in hierdie Wet omskryf word en wat 'n benaming dra wat algemeen of in die handel as 'n benaming vir bedoelde artikel gebruik word.

Bevoegdheid om persele te betree, ondersoek in te stel en monsters van artikels vir ontleding te neem.

(2) Elke aldus gemagtigde persoon moet, wanneer hy 'n plig ingevolge hierdie Wet uitvoer, sy magtigingsbrief by hom dra en dit op aanvraag toon aan enigiemand wat deur die uitoefening deur hom van 'n werksaamheid ingevolge hierdie Wet geraak word.

(3) 'n Aldus gemagtigde persoon kan, wanneer hy 'n plek of perseel soos voormeld betree, enige in hierdie Wet omskrewe artikel toets of andersins ondersoek, en kan teen 'n billike prys

price such a sample of that article as may be required for analysis under this Act, and shall, subject to instructions by the administering officer, transmit the sample for examination and analysis to an analyst.

(4) Any person in charge of any such article who refuses to allow to be taken the amount thereof required by any such authorized person offering to purchase the same, shall be guilty of an offence.

Examination and taking of samples of imported liquor and vinegar at port of entry for analysis.

30. (1) Wine, spirits or vinegar of any description imported as merchandise at any port of the Union, may be subjected to examination by the customs, excise or other officers appointed in that behalf, who may, if they deem it necessary, take samples of any such article and take or transmit the same with all convenient speed to an analyst for examination.

(2) Any such article which upon analysis is found to be otherwise than as required by this Act, shall be forfeited and either destroyed or disposed of as the administering officer may direct.

Obtaining of analysis of articles by purchasers.

31. (1) Any purchaser of wine, spirits or vinegar shall be entitled to obtain from any analyst, on payment to him of the cost thereof, an analysis of such article by such analyst, and to receive from him a certificate of the result of the analysis: Provided that nothing in this section contained shall be construed as imposing upon any such purchaser the necessity for obtaining such analysis and certificate as a condition precedent to instituting any complaint or proceeding under this Act.

(2) No person shall use any such analysis or certificate for any business, trade or advertising purposes.

Procedure for taking samples for analysis.

32. Any person who under any of the preceding sections intends to submit any article for analysis shall, after the sample has been taken or the purchase has been completed, as the case may be, forthwith notify the person in charge of the article or the vendor, as the case may be, or his agent of the intention to have such article analysed, and shall there and then divide the same into three parts, each of which he shall thereupon place in a separate glass receptacle, leave one such part with the person in charge or the vendor or his agent, retain one such part for future comparison, and submit the remaining part to an analyst for analysis: Provided that where, in the opinion of the person who intends to submit any article for analysis, that article is of such a nature that the opening of the receptacle in which it is contained would effect a change in such article before it could be analysed, such division need not be made, and the opening of the receptacle may be carried out by the analyst to whom such article is submitted.

Analyst's certificates.

33 (1) An analyst who makes any analysis under this Act, shall furnish a certificate of the results of the analysis in such form and containing such particulars as may be prescribed by regulation.

(2) (a) In any proceedings against any person for an offence under any provision of this Act, the production of such a certificate of the analyst who made the analysis of the article which is the subject of the offence, shall be sufficient evidence of the facts stated in the certificate, unless the accused requires that the analyst be called as a witness, and that the part of the sample retained in accordance with section *thirty-two* for future comparison be produced.

(b) Where an accused requires that an analyst be called as a witness, such accused shall bear the expenses incidental to such analyst being summoned and appearing as a witness.

(c) An accused shall, in lieu of requiring the attendance of the analyst, be entitled to put to him interrogatories approved by the court, and the answers thereto shall be admissible in evidence in any such proceedings.

Obtaining of final analysis from Government analyst.

34. (1) The court before which proceedings are instituted for an offence under this Act, may upon the request of the complainant or prosecutor or of the accused, cause the part of the sample which has been retained as provided in section *thirty-two*, to be sent to the administering officer for the purpose of a further analysis being made by a Government analyst designated by him.

(2) Such further analysis shall be made and a certificate of the result thereof shall be given to the court by such Government analyst.

so 'n monster van daardie artikel koop as wat vir ontleding kragtens hierdie Wet benodig word, en moet, onderworpe aan die opdragte van die beherende amptenaar, die monster vir ondersoek en ontleding aan 'n ontleder stuur.

(4) Iemand wat met die toesig oor so 'n artikel belas is, en wat weier om toe te laat dat so 'n hoeveelheid daarvan geneem word as wat deur bedoelde gemagtigde persoon onder aanbod om dit te koop, vereis word, is aan 'n misdryf skuldig.

30. (1) Enige soort wyn, spiritualieë of asyn wat as handelsware by 'n hawe van die Unie ingevoer word, kan ondersoek word deur die doeane-, aksyns- of ander daartoe aangestelde amptenare, wat, indien hulle dit nodig ag, monsters van so 'n artikel kan neem, en dit so spoedig doenlik vir ontleding na 'n ontleder kan neem of aan hom kan stuur.

Ondersoek en neem van monsters van ingevoerde drank en asyn vir ontleding, by hawe van binnekoms.

(2) So 'n artikel ten opsigte waarvan by ontleding blyk dat dit nie aan die vereistes ingevolge hierdie Wet voldoen nie, word verbeurd verklaar en of vernietig of mee gehandel soos die beherende amptenaar gelas.

31. (1) 'n Koper van wyn, spiritualieë of asyn is geregtig om teen betaling aan 'n ontleder van die koste daaraan verbonde, 'n ontleding van so 'n artikel van hom te verkry, en om van hom 'n sertifikaat omtrent die uitslag van die ontleding te ontvang: Met dien verstande dat die bepalinge van hierdie artikel nie uitgelê word asof dit so 'n koper verplig om as voorvereiste vir die instelling van 'n klagte of geding ingevolge hierdie Wet so 'n ontleding en sertifikaat te verkry nie.

Verkryging van ontleding van artikels deur kopers.

(2) Niemand mag so 'n ontleding of sertifikaat vir besigheids-, handels- of advertensiedoeleindes gebruik nie.

32. Iemand wat ingevolge enige van die voorgaande artikels 'n artikel wil laat ontleed, moet, nadat die monster geneem of die koop gesluit is, na gelang van die geval, die persoon belas met die toesig oor die artikel, of die verkoper, na gelang van die geval, of sy agent, onverwyld van die voorneme om bedoelde artikel te laat ontleed in kennis stel, en moet dit daar en dan verdeel in drie dele, elke deel vervolgens in 'n afsonderlike glashouer plaas, een sodanige deel by die persoon belas met die toesig oor die artikel of die verkoper of sy agent laat, een sodanige deel vir toekomstige vergelykingsdoeleindes hou, en die oorblywende deel vir ontleding aan 'n ontleder stuur: Met dien verstande dat waar 'n artikel volgens die oordeel van die persoon wat daardie artikel wil laat ontleed, van so 'n aard is dat die oopmaak van die houer wat dit bevat, 'n verandering in daardie artikel sal teweegbring voordat dit ontleed kan word, so 'n verdeling nie vereis word nie, en die houer deur die ontleder aan wie bedoelde artikel gestuur word, oopgemaak kan word.

Prosedure by neem van monsters vir ontleding.

33. (1) 'n Ontleder wat 'n ontleding kragtens hierdie Wet uitvoer, moet 'n sertifikaat omtrent die uitslag van die ontleding verstrek wat in die vorm is en die besonderhede bevat wat by regulasie voorgeskryf word.

Sertifikaat van ontleder.

(2)(a) By 'n vervolging van iemand weens 'n misdryf ingevolge 'n bepaling van hierdie Wet, is die oorlegging van so 'n sertifikaat van die ontleder deur wie die artikel wat die onderwerp van die misdryf is, ontleed is, voldoende bewys van die feite in daardie sertifikaat vermeld, tensy die beskuldigde eis dat die ontleder as 'n getuie opgeroep, en dat die deel van die monster wat ooreenkomstig artikel twee-en-dertig vir toekomstige vergelyking gehou is, oorgelê word.

(b) Wanneer 'n beskuldigde eis dat 'n ontleder as 'n getuie opgeroep moet word, moet bedoelde beskuldigde die koste verbonde aan die dagvaarding en verskyning van daardie ontleder as 'n getuie, betaal.

(c) 'n Beskuldigde is geregtig om, in plaas van die aanwesigheid van die ontleder te eis, aan hom deur die hof goedgekeurde vraagpunte voor te lê, en die antwoorde daarop is as getuienis by die verrigtings toelaatbaar.

34. (1) Die hof waarin 'n vervolging weens 'n misdryf ingevolge hierdie Wet ingestel word, kan op versoek van die klaer of aanklaer of die beskuldigde, die deel van die monster wat ooreenkomstig artikel twee-en-dertig gehou is, aan die beherende amptenaar laat stuur sodat 'n verdere ontleding deur 'n Staatsontleder wat hy aanwys uitgevoer kan word.

Verkryging van finale ontleding van Staatsontleder.

(2) So 'n verdere ontleding moet deur bedoelde Staatsontleder uitgevoer, en 'n sertifikaat omtrent die uitslag daarvan moet deur hom aan die hof gelewer word.

Tampering with
samples.

35. Any person who without authority removes or tampers with the seal, mark or fastening of any wrapper, cover or receptacle containing any sample or part of a sample taken or purchased for the purpose of any analysis under this Act, shall be guilty of an offence.

LEGAL PROCEEDINGS AND PENALTIES.

Limitation
of time for
prosecutions.

36. No prosecution (other than a prosecution under section *fourteen* or *fifteen* or sub-section (1) or (3) of section *twenty-two* or section *twenty-three*, *twenty-four*, *twenty-five*, *twenty-seven* (in respect of a failure to state the country where any article was made or distilled) *thirty-one* or *thirty-five*) shall be instituted for any offence under this Act, unless a sample of the article in respect of which the offence is alleged to have been committed has been taken under section *twenty-nine* or *thirty* or submitted under section *thirty-one*, and no such prosecution shall be instituted unless the same be commenced within two months after the date when the sample was so taken or purchased.

Lack of guilty
knowledge a
defence.

37. (1) If in any prosecution for an offence under this Act in respect of the adulteration of any article, the accused satisfies the court that he was not a party to and had no knowledge of and no means of detecting or preventing the adulteration which is the subject of the prosecution, and that he took due care and all reasonable means to ascertain that the article in question complied with the requirements of this Act, he shall be discharged.

(2) Whenever a servant or agent of any person commits an offence under this Act, such person (or, in the case of the servant or agent of a company or partnership, every director of such company and every partner in such partnership) shall be deemed to have committed the offence jointly with such servant or agent, unless he satisfies the court that he was no party to and had no knowledge of and no means of detecting or preventing the commission of that offence.

Penalties.

38. (1) Any person who is convicted of an offence under any provision of this Act (other than section *twenty-three*) or any regulation, shall be liable—

(a) on a first conviction under section *twenty-five* or under any regulation made under paragraph (a), (b) or (c) of sub-section (1) of section *thirty-nine*, to a fine not exceeding five hundred pounds or, in default of payment, imprisonment with or without compulsory labour for a period not exceeding six months, or to such imprisonment without the option of a fine or to both such fine and such imprisonment.

(b) on conviction under any provision referred to in paragraph (a), after any prior conviction under the same or any other such provision, to a fine not exceeding one thousand pounds or, in default of payment, imprisonment with or without compulsory labour for a period not exceeding one year, or to such imprisonment without the option of a fine or to both such fine and such imprisonment;

(c) on a first conviction under any provision not referred to in paragraph (a), to a fine not exceeding twenty-five pounds or, in default of payment, imprisonment with or without compulsory labour for a period not exceeding three months;

(d) on conviction under any provision not referred to in paragraph (a), after any prior conviction under the same or any other provision of this Act or of any regulation, to a fine not exceeding fifty pounds or, in default of payment, imprisonment with or without compulsory labour for a period not exceeding six months, or to such imprisonment without the option of a fine or to both such fine and such imprisonment,

and whenever any person or the servant or agent of any person has been convicted under any provision referred to in paragraph (a), the Minister may cancel or suspend any permit issued to or for the benefit of such person under section *twenty-five*.

(2) Any person who is convicted of an offence under section *twenty-three*, shall be liable on conviction to a fine not exceeding

35. Iemand wat sonder dat hy daartoe gemagtig is, die seël, merk of sluiting van enige omhulsel, omslag of houer waarin 'n monster of 'n deel van 'n monster bevat is wat vir ontleding kragtens hierdie Wet geneem of gekoop is, verwyder of hom daarmee bemoei, is aan 'n misdryf skuldig. Bemoeiing met monsters.

VERVOLGINGS EN STRAWWE.

36. Geen vervolging (behalwe 'n vervolging ingevolge artikel veertien of vyftien of sub-artikel (1) of (3) van artikel twee-en-twintig of artikel drie-en-twintig, vier-en-twintig, vyf-en-twintig, sewe-en-twintig (weens versuim om die land waar 'n artikel vervaardig of gedistilleer is, te vermeld), een-en-dertig of vyf-en-dertig) kan weens 'n misdryf ingevolge hierdie Wet ingestel word nie, tensy 'n monster van die artikel ten opsigte waarvan die misdryf na bewering gepleeg is, volgens artikel nege-en-twintig of dertig geneem of volgens artikel een-en-dertig voorgelê is, en geen sodanige vervolging word ingestel nie, tensy daarmee begin word binne twee maande na die datum waarop die monster aldus geneem of gekoop is. Tydperk waarin vervolging ingestel moet word.

37. (1) Indien by 'n vervolging weens 'n misdryf ingevolge hierdie Wet met betrekking tot die vervalsing van 'n artikel, die beskuldigde die hof oortuig dat hy geen deel gehad het aan, en geen kennis gedra het van die vervalsing wat die onderwerp van die vervolging is nie, en nie by magte was om dit te ontdek of te verhoed nie, en dat hy behoorlik sorg gedra het en alle redelike middele aangewend het om te verseker dat die betrokke artikel aan die vereistes van hierdie Wet voldoen, word hy ontslaan. Afwesigheid van skuldbe-wustheid is 'n verweer.

(2) Wanneer iemand se dienaar of agent 'n misdryf ingevolge hierdie Wet pleeg, word so iemand (of, in die geval van die dienaar of agent van 'n maatskappy of vennootskap, elke direkteur van daardie maatskappy en elke vennoot in daardie vennootskap) geag die misdryf saam met bedoelde dienaar of agent te gepleeg het, tensy hy die hof oortuig dat hy geen deel aan die pleeg van daardie misdryf gehad het en geen kennis daarvan gedra het nie, en nie by magte was om dit te ontdek of te verhoed nie.

38. (1) Iemand wat weens 'n misdryf kragtens 'n bepaling van hierdie Wet (behalwe artikel drie-en-twintig) of 'n regulasie skuldig bevind word, is strafbaar— Strawwe.

- (a) by 'n eerste skuldigbevinding ingevolge artikel vyf-en-twintig of ingevolge 'n kragtens paragraaf (a), (b) of (c) van sub-artikel (1) van artikel nege-en-dertig uitgevaardigde regulasie, met 'n boete van hoogstens vyfhonderd pond of, by wanbetaling, gevangenisstraf met of sonder dwangarbeid vir 'n tydperk van hoogstens ses maande, of met daardie gevangenisstraf sonder die keuse van 'n boete of met beide daardie boete en daardie gevangenisstraf;
- (b) by skuldigbevinding ingevolge 'n in paragraaf (a) bedoelde bepaling, na 'n vorige skuldigbevinding ingevolge dieselfde of 'n ander sodanige bepaling, met 'n boete van hoogstens duisend pond of, by wanbetaling, gevangenisstraf met of sonder dwangarbeid vir 'n tydperk van hoogstens een jaar, of met daardie gevangenisstraf sonder die keuse van 'n boete of met beide daardie boete en daardie gevangenisstraf;
- (c) by 'n eerste skuldigbevinding ingevolge 'n bepaling wat nie in paragraaf (a) vermeld word nie, met 'n boete van hoogstens vyf-en-twintig pond of, by wanbetaling, gevangenisstraf met of sonder dwangarbeid vir 'n tydperk van hoogstens drie maande;
- (d) by skuldigbevinding ingevolge 'n bepaling wat nie in paragraaf (a) vermeld word nie, na 'n vorige skuldigbevinding ingevolge dieselfde of 'n ander bepaling van hierdie Wet of van 'n regulasie, met 'n boete van hoogstens vyftig pond of, by wanbetaling, gevangenisstraf, met of sonder dwangarbeid vir 'n tydperk van hoogstens ses maande, of met daardie gevangenisstraf sonder die keuse van 'n boete of met beide daardie boete en daardie gevangenisstraf,

en wanneer iemand of sy dienaar of agent ingevolge 'n in paragraaf (a) bedoelde bepaling skuldig bevind is, kan die Minister enige permit kragtens artikel vyf-en-twintig aan of ten voordele van so iemand uitgereik, intrek of skors.

(2) Iemand wat weens 'n misdryf ingevolge artikel drie-en-twintig skuldig bevind word, is by skuldigbevinding strafbaar

five pounds or, in default of payment, imprisonment with or without compulsory labour for a period not exceeding one month.

(3) The court before which any person is convicted of an offence under this Act or any regulation, may order such person to pay, in addition to any fine imposed, such amount as the court may award in respect of the costs and expenses incurred in the proceedings resulting in the conviction, including the expenses (if any) incurred by the prosecution in obtaining an analysis, and any order to pay any such amount may be enforced by execution in the same manner as if it were a judgment or order for damages and costs in a civil action in such court.

SUPPLEMENTAL.

Regulations.

39. (1) The Governor-General may make regulations, not inconsistent with this Act—

- (a) for the control of the use of sugar in the manufacture or manipulating of wine or spirits;
- (b) for the keeping of records of the receipt, removal or disposal of sugar at any place or upon any premises in which wine or spirits is manufactured or manipulated;
- (c) prescribing the quantity of sugar which may be stored at any such place or in any such premises, and the times when and circumstances in which sugar may be removed from any such place of storage; and
- (d) generally for the better carrying out of the objects and purposes of this Act.

(2) For the purposes of this section, sugar includes any substance capable of being used for sweetening purposes, which may be specified by the Governor-General by proclamation in the *Gazette*.

Administration of Act.

40. (1) This Act and the regulations shall be administered by such officers in the public service as the Governor-General may from time to time designate, and every designation of such an officer shall be notified in the *Gazette*.

(2) Any officer so designated may at all times enter and inspect any place or premises in which wine or spirits is manufactured or manipulated, or in which he has reason to suspect that wine or spirits is manufactured or manipulated, or that sugar or any other thing, whereof the use in the manufacture or manipulation of any wine, spirits or other article is prohibited or restricted by any provision of this Act or any regulation, is being stored, and any officer so designated may call for and inspect the books and records of any person who manufactures or manipulates wine or spirits.

(3) Any person who fails to comply with the request of any such officer for the production of his books and records, or who obstructs any such officer in the performance of any duty under this Act or any regulation, shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds.

Repeal of laws and savings.

41. (1) The Wine, Spirits and Vinegar Act 1913 (Act No. 15 of 1913), the Wine, Spirits and Vinegar Act, 1913, Amendment Act, 1926 (Act No. 7 of 1926), the Wine, Spirits and Vinegar Act, 1913, Amendment Act, 1930 (Act No. 37 of 1930), the Wine Spirits and Vinegar Act, 1913, Amendment Act, 1935 (Act No. 55 of 1935), and the Wine, Spirits and Vinegar Amendment Act, 1952 (Act No. 47 of 1952), are hereby repealed.

(2) Any regulation, notice or prohibition made, issued or imposed and any other action taken under any provision of any of the Acts repealed by sub-section (1), shall be deemed to have been made, issued, imposed or taken under the corresponding provisions of this Act.

(3) Nothing in this Act contained shall be construed as in any way repealing or affecting the provisions of any law in force in any province of the Union, relating to adulteration of articles of diet, or any bye-law or regulation made under such law, and the provisions of this Act shall be construed as being in addition to and not in substitution for the provisions of any such law, bye-law or regulation: Provided that in the event of any conflict between the provisions of this Act and of any such law, bye-law or regulation, the provisions of this Act shall prevail.

Short title.

42. This Act shall be called the Wine, Spirits and Vinegar Act, 1957.

met 'n boete van hoogstens vyf pond of, by wanbetaling, gevangenisstraf met of sonder dwangarbeid vir 'n tydperk van hoogstens een maand.

(3) Die hof waardeur iemand weens 'n misdryf ingevolge hierdie Wet of 'n regulasie skuldig bevind word, kan so iemand beveel om, benewens 'n boete wat opgelê word, so 'n bedrag te betaal as wat die hof mag toewys ten opsigte van die koste en uitgawes aangegaan in verband met die verrigtings wat tot die skuldigebevinding gelei het, met inbegrip van die onkoste (as daar is) deur die vervolging aangegaan om 'n ontleding te verkry, en 'n bevel om so 'n bedrag te betaal, kan op dieselfde wyse ten uitvoer gelê word asof dit 'n vonnis of bevel vir skadevergoeding en koste in 'n siviele geding voor bedoelde hof was.

AANVULLENDE BEPALINGS.

39. (1) Die Goewerneur-generaal kan regulasies uitvaardig **Regulasies.** wat nie met hierdie Wet onbestaanbaar is nie—

- (a) vir die beheer van die gebruik van suiker by die vervaardiging of bewerking van wyn of spiritualieë;
- (b) vir die hou van aantekeninge in verband met die ontvangs of vervoer van of beskikking oor suiker by 'n plek of op 'n perseel waar wyn of spiritualieë vervaardig of bewerk word;
- (c) wat die hoeveelheid suiker voorskryf wat by so 'n plek of op so 'n perseel opgeberg mag word, en die tye waarop en omstandighede waaronder suiker van so 'n opbergingsplek verwyder mag word; en
- (d) in die algemeen om die oogmerke en doeleindes van hierdie Wet beter te bewerkstellig.

(2) By die toepassing van hierdie artikel, word onder suiker enige stof verstaan wat vir versoetingsdoeleindes gebruik kan word en wat deur die Goewerneur-generaal by proklamasie in die *Staatskoerant* vermeld word.

40. (1) Hierdie Wet en die regulasies word uitgevoer deur die amptenare in die Staatsdiens wat die Goewerneur-generaal van tyd tot tyd aanwys, en elke aanwysing van so 'n amptenaar word in die *Staatskoerant* bekend gemaak. **Uitvoering van Wet.**

(2) 'n Aldus aangewese amptenaar kan te eniger tyd 'n plek of perseel betree en inspekteer waarin wyn of spiritualieë vervaardig of bewerk word, of waarin, na hy rede het om te vermoed, wyn of spiritualieë vervaardig of bewerk word, of suiker of enigets anders bewaar word waarvan die gebruik by die vervaardiging of bewerking van wyn, spiritualieë of 'n ander artikel deur 'n bepaling van hierdie Wet of 'n regulasie verbied of beperk word, en 'n aldus aangewese amptenaar kan die boeke en stukke van iemand wat wyn of spiritualieë vervaardig of bewerk, opeis en insien.

(3) Iemand wat versuim om te voldoen aan die versoek van so 'n amptenaar om sy boeke en stukke oor te lê, of wat so 'n amptenaar by die verrigting van 'n plig ingevolge hierdie Wet of 'n regulasie belemmer, is aan 'n misdryf skuldig en by skuldigebevinding strafbaar met 'n boete van hoogstens vyftig pond.

41. (1) Die „Wijn, Spiritualiën en Azijn Wet, 1913” (Wet No. 15 van 1913), die „Wijn, Spiritualiën en Azijn Wet, 1913, Wijzigings Wet, 1926” (Wet No. 7 van 1926), die Wyn, Spiritualieë en Asyn Wet, 1913, Wysigingswet, 1930 (Wet No. 37 van 1930), die Wyn, Spiritualieë en Asyn Wet, 1913, Wysigingswet, 1935 (Wet No. 55 van 1935), en die Wysigingswet op Wyn, Spiritualieë en Asyn, 1952 (Wet No. 47 van 1952), word hierby herroep. **Herroeping van wette en voorbehoude.**

(2) Enige regulasie of kennisgewing uitgevaardig of verbod opgelê en enige ander stappe gedoen kragtens 'n bepaling van enige van die by sub-artikel (1) herroepe wette, word geag kragtens die ooreenstemmende bepalings van hierdie Wet uitgevaardig, opgelê of gedoen te gewees het.

(3) Die bepalings van hierdie Wet word nie uitgelê asof dit op enigerlei wyse die bepalings van 'n wet van krag in een of ander provinsie van die Unie, met betrekking tot die vervalsing van lewensmiddels, of enige verordening of regulasie kragtens so 'n wet uitgevaardig, herroep of daarop inbreuk maak nie, en die bepalings van hierdie Wet word uitgelê as bykomstig by die bepalings van so 'n wet, verordening of regulasie en nie ter vervanging daarvan nie: Met dien verstande dat by strydigheid tussen die bepalings van hierdie Wet en van so 'n wet, verordening of regulasie, die bepalings van hierdie Wet geld.

42. Hierdie Wet heet die Wet op Wyn, Spiritualieë en Asyn, Kort titel. 1957.

No. 26, 1957.]

ACT

To amend the Artificial Insemination of Animals Act, 1954.

(Afrikaans text signed by the Governor-General.)
(Assented to 6th May, 1957.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Substitution of
section 2 of
Act 23 of 1954.

1. The following section is hereby substituted for section *two* of the Artificial Insemination of Animals Act, 1954 (hereinafter referred to as the principal Act):

„Applica-
tion of Act.

2. (1) The provisions of this Act shall not apply—
(a) to the collection of semen elsewhere than at an A.I. centre registered under section *twelve*—
(i) if the semen so collected is used exclusively for the insemination of animals belonging to the owner of the animal from which such semen is collected; or
(ii) if such semen is collected exclusively for the purpose of being examined and tested; or
(b) to the insemination of an animal by the owner thereof.

(2) The provisions of paragraph (a) of section *sixteen* and paragraph (c) of section *eighteen* shall not apply to any breeder in respect of the sale, export, collecting or causing to be collected, of not more than any prescribed quantity of semen of an animal approved under section *twelve*.”.

Amendment of
section 16 of
Act 23 of 1954.

2. Section *sixteen* of the principal Act is hereby amended—
(a) by the deletion in sub-paragraph (i) of paragraph (a) of the words “unless he is a breeder”;
(b) by the substitution for the word “or” at the end of the said sub-paragraph of the word “and”.

Amendment of
section 18 of
Act 23 of 1954.

3. Section *eighteen* of the principal Act is hereby amended by the deletion in paragraph (c) of the words “unless he is a breeder”.

Amendment of
section 20 of
Act 23 of 1954.

4. Section *twenty* of the principal Act is hereby amended—
(a) by the insertion after sub-section (1) of the following sub-section:
“(1)*bis*. Different regulations may be made in respect of different classes of animals, persons or premises.”;
(b) by the substitution in sub-section (2) for the words “Such regulations” of the words “Regulations made under sub-section (1)”.

Short title

5. This Act shall be called the Artificial Insemination of Animals Amendment Act, 1957.

No. 26, 1957.]

WET

Om die Wet op die Kunsmatige Inseminering van Diere, 1954, te wysig.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 6 Mei 1957.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin,
die Senaat en die Volksraad van die Unie van Suid-Afrika,
soos volg:—

1. Artikel twee van die Wet op die Kunsmatige Inseminering van Diere, 1954 (hieronder die Hoofwet genoem) word hiermee deur die volgende artikel vervang: Vervanging van artikel 2 van Wet 23 van 1954.

„Toepassing van Wet. 2. (1) Die bepalings van hierdie Wet is nie van toepassing nie—

- (a) op die opvang van saad elders as by 'n K.I.-sentrum ingevolge artikel twaalf geregistreer—
 - (i) indien die saad aldus opgevang uitsluitlik vir die inseminering van diere behorende aan die eienaar van die dier waarvan daar die saad opgevang is, gebruik word; of
 - (ii) indien die saad opgevang word uitsluitlik om ondersoek en getoets te word; of
- (b) op die inseminering van 'n dier deur die eienaar daarvan.

(2) Die bepalings van paragraaf (a) van artikel sestig en paragraaf (c) van artikel agtien is nie op 'n teler ten opsigte van die verkoop, uitvoer, opvang of laat opvang, van hoogstens 'n voorgeskrewe hoeveelheid saad van 'n ingevolge artikel twaalf goedgekeurde dier, van toepassing nie.”.

2. Artikel sestig van die Hoofwet word hiermee gewysig— Wysiging van artikel 16 van Wet 23 van 1954.
(a) deur in sub-paragraaf (i) van paragraaf (a) die woorde „tensy hy 'n teler is” te skrap;
(b) deur die woord „of” aan die end van genoemde sub-paragraaf deur die woord „en” te vervang.

3. Artikel agtien van die Hoofwet word hiermee gewysig Wysiging van artikel 18 van Wet 23 van 1954.
deur in paragraaf (c) die woorde „tensy hy 'n teler is” te skrap.

4. Artikel twintig van die Hoofwet word hiermee gewysig— Wysiging van artikel 20 van Wet 23 van 1954.
(a) deur na sub-artikel (1) die volgende sub-artikel in te voeg:
„(1)bis. Verskillende regulasies kan ten opsigte van verskillende klasse diere, persone of persele uitgevaardig word.”;
(b) deur in sub-artikel (2) die woorde „Sodanige regulasies” deur die woorde „Regulasies kragtens sub-artikel (1) uitgevaardig” te vervang.

5. Hierdie Wet heet die Wysigingswet op die Kunsmatige Kort titel.
Inseminering van Diere, 1957.

No. 27, 1957.]

ACT

To consolidate the laws relating to the inspection of fruit intended for export for the purpose of sale.

(English text signed by the Governor-General.)

(Assented to 7th May, 1957.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Definitions.

1. In this Act, unless the context otherwise indicates—

- (i) "consignor", in relation to fruit, means the person who exports or causes or permits to be exported or attempts to export that fruit from the Union, and includes his agent; (i)
- (ii) "export" or "exported" means export or exported for the purpose of sale; (v)
- (iii) "fruit" means fresh fruit; (vi)
- (iv) "inspector" means an officer of the Department of Agriculture generally or specially designated by the Minister of Agriculture to examine and pass fruit for export; (iii)
- (v) "regulation" means a regulation made and in force under this Act; (iv)
- (vi) "this Act" includes the regulations. (ii)

Exemption of exports to certain places.

2. The provisions of this Act shall not apply in respect of the export of fruit to a place in any country, colony or territory, which the Governor-General has by proclamation in the *Gazette* declared to be an exempted place.

Inspection of fruit intended for export.

3. No person shall export or cause or permit to be exported or attempt to export fruit from the Union unless the containers in which the fruit is contained have been branded or stamped by an inspector after an examination by an inspector in accordance with this Act.

Notice of intention to export fruit.

4. Any person who intends to export fruit from the Union, shall give notice of his intention in accordance with the regulations, and where such notice is not given, no action or other legal proceedings by any person shall lie against the Government in respect of any loss arising in consequence of the detention of such fruit by reason of the failure to comply with the provisions of this Act or of the deterioration of the fruit on account of such detention.

Examination and branding of fruits by inspector.

5. An inspector shall at a place or places prescribed by regulation, cause an examination to be made of all fruit consigned for export to a place outside the Union, and if he is satisfied that the fruit is in accordance with the prescribed standards as to condition and has been graded as prescribed by regulation, and if the provisions of this Act have in other respects been complied with, he shall brand or stamp each box in the consignment with the coat of arms of the Union encircled by the words "passed by Government Fruit Inspector".

Procedure on refusal by inspector to pass fruit for export.

6. (1) If an inspector refuses to brand or stamp any consignment of fruit intended for export, he shall forthwith give notice in writing accordingly to the consignor and shall in such notice indicate the reasons for his refusal.

(2) The consignor may thereupon in writing or otherwise require the inspector to refer the matter to a board of reference constituted as prescribed by regulation, for decision as to whether the fruit should, regard being had to the regulations, be branded or stamped as aforesaid, and the decision of the board of reference shall be reduced to writing and shall be final: Provided that no matter shall be referred to a board of reference under this section unless the consignor has first deposited with the inspector the fee prescribed by regulation, which shall be sufficient to defray the expenses that may be necessarily incurred

No. 27, 1957.]

WET

Tot samevatting van die wetsbepalings op die inspeksie van vrugte bestem om vir verkoop uitgevoer te word.

(Engelse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 7 Mei 1957.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Tensy uit die samehang anders blyk, beteken in hierdie **Woordbepalings**.
Wet—

- (i) „afsender”, met betrekking tot vrugte, die persoon wat daardie vrugte uit die Unie uitvoer of laat uitvoer of die uitvoer daarvan toelaat of dit probeer uitvoer, en ook sy agent; (i)
- (ii) „hierdie Wet” ook die regulasies; (vi)
- (iii) „inspekteur” ’n amptenaar van die Departement van Landbou wat in die algemeen of spesiaal deur die Minister van Landbou aangewys is om vrugte vir uitvoer te ondersoek en goed te keur; (iv)
- (iv) „regulasie” ’n regulasie wat ingevolge hierdie Wet uitgevaardig en van krag is; (v)
- (v) „uitvoer” of „uitgevoer” vir verkoop uitvoer of uitgevoer; (ii)
- (vi) „vrugte”, vars vrugte. (iii)

2. Die bepalinge van hierdie Wet is nie van toepassing nie **Virstelling van**
ten opsigte van die uitvoer van vrugte na ’n plek in ’n land, **uitvoer na bepaalde**
kolonie of gebied wat die Goewerneur-generaal by proklamasie **plekke.**
in die *Staatskoerant* tot ’n vrygestelde plek verklaar het.

3. Niemand mag vrugte uit die Unie uitvoer of laat uitvoer **Inspeksie van**
of die uitvoer daarvan toelaat of dit probeer uitvoer nie, tensy **vrugte vir**
die houters waarin die vrugte bevat is, na ondersoek deur ’n **uitvoer bestem.**
inspekteur ooreenkomstig hierdie Wet deur ’n inspekteur
gebrandmerk of gestempel is.

4. Iemand wat vrugte uit die Unie wil uitvoer, moet ooreen- **Kennisgewing van**
komstig die regulasies van sy voorneme kennis gee, en waar **voorneme om**
nie aldus kennis gegee word nie, kan geen aksie of ander regs- **vrugte uit te voer.**
geding ten aansien van enige verlies wat ontstaan as gevolg
van die aanhouding van bedoelde vrugte uit hoofde van die
versuim om aan die bepalinge van hierdie Wet te voldoen of
van die bederf van die vrugte as gevolg van bedoelde aan-
houding, deur enigiemand teen die Regering ingestel word
nie.

5. ’n Inspekteur moet alle vrugte wat vir uitvoer na ’n plek **Ondersoek en**
buite die Unie bestem is, op ’n by regulasie voorgeskrewe plek **brandmerk van**
of plekke laat ondersoek, en indien hy tevrede is dat die vrugte, **vrugte vir**
wat die toestand daarvan betref, aan die voorgeskrewe stan- **inspekteur.**
daarde voldoen en volgens voorskrif van regulasies gegradeer
is, en indien in diens opsigte aan die bepalinge van hierdie
Wet voldoen is, moet hy elke kassie in die besending met die
wapen van die Unie, omring deur die woorde „deur Staats-
vrugte-inspekteur goedgekeur”, brandmerk of stempel.

6. (1) Indien ’n inspekteur weier om ’n besending vrugte **Prosedure wanneer**
bestem vir uitvoer, te brandmerk of te stempel, moet hy onver- **inspekteur weier**
wyld skriftelik dienooreenkomstig aan die afsender kennis **om vrugte vir**
gee, en die redes vir sy weiering in die kennisgewing vermeld. **uitvoer g oed te**
keur.

(2) Die afsender kan die inspekteur daarop skriftelik of
andersins aansê om die aangeleentheid te verwys na ’n ver-
wysingsraad wat volgens voorskrif van regulasies saamgestel word,
om met inagneming van die regulasies te beslis of die vrugte
soos voormeld gebrandmerk of gestempel behoort te word,
en die beslissing van die verwysingsraad moet skriftelik gegee
word en is afdoende: Met dien verstande dat geen aangeleent-
heid ingevolge hierdie artikel na ’n verwysingsraad verwys
word nie, tensy die afsender eers die by regulasie voorgeskrewe
gelde by die inspekteur gestort het, wat voldoende moet wees
om die uitgawes wat noodsaaklikerwys deur bedoelde raad

by such board, and shall be refunded to him if the board upholds his contention.

(3) The consignor may be present at any examination of his fruit by an inspector under this Act.

Duty of consignor to remove rejected fruit.

7. (1) Where an inspector has refused to brand or stamp any consignment of fruit, and the consignor has not forthwith required that the matter be referred to a board of reference under section *six*, or where any such matter has been so referred and the inspector's refusal has been upheld, the consignor shall, within the period prescribed by regulation, remove the consignment from the place of inspection and shall be liable to defray any expense incurred in storing the fruit pending removal.

(2) Any fruit not so removed may be destroyed or otherwise disposed of on the authority of an inspector.

Regulations.

8. (1) The Governor-General may make regulations, not inconsistent with this Act, as to all or any of the following matters, namely—

- (a) the time and place at which and the manner in which notice of intention to export fruit shall be given;
- (b) the manner in which fruit for export shall be packed, and the sizes, description, quality and material of the receptacles to be used for the export;
- (c) the time at which fruit intended for export shall be delivered at the port for shipment;
- (d) the manner in which the receptacles in which the fruit is to be exported shall be marked, addressed and closed;
- (e) the condition and grading of fruit intended for export and the manner in which the different grades shall be marked;
- (f) the grades and species of fruit that shall be shipped at any time and the order in which shipment of the grades and species shall take place;
- (g) the percentage of the boxes of fruit in any one consignment intended for export which shall be inspected;
- (h) the manner in which the receptacles of fruit passed as suitable for export shall be marked by the inspector;
- (i) the fees that shall be paid by the consignor under this Act for the inspection or storage of fruit and the time of payment of those fees;
- (j) the period for which and the temperature at which fruit intended for export shall be kept in cold storage at the port of shipment or elsewhere prior to shipment;
- (k) the time within which fruit which in terms of this Act is required to be removed from the place of inspection, shall be so removed;
- (l) the constitution of the board of reference mentioned in section *six*,

and generally for the better carrying out of the objects and purposes of this Act.

Prohibition on export of particular kinds or varieties of fruit to specified places.

9. The Governor-General may by regulation prohibit the export from the Union to any place, other than a place which has in terms of section *two* been declared to be an exempted place, of any variety of any kind or class of fruit, and may in any such regulation differentiate in respect of any variety of fruit by reason of its having been grown in a particular locality.

Penalties.

10. Any person who—

- (a) exports or causes or permits to be exported or attempts to export fruit in contravention of this Act, or fruit in respect of which the inspection, branding or stamping required by this Act has not taken place; or
- (b) obstructs, resists or hinders an inspector in the lawful execution of his duty; or
- (c) fails to remove fruit from the place of inspection whenever such removal is required by this Act; or
- (d) contravenes or fails to comply with any regulation with which it is his duty to comply,

shall be guilty of an offence and liable on conviction to a fine not exceeding twenty-five pounds.

aangegaan mag word te bestry, en aan hom terugbetaal moet word indien die raad hom in die gelyk stel.

(3) Die afsender kan by 'n ondersoek van sy vrugte deur 'n inspekteur ingevolge hierdie Wet, teenwoordig wees.

7. (1) Wanneer 'n inspekteur geweier het om 'n besending vrugte te brandmerk of te stempel, en die afsender nie onverwyld geëis het dat die aangeleentheid volgens artikel ses na 'n verwysingsraad verwys word nie, of wanneer so 'n aangeleentheid aldus verwys en die inspekteur se weiering gehandhaaf is, moet die afsender die besending binne die by regulasie voorgeskrewe tydperk van die plek van ondersoek verwyder, en is hy aanspreeklik vir die betaling van enige onkoste in verband met die bewaring van die vrugte in afwagting van verwydering daarvan aangegaan.

Plig van afsender om afgekeurde vrugte te verwyder.

(2) Vrugte wat nie aldus verwyder word nie, kan op gesag van 'n inspekteur vernietig word of daar kan op ander wyse daaroor beskik word.

8. (1) Die Goewerneur-generaal kan regulasies wat nie met hierdie Wet onbestaanbaar is nie, uitvaardig, aangaande enige van of al die volgende aangeleenthede, naamlik—

Regulasies.

- (a) die tyd wanneer, die plek waar en die wyse waarop kennis van die voorneme om vrugte uit te voer, gegee moet word;
- (b) die wyse waarop vrugte vir uitvoer verpak moet word, en die groottes, beskrywing, kwaliteit en materiaal van die houters wat vir die uitvoer gebruik moet word;
- (c) die tyd wanneer vrugte wat vir uitvoer bedoel is, by die hawe vir verskeping afgelewer moet word;
- (d) die wyse waarop die houters waarin die vrugte uitgevoer moet word, gemerk, geadresseer en toegemaak moet word;
- (e) die toestand en gradering van vrugte vir uitvoer bedoel, en die wyse waarop die verskillende grade gemerk moet word;
- (f) die grade en soorte van vrugte wat te eniger tyd verskeep moet word en die volgorde waarin verskeping van die grade en soorte moet plaasvind;
- (g) die persentasie van die kisties vrugte in 'n enkele vir uitvoer bedoelde besending wat ondersoek moet word;
- (h) die wyse waarop die houters van vrugte wat as geskik vir uitvoer goedgekeur is, deur die inspekteur gemerk moet word;
- (i) die gelde wat ingevolge hierdie Wet deur die afsender betaal moet word vir die ondersoek of bewaring van vrugte en die tyd waarop daardie gelde betaal moet word;
- (j) die tydperk waarvoor en die temperatuur waarby vrugte vir uitvoer bedoel voor verskeping in koelkamers by die hawe van verskeping of elders gehou moet word;
- (k) die tydperk waarin vrugte wat ingevolge hierdie Wet van die plek van ondersoek verwyder moet word, aldus verwyder moet word;
- (l) die samestelling van die in artikel ses bedoelde verwysingsraad,

en oor die algemeen vir beter uitvoering van die oogmerke en doeleindes van hierdie Wet.

9. Die Goewerneur-generaal kan by regulasie die uitvoer uit die Unie van enige variëteit van 'n soort of klas vrugte enige plek, behalwe 'n plek wat ingevolge artikel twee as 'n vrygestelde plek verklaar is, verbied, en kan in so 'n regulasie ten opsigte van enige variëteit vrugte onderskeid maak op grond daarvan dat dit in 'n bepaalde streek gekweek is.

Verbod op uitvoer van bepaalde soorte of variëteite vrugte na bepaalde plekke.

10. Iemand wat—

Strawwe.

- (a) vrugte in stryd met hierdie Wet, of vrugte wat nie volgens voorskrif van hierdie Wet ondersoek, gebrandmerk of gestempel is nie, uitvoer of laat uitvoer of die uitvoer daarvan toelaat of dit probeer uitvoer; of
 - (b) 'n inspekteur by die wettige uitvoering van sy pligte belemmer, weerstaan of hinder; of
 - (c) versuim om vrugte van die plek van ondersoek te verwyder wanneer sodanige verwydering ingevolge hierdie Wet vereis word; of
 - (d) 'n regulasie wat hy verplig is om na te kom, oortree of versuim om daaraan te voldoen,
- is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens vyf-en-twintig pond.

Repeal of laws.

11. (1) Subject to the provisions of sub-section (2), the Fruit Export Act, 1914 (Act No. 17 of 1914), section *ten* of the Agricultural Products Grading Act, 1922 (Act No. 16 of 1922), and the Fruit Export Further Control Act, 1929 (Act No. 30 of 1929), are hereby repealed.

(2) Any proclamation issued or regulation made or anything done under any provision of a law repealed by sub-section (1), shall be deemed to have been issued, made or done under the corresponding provision of this Act.

Short title.

12. This Act shall be called the Fruit Export Act, 1957.

11. (1) Behoudens die bepaling van sub-artikel (2), word die „Uitvoer van Vruchten Wet, 1914” (Wet No. 17 van 1914), artikel *tien* van die „Landbouwprodukten Grader Wet, 1922” (Wet No. 16 van 1922), en die Vruchte Uitvoer Verder Kontrôle Wet, 1929 (Wet No. 30 van 1929), hierby herroep. ^{Herroeping van Wette.}

(2) Enige proklamasie uitgereik of regulasie uitgevaardig of enigiets gedoen kragtens 'n bepaling van 'n by sub-artikel (1) herroepe wet, word geag kragtens die ooreenstemmende bepaling van hierdie Wet uitgereik, uitgevaardig of gedoen te gewees het.

12. Hierdie Wet heet die Wet op die Uitvoer van Vruchte, Kort titel. 1957.

No. 28, 1957.]

ACT

To consolidate the laws relating to the incorporation of the South African Stud Book Association and of societies affiliated thereto, the conditions of such incorporation, the registration and publication of records of the pedigrees of farm livestock, and matters incidental thereto.

(Afrikaans text signed by the Governor-General.)
(Assented to 7th May, 1957.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Definitions.

1. In this Act, unless the context otherwise indicates—

- (i) "association" means the South African Stud Book Association; (vii)
- (ii) "autonomous society" means a society in respect of which a certificate of autonomy issued in terms of sub-section (4) of section *ten* is in force; (vi)
- (iii) "farm livestock" includes horses (other than thorough-bred horses), asses, cattle, sheep, goats, swine and ostriches; (iv)
- (iv) "Minister" means the Minister of Agriculture; (iii)
- (v) "regulation" means a regulation made and in force under this Act; (v)
- (vi) "registered society" means a breed record society or livestock record society affiliated to the association and incorporated or deemed to have been incorporated under this Act; (ii)
- (vii) "society" means the association and any breed record society or livestock record society affiliated to the association. (i)

Procedure for obtaining incorporation of societies.

2. (1) The Minister may upon application in the form and manner prescribed by regulation, by a society which is concerned with farm livestock and whose constitution, bye-laws and rules are approved by him and provide for—

- (a) the conditions governing the registration of pedigrees of pure-bred livestock;
- (b) the encouragement and improvement of the methods of breeding of pure-bred livestock;
- (c) the conditions and mode of election, suspension and expulsion of members of the society;
- (d) the management of the society;
- (e) the election of officers of the society and their powers and duties;
- (f) the mode of convening any annual, general or special meeting of the society; and
- (g) the keeping and audit of the accounts of the society, and subject to the provisions of this Act, issue to such society a certificate of incorporation in the form prescribed by regulation.

(2) No certificate shall be issued under sub-section (1) in respect of any society which is concerned with a particular breed of farm livestock so long as any such certificate issued in respect of any other society which is concerned with that breed of farm livestock is in force.

(3) The Minister shall give notice in the *Gazette* of the issue by him of any certificate of incorporation under sub-section (1) and of the date as from which the society in question has been incorporated.

(4) Any certificate of incorporation issued in respect of any society prior to the commencement of this Act under the Registration of Pedigree Livestock Act, 1920 (Act No. 22 of 1920), shall be deemed to have been duly issued, and any notice given under that Act of the issue of such a certificate shall be deemed to have been duly given under this section, and the validity

No. 28, 1957.]

WET

Tot samevatting van die wetsbepalings op die verlening van regspersoonlikheid aan die Suid-Afrikaanse Stamboekvereniging en daaraan geaffilieerde genootskappe, die voorwaardes waaronder sodanige regspersoonlikheid verleen word, die registrasie en bekendmaking van stamregisters van plaasvee, en daarmee in verband staande aangeleenthede.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 7 Mei 1957.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

1. Tensy uit die samehang anders blyk, beteken in hierdie **Woordbepaling.**
Wet—

- (i) „genootskap” die vereniging en enige rasvee-stamboekgenootskap of vee-stamboekgenootskap wat aan die vereniging geaffilieer is; (vii)
- (ii) „geregistreerde genootskap” ’n rasvee-stamboekgenootskap of vee-stamboekgenootskap wat aan die vereniging geaffilieer en ingevolge hierdie Wet met regspersoonlikheid bekleed is of geag word te wees; (vi)
- (iii) „Minister” die Minister van Landbou; (iv)
- (iv) „plaasvee” ook perde (behalwe renperde), donkies, beeste, skape, bokke, varke en volstruise; (iii)
- (v) „regulasie” ’n regulasie wat ingevolge hierdie Wet uitgevaardig en van krag is; (v)
- (vi) „selfbesturende genootskap” ’n genootskap ten opsigte waarvan ’n kragtens sub-artikel (4) van artikel tien uitgereikte sertifikaat van selfbestuur van krag is; (ii)
- (vii) „vereniging” die Suid-Afrikaanse Stamboekvereniging; (i)

2. (1) Die Minister kan op ’n aansoek in die vorm en op die wyse by regulasie voorgeskryf, deur ’n genootskap wat by plaasvee betrokke is, en waarvan die statute, verordeninge en reëls deur die Minister goedgekeur word en voorsiening maak vir—

Wyse waarop genootskappe regspersoonlikheid kan verkry.

- (a) die voorwaardes wat die registrasie van afstamming van rasvee beheer;
- (b) die aanmoediging en verbetering van die metodes van teling van rasvee;
- (c) die voorwaardes en wyse van verkiesing, skorsing en uitsetting van lede van die genootskap;
- (d) die bestuur van die genootskap;
- (e) die verkiesing van beamptes van die genootskap en hul bevoegdhede en pligte;
- (f) die wyse waarop jaarlikse, algemene of spesiale vergaderings van die genootskap belê moet word; en
- (g) die hou en ouditering van die rekenings van die genootskap,

en behoudens die bepalinge van hierdie Wet, aan sodanige genootskap ’n sertifikaat van regspersoonlikheid in die by regulasie voorgeskrewe vorm uitreik.

(2) Geen sertifikaat word ingevolge sub-artikel (1) ten opsigte van ’n genootskap wat by ’n bepaalde ras van plaasvee betrokke is, uitgereik nie solank as wat so ’n sertifikaat wat uitgereik is ten opsigte van ’n ander genootskap wat by daardie ras van plaasvee betrokke is, van krag is.

(3) Die Minister gee in die *Staatskoerant* kennis van die uitreiking deur hom van ’n sertifikaat van regspersoonlikheid ingevolge sub-artikel (1), en van die datum van wanneer af aan die betrokke genootskap regspersoonlikheid verleen is.

(4) ’n Sertifikaat van regspersoonlikheid wat voor die inwerkingtreding van hierdie Wet ingevolge die „Wet op de Registrasie van Stamboekvee, 1920” (Wet No. 22 van 1920), ten opsigte van ’n genootskap uitgereik is, word geag behoorlik uitgereik te gewees het, en enige kennis ingevolge daardie Wet van die uitreiking van so ’n sertifikaat gegee, word geag

of any such certificate issued prior to the commencement of the Registration of Pedigree Livestock Amendment Act, 1951 (Act No. 37 of 1951), shall not be affected by anything contained in paragraph (b) of sub-section (1) of this section.

Effect of certificate of incorporation.

3. (1) A society in respect of which a certificate of incorporation has been issued under section two, shall as from the date specified in the certificate be a body corporate, and shall under its corporate name be capable of suing and being sued and of purchasing or otherwise acquiring, holding or alienating movable and immovable property, and, subject to the provisions of this Act, of performing all such acts as bodies corporate may by law perform.

(2) The assets, property and effects of whatever nature which were vested in a society immediately prior to the date so specified in any such certificate issued in respect of that society, shall continue to be vested in it after that date, and such society shall remain subject to all the liabilities and obligations to which it was subject immediately prior to the said date.

Services which may be rendered by societies.

4. (1) The association or a registered society may, subject to the payment of commission or other charges determined on such a basis as it may deem fit, assist any person in connection with the purchase or sale of pedigree farm livestock, by furnishing advice or information in regard to any matter relating to the selection or breeding, including the pedigrees, of any such livestock.

(2) No officer of the association or of any such society shall, except in the performance of his duties as such an officer, render any service contemplated by sub-section (1), or be connected otherwise than as a breeder with any business concerned with the purchase or sale of pedigree farm livestock.

Alteration of constitution of the association or a society.

5. (1) The association or a registered society may, with the approval of the Minister, alter or add to any provision of its constitution, bye-laws or rules.

(2) Any application for the Minister's approval of an alteration of or addition to any such constitution, bye-laws or rules shall be made to the Minister in the form prescribed by regulation.

(3) The Minister shall give notice in the *Gazette* of every approval given by him of any alteration of or addition to the constitution, bye-laws or rules of the association or any registered society and of the date as from which the approval takes effect.

Copies of certain documents to be furnished to Minister.

6. A copy of the annual report and financial statement as confirmed by any annual general meeting of the association or a registered society, and of the list of its officers elected for the ensuing year, duly certified by the chairman and the secretary of the association or such society, as the case may be, shall be transmitted to the Minister within one month after the date of such meeting.

Keeping and inspection of constitution of association or society.

7. A copy of the certificate of incorporation and of the constitution, bye-laws and rules of the association or any registered society, together with any alterations of or additions to such constitution, bye-laws or rules which have been approved by the Minister and certified accordingly, and the certified copy of the report, financial statement and list referred to in section six, shall be kept at the head office of the association or the society, as the case may be, and at the Minister's office in Pretoria, and shall be open to inspection without fee by any member of the public at all reasonable hours.

Powers of the association.

8. The association shall have the right, except in relation to a breed of farm livestock in respect of which there is in existence an autonomous society—

(a) to register pedigrees of farm livestock bred in or imported into the Union and of farm livestock bred in or imported into the territory of Northern or Southern Rhodesia and such other territories in South Africa as the association may with the Minister's approval, determine;

(b) to the exclusion of any other person or body of persons in the Union, to issue certificates of registration of

behoorlik gegee te gewees het kragtens hierdie artikel, en die geldigheid van so 'n sertifikaat wat voor die inwerkingtreding van die Wysigingswet op Registrasie van Stamboekvee, 1951 (Wet No. 37 van 1951) uitgereik is, word nie deur enigiets in paragraaf (b) van sub-artikel (1) van hierdie artikel vervat, geraak nie.

3. (1) 'n Genootskap ten opsigte waarvan 'n sertifikaat van regspersoonlikheid ingevolge artikel twee uitgereik is, is vanaf die datum in die sertifikaat vermeld 'n regspersoon, en kan onder sy naam as regspersoon as eiser en verweerder in regte optree, los- en vasgoed koop of andersins verkry, besit of vervreem, en, behoudens die bepalinge van hierdie Wet, al die handelinge verrig wat regspersone regtens kan verrig.

Uitwerking van
sertifikaat van
regspersoonlikheid.

(2) Die bates, eiendom en losgoed van watter aard ook al, wat onmiddellik voor die datum aldus in so 'n sertifikaat ten opsigte van 'n genootskap vermeld, aan daardie genootskap behoort het, bly na daardie datum daaraan behoort, en bedoelde genootskap bly onderhewig aan al die verpligtings en verbintenisse waaraan hy onmiddellik voor bedoelde datum onderhewig was.

4. (1) Die vereniging of 'n geregistreerde genootskap kan, teen die betaling van kommissie of ander gelde bereken op 'n grondslag wat hy goetvind, iemand in verband met die aankoop of verkoop van stamboek-plaasvee behulpsaam wees deur ten opsigte van enige aangeleentheid rakende die keuring of teelt, met inbegrip van die afstamming, van sulke vee advies of inligting te verstrek.

Dienste wat deur
genootskappe
gelewer kan word.

(2) Geen beampte van die vereniging of van so 'n genootskap mag, behalwe in die uitvoering van sy pligte as so 'n beampte, 'n in sub-artikel (1) beoogde diens lewer, of andersins dan as 'n teler by enige besigheid in verband met die aankoop of verkoop van stamboek-plaasvee betrokke wees nie.

5. (1) Die vereniging of 'n geregistreerde genootskap kan, met goedkeuring van die Minister, 'n bepaling van sy statute, verordeninge of reëls wysig of aanvul.

Verandering van
statute van die
vereniging of 'n
genootskap.

(2) 'n Aansoek om die Minister se goedkeuring van 'n wysiging van of byvoeging tot sodanige statute, verordeninge of reëls, word in die by regulasie voorgeskrewe vorm aan die Minister gerig.

(3) Die Minister gee in die *Staatskoerant* kennis van elke goedkeuring van 'n wysiging van of byvoeging tot die statute, verordeninge of reëls van die vereniging of 'n geregistreerde genootskap deur hom verleen, en van die datum van wanneer af die goedkeuring van krag word.

6. 'n Afskrif van die jaarverslag en die jaarlikse finansiële staat soos deur 'n jaarlikse algemene vergadering van die vereniging of 'n geregistreerde genootskap goedgekeur, en van die lys van sy beamptes vir die daaropvolgende jaar gekies, wat behoortlik deur die voorsitter en die sekretaris van die vereniging of bedoelde genootskap, na gelang van die geval, gesertifiseer is, moet binne 'n maand na die datum van bedoelde vergadering aan die Minister deurgestuur word.

Afskrifte van
sekere dokumente
moet aan Minister
verstrek word.

7. 'n Afskrif van die sertifikaat van regspersoonlikheid en van die statute, verordeninge en reëls van die vereniging of 'n geregistreerde genootskap, tesame met enige wysigings van of byvoegings tot bedoelde statute, verordeninge of reëls wat deur die Minister goedgekeur en dienooreenkomstig gesertifiseer is, en die gesertifiseerde afskrif van die verslag, finansiële staat en lys in artikel ses bedoel, moet by die hoofkantoor van die vereniging of die genootskap, na gelang van die geval, en by die Minister se kantoor in Pretoria, bewaar word, en moet op alle redelike tye vir insae deur enige lid van die publiek sonder betaling beskikbaar wees.

Bewaring en insae
van statute van
vereniging of
genootskap.

8. Die vereniging het die reg, behalwe met betrekking tot 'n ras van plaasvee ten opsigte waarvan daar 'n selfbesturende genootskap bestaan—

Bevoegdhede van
die vereniging.

(a) om die afstamming van plaasvee wat in die Unie geteel of daarin ingevoer is, en van plaasvee wat in die gebied van Noord- of Suid-Rhodesië en die ander deur die vereniging met goedkeuring van die Minister bepaalde gebiede in Suid-Afrika geteel of daarin ingevoer is, te registreer;

(b) om met uitsluiting van enige ander persoon of liggaam van persone in die Unie, sertifikate van registrasie van die afstamming van plaasvee uit te reik, en om

pedigrees of farm livestock and to publish such pedigrees in the form of stud herd or flock books.

Circumstances in which powers of association or society may be cancelled or suspended.

9. (1) (a) If the Minister is satisfied after an enquiry held by him (the holding whereof he is hereby empowered to delegate to any senior officer of his department), that the purposes for which a certificate of incorporation has or is deemed to have been issued to the association or any registered society have not been and are unlikely to be properly carried out, he may, subject to the provisions of sub-section (2), cancel that certificate or suspend it for such period as he may deem fit, and thereupon the powers conferred upon the association or such society by this Act shall become vested in the Minister—

(i) in the case of a suspension, for the period of the suspension; and

(ii) in the case of a cancellation, for all time.

- (b) The Minister may in the event of the suspension of the certificate of incorporation of any registered society, delegate to the association all or any of the powers which have become vested in him by virtue of such suspension.

(2) No certificate of incorporation shall be cancelled or suspended under sub-section (1), unless the Minister has, not less than one month before the commencement of the relevant enquiry, advised the association or the society concerned, by notice transmitted to its head office, of the acts or omissions which are to be the subject of the enquiry, and of the date on which the enquiry will commence, and has called upon the association or such society to deny or explain such acts or omissions, and the association or such society shall have the right to be represented at any such enquiry by a person nominated in writing by its chairman and its secretary.

(3) Whenever the certificate of incorporation of the association or a registered society has been cancelled under this section, the association or such society shall be dissolved and the rights and obligations of creditors, debtors and other persons interested shall be determined on the application of any such person, by any superior court having jurisdiction in the area where the head office of the association or, as the case may be, of such society is situated, and such court may in its discretion apply any provisions of the law relating to the winding up of registered companies in force in the area where such court exercises jurisdiction.

Grant of autonomy to societies.

10. (1) Any registered society may apply to the Minister for recognition as an autonomous society.

(2) Every such application made to the Minister shall be referred by him for investigation to a committee consisting of not more than three persons appointed by him.

(3) The Minister may, after consideration of any report on the said application by such committee, and after consultation with the association, in his discretion recognize the society concerned as an autonomous society, if—

(a) the constitution of that society provides—

(i) for the appointment as a member of its executive committee responsible for the conduct of the affairs of the society of an officer of the Department of Agriculture who shall be nominated by the Minister and shall be entitled to attend all meetings of that committee and to take part in the proceedings thereat but shall not have the right to vote at any such meeting; and

(ii) for the establishment of a committee to deal with matters relating to the registration of pedigrees of the breed of farm livestock in respect of which the society has been incorporated, and for the appointment as a member of such committee of an officer of the Department of Agriculture who shall be nominated by the Minister and shall have the same powers as any other member of such committee; and

(b) the Minister is satisfied—

(i) that such society employs suitably qualified

bedoelde afstamming in die vorm van stam- of kuddeboeke te publiseer.

9. (1) (a) Indien die Minister na 'n ondersoek deur hom ingestel (die instelling waarvan hy hierby gemagtig word om aan enige senior amptenaar van sy departement op te dra), oortuig is dat die doeleindes waarvoor 'n sertifikaat van regspersoonlikheid uitgereik is of geag word uitgereik te gewees het aan die vereniging of 'n geregistreerde genootskap, nie behoorlik nagekom is nie en waarskynlik nie behoorlik nagekom sal word nie, kan hy, behoudens die bepalings van sub-artikel (2), daardie sertifikaat intrek of vir 'n tydperk wat hy wenslik ag, opskort, en daarop gaan die by hierdie Wet aan die vereniging of bedoelde genootskap verleende bevoegdhede oor op die Minister—

Omstandighede waaronder bevoegdhede van vereniging of genootskap ingetrek of opgeskort kan word.

(i) in die geval van 'n opskorting, vir die tydperk van die opskorting; en

(ii) in die geval van 'n intrekking, vir goed.

- (b) Die Minister kan in die geval van opskorting van die sertifikaat van regspersoonlikheid van 'n geregistreerde genootskap, enige of alle bevoegdhede wat uit hoofde van bedoelde opskorting op hom oorgegaan het, aan die vereniging oordra.

(2) Geen sertifikaat van regspersoonlikheid word ingevolge sub-artikel (1) ingetrek of opgeskort nie, tensy die Minister minstens 'n maand voor die aanvang van die betrokke ondersoek, die vereniging of die betrokke genootskap deur middel van 'n kennisgewing aan die hoofkantoor daarvan gerig, in kennis gestel het van die handelinge of versuime wat die onderwerp van die ondersoek sal uitmaak, en van die datum waarop die ondersoek 'n aanvang sal neem, en die vereniging of bedoelde genootskap aangesê het om bedoelde handelinge of versuime te ontken of te verduidelik, en die vereniging of bedoelde genootskap het die reg om by so 'n ondersoek verteenwoordig te wees deur iemand wat sy voorsitter en sy sekretaris skriftelik daartoe benoem het.

(3) Wanneer die sertifikaat van regspersoonlikheid van die vereniging of 'n geregistreerde genootskap ingevolge hierdie artikel ingetrek is, word die vereniging of bedoelde genootskap onthind en die regte en verpligtings van skuldeisers, skuldenaars en ander belanghebbende persone bepaal op aansoek van enige sodanige persoon deur 'n hoër hof wat regsbevoeg is in die gebied waar die hoofkantoor van die vereniging of bedoelde genootskap, na gelang van die geval, geleë is, en bedoelde hof kan na goeë dinge enige wetsbepaling met betrekking tot die likwidasië van geregistreerde maatskappye toepas wat van krag is in die gebied waar bedoelde hof regsbevoegdheid uitoefen.

10. (1) 'n Geregistreerde genootskap kan by die Minister om erkenning as 'n selfbesturende genootskap aansoek doen. Toekenning van selfbestuur aan genootskappe.

(2) Elke sodanige aansoek aan die Minister gerig, word deur hom vir ondersoek na 'n komitee bestaande uit hoogstens drie deur hom aangestelde persone verwys.

(3) Die Minister kan, na oorweging van 'n verslag deur bedoelde komitee in verband met die betrokke aansoek, en na oorlegpleging met die vereniging, die betrokke genootskap na goeë dinge as 'n selfbesturende genootskap erken, indien—

(a) die statute van daardie genootskap voorsiening maak—

(i) vir die aanstelling as 'n lid van sy uitvoerende komitee wat vir die bestuur van die sake van die genootskap verantwoordelik is, van 'n amptenaar van die Departement van Landbou wat deur die Minister benoem word en geregtig is om alle vergaderings van daardie komitee by te woon en aan die verrigtings aldaar deel te neem, maar sonder die reg om op so 'n vergadering 'n stem uit te bring; en

(ii) vir die instelling van 'n komitee belas met die behandeling van aangeleenthede met betrekking tot die registrasie van die afstamming van plaasvee van die ras ten opsigte waarvan aan die genootskap regspersoonlikheid verleen is, en vir die aanstelling as lid van daardie komitee van 'n amptenaar van die Departement van Landbou wat deur die Minister benoem word en dieselfde bevoegdhede as enige ander lid van sodanige komitee het; en

(b) die Minister oortuig is—

(i) dat bedoelde genootskap beamptes met geskikte

technically trained officers who are not members of that society, to perform such inspection duties as in the opinion of the Minister are necessary for the proper performance by the society of its functions; and

- (ii) that, having regard to the financial position of such society, the persons employed by it for the performance of its functions, the conditions of employment of such persons and the registration system and general system of stud book organization applied by it, such society will be able to perform satisfactorily the functions of an autonomous society.

(4) Upon the recognition of a society as an autonomous society, that society shall cease to be affiliated to the association, and the Minister shall issue to that society a certificate of autonomy specifying the date as from which such recognition takes effect and the conditions, if any, including conditions providing for the payment by that society of periodical contributions towards the funds of the association, subject to which such recognition is granted: Provided that the certificate of incorporation issued to such society under section *two*, shall remain of full force and effect as if the society had continued to be affiliated to the association.

(5) The Minister may at any time withdraw or amend in such manner as he may deem fit, any condition imposed by him under sub-section (4), and if any such society fails to comply with any such condition or amended condition which is applicable in its case, or with the provisions of paragraph (a) of sub-section (3), or if after enquiry the Minister is satisfied that, having regard to any of the matters specified in paragraph (b) of that sub-section, such society is no longer able to perform satisfactorily the functions of an autonomous society, the Minister may cancel the certificate of autonomy issued to that society.

(6) The Minister shall give notice in the *Gazette*—

- (a) of the recognition of any society as an autonomous society;
- (b) of the cancellation of any certificate of autonomy granted to any society; and
- (c) of the date as from which any such recognition or cancellation shall take effect.

(7) If a certificate of autonomy is cancelled, the society concerned shall be deemed to have become re-affiliated to the association on the date upon which the cancellation takes effect.

(8) Any certificate of autonomy issued prior to the commencement of this Act, under section *seven bis* of the Registration of Pedigree Livestock Act, 1920 (Act No. 22 of 1920), shall be deemed to have been issued under this section.

Powers, rights and duties of autonomous societies.

11. (1) An autonomous society shall, in relation to farm livestock of the breed in respect of which it has been incorporated, have all the powers, rights and duties of the association under this Act, and the provisions of sections *three* to *eight*, inclusive, and *twelve* to *sixteen*, inclusive, shall *mutatis mutandis* apply with reference to such a society: Provided that an autonomous society shall not register the pedigree of any such farm livestock, or issue a certificate of registration in respect thereof, unless the breeder concerned has registered with the association a prefix or suffix by which animals of the breed in question bred by that breeder shall be designated.

(2) The association may register such a prefix or suffix under its constitution, bye-laws or rules, on such conditions and subject to the payment of such a fee as it may determine: Provided that such fee shall not exceed one pound per registration or five shillings per annum in respect of any renewal thereof.

Endorsement by the Minister of association certificates.

12. The Minister may, at any time at the request of the association, endorse or in writing authorize an officer of his department to endorse the certificate of registration issued by the association in respect of any farm livestock which has been or is to be exported from the Union overseas.

kwalifikasies en tegniese opleiding wat nie lede van daardie genootskap is nie, in diens het om sodanige inspeksiedienste te verrig as wat volgens die Minister se oordeel vir die behoorlike verrigting van sy werksaamhede deur die genootskap nodig is; en

- (ii) dat, met die oog op die finansiële toestand van die genootskap, die persone wat hy vir die uitvoering van sy werksaamhede in diens het, die diensvoorwaardes van sodanige persone en die registrasiestelsel en algemene stelsel van stamboekorganisasie deur hom toegepas, bedoelde genootskap in staat sal wees om die werksaamhede van 'n selfbesturende genootskap op bevredigende wyse te verrig.

(4) By die erkenning van 'n genootskap as 'n selfbesturende genootskap, hou daardie genootskap op om aan die vereniging geaffilieer te wees, en reik die Minister aan daardie genootskap 'n sertifikaat van selfbestuur uit waarin vermeld word die datum van wanneer af sodanige erkenning van krag word, en die voorwaardes, as daar is, met inbegrip van die voorwaardes wat vir die betaling deur daardie genootskap van periodieke bydraes tot die fondse van die vereniging voorsiening maak, onderworpe waaraan sodanige erkenning verleen word: Met dien verstande dat die sertifikaat van regs persoonlikheid wat ingevolge artikel twee aan bedoelde genootskap uitgereik is, dieselfde krag en uitwerking behou asof die genootskap by die vereniging geaffilieer gebly het.

(5) Die Minister kan te eniger tyd 'n deur hom kragtens sub-artikel (4) opgelegde voorwaarde intrek of na goeddunke wysig, en indien so 'n genootskap versuim om aan so 'n voorwaarde of gewysigde voorwaarde wat in sy geval van toepassing is, of aan die bepalings van paragraaf (a) van sub-artikel (3), te voldoen, of indien die Minister na ondersoek oortuig is dat met die oog op enige van die in paragraaf (b) van daardie sub-artikel vermelde aangeleenthede, bedoelde genootskap nie meer in staat is om die werksaamhede van 'n selfbesturende genootskap op bevredigende wyse te verrig nie, kan die Minister die sertifikaat van selfbestuur wat aan daardie genootskap uitgereik is, intrek.

(6) Die Minister gee in die *Staatskoerant* kennis—

- (a) van die erkenning van 'n genootskap as 'n selfbesturende genootskap;
- (b) van die intrekking van 'n sertifikaat van selfbestuur wat aan 'n genootskap verleen is; en
- (c) van die datum van wanneer af so 'n erkenning of intrekking van krag word.

(7) Indien 'n sertifikaat van selfbestuur ingetrek word, word die betrokke genootskap geag op die datum waarop die intrekking van krag word, weer aan die vereniging geaffilieer te geword het.

(8) 'n Sertifikaat van selfbestuur voor die inwerkingtreding van hierdie Wet uitgereik kragtens artikel *sewe bis* van die „Wet op de Registratie van Stamboekvee, 1920” (Wet No. 22 van 1920), word geag kragtens hierdie artikel uitgereik te gewees het.

11. (1) 'n Selfbesturende genootskap het, met betrekking tot plaasvee van die ras ten opsigte waarvan hy met regs persoonlikheid bekleed is, al die bevoegdhede, regte en pligte van die vereniging ingevolge hierdie Wet, en die bepalings van artikels drie tot en met agt en twaalf tot en met sestiën is *mutatis mutandis* met betrekking tot so 'n genootskap van toepassing: Met dien verstande dat 'n selfbesturende genootskap nie die afstamming van sodanige plaasvee mag registreer of 'n sertifikaat van registrasie ten opsigte daarvan mag uitreik nie, tensy die betrokke teler by die vereniging 'n voor- of agtervoegsel geregistreer het waaronder deur daardie teler geteelde diere van die betrokke ras aangedui word.

Bevoegdhede, regte en pligte van selfbesturende genootskappe.

(2) Die vereniging kan so 'n voor- of agtervoegsel ingevolge sy statute, verordenings of reëls registreer op die voorwaardes en onderworpe aan betaling van die gelde wat hy bepaal: Met dien verstande dat bedoelde gelde nie 'n pond per registrasie of vyf sjielings per jaar ten opsigte van 'n hernuwing daarvan te bowe mag gaan nie.

12. Die Minister kan te eniger tyd op versoek van die vereniging, die sertifikaat van registrasie deur die vereniging uitgereik ten aansien van plaasvee wat uit die Unie oorsee uitgevoer is of staan te word, endosseer, of 'n amptenaar van sy departement skriftelik magtig om dit te endosseer.

Endossement deur die Minister van sertifikate van vereniging.

Penalty for giving false statement, etc., relating to pedigree stock.

13. Any person who—

- (a) makes any false statement in relation to the pedigree of any farm livestock intended for registration with the association, knowing that statement to be false; or
 - (b) wilfully or negligently withholds any information which is necessarily required for the proper registration with the association of the pedigree of any farm livestock,
- shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or imprisonment without the option of a fine for a period not exceeding six months or to both such fine and such imprisonment.

Penalty for infringing exclusive rights of the association.

14. Any person who or body of persons which issues any certificate purporting to register or to state the pedigree of any farm livestock or publishes in any form such pedigrees and thereby infringes the exclusive right conferred by this Act on the association, shall be guilty of an offence and liable on conviction to a fine not exceeding five hundred pounds.

Regulations.

15. The Minister may make regulations in respect of any matter which is permitted by this Act to be prescribed by regulation and generally for the better carrying out of the objects and purposes of this Act.

Savings as to correct certificates by owners.

16. The exclusive privileges conferred by this Act upon the association shall not be construed as preventing an owner of farm livestock which has not been registered with the association from stating in writing or otherwise the pedigree of such livestock: Provided that if he makes a false statement as to such pedigree, knowing it to be false, he shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or imprisonment without the option of a fine for a period not exceeding six months or to both such fine and such imprisonment.

Repeal of Acts 22 of 1920 and 37 of 1951.

17. (1) Subject to the provisions of sub-section (2), the Registration of Pedigree Livestock Act, 1920, and the Registration of Pedigree Livestock Amendment Act, 1951, are hereby repealed.

(2) Any regulation made or right or privilege conferred or other action taken under any provision of a law repealed by sub-section (1), shall be deemed to have been made, conferred or taken under the corresponding provisions of this Act.

Short title.

18. This Act shall be called the Registration of Pedigree Livestock Act, 1957.

13. Iemand wat—
 (a) met betrekking tot die afstamming van plaasvee bedoel vir registrasie by die vereniging 'n valse verklaring aflê met die wete dat daardie verklaring vals is; of
 (b) opsetlik of nalatiglik inligting weerhou wat vir die behoorlike registrasie van die afstamming van plaasvee by die vereniging noodsaaklik is,
 is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens honderd pond of gevangenisstraf sonder die keuse van 'n boete vir 'n tydperk van hoogstens ses maande of met beide bedoelde boete en bedoelde gevangenisstraf.
14. 'n Persoon of groep van persone wat 'n sertifikaat uitreik wat die afstamming van plaasvee heet te registreer of te verklaar, of sodanige afstamming in enige vorm bekend maak, en daardeur inbreuk maak op die uitsluitende reg deur hierdie Wet aan die vereniging verleen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens vyfhonderd pond.
15. Die Minister kan regulasies uitvaardig ten opsigte van enige aangeleentheid wat ingevolge hierdie Wet by regulasie voorgeskryf kan word, en oor die algemeen vir beter uitvoering van die oogmerke en doeleindes van hierdie Wet.
16. Die uitsluitende voorregte deur hierdie Wet aan die vereniging verleen, word nie so uitgelê dat dit 'n eienaar van plaasvee, wat nie by die vereniging geregistreer is nie, belet om die afstamming van bedoelde plaasvee skriftelik of andersins te vermeld nie: Met dien verstande dat, indien hy 'n valse verklaring ten aansien van sodanige afstamming doen, met wete dat dit vals is, hy aan 'n misdryf skuldig is en by skuldigbevinding strafbaar is met 'n boete van hoogstens honderd pond of gevangenisstraf sonder die keuse van 'n boete vir 'n tydperk van hoogstens ses maande of met beide bedoelde boete en bedoelde gevangenisstraf.
17. (1) Behoudens die bepalings van sub-artikel (2), word die „Wet op de Registratie van Stamboekvee, 1920”, en die Wysigingswet op Registrasie van Stamboekvee, 1951, hierby herroep.
 (2) Enige regulasie uitgevaardig of reg of voorreg verleen of ander stappe gedoen kragtens 'n bepaling van 'n by sub-artikel (1) herroepe wet, word geag kragtens die ooreenstemmende bepalings van hierdie Wet uitgevaardig, verleen of gedoen te gewees het.
18. Hierdie Wet heet die Wet op Registrasie van Stamboekvee, 1957.

Straf vir aflegging van valse verklaring, ens., met betrekking tot stamboekvee.

Straf vir inbreuk op uitsluitlike regte van die vereniging.

Regulasies.

Voorbehoude ten aansien van juiste sertifikate deur eienaars.

Herroeping van Wet 22 van 1920 en 37 van 1951.

Kort titel.