



REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE
STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA



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CAPE TOWN, 28TH APRIL, 1969.

Vol. 46.]

KAAPSTAD, 28 APRIL 1969.

[No. 2374.]

GOVERNMENT NOTICE.

DEPARTMENT OF COMMERCE.

No. 372.]

[28th April, 1969.

**REGULATION OF MONOPOLISTIC CONDITIONS
ACT, 1955 (ACT NO. 24 OF 1955).**

I, JAN FRIEDRICH WILHELM HAAK, Minister of Economic Affairs, hereby declare that I have considered Report No. 1220 (M) of the Board of Trade and Industries on its investigation of individual and collective resale price maintenance in the Republic of South Africa, and that it is my intention to submit in pursuance of section 6 (5) of the Regulation of Monopolistic Conditions Act, 1955 (Act No. 24 of 1955), the notice contained in the schedule hereto to both Houses of Parliament for approval of the terms thereof.

J. F. W. HAAK,
Minister of Economic Affairs.

SCHEDULE.

NOTICE.

**REGULATION OF MONOPOLISTIC CONDITIONS
ACT, 1955 (ACT NO. 24 OF 1955).**

1. I, JAN FRIEDRICH WILHELM HAAK, Minister of Economic Affairs, acting by virtue of the powers vested in me by section 6 (5) of the Regulation of Monopolistic Conditions Act, 1955 (Act No. 24 of 1955), with approval

GOEWERMENTSKENNISGEWING.

DEPARTEMENT VAN HANDEL.

No. 372.]

[28 April 1969.

**WET OP REËLING VAN MONOPOLISTIESE
TOESTANDE, 1955 (WET NO. 24 VAN 1955).**

Ek, JAN FRIEDRICH WILHELM HAAK, Minister van Ekonomiese Sake, verklaar hiermee dat ek Verslag No. 1220 (M) van die Raad van Handel en Nywerheid oor sy ondersoek na individuele en gesamentlike herverkooppryshandhawing in die Republiek van Suid-Afrika oorweeg het, en dat ek voornemens is om, ooreenkomstig artikel 6 (5) van die Wet op Reëling van Monopolistiese Toestande, 1955 (Wet no. 24 van 1955), die kennisgewing in die bylaag hiervan vervat aan beide Huise van die Parlement vir goedkeuring van die bepalinge daarvan voor te lê.

J. F. W. HAAK,
Minister van Ekonomiese Sake.

BYLAAG.

KENNISGEWING.

**WET OP REËLING VAN MONOPOLISTIESE
TOESTANDE, 1955 (WET NO. 24 VAN 1955).**

1. Ek, JAN FRIEDRICH WILHELM HAAK, Minister van Ekonomiese Sake, handelende kragtens die bevoegdheid my verleen by artikel 6 (5) van die Wet op Reëling van Monopolistiese Toestande, 1955 (Wet no. 24 van 1955),

by resolution of both Houses of Parliament, hereby declare, subject to the provisions of paragraph 2, any agreement, understanding, business practice or method of trading which has, or is calculated to have the effect of directly or indirectly compelling or inducing a reseller to observe a specified resale price to be unlawful, and prohibit any person, to enter into such an agreement or understanding or to be or continuing to be a party thereto or to apply such business practice or method of trading.

2. The provisions of paragraph 1 are not applicable to—

- (1) commodities in respect of which the resale price recommended, indicated or suggested is only in the nature of a guide price for the convenience of the reseller who may reduce such price at his discretion and which is not directly or indirectly enforced by means of the withholding of supplies, the denial of distribution rights or by means of any discriminatory sales conditions or a penalty or by any other method whatsoever calculated to have such effect; or
- (2) the following classes or kinds of commodities:
 - (a) Petrol;
 - (b) Tyres and tubes;
 - (c) Books and magazines including newspapers.

3. This notice comes into operation on the first day of July, 1969.

J. F. W. HAAK,
Minister of Economic Affairs.

NOTE.

The commodities referred to in paragraph 2 (2) are exempted on a preliminary basis from the provisions of paragraph 1 in order to provide for an opportunity for a thorough investigation of the possible effects of the application of the relevant provisions in respect of the commodities concerned.

met goedkeuring by besluit van beide Huise van die Parlement, verklaar hierby, behoudens die bepalings van paragraaf 2, enige ooreenkoms, verstandhouding, besigheidspraktyk of handelsmetode wat die uitwerking het, of daarop bereken is om 'n herverkoper regstreeks of onregstreeks te verplig of te beweeg om hom aan 'n aangeduide herverkoopprys te hou as onwettig, en verbied enige persoon om so 'n ooreenkoms of verstandhouding aan te gaan of 'n party daarby te wees of te bly of om so 'n besigheidspraktyk of handelsmetode toe te pas.

2. Die bepalings van paragraaf 1 is nie van toepassing nie ten opsigte van—

- (1) handelsware ten opsigte waarvan die aanbevole, aangeduide of gesuggereerde prys slegs in die aard van 'n gidsprys vir die gerief van die herverkoper is wat sodanige prys na goeddunke mag verminder en wat nie regstreeks of onregstreeks afgedwing word deur middel van die weerhouding van voorrade of die weiering van distribusieregte of deur middel van enige diskriminerende verkoopsvoorwaardes of 'n boete of deur enige ander metode hoegenaamd wat daarop bereken is om so 'n uitwerking te hê nie; of
- (2) die volgende klasse of soorte handelsware:
 - (a) Petrol;
 - (b) Buite- en binnebande;
 - (c) Boeke en tydskrifte insluitende nuusblaaie.

3. Hierdie kennisgewing tree in werking op die eerste dag van Julie 1969.

J. F. W. HAAK,
Minister van Ekonomiese Sake.

OPMERKING.

Die handelsware in paragraaf 2 (2) genoem, word op 'n voorlopige grondslag van die bepalings van paragraaf 1 vrygestel om geleentheid te bied vir grondige ondersoek van die moontlike uitwerking van die toepassing van bedoelde bepalings ten opsigte van die betrokke handelsware.

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