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GOVERNMENT GAZETTE

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CAPE TOWN, 25TH JUNE, 1969.

KAAPSTAD, 25 JUNIE 1969.

[No. 2442.]

GOVERNMENT NOTICE.

DEPARTMENT OF COMMERCE

No. R.1038.]

[25th June, 1969.]

**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 and 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 means 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

GOEWERMENSKENNISGEWING.

DEPARTEMENT VAN HANDEL

No. R.1038.]

[25 Junie 1969.]

**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), met goedkeuring by besluit van beide Huise van die Parlement, verklaar hierby, behoudens die bepalinge van paragraaf 2, enige ooreenkoms, verstandhouding, besigheidspraktyk of handelsmetode wat die uitwerking het, of daarop bereken is om 'n hervverkoper regstreeks of onregstreeks te verplig of te beweeg om hom aan 'n aangeduide hervverkoopprys 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 bepalinge 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 hervverker 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
- die volgende klasse of soorte handelsware:
- (a) Petrol;
 - (b) Buite- en binnebande;
 - (c) Boeke en tydskrifte insluitende nuusblaie.

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.

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

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

OPMERKING.

Die handelsware in paragraaf 2 (2) genoem, word oorspronklik op grond van die bepalinge van paragraaf 1 gestel om geleentheid te bied vir grondige ondersoek van die moontlike uitwerking van die toepassing van bedoelde bepalinge ten opsigte van die betrokke handelsware.

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