



REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Price 10c Prys
Overseas 15c Oorsee
POST FREE—POSVRY

ISBN 0 621 00207 0

VOL. 84.]

CAPE TOWN, 14TH JUNE, 1972.

[No. 3558.

KAAPSTAD, 14 JUNIE 1972.

DEPARTMENT OF THE PRIME MINISTER.

No. 1032.

14th June, 1972.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 68 of 1972: Marketing Amendment Act, 1972.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 1032.

14 Junie 1972.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring gegee het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 68 van 1972: Wysigingswet op Bemaking, 1972.

WET

Tot wysiging van die Bemarkingswet, 1968, ten einde metrieke mate en uitdrukkings in die plek van sekere ander mate en uitdrukkings vir die doeleindes van daardie Wet te stel; tot wysiging van die bepalings van daardie Wet met betrekking tot die samestelling van 'n beheerraad; die ondernemings en navorsingswerk waaraan bystand deur 'n beheerraad verleen kan word; die stimulering deur 'n beheerraad van die vraag na 'n beheerde produk; die fondse van 'n beheerraad; die bevoegdhede van persone wat deur 'n beheerraad as inspekteurs gemagtig is; en die bevoegdhede van 'n beheerraad ten opsigte van 'n beheerde produk en pakmateriaal of houters; om daarvoor voorsiening te maak dat sekere bevoegdhede ten opsigte van sekere plantmateriaal aan 'n beheerraad verleen kan word; tot wysiging van die bepalings van die genoemde Wet met betrekking tot die bestuur van 'n poel vir 'n beheerde produk en om voorsiening te maak vir die bestuur van verskillende poele vir verskillende grade of ander klasse van 'n beheerde produk; tot wysiging van die bepalings van daardie Wet met betrekking tot die registrasie van produsente van en handelaars in 'n beheerde produk; om voorsiening te maak vir die verkryging deur 'n beheerraad of ander persoon wat in sekere omstandighede 'n poel vir 'n beheerde produk bestuur, van 'n hoeveelheid van bedoelde produk wat vir verkoop deur middel van bedoelde poel gelewer is; en vir die bemarking deur 'n beheerraad van 'n beheerde produk wat deur die Staat geproduseer is; tot wysiging van die bepalings van die genoemde Wet met betrekking tot die verpakking en merk van produkte; die bevoegdhede van persone wat deur die Minister as inspekteurs aangewys is; en die uitvaardiging van regulasies; tot wysiging van Bylae 1 by die genoemde Wet; om sekere wette te herroep met ingang van die datum waarop 'n skema wat op wol betrekking het, kragtens daardie Wet in werking tree; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 8 Junie 1972.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 59 van 1968, soos gewysig deur artikel 1 van Wet 52 van 1969, artikel 1 van Wet 69 van 1970 en artikel 1 van Wet 78 van 1971.

1. Artikel 1 (1) van die Bemarkingswet, 1968 (hieronder die Hoofwet genoem), word hierby gewysig—

- (a) deur paragraaf (a) van die omskrywing van „klas” deur die volgende paragraaf te vervang:
 - „(a) die grootte, massa, hoeveelheid, getal, afmetings, kleur, voorkoms, suiwerheid, samestelling of ander kenmerk of eienskap van daardie produk of van 'n eenheid of hoeveelheid daarvan; of”;
- (b) deur die omskrywing van „koelkamer” deur die volgende omskrywing te vervang:

MARKETING AMENDMENT ACT, 1972.

Act No. 68, 1972

ACT

To amend the Marketing Act, 1968, so as to substitute, for the purposes of that Act, metric measures and expressions for certain other measures and expressions; to amend the provisions of that Act relating to the constitution of a control board; the undertakings and research work that may be assisted by a control board; the stimulation by a control board of the demand for a regulated product; the funds of a control board; the powers of persons authorized by a control board as inspectors; and the powers of a control board in respect of a regulated product and packing materials or containers; to provide for the conferment on a control board of certain powers in respect of certain plant material; to amend the provisions of the said Act relating to the conduct of a pool for a regulated product and to provide for the conduct of different pools for different grades or other classes of a regulated product; to amend the provisions of that Act relating to the registration of producers of and dealers in a regulated product; to provide for the acquisition by a control board or other person conducting a pool for a regulated product in certain circumstances, of any quantity of such product delivered for sale through such pool; and for the marketing by a control board of a regulated product produced by the State; to amend the provisions of the said Act relating to the packing and marking of products; the powers of persons designated by the Minister as inspectors; and the making of regulations; to amend Schedule 1 to the said Act; to repeal certain laws with effect from the date on which a scheme relating to wool comes into operation under that Act; and to provide for incidental matters.

(English text signed by the State President.)
(Assented to 8th June, 1972.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

1. Section 1 (1) of the Marketing Act, 1968 (hereinafter referred to as the principal Act), is hereby amended—
- (a) by the substitution for paragraph (a) of the definition of "class" of the following paragraph:
- “(a) the size, mass, measure, number, measurements, colour, appearance, purity, composition or other feature or characteristic of such product or of a unit or quantity thereof; or”;
- (b) by the substitution for the definition of “cold storage” of the following definition:
- Amendment of section 1 of Act 59 of 1968, as amended by section 1 of Act 52 of 1969, section 1 of Act 69 of 1970 and section 1 of Act 78 of 1971.

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WYSIGINGSWET OP BEMARKING, 1972.

„,koelkamer' 'n plek of gebou met 'n totale opbergingsruimte van meer as agt-en-twintig kubieke meter, waar bederfbare produkte teen lae temperature opgeberg, gehou of teen bederf bewaar word;”;

(c) deur na die omskrywing van „Minister” die volgende omskrywing in te voeg:

„,plantmateriaal’, met betrekking tot 'n produk, die saad, plant of boom waarvan daardie produk verkry word, of 'n gedeelte van sodanige saad, plant of boom;”;

(d) deur in die omskrywing van „produsent” die woord „en” aan die end van paragraaf (e) te skrap; en

(e) deur in die omskrywing van „produsent” na paragraaf (e) die volgende paragraaf in te voeg:

„(f) met betrekking tot—

(i) wol of sybokhaar wat van 'n dier geskeer of van 'n vel verwyder is, die eenaar van die dier of die vel, na gelang van die geval;

(ii) wol of sybokhaar aan velle, die persoon ten behoeve van wie die vel afgeslag is;

(iii) dooie wol of sybokhaar wat deur iemand ingesamel is, die persoon ten behoeve van wie die wol of sybokhaar ingesamel is; en”.

Wysiging van artikel 28 van Wet 59 van 1968, soos gewysig deur artikel 9 van Wet 52 van 1969.

2. Artikel 28 van die Hoofwet word hierby gewysig deur na subartikel (1) die volgende subartikel in te voeg:

„(1A) 'n Skema kan, benewens voorsiening in daardie skema opgeneem uit hoofde van die bepalings van subartikel (1) en behoudens die bepalings van subartikel (2), ook voorsiening maak vir die aanstelling as lede van sy beheerraad van een of meer persone vanweë hul besondere kennis aangaande 'n aangeleentheid waarby die raad belang het en wat in die skema vermeld word.”.

Vervanging van artikel 35 van Wet 59 van 1968.

3. Artikel 35 van die Hoofwet word hierby deur die volgende artikel vervang:

„Bystand deur 'n beheerraad aan sekere ondernemings en navorsingswerk.

35. 'n Skema kan sy beheerraad magtig om, met die Minister se goedkeuring, deur middel van toekenning of lening of op 'n ander wyse bystand te verleen—

(a) aan enige onderneming vir die bewaring, verwerking, vervaardiging, opberging of bewerking van 'n produk waarop die skema betrekking het of van iets wat van so 'n produk verkry word;

(b) in verband met navorsingswerk met betrekking tot die verbetering, produksie, vervaardiging, verwerking, opberging of bemarking van so 'n produk of van iets waarvan so 'n produk verkry word of van iets wat van so 'n produk verkry word.”.

Vervanging van artikel 37 van Wet 59 van 1968.

4. Artikel 37 van die Hoofwet word hierby deur die volgende artikel vervang:

„Bevordering van vraag na beheerde produk.

37. 'n Skema kan sy beheerraad magtig om die stappe te doen wat die Minister goedkeur ter bevordering of stimulering van die vraag, hetsy binne of buite die Republiek, na 'n produk waarop die skema betrekking het of na iets wat van so 'n produk verkry word.”.

Vervanging van artikel 46 van Wet 59 van 1968.

5. Artikel 46 van die Hoofwet word hierby deur die volgende artikel vervang:

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- “‘cold storage’ means any place or building having a total storage capacity in excess of twenty-eight cubic metres, where perishable products are stored, kept or preserved at low temperatures;”;
- (c) by the insertion after the definition of “Minister” of the following definition:
 “‘plant material’, in relation to a product, means the seed, plant or tree from which that product is derived, or any portion of such seed, plant or tree;”;
- (d) by the deletion in the definition of “producer” of the word “and” at the end of paragraph (e); and
- (e) by the insertion in the definition of “producer” after paragraph (e) of the following paragraph:
 “(f) in relation to—
 (i) wool or mohair shorn from an animal or removed from a skin, the owner of the animal or the skin, as the case may be;
 (ii) wool or mohair on skins, the person on whose behalf the skin was flayed;
 (iii) dead wool or mohair collected by any person, the person on whose behalf the wool or mohair was collected; and”.

2. Section 28 of the principal Act is hereby amended by the insertion after subsection (1) of the following subsection:

Amendment of section 28 of Act 59 of 1968, as amended by section 9 of Act 52 of 1969.

“(1A) A scheme may, in addition to any provision included in that scheme by virtue of the provisions of subsection (1) and subject to the provisions of subsection (2), also make provision for the appointment as members of its control board of one or more persons by reason of their particular knowledge regarding a matter in which the board has an interest and specified in the scheme.”.

3. The following section is hereby substituted for section 35 of the principal Act:

Substitution of section 35 of Act 59 of 1968.

“Assistance by a control board to certain undertakings and research work. 35. A scheme may empower its control board to assist, with the approval of the Minister, by grant or loan or in any other manner—
 (a) any undertaking for preserving, processing, manufacturing, storing or conditioning any product to which the scheme relates or anything which is derived from any such product;
 (b) research work relating to the improvement, production, manufacture, processing, storing or marketing of any such product or of anything from which any such product is derived or of anything which is derived from any such product.”.

4. The following section is hereby substituted for section 37 of the principal Act:

Substitution of section 37 of Act 59 of 1968.

“Stimulating demand for a regulated product. 37. A scheme may empower its control board to take such steps as may be approved by the Minister for fostering or stimulating the demand, whether within or outside the Republic, for any product to which the scheme relates or for anything which is derived from any such product.”.

5. The following section is hereby substituted for section 46 of the principal Act:

Substitution of section 46 of Act 59 of 1968.

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„Fondse
van 'n
beheerraad.

46. (1) (a) 'n Skema moet voorsiening maak vir die instelling van een of meer algemene fondse wat deur sy beheerraad bestuur en beheer moet word en waarin alle gelde gestort moet word wat deur daardie raad ontvang word, behalwe die gelde wat in 'n reserwefonds in subartikel (2) beoog of in 'n spesiale fonds in subartikel (3) beoog of in 'n fonds of rekening van 'n poel in hierdie Wet beoog, gestort moet word.
- (b) Alle administratiewe uitgawes van die beheerraad word uit so 'n algemene fonds betaal.
- (c) 'n Skema kan sy beheerraad magtig om met die Minister se goedkeuring geld in so 'n algemene fonds vir enige ander doel aan te wend wat na die oordeel van die raad tot die voordeel sal strek van persone wat belang het by die produk waarop die skema betrekking het.
- (2) (a) 'n Skema moet voorsiening maak vir die instelling van een of meer reserwefondse wat deur sy beheerraad bestuur en beheer moet word en waarin die gelde deur daardie raad ontvang wat die Minister bepaal, en die bedrae tot die beskikking van daardie raad wat die Minister van tyd tot tyd goedkeur of wat die Minister na die end van 'n boekjaar ingevolge die skema en na oorlegpleging met daardie raad bepaal, gestort moet word.
- (b) 'n Skema moet sy beheerraad magtig om oor geld in 'n reserwefonds te beskik op 'n wyse wat die Minister goedkeur.
- (3) (a) 'n Skema kan (en, indien dit 'n skema is wat vir die oplê van 'n in artikel 44 beoogde spesiale heffing voorsiening maak, moet hy) sy beheerraad magtig om een of meer spesiale fondse in te stel wat deur daardie raad bestuur en beheer moet word, en om die gelde uit so 'n spesiale heffing verkry, die ander gelde deur daardie raad ontvang wat die Minister bepaal, en die bedrae tot die beskikking van daardie raad wat die skema vermeld of wat die Minister goedkeur, in sodanige spesiale fonds of fondse te stort.
- (b) 'n Skema wat vir die instelling van 'n spesiale fonds voorsiening maak, moet sy beheerraad magtig om oor geld in sodanige spesiale fonds op die wyse te beskik wat die skema voorskryf of die Minister goedkeur.”.

Wysiging van
artikel 54 van
Wet 59 van 1968.

6. Artikel 54 van die Hoofwet word hierby gewysig deur paragraaf (f) deur die volgende paragraaf te vervang:

„(f) monsters te neem van so 'n produk, met inbegrip van 'n hoeveelheid daarvan waarop daar beslag gelê is kragtens magtiging verleen uit hoofde van paragraaf (e), en sodanige monsters te ondersoek, te ontleed, te klassifiseer of te gradeer of te laat ondersoek, ontleed, klassifiseer of gradeer.”.

Wysiging van
artikel 56 van
Wet 59 van 1968.

7. Artikel 56 van die Hoofwet word hierby gewysig—

(a) deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:

„(b) om 'n produk wat hy gekoop het, te behandel soos hy goetvind, te klassifiseer, te gradeer, te verpak, op te berg, te verwerk, vir verkoop geskik te maak, te verseker, te adverteer en te vervoer;”;

(b) deur die volgende subparagraaf by paragraaf (e) van daardie subartikel te voeg:

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"Funds of a control board.

46. (1) (a) A scheme shall provide for the establishment of one or more general funds to be administered and controlled by its control board and into which shall be paid all moneys received by that board except such moneys as are to be paid into a reserve fund contemplated in subsection (2) or into a special fund contemplated in subsection (3) or into a fund or account of any pool contemplated in this Act.
- (b) All administrative expenses of the control board shall be paid from such a general fund.
- (c) A scheme may empower its control board to utilize, with the approval of the Minister, money in such a general fund for any other object which in the opinion of the board will be to the advantage of persons interested in any product to which the scheme relates.
- (2) (a) A scheme shall provide for the establishment of one or more reserve funds to be administered and controlled by its control board and into which shall be paid such moneys received by that board as may be determined by the Minister, and such amounts at the disposal of that board as may from time to time be approved by the Minister or as may after the end of any financial year under the scheme be determined by the Minister after consultation with that board.
- (b) A scheme shall empower its control board to deal with money in any reserve fund in such manner as may be approved by the Minister.
- (3) (a) A scheme may (and, if it is a scheme providing for the imposition of a special levy as contemplated in section 44, it shall) empower its control board to establish one or more special funds to be administered and controlled by that board, and to pay into such special fund or funds the moneys derived from such a special levy, such other moneys received by that board as may be determined by the Minister and such amounts at the disposal of that board as may be specified in the scheme or approved by the Minister.
- (b) A scheme providing for the establishment of a special fund shall empower its control board to deal with money in such special fund in such manner as may be prescribed in the scheme or approved by the Minister."

6. Section 54 of the principal Act is hereby amended by the substitution for paragraph (f) of the following paragraph:

Amendment of section 54 of Act 59 of 1968.

"(f) to take samples of any such product, including any quantity thereof which has been seized under a power conferred in terms of paragraph (e), and to examine, analyse, classify or grade such samples or cause them to be examined, analysed, classified or graded."

7. Section 56 of the principal Act is hereby amended—

Amendment of section 56 of Act 59 of 1968.

(a) by the substitution for paragraph (b) of subsection (1) of the following paragraph:

"(b) to treat in such manner as it may deem fit, classify, grade, pack, store, process, adapt for sale, insure, advertise and transport any product which it has bought;"

(b) by the addition to paragraph (e) of that subsection of the following subparagraph:

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- „(iv) die vervaardiging van sodanige pakmateriaal en houters, of die aankoop daarvan deur bedoelde produsente of persone, uit sy fondse te finansier;”;
- en
- (c) deur die volgende paragraaf by daardie subartikel te voeg:
 - „(f) om op die voorwaardes wat die Minister goedkeur—
 - (i) plantmateriaal te verkry of te ontwikkel wat produsente gebruik vir die produksie van die produk waarop die skema betrekking het;
 - (ii) sodanige plantmateriaal te vermeerder of te verbeter, of sodanige plantmateriaal te verkoop aan produsente van daardie produk of aan persone wat in die loop van hul besigheid sodanige plantmateriaal aan bedoelde produsente verkoop;
 - (iii) die ontwikkeling, verbetering of vermeerdering van sodanige plantmateriaal uit sy fondse te finansier.”.

Wysiging van artikel 57 van Wet 59 van 1968, soos gewysig deur artikel 9 van Wet 69 van 1970.

8. Artikel 57 van die Hoofwet word hierby gewysig—
- (a) deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:
 - „(a) om ’n poel te bestuur vir die verkoop van ’n produk waarop die skema betrekking het en om ’n produk ten opsigte waarvan hy ’n poel bestuur, te behandel soos hy goedgevind, te klassifiseer, te gradeer, te verpak, op te berg, te verwerk, vir verkoop geskik te maak, te verseker, te adverteer en te vervoer;”;
 - (b) deur paragraaf (d) van subartikel (2) deur die volgende paragraaf te vervang:
 - „(d) bepaal dat daar met gelde wat die poel toeval nadat die rekenings daarvan afgesluit is, gehandel kan word op ’n wyse deur die Minister bepaal;”;
 - en
 - (c) deur die volgende paragraaf by genoemde subartikel (2) te voeg:
 - „(e) bepaal dat verskillende poele bestuur kan word, hetsy op dieselfde grondslag of nie, vir die verskillende grade of ander klasse van die genoemde produk wat deur die raad bepaal word of in die skema of deur regulasies vir dié doel uitgevaardig, voorgeskryf word.”.

Wysiging van artikel 59 van Wet 59 van 1968, soos gewysig deur artikel 10 van Wet 69 van 1970.

9. Artikel 59 van die Hoofwet word hierby gewysig—
- (a) deur subartikel (5) deur die volgende subartikel te vervang:
 - „(5) ’n Skema wat sy beheerraad magtig om voorwaardes op te lê in verband met die registrasie by die raad van ’n produsent van, of iemand wat as ’n besigheid handel met, die produk waarop die skema betrekking het, kan die raad voorts magtig om, benewens ander voorwaardes wat hy wettiglik mag opleë, voorwaardes op te lê wat die aard van die toerusting en die maksimum kapasiteit van die installasie of masjinerie wat geïnstalleer kan word, of die klas, graad of maksimum hoeveelheid van ’n produk of handelsartikel wat vervaardig of verwerk of omgesit of as ’n besigheid mee gehandel kan word deur sodanige produsent of persoon, en die wyse waarop, en die plek waar of gebied waarbinne, en die doel waarvoor, en die persoon (wat ook die raad kan wees) of persone of klasse persone aan wie, daardie produk of ’n produk of handelsartikel wat daarvan verkry is, van die hand gesit mag word, voorskryf.”; en

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- “(iv) to finance out of its funds the manufacture of such packing material and containers, or the purchase thereof by such producers or persons;” and
- (c) by the addition to that subsection of the following paragraph:
- “(f) on such conditions as the Minister may approve—
- (i) to acquire or develop any plant material which producers use for the production of the product to which the scheme relates;
 - (ii) to multiply or improve such plant material, or to sell such plant material to producers of that product or to persons who in the course of their business sell such plant material to such producers;
 - (iii) to finance out of its funds the development, improvement or multiplication of such plant material.”.
8. Section 57 of the principal Act is hereby amended—
- (a) by the substitution for paragraph (a) of subsection (1) of the following paragraph:
- “(a) to conduct a pool for the sale of any product to which the scheme relates, and to treat in such manner as it may deem fit, classify, grade, pack, store, process, adapt for sale, insure, advertise and transport any product in connection with which it conducts a pool;”;
- (b) by the substitution for paragraph (d) of subsection (2) of the following paragraph:
- “(d) provide that moneys which accrue to the pool after its accounts have been closed, may be dealt with in a manner determined by the Minister;”;
- and
- (c) by the addition to the said subsection (2) of the following paragraph:
- “(e) provide that different pools may be conducted, whether on the same basis or not, for such different grades or other classes of the said product as may be determined by the board or prescribed in the scheme or by regulations made for that purpose.”.
9. Section 59 of the principal Act is hereby amended—
- (a) by the substitution for subsection (5) of the following subsection:
- “(5) A scheme which empowers its control board to impose conditions in connection with the registration with the board of a producer of, or of a person dealing in the course of trade with, the product to which the scheme relates, may further empower the board to impose, in addition to any other conditions which it may lawfully impose, conditions prescribing the nature of the equipment and the maximum capacity of the plant or machinery which may be installed, or the class, grade or maximum quantity of any product or commodity which may be manufactured or processed or converted or be dealt with in the course of trade by such producer or person, and the manner in which, and the place where or the area within which, and the purpose for which, and the person (who may also be the board) or persons or classes of persons to whom, that product or any product or commodity derived therefrom, may be disposed of.”; and
- Amendment of section 57 of Act 59 of 1968, as amended by section 9 of Act 69 of 1970.
- Amendment of section 59 of Act 59 of 1968, as amended by section 10 of Act 69 of 1970.

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- (b) deur subartikel (6) deur die volgende subartikel te vervang:

„(6) Iemand wat ontevrede is met 'n besluit van 'n beheerraad in verband met 'n aangeleentheid betreffende sy registrasie deur daardie beheerraad ingevolge bevoegdheid aan die raad verleen uit hoofde van subartikel (1) (c) of van subartikel (3) (b), (c) of (d) gelees met subartikels (4) en (5), kan binne negentig dae nadat hy of sy verteenwoordiger van sodanige besluit in kennis gestel is, teen sodanige besluit by die Minister appèl aanteken, en die Minister kan, na oorlegpleging met die bemarkingsraad, die bedoelde besluit bekragtig, tersyde stel of wysig of in verband daarmee die bevel uitreik wat hy goedvind.”.

Wysiging van artikel 60 van Wet 59 van 1968.

10. Artikel 60 van die Hoofwet word hierby gewysig deur subparagraaf (i) van paragraaf (b) van subartikel (1) deur die volgende subparagraaf te vervang:

- „(i) die gelde of koste te bepaal wat ingesluit of bygevoeg moet word by, of afgetrek moet word van, 'n in gemelde paragraaf bedoelde prys, of die massa te bepaal wat met betrekking tot 'n in daardie paragraaf bedoelde hoeveelheid toegelaat moet word vir die houer van die betrokke produk;”.

Wysiging van artikel 66 van Wet 59 van 1968.

11. Artikel 66 van die Hoofwet word hierby gewysig deur die volgende voorbehoudsbepaling by subartikel (2) te voeg:

„Met dien verstande dat die skema die raad of so 'n persoon kan magtig om 'n hoeveelheid van daardie produk aldus vir verkoop deur bemiddeling van so 'n poel gelewer, vir sy eie rekening te verkry teen 'n prys wat die raad bepaal op 'n grondslag deur die Minister goedgekeur, en dat—

- (a) 'n hoeveelheid van daardie produk aldus verkry, by die toepassing van hierdie artikel, geag word namens die poel deur die raad of so 'n persoon, na gelang van die geval, verkoop te gewees het;
- (b) 'n hoeveelheid van daardie produk aldus deur die raad verkry, by die toepassing van artikel 56 geag word kragtens bevoegdheid verleen uit hoofde van paragraaf (a) van daardie artikel deur die raad aangekoop te gewees het.”.

Invoeging van artikel 78A in Wet 59 van 1968.

12. Die volgende artikel word hierby in die Hoofwet na artikel 78 ingevoeg:

„Ooreenkoms om produk van die Staat te bemark.

78A. 'n Skema kan, behoudens die bepalings van artikel 98, sy beheerraad magtig om met die goedkeuring van die Minister 'n ooreenkoms met 'n Staatsdepartement aan te gaan vir die bemarking van 'n hoeveelheid van 'n produk deur die betrokke departement geproduseer en waarop die skema betrekking het, op die wyse en die voorwaardes waarop onderling ooreengekom word.”.

Wysiging van artikel 84 van Wet 59 van 1968, soos gewysig deur artikel 15 van Wet 52 van 1969 en artikel 16 van Wet 69 van 1970.

13. Artikel 84 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Die Staatspresident kan by proklamasie in die *Staatskoerant* verklaar dat die verkoop deur enigiemand, of enigiemand wat tot 'n klas of groep persone behoort, of enigiemand behalwe iemand wat tot 'n klas of groep persone behoort, van 'n in die proklamasie vermelde produk of 'n

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- (b) by the substitution for subsection (6) of the following subsection:

“(6) Any person who is dissatisfied with a decision of a control board in connection with any matter relating to his registration by that board in pursuance of powers vested in it by virtue of subsection (1) (c) or of subsection (3) (b), (c) or (d) read with subsections (4) and (5), may within ninety days after he or his representative has been notified of such decision, appeal to the Minister against such decision, and the Minister may, after consultation with the marketing council, confirm, set aside or vary such decision or make such order in connection therewith as he may deem fit.”.

10. Section 60 of the principal Act is hereby amended by the substitution for subparagraph (i) of paragraph (b) of subsection (1) of the following subparagraph: Amendment of section 60 of Act 59 of 1968.

“(i) to determine the charges or costs to be included in, added to or deducted from any price referred to in the said paragraph, or the mass to be allowed, in relation to any quantity referred to in that paragraph, for any container of the product in question;”.

11. Section 66 of the principal Act is hereby amended by the addition to subsection (2) of the following proviso: Amendment of section 66 of Act 59 of 1968.

“Provided that the scheme may empower the board or any such person to acquire for its or his own account any quantity of that product so delivered for sale through any such pool, at a price determined by the board on a basis approved by the Minister, and that—

- (a) any quantity of that product so acquired shall, for the purposes of this section, be deemed to have been sold by the board or any such person, as the case may be, on behalf of the pool;
- (b) any quantity of that product so acquired by the board shall, for the purposes of section 56, be deemed to have been purchased by the board under a power conferred in terms of paragraph (a) of that section.”.

12. The following section is hereby inserted in the principal Act after section 78: Insertion of section 78A in Act 59 of 1968.

“Agreement to market product of the State.

78A. A scheme may, subject to the provisions of section 98, empower its control board to enter, with the approval of the Minister, into an agreement with any department of State for the marketing of a quantity of a product produced by the department in question and to which the scheme relates, in such manner and on such conditions as may be mutually agreed upon.”.

13. Section 84 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection: Amendment of section 84 of Act 59 of 1968, as amended by section 15 of Act 52 of 1969 and section 16 of Act 69 of 1970.

“(1) The State President may, by proclamation in the *Gazette*, declare that the sale by any person, or any person belonging to any class or group of persons, or any person other than a person belonging to any class or group of persons, of any product specified in the proclamation, or

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produk van 'n aldus vermelde klas in 'n gebied of op 'n plek insgelyks vermeld, hetsy in die algemeen of vir 'n bepaalde doel, of vir 'n ander doel as 'n bepaalde doel, verbied is—

- (a) tensy die betrokke produk verkoop word volgens die graad of grade of ander klas of klasse wat by regulasie kragtens artikel 89 ten opsigte daarvan voorgeskryf is en in die proklamasie vermeld word;
- (b) tensy die betrokke produk verpak is in 'n houer en op 'n wyse aldus voorgeskryf;
- (c) tensy die betrokke produk gemerk is met besonderhede en op 'n wyse aldus voorgeskryf;
- (d) indien die betrokke produk in 'n houer of op 'n wyse verpak is wat aldus voorgeskryf is as 'n houer waarin of 'n wyse waarop dit nie verpak mag word nie;
- (e) indien die betrokke produk met besonderhede of op 'n wyse gemerk is wat aldus voorgeskryf is as besonderhede waarmee of 'n wyse waarop dit nie gemerk mag word nie."

Wysiging van artikel 84E van Wet 59 van 1968, soos ingevoeg deur artikel 19 van Wet 69 van 1970.

14. Artikel 84E van die Hoofwet word hierby gewysig deur paragraaf (a) van subartikel (2) deur die volgende paragraaf te vervang:

- „(a) die gelde of koste bepaal wat ingesluit of bygevoeg moet word by, of afgetrek moet word van, 'n kragtens gemelde subartikel vasgestelde prys, of die massa bepaal wat met betrekking tot 'n in daardie subartikel bedoelde hoeveelheid toegelaat moet word vir die houer van die betrokke produk;"

Wysiging van artikel 85 van Wet 59 van 1968, soos gewysig deur artikel 17 van Wet 52 van 1969 en artikel 20 van Wet 69 van 1970.

15. Artikel 85 van die Hoofwet word hierby gewysig—

- (a) deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Wanneer 'n nasionale merk kragtens artikel 82 of 'n verbod kragtens artikel 84, 84D, 84E of 84F ten opsigte van 'n produk voorgeskryf of opgelê is, kan die Minister persone aanwys om, onderworpe aan die beheer van die Minister, die in subartikel (2) bedoelde werksaamhede te verrig;"

- (b) deur in subartikel (2) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

„(2) Iemand wat kragtens subartikel (1) aangewys is, kan te alle redelike tye 'n perseel of voertuig betree waarin of waarop daar 'n produk ten opsigte waarvan so 'n nasionale merk voorgeskryf of so 'n verbod opgelê is, wel of na vermoede verkoop, gehou, vervaardig, geproduseer, verwerk, behandel, berei, gegradeer, geklassifiseer, verpak of gemerk word, en kan—" ;

- (c) deur paragraaf (a) van die genoemde subartikel (2) deur die volgende paragraaf te vervang:

„(a) 'n hoeveelheid van daardie produk wat in of op bedoelde perseel of voertuig gevind word, ooreenkomstig die kragtens hierdie Wet voorgeskrewe vereistes gradeer, klassifiseer, verpak of merk, of iemand wat oor bedoelde perseel of voertuig of bedoelde hoeveelheid van daardie produk beheer het, of 'n werknemer of agent van so iemand, gelas om dit aldus te gradeer, te klassifiseer, te verpak of te merk;"

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any product of a class so specified, in any area or at any place likewise specified, either generally or for a specified purpose or for a purpose other than a specified purpose, shall be prohibited—

- (a) unless the product in question is sold according to such grade or grades or other class or classes as may be prescribed in respect thereof by regulation under section 89 and specified in the proclamation;
- (b) unless the product in question is packed in a container and in a manner so prescribed;
- (c) unless the product in question is marked with particulars and in a manner so prescribed;
- (d) if the product in question is packed in a container or in a manner so prescribed as a container in which or a manner in which it may not be packed;
- (e) if the product in question is marked with particulars or in a manner so prescribed as particulars with which or a manner in which it may not be marked.”.

14. Section 84E of the principal Act is hereby amended by the substitution for paragraph (a) of subsection (2) of the following paragraph:

Amendment of section 84E of Act 59 of 1968, as inserted by section 19 of Act 69 of 1970.

- “(a) determine the charges or costs to be included in, added to or deducted from any price fixed under the said subsection, or the mass to be allowed, in relation to any quantity referred to in that subsection, for any container of the product in question;”.

15. Section 85 of the principal Act is hereby amended—

Amendment of section 85 of Act 59 of 1968, as amended by section 17 of Act 52 of 1969 and section 20 of Act 69 of 1970.

- (a) by the substitution for subsection (1) of the following subsection:

“(1) Whenever a national mark has been prescribed under section 82 or a prohibition has been imposed under section 84, 84D, 84E or 84F in respect of any product, the Minister may designate persons to perform, subject to the control of the Minister, the functions referred to in subsection (2).”;

- (b) by the substitution in subsection (2) for the words preceding paragraph (a) of the following words:

“(2) Any person designated under subsection (1) may at all reasonable times enter upon any premises or vehicle in or on which there is or is suspected to be sold, kept, manufactured, produced, processed, treated, prepared, graded, classified, packed or marked any product in respect of which any such national mark has been prescribed or any such prohibition has been imposed, and may—”;

- (c) by the substitution for paragraph (a) of the said subsection (2) of the following paragraph:

“(a) grade, classify, pack or mark, in accordance with the requirements prescribed under this Act, any quantity of that product found in or on such premises or vehicle, or direct any person in charge of such premises or vehicle or such quantity of that product or any employee or agent of such person so to grade, classify, pack or mark it;”;

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- (d) deur paragraaf (b) van die genoemde subartikel (2) deur die volgende paragraaf te vervang:

„(b) indien hy van oordeel is—

- (i) dat so 'n nasionale merk of 'n merk of voorstelling wat na so 'n nasionale merk lyk, wat op 'n produk wat in of op die perseel of voertuig gevind is, of op die houer daarvan aangebring is, nie wettiglik daarop aangebring is nie; of

- (ii) dat 'n hoeveelheid van daardie produk wat in of op die perseel of voertuig gevind is, nie wettiglik gegradeer, geklassifiseer, verpak of gemerk is nie,

genoemde nasionale merk of voorstelling of 'n merk wat nie ooreenkomstig die kragtens hierdie Wet voorgeskrewe vereistes op bedoelde produk of die houer daarvan aangebring is nie, rojeer of bedoelde produk of die houer daarvan gradeer, klassifiseer, verpak of merk, of hergradeer, herklassifiseer, herverpak of oormerk ooreenkomstig die aldus voorgeskrewe vereistes, of 'n persoon wat oor genoemde perseel of voertuig of genoemde hoeveelheid van daardie produk beheer het, of 'n werknemer of agent van so 'n persoon, gelas om dit te doen;”;

- (e) deur paragraaf (c) van die genoemde subartikel (2) deur die volgende paragraaf te vervang:

„(c) van so 'n produk, of 'n materiaal of stof wat gebruik word of vermoedelik bestem is vir gebruik by die verkoop, vervaardiging, produksie, verwerking, behandeling, bereiding, gradering, klassifisering, verpakking of merk daarvan, en van 'n produk, materiaal of stof waarop daar kragtens paragraaf (g) beslag gelê is, monsters neem, en sodanige monsters ondersoek, ontleed, gradeer of klassifiseer of laat ondersoek, ontleed, gradeer, of klassifiseer en 'n pakket of houer oopmaak wat 'n hoeveelheid van so 'n produk, materiaal of stof bevat of vermoedelik bevat;”;

- (f) deur paragraaf (h) van die genoemde subartikel (2) deur die volgende paragraaf te vervang:

„(h) werksaamhede ondersoek wat in verband met die verkoop, vervaardiging, produksie, verwerking, behandeling, bereiding, gradering, klassifisering, verpakking of merk van 'n produk in of op so 'n perseel verrig word, en kan van die persoon wat oor sodanige werksaamhede toesig hou, inligting aangaande daardie werksaamhede eis;”.

Wysiging van artikel 89 van Wet 59 van 1968, soos gewysig deur artikel 19 van Wet 52 van 1969 en artikel 22 van Wet 69 van 1970.

16. (1) Artikel 89 van die Hoofwet word hierby gewysig—

- (a) deur in subartikel (1) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

„(1) Die Minister kan regulasies uitvaardig wat nie met die bepalinge van hierdie Wet of van 'n skema strydig is nie en waarby voorgeskryf word—”;

- (b) deur paragraaf (d) van daardie subartikel deur die volgende paragraaf te vervang:

„(d) die houters waarin en die wyse waarop 'n produk verpak moet word, en die persone deur wie die produk aldus verpak moet word, of die houters waarin of die wyse waarop 'n produk nie verpak mag word nie;”;

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- (d) by the substitution for paragraph (b) of the said subsection (2) of the following paragraph:

“(b) if he is of the opinion—

- (i) that any such national mark or a mark or representation resembling any such national mark, which has been applied to any product found in or on such premises or vehicle or to the container thereof, has not been lawfully applied thereto; or
- (ii) that any quantity of that product found in or on such premises or vehicle has not been lawfully graded, classified, packed or marked, cancel the said national mark or representation or any mark which has been applied to the said product or the container thereof otherwise than in accordance with the requirements prescribed under this Act, or grade, classify, pack or mark, or regrade, reclassify, repack or remark such product or container in accordance with the requirements so prescribed, or direct any person in charge of the said premises or vehicle or the said quantity of that product, or any employee or agent of such person, to do so;”;

- (e) by the substitution for paragraph (c) of the said subsection (2) of the following paragraph:

“(c) take samples of any such product or any material or substance used or suspected to be intended for use in the selling, manufacture, production, processing, treatment, preparation, grading, classification, packing or marking thereof, and of any product, material or substance seized in terms of paragraph (g), and examine, analyse, grade or classify such samples or cause them to be examined, analysed, classified or graded, and open any package or container which contains or is suspected to contain any quantity of any such product, material or substance;”;

- (f) by the substitution for paragraph (h) of the said subsection (2) of the following paragraph:

“(h) inspect any operations carried out in or on any such premises in connection with the selling, manufacture, production, processing, treatment, preparation, grading, classification, packing or marking of any such product and may demand from the person in charge of such operations any information regarding such operations;”.

16. (1) Section 89 of the principal Act is hereby amended—

- (a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:

“(1) The Minister may make regulations, not inconsistent with the provisions of this Act or of any scheme, prescribing—”;

Amendment of section 89 of Act 59 of 1968, as amended by section 19 of Act 52 of 1969 and section 22 of Act 69 of 1970.

- (b) by the substitution for paragraph (d) of that subsection of the following paragraph:

“(d) the containers in which and the manner in which any product shall be packed, and the persons by whom the product shall be so packed, or the containers in which or the manner in which any product may not be packed;”;

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- (c) deur paragraaf (dA) van daardie subartikel deur die volgende paragraaf te vervang:
- „(dA) die besonderhede waarmee en die wyse waarop 'n produk of houer wat so 'n produk bevat, gemerk of geëtiketteer moet word, en die persone deur wie die produk of houer aldus gemerk of geëtiketteer moet word, of die besonderhede waarmee of wyse waarop so 'n produk of houer nie gemerk of geëtiketteer mag word nie;” en
- (d) deur na subartikel (2) die volgende subartikel in te voeg—
- „(2A) Regulasies kragtens paragraaf (g) van subartikel (1) uitgevaardig, kan bepaal dat die Minister of ander persoon wat oor 'n in daardie paragraaf bedoelde appèl moet beslis, sodanige appèl kan oorweeg en daaroor kan beslis sonder om mondelinge vertoë deur enigiemand aan te hoor of kennis in verband met die appèl, of 'n geleentheid om vertoë in verband daarmee te rig, aan enigiemand te gee of 'n stuk of inligting wat by die oorweging van of beslissing oor die appèl in aanmerking geneem word (ongegag of dit by die besluit waarteen geappelleer word in aanmerking geneem is of nie) aan enigiemand te openbaar.”
- (2) 'n Regulasie deur die Staatspresident kragtens artikel 89 van die Hoofwet uitgevaardig en onmiddellik voor die inwerkingtreding van hierdie Wet van krag, word gegag deur die Minister van Landbou kragtens genoemde artikel soos deur subartikel (1) van hierdie artikel gewysig, uitgevaardig te gewees het.

Wysiging van Bylae 1 by Wet 59 van 1968, soos gewysig deur artikel 23 van Wet 52 van 1969, artikel 26 van Wet 69 van 1970 en artikel 7 van Wet 78 van 1971, en herroeping van Proklamasie R.238 van 1971.

17. (1) Bylae 1 by die Hoofwet word hierby gewysig—

- (a) deur Item 1 van Deel A deur die volgende item te vervang:
- „Item 1.
- Gars, graansorghum soos omskryf in Deel B, mielies, hawer, rog en koring, met inbegrip van so 'n graansoort in ongedorste vorm.
- 'n Garsprodukt, graansorghumprodukt, mielieprodukt, hawerprodukt, rogprodukt of koringprodukt, soos omskryf in Deel B.
- 'n Handelsartikel waarvan 'n wesentlike deel gars, graansorghum, mielies, hawer, rog of koring of 'n gars-, graansorghum-, mielie-, hawer-, rog- of koringprodukt is.”;
- (b) deur by Item 4 van genoemde Deel A die volgende woorde te voeg:
- „Vrugtesap en -drank, soos omskryf in Deel B.”;
- (c) deur in Deel B na die omskrywing van „Gesteriliseerde room” die volgende omskrywings in te voeg:
- „„Graansorghum” beteken die saad van enige sorghum behalwe 'n besemsorghum, hooisorghum of soetrietsorghum.
- „Graansorghumprodukt” beteken 'n handelsartikel wat verkry is deur die verwerking van graansorghum of waarin graansorghum of 'n deel van graansorghum omgesit is.”;
- (d) deur in genoemde Deel B die omskrywing van „Ingemaakte voedsel” deur die volgende omskrywing te vervang:
- „„Ingemaakte voedsel” beteken die ingemaakte produkte bestaande uit—

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- (c) by the substitution for paragraph (dA) of that subsection of the following paragraph:

“(dA) the particulars with which and the manner in which any product or container containing such product shall be marked or labelled, and the persons by whom the product or container shall be so marked or labelled, or the particulars with which or manner in which any such product or container may not be marked or labelled;”;

- (d) by the insertion after subsection (2) of the following subsection:

“(2A) Regulations made under paragraph (g) of subsection (1) may provide that the Minister or other person required to decide an appeal referred to in that paragraph, may consider and decide such appeal without hearing any oral representations by any person or giving any notice in connection with the appeal, or any opportunity to submit representations in connection with it, to any person or disclosing any document or information taken into account in the consideration or decision of the appeal (regardless of whether or not it was taken into account in the decision appealed against) to any person.”.

(2) Any regulation made by the State President under section 89 of the principal Act and in force immediately before the commencement of this Act, shall be deemed to have been made by the Minister of Agriculture under the said section as amended by subsection (1) of this section.

17. (1) Schedule 1 to the principal Act is hereby amended—

- (a) by the substitution for Item 1 of Part A of the following item:

“Item 1.

Barley, grain sorghum as defined in Part B, maize, oats, rye and wheat, including any such cereal in unthreshed form.

Any barley product, grain sorghum product, maize product, oaten product, rye product or wheaten product, as defined in Part B.

Any commodity which contains a substantial proportion of barley, grain sorghum, maize, oats, rye or wheat or of a barley, grain sorghum, maize, oaten, rye or wheaten product.”;

Amendment of Schedule 1 to Act 59 of 1968, as amended by section 23 of Act 52 of 1969, section 26 of Act 69 of 1970 and section 7 of Act 78 of 1971, and repeal of Proclamation R.238 of 1971.

- (b) by the addition to Item 4 of the said Part A of the following words:

“Fruit juice and drink, as defined in Part B.”;

- (c) by the substitution in Part B for the definition of “Canned foodstuffs” of the following definition:

““Canned foodstuffs” means the canned products consisting of—

(a) fruit, fruit pulp, fruit sauce, fruit juice, fruit juice concentrate, fruit jam, fruit conserve, jelly or marmalade;

(b) vegetables, vegetable purée, vegetable paste, vegetable juice or vegetable concentrate;

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- (a) vrugte, vrugtemoes, vrugtesous, vrugtesap, vrugtesapkonsentraat, vrugtekonfyt, vrugtekonserf, jellie of marmelade;
- (b) groente, groentepuree, groentepasta, groentesap of groentekonsentraat;
- (c) sop of sopkonsentraat;
- (d) spaghetti, macaroni, vermicelli of ander pastaprodukte; of
- (e) sampioene, wat deur middel van hitte teen bederf gevrywaar is in lugdigverseëlde houers.”;
- (e) deur in genoemde Deel B die omskrywing van „Kafferkoringprodukt” te skrap; en
- (f) deur in genoemde Deel B na die omskrywing van „Vleisprodukt” die volgende omskrywing in te voeg: „„Vrugtesap en -drank” beteken ’n stof wat bedoel is om as ’n drank gebruik te word, hetsy met of sonder die byvoeging van ’n ander stof, en—
 - (a) wat uitsluitlik of gedeeltelik van vrugte berei is of in voorkoms, geur en smaak ooreenkom met ’n sap wat van vrugte verkry is; of
 - (b) op die houer waarvan daar ’n afbeelding of voorstelling van, of ’n verwysing na, vrugte verskyn, maar nie ook wyn, ander gegiste drank en spiritualieë soos in die Wet op Wyn, Ander Gegiste Drank en Spiritualieë, 1957 (Wet No. 25 van 1957), omskryf nie.”.
- (2) Proklamasie No. R.238 van 1971 word hierby herroep.

Herroeping van
wolwette, en
voorbehoude.

18. (1) Behoudens die bepalings van subartikels (2) en (4), word die wette in die Bylae genoem hierby herroep met ingang van die datum waarop ’n skema wat op wol betrekking het, ingevolge ’n proklamasie kragtens artikel 14 (1) van die Hoofwet in werking tree.

(2) Vanaf die datum in subartikel (1) bedoel—

- (a) gaan alle bates, regte, laste en verpligtings van die Suid-Afrikaanse Wolkommissie en die Suid-Afrikaanse Wolraad oor op die beheerraad van die skema in daardie subartikel beoog;
- (b) word enigiets wat voor daardie datum deur of namens die Suid-Afrikaanse Wolkommissie of die Suid-Afrikaanse Wolraad gedoen is en wat deur die genoemde beheerraad kragtens die bepalings van die Hoofwet of van die genoemde skema gedoen kan word, geag deur daardie beheerraad kragtens daardie bepalings gedoen te gewees het;
- (c) is ’n heffing wat onmiddellik voor daardie datum ingevolge ’n by subartikel (1) herroepe wet betaalbaar was, totdat dit deur die genoemde beheerraad opgehef word, aan daardie beheerraad betaalbaar asof dit ’n heffing was wat kragtens die genoemde skema opgelê is soos in artikel 41 van die Hoofwet beoog: Met dien verstande dat regulasies wat ingevolge ’n aldus herroepe wet uitgevaardig is en wat onmiddellik voor daardie datum die betaling van sodanige heffing reël, ondanks die herroeping van bedoelde wet en totdat bedoelde regulasies vervang word deur regulasies kragtens die Hoofwet uitgevaardig, *mutatis mutandis* van toepassing is met betrekking tot die betaling van sodanige heffing aan die genoemde beheerraad;
- (d) word elke persoon wat onmiddellik voor daardie datum ’n aanstelling kragtens die voorbehoudbepaling by artikel 6 (1) van die Wolkommissie- en

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- (c) soup or soup concentrate;
 - (d) spaghetti, macaroni, vermicelli or other paste products; or
 - (e) mushrooms, which have been preserved by heat against decay in hermetically sealed containers.”;
 - (d) by the insertion in the said Part B after the definition of “Freshly-flayed state” of the following definitions:
 - “‘Fruit juice and drink’ means any substance which is intended to be used as a drink, whether with or without the addition of any other substance, and—
 - (a) which is solely or partially prepared from fruit or in appearance, flavour and taste resembles any juice derived from fruit; or
 - (b) on the container of which there appears any depiction or representation of, or reference to, fruit, but does not include wine, other fermented beverages and spirits as defined in the Wine, Other Fermented Beverages and Spirits Act, 1957 (Act No. 25 of 1957).
 - ‘Grain sorghum’ means the seed of any sorghum except a broom sorghum, hay sorghum or cane sorghum.
 - ‘Grain sorghum product’ means a commodity derived from the processing of grain sorghum or into which grain sorghum or any part of grain sorghum has been converted.”; and
 - (e) by the deletion in the said Part B of the definition of “Kaffircorn product”.
- (2) Proclamation No. R.238 of 1971 is hereby repealed.

18. (1) Subject to the provisions of subsections (2) and (4), the laws specified in the Schedule are hereby repealed with effect from the date on which a scheme relating to wool comes into operation in terms of a proclamation under section 14 (1) of the principal Act. Repeal of wool laws, and savings.

(2) As from the date referred to in subsection (1):

- (a) all assets, rights, liabilities and obligations of the South African Wool Commission and the South African Wool Board shall vest in the control board of the scheme contemplated in that subsection;
- (b) anything done by or on behalf of the South African Wool Commission or the South African Wool Board before that date and which may be done by the said control board under the provisions of the principal Act or of the said scheme, shall be deemed to have been done by that control board under those provisions;
- (c) any levy which immediately before that date was payable in terms of a law repealed by subsection (1) shall, until abolished by the said control board, be payable to that control board as if it were a levy imposed under the said scheme as contemplated in section 41 of the principal Act: Provided that any regulations made in terms of a law so repealed and governing the payment of such levy immediately before that date, shall, notwithstanding the repeal of such law and until such regulations are superseded by regulations made under the principal Act, *mutatis mutandis* apply with reference to the payment of such levy to the said control board;
- (d) every person who immediately before that date held an appointment under the proviso to section 6 (1) of the Wool Commission and Wool Amendment Act,

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WYSIGINGSWET OP BEMARKING, 1972.

Wolwysigingswet, 1960 (Wet No. 35 van 1960), as lid van die Suid-Afrikaanse Wolkommissie, of kragtens artikel 5 (1) (a) van die Wolwet, 1967 (Wet No. 59 van 1967), as lid van die Suid-Afrikaanse Wolraad, gehou het, geag, totdat die eerste aanstelling van persone ingevolge die genoemde skema as lede van die genoemde beheerraad om produsente van wol te verteenwoordig, van krag word, behoorlik as 'n lid van daardie beheerraad aangestel te gewees het om bedoelde produsente te verteenwoordig.

(3) Gelde in 'n fonds ingestel ingevolge of vermeld in die genoemde Wolkommissie- en Wolwysigingswet, 1960, of die genoemde Wolwet, 1967, word op of so gou doenlik na die in subartikel (1) bedoelde datum in die ingevolge die genoemde skema ingestelde fonds of fondse gestort wat die Minister van Landbou bepaal.

(4) Die Rekening vir die Verdeling van Wolwinste (Bantoe-producente), ingestel ingevolge paragraaf (b) van artikel 2 (2) van die Wolwinsteverdelings- en Wolwysigingswet, 1952 (Wet No. 60 van 1952), bly voortbestaan na en ondanks die herroeping van daardie Wet deur subartikel (1) van hierdie artikel, en met die genoemde Rekening en gelde daarin word daar na bedoelde herroeping gehandel asof die genoemde paragraaf (b) nie herroep was nie.

(5) Die registrateur van aktes moet, op of so gou doenlik na die datum in subartikel (1) bedoel, die inskrywings of aantekeninge wat hy nodig ag ten einde aan die bepalings van subartikel (2) (a) gevolg te gee, in of op enige tersaaklike register, titelbewys of ander stuk in sy kantoor of aan hom voorgelê, maak, en geen hereregte, seëlregte, kantoorgeld of ander geld is ten opsigte van 'n oordrag ingevolge genoemde subartikel (2) (a) of ten opsigte van so 'n inskrywing of aantekening betaalbaar nie.

Kort titel.

19. Hierdie Wet heet die Wysigingswet op Bemarking, 1972.

Bylae.

WETTE HERROEP

No. en Jaar van Wet	Titel van Wet
Wet No. 60 van 1952	Wolwinsteverdelings- en Wolwysigingswet, 1952.
Wet No. 57 van 1955	Wolwysigingswet, 1955.
Wet No. 12 van 1959	Wolwysigingswet, 1959.
Wet No. 35 van 1960	Wolkommissie- en Wolwysigingswet, 1960.
Wet No. 23 van 1962	Wolkommissie-wysigingswet, 1962.
Wet No. 78 van 1965	Wysigingswet op Wol en die Wolkommissie, 1965.
Wet No. 26 van 1967	Wysigingswet op Wol en die Wolkommissie, 1967.
Wet No. 59 van 1967	Wolwet, 1967.
Wet No. 46 van 1969	Wolwysigingswet, 1969.

MARKETING AMENDMENT ACT, 1972.

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1960 (Act No. 35 of 1960), as a member of the South African Wool Commission, or under section 5 (1) (a) of the Wool Act, 1967 (Act No. 59 of 1967), as a member of the South African Wool Board, shall, until the first appointment of persons in terms of the said scheme as members of the said control board to represent producers of wool becomes effective, be deemed to have been duly appointed as a member of that control board to represent such producers.

(3) Any moneys in a fund established in terms of or referred to in the said Wool Commission and Wool Amendment Act, 1960, or the said Wool Act, 1967, shall, on or as soon as may be practicable after the date referred to in subsection (1), be paid into such fund or funds established in terms of the said scheme as may be determined by the Minister of Agriculture.

(4) The Wool Profits Distribution Account (Bantu Producers), established in terms of paragraph (b) of section 2 (2) of the Wool Profits Distribution and Wool Amendment Act, 1952 (Act No. 60 of 1952), shall continue to exist after and notwithstanding the repeal of that Act by subsection (1) of this section, and the said Account and any moneys in it shall after such repeal be dealt with as if the said paragraph (b) had not been repealed.

(5) The registrar of deeds shall, on or as soon as may be practicable after the date referred to in subsection (1), make such entries or endorsements in or on any relevant register, title deed or other document in his office or submitted to him as he may deem necessary in order to give effect to the provisions of subsection (2) (a), and no transfer duty, stamp duty, office fee or other charge shall be payable in respect of any vesting in terms of the said subsection (2) (a) or in respect of any such entry or endorsement.

19. This Act shall be called the Marketing Amendment Act, Short title. 1972.

Schedule

LAWS REPEALED

No. and Year of Law	Title
Act No. 60 of 1952	Wool Profits Distribution and Wool Amendment Act, 1952.
Act No. 57 of 1955	Wool Amendment Act, 1955.
Act No. 12 of 1959	Wool Amendment Act, 1959.
Act No. 35 of 1960	Wool Commission and Wool Amendment Act, 1960.
Act No. 23 of 1962	Wool Commission Amendment Act, 1962.
Act No. 78 of 1965	Wool and Wool Commission Amendment Act, 1965.
Act No. 26 of 1967	Wool and Wool Commission Amendment Act, 1967.
Act No. 59 of 1967	Wool Act, 1967.
Act No. 46 of 1969	Wool Amendment Act, 1969.

