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DEPARTMENT OF THE PRIME MINISTER

No. 735. 12 April 1978.

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

No. 47 of 1978: Wine and Spirit Control Amendment Act, 1978.

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 735. 12 April 1978.

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

No. 47 van 1978: Wysigingswet op Beheer oor Wyn en Spiritus, 1978.

Wet No. 47, 1978

WYSIGINGSWET OP BEHEER OOR WYN EN SPIRITUS, 1978.

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

_____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Wet op Beheer oor Wyn en Spiritus, 1970, ten einde die prys waarteen sekere spiritus aan groothandelaars verkoop moet word, verder te reël; en voorsiening te maak vir 'n nuwe grondslag waarop die bedrag wat onder sekere omstandighede by die prys van wyn gevoeg moet word, vasgestel kan word.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 5 April 1978.)

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

Wysiging van
artikel 2 van
Wet 47 van 1970.

1. Artikel 2 van die Wet op Beheer oor Wyn en Spiritus, 1970, word hierby gewysig deur die voorbehoudsbepaling by paragraaf 5 (a) van subartikel (4) deur die volgende voorbehoudsbepaling te vervang:

„Met dien verstande dat in 'n geval waar 'n koöperatiewe vereniging of wynboer spiritus aan 'n groothandelaar wil verkoop en daardie koöperatiewe vereniging of wynboer die 10 vereniging oortuig dat die Regeringsbrandewynraad **[geweer het om] nie** daardie spiritus **[goed te keur en te sertifiseer]** goedgekeur en gesertifiseer het nie, soos in artikel 9 voorgeskryf, en dat daardie handelaar verplig sal wees om daardie spiritus te herdistilleer ten einde sodanige 15 goedkeuring en sertifisering te verkry, die vereniging die verkoop van daardie spiritus aan daardie handelaar kan toelaat op die voorwaardes deur die vereniging bepaal en teen 'n prys wat die koste van distillering van sodanige spiritus kan uitsluit.”. 20

Wysiging van
artikel 18 van
Wet 47 van 1970,
soos gewysig deur
artikel 7 van
Wet 70 van 1972
en artikel 16 van
Wet 74 van 1974.

2. Artikel 18 van die Wet op Beheer oor Wyn en Spiritus, 1970, word hierby gewysig deur subparagraaf (iii) van paragraaf (a) van subartikel (1) deur die volgende subparagraaf te vervang: 25
„(iii) die bedrag wat by so 'n prys gevoeg moet word as sodanige wyn gekoop word deur of verkoop word aan 'n 25 persoon in bottels, flesse of ander houers met 'n inhoud van **[minder as 4,5 liter]** 25 liter of minder, watter bedrag kan verskil na gelang dié bottels, flesse of ander houers se inhoud— 30
(aa) meer as 5 liter maar hoogstens 25 liter;
(bb) 4,5 liter tot 5 liter; of
(cc) minder as 4,5 liter,
is.”.

Kort titel.

3. Hierdie Wet heet die Wysigingswet op Beheer oor Wyn en Spiritus, 1978. 35

WINE AND SPIRIT CONTROL AMENDMENT ACT, 1978.

Act No. 47, 1978

GENERAL EXPLANATORY NOTE:

- []** Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Wine and Spirit Control Act, 1970, so as to further regulate the price at which certain spirit shall be sold to wholesale traders; and to provide for a new basis upon which the amount to be added to the price of wine in certain circumstances, may be fixed.

(English text signed by the State President.)
(Assented to 5 April 1978.)

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

1. Section 2 of the Wine and Spirit Control Act, 1970, is hereby amended by the substitution for the proviso to paragraph (a) of subsection (4) of the following proviso: Amendment of section 2 of Act 47 of 1970.

“Provided that in any case where a co-operative society or winegrower desires to sell spirit to a wholesale trader and such co-operative society or winegrower satisfies the vereniging that the Government Brandy Board has **[declined to approve and certify]** not approved and certified such spirit as provided for in section 9 and that such trader will be obliged to redistil such spirit in order to obtain such approval and certification, the vereniging may permit the sale of such spirit to such trader on such conditions as the vereniging may determine and at a price which may exclude the cost of distilling such spirit.”

2. Section 18 of the Wine and Spirit Control Act, 1970, is hereby amended by the substitution for subparagraph (iii) of paragraph (a) of subsection (1) of the following subparagraph: Amendment of section 18 of Act 47 of 1970, as amended by section 7 of Act 70 of 1972 and section 16 of Act 74 of 1974.
- “(iii) the amount which shall be added to any such price if such wine is purchased by or sold to any person in bottles, jars or other containers of a capacity of **[less than 4,5 litres]** 25 litres or less, which amount may vary according as the capacity of those bottles, jars or other containers—
- (aa) exceeds 5 litres but is not more than 25 litres;
- (bb) is 4,5 litres up to 5 litres; or
- (cc) is less than 4,5 litres;”

3. This Act shall be called the Wine and Spirit Control Amendment Act, 1978. Short title.

