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DEPARTMENT OF THE PRIME MINISTER

o. 1192.

9 June 1978.

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

o. 75 of 1978: Regulation of Monopolistic Conditions Amendment Act, 1978.

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1192.

9 Junie 1978.

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

No. 75 van 1978: Wysigingswet op Reëling van Monopolistiese Toestande, 1978.

Wet No. 75, 1978

WYSIGINGSWET OP REËLING VAN
MONOPOLISTIESE TOESTANDE, 1978.

WET

Om die verbod in Goewermenskennisgewing No. R.1038 van 25 Junie 1969 vervat, uit te brei sodat dit ook van toepassing is met betrekking tot ander persone as verskaffers van handelsware; en om die bevoegdheid aan die Minister van Ekonomiese Sake te verleen om sodanige verbod ook van toepassing te maak ten opsigte van enige handelswaar in daardie Goewermenskennisgewing genoem en uitdruklik van bedoelde verbod uitgesluit.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 29 Mei 1978.)

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

Uitleg van Goewermenskennisgewing No. R.1038 van 25 Junie 1969, die geldigverklaring daarvan met betrekking tot ander persone as verskaffers en die wysiging daarvan.

1. (a) Die bepalings van Goewermenskennisgewing No. R.1038 van 25 Junie 1969 word, met betrekking tot paragraaf 1 daarvan, so uitgelê dat die verbod daarin vervat van toepassing is op enige persoon, ongeag of so 'n persoon 'n verskaffer of 'n herverkoper is of nie of iemand anders as 'n verskaffer of 'n herverkoper is, en so 'n verbod word hierby geldig en, behoudens die 10 bepalings van paragraaf 2 van daardie Goewermenskennisgewing, bindend verklaar, ongeag of die relevante opdrag van die Minister ingevolge artikel 3 van die Wet op Reëling van Monopolistiese Toestande, 1955 (Wet No. 24 van 1955), aan die Raad van Handel en 15 Nywerheid, of enige relevante verslag van, of ondersoek deur, daardie raad ingevolge bedoelde artikel 3, of enige relevante kennisgewing deur daardie raad ingevolge artikel 4 van bedoelde Wet, of enige relevante kennisgewing deur die Minister ingevolge artikel 6 (5) van 20 bedoelde Wet gepubliseer of aan beide Huise van die Parlement vir goedkeuring voorgelê, of enige ander relevante stuk, ook ander persone as verskaffers raak of nie.
- (b) Die Minister van Ekonomiese Sake kan by kennisgewing in die *Staatskoerant* verklaar dat die verbod in paragraaf 1 van bedoelde Goewermenskennisgewing No. R.1038 genoem en soos in paragraaf (a) van hierdie artikel uitgelê, vanaf 'n datum in so 'n kennisgewing bepaal ook van toepassing is op enige handelswaar in 30 paragraaf 2 (2) van bedoelde Goewermenskennisgewing No. R.1038 genoem.

Kort titel.

2. Hierdie Wet heet die Wysigingswet op Reëling van Monopolistiese Toestande, 1978.

REGULATION OF MONOPOLISTIC CONDITIONS
AMENDMENT ACT, 1978.

Act No. 75, 1978

ACT

To extend the prohibition contained in Government Notice No. R.1038 of 25 June 1969 so as to apply also with reference to persons other than suppliers of commodities; and to empower the Minister of Economic Affairs to apply such prohibition also in respect of any commodity referred to in that Government Notice and expressly excluded from such prohibition.

(English text signed by the State President.)
(Assented to 29 May 1978.)

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

- 5 1. (a) The provisions of Government Notice No. R.1038 of 25 June 1969 shall, in relation to paragraph 1 thereof, be construed as applying the prohibition contained therein to any person, irrespective of whether such person is a supplier or a reseller or not or any person other than a supplier or a reseller, and such prohibition is hereby
10 declared valid and, subject to the provisions of paragraph 2 of that Government Notice, binding, irrespective of whether or not the relevant direction by the Minister under section 3 of the Regulation of Monopolistic
15 Conditions Act, 1955 (Act No. 24 of 1955), to the Board of Trade and Industries, or any relevant report of, or investigation by, that board under the said section 3, or any relevant notice by that board under section 4 of
20 the said Act, or any relevant notice published, or submitted to both Houses of Parliament for approval, by the Minister under section 6 (5) of the said Act, or any other relevant document, extends to persons other than suppliers.
- 25 (b) The Minister of Economic Affairs may by notice in the *Gazette* declare that the prohibition referred to in paragraph 1 of the said Government Notice No. R.1038 and as construed in paragraph (a) of this section, shall, as from a date specified in such notice apply also with reference to any commodity referred to in paragraph 2 (2) of the said Government Notice No. R.1038.
- 30 2. This Act shall be called the Regulation of Monopolistic Conditions Amendment Act, 1978.

Construction of Government Notice No. R.1038 of 25 June 1969, the validation thereof with respect to persons other than suppliers and the amendment thereof.

ACT

To extend the prohibition contained in Government Notice No. R 1038 of 15 June 1937 so as to apply also with reference to persons other than suppliers of commodities; and to empower the Minister of Economic Affairs to apply such prohibition also in respect of any commodity referred to in that Government Notice and expressly excluded from such prohibition.

(English text signed by the State's attorney)
(Assented to 22 May 1938)

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

1. (a) The provisions of Government Notice No. R 1038 of 15 June 1937 shall, in relation to paragraph 1 thereof, be construed as applying the prohibition contained therein to any person, irrespective of whether such person is a supplier or a reseller, and such prohibition is hereby declared valid and subject to the provisions of paragraph 2 of that Government Notice, binding, irrespective of whether or not the relevant decision by the Minister under section 5 of the Regulation of Monopolistic Conditions Act, 1937 (Act No. 24 of 1937) to the Board of Trade and Industries, or any relevant report of investigation by that board under the said section 5, or any relevant notice by that board under section 4 of the said Act, or any relevant notice published or submitted to both Houses of Parliament for approval by the Minister under section 6 (2) of the said Act, or any other relevant document, extends to persons other than suppliers.
- (b) The Minister of Economic Affairs may, by notice in the Gazette, declare that the prohibition referred to in paragraph 1 of the said Government Notice No. R 1038, and as contained in paragraph (a) of this section, shall, as from a date specified in such notice, apply also with reference to any commodity referred to in paragraph 2 (2) of the said Government Notice No. R 1038.
2. This Act shall be called the Regulation of Monopolistic Conditions Amendment Act, 1938.