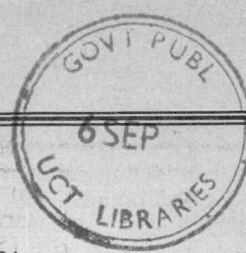


REPUBLIEK  
VAN  
SUID-AFRIKA



REPUBLIC  
OF  
SOUTH AFRICA



G 68G  
3.559

# Staatskoerant Government Gazette

Verkoopprys • Selling price  
(AVB uitgesluit/GST excluded)

Plaaslik **50c** Local  
Buitelands **70c** Other countries  
Posvry • Post free

**Regulasiekoerant  
Regulation Gazette**

**No. 4253**

As 'n Nuusblad by die  
Poskantoor geregistreer  
Registered at the Post Office  
as a Newspaper

Vol. 278

PRETORIA, 31 AUGUSTUS 1988  
AUGUST

**No. 11485**

## GOEWERMENSKENNISGEWINGS

### DEPARTEMENT VAN LANDBOU- EKONOMIE EN -BEMARKING

**No. R. 1752** **31 Augustus 1988**

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

#### SUIWELSKEMA.—WYSIGING

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, handelende kragtens artikel 14, soos toegepas by artikel 15 (3), van die Bemarkingswet, 1968 (Wet 59 van 1968)—

(a) publiseer hierby die wysigings in die Bylae uiteengesit, van die Suiwelskema gepubliseer by Proklamasie R. 290 van 1978, soos gewysig; en

(b) verklaar hierby dat genoemde wysigings op 1 September 1988 in werking tree.

J. J. G. WENTZEL,  
Minister van Landbou.

#### BYLAE

#### Woordskrywing

1. In hierdie Bylae beteken "die Skema" die Suiwelskema gepubliseer by Proklamasie R. 290 van 1978, soos gewysig by Proklamasies R. 276 van 1979, R. 71 van 1980, R. 72 van 1980, R. 96 van 1980, R. 139 van 1980, R. 234 van 1980, R. 240 van 1980, R. 113 van 1982, R. 207 van 1982 en R. 188 van 1984, en Goewermenskennisgewings R. 1437 van 28 Junie 1985, R. 2302 van 11 Oktober 1985, R. 1804 van 29 Augustus 1986, R. 2506 van 5 Desember 1986, R. 297 van 13 Februarie 1987, R. 808 van 10 April 1987, R. 989 van 27 Mei 1988 en R. 1506 van 29 Julie 1988.

#### Wysiging van artikel 1 van die Skema

2. Artikel 1 van die Skema word hierby gewysig—

(a) deur die omskrywing van "distribueerder" deur die volgende omskrywing te vervang:

" 'distribueerder' iemand wat met melk of hersaamgestelde melk as 'n besigheid handel—

(a) deur melk in die rou vorm van produsente van melk, die Raad of ander melkkopers te verkry met die oog op die prosesering of verpakking en verspreiding daarvan as varsmelk, of die gebruik daarvan vir die vervaardiging van varsmelkprodukte; en

## GOVERNMENT NOTICES

### DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

**No. R. 1752** **31 August 1988**

MARKETING ACT, 1968 (ACT 59 OF 1968)

#### DAIRY SCHEME.—AMENDMENT

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, acting under section 14, as applied by section 15 (3), of the Marketing Act, 1968 (Act 59 of 1968), hereby—

(a) publish the amendments set out in the Schedule, of the Dairy Scheme published by Proclamation R. 290 of 1978, as amended; and

(b) declare that the said amendments shall come into operation on 1 September 1988.

J. J. G. WENTZEL,  
Minister of Agriculture.

#### SCHEDULE

#### Definition

1. In this Schedule "the Scheme" means the Dairy Scheme published by Proclamation R. 290 of 1978, as amended by Proclamations R. 276 of 1979, R. 71 of 1980, R. 72 of 1980, R. 96 of 1980, R. 139 of 1980, R. 234 of 1980, R. 240 of 1980, R. 113 of 1982, R. 207 of 1982 and R. 188 of 1984, and Government Notices R. 1437 of 28 June 1985, R. 2302 of 11 October 1985, R. 1804 of 29 August 1986, R. 2506 of 5 December 1986, R. 297 of 13 February 1987, R. 808 of 10 April 1987, R. 989 of 27 May 1988 and R. 1506 of 29 July 1988.

#### Amendment of section 1 of the Scheme

2. Section 1 of the Scheme is hereby amended—

(a) by the substitution for the definition of "cheese factory" of the following definition:

" 'cheese factory' means any premises, excluding premises of a farm cheesemaker that is used for the manufacture of cheese;";

(b) by the substitution for the definition of "cheese manufacturer" of the following definition:

" 'cheese manufacturer' means a person dealing in the course of trade with milk or reconstituted milk by manufacturing cheese therefrom;";

(b) deur hersaamgestelde melk te verkoop of dit vir die vervaardiging van varsmelkprodukte te gebruik;";

(b) deur die volgende omskrywing na die omskrywing van "graad" in te voeg:

" 'hersaamgestelde melk' die produk verkry deur melkdroëstowwe met water saam te stel sodat dit aan die standaarde voldoen wat in die regulasies kragtens artikel 89 van die Wet uitgevaardig, vir hersaamgestelde melk voorgeskryf is;";

(c) deur die omskrywing van "kaasfabriek" deur die volgende omskrywing te vervang:

" 'kaasfabriek' enige perseel, uitgesonderd 'n perseel van 'n plaaskaasmaker, wat vir die vervaardiging van kaas gebruik word;";

(d) deur die omskrywing van "kaasvervaardiger" deur die volgende omskrywing te vervang:

" 'kaasvervaardiger' iemand wat met melk of hersaamgestelde melk as 'n besigheid handel deur kaas daarvan te vervaardig;";

(e) deur die omskrywing van 'n "kondensmelkvervaardiger" deur die volgende omskrywing te vervang:

" 'kondensmelkvervaardiger' iemand wat met melk of hersaamgestelde melk as 'n besigheid handel deur kondensmelk daarvan te vervaardig;";

(f) deur die omskrywing van "melkpoeiervervaardiger" deur die volgende omskrywing te vervang:

" 'melkpoeiervervaardiger' iemand wat met melk of hersaamgestelde melk as 'n besigheid handel deur melkpoeier of afgeroomdemelkpoeier daarvan te vervaardig;";

(g) deur die omskrywing van "melkprosesseerder" deur die volgende omskrywing te vervang:

" 'melkprosesseerder' iemand wat met melk of hersaamgestelde melk as 'n besigheid handel deur dit tot 'n UHT-behandelde- of gesteriliseerde suiwelprodukt te proses;"; en

(h) deur die omskrywing van "plaaskaasmaker" deur die volgende omskrywing te vervang:

" 'plaaskaasmaker' iemand wat met melk wat uitsluitlik van sy eie koeie verkry is as 'n besigheid handel deur plaaskaas daarvan te vervaardig;".

#### **Wysiging van artikel 21 van die Skema**

3. Artikel 21 van die Skema word hierby gewysig deur—

(a) deur die volgende paragraaf na paragraaf (c) van subartikel (2) in te voeg:

"(cA) in die geval van melk wat deur 'n plaaskaasmaker vir die vervaardiging van plaaskaas gebruik word, deur sodanige plaaskaasmaker betaalbaar;"; en

(b) deur die volgende paragraaf na paragraaf (b) van subartikel (3) in te voeg:

"(c) word melk wat 'n melkkoper van sy eie koeie verkry, geag van die produsent van sodanige melk verkry te gewees het."

#### **Wysiging van artikel 33 van die Skema**

4. Artikel 33 van die Skema word hierby gewysig deur—

(a) deur die uitdrukking "plaaskaasmaker" waar dit in paragraaf (d) van subartikel (1) voorkom, te skrap; en

(b) deur die volgende paragraaf na paragraaf (d) van subartikel (1) in te voeg:

"(e) elke plaaskaasmaker wat oor 'n tydperk van 12 maande gemiddeld meer as 500 liter melk per dag gebruik vir die vervaardiging van plaaskaas, moet by die Raad geregistreer wees."

(c) by the substitution for the definition of "condensed milk manufacturer" of the following definition:

" 'condensed milk manufacturer' means a person dealing in the course of trade with milk or reconstituted milk by manufacturing condensed milk therefrom;";

(d) by the substitution for the definition of "distributor" of the following definition:

" 'distributor' means a person dealing in the course of trade with milk or reconstituted milk—

(a) by acquiring milk in the raw form from producers of milk, the Board or other milk purchasers with a view to the processing or packing and distribution thereof as fresh milk, or using it for the manufacture of fresh milk products; and

(b) by selling reconstituted milk or using it for the manufacture of fresh milk products;";

(e) by the substitution for the definition of "farm cheesemaker" of the following definition:

" 'farm cheesemaker' means a person dealing in the course of trade with milk derived solely from his own cows by manufacturing farm cheese therefrom;";

(f) by the substitution for the definition of "milk powder manufacturer" of the following definition:

" 'milk powder manufacturer' means a person dealing in the course of trade with milk or reconstituted milk by manufacturing milk powder or skim-milk powder therefrom;";

(g) by the substitution for the definition of "milk processor" of the following definition:

" 'milk processor' means a person dealing in the course of trade with milk or reconstituted milk by processing it into a UHT treated or sterilised dairy product;"; and

(h) by the insertion of the following definition after the definition of "process cheese manufacturer":

" 'reconstituted milk' means the product obtained by reconstituting milk solids with water so that it complies with the standards prescribed for reconstituted milk in the regulations made under section 89 of the Act;".

#### **Amendment of section 21 of the Scheme**

3. Section 21 of the Scheme is hereby amended—

(a) by the insertion of the following paragraph after paragraph (c) of subsection (2):

"(cA) in the case of milk used by a farm cheesemaker for the manufacture of farm cheese, be payable by such farm cheesemaker;"; and

(b) by the insertion of the following paragraph after paragraph (b) of subsection 3:

"(c) milk acquired by a milk purchaser from his own cows shall be deemed to be acquired from the producer of such milk."

#### **Amendment of section 33 of the Scheme**

4. Section 33 of the Scheme is hereby amended—

(a) by the deletion of the expression "farm cheesemaker" where it appears in paragraph (d) of subclause (1); and

(b) by the insertion of the following paragraph after paragraph (d) of subsection (1):

"(e) each farm cheesemaker who uses milk for the manufacture of farm cheese in excess of 500 litres per day on average during a period of 12 months shall be registered with the Board."

No. R. 1753

31 Augustus 1988

## BEMARKINGSWET, 1968 (WET 59 VAN 1968)

## SUIWELSKEMA.—PRYSE VAN SUIWELPRODUKTE

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemakingswet, 1968 (Wet 59 van 1968), bekend dat—

(a) die Suiwelraad bedoel in artikel 6 van die Suiwelskema gepubliseer by Proklamasie R. 290 van 1978, soos gewysig, kragtens artikel 34 van genoemde Skema die verbodsbepalings in die Bylae uiteengesit, opgelê het;

(b) genoemde verbodsbepalings deur my goedgekeur is en op 1 September 1988 in werking tree; en

(c) Goewermentskennisgewing R. 862 van 29 April 1988 met ingang van genoemde datum van inwerking-treding herroep word.

J. J. G. WENTZEL,  
Minister van Landbou.

## BYLAE

**Woordomskrywing**

1. In hierdie Bylae het enige woord of uitdrukking waarvan 'n betekenis in die Skema geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken—

“die Skema” die Suiwelskema gepubliseer by Proklamasie R. 290 van 1978, soos gewysig;

“goedgekeurde”, met betrekking tot 'n verkoelings-tenk of melktenkwa, 'n verkoelingstenk of melktenkwa wat voldoen aan die spesifikasies deur die Raad daarvoor neergelê;

“graad”, met betrekking tot room, 'n graad bedoel in die regulasies uitgevaardig kragtens die Wet op die Suiwelnywerheid, 1961 (Wet 30 van 1961);

“klas B melk” melk met 'n plaattelling van 50 000 tot 200 000 kolonievormende bakteriese eenhede per milliliter;

“klas C melk” melk met 'n plaattelling van meer as 200 000 kolonievormende bakteriese eenhede per milliliter;

“melk in losmaat”, melk wat in 'n goedgekeurde verkoelingstenk verkoel en gehou word by die plek waar dit geproduseer is, en in 'n goedgekeurde geïsoleerde melktenkwa vervoer word, maar nie ook melk wat bygevoegde water of meer as 0,008 internasionale eenhede penisillien ekwivalent bevat nie; en

“melkkoper” nie ook—

(a) 'n staatsbeheerde opvoedkundige inrigting nie; en

(b) 'n melkkoper wat oor 'n tydperk van 12 maande gemiddeld minder as 500 liter melk per dag verkry nie.

**Pryse vir melk in losmaat**

2. (1) Behoudens die bepalinge van subklousule (2), mag geen melkkoper melk in losmaat van 'n produsent van melk of van die Raad verkry nie teen 'n laer prys as 450 sent per kg bottervet plus 674 sent per kg proteïen wat onderskeidelik in die betrokke melk teenwoordig is.

(2) Indien melk klas B melk of klas C melk is, moet die prys in subklousule (1) bedoel—

(a) in die geval van klas B melk, met een sent per liter verminder word; en

(b) in die geval van klas C melk, met twee sent per liter verminder word.

No. R. 1753

31 August 1988

## MARKETING ACT, 1968 (ACT 59 OF 1968)

## DAIRY SCHEME.—PRICES OF DAIRY PRODUCTS

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act 59 of 1968), that—

(a) the Dairy Board referred to in section 6 of the Dairy Scheme published by Proclamation R. 290 of 1978, as amended, has under section 34 of the said Scheme imposed the prohibitions set out in the Schedule;

(b) the said prohibitions have been approved by me and shall come into operation on 1 September 1988; and

(c) Government Notice R. 862 of 29 April 1988 is repealed with effect from the said date of commencement.

J. J. G. WENTZEL,  
Minister of Agriculture.

## SCHEDULE

**Definitions**

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning and, unless the context otherwise indicates—

“approved”, with regard to a cooling tank or milk tanker, means a cooling tank or milk tanker that complies with the specifications laid down by the Board therefor;

“class B milk” means milk with a plate count of 50 000 to 200 000 colony forming bacterial units per millilitre;

“class C milk” means milk with a plate count of more than 200 000 colony forming bacterial units per millilitre;

“grade”, with regard to cream, means a grade referred to in the regulations made under the Dairy Industry Act, 1961 (Act 30 of 1961);

“milk in bulk” means milk that is cooled and kept in an approved cooling tank at the place where it is produced, and is transported in an approved insulated milk tanker, but not also milk that contains added water or more than 0,008 international units penicillin equivalent;

“milk purchaser” does not include—

(a) a state controlled educational institution; and

(b) a milk purchaser who acquires less than 500 litres of milk per day on average during a period of 12 months; and

“the Scheme” means the Dairy Scheme published by Proclamation R. 290 of 1978, as amended.

**Prices for fresh milk**

2. (1) Subject to the provisions of subclause (2), no milk purchaser shall acquire milk in bulk from a producer of milk or from the Board at a price below 450 cents per kg butterfat plus 674 cents per kg protein that are respectively present in the milk concerned.

(2) If milk is class B milk or class C milk, the price referred to in subclause (1) shall—

(a) in the case of class B milk, be reduced by one cent per litre; and

(b) in the case of class C milk, be reduced by two cents per litre.

**Prys vir room**

3. Geen bottervervaardiger mag room van 'n graad in kolom 1 van die tabel hieronder vermeld, teen 'n ander prys as die toepaslike prys in kolom 2 of 3 van genoemde tabel teenoor die betrokke graad vermeld, verkry nie:

| Graad room         | Prys per kg bottervet in room wat verkry is in— |            |
|--------------------|-------------------------------------------------|------------|
|                    | losmaat                                         | kanne      |
| 1                  | 2                                               | 3          |
| Eerste Graad ..... | 527 sent                                        | 448,6 sent |
| Tweede Graad ..... | 427 sent                                        | 348,6 sent |

No. R. 1754

31 Augustus 1988

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

**SUIWELSKEMA.—HEFFINGS EN SPESIALE HEFFINGS**

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet 59 van 1968), bekend dat—

(a) die Suiwelraad bedoel in artikel 6 van die Suiwelskema gepubliseer by Proklamasie R. 290 van 1978, soos gewysig, kragtens artikels 21 en 22 van genoemde Skema die heffings en spesiale heffings in die Bylae uiteengesit, opgelê het;

(b) genoemde heffings en spesiale heffings deur my goedgekeur is en op 1 September 1988 in werking tree; en

(c) Goewermentskennisgewings R. 1634 van 31 Julie 1987, R. 2146 van 25 September 1987, R. 863 van 29 April 1988 en R. 1475 van 29 Julie 1988 met ingang van genoemde datum van inwerkingtreding herroep word.

J. J. G. WENTZEL,  
Minister van Landbou.

**BYLAE****Woordomskrywing**

1. In hierdie Bylae het enige woord of uitdrukking waarvan 'n betekenis in die Skema geheg is, daardie betekenis, en beteken "die Skema" die Suiwelskema gepubliseer by Proklamasie R. 290 van 1978, soos gewysig.

**Oplegging van heffings en spesiale heffings**

2. 'n Heffing en 'n spesiale heffing word hierby opgelê op suiwelprodukte van die soorte in kolom 1 van die Tabel vermeld.

**Bedrag van heffing en spesiale heffing**

3. (1) Die bedrag van die heffing en spesiale heffing in klousule 2 bedoel, is onderskeidelik soos in kolom 2 en 3 van die Tabel teenoor die onderskeie soorte suiwelprodukte vermeld.

(2) 'n Melkkoper kan, ten opsigte van melk wat in Natal geproduseer is, van die produsent van sodanige melk—

(a) in die geval van melk in item 1 van die Tabel vermeld, 'n bedrag van 0,44 sent per kg bottervet en 0,67 sent per kg proteïen verhaal; en

(b) in die geval van melk in item 2 van die Tabel vermeld, 'n bedrag van 0,04 sent per liter verhaal.

**Price for cream**

3. No butter manufacturer shall acquire cream of a grade specified in column 1 of the table hereunder, at a price other than the applicable price specified in column 2 or 3 of the said table opposite the grade concerned:

| Grade of cream     | Price per kg of butterfat in cream acquired in— |             |
|--------------------|-------------------------------------------------|-------------|
|                    | bulk                                            | cans        |
| 1                  | 2                                               | 3           |
| First Grade .....  | 527 cents                                       | 448,6 cents |
| Second Grade ..... | 427 cents                                       | 348,6 cents |

No. R. 1754

31 August 1988

MARKETING ACT, 1968 (ACT 59 OF 1968)

**DAIRY SCHEME.—LEVIES AND SPECIAL LEVIES**

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act 59 of 1968), that—

(a) the Dairy Board referred to in section 6 of the Dairy Scheme published by Proclamation R. 290 of 1978, as amended, has under sections 21 and 22 of the said Scheme imposed the levies and special levies set out in the Schedule;

(b) the said levies and special levies have been approved by me and shall come into operation on 1 September 1988;

(c) Government Notices R. 1634 of 31 July 1987, R. 2146 of 25 September 1987, R. 863 of 29 April 1988 and R. 1475 of 29 July 1988 are repealed with effect from the said date of commencement.

J. J. G. WENTZEL,  
Minister of Agriculture.

**SCHEDULE****Definitions**

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning, and "the Scheme" means the Dairy Scheme published by Proclamation R. 290 of 1978, as amended.

**Imposition of levies and special levies**

2. A levy and a special levy are hereby imposed on dairy products of the kinds specified in column 1 of the Table.

**Amount of levy and special levy**

3. (1) The amount of the levy and special levy referred to in clause 2 shall respectively be as specified in columns 2 and 3 of the Table opposite the respective kinds of dairy products.

(2) A milk purchaser may, in respect of milk that has been produced in Natal, recover from the producer of such milk—

(a) in the case of milk referred to in item 1 of the Table, an amount of 0,44 cents per kg butterfat and 0,67 cents per kg proteïn; and

(b) in the case of milk referred to in item 2 of the Table, an amount of 0,04 cents per litre.

## TABEL/TABLE

HEFFINGS EN SPESIALE HEFFINGS OP SUIWELPRODUKTE  
LEVIES AND SPECIAL LEVIES ON DAIRY PRODUCTS

| Soort suiwelproduk<br>Kind of dairy product                                                                                                                                                                                                                                                                                                     | Heffing<br>Levy | Spesiale Heffing<br>Special Levy     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|--------------------------------------|
| 1                                                                                                                                                                                                                                                                                                                                               | 2               | 3                                    |
| 1. Melk, uitgesonderd melk in item 2 bedoel/Milk, excluding milk referred to in item 2:                                                                                                                                                                                                                                                         |                 |                                      |
| (a) Ten opsigte van bottervetinhoud/In respect of butterfat content .....                                                                                                                                                                                                                                                                       | 3,96 c/kg       | (i) 29,87 c/kg*<br>(ii) 29,43 c/kg** |
| (b) Ten opsigte van proteïeninhoud/In respect of protein content .....                                                                                                                                                                                                                                                                          | 5,94 c/kg       | (i) 44,82 c/kg*<br>(ii) 44,15 c/kg** |
| 2. Melk, verkry, geproduseer, verkoop of by die vervaardiging van suiwelprodukte gebruik in hoeveelhede van gemiddeld minder as 500 liter per dag oor 'n tydperk van 12 maande/Milk acquired, produced, sold or used in the manufacture of dairy products in quantities of less than 500 litres per day on average during a period of 12 months | 0,355 c/l       | (i) 2,678 c/l*<br>(ii) 2,638 c/l**   |
| 3. Room in kanne van iemand anders as 'n melkkoper verkry/Cream acquired in cans from a person other than a milk purchaser:                                                                                                                                                                                                                     |                 |                                      |
| Ten opsigte van bottervetinhoud/In respect of butterfat content .....                                                                                                                                                                                                                                                                           | —               | 33,4 c/kg                            |
| 4. Botter/Butter .....                                                                                                                                                                                                                                                                                                                          | —               | 3,887 c/kg                           |
| 5. Plaaskaas/Farm cheese .....                                                                                                                                                                                                                                                                                                                  | 0,8 c/kg        | —                                    |

\* Indien in Natal geproduseer/If produced in Natal.

\*\* Indien buite Natal geproduseer/If produced outside Natal.

No. R. 1755

31 Augustus 1988

## BEMARKINGSWET, 1968 (WET 59 VAN 1968)

REGULASIES.—VERSTREKKING VAN SEKURITEIT  
AAN SUIWELRAAD

Die Minister van Landbou het kragtens artikel 89 van die Bemakingswet, 1968 (Wet 59 van 1968)—

(a) die regulasies in die Bylae uitgevaardig;

(b) bepaal dat genoemde regulasie op 1 September 1988 in werking tree; en

(c) Goewermenskennisgewings R. 1253 van 25 Junie 1982, R. 1501 van 5 Julie 1985, R. 2668 van 19 Desember 1986 en R. 545 van 13 Maart 1987 met ingang van genoemde datum van inwerkingtreding herroep.

## BYLAE

## Woordomskrywings

1. In hierdie Bylae het enige woord of uitdrukking waarvan 'n betekenis in die Skema geheg is, daardie betekenis, en beteken—

“bankinstelling” ’n bankinstelling wat kragtens die Bankwet, 1965 (Wet 23 van 1965), geregistreer is;

“bouvereniging” ’n bouvereniging wat kragtens die Wet op Onderlinge Bouverenigings, 1965 (Wet 24 van 1965), of die Wet op Bouverenigings, 1986 (Wet 82 van 1986), geregistreer is;

“die Raad” die Suiwelraad bedoel in artikel 6 van die Skema;

“die Skema” die Suiwelskema gepubliseer by Proklamasie R. 290 van 1978, soos gewysig;

“kwartaal” enige een van die volgende tydperke gedurende 'n jaar, te wete—

(a) 1 Januarie tot 31 Maart, albei dae ingesluit;

(b) 1 April tot 30 Junie, albei dae ingesluit;

(c) 1 Julie tot 30 September, albei dae ingesluit; en

(d) 1 Oktober tot 31 Desember, albei dae ingesluit;

No. R. 1755

31 August 1988

## MARKETING ACT, 1968 (ACT 59 OF 1968)

REGULATIONS.—FURNISHING OF SECURITY TO  
DAIRY BOARD

The Minister of Agriculture has under section 89 of the Marketing Act, 1968 (Act 59 of 1968)—

(a) made the regulations in the Schedule;

(b) determined that the said regulations shall come into operation on 1 September 1988; and

(c) repealed Government Notices R. 1253 of 25 June 1982, R. 1501 of 5 July 1985, R. 2668 of 19 December 1986 and R. 545 of 13 March 1987 with effect from the said date of commencement.

## SCHEDULE

## Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning, and—

“banking institution” means a banking institution registered in terms of the Banks Act, 1965 (Act 23 of 1965);

“building society” means a building society registered in terms of the Mutual Building Societies Act, 1965 (Act 24 of 1965), or the Building Societies Act, 1986 (Act 82 of 1986);

“insurer” means an insurer registered in terms of the Insurance Act, 1943 (Act 27 of 1943);

“month” means the period extending from the first to the last day, both days inclusive, of any of the 12 months of a year;

“quarter” means any one of the following periods during a year, namely—

(a) 1 January to 31 March, both days inclusive;

(b) 1 April to 30 June, both days inclusive;

(c) 1 July to 30 September, both days inclusive; and

(d) 1 October to 31 December, both days inclusive;

"maand" die tydperk wat strek van die eerste tot die laaste dag, albei dae ingesluit, van enige van die 12 maande van 'n jaar;

"versekeraar" 'n versekeraar wat kragtens die Versekeringwet, 1943 (Wet 27 van 1943), geregistreer is; en

"waarde" met betrekking tot varsmelk, die waarde van varsmelk bereken op die basis van die heersende aankoopprys daarvan op die tydstip van sodanige berekening, waarteen 'n distribueerder en melkprosesseerder varsmelk van poelprodusente verkry.

### **Bedrag van sekuriteit**

2. (1) Die sekuriteit wat ingevolge artikel 38 (4) van die Skema deur die Raad vereis kan word van 'n distribueerder of melkprosesseerder wie se ontvangspersoneel in 'n poelgebied geleë is, is—

(a) R500,00; of

(b) behoudens die bepalings van subregulasie (2), 'n bedrag gelykstaande aan 150 persent van die waarde van die grootste totale maandelikse varsmelkaankope van poelprodusente deur so 'n distribueerder of melkprosesseerder gedurende die voorafgaande kwartaal,

welke bedrag ook die grootste is.

(2) Indien 'n distribueerder of melkprosesseerder nie enige varsmelk van poelprodusente gedurende 'n bepaalde kwartaal aangekoop het nie, word die bedrag in subregulasie (1) (b) bedoel, bereken op die waarde van alle varsmelkaankope deur so 'n distribueerder of melkprosesseerder gedurende die maand wat die maand voorafgaan waarin die Raad sekuriteit van hom vereis.

(3) Die Raad moet kwartaalliks die sekuriteit hersien wat van 'n distribueerder of melkprosesseerder vereis word, en die bedrag van sodanige sekuriteit moet aangepas word wanneer die bedrag alreeds versekureer, met meer as 10 persent van die toepaslike bedrag in subregulasie (1) of (2) bedoel, verskil.

(4) Ondanks die bepalings van subregulasie (3), moet die bedrag versekureer, in die geval van 'n styging in die aankoopprys van varsmelk wat 'n verhoging in die waarde van sodanige varsmelk veroorsaak, onverwyld ooreenkomstig die verhoogde waarde van die betrokke varsmelkaankope aangepas word.

### **Vorm van sekuriteite**

3. (1) 'n Sekuriteit in regulasie 2 bedoel, moet in een of meer van die volgende vorms wees:

(a) Kontant.

(b) 'n Garansie uitgereik deur 'n versekeraar of bankinstelling.

(c) 'n Sessie van Staatseffekte, munisipale skuldbriewe of vaste deposito by 'n bankinstelling of bouvereniging.

(2) 'n Garansie in subregulasie (1) (b) bedoel, moet in 'n vorm wees wat vir dié doel deur die Raad goedgekeur is.

### **Bewaring van sekuriteite**

4. 'n Sekuriteit in regulasie 2 bedoel, moet—

(a) wanneer in kontant gegee, vir die rekening van die Algemene Fonds in artikel 24 van die Skema bedoel, gekrediteer word, en in 'n spesiale bankrekening gestort word of by 'n bankinstelling of bouvereniging belê word; en

(b) wanneer in die vorm van 'n garansie of sessie gegee, deur die Raad in veilige bewaring gehou word.

"the Board" means the Dairy Board referred to in section 6 of the Scheme;

"the Scheme" means the Dairy Scheme published by Proclamation R. 290 of 1978, as amended; and

"value", in relation to fresh milk, means the value of fresh milk calculated on the basis of the prevailing purchase price thereof, at the time of such calculation, at which a distributor and milk processor acquire fresh milk from pool producers.

### **Amount of security**

2. (1) The security that may be required by the Board in terms of section 38 (4) of the Scheme from a distributor or milk processor whose receiving premises are situated in a pool area shall—

(a) R500,00; or

(b) subject to the provisions of subregulation (2), be an amount equal to 150 per cent of the value of the highest total monthly fresh milk purchases by such distributor or milk processor from pool producers during the preceding quarter,

whichever may be the largest amount.

(2) If a distributor or milk processor did not purchase any fresh milk from pool producers during a particular quarter, the amount referred to in subregulation (1) (b) shall be calculated on the value of all fresh milk purchases by such distributor or milk processor during the month preceding the month in which the Board requires security from him.

(3) The Board shall quarterly revise the security required from a distributor or milk processor, and the amount of such security shall be adjusted whenever the amount already secured differs by more than 10 per cent from the applicable amount referred to in subregulation (1) or (2).

(4) Notwithstanding the provisions of subregulation (3), the amount secured shall, in event of an increase in the purchase price of fresh milk that causes an increase in the value of such fresh milk, forthwith be adjusted in accordance with the increased value of the fresh milk purchases concerned.

### **Form of securities**

3. (1) A security referred to in regulation 2 shall be in one or more of the following forms:

(a) Cash.

(b) A guarantee issued by an insurer or banking institution.

(c) A cession of Government stock, municipal debentures or fixed deposit with a banking institution or building society.

(2) A guarantee referred to in subregulation (1) (b) shall be in a form approved by the Board for this purpose.

### **Keeping of securities**

4. A security referred to in regulation 2 shall—

(a) when furnished in cash, be credited for the account of the General Fund referred to in section 24 of the Scheme, and be deposited in a special bank account or invested with a banking institution or building society; and

(b) when furnished in the form of a guarantee or cession, be kept in safe custody by the Board.

**Intrekking van garansies**

5. (1) 'n Versekeraar of bankinstelling wat 'n garansie in regulasie 3 (1) (b) uitgereik het, kan hom van sy verpligtinge kragtens sodanige garansie onttrek indien hy die Raad skriftelik daarvan in kennis stel.

(2) 'n Kennisgewing in subregulasie (1) bedoel—

(a) word beteken deur dit per geregisteerde pos aan die Hoofbestuurder van die Raad te versend, of deur dit aan genoemde Hoofbestuurder self of aan sy gevolmagtigde verteenwoordiger af te lewer; en

(b) tree in werking 30 dae na die datum waarop dit aldus versend of afgelewer is.

(3) 'n Versekeraar of bankinstelling wat die Raad aldus in kennis gestel het, bly aanspreeklik vir enige eise wat tot en met die datum van inwerkingtreding in subregulasie (2) (b) bedoel, na aanleiding van die betrokke waarborg ontstaan.

**Beskikking oor sekuriteite**

6. (1) Indien 'n distribueerder of melkprosesseerder wat sekuriteit kragtens hierdie regulasies gegee het, versuim om 'n bedrag wat ingevolge artikel 38 van die Skema deur hom verskuldig is, teen die toepaslike betalingsdatum aan die Raad te betaal, kan die Raad summier—

(a) 'n bedrag gelykstaande aan die aldus verskuldigde bedrag uit die spesiale rekening of belegging in regulasie 4 (a) bedoel, onttrek;

(b) die versekeraar of bankinstelling wat 'n garansie in regulasie 3 (1) (b) bedoel, uitgereik het, gelas om 'n bedrag gelykstaande aan die aldus verskuldigde bedrag aan die Raad te betaal; of

(c) sodanige gedeelte van die Staatseffekte, munisipale skuldbriewe of vaste deposito in regulasie 3 (1) (c) bedoel, in kontant omsit as wat nodig mag wees om die aldus verskuldigde bedrag aan die Raad te betaal.

(2) Die Raad moet met 'n bedrag wat ingevolge subregulasie (1) verkry is, handel asof dit deur die betrokke distribueerder of melkprosesseerder ter betaling van die bedrag deur hom verskuldig, aangebied is.

No. R. 1756

31 Augustus 1988

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

**SUIWELSKEMA.—VERBOD OP DIE VERKOOP VAN VARSMEK IN POELGEBIEDE**

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet 59 van 1968), bekend dat—

(a) die Suiwelraad bedoel in artikel 6 van die suiwelskema gepubliseer by Proklamasie R. 290 van 1978, soos gewysig, kragtens artikel 36 van genoemde Skema die verbod in die Bylae uiteengesit, opgelê het;

(b) genoemde verbod deur my goedgekeur is en op 1 September 1988 in werking tree; en

(c) Goewermentskennisgewings R. 1787 van 17 Augustus 1984 en R. 1976 van 7 September 1984 met ingang van genoemde datum van inwerkingtreding herroep word.

J. J. G. WENTZEL,  
Minister van Landbou.

**BYLAE****Woordomskrywing**

1. In hierdie Bylae het enige woord of uitdrukking waar-aan 'n betekenis in die Skema geheg is, daardie betekenis, en beteken "die Skema" die Suiwelskema gepubliseer by Proklamasie R. 290 van 1978, soos gewysig.

**Withdrawal of guarantees**

5. (1) An insurer or banking institution who has issued a guarantee referred to in regulation 3 (1) (b) may withdraw from his obligations under such guarantee if he notifies the Board thereof in writing.

(2) A notice referred to in subregulation (1) shall—

(a) be served by forwarding it by registered post to the General Manager of the Board, or by delivering it to the said General Manager personally or to his authorised representative; and

(b) come into operation 30 days after the date on which it has been so forwarded or delivered.

(3) An insurer or banking institution who has notified the Board thus shall remain liable for any claims that may arise up to and until the date of commencement referred to in subregulation (2) (b) as a result of the guarantee concerned.

**Dealing with securities**

6. (1) If a distributor or milk processor who has furnished security in terms of these regulations, fails to pay to the Board at the applicable payment date any amount due by him in terms of section 38 of the Scheme, the Board may forthwith—

(a) withdraw from the special account or investment referred to in regulation 4 (a), an amount equal to the amount thus due;

(b) direct the insurer or banking institution who issued a guarantee referred to in regulation 3 (1) (b), to pay to the Board an amount equal to the amount thus due; or

(c) convert into cash such portion of the Government stock, municipal debentures or fixed deposit referred to in regulation 3 (1) (c) as is necessary to pay to the Board the amount thus due.

(2) The Board shall deal with an amount acquired in terms of subregulation (1) as if it was presented by the distributor or milk processor concerned in payment of the amount due by him.

No. R. 1756

31 August 1988

MARKETING ACT, 1968 (ACT 59 OF 1968)

**DAIRY SCHEME.—PROHIBITION ON THE SALE OF FRESH MILK IN POOL AREAS**

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act 59 of 1968), that—

(a) the Dairy Board referred to in section 6 of the Dairy Scheme published by Proclamation R. 290 of 1978, as amended, has under section 36 of the said Scheme imposed the prohibition set out in the Schedule;

(b) the said prohibition has been approved by me and shall come into operation on 1 September 1988; and

(c) Government Notices R. 1787 of 17 August 1984 and R. 1976 of 7 September 1984 are repealed with effect from the said date of commencement.

J. J. G. WENTZEL,  
Minister of Agriculture.

**SCHEDULE****Definitions**

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning, and "the Scheme" means the Dairy Scheme published by Proclamation R. 290 of 1978, as amended.

**Verbod op die verkoop van varsmelk in poelgebiede**

2. Geen poelprodusent mag varsmelk in 'n poelgebied verkoop nie behalwe deur bemiddeling van die Raad of aan iemand wat as 'n distribueerder of melkprosesseerder by die Raad geregistreer is.

**No. R. 1757****31 Augustus 1988**

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

**SUIWELSKEMA.—BETALING VAN AANKOOPPRYS VAN VARSMEK**

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet 59 van 1968), bekend dat—

(a) die Suiwelraad bedoel in artikel 6 van die Suiwelskema gepubliseer by Proklamasie R. 290 van 1978, soos gewysig, kragtens artikel 38 van genoemde Skema die lasgewing in die Bylae uiteengesit, gemaak het;

(b) bedoelde lasgewing deur my goedgekeur is en op 1 September 1988 in werking tree; en

(c) Goewermentskennisgewing R. 2386 van 2 November 1984 met ingang van genoemde datum van inwerkingtreding herroep word.

J. J. G. WENTZEL,  
Minister van Landbou.

**BYLAE****Woordomskrywing**

1. In hierdie Bylae het enige woord of uitdrukking waar- aan 'n betekenis in die Skema geheg is, daardie betekenis, en beteken "die Skema" die Suiwelskema gepubliseer by Proklamasie R. 290 van 1978, soos gewysig.

**Betaling van aankoopprys van varsmelk**

2. (1) Elke Distribueerder en melkprosesseerder moet voor of op die vyfde dag van elke kalendermaand die aankoopprys van varsmelk deur hom in 'n poelgebied gekoop en ontvang van poelprodusente gedurende die voorafgaande kalendermaand, aan die Raad betaal.

(2) 'n Vrygestelde poelprodusent moet voor of op die vyfde dag van elke kalendermaand die aankoopprys van varsmelk deur hom geproduseer en gedurende die voorafgaande kalendermaand in 'n poelgebied verkoop ingevolge 'n vrystelling kragtens artikel 36 (2) van die Skema verleen en nie ingevolge artikel 37 van die Skema aan die surpluspoel gelewer nie, aan die Raad betaal, min die aankoopprys van enige hoeveelheid van sodanige varsmelk as wat die Raad na goeddunke mag bepaal.

(3) 'n Betaling ingevolge subklousule (1) of (2) is vir die krediet van die Melkverkopefonds ingestel ingevolge artikel 38 (2) van die Skema.

**No. R. 1758****31 Augustus 1988**

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

**SUIWELSKEMA.—TYE VIR INDIENING EN OORWEGING VAN AANSOEKE OM REGISTRASIE VAN PRODUSENTE VAN VARSMEK—HERROEPING**

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet 59 van 1968), bekend dat—

(a) die Suiwelraad bedoel in artikel 6 van die Suiwelskema gepubliseer by Proklamasie R. 290 van 1978, soos gewysig, kragtens artikel 33 van genoemde Skema die voorskrifte gepubliseer by Goewermentskennisgewing R. 317 van 21 Februarie 1986, opgehef het;

**Prohibition on the sale of fresh milk in pool areas**

2. No pool producer shall sell fresh milk in any pool area except through the Board or to a person registered with the Board as a distributor or a milk processor.

**No. R. 1757****31 August 1988**

MARKETING ACT, 1968 (ACT 59 OF 1968)

**DAIRY SCHEME.—PAYMENT OF PURCHASE PRICE OF FRESH MILK**

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act 59 of 1968), that—

(a) the Dairy Board referred to in section 6 of the Dairy Scheme published by Proclamation R. 290 of 1978, as amended, has under section 38 of the said Scheme made the direction set out in the Schedule;

(b) the said direction has been approved by me and shall come into operation on 1 September 1988; and

(c) Government Notice R. 2386 of 2 November 1984 is repealed with effect from the said date of commencement.

J. J. G. WENTZEL,  
Minister of Agriculture.

**SCHEDULE****Definition**

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning, and "the Scheme" means the Dairy Scheme published by Proclamation R. 290 of 1978, as amended.

**Payment of purchase price of fresh milk**

2. (1) Each distributor and milk processor shall pay to the Board on or before the fifth day of each calendar month the purchase price of fresh milk purchased and received by him in a pool area from pool producers during the preceding calendar month.

(2) An exempted pool producer shall pay to the Board on or before the fifth day of each calendar month the purchase price of fresh milk produced by him and sold during the preceding calendar month in any pool area in terms of an exemption granted under section 36 (2) of the Scheme and not delivered in terms of section 37 of the Scheme to the surplus pool, less the purchase price of any quantity of such fresh milk as the Board, in its discretion, may determine.

(3) A payment in terms of subclause (1) or (2) shall be for the credit of the Milk Sales Fund established in terms of section 38 (2) of the Scheme.

**No. R. 1758****31 August 1988**

MARKETING ACT, 1968 (ACT 59 OF 1968)

**DAIRY SCHEME.—TIMES OF SUBMISSION AND CONSIDERATION OF APPLICATIONS FOR REGISTRATION OF PRODUCERS OF FRESH MILK—REPEAL**

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act 59 of 1968), that—

(a) the Dairy Board referred to in section 6 of the Dairy Scheme published by Proclamation R. 290 of 1978, as amended, has under section 33 of the said Scheme abolished the requirements published by Government Notice R. 317 of 21 February 1986;

(b) genoemde opheffing deur my goedgekeur is en op 1 September 1988 in werking tree; en

(c) Goewermentskennisgewing R. 317 van 21 Februarie 1986 met ingang van genoemde datum van inwerking-treding herroep word.

J. J. G. WENTZEL,  
Minister van Landbou.

No. R. 1759

31 Augustus 1988

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

#### ALGEMENE HEFFING OP MELK EN ROOM

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, handelende kragtens artikel 46A van die Bemarkingswet, 1986 (Wet 59 van 1968)—

(a) vaardig hierby die voorskrifte in die Bylae uiteengesit uit;

(b) bepaal hierby dat genoemde voorskrifte op 1 September 1988 in werking tree; en

(c) herroep hierby Goewermentskennisgewings R. 765 van 11 April 1980 en R. 1166 van 29 Mei 1981 met ingang van genoemde datum van inwerkingtreding.

J. J. G. WENTZEL,  
Minister van Landbou.

#### BYLAE

##### Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waarvan 'n betekenis in die Skema gegee is, daardie betekenis, en beteken "die Skema" die Suiwelskema gepubliseer by Proklamasie R. 290 van 1978, soos gewysig.

##### Oplegging van algemene heffing

2. 'n Algemene heffing word hierby opgelê op melk en room van die klasse in kolom 1 van die Tabel vermeld.

##### Bedrag van algemene heffing

3. (1) Die bedrag van die algemene heffing in klousule 2 bedoel, is—

(a) in die geval van melk en room wat verkry of verkoop word soos in kolom 1 van die Tabel uiteengesit word, 0,02 persent van die bruto bedrag waarteen daardie melk of room verkry of verkoop word; en

(b) in die geval van melk wat vir die vervaardiging van varsmelkprodukte of plaaskaas gebruik word soos in kolom 1 van die Tabel uiteengesit word, 0,02 persent van die waarde van sodanige melk.

(2) Indien die bedrag van die algemene heffing soos ingevolge subklousule (1) bereken, in 'n bepaalde geval 'n breuk van 'n sent bevat, moet daardie bedrag tot die daaropvolgende volle sent aangepas word.

##### Persone deur wie algemene heffing betaalbaar is

4. Die algemene heffing op melk en room van die klasse in kolom 1 van die Tabel vermeld, is betaalbaar deur die persone in kolom 2 van die Tabel daarteenoor vermeld.

##### Verhaal van algemene heffing

5. Wanneer 'n melkkoper of 'n bottervervaardiger 'n algemene heffing betaal op melk of room wat van 'n produsent verkry is, kan hy sodanige heffing van die betrokke produsent verhaal.

(b) the said abolition has been approved by me and shall come into operation on 1 September 1988; and

(c) Government Notice R. 317 of 21 February 1986 is repealed with effect from the said date of commencement.

J. J. G. WENTZEL,  
Minister of Agriculture.

No. R. 1759

31 August 1988

MARKETING ACT, 1968 (ACT 59 OF 1968)

#### GENERAL LEVY ON MILK AND CREAM

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, acting under section 46A of the Marketing Act, 1968 (Act 59 of 1968), hereby—

(a) make the directions set out in the Schedule;

(b) determine that the said directions shall come into operation on 1 September 1988; and

(c) repeal Government Notices R. 765 of 11 April 1980 and R. 1166 of 29 May 1981 with effect from the said date of commencement.

J. J. G. WENTZEL,  
Minister of Agriculture.

#### SCHEDULE

##### Definition

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning, and "the Scheme" means the Dairy Scheme published by Proclamation R. 290 of 1978, as amended.

##### Imposition of general levy

2. A general levy is hereby imposed on milk and cream of the classes specified in column 1 of the Table.

##### Amount of the general levy

3. (1) The amount of the general levy referred to in clause 2 shall—

(a) in the case of milk and cream that are acquired or sold as set out in column 1 of the Table, be 0,02 per cent of the gross amount at which that milk or cream is acquired or sold; and

(b) in the case of milk that is used for the manufacture of fresh milk products or farm cheese as set out in column 1 of the Table, be 0,02 per cent of the value of such milk.

(2) If the amount of the general levy as calculated in terms of subclause (1), in a particular case contains a fraction of a cent, that amount shall be adjusted to the ensuing full cent.

##### Persons by whom general levy is payable

4. The general levy on milk and cream of the classes specified in column 1 of the Table shall be payable by the persons specified in column 2 of the Table opposite thereto.

##### Recovery of general levy

5. When a milk purchaser or a butter manufacturer pays a general levy on milk or cream acquired from a producer, he may recover such levy from the producer concerned.

TABEL

## ALGEMENE HEFFING OP MELK EN ROOM

| Klas melk of room waarop algemene heffing opgelê is                                                                                                                                                                                                                                                                                | Persoon deur wie algemene heffing betaalbaar is                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| 1                                                                                                                                                                                                                                                                                                                                  | 2                                                                       |
| 1. Melk wat deur 'n melkkoper van 'n produsent van melk of deur bemiddeling van die Raad verkry is                                                                                                                                                                                                                                 | Die melkkoper wat daardie melk aldus verkry                             |
| 2. Melk wat deur 'n vrygestelde poelprodusent geproduseer en deur hom in 'n poelgebied aan iemand anders as 'n melkkoper verkoop word, of deur daardie vrygestelde poelprodusent vir die vervaardiging van varsmelkprodukte gebruik word                                                                                           | Die vrygestelde poelprodusent wat daardie melk aldus verkoop of gebruik |
| 3. Melk wat deur 'n produsent-distribueerder direk aan verbruikers (insluitende hotelle, hospitale, koshuise of soortgelyke inrigtings) of in voorafverpakte huishoudelike groottes met die oog op herverkoping verkoop word, of wat deur daardie produsent-distribueerder vir die vervaardiging van varsmelkprodukte gebruik word | Die produsent-distribueerder wat daardie melk aldus verkoop of gebruik  |
| 4. Melk wat deur 'n produsent-distribueerder verkoop word aan iemand in 'n selfregerende gebied of 'n staat waarvan die grondgebied voorheen deel van die Republiek uitgemaak het                                                                                                                                                  | Die produsent-distribueerder wat daardie melk aldus verkoop             |
| 5. Melk wat deur 'n plaaskaasmaker vir die vervaardiging van plaaskaas gebruik word.                                                                                                                                                                                                                                               | Die plaaskaasmaker wat daardie melk aldus gebruik                       |
| 6. Room wat in kanne deur 'n bottervervaardiger van persone anders as melkkopers verkry is                                                                                                                                                                                                                                         | Die bottervervaardiger wat daardie room aldus verkry                    |

TABLE

## GENERAL LEVY ON MILK AND CREAM

| Class of milk or cream on which levy is imposed                                                                                                                                                                                                                    | Person by whom general levy is payable                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| 1                                                                                                                                                                                                                                                                  | 2                                                         |
| 1. Milk acquired by a milk purchaser from a producer of milk through the Board                                                                                                                                                                                     | The milk purchaser who so acquires that milk              |
| 2. Milk produced by an exempted pool producer and sold by him in a pool area to a person other than a milk purchaser, or used by that exempted pool producer for the manufacture of fresh milk products                                                            | The exempted pool producer who so sells or uses that milk |
| 3. Milk sold by a producer-distributor directly to consumers (including hotels, hospitals, hostels or similar institutions) or in prepacked household sizes with a view to resale, or used by that producer-distributor for the manufacture of fresh milk products | The producer-distributor who so sells or uses that milk   |
| 4. Milk sold by a producer-distributor to a person in a self-governing territory or a state the territory of which formerly formed part of the Republic                                                                                                            | The producer-distributor who so sells that milk           |
| 5. Milk used by a farm cheese maker for the manufacture of farm cheese                                                                                                                                                                                             | The farm cheese maker who so uses that milk               |
| 6. Cream acquired in cans by a butter manufacturer from persons other than milk purchasers                                                                                                                                                                         | The butter manufacturer who so acquires that cream        |

No. R. 1760

31 Augustus 1988

## BEMARKINGSWET, 1968 (WET 59 VAN 1968)

## REGULASIES.—WYSE EN TYE VAN BETALING VAN HEFFINGS OP SUIWELPRODUKTE

Die Minister van Landbou het kragtens artikel 89 van die Bemarkingswet, 1968 (Wet 59 van 1968)—

(a) die regulasies in die Bylae uitgevaardig;

(b) bepaal dat genoemde regulasies op 1 September 1988 in werking tree; en

(c) Goewermentskennisgewings R. 1180 van 9 Junie 1980, R. 2610 van 19 Desember 1980, R. 296 van 13 Februarie 1987 en R. 811 van 10 April 1987 met ingang van genoemde datum van inwerkingtreding herroep.

No. R. 1760

31 August 1988

## MARKETING ACT, 1968 (ACT 59 OF 1968)

## REGULATIONS.—MANNER AND TIME OF PAYMENT OF LEVIES ON DAIRY PRODUCTS

The Minister of Agriculture has under section 89 of the Marketing Act, 1968 (Act 59 of 1968)—

(a) made the regulations in the Schedule;

(b) determined that the said regulations shall come into operation on 1 September 1988; and

(c) repealed Government Notices R. 1180 of 9 June 1980, R. 2610 of 19 December 1980, R. 296 of 13 February 1987 and R. 822 of 10 April 1987 with effect from the said date of commencement.

**BYLAE****Woordomskrywing**

1. In hierdie regulasies het enige woord of uitdrukking waaraan 'n betekenis in die Skema geheg is, daardie betekenis, en beteken—

“die Raad” die Suiwelraad bedoel in artikel 6 van die Skema;

“die Skema” die Suiwelskema gepubliseer by Proklamasie R. 290 van 1978, soos gewysig; en

“heffing”—

(a) 'n heffing opgelê deur die Raad kragtens artikel 21 van die Skema;

(b) 'n spesiale heffing opgelê deur die Raad kragtens artikel 22 van die Skema; en

(c) 'n algemene heffing wat kragtens artikel 46A van die Wet deur die Minister opgelê is.

**Tye waarop heffings betaalbaar is**

2. (1) 'n Heffing wat betaalbaar is op melk wat deur 'n melkkoper van 'n produsent van melk of deur bemiddeling van die Raad verkry is, moet betaal word voor of op die 15de dag van die maand eersvolgende op die maand waarin daardie melk aldus verkry is.

(2) 'n Heffing wat betaalbaar is op melk wat deur 'n vrygestelde poelprodusent geproduseer en deur hom in 'n poelgebied aan iemand anders as 'n melkkoper verkoop word, of deur daardie vrygestelde poelprodusent vir die vervaardiging van varsmelkprodukte gebruik word, moet betaal word voor of op die 15de dag van die maand eersvolgende op die maand waarin daardie melk aldus verkoop of gebruik is.

(3) 'n Heffing wat betaalbaar is op melk wat deur 'n produsent- distribueerder direk aan verbruikers (insluitende hotelle, hospitale, koshuise of soortgelyke inrigtings) of in voorafverpakte huishoudelike groottes met die oog op herverkoop verkoop word, of wat deur daardie produsent- distribueerder vir die vervaardiging van varsmelkprodukte gebruik word, moet betaal word voor of op die 15de dag van die maand eersvolgende op die maand waarin daardie varsmelk aldus verkoop of gebruik is.

(4) 'n Heffing wat betaalbaar is op melk wat deur 'n produsent-distribueerder verkoop word aan iemand in 'n selfregerende gebied of 'n staat waarvan die grondgebied voorheen deel van die Republiek uitgemaak het, moet betaal word voor of op die 15de dag van die maand eersvolgende op die maand waarin daardie melk aldus verkoop is.

(5) (a) Behoudens die bepalings van paragraaf (b), moet 'n heffing wat betaalbaar is op botter, kaas, plaaskaas, kondensmelk, afgeroomdekondensmelk, melkpoeier en afgeroomdemelkpoeier wat deur 'n bottervervaardiger, kaasvervaardiger, plaaskaasmaker, kondensmelkvervaardiger of melkpoeiervervaardiger vervaardig of verkoop word, betaal word voor of op die 15de dag van die maand eersvolgende op die maand waarin betrokke botter, kaas, plaaskaas, kondensmelk, afgeroomdekondensmelk, melkpoeier of afgeroomdemelkpoeier aldus vervaardig of verkoop is.

(b) Indien die Raad ingevolge artikel 44 van die Skema 'n verbod op die verkoop van botter opgelê het, word 'n heffing op botter betaal wanneer die Raad daardie heffing verken teen enige bedrag wat deur die Raad aan die bottervervaardiger deur wie daardie heffing betaalbaar is, verskuldig is.

**SCHEDULE****Definitions**

1. Any word or expression in these regulations to which a meaning has been assigned in the Scheme shall have that meaning, and—

“levy” means—

(a) levy imposed by the Board under section 21 of the Scheme;

(b) a special levy imposed by the Board under section 22 of the Scheme; and

(c) a general levy imposed by the Minister under section 46A of the Act;

“the Board” means the Dairy Board referred to in section 6 of the Scheme; and

“the Scheme” means the Dairy Scheme published by Proclamation R. 290 of 1978, as amended.

**Times at which levies are payable**

2. (1) A levy that is payable on milk acquired by a milk purchaser from a producer of milk or through the Board shall be paid on or before the 15th day of the month first following the month in which that milk was so acquired.

(2) A levy that is payable on milk produced by an exempted pool producer and sold by him in a pool area to a person other than a milk purchaser, or used by that exempted pool producer for the manufacture of fresh milk products shall be paid on or before the 15th day of the month first following the month in which that milk was so sold or used.

(3) A levy that is payable on milk sold by a producer-distributor directly to consumers (including hotels, hospitals, hostels or similar institutions) or in prepacked household sizes with a view to resale, or used by that producer-distributor for the manufacture of fresh milk products shall be paid on or before the 15th day of the month first following the month in which that fresh milk was so sold or used.

(4) A levy that is payable on milk sold by a producer-distributor to a person in a self-governing territory or a state the territory of which formerly formed part of the Republic shall be paid on or before the 15th day of the month first following the month in which that milk was so sold.

(5) (a) Subject to the provisions of paragraph (b), a levy that is payable on butter, cheese, farm cheese, condensed milk, condensed skim-milk, milk powder and skim-milk powder produced or sold by a butter manufacturer, cheese manufacturer, farm-cheese maker, condensed milk manufacturer or milk powder manufacturer shall be paid on or before the 15th day of the month first following the month in which that butter, cheese, farm cheese, condensed milk, condensed skim-milk, milk powder or skim-milk powder was so produced or sold.

(b) If the Board has imposed a prohibition on the sale of butter in terms of section 44 of the Scheme, a levy on butter shall be paid when the Board sets off that levy against any amount due by the Board to the butter manufacturer by whom that levy is payable.

(6) 'n Heffing wat betaalbaar is op room wat deur 'n bottervervaardiger verkry is, moet betaal word voor of op die 15de dag van die maand eersvolgende op die maand waarin daardie room aldus verkry is.

(7) 'n Heffing wat betaalbaar is op 'n suiwelprodukt wat in die Republiek ingevoer is, moet betaal word voor of op die 15de dag van die maand eersvolgende op die maand waarin daardie suiwelprodukt aldus ingevoer is.

#### Wyse waarop heffings betaalbaar is

3. 'n Heffing word aan die Raad betaal, en gaan vergesel van die toepaslike opgawe wat ingevolge artikel 29 van die Skema voorgeskryf is of, waar geen sodanige opgawe voorgeskryf is nie, van 'n skriftelike uiteensetting van die aard en doel van die betrokke betaling.

#### Beskikking oor algemene heffing

4. Die Hoofbestuurder van die Raad moet—

(a) so spoedig doenlik na die ontvangs van 'n betaling ingevolge regulasie 3, die bedrag wat ten opsigte van die algemene heffing by so 'n betaling ingesluit is, in die spesiale rekening in artikel 46C van die Wet bedoel, stort; en

(b) die Direkteur-generaal onverwyld skriftelik in kennis stel van elke bedrag wat aldus gestort is, en van die datum waarop dit gedoen is.

#### Misdrywe en strawwe

5. Iemand wat 'n bepaling van hierdie regulasies oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en is by die skuldigbevinding strafbaar met 'n boete van hoogstens R5 000.

(6) A levy that is payable on cream acquired by a butter manufacturer shall be paid on or before the 15th day of the month first following the month in which that cream was so acquired.

(7) A levy that is payable on a dairy product imported into the Republic shall be paid on or before the 15th day of the month first following the month in which that dairy product was so imposed.

#### Manner in which levies are payable

3. A levy shall be paid to the Board and be accompanied by the applicable return that is prescribed in terms of section 29 of the Scheme or, where no such return is prescribed, by a written explanation of the nature and the purpose of the payment concerned.

#### Disposal of general levy

4. The General Manager of the Board shall—

(a) as soon as practicable after the receipt of a payment in terms of regulation 3, pay into the special account referred to in section 46C of the Act the amount in respect of the general levy included in such payment; and

(b) notify the Director-General forthwith in writing of each amount so paid in and of the date on which it was done.

#### Offences and penalties

5. Any person who contravenes or fails to comply with a provision of these regulations shall be guilty of an offence and liable on conviction to a fine not exceeding R5 000.

## INHOUD

| No.                                                                            | Bladsy No.                                                                                                         | Staatskoerant No. |
|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>GOEWERMENSKENNISGEWINGS</b>                                                 |                                                                                                                    |                   |
| <b>Landbou-ekonomie en -bemarking, Departement van Goewermenskennisgewings</b> |                                                                                                                    |                   |
| R. 1752                                                                        | Bemarkingswet (59/1968): Suiwelskema: Wysiging .....                                                               | 1 11485           |
| R. 1753                                                                        | do.: do.: Pryse van suiwelprodukte .....                                                                           | 3 11485           |
| R. 1754                                                                        | do.: do.: Heffings en spesiale heffings .....                                                                      | 4 11485           |
| R. 1755                                                                        | do.: Regulasies: Verstrekking van sekuriteit aan Suiwelraad .....                                                  | 5 11485           |
| R. 1756                                                                        | do.: Suiwelskema: Verbod op die verkoop van varsmelk in poelgebiede .....                                          | 7 11485           |
| R. 1757                                                                        | do.: do.: Betaling van aankoopprys van varsmelk .....                                                              | 8 11485           |
| R. 1758                                                                        | do.: do.: Tye vir indiening en oorweging van aansoeke om registrasie van produsente van varsmelk: Herroeping ..... | 8 11485           |
| R. 1759                                                                        | do.: Algemene heffing op melk en room .....                                                                        | 9 11485           |
| R. 1760                                                                        | do.: Regulasies: Wyse en tye van betaling van heffings op suiwelprodukte .....                                     | 10 11485          |

## CONTENTS

| No.                                                                           | Page No.                                                                                                                  | Gazette No. |
|-------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|-------------|
| <b>GOVERNMENT NOTICES</b>                                                     |                                                                                                                           |             |
| <b>Agricultural Economics and Marketing, Department of Government Notices</b> |                                                                                                                           |             |
| R. 1752                                                                       | Marketing Act (59/1968): Dairy Scheme: Amendment .....                                                                    | 1 11485     |
| R. 1753                                                                       | do.: do.: Prices of dairy products .....                                                                                  | 3 11485     |
| R. 1754                                                                       | do.: do.: Levies and special levies .....                                                                                 | 4 11485     |
| R. 1755                                                                       | do.: Regulations: Furnishing of security to Dairy Board .....                                                             | 5 11485     |
| R. 1756                                                                       | do.: Dairy Scheme: Prohibition on the sale of fresh milk in pool areas .....                                              | 7 11485     |
| R. 1757                                                                       | do.: do.: Payment of purchase price of fresh milk .....                                                                   | 8 11485     |
| R. 1758                                                                       | do.: do.: Times of submission and consideration of applications for registration of producers of fresh milk: Repeal ..... | 8 11485     |
| R. 1759                                                                       | do.: General levy on milk and cream .....                                                                                 | 9 11485     |
| R. 1760                                                                       | do.: Regulations: Manner and time of payment of levies on dairy products .....                                            | 10 11485    |