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STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER

No. 412. 17 Maart 1976.

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

No. 7 van 1976: Wysigingswet op die Suiwelnywerheid, 1976.

DEPARTMENT OF THE PRIME MINISTER

No. 412. 17 March 1976.

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

No. 7 of 1976: Dairy Industry Amendment Act, 1976.

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WET

Tot wysiging van die Wet op die Suiwelnywerheid, 1961, ten einde die vervaardiging van margarien by proklamasie te verbied, behalwe kragtens 'n permit; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 4 Maart 1976.)

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 30 van 1961, soos gewysig deur artikel 1 van Wet 96 van 1971 en artikel 1 van Wet 32 van 1972.

1. Artikel 1 van die Wet op die Suiwelnywerheid, 1961 (hierna die Hoofwet genoem), word hierby gewysig deur die volgende omskrywing na die omskrywing van „roomdepot" in te voeg:

„'Sekretaris' die Sekretaris van Landbou-ekonomie en -bemarking;".

Wysiging van artikel 14 van Wet 30 van 1961, soos vervang deur artikel 4 van Wet 1 van 1969 en gewysig deur artikel 3 van Wet 96 van 1971.

2. Artikel 14 van die Hoofwet word hierby gewysig—

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

„(1) Die Staatspresident kan by proklamasie in die *Staatskoerant* die vervaardiging van margarien verbied behalwe kragtens 'n permit uitgereik deur die Sekretaris onderworpe aan die voorwaardes (indien daar is) kragtens subartikel (3) opgelê en in daardie permit vermeld."; en

(*b*) deur subartikel (3) deur die volgende subartikel te vervang:

„(3) Die Sekretaris kan na goeddunke, ná oorlegpleging met die raad—

(*a*) 'n aansoek om die uitreiking of die hernuwing van 'n permit vir die vervaardiging van margarien toestaan of weier;

(*b*) die vervaardiging van margarien uit hoofde van sodanige permit onderworpe stel aan die voorwaardes wat hy goedvind, met inbegrip van voorwaardes betreffende die hoeveelheid wit margarien en die hoeveelheid geel margarien (indien daar is) wat uit hoofde van die betrokke permit vervaardig kan word gedurende die tydperk waarvoor dit ingevolge subartikel (2) geldig is na die uitreiking of 'n hernuwing daarvan;

(*c*) wanneer hy 'n aansoek om die hernuwing van so 'n permit toestaan, 'n daarin vermelde voorwaarde wysig of intrek of 'n nuwe voorwaarde oplê;

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ACT

To amend the Dairy Industry Act, 1961, in order to prohibit by proclamation the manufacture of margarine, except under the authority of a permit; and to provide for incidental matters.

(*English text signed by the State President.*)
(*Assented to* 4 *March* 1976.)

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

Amendment of section 1 of Act 30 of 1961, as amended by section 1 of Act 96 of 1971 and section 1 of Act 32 of 1972.

1. Section 1 of the Dairy Industry Act, 1961 (hereinafter referred to as the principal Act), is hereby amended by the insertion after the definition of "scheme" of the following definition:

"'Secretary' means the Secretary for Agricultural Economics and Marketing;".

Amendment of section 14 of Act 30 of 1961, as substituted by section 4 of Act 1 of 1969 and amended by section 3 of Act 96 of 1971.

2. Section 14 of the principal Act is hereby amended—

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

"(1) The State President may by proclamation in the *Gazette* prohibit the manufacture of margarine except under the authority of a permit issued by the Secretary subject to the conditions (if any) imposed under subsection (3) and specified in such permit."; and

(*b*) by the substitution for subsection (3) of the following subsection:

"(3) The Secretary may in his discretion, after consultation with the board—

(*a*) grant or refuse any application for the issue or renewal of a permit for the manufacture of margarine;

(*b*) impose such conditions as he may deem fit on the manufacture of margarine under the authority of such permit, including conditions relating to the quantity of white margarine and the quantity of yellow margarine (if any) which may be manufactured under the authority of the permit in question during the period for which it is in terms of subsection (2) valid after the issue or a renewal thereof;

(*c*) when granting an application for the renewal of any such permit, alter or cancel any condition specified therein, or impose a new condition;

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(*d*) so 'n permit te eniger tyd intrek indien die houer daarvan, of iemand anders wat margarien uit hoofde daarvan vervaardig, 'n daarin vermelde voorwaarde oortree of versuim om daaraan te voldoen.".

Wysiging van artikel 29 van Wet 30 van 1961, soos gewysig deur artikel 11 van Wet 34 van 1965 en artikel 6 van Wet 96 van 1971.

3. Artikel 29 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 betreffende—";

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

„(*p*) standaarde vir die samestelling, suiwerheid en gehalte van suiwelprodukte, en die bestanddele vir 'n samestelling van bedoelde produkte, of die tipe of soort bestanddeel of die mengsel van verskillende tipes of soorte bestanddele waaruit bedoelde produkte vervaardig kan word;"; en

(*c*) deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Verskillende regulasies kan kragtens subartikel (1) uitgevaardig word met betrekking tot verskillende klasse persone en in sodanige ander opsigte as wat die Minister mag besluit.".

Kort titel en inwerkingtreding.

4. Hierdie Wet heet die Wysigingswet op die Suiwelnywerheid, 1976, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

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(*d*) cancel any such permit at any time if the holder thereof, or any person manufacturing margarine under the authority thereof, contravenes or fails to comply with a condition specified therein.".

Amendment of section 29 of Act 30 of 1961, as amended by section 11 of Act 34 of 1965 and section 6 of Act 96 of 1971.

3. Section 29 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 as to—";

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

"(*p*) standards for the composition, purity and quality of dairy produce, and the ingredients for any composition of such produce, or the type or kind of ingredient or the mixture of different types or kinds of ingredients from which such produce may be manufactured;"; and

(*c*) by the substitution for subsection (2) of the following subsection:

"(2) Different regulations may be made under subsection (1) with reference to different classes of persons and in such other respects as the Minister may decide.".

Short title and commencement.

4. This Act shall be called the Dairy Industry Amendment Act, 1976, and shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.