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BUITENGEWONE **EXTRAORDINARY**

Staatskoerant

VAN DIE UNIE VAN SUID-AFRIKA

THE UNION OF SOUTH AFRICA

Government Gazette

[Geregistreer by die Hoofposkantoor as 'n Nuusblad.] [Registered at the General Post Office as a Newspaper.]

Vol. CLXXXV.] **PRYS 6d.** KAAPSTAD, 6 JULIE 1956 CAPE TOWN, 6th JULY, 1956. **PRICE 6d.** **[No. 5715.**

KANTOOR VAN DIE EERSTE MINISTER.

Onderstaande Goewermentskennisgewing word ter algemene inligting gepubliseer:

No. 1220.] [6 Julie 1956.

Hierby word bekend gemaak dat dit Sy Eksellensie die Goewerneur-generaal behaag het om sy goedkeuring te heg aan onderstaande Wette, wat hierby ter algemene inligting gepubliseer word:—

BLADSY

No. 63 van 1956: Wet op Standaarde (Oordrag van Uitvoering), 1956 2

No. 66 van 1956: Wet op Beheer van die Uitvoer van Ingemaakte Vrugte en Groente, 1956 10

OFFICE OF THE PRIME MINISTER.

The following Government Notice is published for general information:

No. 1220.] [6th July, 1956.

It is hereby notified that His Excellency the Governor-General has been pleased to assent to the following Acts, which are hereby published for general information:—

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No. 63 of 1956: Standards (Transfer of Administration) Act, 1956 3

No. 66 of 1956: Canned Fruit and Vegetables Export Control Act, 1956 11

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No. 63, 1956.]

WET

Om voorsiening te maak vir die uitvoering van die Wet op Standaarde 1945, deur die Wetenskaplike en Nywerheidnavorsingsraad, tot wysiging van genoemde Wet en van die Wet op die Wetenskaplike Navorsingsraad, 1945, en om vir ander bykomstige aangeleenthede voorsiening te maak.

(*Afrikaanse teks deur die Gowerneur-generaal geteken.*)
(*Goedgekeur op* 14 *Junie* 1956.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

Woordbepalings.

1. Tensy uit die samehang anders blyk, beteken in hierdie Wet—

„navorsingsraad" die Wetenskaplike en Nywerheidnavorsingsraad ingestel deur artikel *twee* van die Wet op die Wetenskaplike Navorsingsraad, 1945 (Wet No. 33 van 1945);

„raad vir standaarde" die Raad van die Suid-Afrikaanse Buro vir Standaarde ingestel deur artikel *vier* van die Wet op Standaarde, 1945 (Wet No. 24 van 1945),

en het enige uitdrukking waaraan in die een of die ander van genoemde Wette 'n betekenis toegeskryf is, die betekenis aldus daaraan toegeskryf.

Afskaffing van raad vir standaarde en oordrag van sy werksaamhede aan navorsingsraad.

2. (1) Die raad vir standaarde word hierby afgeskaf en sy bevoegdhede, pligte en werksaamhede ingevolge die Wet op Standaarde, 1945, word hierby aan die navorsingsraad oorgedra.

(2) Enige kennisgewing uitgevaardig of spesifikasie opgestel of standaard- of ander merk voorgeskryf of enigiets gedoen deur die raad vir standaarde voor die inwerkingtreding van hierdie Wet, word geag deur die navorsingsraad uitgevaardig, opgestel, voorgeskryf of gedoen te gewees het.

Oordrag van bates en laste van raad vir standaarde aan navorsingsraad.

3. (1) Alle bates, regte, laste en verpligtings wat onmiddellik voor die inwerkingtreding van hierdie Wet by die raad vir standaarde berus, gaan vanaf bedoelde inwerkingtreding oor op die navorsingsraad.

(2) Enige gelde wat onmiddellik voor die inwerkingtreding van hierdie Wet op krediet gestaan het van die kapitaalfonds ingestel ingevolge sub-artikel (1) van artikel *dertien* van die Wet op Standaarde, 1945, word by bedoelde inwerkingtreding oorgedra na die kapitaalfonds ingestel ingevolge sub-artikel (1) van artikel *veertien* van die Wet op die Wetenskaplike Navorsingsraad, 1945.

Oorplasing van personeel van raad vir standaarde na navorsingsraad.

4. (1) Die direkteur van die buro vir standaarde en enige ander kragtens artikel *twaalf* van die Wet op Standaarde, 1945, aangestelde persoon wat onmiddellik voor die inwerkingtreding van hierdie Wet 'n lid van die personeel van die raad vir standaarde was, word by bedoelde inwerkingtreding 'n amptenaar van die navorsingsraad en word by die toepassing van die Wet op die Wetenskaplike Navorsingsraad, 1945, geag deur laasbedoelde raad aangestel te gewees het.

(2) Die ononderbroke diens van bedoelde direkteur of so 'n persoon in die diens van die raad vir standaarde word by die toepassing van artikel *tien* van die Wet op die Wetenskaplike Navorsingsraad, 1945, en vir die doeleindes van die in daardie artikel bedoelde voorsorgsfonds geag ononderbroke diens as 'n amptenaar van die navorsingsraad te wees.

(3) Die pensioengewende verdienste van die direkteur of 'n ander persoon in sub-artikel (1) bedoel, ten opsigte van sy diens by die raad vir standaarde, onmiddellik voor die inwerkingtreding van hierdie Wet, of, waar 'n salarisskaal in sy geval van toepassing was, sy vordering volgens daardie skaal, word nie sonder sy toestemming verander nie.

Wysiging van artikel 1 van Wet 24 van 1945, soos gewysig deur artikel 2 van Wet 33 van 1951 en artikel 1 van Wet 29 van 1952.

5. Artikel *een* van die Wet op Standaarde, 1945, word hierby gewysig—

(*a*) deur die woordbepalings van „Akademie", „geassosieerde genootskappe" en „direkteur" te skrap;

(*b*) deur die woordbepaling van „raad" deur die volgende woordbepaling te vervang:

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No. 63, 1956.]

ACT

To provide for the administration of the Standards Act, 1945, by the Scientific and Industrial Research Council, to amend the said Act and the Scientific Research Council Act, 1945, and to provide for other incidental matters.

(*Afrikaans text signed by the Governor-General.*)
(*Assented to* 14*th June*, 1956.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Definitions.

1. In this Act, unless the context otherwise indicates—

"research council" means the Scientific and Industrial Research Council established by section *two* of the Scientific Research Council Act, 1945 (Act No. 33 of 1945);

"standards council" means the Council of the South African Bureau of Standards established by section *four* of the Standards Act, 1945 (Act No. 24 of 1945),

and any expression to which in one or other of those Acts a meaning has been assigned, bears the meaning so assigned thereto.

Abolition of standards council and transfer of its functions to research council.

2. (1) The standards council is hereby abolished and its powers, duties and functions under the Standards Act, 1945, are hereby assigned to the research council.

(2) Any notice issued or specification prepared or standardization or other mark prescribed or anything done by the standards council prior to the commencement of this Act, shall be deemed to have been issued, prepared, prescribed or done by the research council.

Transfer of assets and liabilities of standards council to research council.

3. (1) All assets, rights, liabilities and obligations of the standards council immediately prior to the commencement of this Act, shall as from such commencement devolve upon the research council.

(2) Any moneys which immediately prior to the commencement of this Act stood to the credit of the capital fund established under sub-section (1) of section *thirteen* of the Standards Act, 1945, shall at such commencement be transferred to the capital fund established under sub-section (1) of section *fourteen* of the Scientific Research Council Act, 1945.

Transfer of staff of standards council to research council.

4. (1) The director of the bureau of standards and any other person appointed under section *twelve* of the Standards Act, 1945, who immediately prior to the commencement of this Act was a member of the staff of the standards council, shall at such commencement become an officer of the research council and shall for the purposes of the Scientific Research Council Act, 1945, be deemed to have been appointed by the latter council.

(2) The continuous service of the said director or any such person in the service of the standards council shall for the purposes of section *ten* of the Scientific Research Council Act, 1945, and the provident fund referred to in that section, be deemed to be continuous service as an officer of the research council.

(3) The pensionable emoluments of the director or any other person referred to in sub-section (1), in respect of his service with the standards council, immediately prior to the commencement of this Act, or, where a salary scale was applicable in his case, his progress according to that scale, shall not be altered without his consent.

Amendment of section 1 of Act 24 of 1945, as amended by section 2 of Act 33 of 1951 and section 1 of Act 29 of 1952.

5. Section *one* of the Standards Act, 1945, is hereby amended—

(*a*) by the deletion of the definitions of "Akademie", "associated societies" and "director";

(*b*) by the substitution for the definition of "council" of the following definition:

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„ ‚raad' die by artikel *twee* van die Wet op die Wetenskaplike Navorsingsraad, 1945, (Wet No. 33 van 1945), ingestelde Wetenskaplike en Nywerheidnavorsingsraad;"; en

(*c*) deur die woordbepaling van „Minister" deur die volgende woordbepaling te vervang:

„ ‚Minister', met betrekking tot enige bepaling van hierdie Wet, die Staatsminister aan wie die uitvoering van daardie bepaling deur die Goewerneur-generaal opgedra mag word, of indien die Goewerneur-generaal gelas dat so 'n bepaling deur 'n Staatsminister na oorlegpleging met 'n ander Staatsminister uitgevoer moet word, eersbedoelde Staatsminister handelende na oorlegpleging met laasbedoelde Staatsminister;".

Wysiging van artikel 2 van Wet 24 van 1945.

6. Artikel *twee* van die Wet op Standaarde, 1945, word hierby gewysig deur die woorde „by artikel *vier* ingestelde" te skrap.

Wysiging van artikel 11 van Wet 24 van 1945, soos gewysig deur artikel 9 van Wet 33 van 1951.

7. Artikel *elf* van die Wet op Standaarde, 1945, word hierby gewysig deur sub-artikel (3) deur die volgende sub-artikel te vervang:

„(3) Die bepalings van sub-artikel (3) van artikel *nege* van die Wet op die Wetenskaplike Navorsingsraad, 1945, is *mutatis mutandis* van toepassing met betrekking tot die lede van so 'n komitee.".

Wysiging van artikel 13 van Wet 24 van 1945, soos gewysig deur artikel 3 van Wet 29 van 1952.

8. Artikel *dertien* van die Wet op Standaarde, 1945, word hierby gewysig—

(*a*) deur sub-artikels (1) tot en met (4) te skrap; en

(*b*) deur in sub-artikel (5) en in sub-artikel (6) na die uitdrukking „sub-artikel (4)" die uitdrukking „van artikel *veertien* van die Wet op die Wetenskaplike Navorsingsraad, 1945 (Wet No. 33 van 1945)," in te voeg.

Wysiging van artikel 25 van Wet 24 van 1945, soos gewysig deur artikel 14 van Wet 33 van 1951.

9. Artikel *vyf-en-twintig* van die Wet op Standaarde, 1945, word hierby gewysig deur in paragraaf (*h*) van sub-artikel (1) na die woord „*sewentien*" die woorde „of 'n bepaling van enige regulasie kragtens paragraaf (*e*) van artikel *sewe-en-twintig* uitgevaardig" in te voeg.

Wysiging van artikel 27 van Wet 24 van 1945, soos gewysig deur artikel 2 van Wet 26 van 1946 en artikel 15 van Wet 33 van 1951.

10. Artikel *sewe-en-twintig* van die Wet op Standaarde, 1945, word hierby gewysig—

(*a*) deur paragrawe (*a*), (*b*) en (*c*) te skrap; en

(*b*) deur in paragraaf (*e*) na die woord „gelde" waar dit die tweede maal voorkom die woorde „die tye wanneer en die wyse waarop sulke gelde betaalbaar is" in te voeg.

Wysiging van artikel 1 van Wet 33 van 1945.

11. Artikel *een* van die Wet op die Wetenskaplike Navorsingsraad, 1945, word hierby gewysig deur voor die woordbepaling van „raad" die volgende woordbepalings in te voeg:

„ ‚Akademie' die Suid-Afrikaanse Akademie vir Wetenskap en Kuns;

‚geassosieerde genootskappe' die ‚Associated Scientific and Technical Societies of South Africa';".

Wysiging van artikel 5 van Wet 33 van 1945, soos gewysig deur artikel 1 van Wet 37 van 1949.

12. Artikel *vyf* van die Wet op die Wetenskaplike Navorsingsraad, 1945, word hierby gewysig—

(*a*) deur sub-artikel (1) deur die volgende sub-artikel te vervang:

„(1) Die raad bestaan uit minstens twaalf en hoogstens sestien lede, deur die Goewerneur-generaal aangestel, wat almal persone moet wees wat onderskeiding in die wetenskap of die nywerheid behaal het of wat besondere kennis of ondervinding met betrekking tot een of ander aspek van die raad se werk of met betrekking tot die standaardisering van handelsware het, en van wie—

(*a*) een deur die Goewerneur-generaal as president van die raad aangewys word;

(*b*) een gekies word uit 'n lys van drie persone wie se name deur die Akademie aan die Minister voorgelê is; en

(*c*) een gekies word uit 'n lys van drie persone wie se name deur die geassosieerde genootskappe aan die Minister voorgelê is.";

(*b*) deur die voorbehoudsbepaling by sub-artikel (2) deur die volgende voorbehoudsbepaling te vervang:

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" 'council' means the Scientific and Industrial Research Council established by section *two* of the Scientific Research Council Act, 1945 (Act No. 33 of 1945);"; and

(*c*) by the substitution for the definition of "Minister" of the following definition:

" 'Minister', in relation to any provision of this Act, means the Minister of State to whom the administration of that provision may be assigned by the Governor-General, or, if the Governor-General directs that any such provision be administered by any Minister of State after consultation with any other Minister of State, such firstmentioned Minister of State acting after consultation with such lastmentioned Minister of State;".

Amendment of section 2 of Act 24 of 1945.

6. Section *two* of the Standards Act, 1945, is hereby amended by the deletion of the words "established by section *four*".

Amendment of section 11 of Act 24 of 1945, as amended by section 9 of Act 33 of 1951.

7. Section *eleven* of the Standards Act, 1945, is hereby amended by the substitution for sub-section (3) of the following sub-section:

"(3) The provisions of sub-section (3) of section *nine* of the Scientific Research Council Act, 1945, shall *mutatis mutandis* apply with reference to the members of such a committee.".

Amendment of section 13 of Act 24 of 1945, as amended by section 3 of Act 29 of 1952.

8. Section *thirteen* of the Standards Act, 1945, is hereby amended—

(*a*) by the deletion of sub-sections (1) to (4), inclusive; and

(*b*) by the insertion in sub-section (5) and in sub-section (6) after the expression "sub-section (4)" of the expression "of section *fourteen* of the Scientific Research Council Act, 1945 (Act No. 33 of 1945)".

Amendment of section 25 of Act 24 of 1945, as amended by section 14 of Act 33 of 1951.

9. Section *twenty-five* of the Standards Act, 1945, is hereby amended by the insertion after the word "*seventeen*" at the end of paragraph (*h*) of the words "or any provision of any regulation made under paragraph (*e*) of section *twenty-seven*".

Amendment of section 27 of Act 24 of 1945, as amended by section 2 of Act 26 of 1946 and section 15 of Act 33 of 1951.

10. Section *twenty-seven* of the Standards Act, 1945, is hereby amended—

(*a*) by the deletion of paragraphs (*a*), (*b*) and (*c*); and

(*b*) by the insertion in paragraph (*e*) after the word "fees" where it occurs for the second time of the words "the times at which and the manner in which such fees shall be payable".

Amendment of section 1 of Act 33 of 1945.

11. Section *one* of the Scientific Research Council Act, 1945, is hereby amended by the insertion before the definition of "council" of the following definitions:

" 'Akademie' the 'Suid-Afrikaanse Akademie vir Wetenskap en Kuns';

'associated societies' the Associated Scientific and Technical Societies of South Africa;".

Amendment of section 5 of Act 33 of 1945, as amended by section 1 of Act 37 of 1949.

12. Section *five* of the Scientific Research Council Act, 1945, is hereby amended—

(*a*) by the substitution for sub-section (1) of the following sub-section:

"(1) The council shall consist of not less than twelve and not more than sixteen members, to be appointed by the Governor-General, all of whom shall be persons who have achieved distinction in science or industry or who have special knowledge or experience in respect of any aspect of the work of the council or in respect of the standardization of commodities, and of whom—

(*a*) one shall be designated by the Governor-General as president of the council;

(*b*) one shall be selected from a list of three persons whose names have been submitted to the Minister by the 'Akademie'; and

(*c*) one shall be selected from a list of three persons whose names have been submitted to the Minister by the associated societies.";

(*b*) by the substitution for the proviso to sub-section (2) of the following proviso:

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„Met dien verstande dat iemand wat by die inwerkingtreding van die Wet op Standaarde (Oordrag van Uitvoering), 1956, 'n lid van die raad is, sy amp beklee totdat die tydperk waarvoor hy aangestel is, verstryk het.";

(*c*) deur die volgende paragraaf by sub-artikel (4) te voeg, terwyl die bestaande sub-artikel paragraaf (*a*) word:

„(*b*) 'n Lid van die in artikel *agt* bedoelde uitvoerende komitee of van 'n in artikel *nege* bedoelde hulpkomitee wat in die voltydse diens van die Staat is, ontvang geen besoldiging ten opsigte van sy dienste as so 'n lid nie, en enige toelae wat ten opsigte van reis- of verblyfkoste aan so 'n lid betaal word, mag nie hoër wees as wat ten opsigte van sy werk in diens van die Staat vir hom geld nie."; en

(*d*) deur die volgende sub-artikels daarby te voeg:

„(5) Indien die Akademie versuim om die in paragraaf (*b*) van sub-artikel (1) bedoelde lys name voor te lê binne dertig dae na die datum waarop hy deur die Minister versoek word om dit te doen, of indien daar onder die persone wie se name in daardie lys voorkom, niemand is wat volgens die Goewerneur-generaal se oordeel vir aanstelling geskik is nie, moet die Minister die Akademie by skriftelike kennisgewing aansê om genoemde lys of 'n ander lys, na gelang van die geval, voor te lê.

(6) Indien die Akademie versuim om aan die kennisgewing te voldoen, of indien daar onder die persone wie se name in die ingevolge die kennisgewing voorgelegde lys voorkom niemand is wat volgens die oordeel van die Goewerneur-generaal vir aanstelling geskik is nie, kan die Goewerneur-generaal die in daardie paragraaf bedoelde lid van die raad aanstel sonder dat so 'n lys voorgelê is, of 'n lid aanstel wie se naam nie in so 'n lys voorkom nie, na gelang van die geval.

(7) Die bepalings van sub-artikels (5) en (6) is *mutatis mutandis* van toepassing in verband met die voorlegging van enige in paragraaf (*c*) van sub-artikel (1) bedoelde lys van name, en in verband met die aanstelling van die in daardie paragraaf bedoelde lid van die raad.

(8) Die Minister wys een van die lede van die raad aan om as voorsitter van die raad op te tree wanneer die president afwesig is of nie in staat is om sy pligte uit te voer nie, en wanneer beide die president en die aldus aangewese persoon van 'n raadsvergadering afwesig is, kies die aldaar aanwesige lede een uit hul midde om op die vergadering voor te sit.".

Wysiging van artikel 7 van Wet 33 van 1945.

13. Artikel *sewe* van die Wet op die Wetenskaplike Navorsingsraad, 1945, word hierby gewysig deur in sub-artikel (3) die woord „vyf" deur die woord „sewe" te vervang.

Wysiging van artikel 8 van Wet 33 van 1945.

14. Artikel *agt* van die Wet op die Wetenskaplike Navorsingsraad, 1945, word hierby gewysig—

(*a*) deur aan die end van sub-artikel (2) die woorde „met inbegrip van sy werksaamhede en pligte ingevolge die Wet op Standaarde, 1945" by te voeg; en

(*b*) deur in sub-artikel (3) na die woord „ontvang" die woorde „behoudens die bepalings van paragraaf (*b*) van sub-artikel (4) van artikel *vyf*" in te voeg.

Wysiging van artikel 9 van Wet 33 van 1945.

15. Artikel *nege* van die Wet op die Wetenskaplike Navorsingsraad, 1945, word hierby gewysig deur in sub-artikel (3) na die woord „ontvang" die woorde „behoudens die bepalings van paragraaf (*b*) van sub-artikel (4) van artikel *vyf*" in te voeg.

Wysiging van artikel 10 van Wet 33 van 1945.

16. Artikel *tien* van die Wet op die Wetenskaplike Navorsingsraad, 1945, word hierby gewysig deur aan die end van sub-artikel (1) die woorde „en ter bereiking van die oogmerke waarvoor die in artikel *twee* van die Wet op Standaarde, 1945, bedoelde buro ingestel is" by te voeg.

Wysiging van artikel 13 van Wet 33 van 1945.

17. Artikel *dertien* van die Wet op die Wetenskaplike Navorsingsraad, 1945, word hierby gewysig deur die volgende paragraaf by sub-artikel (3) te voeg, terwyl die bestaande sub-artikel paragraaf (*a*) word;

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"Provided that any person who at the commencement of the Standards (Transfer of Administration) Act, 1956, is a member of the council, shall hold office until the expiration of the period for which he was appointed.";

(*c*) by the addition to sub-section (4) of the following paragraph, the existing sub-section becoming paragraph (*a*):

"(*b*) A member of the executive committee referred to in section *eight*, or of any subsidiary committee referred to in section *nine*, who is in the full-time service of the State, shall not receive any remuneration in respect of his services as such a member, and any travelling or subsistence allowance paid to such a member shall not exceed the allowance applicable in his case in connection with his work in the service of the State."; and

(*d*) by the addition of the following sub-sections:

"(5) If the 'Akademie' fails to submit the list of names referred to in paragraph (*b*) of sub-section (1) within thirty days after the date on which it is requested by the Minister to do so, or if amongst the persons whose names appear in that list there is no person who in the opinion of the Governor-General is suitable for appointment, the Minister shall by notice in writing call upon the 'Akademie' to submit the said list or another list, as the case may be.

(6) If the 'Akademie' fails to comply with the notice, or if amongst the persons whose names appear in the list submitted in pursuance of the notice, there is no person who in the opinion of the Governor-General is suitable for appointment, the Governor-General may appoint the member of the council referred to in that paragraph without any such list having been submitted, or appoint a member whose name does not appear on any such list, as the case may be.

(7) The provisions of sub-sections (5) and (6) shall *mutatis mutandis* apply in connection with the submission of any list of names referred to in paragraph (*c*) of sub-section (1), and in connection with the appointment of the member of the council referred to in that paragraph.

(8) The Minister shall designate one of the members of the council to act as chairman of the council whenever the president is absent or is not able to perform his duties, and whenever both the president and the person so designated are absent from a meeting of the council, the members present thereat shall elect one of their number to preside at such meeting.".

Amendment of section 7 of Act 33 of 1945.

13. Section *seven* of the Scientific Research Council Act, 1945, is hereby amended by the substitution in sub-section (3) for the word "five" of the word "seven".

Amendment of section 8 of Act 33 of 1945.

14. Section *eight* of the Scientific Research Council Act, 1945, is hereby amended—

(*a*) by the addition at the end of sub-section (2) of the words "including its functions and duties under the Standards Act, 1945"; and

(*b*) by the insertion in sub-section (3) after the word "shall" of the words "subject to the provisions of paragraph (*b*) of sub-section (4) of section *five*".

Amendment of section 9 of Act 33 of 1945.

15. Section *nine* of the Scientific Research Council Act, 1945, is hereby amended by the insertion in sub-section (3) after the word "shall" of the words "subject to the provisions of paragraph (*b*) of sub-section (4) of section *five*".

Amendment of section 10 of Act 33 of 1945.

16. Section *ten* of the Scientific Research Council Act, 1945, is hereby amended by the addition at the end of sub-section (1) of the words "and the objects for which the bureau referred to in section *two* of the Standards Act, 1945, has been established".

Amendment of section 13 of Act 33 of 1945.

17. Section *thirteen* of the Scientific Research Council Act, 1945, is hereby amended by the addition to sub-section (3) of the following paragraph, the existing sub-section becoming paragraph (*a*):

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„(*b*) Die in paragraaf (*a*) bedoelde jaarverslag moet ook 'n verslag in verband met die raad se werksaamhede ingevolge die Wet op Standaarde, 1945, bevat, en die in daardie paragraaf bedoelde besonderhede moet besonderhede ten opsigte van die raad se werksaamhede ingevolge daardie Wet insluit.".

Wysiging van artikel 14 van Wet 33 van 1945.

18. Artikel *veertien* van die Wet op die Wetenskaplike Navorsingsraad, 1945, word hierby gewysig—

(*a*) deur in sub-artikel (2) na die woord „uitgawes" die woorde „(met inbegrip van uitgawes verbonde aan die uitvoering van die Wet op Standaarde, 1945)" in te voeg, en aan die end van daardie sub-artikel die woorde „of die oogmerke in artikel *drie* van genoemde Wet bedoel" in te voeg;

(*b*) deur in sub-artikel (3) na die woord „Parlement" die woorde „of deur die Wetgewende Vergadering van Suidwes-Afrika" in te voeg; en

(*c*) deur die volgende paragraaf by sub-artikel (4) te voeg, terwyl die bestaande sub-artikel paragraaf (*a*) word:

„(*b*) By die toepassing van hierdie sub-artikel word onder die lopende uitgawes van die raad ook uitgawes in verband met die uitvoering van die Wet op Standaarde, 1945, inbegrepe, en word die oogmerke waarvoor die raad ingestel is, geag die in artikel *drie* van daardie Wet bedoelde oogmerke in te sluit.".

Invoeging van artikel 16*bis* in Wet 33 van 1945.

19. Die volgende artikel word hierby na artikel *sestien* van die Wet op die Wetenskaplike Navorsingsraad, 1945, ingevoeg met ingang van die inwerkingtreding van daardie Wet:

„Toepassing van Wet op Suidwes-Afrika.

16*bis*. Hierdie Wet is ook in die gebied Suidwes-Afrika van toepassing.".

Bewilliging deur Wetgewende Vergadering van Suidwes-Afrika van gelde vir werksaamhede onder Wet 24 van 1945 en Wet 33 van 1945.

20. Ondanks andersluidende bepalings van die „Zuidwest-Afrika Konstitutie Wet, 1925" (Wet No. 42 van 1925), of enige ander Wet, kan die Wetgewende Vergadering van Suidwes-Afrika gelde uit die Inkomstefonds van Suidwes-Afrika bewillig vir die doeleindes waarvoor die in sub-artikel (3) van artikel *veertien* van die Wet op die Wetenskaplike Navorsingsraad, 1945, bedoelde gelde aangewend kan word.

Herroeping van Wette.

21. Artikels *vier* tot en met *nege*, *twaalf* en *twintig* van die Wet op Standaarde, 1945, die Wysigingswet op Standaarde, 1946, paragrawe (*a*), (*c*) en (*e*) van artikel *twee* en artikels *vier* tot en met *sewe*, *nege* en *tien* van die Wysigingswet op Standaarde, 1951, en artikels *drie* en *nege* van die Wysigingswet op Standaarde, 1952, word hierby herroep.

Toepassing op Suidwes-Afrika.

22. Hierdie Wet is ook in die gebied Suidwes-Afrika van toepassing.

Kort titel en inwerkingtreding.

23. Hierdie Wet heet die Wet op Standaarde (Oordrag van Uitvoering), 1956, en tree in werking op 'n datum wat die Goewerneur-generaal by proklamasie in die *Staatskoerant* bepaal.

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"(*b*) The annual report referred to in paragraph (*a*) shall also contain a report on the activities of the council under the Standards Act, 1945, and the particulars referred to in that paragraph shall include particulars in respect of the activities of the council under that Act.".

Amendment of section 14 of Act 33 of 1945.

18. Section *fourteen* of the Scientific Research Council Act, 1945, is hereby amended—

(*a*) by the insertion in sub-section (2) after the word "expenditure" of the words "(including expenditure connected with the administration of the Standards Act, 1945)", and after the word "established" of the words "or the objects referred to in section *three* of the said Act";

(*b*) by the insertion in sub-section (3) after the word "Parliament" of the words "or by the Legislative Assembly of South-West Africa"; and

(*c*) by the addition to sub-section (4) of the following paragraph, the existing sub-section becoming paragraph (*a*):

"(*b*) For the purposes of this sub-section, running expenses of the council include the expenses in connection with the administration of the Standards Act, 1945, and the objects for which the council has been established shall be deemed to include the objects referred to in section *three* of that Act.".

Insertion of section 16*bis* in Act 33 of 1945.

19. The following section is hereby inserted in the Scientific Research Council Act, 1945, after section *sixteen*, with effect from the commencement of that Act:

"Application of Act to South-West Africa.

16*bis*. This Act shall apply also in the territory of South-West Africa.".

Appropriation by legislative Assembly of South-West Africa of moneys for activities under Act 24 of 1945 and Act 33 of 1945.

20. Notwithstanding anything to the contrary contained in the South-West Africa Constitution Act, 1925 (Act No. 42 of 1925), or any other law, the Legislative Assembly of South-West Africa may appropriate moneys from the Revenue Fund of South-West Africa for the purposes for which the moneys referred to in sub-section (3) of section *fourteen* of the Scientific Research Council Act, 1945, may be applied.

Repeal of laws.

21. Sections *four* to *nine*, inclusive, *twelve* and *twenty* of the Standards Act, 1945, the Standards Amendment Act, 1946, paragraphs (*a*), (*c*) and (*e*) of section *two* and sections *four* to *seven*, inclusive, *nine* and *ten* of the Standards Amendment Act, 1951, and sections *three* and *nine* of the Standards Amendment Act, 1952, are hereby repealed.

Application to South-West Africa.

22. This Act shall apply also in the territory of South-West Africa.

Short title and commencement.

23. This Act shall be called the Standards (Transfer of Administration) Act, 1956, and shall come into operation upon a date to be fixed by the Governor-General by proclamation in the *Gazette*.

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No. 66, 1956.]

WET

Om voorsiening te maak vir die Beheer van die Uitvoer van Ingemaakte Vrugte en Ingemaakte Groente.

(*Engelse teks deur die Gowerneur-generaal geteken.*)
(*Goedgekeur op* 15 *Junie* 1956.)

DIT WORD BEPAAL deur Haar Majesteit die Koningin, die Senaat en die Volksraad van die Unie van Suid-Afrika, soos volg:—

Woord-omskrywing.

1. Tensy uit die samehang anders blyk, beteken in hierdie Wet—

(i) „die Unie" ook die gebied Suidwes-Afrika; (iv)

(ii) „ingemaakte groente" ook ingemaakte groentesap en 'n ingemaakte tamatieproduk; (ii)

(iii) „ingemaakte vrugte" ingemaakte appelkose, perskes, pere, pynappels, vrugteslaai of enige ander soort ingemaakte vrugte waarop die Minister van tyd tot tyd by kennisgewing in die *Staatskoerant* verklaar dat die bepalings van hierdie Wet van toepassing is, en ook ingemaakte of gebottelde konfyt, jellie en marmalade, en ingemaakte vrugtesap, vrugtenektar en vrugtemoes; (i)

(iv) „Minister" die Minister van Ekonomiese Sake. (iii)

Magte van Minister in verband met uitvoer van ingemaakte vrugte en ingemaakte groente.

2. (1) Die Minister kan by kennisgewing in die *Staatskoerant*—

(*a*) voorskryf dat geen ingemaakte vrugte of ingemaakte groente of ingemaakte vrugte of ingemaakte groente van 'n soort in dié kennisgewing vermeld—

(i) vir verbruik uit die Unie uitgevoer mag word nie, òf in die algemeen òf na 'n aldus vermelde land of gebied; of

(ii) aldus uitgevoer mag word nie, behalwe uit hoofde van 'n permit uitgereik deur hom of deur iemand wat hy daartoe gemagtig het;

(*b*) eis dat iedereen wat gedurende 'n tydperk in dié kennisgewing vermeld ingemaakte vrugte of ingemaakte groente vir verbruik uit die Unie uitgevoer het, sy naam en adres by 'n beampte en binne 'n tydperk aldus vermeld, registreer, en aan bedoelde beampte op aldus vermelde tye, besonderhede aangaande die ingemaakte vrugte en ingemaakte groente wat hy gedurende 'n tydperk insgelyks vermeld aldus uitgevoer het of wat hy vir sodanige uitvoer in besit het, en sodanige ander besonderhede as wat die Minister in die kennisgewing vermeld, verstrek; en

(*c*) 'n kennisgewing kragtens paragraaf (*a*) of (*b*) uitgereik, intrek of wysig.

(2) 'n Permit kragtens sub-paragraaf (ii) van paragraaf (*a*) van sub-artikel (1) uitgereik, kan die hoeveelheid en soort ingemaakte vrugte of ingemaakte groente wat uit hoofde daarvan uitgevoer kan word, die prys waarteen, die tydperk waarbinne, die hawe waaruit, die land of gebied waarheen en die wyse waarop die betrokke ingemaakte vrugte of ingemaakte groente uitgevoer kan word, en sodanige ander voorwaardes as wat die Minister gelas, voorskryf.

Weiering van uitvoerpermit as aansoeker nie deel het aan 'n ooreenkoms vir uitvoer van ingemaakte vrugte en ingemaakte groente nie.

3. (1) Indien die Minister oortuig is dat 'n ooreenkoms met betrekking tot die bemarking van ingemaakte vrugte of ingemaakte groente, of 'n bepaalde soort daarvan, in 'n land of gebied buite die Unie, of met betrekking tot die beperking van die uitvoer van sulke vrugte of groente, of 'n bepaalde soort daarvan, na so 'n land of gebied, aangegaan is tussen minstens vyf-en-sewentig persent van die uitvoerders van sulke vrugte of groente of so 'n soort daarvan uit die Unie, wat minstens vyf-en-sewentig persent van die totale hoeveelheid van sulke vrugte of groente of so 'n soort daarvan uitgevoer het wat gedurende die tydperk van twaalf maande wat die datum van die ooreenkoms onmiddellik voorafgaan, uitgevoer is, en indien so 'n ooreenkoms deur hom goedgekeur is, kan hy of die persoon deur hom daartoe gemagtig weier om 'n permit wat kragtens 'n kennisgewing, ingevolge sub-paragraaf (ii) van paragraaf (*a*) van sub-artikel (1) van artikel *twee* uitgereik, vereis word, uit

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No. 66, 1956.]

ACT

To provide for the Control of the Export of Canned Fruit and Canned Vegetables.

(*English text signed by the Governor-General.*)
(*Assented to 15th June*, 1956.)

BE IT ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Definitions.

1. In this Act, unless the context otherwise indicates—

(i) "canned fruit" means canned apricots, peaches, pears, pineapples, fruit salad or any other kind of canned fruit to which the Minister may from time to time declare by notice in the *Gazette* that the provisions of this Act shall apply, and includes canned or bottled jam, jelly and marmalade, and canned fruit juice, fruit nectar and fruit pulp; (iii)

(ii) "canned vegetables" includes canned vegetable juice, and any canned tomato product; (ii)

(iii) "Minister" means the Minister of Economic Affairs; (iv)

(iv) "the Union" includes the territory of South-West Africa. (i)

Powers of Minister in connection with export of canned fruit and canned vegetables.

2. (1) The Minister may by notice in the *Gazette*—

(*a*) prescribe that no canned fruit or canned vegetables or canned fruit or canned vegetables of a kind specified in such notice—

(i) shall be exported from the Union for consumption, either generally or to any country or territory so specified; or

(ii) shall be so exported, except under the authority of a permit issued by him or by a person authorized thereto by him;

(*b*) require every person who during a period specified in such notice exported any canned fruit or canned vegetables from the Union for consumption, to register with an officer and within a period so specified, his name and address, and to furnish to such officer, at times so specified, particulars of any canned fruit and canned vegetables which he so exported during a period likewise specified, or which he holds for such export, and such other particulars as the Minister may specify in the notice; and

(*c*) withdraw or amend any notice issued under paragraph (*a*) or (*b*).

(2) Any permit issued under sub-paragraph (ii) of paragraph (*a*) of sub-section (1) may prescribe the quantity and kind of canned fruit or canned vegetables which may be exported thereunder, the price at which, the period within which, the port from which, the country or territory to which and the manner in which the canned fruit or canned vegetables concerned may be exported, and such other conditions as the Minister may direct.

Refusal of export permit if applicant not a party to canned fruit and canned vegetables export agreement.

3. (1) If the Minister is satisfied that an agreement in regard to the marketing of canned fruit or canned vegetables, or any particular kind thereof, in any country or territory outside the Union, or in regard to the restriction of the export of such fruit or vegetables, or any particular kind thereof, to any such country or territory, has been entered into between not less than seventy-five per cent. of the exporters of such fruit or vegetables or kind thereof from the Union, who have exported not less than seventy-five per cent. of the total quantity of such fruit or vegetables or kind thereof exported during the period of twelve months immediately preceding the date of such agreement, and if such agreement has been approved by him, he or the person authorized thereto by him may refuse to issue a permit required under any notice issued under sub-paragraph

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te reik tensy die persoon wat om die permit aansoek doen die Minister of genoemde persoon oortuig dat hy 'n party by daardie ooreenkoms is.

(2) Niemand wat begerig is om 'n party by 'n in sub-artikel (1) bedoelde ooreenkoms te word en onderneem om die bepalings daarvan na te kom mag verhinder word om 'n party daarby te word nie.

(3) Om die persentasie uitvoerders in sub-artikel (1) voorgeskryf te bepaal, word iemand wat minder as een persent uitgevoer het van die totale hoeveelheid ingemaakte vrugte of ingemaakte groente in die betrokke ooreenkoms bedoel, wat gedurende die in genoemde sub-artikel bedoelde tydperk uitgevoer is, nie as 'n uitvoerder beskou nie.

Misdrywe en strawwe.

4. Iemand wat die bepalings van 'n kennisgewing kragtens sub-artikel (1) van artikel *twee* uitgereik, oortree of versuim om daaraan te voldoen, of 'n voorwaarde van 'n permit kragtens 'n kennisgewing ingevolge sub-paragraaf (ii) van paragraaf (*a*) van sub-artikel (1) van genoemde artikel uitgereik, oortree of versuim om daaraan te voldoen, is skuldig aan 'n misdryf, en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd-en-vyftig pond of gevangenisstraf vir 'n tydperk van hoogstens een jaar, of met dié boete sowel as dié gevangenisstraf.

Bykomende boetes.

5. (1) Wanneer iemand aan 'n misdryf ingevolge hierdie Wet skuldig bevind word, kan die hof wat hom skuldig bevind summier ondersoek instel aangaande die geldelike waarde van die voordeel wat hy as gevolg van dié misdryf mag behaal het en die bedrag daarvan bepaal en, benewens enige ander straf ten opsigte van dié misdryf opgelê, hom 'n boete gelyk aan die aldus bepaalde bedrag en, by wanbetaling daarvan, gevangenisstraf vir 'n tydperk van hoogstens ses maande oplê.

(2) 'n Magistraatshof is bevoeg om die bykomende straf in sub-artikel (1) beoog, op te lê, selfs al sou daardie straf, hetsy alleen of tesame met 'n ander straf deur dié hof opgelê, die strafbevoegdheid van 'n magistraatshof te bowe gaan.

Bewyslewering.

6. Wanneer by 'n vervolging ingevolge hierdie Wet bewys word dat ingemaakte vrugte of ingemaakte groente waarop die aanklag betrekking het, uit die Unie uitgevoer is, word vermoed, totdat die teendeel bewys word, dat dit vir verbruik uitgevoer is na die land of gebied in die klagskrif vermeld.

Toepassing van Wet op Suidwes-Afrika.

7. Hierdie Wet is ook in die gebied Suidwes-Afrika van toepassing.

Kort titel en duur van Wet.

8. Hierdie Wet heet die Wet op Beheer van die Uitvoer van Ingemaakte Vrugte en Groente, 1956, en hou vanaf die eerste dag van November 1957 op om van krag te wees.

GEDRUK IN DIE UNIE VAN SUID-AFRIKA DEUR CAPE TIMES LIMITED, PAROW, K.P.—C489.

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(ii) of paragraph (*a*) of sub-section (1) of section *two*, unless the person applying for such permit satisfies the Minister or the said person that he is a party to such agreement.

(2) No person who wishes to become a party to an agreement referred to in sub-section (1) and who undertakes to comply with the terms of such an agreement shall be debarred from becoming a party thereto.

(3) For the purpose of determining the percentage of exporters prescribed by sub-section (1), a person who has exported less than one per cent. of the total quantity of canned fruit or canned vegetables referred to in the agreement in question, which has been exported during the period referred to in the said sub-section, shall not be regarded as an exporter.

Offences and penalties.

4. Any person who contravenes or fails to comply with the terms of any notice issued under sub-section (1) of section *two*, or contravenes or fails to comply with any condition of a permit issued under any notice under sub-paragraph (ii) of paragraph (*a*) of sub-section (1) of the said section, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred and fifty pounds or to imprisonment for a period not exceeding one year, or to both such fine and such imprisonment.

Additional penalties.

5. (1) Whenever any person is convicted of an offence under this Act, the court convicting him may summarily enquire into and assess the monetary equivalent of any advantage which he may have gained in consequence of that offence, and may, in addition to any other punishment imposed in respect of that offence, impose upon him a fine equal to the amount so assessed and, in default of payment thereof, imprisonment for a period not exceeding six months.

(2) A magistrate's court shall have jurisdiction to impose such additional punishment as is contemplated in sub-section (1), even though such punishment may, either alone or together with any other punishment imposed by that court, exceed the punitive jurisdiction of a magistrate's court.

Evidence.

6. Whenever, in any prosecution under this Act, it is proved that any canned fruit or canned vegetables, the subject of the charge, were exported from the Union, it shall be presumed, until the contrary is proved, that they were exported for consumption to the country or territory stated in the charge.

Application of Act to South-West Africa.

7. This Act shall apply also in the territory of South-West Africa.

Short title and duration of Act.

8. This Act shall be called the Canned Fruit and Vegetables Export Control Act, 1956, and shall cease to have effect as from the first day of November, 1957.

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