

Mr Rosterhagen

BUITENGEWONE

OFFISIELLE KOERANT
VAN SUIDWES-AFRIKA.



OFFICIAL GAZETTE

EXTRAORDINARY
OF SOUTH WEST AFRICA.

UITGawe OP GESAG.

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WET

Om voorsiening te maak vir die verdeling van die winste wat in verband met die uitvoering van die asetplan ingevolge die Wolwet, 1946, aan die Unie-regering toegeval het of sal toeval, en tot wysiging van daardie Wet.

(Afrikaanse teks deur die Goewerneur-generaal geteken.)
(Goedgekeur op 27 Junie 1952.)

ACT

To provide for the distribution of the profits which have accrued or will accrue to the Union Government in the carrying out of the disposals plan in terms of the Wool Act, 1946, and to amend that Act.

(Afrikaans text signed by the Governor-General.)
(Assented to 27th June, 1952.)

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

1. In hierdie Wet beteken die uitdrukking „die Hoof-wet“ die Wolwet, 1946 (Wet No. 19 van 1946), en in artikels een tot en met acht tensy uit die samheng anders blyk, het elke uitdrukking waaraan in daardie Wet 'n betekenis toegeskryf is, die betekenis aldus daarvan toegeskryf, en beteken—

(i) „bruto-opbrings“, met betrekking tot 'n hoeveelheid deelagtige wol, die totale bedrag wat die Regering van die Verenigde Koninkryk ten opsigte van die aankoop van daardie hoeveelheid betaal het; (ii)

(ii) „deelagtige wol“ wol in die Unie, Basoetoland, Swazieland of die Protektoraat van Betsjoenaland geproduceer en gedurende die tydperk van die eerste dag van Augustus 1940 tot die een-en-dertigste dag van Julie 1946 in die Unie aan die Regering van die Verenigde Koninkryk verkoop; (vi)

(iii) „handelaar“ iemand wat deelagtige wol andersins as in die naam en ten bate van die produsent van daardie wol verkoop het; (i)

(iv) „Hoë Kommissaris“ die Hoë Kommissaris vir Basoetoland, Swazieland en die Protektoraat van Betsjoenaland; (iii)

(v) „natuur“ iemand wat lid is van 'n inboorlingras of -stam van Afrika, en ook iemand wat onder dieselfde toestande as 'n natuur in 'n afgesonderde naturellegebied of oopgestelde gebied, soos in die Naturelletrust en -grond Wet, 1936 (Wet No. 18 van 1936), omskryf, of op grond waarvan die Suid-Afrikaanse Naturelletrust die geregistreerde eienaar is, woon, en wanneer daar twyfel ontstaan oor die vraag of enige persoon 'n natuur is, word daardie persoon geag 'n natuur te wees tensy die teendeel bewys word; (iv)

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:—

1. In this Act the expression "the principal Act" means the Wool Act, 1946 (Act No. 19 of 1946), and in sections one to eight, inclusive, unless the context otherwise indicates, any expression to which in that Act a meaning has been assigned, bears the meaning so assigned thereto, and—

(i) "dealer" means any person who sold participating wool otherwise than in the name and for the benefit of the producer of that wool; (iii)

(ii) "gross proceeds", in relation to any quantity of participating wool, means the total amount paid by the Government of the United Kingdom in respect of the purchase of that quantity; (i)

(iii) "High Commissioner" means the High Commissioner for Basutoland, Swaziland and the Protectorate of Bechuanaland; (iv)

(iv) "native" means a person who is a member of any aboriginal race or tribe of Africa, and includes any person residing under the same conditions as a native in a scheduled native area or a released area, as defined in the Native Trust and Land Act, 1936 (Act No. 18 of 1936), or on any land of which the South African Native Trust is the registered owner, and whenever doubt arises as to whether any person is a native, such person shall be deemed to be a native, unless the contrary is proved; (v)

(v) "native producer", in relation to participating wool, means a native producer of such wool not sold by him through a wool broker; (vi)

- (vi) „naturelleproducent”, met betrekking tot deelagtige wol, ‘n naturelleproducent van sodanige wol wat hy nie deur ‘n wolkelaar verkoop het nie; (v)
- (vii) „produsent”, met betrekking tot—
 (a) deelagtige wol wat deur die Bewaarder van vyandsciendom verkoop is, bedoelde Bewaarder;
 (b) deelagtige wol wat van velle verwyder is, die persoon deur of ten bate van wie dié wol verkoop is;
 (c) deelagtige wol wat van ‘n skaap geskeer is en aan iemand verkoop is voordat dit aldus geskeer is, die persoon deur of ten bate van wie dit aldus verkoop is; en
 (d) enige ander deelagtige wol, die persoon ten bate van wie daardie wol van die skaap geskeer is, en het ‘geproduseer’ in ooreenstemmende betekenis; (viii)
- (viii) „Sekretaris” die Sekretaris van Landbou; (ix)
- (ix) „Unie” ook die gebied van Suidwes-Afrika; (x)
- (x) „wool” die natuurlike vag van ‘n skaap (*genus ovis*); (xi)
- (xi) „wolwinste”, die bedrag ingevolge sub-artikel (1) van artikel *drie* van die Finansiëlewet, 1951 (Wet No. 56 van 1951), na die Openbare Skuldkommissaris se oorgeplaas, tesame met enige rente uit die belegging daarvan verkry. (xii)
2. (1) Die Sekretaris bepaal—
 (a) ten opsigte van elke produsent (behalwe ‘n naturelleproducent) van in die Unie geproduseerde deelagtige wol, die bruto-opbrings van sodanige wol deur daardie produsent geproduseer;
 (b) ten opsigte van—
 (i) naturelleproduente van sodanige in die Unie geproduseerde wol; en
 (ii) produsente van sodanige in Basutoland, Swaziland of die Protektoraat van Betsjoeanaland geproduseerde wol,
 die bruto-opbrings van sodanige wol in elke geval deur al die bedoelde produsente geproduseer;
 (c) op grondslag van die onderskeie bedrae aldus bepaal, die aandeel in die wolwinste toegewys te word ten opsigte van wol geproduseer—
 (i) deur elke produsent in paraagraaf (a) bedoel; en
 (ii) deur produsente onderskeidelik in sub-paragraawe (i) en (ii) van paraagraaf (b) bedoel, wat in elke geval bereken word us ‘n bedrag wat in dieselfde verhouding staan tot die normale bedrag van die wolwinste, na aftrekking daarvan van die onkoste, soos deur die Sekretaris bepaal, in verband met die verdeling van die wolwinste beloop, as die verhouding waarin die bruto-opbrings van die deelagtige wol deur die betrokke produsent of, al na die geval, deur al die betrokke produsente geproduseer, tot die bruto-opbrings, soos aldus bepaal, van alle deelagtige wol staan.
- (2) Die bedrae kragtens paraagraaf (c) van sub-artikel (1) bepaal, word, met inagneming van die bepaling van sub-artikels (3), (4) en (5), deur die Sekretaris betaal—
 (a) in die geval van ‘n bedrag aldus bepaal ten opsigte van wol geproduseer deur in sub-paragraaf (i) van paraagraaf (b) van sub-artikel (1) bedoelde produente, aan die Sekretaris van Naturellesake en op krediet geplaas van ‘n spesiale rekening in die Suid-Afrikaanse Naturelletrustfonds ingestel kragtens artikel agt van die Naturelletrust en grondwet, 1936 (Wet No. 18 van 1936), bekend as die Rekening vir die Verdeling van Wolwinste (Naturelleproducente) om ten voordele van naturelle in die Unie aangewend te word op die wyse wat die Minister van Naturellesake bepaal; en
- (vi) “participating wool” means wool produced in the Union, Basutoland, Swaziland or the Protectorate of Bechuanaland, and sold in the Union to the Government of the United Kingdom during the period from the first day of August, 1940, to the thirty-first day of July, 1946; (vii) “producer” means, in relation to—
 (a) participating wool sold by the Custodian of Enemy Property, such Custodian;
 (b) participating wool removed from skins, the person by whom or for whose benefit such wool was sold;
 (c) participating wool shorn from a sheep and sold to any person before it was so shorn, the person by whom or for whose benefit it was so sold; and
 (d) any other participating wool, the person for whose benefit such wool was shorn from the sheep, and “produced” has a corresponding meaning; (viii) “Secretary” means the Secretary for Agriculture; (ix) “Union” includes the territory of South-West Africa; (x) “wool” means the natural coat of the sheep (*genus ovis*); (xi) “wool profits” means the amount transferred to the Public Debt Commissioners in terms of subsection (1) of section three of the Finance Act, 1951 (Act No. 56 of 1951), together with any interest derived from the investment thereof. (xii)
2. (1) The Secretary shall determine—
 (a) in respect of every producer (other than a native producer) of participating wool produced in the Union, the gross proceeds of such wool produced by that producer;
 (b) in respect of—
 (i) native producers of such wool produced in the Union; and
 (ii) producers of such wool produced in Basutoland, Swaziland or the Protectorate of Bechuanaland, the gross proceeds of such wool produced in each case by all such producers;
 (c) on the basis of the respective amounts so determined, the share in the wool profits to be allocated in respect of wool produced—
 (i) by every producer referred to in paragraph (a); and
 (ii) by producers referred to in sub-paragraphs (i) and (ii) respectively of paragraph (b), calculated in each case as an amount which bears the same ratio to the amount of the wool profits remaining after deduction therefrom of the expenses, as determined by the Secretary, incurred in connection with the distribution of the wool profits, as the gross proceeds of the participating wool produced by the producer concerned or by all the producers concerned, as the case may be, bears to the gross proceeds of all participating wool as so determined.
- (2) The amounts determined under paragraph (c) of sub-section (1), shall, subject to the provisions of sub-sections (3), (4) and (5), be paid by the Secretary—
 (a) in the case of any amount so determined in respect of wool produced by a producer referred to in paragraph (a) of sub-section (1), to that producer;
 (b) in the case of any amount so determined in respect of wool produced by producers, referred to in sub-paragraph (i) of paragraph (b) of sub-section (1), to the Secretary for Native Affairs and placed to the credit of a special account in the South African Native Trust Fund established under section eight of the Native Trust and Land Act, 1936 (Act No. 18 of 1936), to be known as the Wool Profits Distribution Account (Native Producers) and to be used for the benefit of natives in the Union in such manner as may be determined by the Minister of Native Affairs; and

(c) in die geval van 'n bedrag aldus bepaal ten opsigte van wol geproduseer deur in sub-paragraaf (ii) van paragraaf (b) van sub-artikel (1) bedoelde produsente, aan die Hoë Kommissaris.

(3) Waar—

- (a) 'n produsente (behalwe 'n naturelleprodusente) van deelagtige wol in die Unie geproduseer, orlede is of (in die geval van 'n maatskappy of vennootskap) opgehou het om te bestaan voor die datum waarop die aandeel in die wolwinste toegewys ten opsigte van sodanige wol deur daardie produsente geproduseer, uitbetaal is, word daardie aandeel uitbetaal asof dit verskuldig geword het op die dag onmiddellik voor die datum waarop daardie produsente orlede is of opgehou het om te bestaan;
- (b) deelagtige wol ten bate van die boedel van enige persoon geproduseer is, word daardie wol geag deur bedoelde persoon geproduseer te gewees het.

(4) Behalwe wat betrek bedrae aan die Sekretaris van Natuurlesake of die Hoë Kommissaris betaalbaar, word geen bedrag wat 'n aandeel in die wolwinste verteenwoordig, uitbetaal nie ten opsigte van in sub-artikel (3) bedoelde wol in die geval van 'n produsente wat 'n minderjyging is of iemand wat deur 'n gereghof onbevoeg verklaar is om sy eie sake te bestuur of wat ingevolge die „Wet op Geestesgebreken, 1916“ (Wet No. 38 van 1916), 'n geestelik gekrenkte of gebreklike persoon verklaar is of as 'n siel-sieke aangehou word, behalwe na oorlegpleging met die bevoegde Meester van die Hoogereghof en ooreenkomsdig sy opdrag.

(5) Wanneer twee of meer persone op heteling van enige aandeel in die wolwinste aanspraak maak, kan die Sekretaris die bedrag wat daardie aandeel verteenwoordig aan enigeen van daardie persone vir die voordeel van al daardie persone betaal of bedoelde bedrag onder daardie persone verdeel op die wyse wat hy billik ag.

(6) 'n Bepaling ingevolge hierdie artikel deur die Sekretaris gemaak, is afdoende.

(7) Die gelde benodig om betalings ingevolge hierdie artikel te maak of om onkooste te dek wat in verband met die verdeling van wolwinste aangegaan word (insluitende onkoste in verband met die ouditering van rekenings soos deur die Tesourie na oorlegpleging met die Kontroleur en Ouditeur-generaal bepaal) en om aan sub-artikel (3) van artikel seve gevolg te gee, word van tyd tot tyd op versoek van die Sekretaris deur die Openbare Skuldkommissarisse ontrek uit die bedreie wat ingevolge sub-artikel (3) van artikel drie van die Finansiëlewet, 1951 (Wet No. 56 van 1951), deur hulle gehou word, en word by die Suid-Afrikaanse Reservewebank op krediet geplaas van 'n fonds bekend as die Fond vir die Verdeling van Wolwinste wat deur die Sekretaris beheer word.

3. (1) Die Sekretaris kan, ten einde inligting te verkry wat hy in verband met die verdeling van die wolwinste nodig het—

- (a) by skriftelike kennisgewing aan enige persoon gerig, daardie persoon aansé om binne 'n tydperk in die kennisgewing vermeld aan hom die inligting te verstrek waaraan daardie persoon beskik en wat aldus vermeld mag word;
- (b) aan 'n produsente (behalwe 'n naturelleprodusente) van, deelagtige wol of 'n handelaar 'n skriftelike kennisgewing stuur of laat stuur, vergesel van 'n opgawe in die vorm wat die Sekretaris bepaal waarin volgens die inligting tot sy beskikking uitgegesit word—
 - (i) in die geval van so 'n produsente, die bruto-opbrengs van sodanige wol wat daardie produsente geproduseer het; of
 - (ii) in die geval van so 'n handelaar, die bruto-opbrengs van sodanige wol wat daardie handelaar deur wolmakelaars verkoop het;

(c) in the case of any amount so determined in respect of wool produced by producers referred to in sub-paragraph (ii) of paragraph (b) of sub-section (1), to the High Commissioner.

(3) Where—

- (a) a producer (other than a native producer) of participating wool produced in the Union has died or (in the case of a company or partnership) ceased to exist before the date on which the share in the wool profits allocated in respect of such wool produced by that producer has been paid out, such share shall be paid out as if it had become due on the day immediately preceding the date on which that producer died or ceased to exist;
- (b) participating wool has been produced for the benefit of the estate of any person, that wool shall be deemed to have been produced by that person.

(4) Save as regards amounts payable to the Secretary for Native Affairs or the High Commissioner, no amount representing any share in the wool profits shall be paid out in respect of wool referred to in sub-section (3) or in the case of a producer who is a minor or a person who has been declared by a court of law to be incapable of managing his own affairs or who has been declared to be a mentally defective or disordered person or is being detained as a mental patient under the Mental Disorders Act, 1916 (Act No. 38 of 1916), except after consultation with the Master of the Supreme Court having jurisdiction and in accordance with his directions.

(5) Whenever payment of any share in the wool profits is claimed by two or more persons, the Secretary may pay the amount representing that share to any one of those persons for the benefit of all such persons or apportion that amount amongst such persons in such manner as he may consider equitable.

(6) Any determination made under this section by the Secretary shall be final.

(7) The moneys required for the purpose of making any payment under this section or to meet any expenditure incurred in connection with the distribution of the wool profits (including expenditure in connection with the auditing of accounts, as determined by the Treasury in consultation with the Controller and Auditor-General) and to give effect to sub-section (3) of section seven, shall from time to time at the request of the Secretary be withdrawn by the Public Debt Commissioners from the sums held by them in terms of sub-section (3) of section three of the Finance Act, 1951 (Act No. 56 of 1951), and deposited with the South African Reserve Bank to the credit of a fund to be known as the Wool Profits Distribution Fund which shall be under the control of the Secretary.

3. (1) The Secretary may, for the purpose of obtaining information required by him in connection with the distribution of the wool profits—

- (a) by notice in writing addressed to any person, require that person to submit to him, within a period specified in the notice, such information as may be available to that person and as may be so specified;
- (b) send or cause to be sent to any producer (other than a native producer) of participating wool or any dealer a notice in writing accompanied by a statement in such form as the Secretary may determine, specifying, according to the information at his disposal—
 - (i) in the case of any such producer, the gross proceeds of such wool produced by that producer; or
 - (ii) in the case of any such dealer, the gross proceeds of such wool sold by that dealer through wool brokers;

- (c) in 'n kennisgewing kragtens paraagraaf (b), die produsent van handelaar aan wie dit gerig is, aansé om die opgawe wat daardie kennisgewing vergesel binne 'n tydperk in die kennisgewing vernield, en nadat hy daarop gesertifiseer het dat die besonderhede daarin uitengesit nu sy beste wete en geloof huis is, indien dit die geval is, aan die Sekretaris terug te stuur, os, as bedoelde besonderhede nie huis is nie, binne die aldus vermelde tydperk skriftelike inligting by die Sekretaris in te dien waarin uitvoerig aangedui word in watter opsigte daardie besonderhede onjuis is;
- (d) by skriftelike kennisgewing so 'n handelaar aansé om binne 'n in die kennisgewing vermelde tydperk by hom 'n bedigde verklaring in te dien waarin, ten opsigte van sodanige wol aldus deur daardie handelaar verkoop, aangedui word, vir sover die nodige inligting aan daardie handelaar beskikbaar is—
- die name en adresse van die produsente (behalwe naturelleprodusente) van sodanige wol in die Unie geproduceer;
 - die bruto-opbrings van sodanige wol deur elk een van daardie produsente geproduceer;
 - die bruto-opbrings van alle sodanige wol deur naturelleprodusente in die Unie geproduceer; en
 - die bruto-opbrings van alle sodanige wol in Basutoland, Swaziland of die Protektoraat van Betsjocanaland geproduceer.
- (e) by kennisgewing in die *Staatskoerant* of op die ander wyse wat hy goedvind, enige produsent of handelaar aan wie daar nie ingevolge paraagraaf (b) 'n opgawe gestuur is nie, uitnooi om op 'n in die kennisgewing vermelde vorm by die Sekretaris besonderhede in te dien—
- in die geval van so 'n produsent, aangaande deelagtige wol deur daardie produsent geproduceer en die wyse waarpoe hy daardie wol van die hand gesit het; en
 - in die geval van so 'n handelaar, aangaande sodanige wol wat hy deur wolmakelaars verkoop het.

(2) Indien binne dertig dae na die versending van 'n opgawe kragtens paraagraaf (b) van sub-artikel (1), die persoon aan wie daardie opgawe gestuur is nie soos in paraagraaf (c) van daardie sub-artikel bepaal daarop gesertifiseer of dit nie aan die Sekretaris teruggestuur het nie, en nie die Sekretaris in kennis gestel het dat die besonderhede daarin uitengesit onjuis is nie, kan die Sekretaris daardie besonderhede as huis aanvaar, en waar daar in enige geval twyfel ontstaan, is die Sekretaris se beslissing afdoende: Met dien verstande dat die Sekretaris te eniger tyd enige wysigings in so 'n opgawe kan aanbring.

(3) Die versuin om 'n opgawe soos in sub-artikel (1) bepaal aan 'n produsent van deelagtige wol of 'n handelaar te stuur, ruuk nie die geldigheid nie van enige bepaling deur die Sekretaris genaak aangemaakte die aandeel in die wolvinst wat toegewe moet word ten opsigte van deelagtige wol geproduceer deur enige produsent of kategorie van produsente.

4. Die Sekretaris kan op die voorwaardes wat hy goedvind van sy bevoegdheid van werksnuhede in verband met die verdeling van die wolvinst aan die raad oordru, maar behou die reg om enige besluit van die raad by die uitvoering van 'n bevoegdheid of die verrigting van 'n werkzaamheid aldus aan hom oorgedru, te hersien.

5. (1) Behoorlike rekenings ten opsigte van die verdeling van die wolvinst moet deur die Sekretaris en (vir sover sodanige verdeeling deur die raad uit hoofde van 'n opdrag ingevolge artikel vier ondergedru word) die raad gehou word, en sodanige rekenings word jaarliks gouditeer deur die Kontroleur en Ouditeur-generaal wat, vir die doeleindes van so 'n ouderling een of meer persone kan aanstel om hom, onderworpe aan die voorstrikte wat hy goedvind, behulpsoort te wees.

- (c) in any notice under paragraph (b), require the producer or dealer to whom it is addressed to return the statement accompanying that notice to the Secretary within the period specified in that notice after having certified theron that to the best of his knowledge and belief the particulars set out therein are correct, if such is the case, or, if those particulars are not correct, to lodge with the Secretary within the period so specified written information showing in detail in what respects such particulars are incorrect;
- (d) by notice in writing require any such dealer to lodge with him within a period specified in the notice an affidavit indicating in respect of any such wool so sold by that dealer, in so far as the necessary information is available to such dealer—
- the names and addresses of the producers (other than native producers) of such wool produced in the Union;
 - the gross proceeds of such wool produced by each of those producers;
 - the gross proceeds of all such wool produced in the Union by native producers; and
 - the gross proceeds of all such wool produced in Basutoland, Swaziland or the Protectorate of Bechuanaland;
- (e) by notice in the *Gazette* or in such other manner as he may deem fit invite any producer or dealer to whom a statement under paragraph (b) has not been sent, to lodge with the Secretary in such form as may be specified in the notice—
- in the case of any such producer, particulars of participating wool produced by that producer and the manner in which he disposed of that wool; and
 - in the case of any such dealer, particulars of such wool sold by him through wool brokers.

(2) If within thirty days after the dispatch of any statement under paragraph (b) of sub-section (1), the person to whom that statement was sent has not certified thereon as provided in paragraph (c) of that sub-section, or has not returned it to the Secretary, and has not advised the Secretary that the particulars set out therein are incorrect, the Secretary may regard such particulars as correct, and in the event of doubt arising in any case the decision of the Secretary shall be final: Provided that the Secretary may at any time make any necessary amendments to any such statement.

(3) The failure to send a statement as provided in sub-section (1) to any producer of participating wool or any dealer, shall not affect the validity of any determination made by the Secretary as to the share of the wool profits to be allocated in respect of participating wool produced by any producer or class of producers.

4. The Secretary may on such conditions as he may deem fit, delegate any of his powers or functions in connection with the distribution of the wool profits to the board, but shall retain the right to review any decision of the board in the exercise of any power or the performance of any function so delegated to it.

5. (1) Proper accounts in respect of the distribution of the wool profits shall be kept by the Secretary and (in so far as such distribution is undertaken by the board by virtue of any delegation under section four) the board and such accounts shall be audited annually by the Controller and Auditor-General, who may, for the purpose of any such audit, appoint one or more persons to assist him, subject to such directions as he may deem fit.

(2) Die bepaling van artikels *dertien*, *veertien*, *vijftien*, *agtien* en *negenien* van die „Financiewet, 1911” (Wet No. 21 van 1911), is *mutatis mutandis* ten opsigte van so 'n ouditering van toepassing: Met dien verstande dat, vir die doelcirkels van hierdie sub-artikel—

- (a) die verwysing in artikels *dertien* en *agtien* van genoemde Wet na die Tesourie geng word 'n verwysing te wees na die Minister;
- (b) die verwysing in artikels *dertien*, *veertien* en *vijftien* van genoemde Wet na 'n persoon in diens van die Regering van die Unie geng word 'n persoon in diens van die raad in te sluit; en
- (c) die verwysings in artikel *negenien* van genoemde Wet na die Minister van Finansies geng word verwysings te wees na die Minister van Landbou.

(3) Die Kontroleur en Ouditeur-generaal stuur so spoedig doenlik na so 'n ouditering 'n verslag ten opsigte daarvan aan die Minister.

(4) Die Minister moet afskrifte van elke verslag ingevolge sub-artikel (3) aan hom voorgê in albei Huise van die Parlement ter Tafel lê, binne veertien dae na ontvangoor daarvan as die Parlement dan in gewone sitting is, of as die Parlement dan nie in gewone sitting is, binne veertien dae na die aanvang van sy eersvolgende gewone sitting.

(5) Die Kontroleur en Ouditeur-generaal stel die Minister of die raad, na gelang van die geval, in kennis van enige betaling wat hy kragtens genoemde artikel *vijftien*, soos by sub-artikel (2) van toepassing verklar, oopgele ket, en die Minister moet, onderworpe aan die bepaling van genoemde artikel *negenien*, soos aldus van toepassing verklar, die bedrag daarvan op die persoon wat vir die betaling oopgele is, verhaal: Met dien verstande dat, tensy die Minister anders beveel, die bedrag van so 'n betaling wat verskuldig is deur iemand wat by die Regering van die Unie of die raad in diens is, deur afstrekking van gelyke maandelikse paasemente van sy maandelikse salaris van hoogstens een-vierde van sy maandelikse salaris, verhaal word.

6. (1) Geen geding kan teen die Sekretaris of die raad ingestel word nie ten opsigte van 'n handeling of versnuw wat te goeder trou by die uitvoering van bevoegdheide of die verrigting van werkzaamhede ingevolge van die Wet met betrekking tot die verdeling van die wolwinste geskied het nie.

(2) Enige bedrag wat deur onagsaamheid ingevolge hierdie Wet betaal is aan iemand wat nie daarop geregtig was nie, kan deur die Sekretaris deur aksie in 'n bevoegde hof op so iemand verhaal word.

7. (1) Geen betaling word ingevolge hierdie Wet gevank ten opsigte van deelagtige wol wat in die Unie geproduseer is deur iemand anders as 'n natuurlike produsent van sodanige wol, indien die aandeel in die wolwinste ten opsigte van daardie wol toegewys, minder as een pond is nie.

(2) Indien daar na betaling van alle bedrae verteenwoordigende aansprake op aandeel in die wolwinste wat onder die Sekretaris se aandag gekom het, enige onopgerichte saldo van daardie winte oorbly, moet die Sekretaris by kennisgewing in die *Staatsvoerant* of op die ander wyse wat hy goedvind alle persone wat ten opsigte van enige deelagtige wol waarvoor hulle op sodanige betaling geregtig is, nie betaling ontvang het nie, uitnodig om vorderings vir soortgelyke betaling tesame met besonderhede tot stuwung daarvan, soos in die kennisgewing vermeld, in te dien.

(3) Enige deel van die bedrag van die wolwinste wat nie uitbetaal is nie, en ten opsigte waarvan vorderings nie bewys is nie, na verloop van 'n tydperk van twaalf maande vanaf die datum van publikasie van die kennisgewing in sub-artikel (2) bedoel, tesame met enige bedrae wat uit hoofde van die bepaling van sub-artikel (1) nie uitbetaal is nie, word inbetaal in die Wolheffingsfonds ingestel kragtens artikel *negenien* van die *Llaawet*.

(2) The provisions of sections *thirteen*, *fourteen*, *fifteen*, *eighteen* and *nineteen* of the Exchequer and Audit Act, 1911 (Act No. 21 of 1911), shall *mutatis mutandis* apply in respect of such audit: Provided that, for the purposes of this sub-section—

- (a) the reference in sections *thirteen* and *eighteen* of the said Act to the Treasury, shall be deemed to be a reference to the Minister;
- (b) the reference in sections *thirteen*, *fourteen* and *fifteen* of the said Act to a person in the employment of the Union Government shall be deemed to include a person in the employ of the board; and
- (c) the references in section *nineteen* of the said Act to the Minister of Finance shall be deemed to be references to the Minister of Agriculture.

(3) As soon as may be after any such audit the Controller and Auditor-General shall transmit to the Minister a report in respect of such audit.

(4) The Minister shall lay copies of every report submitted to him in terms of sub-section (3) upon the Tables of both Houses of Parliament within fourteen days of receipt thereof if Parliament is then in ordinary session or, if Parliament is not then in ordinary session, within fourteen days of the commencement of its next ensuing ordinary session.

(5) The Controller and Auditor-General shall notify the Minister or the board, as the case may be, of any surcharge which he may have made under the said section *fifteen*, as applied by sub-section (2), and the Minister shall, subject to the provisions of the said section *nineteen*, as so applied, recover the amount thereof from the person against whom the surcharge was made: Provided that, unless the Minister otherwise directs, the amount of any such surcharge which may be due from a person in the employment of the Union Government or the board, shall be recovered in equal monthly instalments by deductions from such person's monthly salary not exceeding one-fourth thereof.

6. (1) No action shall lie against the Secretary or the board in respect of anything done or omitted to be done in good faith in the exercise of any powers or the performance of any functions under this Act relating to the distribution of the wool profits.

(2) Any amount inadvertently paid under this Act to a person who was not entitled thereto, may be recovered from that person by the Secretary by action in any competent court.

7. (1) No payment shall be made under this Act in respect of participating wool produced in the Union by any person other than a native producer of such wool, if the share in the wool profits allocated in respect of such wool is less than one pound.

(2) If after the payment of all amounts representing claims to shares in the wool profits which have come to the notice of the Secretary, there remains any unclaimed balance of those profits, the Secretary shall by notice in the *Gazette* or in such other manner as he may deem fit invite all persons who have not received payment in respect of any participating wool for which they are entitled to such payment, to submit claims for such payment, together with such particulars in support thereof as may be specified in the notice.

(3) Any portion of the amount of the wool profits which has not been paid out and in respect of which claims have not been established after the expiration of a period of twelve months from the date of publication of the notice referred to in sub-section (2), together with any amounts which have not been paid out by virtue of the provisions of sub-section (1), shall be paid into the Wool Levy Fund established under section *nineteen* of the principal Act.

8. Iemand wat—

- (a) versuim om te voldoen aan 'n kennisgewing kragtens paraaf (a) van sub-artikel (1) van artikel drie aan hom gerig, of na aanleiding van so 'n kennisgewing aan die Sekretaris inligting verstrek wat in 'n wesentlike opsig vals is, met die wete dat dit vals is; of
- (b) 'n opgawe wat kragtens paraaf (b) van daardie sub-artikel aan hom gestuur is, aan die Sekretaris terugstuur nadat hy daarop gesertifiseer het dat die besonderhede daarin verval juis is, met die wete dat daardie besonderhede onjuis is; of
- (c) ingevolge paraaf (c) van daardie sub-artikel aan die Sekretaris inligting verstrek wat in 'n wesentlike opsig vals is, met die wete dat dit vals is; of
- (d) in die geval van 'n handelaar, versuim om aan 'n kennisgewing kragtens paraaf (c) of (d) van daardie sub-artikel te voldoen, of na aanleiding van 'n kennisgewing ingevolge genoemde paraaf (d) inligting verstrek wat in 'n wesentlike opsig vals is, met die wete dat dit vals is; of
- (e) na aanleiding van 'n kennisgewing ingevolge paraaf (c) van daardie sub-artikel of ingevolge sub-artikel (2) van artikel sewe, aan die Sekretaris besonderhede verstrek wat in 'n wesentlike opsig vals is, met die wete dat dit vals is; of
- (f) enige bedrag ontvang by wyse van betaling ten opsigte van 'n aandel in die wolwinste waarop hy nu sy wete nie geregtig is nie;

is aan 'n misdryf skuldig en by veroordeling strafbaar met 'n boete van hoogstens honderd pond of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met daardie boete sowel as daardie gevangenisstraf.

9. (1) Artikel een van die Hoofwet word hiermee gewysig—

- (a) deur die woordbepalings van „direksie”, „afsetplan”, „gesamentlike organisasie”, „plaaslike organisasie” en „verkoopswaarde” te skrap;
- (b) deur in die woordbepaling van „heffing” die woord „agtien” deur die woorde „vier-en-dertig bis” te vervang;
- (c) deur in die woordbepaling van „Minister” die woorde „en Bosbou” te skrap; en
- (d) deur die woordbenaming van „Unie” deur die volgende woordbepaling te vervang:

„Unie” ook die gebied van Suidwes-Afrika;”.

(2) Ondanks die bepalings van sub-artikel (2) van artikel sewe-en-twintig, tree paraaf (d) van sub-artikel (1) nie in werking nie voordat 'n besluit aangenem is deur die Wetgewende Vergadering van die gebied Suidwes-Afrika wat goedkeuring daarvan verleen en in die *Offisiële Koerant* van daardie gebied aangekondig is.

10. (1) Artikel veertien van die Hoofwet word hiermee gewysig deur die woorde „nadat die geldie van die in paraaf (d) van artikel twintig bedoelde reserwfonds daarmee in rekening gebring is” te skrap.

(2) Sub-artikel (1) word geng op die datum van inwerkintreding van die Hoofwet in werking te getree het.

11. (1) Artikel twintig van die Hoofwet word hiermee gewysig deur in paraaf (b) die woorde „drie-twintigste van 'n pennie” deur die woorde „'n kwartpennie” te vervang.

(2) Sub-artikel (1) word geng op die eerste dag van Julie 1951 in werking te getree het.

12. Artikel vyf-en-twintig van die Hoofwet word hiermee gewysig—

- (a) deur na paraaf (f) die volgende paraaf in te voeg:

8. Any person who—

- (a) fails to comply with any notice addressed to him under paragraph (a) of sub-section (1) of section three, or in pursuance of any such notice furnishes to the Secretary information which is false in any material particular, knowing the same to be false; or
- (b) returns to the Secretary any statement sent to such person under paragraph (b) of that sub-section, after having certified thereon that the particulars set out therein are correct, knowing those particulars to be incorrect; or
- (c) under paragraph (c) of that sub-section furnishes to the Secretary information which is false in a material particular, knowing the same to be false; or
- (d) being a dealer, fails to comply with any notice under paragraph (c) or (d) of that sub-section, or furnishes any information in response to a notice under the said paragraph (d) which is false in a material particular, knowing the same to be false; or
- (e) in response to any notice under paragraph (e) of that sub-section or under sub-section (2) of section seven, furnishes to the Secretary any particulars which are false in a material respect, knowing the same to be false; or
- (f) accepts any amount by way of payment in respect of a share in the wool profits to which he knows that he is not entitled,

shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

9. (1) Section one of the principal Act is hereby amended—

- (a) by the deletion of the definitions of “directorate”, “disposals plan”, “joint organization”, “local organization” and “sale value”;
- (b) by the substitution in the definition of “levy” for the word “eighteen” of the words “thirty-four bis”;
- (c) by the deletion in the definition of “Minister” of the words “and Forestry”; and
- (d) by the substitution for the definition of “Union” of the following definition:

“Union” includes the Territory of South-West Africa.”.

(2) Notwithstanding the provisions of sub-section (2) of section twenty-seven, paragraph (d) of sub-section (1) shall not come into operation until a resolution approving thereof has been passed by the Legislative Assembly of the territory of South-West Africa and published in the *Official Gazette* of that territory.

10. (1) Section fourteen of the principal Act is hereby amended by the deletion of the words “after bringing into account the moneys of the reserve fund referred to in paragraph (d) of section twenty”.

(2) Sub-section (1) shall be deemed to have come into operation on the date of commencement of the principal Act.

11. (1) Section twenty of the principal Act is hereby amended by the substitution in paragraph (b) for the words “three-twentieths of a penny” of the words “one farthing”.

(2) Sub-section (1) shall be deemed to have come into operation on the first day of July, 1951.

12. Section twenty-five of the principal Act is hereby amended—

- (a) by the insertion after paragraph (f) of the following paragraph:

- ,,(g) die Minister van advies dien aangaande—
 (i) die voorwaardes, wat betref grade, kwaliteitstandaarde, metodes van verpakking en die merk van wol of 'n houer wat dit bevat, onderworpse waaraan sodanige wol verkoop mag word;
 (ii) verbod op of beheer of regeling van die uitvoer van wol; en
 (iii) alle aangeleentlikee betreffende die beemarking van wol;" en
- (b) deur aan die end van die artikel die volgende sub-artikels by te voeg, terwyl die bestaande artikel sub-artikel (1) word:

,,(2) Die raad moet eenmaal in elke jaar, binne ses maande na die einde van sy boekjaar, 'n verslag oor sy werkzaamhede gedurende sy onmiddellik voorafgaande boekjaar aan die Minister voorle.

(3) Die Minister moet afskrifte van elke verslag ingevolge sub-artikel (2) van hierdie artikel aan hom voorgelê, en van elke verslag ingevolge sub-artikel (3) van artikel *ses-en-dertig* van hom gestuur, in beide Huise van die Parlement ter Tafel lê binne veertien dae na ontvang daarvan as die Parlement dan in gewone sitting is, of, as die Parlement dan nie in gewone sitting is nie, binne veertien dae na die aanvang van sy eersvolgende gewone sitting.

13. Artikel *ses-en-twintig* van die Hoofwet word hiermee gewysig—

- (a) deur in sub-artikel (1) die woord „negé” deur die woord „elf” te vervang;
 (b) deur die woord „en” aan die end van paraagraaf (a) van daardie sub-artikel te skrap en aan die end van daardie sub-artikel die volgende paraagrafe te voeg:
 „(c) een persone moet verteenwoordig wat as 'n besigheid in wolprodukte handel en deur die 'Associated Chambers of Commerce of South Africa' en die Afrikaanse Handelsinstituut na onderlinge raadpleging benoem word; en
 (d) een die South African Woollen Manufacturers' Association' en die 'South African Worsted Manufacturers' Association' moet verteenwoordig en deur daardie verenigings na onderlinge raadpleging benoem word; en
- (c) deur sub-artikel (4) te skrap.

14. (1) Artikel *sewe-en-twintig* van die Hoofwet word hiermee gewysig—

- (a) deur in paraagraaf (a) die woorde „een 'n wolkweker” deur die woorde „twee wolkwekers” te vervang; en
 (b) deur in paraagraaf (f) die woorde „twee wolkwekers” deur die woorde „een 'n wolkweker” te vervang.

(2) By die inwerkingtreding van sub-artikel (1) van hierdie artikel moet een van die lede (deur die lot bepaal te word) wat dan krugtens paraagraaf (f) van artikel *sewe-en-twintig* van die Hoofwet dien, sy amp ontruim.

15. Artikel *agt-en-twintig* van die Hoofwet word hiermee gewysig deur aan die end daarvan die volgende sub-artikel by te voeg, terwyl die bestaande artikel sub-artikel (1) word:

,,(2) Die bepalings van sub-artikel (1) is *mutatis mutandis* van toepassing ten opsigte van 'n benoeming in paraagraaf (c) of (d) van artikel *ses-en-twintig* in paraagraaf (c) of (d) van artikel *ses-en-twintig* bedoel."

16. Artikel *nege-en-twintig* van die Hoofwet word hiermee gewysig deur in sub-artikel (7) na die woorde „raad” waar dit die eerste maal voorkom die woorde „of van 'n krugtens sub-artikel (1) van artikel *drie-en-dertig* ingestelde komitee” in te voeg.

- ,,(g) advise the Minister as to—

- (i) the conditions, regarding grades, standards of quality, methods of packing and the marking of wool or any receptacle containing it, subject to which such wool may be sold;
 (ii) the prohibition, control or regulation of the exportation of wool; and
 (iii) all matters relating to the marketing of wool;" and

(b) by the addition at the end of the section of the following sub-sections, the existing section becoming sub-section (1):

,,(2) The board shall once in every year, within six months after the end of its financial year, submit to the Minister a report on its activities during its immediately preceding financial year.

(3) The Minister shall lay copies of every report submitted to him in terms of sub-section (2) of this section, and of every report transmitted to him under sub-section (3) of section *thirty-six*, upon the Tables of both Houses of Parliament within fourteen days of receipt thereof if Parliament is then in ordinary session, or if Parliament is not then in ordinary session, within fourteen days of the commencement of its next ensuing ordinary session."

13. Section *twenty-six* of the principal Act is hereby amended—

- (a) by the substitution in sub-section (1) for the word "nine" of the word "eleven";
 (b) by the deletion of the word "and" at the end of paragraph (a) of that sub-section and the addition at the end of that sub-section of the following paragraphs:
 „(c) one shall represent persons dealing in the course of trade with wool products and be nominated after mutual consultation by the Associated Chambers of Commerce of South Africa and 'Die Afrikaanse Handelsinstituut'; and
 (d) one shall represent the South African Woollen Manufacturers' Association and the South African Worsted Manufacturers' Association and be nominated after mutual consultation by those associations.”; and
 (e) by the deletion of sub-section (4).

14. (1) Section *twenty-seven* of the principal Act is hereby amended—

- (a) by the substitution in paragraph (a) for the words "one shall be a producer" of the words "two shall be producers"; and
 (b) by the substitution in paragraph (f) for the words "two shall be producers" of the words "one shall be a producer".

(2) Upon the commencement of sub-section (1) of this section, one of the members (to be determined by lot) then holding office under paragraph (f) of section *twenty-seven* of the principal Act, shall vacate his office.

15. Section *twenty-eight* of the principal Act is hereby amended by the addition at the end thereof of the following sub-section, the existing section becoming sub-section (1):

,,(2) The provisions of sub-section (1) shall *mutatis mutandis* apply in respect of any nomination referred to in paragraph (c) or (d) of section *twenty-six*".

16. Section *twenty-nine* of the principal Act is hereby amended by the insertion in sub-section (7) after the word "board" where it occurs for the first time of the words "or of any committee established in terms of sub-section (1) of section *thirty-three*".

17. Artikel *twoe-en-dertig* van die Hoofwet word hiermee gewysig deur 'n sub-artikel (1) die woorde „vif” deur die woorde „ses” te vervang.

18. Artikel *drie-en-dertig* van die Hoofwet word hiermee gevysis deur sub-artikel (1) deur die volgende sub-artikel te vervang:

„(1) Die raad kan met goedkeuring van die Minister en onderworpe van die voorwaardes wat die raad mag ople, een of meer komitees instel, wat saamgestel word op die wyse wat die raad met die Minister se goedkeuring bepaal, om die raad met die verrigting van sy werkzaamhede behulpstaam te wees.”.

19. Die volgende artikel word hiermee na artikel *vier-en-dertig* in die Hoofwet ingevoeg:

Oplegging van heffing op wol.

34 bis. Die raad kan, van tyd tot tyd, met goedkeuring van die Minister, 'n heffing van hoogstens drie-agste van 'n penny per pond, wat aan die raad betaalbaar is deur die persone, op die wyse en op die tye wat voorgeskryf mag word, op alle wol wat in die Unie geproduseer, verkoop of bewerk of daaruit uitgevoer word.

(2) 'n Heffing kragtens sub-artikel (1) op gele, word deur die Minister by kennisgewing in die *Staatskoerant* bekendgemaak en word van krag op die datum in daardie kennisgewing vermeld.

(3) Iemand wat so 'n heffing betaal het, en iemand op wie die bedrag van so 'n heffing kragtens die bepaling van paraagraaf (a) of (b) van hierdie sub-artikel verhaal is, kan, as hy nie die produsent is van die wol ten opsigte waarvan daardie heffing betaal is nie—

- (a) die bedrag van die aldus betaalde heffing verhaal op die persoon van wie hy daardie wol verkry of ten behoeve van wie hy dit verkoop of bewerk het; of
- (b) 'n bedrag gelyk aan die bedrag van die aldus betaalde heffing afstrek van enige bedrag wat aan die persoon van wie hy daardie wol verkry of ten behoeve van wie hy dit verkoop het, betaalbaar is of mag word:

Met dien verstande dat geen heffing kragtens paraagraaf (a) of (b) verhui kan word nie op 'n produsent of ander persoon wat op die datum met ingang waarvan 'n heffing ingevoeg hierdie artikel vir die eerste maal betaalbaar word, nie meer die eienaar is van die wol ten opsigte waarvan daardie heffing betaalbaar is nie.

(4) Wanneer die heffing ten opsigte van enige wol betaal is, moet die raad of 'n deur hom behoorlik daartoe gemagtigde persoon aan die persoon wat daardie heffing betaal het 'n sertifikat in die voorgeskrewe vorm te dien effekte uitreik.”.

20. Artikel *vyf-en-dertig* van die Hoofwet word hiermee gewysig deur paraagraaf (a) van sub-artikel (1) deur die volgende paraagraaf te vervang:

„(a) alle geldte ten opsigte van 'n heffing kragtens artikel *vier-en-dertig* bis opgèle, aan die raad betaal;”.

21. Artikel *ses-en-dertig* van die Hoofwet word hiermee deur die volgende artikel vervang:

Ouditering van rekenings.

36. (1) Die rekenings en balansstaat van die raad word jaarliks geauditeer deur die Kontroleur en Ouditeur-general wat vir die doelindes van so 'n ouditering een of meer persone kan aanstel om hom, onderworpe aan die voorstkrifte wat hy goedvind, behulpstaam te wees.

(2) Die bepaling van artikels *dertien*, *veertien*, *vyftien*, *oglien* en *negenentien* van die „Financiewet, 1911” (Wet No. 21 van 1911), is *mutatis mutandis* ten opsigte van so 'n ouditering van toepassing: Met dien verstande dat, vir die doelindes van hierdie sub-artikel—

17. Section *thirty-two* of the principal Act is hereby amended by the substitution in sub-section (1) for the word "live" of the word "six".

18. Section *thirty-three* of the principal Act is hereby amended by the substitution for sub-section (1) of the following sub-section:

“(1) The board may, with the approval of the Minister and subject to such conditions as the board may impose, establish one or more committees to be constituted in such manner as the board may, with the approval of the Minister, determine, for the purpose of assisting it in the performance of its functions.”.

19. The following section is hereby inserted in the principal Act after section *thirty-four*:

"Imposition on wool.

34 bis. (1) The board may from time to time with the approval of the Minister, impose a levy not exceeding three-eighths of a penny per pound, which shall be payable to the board by such persons, in such manner and at such times as may be prescribed, on all wool produced, sold or processed in or exported from the Union.

(2) Any levy imposed in terms of sub-section (1) shall be made known by the Minister by notice in the *Gazette* and shall come into operation on the date specified in that notice.

(3) Any person who has paid any such levy, and any person from whom the amount of any such levy paid has been recovered under the provisions of paragraph (a) or (b) of this sub-section, may, if he is not the producer of the wool in respect of which such levy has been paid—

(a) recover from the person from whom he acquired or on whose behalf he sold or processed that wool, the amount of the levy so paid; or

(b) deduct from any amount which is or may become payable to the person from whom he acquired or on whose behalf he sold that wool, an amount equal to the amount of the levy so paid:

Provided that no levy shall be recoverable in terms of paragraph (a) or (b) from a producer or other person who on the date with effect from which a levy under this section becomes payable for the first time, is no longer the owner of the wool in respect of which that levy is payable.

(4) Whenever the levy in respect of any wool has been paid, the board or a person duly authorized thereto by it, shall issue a certificate to that effect in the form prescribed to the person who paid that levy.”.

20. Section *thirty-five* of the principal Act is hereby amended by the substitution for paragraph (a) of sub-section (1) of the following paragraph:

“(a) all moneys paid to the board in respect of any levy imposed under section *thirty-four bis*;”.

21. The following section is hereby substituted for section *thirty-six* of the principal Act:

Auditing of accounts.

36. (1) The accounts and balance sheet of the board shall be audited annually by the Controller and Auditor-General, who may, for the purposes of any such audit, appoint one or more persons to assist him, subject to such directions as he may deem fit.

(2) The provisions of sections *thirteen*, *fourteen*, *fifteen*, *eighteen* and *nineteen* of the Exchequer and Audit Act, 1911 (Act No. 21 of 1911), shall *mutatis mutandis* apply in respect of such audit: Provided that, for the purposes of this sub-section—

- (a) die verwysing in artikels *dertien en agtien* van genoemde Wet na die Tesourie geag word 'n verwysing te wees na die Minister en die raad, onderskeidelik;
- (b) die verwysing in artikels *dertien, veertien en vyftien* van genoemde Wet na 'n persoon in diens van die Regering van die Unie geag word 'n verwysing te wees na persone in diens by die raad; en
- (c) die verwysings in artikel *negentien* van genoemde Wet na die Minister van Finansies geag word verwysings te wees na die Minister van Landbou.

(3) Die Kontroleur en Ouditeur-generaal stuur so spoedig moontlik na so 'n ouditering 'n verslag ten opsigte daarvan aan die Minister en aan die raad.

(4) 'n Bedrag wat deur die Tesourie na raadpleging met die Minister en die Kontroleur en Ouditeur-generaal bepaal word, word deur die raad aan die Tesourie ten opsigte van so 'n ouditering betaal.

(5) Die Kontroleur en Ouditeur-generaal stel die raad in kennis van enige betaling wat hy kragtens artikel *vyftien* van die "Financiewet, 1911" (Wet No. 21 van 1911), soos by sub-artsikel (2) van toepassing verklaar, opgele het, en die raad moet, onderwerp aan die bepalings van artikel *negentien* van genoemde Wet soos aldus van toepassing verklair, die bedrag daarvan op die persoon aan wie die betaling opgele is, verhaal: Met dien verstande dat, tensy die Minister anders beveel, die bedrag van so 'n betaling wat verskuldig is deur iemand wat by die raad in diens is, deur afrekking van gelyke maandelikse paaiemente van sy maandelikse salaris van hoogstens een-vierde van sy maandelikse salaris, verhaal word."

22. Die volgende artikels word hiermee na artikel *agt-en-dertig* in die Hoofwet ingevoeg:

*Bevestigende
van persone
deur raad
magtelik om
ondersoek
te doen.*

- 38 bis. Ten eindte betaling van enige heffing opgele kragtens artikel *vier-en-dertig bis* of te dwing, kan die raad enige persoon magtig om op alle redelike tye—
- (a) enige plek te betree waar 'n hoeveelheid wol deur iemand gehou of opgeberg word of is of vermoedelik gehou of opgeberg word of is;
 - (b) wol wat op so 'n plek gevind word, te inspekteer, te weeg en te merk, en alle boeke en stukke aaldaar in te sien wat, na redelikerwys vermoed word, op sodanige wol betrekking het;
 - (c) van die cieniaar of bewaarder van sodanige wol die naam en adres van die produsent daarvan en enige ander inligting in verband daarmee te eis;
 - (d) van die cieniaar of bewaarder van so 'n boek of stuk 'n verduidelikking van enige inskrywing daarin te eis; en
 - (e) beslag te le op boeke of stukke wat bewys van nie-betaling van die heffing mag oplewer.

38 ter. Iemand wat in die Unie betrokke is by die produksie, bemerkning, aankoop, verkoop, uitvoer, invoer of bewerking van wol, moet—

- (a) met betrekking tot wol deur hom geproduseer, bemerk, aangekoop, verkoop, uitgevoer, ingevoer of bewerk, dit aantekeningshou wat voorgeskryf mag word;
- (b) op die tye en op die wyse wat voorgeskryf mag word, aan die raad die inligting verstrek met betrekking tot wol deur hom geproduseer, bemerk, aangekoop, verkoop, uitgevoer, ingevoer of bewerk, wat voor- geskryf mag word.".

- (a) the reference in sections *thirteen and eighteen* of the said Act to the Treasury, shall be deemed to be a reference to the Minister and to the board, respectively;
- (b) the reference in sections *thirteen, fourteen and fifteen* of the said Act to a person in the employment of the Union Government, shall be deemed to be a reference to any person in the employ of the board: and
- (c) the references in section *nineteen* of the said Act to the Minister of Finance, shall be deemed to be references to the Minister of Agriculture.

(3) As soon as may be after any such audit the Controller and Auditor-General shall transmit to the Minister, and to the board a report in respect of such audit.

(4) An amount which shall be determined by the Treasury after consultation with the Minister and the Controller and Auditor-General, shall be paid by the board to the Treasury in respect of such audit.

(5) The Controller and Auditor-General shall notify the board of any surcharge which he may have made under section *fifteen* of the Exchequer and Audit Act, 1911 (Act No. 21 of 1911), as applied by sub-section (2), and the board shall, subject to the provisions of section *nineteen* of the said Act, as so applied, recover the amount thereof from the person against whom the surcharge was made: Provided that, unless the Minister otherwise directs, the amount of any such surcharge which may be due from a person in the employ of the board, shall be recovered in equal monthly instalments by deductions from his monthly salary not exceeding one-fourth of his monthly salary."

22. The following sections are hereby inserted in the principal Act after section *thirty-eight*:

*Powers of
persons
authorized by
board to carry
out investi-
gations.*

- 38 bis. (1) For the purpose of enforcing the payment of a levy imposed in terms of section *thirty-four bis*, the board may authorize any person at all reasonable times—
- (a) to enter any place where any quantity of wool is or has been, or is suspected to be or to have been, kept or stored by any person;
 - (b) to inspect, weigh and mark any wool found in such place and examine all books and documents thereto which are reasonably believed to relate to such wool;
 - (c) to demand from the owner or custodian of such wool the name and address of the producer thereof and any other information relating thereto;
 - (d) to demand from the owner or custodian of any such book or document an explanation of any entry therein; and
 - (e) to seize any books or documents which may afford evidence of the non-payment of the levy.

38 ter. Any person engaged in the Union in the production, marketing, purchase, sale, exportation, importation or processing of wool shall—

- (a) keep such records relating to wool produced, marketed, purchased, sold, exported, imported or processed by him, as may be prescribed;
- (b) at such times and in such manner as may be prescribed, furnish to the board such information relating to wool produced, marketed, purchased, sold, exported, imported or processed by him, as may be prescribed."

*Produrente van
wol en andere
met aan-
trekking hou-
en aan raad
inligting
verstrek.*

23. Artikel *nege-en-dertig* van die Hoofwet word hiermee gewysig—

- (a) deur paraaf (a) van sub-artikel (1) te skrap;
- (b) deur in paraaf (b) van daardie sub-artikel die woorde „Sekretaris van Landbou” deur die woorde „raad” te vervang;
- (c) deur in paraaf (d) van daardie sub-artikel die woorde „sub-artikels (5) en (6) van artikel agtien” deur die woorde „sub-artikel (4) van artikel vier-en-dertig bis” te vervang;
- (d) deur paraaf (c) van daardie sub-artikel deur die volgende paraaf te vervang:
 - (e) die aantekenings wat gehou, en die inligting wat aan die raad verstrek moet word deur iemand wat in die Unie betrokke is by die produksie, beemarking, aankoop, verkoop, uitvoer, invoer of bewerk van wol, en die vorm waarin en wyse waarop sodanige aantekenings gehou, en die tye wanueer en die vorm waarin en wyse waarop sodanige inligting verstrek moet word;”;
- (e) deur in paraaf (f) van daardie sub-artikel die woorde „vir die doelmatige uitvoering van die afsetplan of” te skrap; en
- (f) deur in sub-artikel (2) die woorde „artikels sesien en twee-en-twintig” deur die woorde „artikel agt-en-dertig ter” te vervang.

24. Artikel *veertig* van die Hoofwet word hiermee gewysig—

- (a) deur in paraaf (c) van sub-artikel (1) die woorde „een-en-twintig” deur die woorde „agt-en-dertig bis” te vervang;
- (b) deur in paraaf (g) van daardie sub-artikel die woorde „artikel sesien of artikel twee-en-twintig” deur die woorde „artikel agt-en-dertig ter” te vervang;
- (c) deur paraaf (h) van daardie sub-artikel deur die volgende paraaf te vervang:
 - (h) ‘n valse verklaring of inskrywing doen in ‘n aanteking ingevolge paraaf (a) van artikel agt-en-dertig ter gehou, wetende dat dit vals is;”;
- (d) deur paraaf (i) van daardie sub-artikel deur die volgende paraaf te vervang:
 - (i) in ‘n opgawe ingevolge paraaf (b) van artikel agt-en-dertig ter aan die raad verstrek, ‘n valse verklaring maak;”;
- (e) deur paraaf (j) van daardie sub-artikel te skrap; en
- (f) deur in sub-artikels (2) en (3) die woorde „Sekretaris van Landbou” deur die woorde „raad” te vervang.

25. Die lang titel van die Hoofwet word hiermee deur die volgende lang titel vervang:

„Om vir die instelling van ‘n Suid-Afrikaanse Wolraad voorseeing te maak, om die oogmerke waarop hy ingestel word te omskryf, en om die wyse waarop hy bestuur en beheer moet word voor te skryf; en om vir die oplegging van ‘n heffing op wol en ander bykomstige aangeleenthede voorseeing te maak.”

26. Die Aanhef, Dele I en II en die Bylae van die Hoofwet word hiermee herroep; Met dien verstande dat ondanks die herroeping die by artikel negentien van daardie Wet ingestelde Wolheffingsfonds bly voortbestaan en die geldie daarin onder die beheer van die Sekretaris van Landbou bly tot tyd en wyl die Parlement die wyse waarop daardie geldie en enige rente uit die belegging daarvan werklyk, ten bate van die wolbedryf bestee moet word, bepaal het.

27. (1) Hierdie Wetheet die Wolwinsteverdelings- en Wolwysigswet, 1952.

(2) Artikels *nege*, *negentien* en *twintig* en artikels *twee-en-twintig* tot en met *ses-en-twintig* tree nie voor ‘n datum deur die Gouverneur-generaal by proklamasie in die Staatskoerant bepaal, in werking nie.

23. Section *thirty-nine* of the principal Act is hereby amended—

- (a) by the deletion of paragraph (a) of sub-section (1);
- (b) by the substitution in paragraph (b) of that sub-section for the words “Secretary for Agriculture” of the word “board”;
- (c) by the substitution in paragraph (d) of that sub-section for the words “sub-sections (5) and (6) of section eighteen” of the words “sub-section (4) of section thirty-four bis”;
- (d) by the substitution for paragraph (e) of that sub-section of the following paragraph:
 - (e) the records to be kept and the information to be furnished to the board by any person engaged in the Union in the production, marketing, purchase, sale, exportation, importation or processing of wool, and the form and manner in which such records shall be kept and the times at which and the form and manner in which such information shall be furnished;”;
- (e) by the deletion in paragraph (f) of that sub-section of the words “for the effective carrying out of the disposal plan or”; and

- (f) by the substitution in sub-section (2) for the words “sections sixteen and twenty-two” of the words “section thirty-eight ter”.

24. Section *forty* of the principal Act is hereby amended—

- (a) by the substitution in paragraph (c) of sub-section (1) for the word “twenty-one” of the words “thirty-eight bis”;
- (b) by the substitution in paragraph (g) of that sub-section for the words “section sixteen or section twenty-two” of the words “section thirty-eight ter”;
- (c) by the substitution for paragraph (h) of that sub-section of the following paragraph:
 - (h) makes any false statement or entry in any record kept in terms of paragraph (a) of section thirty-eight ter knowing the same to be false”;
- (d) by the substitution for paragraph (i) of that sub-section of the following paragraph:
 - (i) makes any false statement in any return furnished to the board in terms of paragraph (b) of section thirty-eight ter;”;
- (e) by the deletion of paragraph (j) of that sub-section; and
- (f) by the substitution in sub-sections (2) and (3) for the words “Secretary for Agriculture” of the word “board”.

25. The following long title is hereby substituted for the long title of the principal Act:

“To provide for the establishment of a South African Wool Board, to define the objects for which it is established and to prescribe the manner in which it shall be managed and controlled; and to provide for the imposition of a levy on wool and for other incidental matters.”

26. The Preamble, Parts I and II of, and the Schedule to the principal Act are hereby repealed: Provided that notwithstanding such repeal the Wool Levy Fund established under section nineteen of that Act shall continue to exist and the moneys therein shall remain under the control of the Secretary for Agriculture until such time as Parliament has determined the manner in which such moneys and any interest accrued from the investment thereof shall be applied for the benefit of the wool industry.

27. (1) This Act shall be called the Wool Profits Distribution and Wool Amendment Act, 1952.

(2) Sections nine, nineteen and twenty and sections twenty-two to twenty-six, inclusive, shall not come into operation until a date to be fixed by the Governor-General by proclamation in the Gazette.