

# OFFICIAL GAZETTE

EXTRAORDINARY  
OF SOUTH WEST AFRICA.

BUITENGEWONE

# OFFISIËLE KOERANT



UITGAWE OP GESAG.

VAN SUIDWES-AFRIKA.

PUBLISHED BY AUTHORITY.

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### GOVERNMENT NOTICE:

No. 1209 (Republic) Proposed Scheme in terms of The Marketing Act, 1937 (No. 26 of 1937) for the Regulation of the Marketing of Karakul Pelts and for matters incidental thereto .

### GOEWERMENSKENNISGEWING:

(Republiek) Voorgestelde Skema kragtens die Bemerkingswet, 1937 (No. 26 van 1937) vir die Reëling van die Bemarking van Karakoelpelse en Aangeleenthede wat daarmee in verband staan 1643

## Government Notice.

## Goewermentskennisgewing.

The following Government Notice is published for general information.

J. J. KLOPPER,  
*Secretary for South West Africa.*

Administrator's Office,  
Windhoek.

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

J. J. KLOPPER,  
*Sekretaris van Suidwes-Afrika.*

Kantoor van die Administrateur,  
Windhoek.

DEPARTMENT OF AGRICULTURAL ECONOMICS  
AND MARKETING.

DEPARTEMENT VAN LANDBOU-EKONOMIE EN  
-BEMARKING.

No. 1209 (Republic).]

[11 August 1967

No. 1209 (Republiek).]

[11 Augustus 1967

PROPOSED SCHEME IN TERMS OF THE MARKETING ACT, 1937 (NO. 26 OF 1937) FOR THE REGULATION OF THE MARKETING OF KARAKUL PELTS AND FOR MATTERS INCIDENTAL THERETO.

VOORGESTELDE SKEMA KRAGTENS DIE BEMARKINGSWET, 1937 (NO. 26 VAN 1937), VIR DIE REËLING VAN DIE BEMARKING VAN KARAKOELPELSE EN AANGELEENTHEDE WAT DAARMEE IN VERBAND STAAN.

In terms of section 17 (3) (b) of the Marketing Act, 1937 (Act 26 of 1937), particulars of a scheme appearing in the Schedule hereto, which has, in terms of section 17 (1) been submitted to the Minister of Agricultural Economics and Marketing by the South West Africa Branch of the National Wool Growers' Association and the National Karakul Farmers' Association jointly, are hereby published for general information.

Ingevolge die bepalings van artikel 17 (3) (b) van die Bemerkingswet, 1937 (Wet 26 van 1937) word hierby vir algemene inligting besonderhede gepubliseer van 'n skema wat verskyn in die Bylae hiervan en wat ingevolge artikel 17 (1) deur die Suidwes-Afrika-tak van die Nasionale Wolkwekersvereniging en die Nasionale Karakoelboerevereniging gesamentlik aan die Minister van Landbou-ekonomie en -bemarking voorgelê is.

In terms of the powers vested in him by section 17 (2) the said scheme has, after consultation with the National Marketing Council, been provisionally approved by the Minister with certain amendments which he deems

Ingevolge die bevoegdhede hom verleen by artikel 17 (2) is genoemde skema, na oorleg met die Nasionale Bemarkingsraad voorlopig deur die Minister met sekere wysigings wat hy raadsaam ag, goedgekeur.

Any person desiring to submit objections to or representations concerning the said scheme is hereby invited to lodge such objections or representations with the Minister of Agricultural Economics and Marketing, Private Bag 250, Pretoria, in writing, within four weeks from the date of publication of this notice.

(The scheme has, in terms of section 17 (2) been referred to the National Marketing Council for investigation and report, and will in due course receive further consideration in the light of the Council's report and of any objections or representations submitted in pursuance of this notice.)

#### ANNEXURE.

#### SCHEME IN TERMS OF THE MARKETING ACT, 1937, FOR THE REGULATION OF THE MARKETING OF KARAKUL PELTS AND FOR MATTERS INCIDENTAL THERETO.

##### NAME AND SCOPE OF SCHEME.

1. (1) This scheme shall be known at the Karakul Industry Scheme and shall relate to karakul pelts as defined in section 2.

(2) The provisions of this scheme shall apply in the Republic of South Africa and in South West Africa to the persons referred to hereinafter who are concerned in the production of karakul pelts or who deal therewith in the course of trade.

##### DEFINITIONS.

2. In this scheme the expression "the Act" shall mean the Marketing Act, 1937 (Act 26 of 1937) and the regulations made thereunder, and any expression to which a meaning has been assigned in the Act, bears, when used in this scheme the same meaning; further, unless inconsistent with the context:—

- (i) "board" shall mean the Karakul Industry Board as constituted in terms of section 3; (viii)
- (ii) "broker", in relation to karakul pelts, shall mean a person who sells karakul pelts on behalf of the owner thereof; (v)
- (iii) "cure" shall mean the washing, treatment, with or without a preservative, and drying of a karakul pelt; (i)
- (iv) "curer" shall mean a person who cures karakul pelts on behalf of the owner thereof; (ii)
- (v) "dealer" shall mean a person who buys, sells or exports karakul pelts on his own behalf or on behalf of somebody else or who acts as broker: Provided that *bona fide* producers shall not be regarded as dealers; (iii)
- (vi) "exporter" shall mean any person who exports or intends to export karakul pelts from the Republic or South West Africa; (ix)
- (vii) "karakul pelt" a flayed or cured or processed karakul lamb skin or any portion thereof which is suitable for use in the fur trade; (iv)
- (viii) "Minister" shall mean the Minister of Agricultural Economics and Marketing; (vi)
- (ix) "process" or "processing", in relation to karakul pelts, shall mean the subjecting of a karakul pelt to a tanning process or any other process in which the pelt and the hair are not separated from one another; (x)
- (x) "processor" shall mean a person who processes or intends to process karakul pelts in the Republic or South West Africa; (xi)
- (xi) "producer" shall mean a person who produces karakul pelts or on whose behalf karakul pelts are

Elkeen wat verlang om beswaar aan te teken teen of vertoë te rig in verband met genoemde skema word hierby versoek om binne vier weke vanaf die datum van publikasie van hierdie kennisgewing sodanige besware of vertoë skriftelik by die Minister van Landbou-ekonomie en -bemarking, Privaatsak 250, Pretoria, in te dien.

(Die skema is ingevolge artikel 17 (3) (a) na die Nasionale Bemarkingsraad verwys vir ondersoek en verslag en sal in die lig van die Nasionale Bemarkingsraad se verslag en van besware of vertoë ingevolge hierdie kennisgewing ontvang, mettertyd verder oorweeg word).

#### BYLAE.

#### SKEMA KRAGTENS DIE BEMARKINGSWET, 1937, VIR DIE REËLING VAN DIE BEMARKING VAN KARAKOELPELSE EN AANGELEENTHEDE WAT DAARMEE IN VERBAND STAAN.

##### NAAM EN OMVANG VAN SKEMA.

1. (1) Hierdie skema heet die Karakoelnywerheidskema en het betrekking op karakoelpelse soos in artikel 2 omskryf.

(2) Die bepalinge van hierdie skema is van toepassing in die Republiek van Suid-Afrika en in Suidwes-Afrika op die persone hierna genoem wat betrokke is by die produksie van karakoelpelse of wat daarmee as 'n besigheid handel.

##### WOORDOMSKRYWING.

2. In hierdie skema beteken die uitdrukking „die Wet“, die Bemarkingswet 1937 (Wet 26 van 1937) en die regulasies wat daarkragtens uitgevaardig is en het enige uitdrukking waaraan in die Wet 'n betekenis geheg is, dieselfde betekenis wanneer dit in hierdie skema gebruik word, voorts, tensy dit in stryd is met die samehang, beteken:—

- (i) „berei“, die was, die behandeling met of sonder 'n preserveermiddel en die droging van 'n karakoelpels; (iii)
- (ii) „bereider“, 'n persoon wat karakoelpelse namens die eienaar daarvan berei; (iv)
- (iii) „handelaar“, 'n persoon wat karakoelpelse vir eie rekening koop, verkoop, uitvoer of namens iemand anders uitvoer of as 'n makelaar optree: Met dien verstande dat *bona fide*-produsente nie as handelaars beskou word nie; (v)
- (iv) „karakoelpels“, 'n afgeslagte of bereide of verwerkte karakoellamvel of enige gedeelte daarvan wat vir gebruik in die pelshandel geskik is; (vii)
- (v) „makelaar“, met betrekking tot karakoelpelse, 'n persoon wat karakoelpelse namens die eienaar daarvan verkoop; (ii)
- (vi) „Minister“, die Minister van Landbou-ekonomie en bemarking; (viii)
- (vii) „produsent“, 'n persoon wat karakoelpelse produseer of ten behoeve van wie karakoelpelse geproduseer word; (xi)
- (viii) „raad“, die Karakoelnywerheidsraad soos saamgestel ingevolge artikel 3; (i)
- (ix) „uitvoerder“, enige persoon wat karakoelpelse uit die Republiek of Suidwes-Afrika uitvoer of voornemens is om dit uit te voer; (vi)
- (x) „verwerk“ of „verwerking“, met betrekking tot karakoelpelse, die onderwerping van 'n karakoelpels aan 'n looiproses of enige ander proses waarby die pels en die hare nie van mekaar geskei word nie; (ix)
- (xi) „verwerker“, iemand wat karakoelpelse in die Republiek of Suidwes-Afrika verwerk of voornemens is

### ADMINISTRATION OF THE SCHEME AND CONSTITUTION OF THE BOARD.

3. (1) This scheme shall be administered by the Karakul Industry Board, hereinafter referred to as "the board", which shall consist of nine members to be appointed by the State President, of whom —

- (a) five shall be representatives of producers of whom three and two respectively shall represent producers in South West Africa and in the Republic and shall, as the case may be, be nominated by an association or associations, after mutual consultation, which, in the opinion of the Minister is/are representative of such producers: Provided that such representatives shall be *bona fide* producers of karakul pelts;
- (b) one shall be a representative of breeders of pedigree karakul sheep in the Republic of South Africa and in South West Africa and shall be nominated by an association or associations, after mutual consultation, which, in the opinion of the Minister is/are representative of such breeders;
- (c) one shall be a representative of brokers in the Republic of South Africa and in South West Africa and shall be nominated by an association or associations, after mutual consultation, which, in the opinion of the Minister, is/are representative of such brokers;
- (d) one shall be a representative of dealers in the Republic of South Africa and in South West Africa and shall be nominated by associations, after mutual consultation, which, in the opinion of the Minister, are representative of such dealers;
- (e) one shall be an officer of the Department of Agricultural Economics and Marketing or the Department of Agricultural Technical Services and shall be nominated by the Minister.

(2) The board may co-opt not more than two persons as advisory members of the Board.

### NOTICE TO NOMINATE MEMBERS.

4. Whenever a nomination in terms of section 3 (1) (a), (b), (c) or (d) becomes necessary, the Minister shall call upon the associations concerned or cause them to be called upon, by notice in writing, to nominate within a period fixed by such notice, such person or persons as they are entitled in terms of the said section to nominate for appointment to the board.

### THE MINISTER MAY NOMINATE IF NO SUITABLE PERSON IS NOMINATED.

5. (1) If any person nominated as aforesaid is, in the opinion of the Minister, not suitable for appointment as a member of the board or not qualified to be a member of the board, the Minister may refer the nomination back to the associations concerned and call upon those associations to nominate some other person for appointment to the board, and if those associations thereupon again nominate a person who is, in the opinion of the Minister, not suitable or not qualified as aforesaid, or whenever the associations fail to nominate any person or fail to reach agreement, the Minister may himself, subject to the proviso to section 3 (1) (a) nominate any person whom he considers suitable to be a member of the board to represent the interests concerned.

(2) If an association such as referred to in section 3 (1) (a), (b), (c) or (d) does not exist, the Minister may himself subject to the proviso to section 3 (1) (a) nominate a person or persons for appointment to the board to represent the interests concerned.

### UITVOERING VAN DIE SKEMA EN SAMESTELLING VAN DIE RAAD.

3. (1) Hierdie skema word uitgevoer deur die Karakoelnywerheidsraad, hierna „die raad” genoem, wat bestaan uit nege lede, deur die Staatspresident aangestel van wie —

- (a) vyf verteenwoordigers moet wees van produsente waarvan drie en twee onderskeidelik produsente in Suidwes-Afrika en in die Republiek moet verteenwoordig en moet, na gelang van die geval, genomineer word deur 'n vereniging of verenigings na onderlinge raadpleging wat volgens oordeel van die Minister verteenwoordigend van sodanige produsente is: Met dien verstande dat sodanige verteenwoordigers *bona fide*-produsente van karakoelpelse moet wees;
- (b) een 'n verteenwoordiger moet wees van telers van stamboekkarakoelskape in die Republiek van Suid-Afrika en Suidwes-Afrika en genomineer moet word deur 'n vereniging of verenigings na onderlinge raadpleging wat volgens oordeel van die Minister verteenwoordigend van sodanige telers is;
- (c) een 'n verteenwoordiger moet wees van makelaars in die Republiek van Suid-Afrika en Suidwes-Afrika en genomineer moet word deur 'n vereniging of verenigings na onderlinge raadpleging wat volgens oordeel van die Minister verteenwoordigend van sodanige makelaars is;
- (d) een 'n verteenwoordiger moet wees van handelaars in die Republiek van Suid-Afrika en Suidwes-Afrika en genomineer moet word deur verenigings na onderlinge raadpleging wat volgens oordeel van die Minister verteenwoordigend is van sodanige handelaars;
- (e) een 'n amptenaar van die Departement Landbou-ekonomie en -bemarking of die Departement Landbou-egniese Dienste moet wees en deur die Minister genomineer moet word.

(2) Die raad kan hoogstens twee persone as adviseerende lede van die raad koöpteer.

### KENNISGEWING VIR NOMINASIE VAN LEDE.

4. Wanneer 'n nominasie ingevolge artikel 3 (1) (a), (b), (c) of (d) nodig word, moet die Minister die betrokke verenigings by skriftelike kennisgewing aansê of laat aansê om binne 'n tydperk in die kennisgewing vasgestel, sodanige persoon of persone te nomineer as wat hulle ingevolge genoemde artikel geregtig is om vir aanstelling in die raad te nomineer.

### INDIEN GEEN GESKIKTE PERSOON GENOMINEER WORD NIE KAN DIE MINISTER NOMINEER.

5. (1) Indien enige persoon wat soos vermeld genomineer is, volgens die oordeel van die Minister nie geskik is om as lid van die raad aangestel te word nie of onbevoeg is om lid van die raad te wees, kan die Minister daardie nominasie terugverwys na die betrokke verenigings en daardie verenigings aansê om iemand anders vir aanstelling in die raad te nomineer en indien daardie verenigings weer 'n persoon nomineer wat volgens die Minister se oordeel nie geskik of bevoeg is nie soos vermeld, of wanneer die verenigings in gebreke bly om iemand te nomineer of nie eenstemmigheid kan bereik nie, kan die Minister self, behoudens die voorbehoudsbepalings in artikel 3 (1) (a), iemand nomineer wat hy geskik ag om lid van die raad te wees om die betrokke belange te verteenwoordig.

(2) Indien 'n vereniging soos vermeld in artikel 3 (1) (a), (b), (c) of (d) nie bestaan nie, kan die Minister self, behoudens die voorbehoudsbepaling in artikel 3 (1) (a), 'n persoon of persone nomineer vir aanstelling in die raad om die betrokke belange te verteenwoordig.

## TENURE OF OFFICE OF MEMBERS OF THE BOARD.

6. (1) Subject to the provisions of sub-section (2), the members of the board shall be appointed for a period of two years: Provided that the member referred to in section 3 (1) (e) shall hold office during the State President's pleasure.

(2) Three of the five members referred to in section 3 (1) (a), i.e. two of the members who represent producers in South West Africa and one of the members who represent producers in the Republic, as well as the members referred to in section 3 (1) (b), (c) and (d), shall retire upon the expiration of a period of one year after their first appointment as members of the board.

(3) The members of the board referred to in section 3 (1) (a) who are to retire in terms of sub-section (2) shall be decided by lot.

(4) Upon the expiration of the period for which members were appointed, they shall continue to hold office until their successors have been appointed but in no case for a further period of more than three months.

(5) Retiring members shall be eligible for re-appointment.

(6) Whenever for any reason the office of any member of the board becomes vacant before the expiration of the period for which he was appointed, the Minister may appoint any other person whom he considers suitable to fill the vacancy until the expiration of the period for which the vacating member was appointed.

(7) Whenever the Minister finds that any member of the board is prevented by illness, absence or any other cause from performing the duties of his office, the Minister may appoint any other person whom he considers suitable to act as the deputy of that member while he is so prevented from performing the duties of his office, and during the period for which the deputy so acts, he shall perform the duties of the member for whom he deputises: Provided that a person appointed to act as deputy to the chairman or vice-chairman shall perform the duties of an ordinary member only unless the board decides otherwise.

(8) Whenever a member of the board has, without its leave, failed to attend three consecutive meetings of the board, and no one has been appointed to act as his deputy in terms of sub-section (7), he shall cease to be a member of the board.

## ELECTION AND TENURE OF OFFICE OF CHAIRMAN AND VICE-CHAIRMAN.

7. (1) The board shall at its first meeting, and thereafter as the occasion arises, elect from amongst its members a chairman who shall hold this office for a period of one year or until the expiration of the period for which he was appointed as a member of the board, whichever is the shorter period, and thereafter he may be re-elected.

(2) The provisions of sub-section (1) shall apply *mutatis mutandis* to the election and tenure of office of a vice-chairman.

(3) Whenever the chairman is absent the vice-chairman shall deputise for him and in the event of both the chairman and vice-chairman being unable to attend to their duties, the board shall elect another of its members to act as chairman.

## MEETINGS OF THE BOARD.

8. (1) The first meeting of the board shall be held at a time and place determined by the Minister.

(2) All subsequent meetings of the board shall be held at such times and places as the board or the chairman, or an official of the board should he be authorised thereto by the board, may from time to time determine.

## AMPSTERMYN VAN LEDE VAN DIE RAAD.

6. (1) Onderworpe aan die bepalings van subartikel (2) word lede van die raad vir 'n tydperk van twee jaar aangestel: Met dien verstande dat die lid genoem in artikel 3 (1) (e) sy amp beklee solank dit die Staatspresident behaag.

(2) Drie van die vyf lede genoem in artikel 3 (1) (a), nl. twee van die lede wat produsente in Suidwes-Afrika verteenwoordig en een van die lede wat produsente in die Republiek verteenwoordig asook die lede genoem in artikel 3 (1) (b), (c) en (d), tree af na verloop van een jaar vanaf hulle eerste aanstelling as lede van die raad.

(3) Die lede van die raad genoem in artikel 3 (1) (a) wat kragtens subartikel (2) moet aftree, word deur loting beslis.

(4) By verstryking van die tydperk waarvoor hulle aangestel is, bly lede hul amp beklee totdat hul opvolgers aangestel is, maar in geen geval vir 'n verdere tydperk van langer as drie maande nie.

(5) Aftredende lede kan weer aangestel word.

(6) Wanneer die setel van 'n lid van die raad om enige rede vakant word voor verloop van die tydperk waarvoor hy aangestel is, kan die Minister iemand anders aanstel wat hy geskik ag om die vakature te vul totdat die tydperk waarvoor die uitgetrede lid aangestel was verstreke is.

(7) Wanneer die Minister bevind dat 'n lid van die raad weens siekte, afwesigheid of enige ander rede verhinder word om sy ampswerkzaamhede te verrig, kan die Minister iemand anders wat hy geskik ag, aanstel om as plaasvervanger van daardie lid op te tree solank hy aldus verhinder word om sy ampswerkzaamhede te verrig, en terwyl die plaasvervanger as sulks optree, moet hy die pligte nakom van die lid wie se plaasvervanger hy is: Met dien verstande dat iemand wat as plaasvervanger van die voorsitter of ondervoorsitter aangestel word, slegs die pligte van 'n gewone lid uitvoer tensy die raad anders besluit.

(8) Wanneer 'n raadslid sonder verlof van die raad versuim om drie agtereenvolgende raadsvergaderings by te woon en niemand ingeolge subartikel (7) as sy plaasvervanger aangestel is nie, hou hy op om lid van die raad te wees.

## VERKIESING EN AMPSTERMYN VAN VOORSITTER EN ONDERVOORSITTER.

7. (1) Die raad moet op sy eerste vergadering en daarna na gelang dit nodig mag wees, uit sy lede 'n voorsitter kies wat hierdie amp beklee vir 'n tydperk van een jaar of tot verstryking van die tydperk waarvoor hy as lid van die raad aangestel is, watter tydperk ook al die korste is, en daarna kan hy herkies word.

(2) Die bepalings van subartikel (1) is *mutatis mutandis* van toepassing op die verkiesing en ampsduur van 'n ondervoorsitter.

(3) Wanneer die voorsitter afwesig is moet die ondervoorsitter in sy plek optree en ingeval die voorsitter en ondervoorsitter albei nie hul pligte kan vervul nie, kies die raad een van sy ander lede om as voorsitter op te tree.

## VERGADERINGS VAN DIE RAAD.

8. (1) Die eerste vergadering van die raad word gehou op 'n tyd en plek deur die Minister bepaal.

(2) Alle daaropvolgende vergaderings van die raad moet gehou word op die tye en plekke wat die raad of die voorsitter, of 'n beampste van die raad indien hy deur die raad daartoe gemaak is, van tyd tot tyd bepaal.

(3) The chairman of the board may himself at any time call a special meeting of the board, to be held at a time and place determined by him.

(4) At the written request of not less than three members of the board, the chairman shall call a special meeting of the board to be held within twenty-one days from the date of receipt of such request and at a time and place appointed by him.

(5) A meeting of the board shall be convened by notice given by or by direction of the chairman of the board or an official of the board authorised thereto by the board.

#### QUORUM AND PROCEDURE AT MEETINGS.

9. (1) The majority of the members of the board appointed in terms of section 3 (1) or section 6 (6) or (7) shall form a quorum at a meeting of the board.

(2) The decision of the majority of the members of the board, appointed as aforesaid, present at any meeting of the board, shall constitute a decision of the board: Provided that, in the event of an equality of votes, the chairman shall have a casting vote in addition to his deliberative vote.

#### ALLOWANCES TO MEMBERS OF THE BOARD.

10. The members and advisory members of the board, and members of any committee of the board established in terms of section 11, shall be paid such allowances out of the funds of the board to meet the reasonable expenses to which they are put in connection with the business of the board, as the board may determine with the approval of the Minister.

#### COMMITTEES OF THE BOARD.

11. (1) The board may, with the consent of the Minister and subject to such conditions as the board may impose, appoint one or more committees from its members and invest any such committee with such of its powers as it may deem fit: Provided that the board shall not be divested of any power with which it may invest such committee.

(2) The Chairman of the board shall *ex officio* be a member of any committee appointed by the board.

(3) The board shall in respect of each committee appointed by it make rules with regard to the conduct of any procedure at meetings (including the quorum), the manner in which meetings shall be called and matters incidental thereto.

(4) A decision of the majority of all the members of a committee shall constitute a decision of the committee unless the board, with the approval of the Minister, determines otherwise.

#### FINANCIAL YEAR.

12. The financial year of this scheme shall be the period from the first day of July of each year to the last day of June in the following year.

#### AUDIT.

13. Subject to the provisions of Chapter IV of the Exchequer and Audit Act, 1956 (Act 23 of 1956) as amended, the accounts and balance sheet of the board shall be audited annually by the Controller and Auditor-General.

#### GENERAL POWERS OF THE BOARD.

14. In addition to the powers vested in the board under other sections of this scheme, the board shall have

(3) Die voorsitter van die raad kan self ter eniger tyd 'n spesiale vergadering van die raad belê wat gehou moet word op 'n tyd en plek deur hom bepaal.

(4) Op skriftelike versoek van minstens drie lede van die raad moet die voorsitter 'n spesiale vergadering van die raad belê, wat binne een-en-twintig dae na die datum van die ontvangs van so 'n versoek en op 'n tyd en plek wat hy moet bepaal, gehou moet word.

(5) 'n Vergadering van die raad moet belê word by kennisgewing deur of op las van die voorsitter van die raad of 'n beampite van die raad wat deur die raad daartoe gemagtig is.

#### KWORUM EN PROSEDURE BY VERGADERING.

9. (1) Die meerderheid van die lede van die raad aangestel kragtens artikel 3 (1) of artikel 6 (6) of (7) maak op 'n raadsvergadering 'n kworum uit.

(2) Die besluit van die meerderheid van die raadslede wat soos vermeld aangestel is, en wat op 'n raadsvergadering aanwesig is, maak 'n beslissing van die raad uit: Met dien verstande dat by 'n staking van stemme die voorsitter benewens sy beraadslagende stem, ook 'n beslissende stem het.

#### TOELAE AAN LEDE VAN DIE RAAD.

10. Aan lede en adviserende lede van die raad, en aan lede van enige komitee van die raad kragtens artikel 11 ingestel, word tot dekking van die redelike onkoste wat hulle mag hê in verband met die sake van die raad, uit die raad se gelde toelaes betaal wat die raad met die goedkeuring van die Minister kan vasstel.

#### KOMITEES VAN DIE RAAD.

11. (1) Die raad kan, met die toestemming van die Minister en onderworpe aan die voorwaardes wat die raad oplê, een of meer komitees uit sy lede benoem en na goeddunke van sy bevoegdthede aan so 'n komitee oordra: Met dien verstande dat die raad nie afstand doen van 'n bevoegdheid wat hy aan so 'n komitee opdra nie.

(2) Die voorsitter van die Raad is *ex officio* lid van enige komitee aangestel deur die Raad.

(3) Die raad moet ten opsigte van elke komitee wat hy aanstel reëls neerlê met betrekking tot die hou van en die prosedure op vergaderings (met inbegrip van die kworum) die wyse waarop vergaderings belê moet word en aangeleenthede in verband daarmee.

(4) 'n Besluit van die meerderheid van al die lede van 'n komitee maak 'n besluit van die komitee uit, tensy die raad met goedkeuring van die Minister anders bepaal.

#### BOEKJAAR.

12. Die boekjaar van hierdie skema strek van die 1ste dag van Julie van elke jaar tot die laaste dag van Junie van die daaropvolgende jaar.

#### ODUIT.

13. Behoudens die bepalings van Hoofstuk IV van die Skatkis-en Ouditwet, 1956 (Wet 23 van 1956), soos gewysig, word die rekenings en balansstaat van die raad jaarliks geouditeer deur die Kontroleur en Ouditeur-generaal.

#### ALGEMENE BEVOEGDHEDE VAN DIE RAAD.

14. Benewens die bevoegdthede by ander artikels van hierdie skema aan die raad verleen, is die raad bevoeg

- (a) appoint such servants and to acquire or hire such property as it may consider necessary for the proper performance of its functions and for the attainment of the objects of this scheme: Provided that no immovable property shall be acquired except with the consent of the Minister and on such conditions as he may approve;
- (b) accept money or property given to the board by way of donation, grant or otherwise and to utilise such money or property in such manner as the Minister may approve;
- (c) establish an information service in order to advise producers from time to time about marketing conditions in general or about the conditions in respect of any particular market;
- (d) with the approval of the Minister, require any person or any person belonging to any class or group of persons or any person other than a person belonging to any class or group of persons, to furnish the board with such information relating to karakul pelts as may be available to such person and as the board may specify;
- (e) co-operate with any person in doing any act which the board may perform, and to do on behalf of any other similar board any act which that board may perform;
- (f) with the approval of the Minister, borrow money to be used for the purpose of attaining the objects of this scheme, and use any money derived from any levy imposed in terms of section 15 for any objects which in the opinion of the board will be to the advantage of persons who have an interest in the production and marketing of karakul pelts;
- (g) subject to conditions approved by the Minister, appoint such agents as it may consider necessary for the proper performance of its functions: Provided that if the application of any person for appointment as an agent has been refused, or if the appointment of any person as an agent is terminated, he may, on depositing with the Secretary for Agricultural Economics and Marketing an amount of thirty rand, appeal against the refusal or termination to the Minister who may dismiss the appeal or if he is satisfied that such person should be appointed as an agent in addition to any person so appointed, or that his appointment should not have been terminated, as the case may be, allow the appeal, and determine the manner in which the amount so deposited shall be disposed of;
- (h) with the approval of the Minister assist, by grant or loan or otherwise, any undertaking for preserving, processing or conditioning karakul pelts;
- (i) with the approval of the Minister assist, by grant, loan or otherwise, research work relating to the improvement, production, processing or marketing of karakul pelts;
- (j) take such steps as may be approved by the Minister for fostering or stimulating the demand for karakul pelts, whether within or outside the Republic;
- (k) with the approval of the Minister prohibit any person or any person belonging to any class or group of persons or any person other than a person belonging to any class or group of persons, from treating karakul pelts in any manner other than that determined by the board, except under the authority of a permit which may be issued by the board subject to the conditions (if any) deter-
- (a) die amptenare aan te stel en die eiendom aan te skaf of te huur wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die doel van hierdie skema: Met dien verstande dat geen vaste eiendom aangeskaf word nie behalwe met toestemming van die Minister en op die voorwaardes wat hy goedkeur;
- (b) geld of eiendom aan te neem wat by wyse van geskenk, toekenning of andersins aan die raad gegee word en om daardie geld of eiendom te gebruik op die wyse wat die Minister goedkeur;
- (c) 'n inligtingsdiens in te stel ten einde produsente van tyd tot tyd in te lig aangaande bemarkingstoestande oor die algemeen of aangaande die toestand ten opsigte van 'n besondere mark;
- (d) met die Minister se goedkeuring enige persoon of enige persoon wat tot 'n klas of groep persone behoort of enige ander persoon as wat tot 'n klas of groep persone behoort, te gelas om aan die raad die inligting met betrekking tot karakoelpelse te verstrek waarvoor bedoelde persoon beskik en wat die raad spesifiseer;
- (e) met enigeen mee te doen aan 'n handeling wat die raad kan verrig, en om namens 'n ander soortgelyke raad, alle handelinge te verrig wat daardie raad kan verrig;
- (f) met goedkeuring van die Minister geld te leen om aangewend te word ter verwesentliking van die doel van hierdie skema en geld verkry uit 'n heffing opgelê ingevolge artikel 15 aan te wend vir die doeleindes wat volgens die raad se oordeel tot voordeel sal wees van persone wat belang het by die produksie en bemarking van karakoelpelse;
- (g) onderworpe aan voorwaardes deur die Minister goedgekeur, agente wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede aan te stel: Met dien verstande dat indien die aansoek van enige persoon om aanstelling as 'n agent van die hand gewys is of die aanstelling van enige persoon as 'n agent beëindig word, hy, nadat 'n bedrag van dertig Rand by die Sekretaris van Landbou-ekonomie en -bemarking gestort is, teen die van-die-hand-wysing of beëindiging na die Minister kan appelleer en die Minister die appèl van die hand kan wys of, as hy oortuig is dat daardie persoon as agent aangestel behoort te word benewens enige ander aldus aangestelde persoon, of dat sy aanstelling nie beëindig behoort te gewees het nie, na gelang van die geval, die appèl kan toestaan, en die wyse kan bepaal waarop oor die aldus gestorte bedrag beskik moet word;
- (h) met die Minister se goedkeuring deur middel van toekenning of lening of op enige ander wyse hulp te verleen aan ondernemings vir die bewaring, verwerking of bewerking van karakoelpelse;
- (i) met die Minister se goedkeuring deur middel van toekenning of lening of op ander wyse hulp te verleen in verband met navorsingswerk met betrekking tot die verbetering, produksie, verwerking of bemarking van karakoelpelse;
- (j) die stappe te doen wat die Minister goedkeur ter aanmoediging of stimulering van die vraag na karakoelpelse, hetsy binne of buite die Republiek;
- (k) met die goedkeuring van die Minister, enige persoon of enige persoon wat tot 'n klas of groep persone behoort of enige ander persoon as 'n persoon wat tot 'n klas of groep persone behoort, te verbied om karakoelpelse te behandel op 'n ander wyse as die wyse deur die raad bepaal, dan alleen op gesag van 'n permit wat die raad kan uitreik onderworpe aan voorwaardes (as daar is) deur die raad bepaal;

## (1) advise the Minister as to —

- (i) the conditions regarding grades, standards of quality, methods of packing and the marking of karakul pelts or any receptacle or cover containing it, subject to which karakul pelts may be sold or imported for sale;
- (ii) the prohibition, control or regulation of the importation or export of karakul pelts; and
- (iii) all matters relating to the marketing or processing of karakul pelts.

## LEVY OF KARAKUL PELTS.

15. (1) The board may, with the approval of the Minister and on such basis as the board may determine, impose on all karakul pelts processed in the Republic or South West Africa or exported from the Republic or South West Africa or imported from another country or territory into the Republic or South West Africa —

- (a) A levy, the proceeds of which shall be dealt with in accordance with the provisions of section 16;
- (b) a special levy, the proceeds of which shall be dealt with in accordance with the provisions of section 16.

## (2) A levy imposed in terms of sub-section (1) —

- (a) may, in respect of any unit or quantity of karakul pelts which is imported into the Republic or South West Africa from another country or territory differ from but not exceed any levy in respect of any unit or quantity of karakul pelts which is produced in the Republic or South West Africa;
- (b) may, in respect of any unit or quantity of karakul pelts which is exported from the Republic or South West Africa differ from any such levy in respect of any unit or quantity of karakul pelts which is not so exported;
- (c) (i) shall, in the case of karakul pelts which are processed in the Republic or South West Africa, be paid by the processor;
- (ii) shall, in the case of karakul pelts imported into the Republic or South West Africa, be paid by the importer;
- (iii) shall, in the case of karakul pelts which are exported from the Republic or South West Africa, be paid by the person exporting such karakul pelts:

Provided that a processor or exporter who has paid any such levy on karakul pelts which he processed or exported on behalf of some other person may recover the amount so paid, from the person on whose behalf he processed or exported the said karakul pelts by deducting it from the amount payable to such person or adding it to the amount payable by such person.

## ESTABLISHMENT OF FUNDS.

16. (1) Subject to the provisions of sub-section (2) the board shall establish a fund to be known as the Karakul Pelt Levy Fund, to be administered and controlled by a board and into which all moneys derived from any levies imposed in terms of section 15 (1) (a) and all other moneys which the board may receive, shall be paid, and from which all payments by the board shall be made.

(2) The board shall establish a special fund into which shall be paid the proceeds of any special levy imposed under section 15 (1) (b) and such other amounts the board's disposal as may be approved by the Minister; and the board may deal with any moneys in this fund

## (1) die Minister van advies te dien aangaande —

- (i) die voorwaardes wat betref grade, kwaliteitstandaarde, verpakkingsmetodes en die merking van karakoelpelse, of 'n houër of omhulsel wat dit bevat, waarop karakoelpelse verkoop of vir verkoop ingevoer mag word;
- (ii) die verbod op, beheer of reëling van die invoer of uitvoer van karakoelpelse; en
- (iii) alle aangeleenthede betreffende die bemerking of verwerking van karakoelpelse.

## HEFFING OP KARAKOELPELSE.

15. (1) Die raad kan met die goedkeuring van die Minister, en op 'n basis wat die Raad mag bepaal, op alle karakoelpelse wat in die Republiek of Suidwes-Afrika verwerk word of uit die Republiek of Suidwes-Afrika uitgevoer word of wat uit 'n ander land of gebied in die Republiek of Suidwes-Afrika ingevoer word —

- (a) 'n heffing op lê en moet met die opbrengs daarvan handel ooreenkomstig die bepalings van artikel 16;
- (b) 'n spesiale heffing op lê en moet met die opbrengs daarvan handel ooreenkomstig die bepalings van artikel 16.

## (2) 'n Heffing opgelê kragtens subartikel (1) —

- (a) kan, ten opsigte van 'n eenheid of hoeveelheid karakoelpelse wat uit 'n ander land of gebied in die Republiek of Suidwes-Afrika ingevoer word, verskil van, maar nie meer wees nie as 'n heffing ten opsigte van 'n eenheid of hoeveelheid karakoelpelse wat in die Republiek of Suidwes-Afrika geproduseer word;
- (b) kan, ten opsigte van 'n eenheid of hoeveelheid karakoelpelse wat uit die Republiek of Suidwes-Afrika uitgevoer word, verskil van so 'n heffing ten opsigte van 'n eenheid of hoeveelheid karakoelpelse wat nie aldus uitgevoer word nie;
- (c) (i) moet, in die geval, van karakoelpelse wat in die Republiek of Suidwes-Afrika verwerk word, betaal word deur die verwerker;
- (ii) moet, in die geval van karakoelpelse wat in die Republiek of Suidwes-Afrika ingevoer word, deur die invoerder betaal word;
- (iii) moet, in die geval van karakoelpelse wat uit die Republiek of Suidwes-Afrika uitgevoer word, betaal word deur die persoon wat sodanige karakoelpelse uitvoer:

Met dien verstande dat 'n verwerker of uitvoerder wat so 'n heffing betaal het op karakoelpelse wat hy namens iemand anders verwerk het of uitgevoer het, die bedrag aldus betaal kan verhaal op die persoon namens wie hy die bedoelde karakoelpelse verwerk of uitgevoer het, deur dit af te trek van die bedrag betaalbaar aan so 'n persoon of dit by te voeg by die bedrag deur so 'n persoon betaalbaar.

## INSTELLING VAN FONDSE.

16. (1) Behoudens die bepalings van subartikel (2) moet die raad 'n fonds instel wat bekend sal staan as die Karakoelpelshreffingsfonds, wat deur die raad bestuur en beheer moet word en waarin alle gelde verkry uit heffings wat kragtens artikel 15 (1) (a) opgelê is, en alle ander gelde wat die raad mag ontvang, gestort moet word en waaruit alle betalings deur die raad gedoen moet word.

(2) Die raad moet 'n spesiale fonds instel waarin die opbrengs van 'n spesiale heffing kragtens artikel 15 (1) (b) opgelê en sulke ander bedrae tot beskikking van die raad as wat die Minister mag goedkeur, gestort moet word en kan met gelde in hierdie fonds handel op 'n wyse deur

(3) The board shall establish a reserve fund into which shall be paid such amounts at the disposal of the board as may from time to time be approved by the Minister, or as may after consultation with the board be determined by him after the end of a financial year under this scheme, and the board may deal with any moneys in this fund in such manner as may be approved by the Minister.

#### EXPORT OF KARAKUL PELTS.

17. The board may, with the approval of the Minister, prohibit any person or any person belonging to any class or group of persons or any other person than a person belonging to any class or group of persons from exporting any karakul pelts or any class or grade thereof, except under a permit, the issue of which shall be in the discretion of the board and which may be cancelled by the board if the holder thereof has contravened or failed to comply with any condition specified therein or any provision of this scheme or of any regulation made under the Act: Provided that when the board refuses to issue such permit or cancels it, the applicant or holder, as the case may be, shall have the right to appeal to the Minister against the decision of the board, and that the Minister may after consideration confirm, set aside or amend such decision.

#### RECORDS AND RETURNS.

18. The board may, with the approval of the Minister, prescribe the records to be kept in connection with karakul pelts, the period for which any such record shall be retained and the returns regarding karakul pelts to be rendered to the board by any person or by any person belonging to any class or group of persons or by any person other than a person belonging to any class or group of persons, and the times at which and the form and manner in which such returns shall be so rendered.

#### INSPECTION POWERS.

19. The board shall have the power, for the purpose of the enforcement of the provisions of this scheme, to empower any person generally or in any particular case at all reasonable hours —

- (a) to enter any place occupied by any person who is, or is suspected to be, a producer of or person dealing in the course of trade with karakul pelts, or any place or vehicle in or upon which there is kept, or is suspected to be kept any quantity of karakul pelts by any person;
- (b) to inspect any such karakul pelts and to examine all books and documents at any such place or in or upon any such vehicle, which are believed, upon reasonable grounds, to relate to karakul pelts and to make copies of or take extracts from such books or documents;
- (c) to demand from the owner or custodian of such karakul pelts any information regarding such karakul pelts;
- (d) to demand from the owner or custodian of any such book or document an explanation of any entry therein;
- (e) to seize any books, documents or articles which may afford evidence of the commission of an offence under the Act or this scheme or any regulation made under the Act, or any quantity of karakul pelts in respect of which any such offence is suspected to have been committed, and to remove from the place or vehicle in question or to leave at such place or on such vehicle any books, documents or articles or any quantity of karakul pelts which

(3) Die raad moet 'n reserwefonds instel waarin sodanige bedrae tot die beskikking van die raad gestort moet word as wat die Minister van tyd tot tyd mag goedkeur, of wat hy na afloop van 'n boekjaar onder hierdie skema en na oorlegging met die raad bepaal, en die raad kan oor gelde in hierdie fonds beskik op die wyse wat die Minister mag goedkeur.

#### UITVOER VAN KARAKOELPELSE.

17. Die raad kan, met die goedkeuring van die Minister enige persoon of enige persoon wat tot 'n klas of groep persone behoort of enige ander persoon as 'n persoon wat tot 'n klas of groep persone behoort, verbied om enige karakoelpelse of 'n klas of graad daarvan uit te voer behalwe ingevolge 'n permit wat na goeddunke deur die raad uitgereik word en wat deur die raad ingetrek kan word as die houer daarvan 'n voorwaarde daarin genoem of 'n bepaling van hierdie skema of van 'n regulasie kragtens die Wet uitgevaardig, oortree het of versuim het om daaraan te voldoen: Met dien verstande dat wanneer die raad weier om so 'n permit uit te reik of dit intrek, die applikant of houer, na gelang van die geval, die reg het om na die Minister teen die besluit van die raad te appelleer, en dat die Minister sodanige besluit na oorweging kan bekragtig, ter syde stel of wysig.

#### REKORDS EN OPGAWES.

18. Die raad kan, met die Minister se goedkeuring, die rekords wat in verband met karakoelpelse gehou moet word, die tydperk waarvoor so 'n rekord behou moet word en die opgawes wat omtrent karakoelpelse aan die raad verstrekk moet word deur enige persoon of deur enige persoon wat tot 'n klas of groep persone behoort of deur enige ander persoon as 'n persoon wat tot 'n klas of groep persone behoort, voorskryf, asook die tye waarop, die vorm waarin en die wyse waarop die opgawes aldus verstrekk moet word.

#### INSPEKSIEBEVOEGDHEDE.

19. Die raad het die bevoegdheid om vir die toepassing van hierdie skema, aan enige persoon in die algemeen of in enige besondere geval die bevoegdheid te verleen om op alle redelike tye —

- (a) 'n plek te betree wat geokkupeer word deur 'n persoon wat 'n produsent is, of vermoed word 'n produsent te wees van, of 'n persoon wat as 'n besigheid handel, of vermoed word as 'n besigheid te handel met, karakoelpelse of 'n plek of voertuig waarin of waarop daar 'n hoeveelheid karakoelpelse deur enige persoon gehou word of na vermoede gehou word;
- (b) enige sodanige karakoelpelse te inspekteer en alle boeke en stukke op sodanige plek of in of op sodanige voertuig na te gaan, wat op redelike grond vermoed word op karakoelpelse betrekking te hê en afskrifte van of uittreksels uit sodanige boeke of stukke te maak;
- (c) van die eienaar van sodanige karakoelpelse of die persoon wat dit in sy bewaring het, inligting aangaande sodanige karakoelpelse te eis;
- (d) van die eienaar van enige sodanige boek of stuk of die persoon wat dit in sy bewaring het, 'n verklaring van enige aantekening daarin te eis;
- (e) beslag te lê op enige boeke, stukke of artikels wat bewys kan lewer van 'n misdryf ingevolge die Wet of hierdie skema of kragtens enige regulasie kragtens die Wet uitgevaardig, of op enige hoeveelheid karakoelpelse ten opsigte waarvan enige sodanige misdryf vermoedelik gepleeg is, en enige boeke, stukke of artikels of enige hoeveelheid karakoelpelse waarop aldus beslag gelê is, van die betrokke plek of voertuig te verwyder of dit op bedoelde plek of



any such book, document, article or karakul pelts, or on the container thereof, any identification mark which he may consider necessary.

#### OFFENCES AND PENALTY CLAUSES.

20. Any person who —

- (a) contravenes or fails to comply with —
  - (i) any provision of this scheme or any prohibition, requirement, direction, decision or determination imposed, prescribed, given, taken or made thereunder; or
  - (ii) any condition prescribed in connection with any such provision, prohibition, requirement, direction, decision or determination; or
  - (iii) any condition subject to which he has in pursuance of any such provision, prohibition, requirement, direction, decision or determination been authorised to perform any act; or
- (b) fails to keep, issue or render any record, invoice, account, statement or return which he is required to keep, issue or render in terms of this scheme or a requirement under this scheme or in terms of a condition referred to in paragraph (a) (ii) or (iii); or
- (c) fails to retain any record for the period for which he is required to retain it in terms of a requirement prescribed under this scheme; or
- (d) in any record, invoice, account, statement or return referred to in paragraph (b) furnishes any information which is incorrect or calculated to mislead,

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

#### LIQUIDATION OF SCHEME.

21. In the event of the discontinuance of this scheme —

- (a) any assets of the board after all its debts have been paid shall be handed over to the Minister and the assets so handed over shall be utilised by the Minister in his discretion for the advancement of the karakul pelt industry;
- (b) any deficit which may exist after all the assets of the board have been realised shall be borne by all producers, pro rata, to the quantity of karakul pelts produced and sold or dealt with in the course of trade by them during the period of two years immediately preceding the date on which this scheme is discontinued or during the period this scheme was in operation, whichever is the shorter period.

stuk, artikel of karakoelpels of die houer daarvan enige identifikasiemerke wat hy nodig mag ag, aan te bring.

#### MISDRYWE EN STRAFBEPALINGS.

20. Iedereen wat —

- (a) 'n oortreding begaan van of versuim om te voldoen aan —
  - (i) enige bepaling van hierdie skema of enige verbod, vereiste, voorskrif, besluit of vasstelling ingevolge daarvan opgelê, voorgeskryf, uitgereik geneem of gemaak; of
  - (ii) enige voorwaarde voorgeskryf in verband met sodanige bepaling, verbod, vereiste, voorskrif, besluit of vasstelling; of
  - (iii) enige voorwaarde onderworpe waaraan hy ooreenkomstig sodanige bepaling, verbod, vereiste, voorskrif, besluit of vasstelling gemagtig is om enige daad te verrig; of
- (b) versuim om enige rekord, faktuur, rekening, staat of opgawe te hou, uit te reik of te verstrek wat hy ingevolge hierdie skema of 'n vereiste voorgeskryf kragtens hierdie skema of ingevolge 'n voorwaarde genoem in paragraaf (a) (ii) of (iii) moet hou, uitreik of verstrek; of
- (c) versuim om enige rekord te bewaar vir die tydperk wat hy dit ingevolge 'n vereiste kragtens hierdie skema voorgeskryf, moet bewaar; of
- (d) in enige rekord, faktuur, rekening, staat of opgawe genoem in paragraaf (b) enige inligting verstrek wat onjuis is of daarop bereken is om te mislei,

is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met beide sodanige boete en gevangenisstraf.

#### OPHEFFING VAN SKEMA.

21. Ingeval hierdie skema opgehef word —

- (a) word alle bates van die raad, nadat al sy skulde betaal is, aan die Minister oorhandig en die bate aldus oorhandig, word deur die Minister na goeddunke vir die bevordering van die karakoelpelsbedryf aangewend;
- (b) word enige tekort wat mag bestaan nadat al die bates van die raad tot geld gemaak is, gedra deur alle produsente, pro rata volgens die hoeveelheid karakoelpelse deur hulle geproduseer en verkoop of as 'n besigheid mee gehandel gedurende die tydperk van twee jaar onmiddellik vóór die datum waarop die skema opgehef word, of gedurende die tydperk wat die skema in werking was, wat ookal die korste tydperk is.