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REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

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DEPARTMENT OF THE PRIME MINISTER.

No. 772. 10th May, 1972.

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

No. 32 of 1972: Dairy Industry Laws Amendment Act, 1972.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 772. 10 Mei 1972.

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

No. 32 van 1972: Wysigingswet op die Suiwelnywerheidswette, 1972.

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WET

Tot wysiging van die bepalings van die Wet op die Suiwelnywerheid, 1961, ten einde dit op die gebied Suidwes-Afrika van toepassing te maak vir sover dit op margarien betrekking het; tot wysiging van die bepalings van die Ordonnansie op die Beheer van die Suiwelnywerheid, 1962, van die gebied Suidwes-Afrika, vir sover dit op margarien betrekking het; en om vir bykomstige aangeleenthede voorsiening te maak.

(*Engelse teks deur die Staatspresident geteken.*)
(*Goedgekeur op* 4 *Mei* 1972.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 30 van 1961, soos gewysig deur artikel 1 van Wet 34 van 1965 en artikel 1 van Wet 96 van 1971.

1. Artikel 1 van die Wet op die Suiwelnywerheid, 1961 (hieronder die Hoofwet genoem), word hierby gewysig—

(*a*) deur na die omskrywing van „departement" die volgende omskrywing in te voeg:

„‚gebied' die gebied Suidwes-Afrika, met inbegrip van die Oostelike Caprivi Zipfel;";

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

„‚raad', met betrekking tot die vervaardiging van margarien in die gebied, die Raad van Beheer oor die Suiwelnywerheid ingestel kragtens die Ordonnansie op die Beheer van die Suiwelnywerheid, 1962 (Ordonnansie No. 29 van 1962), van die gebied, en met betrekking tot enige ander aangeleentheid, die Suiwelraad ingestel kragtens Proklamasie No. R.25 van 1972;";

(*c*) deur na die omskrywing van „raad" die volgende omskrywing in te voeg:

„‚Republiek', met betrekking tot margarien, ook die gebied;".

Wysiging van artikel 4 van Wet 30 van 1961, soos gewysig deur artikel 1 van Wet 1 van 1969.

2. Artikel 4 van die Hoofwet word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Indien die Minister oortuig is dat die voorskrifte van hierdie Wet en van die Wet op Fabrieke, Masjinerie en Bouwerk, 1941 (Wet No. 22 van 1941), of, met betrekking tot die gebied, die Ordonnansie op Fabrieke, Masjinerie en Bouwerk, 1952 (Ordonnansie No. 34 van 1952), van die gebied, ten opsigte van enige sodanige perseel nagekom is, laat hy, behoudens die bepalings van subartikel (3) en van artikel 6, 'n registrasiesertifikaat aan die applikant uitreik.".

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ACT

To amend the provisions of the Dairy Industry Act, 1961, so as to apply it to the territory of South-West Africa in so far as it relates to margarine; to amend the provisions of the Dairy Industry Control Ordinance, 1962, of the territory of South-West Africa, in so far as it relates to margarine; and to provide for incidental matters.

(*English text signed by the State President.*)
(*Assented to 4th May,* 1972.)

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

Amendment of section 1 of Act 30 of 1961, as amended by section 1 of Act 34 of 1965 and section 1 of Act 96 of 1971.

1. Section 1 of the Dairy Industry Act, 1961 (hereinafter referred to as the principal Act), is hereby amended—

(*a*) by the substitution for the definition of "board" of the following definition:

"'board', in relation to the manufacture of margarine in the territory, means the Dairy Industry Control Board established by the Dairy Industry Control Ordinance, 1962 (Ordinance No. 29 of 1962), of the territory, and, in relation to any other matter, means the Dairy Board established by Proclamation No. R.25 of 1972;";

(*b*) by the insertion after the definition of "regulation" of the following definition:

"'Republic', in relation to margarine, includes the territory;";

(*c*) by the insertion after the definition of "sterilised milk plant" of the following definition:

"'territory' means the territory of South-West Africa, including the Eastern Caprivi Zipfel;".

Amendment of section 4 of Act 30 of 1961, as amended by section 1 of Act 1 of 1969.

2. Section 4 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) If the Minister is satisfied that the requirements of this Act and of the Factories, Machinery and Building Work Act, 1941 (Act No. 22 of 1941), or, in relation to the territory, the Factories, Machinery and Building Works Ordinance, 1952 (Ordinance No. 34 of 1952), of the territory, in respect of any such premises have been complied with, he shall, subject to the provisions of subsection (3) and of section 6, cause a certificate of registration to be issued to the applicant.".

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Invoeging van artikel 35A in Wet 30 van 1961.

3. Die volgende artikel word hierby in die Hoofwet na artikel 35 ingevoeg:

„Toepassing van Wet op Suidwes-Afrika.

35A. Hierdie Wet, en enige wysiging daarvan wat van tyd tot tyd gemaak word, is, vir soverre dit op margarien of 'n margarienfabriek betrekking het, ook in die gebied van toepassing.".

Wysiging van artikel 1 van Ordonnansie 29 van 1962, soos gewysig deur Proklamasie R.203 van 1970.

4. Artikel 1 van die Ordonnansie op die Beheer oor die Suiwelnywerheid, 1962, van die gebied Suidwes-Afrika (hieronder die Ordonnansie genoem), word hierby gewysig deur die omskrywing van „suiwelsurrogaat" deur die volgende omskrywing te vervang:

„(cvii) ‚suiwelsurrogaat' enige stof wat, ongeag of 'n suiwelproduk by sy produksie, verwerking of vervaardiging gebruik is of nie, gemaak is van dierlike of plantaardige vetsoorte of oliesoorte of 'n mengsel daarvan as namaaksel van, of in die vorm of voorkoms van, 'n suiwelproduk, maar nie ook margarien nie; (xxviii)".

Herroeping van artikel 41 van Ordonnansie 29 van 1962.

5. Artikel 41 van die Ordonnansie word hierby herroep.

Wysiging van artikel 49 van Ordonnansie 29 van 1972.

6. Artikel 49 van die Ordonnansie word hierby gewysig deur die woord „een-en-veertig" te skrap waar dit voorkom in subartikel (1) *(c)*.

Kort titel en inwerkingtreding.

7. Hierdie Wet heet die Wysigingswet op die Suiwelnywerheidswette, 1972, en die bepalings daarvan tree in werking op 'n datum wat deur die Staatspresident by proklamasie in die *Staatskoerant* bepaal word.

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Insertion of section 35A in Act 30 of 1961.

3. The following section is hereby inserted in the principal Act after section 35:

"Application of Act to South-West Africa.

35A. This Act, and any amendment thereof which may be made from time to time, in so far as it relates to margarine or to a margarine factory, shall apply also in the territory.".

Amendment of section 1 of Ordinance 29 of 1962, as amended by Proclamation R.203 of 1970.

4. Section 1 of the Dairy Industry Control Ordinance, 1962, of the territory of South-West Africa (hereinafter referred to as the Ordinance), is hereby amended by the substitution for the definition of "dairy produce substitute" of the following definition:

"(xxviii) 'dairy produce substitute' means any substance which, irrespective of whether or not any dairy product was used in its production, processing or manufacture, is made from animal or vegetable fats or oils or a mixture thereof in imitation, form or semblance of a dairy product, but does not include margarine; (cvii)".

Repeal of section 41 of Ordinance 29 of 1962.

5. Section 41 of the Ordinance is hereby repealed.

Amendment of section 49 of Ordinance 29 of 1962.

6. Section 49 of the Ordinance is hereby amended by the deletion of the word "forty-one" where it occurs in subsection (1) (*c*).

Short title and commencement.

7. This Act shall be called the Dairy Industry Laws Amendment Act, 1972, and the provisions thereof shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.