



REPUBLIEK VAN SUID-AFRIKA

STAATSKOERANT

GOVERNMENT GAZETTE

FOR THE REPUBLIC OF SOUTH AFRICA

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KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 1585.

5 Junie 1992

No. 1585.

5 June 1992

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

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

No. 71 van 1992: Suikerwysigingswet, 1992.

No. 71 of 1992: Sugar Amendment Act, 1992.

GENERAL EXPLANATORY NOTE:

- [** **]** Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with a solid line indicate insertions in existing enactments.

ACT

To amend the Sugar Act, 1978, so as to grant the power to the South African Sugar Association to impose certain penalties; to authorize the Association to set the maximum industrial price of sugar industry products; and to set the maximum industrial prices at which certain sugar industry products could have been sold during certain periods; and to provide for matters connected therewith.

(Afrikaans text signed by the Acting State President.)
(Assented to 3 June 1992.)

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

Amendment of section 4 of Act 9 of 1978, as amended by section 1 of Act 9 of 1984 and section 1 of Act 69 of 1987

- 5 1. Section 4 of the Sugar Act, 1978 (hereinafter referred to as the principal Act), is hereby amended—
- (a) by the insertion in subsection (2) after paragraph (f) of the following paragraph:
- 10 “(fA) the granting of power, in specified cases or in general, to the board established under paragraph (f) to impose any penalty prescribed in the Agreement for the contravention of, or failure to comply with, any term of the Agreement, or any provision of a notice issued under section 6;”; and
- 15 (b) by the substitution for subsection (3) of the following subsection:
- “(3) The Minister may, after consultation with the Association, in the Agreement or in any subsequent notice in the *Gazette*, declare any contravention of, or failure to comply with, any term of the Agreement, or a notice issued by the Association under section 6, an offence, and may in like manner prescribe penalties
- 20 for any such contravention or failure.”.

Substitution of section 6 of Act 9 of 1978

2. The following section is hereby substituted for section 6 of the principal Act:

“Powers of Association with regard to prices and surcharge

- 25 **6. (1) (a)** The Association may by notice in the *Gazette* prescribe the maximum industrial price at which any sugar industry product, other than speciality sugar, may be sold.

(b) Such price may vary in respect of different grades, kinds, quantities and qualities of the product concerned, and in respect of different places or areas.

5 (2) The Association may by notice in the *Gazette* or by written notice to the person concerned—

(a) impose a surcharge upon any sugar or molasses purchased or otherwise acquired—

10 (i) by any person or class or category of persons described in the notice;

(ii) for any purpose described in the notice; and

(b) prescribe the manner in which such surcharge shall be collected, the persons by whom it shall be paid, the persons to whom or the fund to which it shall be paid and the purpose for which it shall be utilized.

15 (3) The Association may in the case of a notice referred to in subsection (1) or (2) revoke or amend the notice by notice in the *Gazette* or by written notice to the person concerned.”.

Substitution of section 7 of Act 9 of 1978

20 3. The following section is hereby substituted for section 7 of the principal Act:

“Penalties

25 7. Any penalty which may be prescribed for any contravention of, or failure to comply with, any term of the Agreement, or of any provision of a notice issued under section 6, or of any regulation made under section 10, shall not exceed **[two thousand rand]** R100 000, in the case of a fine, or a period of twelve months, in the case of imprisonment, or both such fine and such imprisonment.”.

Maximum industrial prices at which certain sugar industry products could have been sold during certain periods

30 4. Notwithstanding the provisions of section 6 of the principal Act, the maximum industrial prices, at Durban, per metric ton at which the sugar industry products referred to in column 1 of the Schedule could have been sold on the local market during the periods referred to in column 2 of the Schedule, are the prices referred to in column 3 of the Schedule.

35 Short title and commencement

5. This Act shall be called the Sugar Amendment Act, 1992, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

SUGAR AMENDMENT ACT, 1992

Act No. 71, 1992

Schedule

Product	Period	Price
Refined sugar packed in 25kg pockets	1 February 1988 to 31 January 1989	R 983,00
	1 February 1989 to 31 July 1989	R1 052,00
	1 August 1989 to 31 July 1990	R1 094,00
	1 August 1990 to 30 June 1991	R1 236,00
	1 July 1991 to 29 September 1991	R1 396,00
	30 September 1991 to date of commencement of this Act	R1 388,00
Brown sugar packed in 25kg pockets	1 February 1988 to 31 January 1989	R 892,00
	1 February 1989 to 31 July 1989	R 955,00
	1 August 1989 to 31 July 1990	R 993,00
	1 August 1990 to 30 June 1991	R1 122,00
	1 July 1991 to 29 September 1991	R1 268,00
	30 September 1991 to date of commencement of this Act	R1 260,00