

REPUBLIC OF SOUTH AFRICA

**SELECT COMMITTEE AMENDMENTS
TO**

**SECOND-HAND
GOODS BILL**

[B 2B—2008]

*(As agreed to by the Select Committee on Security and Constitutional Affairs)
(National Assembly))*

[B 2C—2008]

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AMENDMENTS AGREED TO

SECOND-HAND GOODS BILL

[B 2B—2008]

DEFINITIONS

1. On page 4, after line 24, to insert the following definition:

“charity organisation” means a voluntary organisation established for charitable purposes, that carries on a business in dealing in second-hand goods and that acquires such second-hand goods by way of donation;
2. On page 4, in line 44, after “(2000)” to insert “, books and clothing”.
3. On page 4, in line 50, to omit “books, valuables, clothing and works of art” and to substitute “valuables and works of art”.
4. On page 5, in line 7, to omit “or”.
5. On page 5, in line 9, after “security;” to insert “or”.
6. On page 5, after line 9, to insert the following paragraph:

(c) otherwise engages in pawn transactions within the meaning of the National Credit Act, 2005 (Act No. 34 of 2005);

CLAUSE 4

1. On page 6, in line 14, after “two” to insert “identity”.

CLAUSE 14

1. On page 9, in line 25, after “(1)” to insert “(a), (b), (c), (d), or (f)”.

CLAUSE 32

1. On page 15, after line 38, to insert the following paragraph:

(e) contravenes or fails to comply with the prescribed certificate or the conditions specified on such prescribed certificate by—

 - (i) dealing in classes of goods other than those specified on the certificate of registration;
 - (ii) conducting business from premises other than those specified on the certificate of registration; or
 - (iii) conducting business in a manner other than specified on the certificate of registration;

2. On page 16, after line 4, to add the following subsection:

- (3) A court may in addition to any other penalty imposed upon conviction of a person of any of the offences under this Act—
 - (a) in the event of a continuing contravention, impose a further fine or imprisonment for a period of 30 days or both a fine and such imprisonment for each day on which such contravention continued;
 - (b) suspend or cancel any exemption granted in terms of this Act;
 - (c) suspend or cancel any registration; and
 - (d) order that the second-hand goods that formed the subject of the charge against that person, be forfeited to the State.

CLAUSE 39

Clause rejected.

NEW CLAUSE

1. That the following be a new clause:

Condonation and extension of time

39. The National Commissioner may, on good cause shown and on grounds which are not in conflict with the objects of this Act, extend any period contemplated in this Act or condone any disqualification contemplated in section 14.

CLAUSE 42

1. On page 17, in line 47, to omit “or”.
2. On page 17, in line 50, to omit “Act.” and to substitute “Act; or”.
3. On page 17, after line 50, to insert the following paragraph:
 - (c) any charity organisation to the extent that the Minister by notice in the *Gazette* exempts such charity from any or all of the provisions of this Act.

SCHEDULE 1

1. On page 19, after line 2 to insert “(*Section 1*)”.
2. On page 19, in line 6, after “harvesters” to insert “, irrigation equipment”.
3. On page 19, in line 20, to omit “Clothing”.
4. On page 19, in line 22, to omit “Books”.

SCHEDULE 2

1. On page 19, after line 24, to insert “(*Section 1*)”.

LONG TITLE

1. On page 2, in the second line, to omit “limit” and to substitute “combat”.