

Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.

## ACT

To amend the provisions of the Price Control Act, 1964, relating to definitions, the fixing of prices, deposits in respect of containers, the issue and retention of invoices, the conditional sale of goods, the keeping and preservation of records and the granting of exemptions; and to provide for certain incidental matters.

(Afrikaans text signed by the Acting State President.)  
(Assented to 7th June, 1967.)

**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 25 of 1964.

1. Section 1 of the Price Control Act, 1964 (hereinafter referred to as the principal Act), is hereby amended by the substitution for all the words preceding the definition of "controller" of the words "In this Act and in any notice issued thereunder, unless the context otherwise indicates—".

Amendment of section 4 of Act 25 of 1964.

2. Section 4 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) The controller may from time to time by notice in the *Gazette* or, with the authority of the Minister, in the case of any particular person, by notice in writing—

- (a) fix the maximum price at which any goods may be sold by any person to any other person;
- (b) fix the maximum price at which any person may purchase any goods from any other person;
- (c) fix the maximum charge that may be made by any person for any specified service;
- (d) prohibit any person from making any charge for any specified service."

Amendment of section 5 of Act 25 of 1964.

3. Section 5 of the principal Act is hereby amended by the substitution in subsection (1) for all the words preceding paragraph (a) of the words "The controller may from time to time by notice in the *Gazette* or, with the authority of the Minister, in the case of any particular person, by notice in writing—";

Amendment of section 8 of Act 25 of 1964.

4. Section 8 of the principal Act is hereby amended by the substitution for all the words preceding paragraph (a) of the words "The controller may from time to time by notice in the *Gazette* or, with the authority of the Minister, in the case of any particular person, by notice in writing—".

Substitution of section 9 of Act 25 of 1964.

5. The following section is hereby substituted, with effect from the second day of October, 1964, for section 9 of the principal Act:

"Certain conditional sales or the rendering of services on certain conditions may be prohibited.

9. (1) The controller may from time to time by notice in the *Gazette* or, with the authority of the Minister, in the case of any particular person, by notice in writing, prohibit the sale of any goods or the rendering of any services subject to conditions specified in the notice, or the refusal to sell any goods or render any services except subject to conditions so specified, whether the maximum price for the sale of such goods or the maximum charge for the rendering of such services has been fixed under this Act or not.

(2) Any such prohibition may relate to any goods or services or to any class of goods or services and may vary in respect of different goods or services or classes of goods or services or classes or categories of persons.

(3) Without prejudice to the generality of the powers conferred on the controller by subsection (1), he may under that subsection by notice in the *Gazette* or, with the authority of the Minister, in the case of any particular person, by notice in writing, prohibit the sale of goods subject to conditions in terms of which, if the purchase price or other consideration is payable by instalments, less than the portion of the purchase price or other consideration specified in the notice shall or may be paid in a cash amount of money or in goods at the time the agreement is entered into and the full purchase price or other consideration shall or may be paid over a longer period than that specified in the notice.

(4) For the purposes of the application of a notice such as is referred to in subsection (3)—

- (a) substantial compliance with any condition specified in such notice shall be regarded as compliance with such condition; and
- (b) payment by means of a negotiable instrument (other than a promissory note) payable on demand to the seller or his order or to bearer shall be regarded as payment to the extent to which the amount due under such negotiable instrument is, within twenty-one days of delivery thereof to the seller, paid to the seller or his order or to the credit of his account, or that of his order, with a banker.

(5) For the purposes of this section 'sale' shall, in addition to the meaning it has in terms of the definition thereof in section 1, have the meaning assigned to it in any notice issued under subsection (1) of this section, and any such meaning may include disposal of any goods by way of a lease-lend, lease or any other agreement as defined in such notice, the date of any such agreement being deemed to be the date of sale; and 'sell' shall have a corresponding meaning.

(6) No agreement shall be deemed to be inoperative by reason only of the fact that it is or was entered into in contravention of a prohibition contained in a notice issued under subsection (1), and no negotiable instrument shall be deemed to be inoperative by reason only of the fact that it was given or drawn in respect of any liability under any agreement which has been prohibited under subsection (1)."

Amendment of section 11 of Act 25 of 1964.

6. Section 11 of the principal Act is hereby amended by the substitution for all the words preceding paragraph (a) of the words "The controller may from time to time by notice in the *Gazette* or, with the authority of the Minister, in the case of a particular person, by notice in writing—".

Substitution of section 15 of Act 25 of 1964.

7. The following section is hereby substituted for section 15 of the principal Act:

"Controller may grant exemptions. 15. The controller may from time to time by notice in the *Gazette* or, with the authority of the Minister, in the case of a particular person, by notice in writing, subject to such conditions as he may impose, grant any person exemption from any provision of this Act to such extent as he may specify, and may at any time, without assigning any reason, in like manner modify or withdraw any such exemption."

Substitution of section 21 of Act 25 of 1964.

8. The following section is hereby substituted for section 21 of the principal Act:

“Applica-  
tion of Act  
to South-  
West Africa.”

21. This Act and any amendment thereof shall apply also in the territory of South-West Africa, including the Eastern Caprivi Zipfel referred to in section 3 of the South-West Africa Affairs Amendment Act, 1951 (Act No. 55 of 1951), and in relation to all persons in the portion of the said territory known as the ‘Rehoboth Gebiet’ and defined in the First Schedule to Proclamation No. 28 of 1923 of the Administrator of that territory.”

Short title.

9. This Act shall be called the Price Control Amendment Act, 1967.