

No. 8, 1934.]

## ACT

### To amend the Export Subsidies Act, 1931.

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows :—

Amendment of section 6 of Act 49 of 1931 as amended by section 15 of Act 25 of 1932 and section 6 of Act 29 of 1933.

Addition to section 6 of Act 49 of 1931.

Amendment of section 8 of Act 49 of 1931.

Method of determining value of products exported in the past.

Short title.

1. Sub-section (1) of section *six* of the Export Subsidies Act, 1931 (hereinafter referred to as the original Act) is hereby amended—

- (a) by the substitution for the words “three years” of the words “four years”; and
- (b) by the substitution for the words “section *forty-one* of the principal Act” of the words “regulations made under this Act”.

2. The following new sub-section is hereby added at the end of section *six* of the original Act :—

“(3) The Minister may, by notice in the *Gazette*, cancel as from a date fixed in such notice, but not earlier than fourteen days after the publication of such notice, any undertaking previously given to pay any export subsidy on any primary product specified in such notice, and thereupon no such subsidy shall be paid on any such primary product exported after that date.”

3. The following paragraph is hereby substituted for paragraph (a) of section *eight* of the original Act :—

“(a) the method of determining the value of any primary products for the purpose of calculating the export subsidy to be paid thereon under section *six*, and the manner in which, the time when and the place where subsidies payable under that section shall be paid.”

4. (1) Notwithstanding the provisions of section *six* of the original Act or of any regulation made or notice issued under that Act, but subject to the provisions of sub-section (3) of this section, the method of determining the value of any primary products which was actually applied in calculating the amount of any export subsidy payable on those products under the said section *six* shall be deemed to have been correct, if that amount or any part thereof was paid, before the commencement of this Act, to the person entitled thereto.

(2) If any such products were exported from the Union prior to the commencement of this Act, but no export subsidy was paid on them prior to that commencement, their value shall, for the purpose of calculating any export subsidy payable on them under the said section *six*, be determined in accordance with the provisions of the said section *six* as amended by section *one* of this Act, but subject to the provisions of sub-section (3) of this section.

(3) If before the twenty-second day of February, 1934, any person issued a summons in a court of law against the Minister as defined in the original Act for the recovery of any sum of money alleged to be due to that person under the said section *six* as an export subsidy, his claim as set forth in the said summons shall be dealt with as if this Act had not been passed.

5. This Act shall be known as the Export Subsidies Amendment Act, 1934, and shall come into operation upon a date to be fixed by the Governor-General by proclamation in the *Gazette*.