NO. 188 OF 1993: MARKETING AMENDMENT ACT, 1993.

STATE PRESIDENT'S OFFICE

No. 1 5 January 1994

NO. 188 OF 1993: MARKETING AMENDMENT ACT, 1993.

ACT

To amend the Marketing Act, 1968, so as to further regulate the revocation of schemes; and to further provide for the orderly dispensation of money gained through levies; to repeal the Egg Production Control Act, 1970; and to provide for matters connected therewith.

GENERAL EXPLANATORY NOTE:

Words in bold type indicate omissions from existing enactments.

Words in italics indicate insertions in existing enactments.

(Afrikaans text signed by the State President.)
(Assented to 22 December 1993.)

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

Substitution of section 17 of Act 59 of 1968, as amended by section 14 of Act 66 of 1984

1. The following section is hereby substituted for section 17 of the Marketing Act, 1968:

"Revocation by Minister

17. (1) The Minister shall, subject to the provisions of subsection (2), by notice in the Gazette revoke any scheme if—

(a) he is, after consultation with the marketing council, of the opinion that the revocation thereof is in the interests of the persons to whom the scheme applies; or

(b) the control board that administers the scheme has by majority vote requested that the scheme be revoked.

(2) No scheme shall be revoked unless—

(a) the majority of producers present at a meeting or meetings convened by the marketing council for this purpose, have voted for such revocation; or

(b) the marketing council is of the opinion that there is sufficient support for such revocation in representative produccr organisations.".

Amendment of section 84C of Act 59 of 1968, as inserted by section 16 of Act 52 of 1969 and amended by section 18 of Act 69 of 1970, section 15 of Act 31 of 1973, section 5 of Act 73 of 1974 and section 1 of Act 11 of 1992

2. Section 84C of the Marketing Act, 1968, is hereby amended by the addition of the following subsection:

"(5) If the levy imposed on a product under section 84A is abolished, the Minister may order that the moneys which are held in the special account in respect of that product, be made available to abody identified by him, for use in a manner determined by him after consultation with such body, and thereafter he shall cause the special account to be closed.".

Repeal of Acts

3. The Egg Production Control Act, 1970 (Act No. 61 of 1970), and the Egg Production Control Amendment Act, 1980 (Act No. 81 of 1980), are hereby repealed.

Short title

4. This Act shall be called the Marketing Amendment Act, 1993.