

No. R. 999

3 May 1985

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3 Mei 1985

STANDARDS ACT, 1982

Under the powers vested in him by section 36 of the Standards Act, 1982 (Act 30 of 1982), the Deputy Minister of Finance and of Trade and Industry has been pleased to withdraw the regulations published by Government Notice R. 139 of 24 January 1975, and to substitute therefor the following regulations:

REGULATIONS RELATING TO THE PAYMENT OF LEVY AND THE ISSUE OF SALES PERMITS IN REGARD TO COMPULSORY SPECIFICATIONS

1. DEFINITIONS.

In these regulations—

“the Act” shall mean the Standards Act, 1982 (Act 30 of 1982);

“commodity” shall mean a commodity for which or the manufacture of which a compulsory specification is in force;

“importer” shall mean an importer as defined in section 1 (1) of the Customs and Excise Act, 1964 (Act 91 of 1964);

“levy” shall mean the monetary amount calculated in accordance with regulation 2 (2) (b) or 2.5;

“levy payer” shall mean the manufacturer or importer of a commodity;

“levy period” shall mean the period extending from either 1 January to 30 June or 1 July to 31 December of each year;

“levy unit” shall mean a specific quantity of a commodity according to number, mass, dimensions or volume, determined in Schedule 2 hereof as basis for the calculation of levy;

“sales permit” shall mean a permit issued in terms of section 21 (1), read with section 17 (1) (b), of the Act to sell a commodity;

“sales permit holder” shall mean a person to whom a sales permit has been issued;

“tariff” shall mean a tariff per levy unit as determined in Schedule 2;

and any expression to which a meaning is assigned in the Act shall have the same meaning in these regulations, unless the context indicates otherwise.

2. PAYMENT OF LEVY.

2.1 A levy payer shall keep an accurate record of any commodity manufactured or imported by him during a levy period, in such a manner that the quantity manufactured or imported can be determined at any stage.

2.2 Subject to the provisions of Regulation 2.3 to 2.5, a levy payer shall in respect of each levy period—

(a) submit to the council an accurate return in the form prescribed in Schedule 1 of the total quantity of any commodity manufactured or imported by him: Provided that the Council may also require any person who is reasonably suspected to be a levy payer to submit such return; and

(b) pay to the Council a levy calculated in accordance with the following formula:

$$\frac{a}{b} \text{ (rounded off to the next whole number)} \times c,$$

where a = quantity of commodity manufactured or imported;

b = levy unit; and

c = tariff.

WET OP STANDAARDE, 1982

Kragtens die bevoegdheid hom verleen by artikel 36 van die Wet op Standaarde, 1982 (Wet 30 van 1982), het dit die Adjunk-minister van Finansies en van Handel en Nywerheid behaag om die regulasies gepubliseer by Goewernementskennisgewing R. 139 van 24 Januarie 1975 in te trek en deur die volgende regulasies te vervang:

REGULASIES BETREFFENDE DIE BETALING VAN HEFFING EN DIE UITREIKING VAN VERKOOPSPERMISSE TEN OPSIGTE VAN VERPLIGTE SPESIFIKASIES

1. WOORDOMSKRYWING.

In hierdie regulasies beteken—

“die Wet” die Wet op Standaarde 1982 (Wet 30 van 1982);

“heffing” die geldbedrag ooreenkomsdig regulasie 2 (2) (b) of 2.5 bereken;

“heffingseenheid” 'n bepaalde hoeveelheid van 'n kommoditeit volgens getal, massa, afmetings of volume, soos in Bylae 2 hiervan as grondslag vir die berekening van heffing bepaal;

“heffingspligtige” die vervaardiger of invoerder van 'n kommoditeit;

“heffingstydperk” die tydperk wat strek van of 1 Januarie tot 30 Junie of 1 Julie tot 31 Desember van elke jaar;

“invoerder” 'n invoerder soos omskryf in artikel 1 (1) van die Doeane- en Aksynswet, 1964 (Wet 91 van 1964);

“kommoditeit” 'n kommoditeit waaroor of vir die vervaardiging waarvan 'n verpligte spesifikasie van kragt is;

“tarief” die tarief per heffingseenheid soos in Bylae 2 bepaal;

“verkoopspermis” 'n permit kragtens artikel 21 (1), saamgelees met artikel 17 (1) (b), van die Wet uitgereik om 'n kommoditeit te verkoop;

“verkoopspermithouer” 'n persoon aan wie 'n verkoopspermis uitgereik is; en het enige uitdrukking waaraan die Wet 'n betekenis heg dieselfde betekenis in hierdie regulasies, tensy die sinsverband anders aandui

2. BETALING VAN HEFFING.

2.1 'n Heffingspligtige moet noukeurig rekord hou van enige kommoditeit wat hy gedurende 'n heffingstydperk vervaardig of invoer, op so 'n wyse dat die hoeveelheid wat vervaardig of ingevoer is in enige stadium bepaal kan word.

2.2 Behoudens die bepalings van regulasie 2.3 tot 2.5 moet 'n heffingspligtige ten opsigte van iedere heffingstydperk—

(a) aan die Raad 'n juiste opgawe, in die vorm in Bylae 1 voorgeskryf, verstrek van die totale hoeveelheid van enige kommoditeit wat hy vervaardig of ingevoer het: Met dien verstaande dat die Raad ook van enigeen van wie daar op redelike gronde vermoed word dat hy 'n heffingspligtige is, kan vereis om sodanige opgawe in te dien; en

(b) aan die Raad 'n heffing, bereken volgens die onderstaande formule, betaal:

$$\frac{a}{b} \text{ (afgerond tot die volgende heelgetal)} \times c,$$

waar a = hoeveelheid van kommoditeit vervaardig of ingevoer;

b = heffingseenheid; en

c = tarief.

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2242
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14190
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2.3 A levy in respect of a levy period shall become due and payable on the first day of the month following the expiry of such period.

2.4 The levy payer, a designated person in his employ or an accountant or auditor authorised by the levy payer to act on his behalf shall certify the accuracy of the return referred to in Regulation 2.2 (a).

2.5 If a levy payer fails to submit the return referred to in regulation 2.2 (a) to the Council, the Council may estimate the manufacture or importation of a commodity and hold the levy payer liable for the levy calculated in accordance with such estimate: Provided that the payment of a levy on the basis of an estimate shall not absolve the levy payer from settling in full any additional amount that may be due to the Council.

2.6 A certificate issued by the accounting officer of the Council shall for the purpose of court proceedings be *prima facie* proof of a levy due and unpaid.

3. EXEMPTION FROM THE PAYMENT OF LEVY

3.1 Notwithstanding anything to the contrary in these regulations, a levy shall not be payable in respect of a commodity to which a standardisation mark of the Council has been applied by virtue of a permit issued in terms of section 21 (1), read with section 15 (3) of the Act; nor in respect of a commodity in a category that the Minister, upon determining a tariff referred to in Schedule 2, has specifically exempted from the payment of a levy.

3.2 The Council may in its discretion refund in full or in part any levy received by it in respect of a commodity that fails to comply with the requirements of a compulsory specification and, whether voluntarily or on the basis of an order by the Minister, is dealt with in the manner envisaged by section 17 (5) (c) of the Act.

4. SALES PERMITS.

4.1 A person in possession of a commodity that does not comply with the requirements of a relevant compulsory specification may apply to the Council for a sales permit.

4.2 Except where resale is specifically prohibited in the conditions subject to which a sales permit is issued, the sales permit shall also cover the resale of the commodity by a person other than the sales permit holder: Provided that the existence of any restrictive condition of sale shall be disclosed in any successive sales document.

5. OFFENCES AND PENALTIES.

5.1 A person who—

(a) fails to submit a return in terms of regulation 2.2 (a) or deliberately furnishes (and) incorrect manufacturing or importation quantity; or

(b) fails to pay a due levy to the Council,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding R1 000 or imprisonment not exceeding one year, or to both such fine and imprisonment.

5.2 A court convicting a person of an offence referred to in regulation 5.1 (b) may, in addition to any other penalty it may impose, order payment by the accused of any due levy, which order may be executed as if it were a civil judgement given under the Magistrates' Courts Act, 1944 (Act 32 of 1944).

K. D. S. DURR,
Deputy Minister of Finance and of Trade and Industry.

2.3 'n Heffing ten opsigte van 'n heffingstydperk is verskuldig en betaalbaar op die eerste dag van die maand wat volg op die afloop van sodanige heffingstydperk.

2.4 Die heffingspligtige, 'n aangewese persoon in sy diens of 'n rekenmeester of ouditeur wat deur die heffingspligtige gemagtig is om namens hom op te tree, moet sertifeer dat die opgawe in regulasie 2.2 (a) vermeld, juis is.

2.5 Indien 'n heffingspligtige in gebreke bly om 'n opgawe soos in regulasie 2.2 (a) vermeld aan die Raad te verstrek kan die Raad die vervaardiging of invoer van 'n kommoditeit raam en die heffingspligtige aanspreeklik hou vir die heffing wat volgens sodanige raming bereken is: Met dien verstande dat die betaling van 'n heffing op grond van 'n raming die heffingspligtige nie daarvan ontheft om enige bykomende bedrag wat aan die Raad verskuldig is, ten volle te vereffen nie.

2.6 'n Sertifikaat wat deur die rekenpligtige beampie van die Raad uitgereik is, dien vir die doel van hofverrigtinge as *prima facie*-bewys van 'n heffing wat verskuldig maar nog nie betaal is nie.

3. VRYSTELLING VAN DIE BETALING VAN HEFFING.

3.1 Ondanks andersluidende bepalings van hierdie regulasies is 'n heffing nie betaalbaar ten opsigte van 'n kommoditeit waarop 'n standaardmerk van die Raad aangebring is uit hoofde van 'n permit wat kragtens artikel 21 (1), saamgelees met artikel 15 (3) van die Wet, uitgereik is nie; ook nie ten opsigte van 'n kommoditeit in 'n kategorie wat die Minister by die bepaling van 'n tarief in Bylae 2 vermeld, spesifiek van die betaling van 'n heffing vrygestel het nie.

3.2 Die Raad kan na goeddunke volle of gedeeltelike terugbetaling doen van 'n heffing wat deur hom ontvang is ten opsigte van 'n kommoditeit wat nie aan die vereistes van 'n verpligte spesifikasie voldoen nie en waarnee daar, hetsy vrywilliglik of op grond van 'n bevel van die Minister, gehandel word op die wyse in artikel 17 (5) (c) van die Wet beoog.

4. VERKOOPSPERMITTE.

4.1 Iemand met 'n kommoditeit in sy besit wat nie aan die vereistes van 'n toepaslike verpligte spesifikasie voldoen nie, kan by die Raad om 'n verkoopspermit aansoek doen.

4.2 Tensy herverkoop spesifiek belet word in die voorwaardes waaronder 'n verkoopspermit uitgereik word, dek 'n verkoopspermit ook die herverkoop van die kommoditeit deur 'n ander persoon as die verkoopspermithouer: Met dien verstande dat die bestaan van enige beperkende verkoopsvoorwaarde in enige daaropvolgende verkoopsdokument aangetoon moet word.

5. MISDRYWE EN STRAWWE.

5.1 Iemand wat—

(a) versuim om 'n opgawe ingevolge regulasie 2.2 (a) te verstrek of doelbewus 'n valse vervaardiging- of invoerhoeveelheid verstrek, of

(b) versuim om 'n verskuldigde heffing aan die Raad te betaal,

begaan 'n misdryf en is by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of gevangenisstraf van hoogstens een jaar, of beide sodanige boete en gevangenisstraf.

5.2 'n Hof wat iemand skuldig bevind aan 'n misdryf in regulasie 5.1 (b) vermeld, kan benewens enige ander straf wat hy mag ople, beveel dat 'n verskuldigde heffing deur die beskuldigde betaal word, welke bevel uitgevoer kan word asof dit 'n siviele vonnis is wat kragtens die Wet op Landdroshewe, 1944 (Wet 32 van 1944), geveld is.

K. D. S. DURR,
Adjunk-minister van Finansies en van Handel en Nywerheid.

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Gazette No. 14190
01/03/1982

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WET OP STANDAARDE, 1982

REGULASIES BETREFFENDE DIE BETALING VAN HEFFING EN DIE UITREIKING VAN VERKOOPS-PERMITTE TEN OPSIGTE VAN VERPLIGTE SPESIFIKASIES: WYSIGING

Daar word kragtens artikel 36 van die Wet op Standaarde, 1982 (Wet No. 30 van 1982), bekendgemaak dat die Adjunkminister van Handel en Nywerheid, handelende namens en in opdrag van die Minister van Finansies en van Handel en Nywerheid, die regulasies gepubliseer by Goewermentskennisgewing No. R. 999 gepubliseer by Goewermentskennisgewing No. R. 999 van 3 Mei 1985 hierby wysig soos in die Bylae uiteengesit.

BYLAE

- Skrap regulasie 2.2 (a) en vervang dit deur die volgende:

(a) aan die Raad 'n juiste opgawe, in die vorm in Bylae 1 voorgeskryf, verstrek van die totale hoeveelheid van enige kommoditeit wat hy vervaardig of ingevoer het:

Met dien verstande dat die Raad ook van enig een van wie daar op redelike gronde vermoed word dat hy 'n heffingspligtige is, kan vereis om sodanige opgawe in te dien:

Met dien verstande voorts dat die Raad van enig een van wie daar op redelike gronde vermoed word dat hy namens 'n heffingspligtige optree of dat hy op enige wyse hoegenaamd by die vervaardiging of invoer van 'n kommoditeit betrokke is, kan verlang om die inligting betreffende die herkoms, hoeveelheid en bestemming van sodanige kommoditeit waaroor hy beskik, aan die Raad te openbaar; en

- Skrap regulasie 5 (1) (a) en vervang dit deur die volgende:

(a) ingevolge regulasie 2.2 (a) versuim om 'n opgawe te verstrek, of doelbewus 'n valse vervaardiging- of invoerhoeveelheid verstrek, of in gebreke bly om verlangde inligting met betrekking tot 'n kommoditeit aan die Raad te openbaar; of

ALGEMENE KENNISGEWINGS

KENNISGEWING 685 VAN 1992

RAAD OP FINANSIEËLE DIENSTE

DIE JOHANNESBURGSE EFFEKTBEURS

KENNISGEWING BETREFFENDE WYSIGING VAN REËLS

- Ingevolge artikel 12 (6) van die Wet op Beheer van Effektebeurse, 1988 (Wet 1 van 1985), word hierby bekendgemaak dat die Johannesburgse Effektebeurs by die Registrateur van Effektebeurse aansoek gedoen het om goedkeuring om wysigings aan sy reëls aan te bring, soos uitgegesit in die Bylae hiervan.

- Ingevolge artikel 12 (7) van genoemde Wet word alle belanghebbendes (uitgesonderd lede van die Effektebeurse) wat beswaar het teen die voorgestelde wysigings, hierby versoek om hul besware binne 'n tydperk van 30 dae vanaf die datum van hierdie kennisgewing by die Registrateur van Effektebeurse, Privaal Sak X238, Pretoria, 0001, in te dien.

STANDARDS ACT, 1982

REGULATIONS RELATING TO THE PAYMENT OF LEVY AND THE ISSUE OF SALES PERMITS IN REGARD TO COMPULSORY SPECIFICATIONS: AMENDMENT

It is made known under section 36 of the Standards Act, 1982 (Act No. 30 of 1982), that the Deputy Minister of Trade and Industry, acting on behalf of and on assignment by the Minister of Finance and of Trade and Industry, hereby amends the regulations published by Government Notice No. R. 999 of 3 May 1985 in the manner set out in the Schedule.

SCHEDULE

- Delete regulation 2.2 (a) and substitute the following:

(a) submit to the Council an accurate return in the form prescribed in Schedule 1 of the total quantity of any commodity manufactured or imported by him:

Provided that the Council may also require any person who is reasonably suspected to be a levy payer to submit such return:

Provided further that the Council may require any person who is reasonably suspected to be acting on behalf of a levy payer or to be involved in any manner whatsoever in the manufacture or importation of a commodity to disclose to the Council any information that is available to him in regard to the origin, quantity and destination of such commodity; and

- Delete regulation 5 (1) (a) and substitute the following:

(a) In terms of regulation 2.2. (a) fails to submit a return, or deliberately furnishes an incorrect manufacturing or importation quantity, or fails to disclose required information to the Council; or

GENERAL NOTICES

NOTICE 685 OF 1992

FINANCIAL SERVICES BOARD

THE JOHANNESBURG STOCK EXCHANGE

NOTICE REGARDING AMENDMENT OF RULES

- In terms of section 12 (6) of the Stock Exchanges Control Act, 1985 (Act 1 of 1985), it is hereby notified that the Johannesburg Stock Exchange has applied to the Registrar of Stock Exchanges for approval to make amendment to its rules, as set forth in the Schedule hereto.
- In terms of section 12 (7) of the said Act all interested persons (other than members of the Stock Exchange) who have any objections to the proposed amendments are hereby called upon to lodge their objections with the Registrar of Stock Exchanges, Private Bag X238, Pretoria, 0001, within a period of 30 days from the date of this notice.

No. R. 451

4 April 2003

STANDARDS ACT, 1993

AMENDMENT OF REGULATIONS RELATING TO THE PAYMENT OF LEVY AND THE ISSUE OF SALES PERMITS IN REGARD TO COMPULSORY SPECIFICATIONS

I, Alexander Erwin, Minister of Trade and Industry do hereby publish an amendment to the Regulations relating to the payment of levy and the issue of sales permits with regards to compulsory specifications published by government notice No R 999 of 3 May 1985, as set out in the Schedule hereunder, in terms of section 37 of the Standards Act, with effect from the date twenty one days (21) from date of publication of this notice.



A ERWIN
Minister of Trade and Industry

SCHEDULE

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

AMENDMENT OF REGULATION 1

Regulation 1 is hereby amended by the substitution for the definition of "levy period" with the following definition:

"Levy period "shall mean the period extending from either [1 Jan to June or 1 July to 31 Dec] 1 April to 31 June or 1 July to 30 September or 1 October to 31 December or 1 January to 31 March of each government financial year.