

## **SECTIONS 3 AND 6-THE CONTROL OF GOODS (AGRICULTURAL PRODUCTS PRICES) REGULATIONS**

Regulations by the President

Federal Government Notices

52 of 1958

160 of 1960

Government Notice

1 of 1964

Statutory Instrument

390 of 1967

Act No.

13 of 1994

### **Title**

1. These Regulations may be cited as the Control of Goods (Agricultural Products Prices) Regulations.

### **Interpretation**

2. In these Regulations, unless the context otherwise requires-

"controlled goods" means any commodity or animal specified in the Schedule;

"dealer" means any person who carries on the business of buying and selling controlled goods;

"inspector" means a person appointed as an inspector under these Regulations;

"order" means an order made by the Minister in terms of these Regulations;

"price" includes any form of consideration;

"sell" includes-

- (a) to sell by auction;
- (b) to offer or attempt to sell;
- (c) to expose, display or advertise for sale; or
- (d) to exchange or dispose of controlled goods for any valuable consideration;

and the expressions "sale", "seller", "to purchase", "purchase" and "purchaser" shall be construed

accordingly.

### **Appointment of inspectors**

3. (1) The Minister may appoint inspectors and graders for the purposes of these Regulations.

(2) Every inspector shall be furnished with a certificate signed by the Minister which shall state that the inspector has been appointed as an inspector under these Regulations.

(3) An inspector exercising any power or performing any duty conferred or imposed upon him by these Regulations or about to exercise or perform any such power or duty shall, on demand by any person concerned, produce the certificate referred to in sub-regulation (2).

### **Furnishing of information**

4. (1) The Minister may, by notice in writing, require any person who produces or has produced, deals in or has dealt in, or handles or has handled any controlled goods to furnish to the Minister or his authorised representative from time to time any information whatsoever available to such person relating to any such controlled goods which he or his servant or agent has or has had in his possession or custody or over which he has or has had any control or which he is capable of producing.

(2) Any such person as aforesaid shall, at the request of an inspector, produce to the inspector any book, record, list or document at his disposal which relates to any such controlled goods, and shall furnish the inspector with such other information or explanation, either in writing or verbally, relating to such controlled goods as the inspector may demand from him.

### **Powers of inspectors**

5. (1) An inspector may examine and make extracts from and copies of books, records, lists or documents relating to controlled goods, and may demand from any dealer or other person an explanation of any entries therein and may seize and remove any such books, records, lists or documents as, in his opinion, may afford evidence of an offence under these Regulations.

(2) An inspector may, for the purposes of examination or production as evidence, seize and remove without payment any sample or specimen of any controlled goods in the possession of any person referred to in sub-regulation (1).

(3) An inspector shall issue a receipt in respect of anything seized in terms of this regulation.

(4) Anything seized in terms of this regulation shall, if circumstances permit, be returned to its owner at the conclusion of any proceedings taken or inquiries made in relation thereto.

### **Fixing of prices by order**

6. The Minister may by order-

- (a) fix the maximum, minimum or specified prices to be paid to producers of any controlled goods by persons generally, by any specified person or by any persons of a specified class or group;
- (b) determine the method by which such prices shall be fixed, computed or calculated;
- (c) prescribe standards of quality, composition and condition, and minimum standards, for any controlled goods and prohibit, regulate or restrict the sale of any controlled goods which do not conform with such prescribed standards;
- (d) prescribe the specific designation under which any particular controlled goods may be sold and prohibit, regulate or restrict the sale of such controlled goods under designations other than the prescribed designations;
- (e) provide for the prevention of the evasion of any order.

### **Offences and penalties**

7. Any person who-

- (a) contravenes or fails to comply with any order, request or demand lawfully made under these Regulations;
- (b) wilfully furnishes the Minister or an inspector with any incorrect or incomplete information or explanation;
- (c) hinders, obstructs or delays an inspector in the performance of his duties or the exercise of his powers under these Regulations;
- (d) refuses or fails to answer to the best of his knowledge any questions lawfully put to him under these Regulations;
- (e) contravenes or fails to comply with any provision of these Regulations or of any order;

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding thirty thousand penalty units or to imprisonment for a period not exceeding six months, or to both.

(As amended by S.I. No. 390 of 1967 and Act No. 13 of 1994)