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SCHEDULE
LAWS AMENDED
(Section 35)

No. and year of Act	Short Title	Extent of amendment
Act 77 of 1973	Trade Metrology Act, 1973	<p>1. Amendment of section 1 by—</p> <p>(a) the insertion after the definition of "certify" of the following definition:</p> <p style="padding-left: 2em;">"chief executive officer means the <u>Chief Executive Officer of the South African Bureau of Standards appointed in terms of the Standards Act, 2008</u>;"</p> <p>(b) the deletion of the definition of "president";</p> <p>(c) the substitution for the definition of "SABS Council" of the following definition:</p> <p style="padding-left: 2em;">"SABS [Council] Board means the <u>[Council] Board of the South African Bureau of Standards referred to in [section 6 of the Standards Act, 1993 (Act No. 29 of 1993)] the Standards Act, 2008</u>;"</p> <p>2. Amendment of section 2 by—</p> <p>(a) the substitution for subsection (1) of the following subsection:</p>

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		<p>"(1) The SABS [Council] Board shall appoint a Director of Trade Metrology.";</p> <p>(b) the substitution for subsection (2) of the following subsection: "(2) The SABS [Council] Board shall appoint a Deputy Director of Trade Metrology, who may, subject to the control and directions of the director or in absence of the director or if the director is for any other reason unable to perform his or her duties or if the post of director is temporarily vacant, do anything which may lawfully be done by the director.".</p> <p>3. Amendment of section 3 by—</p> <p>(a) the substitution for subsection (1) of the following subsection: "(1) The SABS [Council] Board may from time to time, on the recommendation of the director, appoint inspectors or verification officers to verify or test all measuring instruments or any particular kind of measuring</p>

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		<p>instrument in accordance with the provisions of this Act.";</p> <p>(b) the substitution in subsection (2) for paragraph (b) of the following paragraph: "(b) he holds a certificate issued to him by the SABS [Council] Board to the effect that he is qualified to act as an inspector or verification officer in respect of all measuring instruments or a particular kind of measuring instrument."</p> <p>4. Section 4 is hereby amended by the substitution therefor of the following section:</p> <p>"Appointment of examiners</p> <p>4. The SABS [Council] Board may, on the recommendation of the director, appoint examiners to exercise the functions of examiners under this Act."</p> <p>5. Section 5 is hereby amended by the substitution therefor of the following section:</p>

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		<p>"Administration of the Act</p> <p>5. (1) Subject to the control of the Minister, this Act shall be administered by the SABS [Council] Board and by the director, inspectors, accredited laboratories, verification officers and examiners, who shall perform their duties under the control of the SABS [Council] Board.</p> <p>(2) The SABS [Council] Board may, subject to the conditions it may impose, delegate or assign to the [president] Chief Executive Officer any power or duty conferred or imposed on it by section 3 or 4."</p> <p>6. Section 7 is hereby amended by the substitution therefor of the following section:</p> <p>"Carrying out of functions may be assigned to statutory bodies or accredited laboratories</p> <p>7. (1) The Minister may, after consultation with</p>

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		<p>the SABS [Council] Board, assign in writing to any statutory body or provincial government the carrying out, subject to such conditions and requirements as may be prescribed by regulation, of any function specified in this Act.</p> <p>(2) The SABS [Council] Board may in writing, on the recommendation of the director, designate any accredited laboratory to verify all measuring instruments or any particular kind of measuring instrument in respect of which such laboratory is accredited."</p> <p>7. Section 22A is hereby amended by the substitution for subsection (1) of the following subsection:</p> <p>"(1) Any fees collected and costs recovered in terms of section 18 or section 22(1) shall constitute revenue of the SABS [Council] Board and shall be dealt with in accordance with the provisions of the Standards</p>

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		<p data-bbox="1105 293 1375 351">Act, [1993 (Act No. 29 of 1993)] 2008."</p> <p data-bbox="1016 392 1375 523">8. Section 24 is hereby amended by the substitution for subsection (3) of the following section:</p> <p data-bbox="1105 530 1375 902">"(3) Any costs incurred by the SABS [Council] Board in connection with any appeal which in the opinion of the committee is based on frivolous grounds, shall be borne by the appellant."</p> <p data-bbox="1016 943 1375 1104">9. Section 27 is hereby amended by the substitution for subsection (8) of the following subsection:</p> <p data-bbox="1105 1111 1375 1960">"(8) The Minister shall before the publication of any notice under subsection (1) consult the Board referred to in section 6(1) of the Measuring Units and National Measuring Standards Act, 1973, or if there is no such board, the [Council of the South African Bureau of Standards referred to in section 6 of the Standards Act, 1993 (Act No. 29 of 1993)], <u>SABS Board</u> and the</p>

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		<p>Board of the CSIR referred to in section 7 of the Scientific Research Council Act, 1988 (Act No. 46 of 1988).".</p> <p>10. Section 45 is hereby amended by the substitution for subsection (1) of the following section:</p> <p>"Disclosure of certain information to protect consumer</p> <p>45. (1) The [President] <u>Chief Executive Officer</u> may, if he or she is of the opinion that it is necessary in the public interest and to protect the consumer, reveal in any manner—</p> <p>(a) any information which in his or her opinion is necessary to prevent the public from being misled concerning any aspect regulated by this Act;</p> <p>(b) the name of a person who in his or her opinion does not comply with any provision of this Act.".</p>
Act 103 of 1977	National Building Regulations and Building	1. Amendment of section 1 by—

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	Standards Act	<p>(a) the insertion after the definition of "architectural area" of the following definition: <u>" 'Board' means the Board as defined in section 1 of the Standards Act, 2008."</u>;</p> <p>(b) the deletion of the definition of "council";</p> <p>(c) the deletion of the definition of "bureau";</p> <p>(d) the insertion after the definition of "specification" of the following: <u>" 'SABS' means the SABS as defined in section 1 of the Standards Act, 2008; and</u></p> <p>(e) the substitution for the definition of "Standards Act" of the following definition: <u>" 'Standards Act' means the Standards Act, [1982] 2008."</u></p> <p>2. The word "bureau" is hereby substituted for "SABS" wherever it occurs.</p> <p>3. The word "Council" is hereby substituted for the word "Board" wherever it occurs except in the</p>

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		<p>substitution for subsections (1), (2) and (3) of the following subsections:</p> <p>"(1) The Minister may on such conditions as he may think fit, in writing delegate any power conferred on him by or under this Act, other than a power referred to in section 2(2) or (4), 9(2), 17, 19, 20, 27 or 29 to the [director-general] Chief Executive Officer of the bureau, but the delegation of any such power shall not prevent the exercise thereof by the Minister himself.</p> <p>(2) The council may in writing delegate any power conferred upon it—</p> <p>(a) by or under this Act, other than a power referred to in section 17 or 27, to the [director-general] Chief Executive Officer of the bureau;</p> <p>(b) in terms of section 18(2), in such conditions as it generally or in any particular case may think fit, to any local authority or category of local authorities,</p>

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		<p>but the delegation of any such power shall not prevent the exercise thereof by the council itself.</p> <p>(3) The [director-general] <u>Chief Executive Officer</u> of the bureau may in writing delegate any power delegated to him in terms of subsection (1) or (2) to any person in the employ of the bureau, but the delegation of any such power shall not prevent the exercise thereof by the [director-general] <u>Chief Executive Officer</u> himself."</p>