

REPUBLIC OF SOUTH AFRICA

**SELECT COMMITTEE AMENDMENTS
TO**

SECOND-HAND GOODS BILL

[B 2B—2008]

*(As agreed to by the Select Committee on Security and Constitutional Affairs)
(National Council of Provinces)*

AMENDMENTS AGREED TO

SECOND-HAND GOODS BILL
[B 2B-2008]

LONG TITLE

1. On page 2, on line 2, to omit “limit” and insert “combat”.

DEFINITIONS

1. On page 4, after line 24 to insert the following definition:

“charity organization” means a voluntary organization established for charitable purposes, that carries on a business in dealing in second-hand goods and where such charity organization acquires such second-hand goods by way of donation;

2. On page 4, on line 44 after “(Act No. 60 of 2000)” to insert “, books and clothing,”
3. On page 5, on line 7, after the semicolon to omit “or”.
4. On page 5, on line 9, after the semicolon to insert “or”.
5. On line 5, after line 9 to insert the following paragraph (c):

(c) otherwise engages in “pawn transactions” within the meaning of the National Credit Act, 2005 (Act No. 34 of 2005);

CLAUSE 4

1. On page 6, on line 14 after “two” to insert “identity”.

CLAUSE 14

1. On page 9, on line 9, to omit “A person” and to insert “Subject to the provisions of section 39, a person”.
2. On page 9, on line 25, after “(1)” to insert “(a), (b), (c), (d), or (f)”

CLAUSE 32

1. On page 15, after line 38, to insert the following paragraph (e):

(e) contravenes or fails to comply with the prescribed certificate or the conditions specified on such prescribed certificate by—

- (i) dealing in classes of goods other than those specified on the certificate of registration;
- (ii) conducting business from premises other than those specified on the certificate of registration; or
- (iii) conducting business in a manner other than specified on the certificate of registration;

4. On page 16, after line 4, to insert the following subsection (3):

(3) A court may in addition to any other penalty imposed upon conviction of a person of any of the offences under this Act –

- (a) in the event of a continuing contravention, impose a further fine or imprisonment for a period of thirty (30) days or both a fine and imprisonment for each day on which such contravention continued;
- (b) suspend or cancel any exemption granted in terms of this Act;
- (c) suspend or cancel any registration; and
- (d) order that the second-hand goods which formed the subject of the charge against that person, be forfeited to the State.

CLAUSE 39

1. On page 16, on line 43, to omit section 39 and to insert:

Condonation and extension of time

39. The National Commissioner may, on good cause shown and on grounds which are not in conflict with the objects of this Act, extend any period contemplated in this Act or condone any disqualification contemplated in section 14.

CLAUSE 42

1. On page 17 on line 47, to omit “or”.
2. On page 17 on line 50, to omit “.” and to insert “; or”
3. On page 17, after line 50, to insert the following paragraph (c):

(c) any charity organization to the extent that the Minister by notice in the *Gazette* exempts such charity from any or all provisions of this Act.

SCHEDULE 1

1. On page 19, after line 2 to insert “(Section 1)”.
2. On page 19, in line 6, after the word “harvesters” to insert “, irrigation equipment”.
3. On page 19, on line 20, to omit “Clothing.”.
4. On page 19, on line 22, to omit “Books.”.

SCHEDULE 2

1. On page 19, after line 24, to insert “(Section 1)”.