

**CHAPTER 18:15**  
**PIG INDUSTRY ACT**

*Acts 28/1959 (Federal), 15/1960 (Federal), 53/1964, 39/1973 (ss. 50 and 53), 58/1981, 3/1985, 26/1990, 29/1990, 22/2001 (s. 4); R.G.Ns. 805/1963, 214/1964, 462/1964, 217/1970, 236/1970, 825/1973.*

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**AN ACT to establish a Pig Industry Board; to define its functions, duties and powers; to provide for the imposition and collection of levies on pigs produced in Zimbabwe; and to provide for the development of the pig industry in Zimbabwe and for matters incidental thereto.**

[Date of commencement: 1st February, 1960.]

## PART I

### PRELIMINARY

#### 1 Short title

This Act may be cited as the Pig Industry Act [*Chapter 18:15*].

#### 2 Interpretation

In this Act—

“bacon” means any part of the carcass of a pig, excluding the feet and the offal and all parts of the head except the chaps, which has been salted or smoked or salted and smoked or pickled and smoked;

“bacon factory” means premises where pig carcasses are dressed and cured for the making of bacon or ham for sale or for export from Zimbabwe;

“Board” means the Pig Industry Board established in terms of Part II;

“committee of the Board” means a committee of the Board established in terms of subsection (1) of section *nine*;

“dealer” includes—

- (a) an auctioneer, broker, purchaser, seller or exporter of pigs or pig carcasses and a person engaged in the pig industry as defined in paragraph (b) of the definition of pig industry or in any other trade or industry in which pig carcasses are utilized or treated; and
- (b) a marketmaster and a local authority;

and cognate expressions shall be construed by reference, amongst other things, to transactions or operations such as are carried on by persons referred to in paragraph (a) of this definition;

“financial year” means the period of twelve months ending on the 30th June each year;

“Government grader” means a Government grader appointed in terms of subsection (1) of section *forty* and includes a person exercising or performing any of the powers or duties of a Government grader conferred or imposed upon him in terms of subsection (2) of that section;

“ham” has the meaning assigned to bacon;

“inspector” means an inspector appointed in terms of subsection (1) of section *forty* and includes a person exercising or performing any of the powers or duties of an inspector conferred or imposed upon him in terms of subsection (2) of that section;

“levy” means the levy prescribed in terms of section *twenty-six*;

“licence” means a licence issued in terms of section *thirty-seven*;

“member” means member of the Board;

“Minister” means the Minister of Agriculture or any other Minister to whom the President may, from time to time, assign the administration of this Act;

“Ministry” means the Ministry for which the Minister is responsible;  
“pig carcass” means the carcass or any part of the carcass of a pig;  
“pig industry” includes anything and everything connected with—  
    (a) the production, handling, treatment, processing and preparation for market or for export from Zimbabwe of pigs and pig carcasses; and  
    (b) the dressing and curing of pig carcasses for the making of bacon or ham;  
“Pig Levy Account” means the Pig Levy Account established in terms of section *twenty-eight*;  
“pig products” means pork, bacon, ham and other products for human consumption which are derived from pig carcasses;  
“producer” means a person who, by himself or by means of his agents or servants, produces pigs in Zimbabwe;  
“regulation” includes an order or notice;  
“Secretary” means the Secretary of the Ministry for which the Minister is responsible;  
“sell” includes to exchange or dispose of for valuable consideration.

## PART II

### ESTABLISHMENT OF BOARD

#### 3 Establishment of Board

There shall be a board to be known as the Pig Industry Board which shall be a body corporate capable of suing and being sued in its corporate name and, subject to this Act, of doing all such acts as a body corporate may by law perform.

#### 4 Appointment of members

- (1) The Board shall consist of seven members appointed by the Minister after consultation and in accordance with any directions the President may give him.
- (2) The Minister shall designate one member as chairman of the Board and one member as vice-chairman of the Board.
- (3) A member shall hold office for two years.
- (4) A retiring member shall be eligible for reappointment.
- (5) A member shall be paid out of the funds of the Board such remuneration and allowances as the Minister may prescribe.

#### 5 Disqualification for appointment as member

The Minister shall not appoint a person as a member and no person shall be qualified to hold office as a member who—

- (a) has, in terms of a law in force in any country—
  - (i) been adjudged or otherwise declared insolvent or bankrupt and has not been rehabilitated or discharged; or
  - (ii) made an assignment to or arrangement or composition with his creditors which has not been rescinded or set aside;
- or
- (b) has, within the period of five years immediately preceding the date of his proposed appointment, been convicted—
  - (i) within Zimbabwe of a criminal offence; or
  - (ii) outside Zimbabwe of an offence, by whatever name called, which if committed within Zimbabwe would have been a criminal offence;  
and sentenced by a court to imprisonment for a term of six months or more, without the option of a fine, whether or not such sentence has been suspended, and has not received a free pardon; or
- (c) is a member of Parliament or was, at any time during the period of twelve months ending on the date of his proposed appointment as a member, a member of Parliament.

#### 6 Vacation of office of member

A member shall vacate his office and his office shall become vacant—

- (a) one month after the date he gives notice in writing to the Minister of his intention to resign his office or after the expiration of such shorter period as he and the Minister may agree; or
- (b) thirty days after the date he is sentenced by a court to imprisonment referred to in paragraph (b) of section *five* after conviction of an offence referred to in that paragraph:

Provided that if, during the said period of thirty days, an application for a free pardon is made or an appeal is filed, the question whether the member is to vacate his office shall not be determined until the final disposal of such application or appeal, whereupon the member shall forthwith vacate his office and his office shall become vacant unless he is granted a free pardon, his conviction is set aside, his sentence

is reduced to a term of imprisonment of less than six months or a punishment other than imprisonment is substituted; or

- (c) if he becomes disqualified in terms of paragraph (a) or (c) of section *five* to hold office as a member; or
- (d) if he is absent from three consecutive meetings of the Board of which he has had notice without the permission of the chairman; or
- (e) if, in the opinion of the Minister, he—
  - (i) is guilty of improper conduct as a member; or
  - (ii) is mentally or physically incapable of efficiently performing his duties as a member; or
  - (iii) does not, after the Board has, in terms of this Act, been ordered by the High Court to remedy a default, take all possible steps to cause compliance to be made with the order; or
  - (iv) is concerned in, or participates in the profits of, any contract with or work done for the Board, otherwise than as a member, unless—
    - A. the contract or work is entered into or done in the ordinary course of the business of the Board; and
    - B. he receives no preferential treatment over or more advantageous terms than other members of the public.

## **7 Filling of vacancies on Board**

On the death of, or the vacation of office by, a member the Minister may appoint a person to fill the vacancy.

## **8 Meetings and decisions of Board**

(1) The Board shall meet together for the dispatch of business and adjourn, close and otherwise regulate its meetings and proceedings as it thinks fit.

(2) The chairman of the Board may himself at any time and shall, at the request in writing of four members, convene a special meeting of the Board.

(3) A notice convening a special meeting of the Board shall state the purposes for which the meeting is to be convened.

(4) If the chairman of the Board is prevented by illness, absence from Zimbabwe or other cause from exercising his functions on the Board, the vice-chairman shall exercise the powers and fulfil the duties and functions of the chairman.

(5) If the vice-chairman notifies the Minister in writing that he is unable to exercise the powers and fulfil the duties and functions of the chairman as in subsection (4) is provided, the Minister may appoint a member, other than the vice-chairman, to act as chairman of the Board and the member so appointed shall exercise the powers and fulfil the duties and functions of the chairman.

(6) If at a meeting of the Board the chairman and the vice-chairman are absent and an acting chairman has not been appointed in terms of subsection (5), the members present may elect one of their number to preside as chairman at the meeting.

(7) Four members shall form a quorum at a meeting of the Board.

(8) All acts, matters or things authorized or required to be done by the Board may be decided by resolution of a meeting at which a quorum is present.

(9) At all meetings of the Board each member present shall have one vote on a question before the Board and, in the event of an equality of votes, the chairman shall have, in addition to a deliberative vote, a casting vote.

## **9 Appointment of committees of Board**

(1) For the better exercise of the functions and powers and the performance of the duties of the Board, the Board may, with the consent of the Minister, establish one or more committees of its members in whom may be vested such of the Board's functions, powers and duties as the Board, with the approval of the Minister, may direct.

(2) The chairman of the Board may at any time and at any place convene a meeting of a committee of the Board.

(3) The procedure of a committee of the Board shall be fixed by the Board.

(4) A committee of the Board shall have power to co-opt persons who are not members.

## **10 Right of certain officers to attend meetings and take part in proceedings of Board and committees of Board**

(1) Such officers of the Ministry, not exceeding two, as the Minister may designate shall, subject to subsection (2), be entitled to—

- (a) attend meetings of the Board or of a committee of the Board; and
- (b) take part in the proceedings of the Board or of a committee of the Board;

as if they were members.

(2) An officer referred to in subsection (1) shall not have a vote on a question before the Board or a committee of the Board.

## **11 Validity of Board's decisions and acts**

No decision or act of the Board or act done under the authority of the Board shall be invalid by reason only of the fact that—

- (a) the Board did not consist of the full number of members for which provision is made in section *four*; or
- (b) a disqualified person acted as a member at the time the decision was taken or the act was done or authorized;

if the decision was taken or the act was done or authorized by a majority of the persons who at the time were entitled to act as members.

## **12 Contracts and instruments of Board**

An agreement, contract or instrument may be entered into or executed on behalf of the Board by any person or persons generally or specially authorized by the Board for the purpose.

## **PART III**

### **FINANCIAL PROVISIONS RELATING TO BOARD**

## **13 Establishment and operation of general fund of Board**

The Board shall establish a general fund—

- (a) into which all moneys received by the Board shall be paid in the first instance; and
- (b) out of which all payments made by the Board shall be paid.

## **14 Establishment and operation of general reserve account of Board**

(1) The Board may establish a general reserve account to which may be appropriated from any surplus of revenue over expenditure such sums as the Minister may approve.

(2) Sums appropriated to the general reserve account in terms of subsection (1) may, with the approval of the Minister, be used for such purposes as the Board may consider expedient for the proper exercise and performance of its functions, powers and duties.

## **15 Charges to revenue account of Board and investment of moneys in sinking fund**

(1) The Board shall charge to its revenue account all charges which in the normal conduct of business are regarded as proper to be made to revenue account and, in so doing, shall make adequate annual provision, whether by sinking fund or other proper means, for—

- (a) the redemption of loans at due times; and
- (b) interest on and all other charges and expenses incurred in connection with loans; and
- (c) the depreciation or diminution in value of assets.

(2) Moneys in sinking funds established in terms of subsection (1) shall be invested in such manner as the Minister, acting in consultation with the Minister responsible for finance, may approve.

## **16 Funds of Board**

The funds of the Board shall consist of—

- (a) any moneys granted for the purpose of developing the pig industry in Zimbabwe by any person or authority which the person or authority directs shall be paid to the Board; and
- (b) any moneys paid to the Board out of the Pig Levy Account; and
- (c) any moneys paid to the Board by virtue of any enactment; and
- (d) such other moneys or assets as may vest in or accrue to the Board, whether in the course of its operations or otherwise.

## **17 Accounts of Board**

The Board shall cause to be kept proper books of account and other records in relation thereto and to all its operations, works and property.

## **18 Appointment of auditors and audit of Board's accounts**

(1) The Board shall, with the approval of the Minister, appoint one or more persons who are registered as public auditors in terms of the Public Accountants and Auditors Act [Chapter 27:12], hereinafter referred to as the auditors, to examine the accounts of the Board not less than once in each financial year.

(2) The Board shall produce and lay before the auditors all books and accounts of the Board, with all vouchers in support thereof and all books, papers and writing in its possession or control relating thereto.

(3) The auditors shall be entitled to require from all members and all employees of the Board such information and explanations as may be necessary for the performance of their duties as auditors.

(3a) Any member or employee of the Board who fails without just cause to comply with a requirement of an auditor in terms of subsection (3) shall be guilty of an offence and liable to a fine not exceeding level four or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

[Subsection as inserted by section 4 of Act No. 22 of 2001]

(4) All expenses in connection with or incidental to an audit shall be borne and paid by the Board.

## 19 Special duty of auditors

It shall be the duty of the auditors, in addition to the ordinary duties of auditors, to certify not less than once in each financial year whether or not—

- (a) the accounts of the Board have been properly kept; and
- (b) the accounts of the Board present a true and correct view of the financial position of the Board according to the information and explanations given and the books and records produced to them; and
- (c) the Board has complied with their requirements and recommendations.

## PART IV

### FUNCTIONS, DUTIES AND POWERS OF BOARD

## 20 Functions and duties of Board

The functions and duties of the Board shall be—

- (a) to carry out pig research in Zimbabwe and to establish and operate pig litter testing stations; and
- (b) to promote and advise the Minister on all matters relating to the production and marketing of pigs; and
- (c) to do the things which this Act requires shall be done by the Board and, with the approval of the Minister, to do such other things as are necessary in the opinion of the Board to assist the development of the pig industry in Zimbabwe.

## 21 Powers of Board

(1) Subject to this Act, the Board may, with the approval of the Minister, do all or any of the things specified in the Schedule.

(2) The Minister may approve the exercise by the Board of the power to do a thing specified in the Schedule either generally or specially.

## 22 By-laws of Board

The Board may make by-laws for the good government and conduct of the business of the Board, the conditions of service of the employees of the Board and any other matter in the opinion of the Board necessary or convenient to be provided for the carrying on of the operations of the Board.

## 23 Reports of Board

(1) In addition to the annual report which the Board is required to submit to the Minister in terms of section 44 of the Audit and Exchequer Act [Chapter 22:03], the Board—

- (a) may submit to the Minister such other reports as the Board considers advisable; and
- (b) shall submit to the Minister such other reports as the Minister may require;

in regard to the pig industry in Zimbabwe and the operations of the Board.

(2) The Minister may lay a report submitted to him by the Board in terms of subsection (1) before Parliament.

## 24 Proceedings on failure of Board to comply with Act

(1) If at any time it appears to the Minister that the Board has failed to comply with this Act, he may, by notice in writing, require the Board to make good the default within a specified time.

(2) If the Board fails to comply with a notice referred to in subsection (1), the Minister may apply to the High Court for an order compelling the Board to remedy the default and the High Court may make such order on the application as it thinks fit.

## PART V

### IMPOSITION AND COLLECTION OF LEVY ON PIGS

## 25 Application of Part V

This Part shall not apply in relation to pigs which are—

- (a) subject to a levy imposed in terms of the District Development Fund Act [Chapter 29:06]; or
- (b) produced by a producer and consumed by him, members of his household or his employees.

## 26 Imposition of levy on pigs

(1) Subject to this Act, there shall be a levy at such rate as the Minister may prescribe on all pigs produced and slaughtered, and such levy may be based upon—

- (a) the dead mass of the pigs; or
- (b) a percentage of the gross return to the producer of the pigs; or
- (c) a percentage of the price paid to the producer of the pigs.

(2) The Minister shall prescribe the persons who shall be responsible for the payment of the levy and the persons who shall be responsible for the collection and remittance of the levy and the manner in and the times at which the levy shall be paid, collected and remitted.

(3) The levy shall be remitted to the Secretary.

(4) Any person who, without lawful excuse, fails or refuses to pay, collect or remit a levy in terms of this Act shall be guilty of an offence and liable to a fine not exceeding level five or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

[Subsection as inserted by section 4 of Act No. 22 of 2001]

## **27 Withdrawal or suspension of levy**

The Minister may at any time, by statutory instrument—

- (a) withdraw the levy; or
- (b) suspend the collection of the levy;

in whole or in part.

## **28 Establishment of Pig Levy Account**

The Minister shall, notwithstanding the Audit and Exchequer Act [Chapter 22:03], establish in respect of the levy a special account to be known as the Pig Levy Account into which shall be paid the proceeds of the levy.

## **29 Disposal of levy**

The Minister shall from time to time pay to the Board the amount standing to the credit of the Pig Levy Account.

## **30 Summary judgment for levy in criminal proceedings**

(1) On the conviction of a person for an offence of failing or refusing to pay or to collect, or to remit to the Secretary, the levy in terms of this Act, the court convicting the accused may, on the application of the prosecutor and in addition to any penalty which it may inflict, give summary judgment against the accused in favour of the Minister for the amount of the levy to which the offence relates.

(2) A judgment given by a court in terms of subsection (1) shall have the same force and effect and may be executed in the same manner as if the judgment had been given in a civil action instituted in the court.

## **31 Recovery of levy**

The Minister may, by civil action in a competent court, recover the amount of the levy which is due in terms of this Act from a person required in terms of this Act to pay the levy or to collect and remit the levy to the Secretary.

## **32 Legal costs of Minister**

The costs payable by the Minister in an action referred to in section thirty-one shall be paid from the funds in the Pig Levy Account.

## **PART VI**

### **DEVELOPMENT OF PIG INDUSTRY IN ZIMBABWE**

## **33 Certain pig carcasses to be graded throughout Zimbabwe**

The carcasses of all pigs slaughtered in Zimbabwe for—

- (a) export or sale as carcasses; or
- (b) making into bacon, ham or other products for human consumption;

shall be graded immediately after slaughter in accordance with this Act.

## **34 Minister may define areas in Zimbabwe within which all carcasses to be graded**

The Minister, after consulting the Board, may, by statutory instrument, define areas in Zimbabwe within which, from and after a date specified in the statutory instrument, the carcasses of all pigs slaughtered for sale or export in any form whatsoever shall be graded immediately after slaughter in accordance with this Act.

## **35 Duties of Government graders**

A Government grader shall—

- (a) examine the quality of each pig carcass liable to be graded in accordance with this Act; and
- (b) grade the pig carcass and mark the grade on the carcass in the prescribed manner.

## **36 Bacon factories to be licensed**

(1) No person shall use premises as a bacon factory—

- (a) unless he holds a licence to use those premises as a bacon factory issued by the Minister; and
- (b) otherwise than in accordance with the conditions, if any, contained in the licence.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and liable to a fine not exceeding level six or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

[Subsection substituted by section 4 of Act No. 22 of 2001]

## **37 Applications for and issue of licences**

(1) An application for a licence referred to in subsection (1) of section thirty-six shall be made to the Secretary in the form and in the manner prescribed.

(2) The Secretary shall refer an application made in terms of subsection (1) for inquiry and report by the Board.

(3) The Minister shall issue a licence if—

(a) the premises in respect of which the application for the licence is made conform with the specifications and standards prescribed by regulations providing for the matters referred to in paragraph (m) of subsection (2) of section *forty-one*, and

(b) after—

(i) considering the report of the Board and any representations in writing made by the applicant; and

(ii) taking into account the number of licences issued and the annual pig production in Zimbabwe; and

(iii) consulting the Minister responsible for industry and commerce;

the Minister is of the opinion that the issue of the licence will not adversely affect the development of the pig industry in Zimbabwe.

(4) A licence shall, subject to section thirty-eight, cease to be of force on the 31st December in the year in which it is issued.

### **38 Extension of licences**

(1) Subject to subsection (3), the Minister shall, on the application of the holder of a licence, extend the licence from year to year to the 31st December.

(2) An application for the extension of a licence shall be made to the Secretary in the form and in the manner prescribed.

(3) The Minister shall not, unless he is of the opinion that there are special circumstances justifying the extension of the licence, extend a licence if the premises in respect of which the licence was issued—

(a) no longer conform with the specifications and standards prescribed by regulations providing for the matters referred to in paragraph (m) of subsection (2) of section *forty-one*; or

(b) have not been used by the holder of the licence for dressing and curing pig carcasses for the making of bacon or ham during the period of six months ending on the date application for the extension of the licence is made.

(4) If the holder of a licence applies for an extension of the licence before the 31st December in any year, the licence shall be treated as being of force until the holder is notified in writing by the Secretary that the Minister has refused the application or has extended the licence.

### **39 Conditions of licences**

In issuing or extending a licence the Minister may impose such conditions, including a condition requiring the holder of the licence to dress and cure annually a maximum or a minimum number or not more than a maximum or less than a minimum number of pig carcasses for the making of bacon or ham, as in his opinion are necessary to assist the development of the pig industry in Zimbabwe.

## **PART VI**

### **GENERAL**

### **40 Appointment of Government graders and inspectors**

(1) Subject to the law relating to the Public Service, the Minister may, for the purposes of this Act, appoint persons as Government graders or inspectors or as Government graders and inspectors.

(2) The Minister may confer all or any of the powers and impose all or any of the duties of an inspector under this Act upon any police officer or class of police officers.

### **41 Regulatory powers of Minister**

(1) The Minister may, by regulation, prescribe all matters which by this Act are required or are permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) The Minister may, in the exercise of the powers conferred upon him by subsection (1), provide for—

(a) the registration of producers, dealers and persons who slaughter pigs and the information to be supplied in connection with applications for registration;

(b) the keeping of books, registers and accounts, the furnishing of returns and the supply of information relating to the production and slaughter of and dealings in pigs, pig carcasses and pig products;

(c) the inspection by inspectors of—

(i) pigs, pig carcasses and pig products wherever they may be; and

(ii) books, registers and accounts referred to in paragraph (b); and

(iii) piggeries, bacon factories, land and other premises where pigs, pig carcasses and pig products are produced, handled, treated, processed, prepared, dressed, cured, dealt in or stored;

- (d) the seizure by an inspector of books, documents, pigs, pig carcasses or pig products which in the opinion of the inspector may afford evidence of a contravention of this Act and the doing of such other things as may appear to the inspector necessary for ascertaining whether compliance has been made with this Act;
  - (e) the production to inspectors of licences and of books, registers and accounts, pigs, pig carcasses, and pig products referred to in paragraph (c);
  - (f) the manner in which the levy shall be assessed and paid and the collection of and the remittal to the Secretary of the levy, including the collection and the remittal to the Secretary of the levy by dealers and persons who slaughter pigs;
  - (g) the grading and marking of pig carcasses and the naming and designating of the various grades;
  - (h) the marks to be used by Government graders and the manner of grading and marking pig carcasses;
  - (i) the grading, marking, packing or invoicing of pig products and the manner in which pig products shall be wrapped or packed so as to indicate the grade of pig from which they are derived;
  - (j) the prohibition or regulation of the sale, distribution, consignment or delivery of pig carcasses and pig products which have not been graded, marked, packed, wrapped or invoiced in accordance with regulations;
  - (k) the form and manner in which applications for licences and extensions of licences are to be made and the information to be supplied in connection therewith;
  - (l) the form of licences and the circumstances in which and conditions subject to which licences shall be issued or extended;
  - (m) the construction, lay-out and equipment of bacon factories;
  - (n) the fixing of maximum, minimum or specified prices determined by reference to dead mass and grade or live mass and grade which shall be paid for pigs;
  - (o) the fees and charges that may be levied for anything issued, supplied, made or done in terms of this Act.
- (3) Regulations in terms of subsection (1) may provide penalties for contraventions thereof, but no such penalty shall exceed a fine of level four or imprisonment for a period of three months or both such fine and such imprisonment.

[Subsection as inserted by section 4 of Act No. 22 of 2001]

## 42 Offences and penalties

- (1) Any person who—
- (a) when required to do in terms of this Act, fails or refuses to register as a producer, dealer or person who slaughters pigs; or
  - (b) without lawful excuse, fails or refuses to furnish a return or to supply information in the manner and in the time prescribed; or
  - (c) furnishes a false or incomplete return or supplies false or incomplete information for the purposes of this Act;

shall be guilty of an offence and liable to a fine not exceeding level four or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

- (2) Any person who—
- (a) hinders or obstructs a Government grader or inspector in the performance of his functions in terms of this Act; or
  - (b) on being directed to do so by an inspector, fails or refuses to produce for the inspector's inspection any licence or any pig, pig carcass or pig product or any book or record relating thereto which is in his possession or under his control;

shall be guilty of an offence and liable to a fine not exceeding level five or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

(3) Any person who, having slaughtered a pig whose carcass is required to be graded in terms of section *thirty-three* or *thirty-four*, fails to have it graded in accordance with this Act shall be guilty of an offence and liable to a fine not exceeding level six or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

- (4) Any person who—
- (a) without lawful excuse, marks on a pig carcass or pig produce a mark identical with a Government grader's mark or a mark so nearly resembling a Government grader's mark as to be likely to be mistaken for it; or
  - (b) forges a Government grader's mark on a pig carcass or pig product graded in terms of this Act;

shall be guilty of an offence and liable to a fine not exceeding level seven or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

[Section substituted by Act No. 22 of 2001]

## SCHEDULE (Section 21)

### POWERS OF BOARD

1. To acquire, establish and construct premises necessary or convenient for the exercise of the functions and the performance of the duties of the Board and for this purpose to buy, take on lease or in exchange, hire or otherwise acquire immovable property within Zimbabwe, and interests therein and rights over the same and concessions, grants, rights, powers and privileges in respect thereof, and to act in that connection either absolutely or conditionally and either solely or jointly with others.
2. To buy, take in exchange, hire or otherwise acquire vehicles, machinery, plant, apparatus and other movable property necessary or convenient for the exercise of the functions and the performance of the duties of the Board, and to act in that connection either absolutely or conditionally and either solely or jointly with others.
3. To maintain, alter and improve property acquired by the Board.
4. To apply for, buy or otherwise acquire patents, licences, concessions or the like conferring an exclusive or non-exclusive or limited right to use information or a process which may seem to the Board capable of being used for the purposes of the Board or the acquisition of which may seem to the Board calculated, directly or indirectly, to benefit the Board, and to use, exercise, develop and grant licences in respect of or otherwise turn to account rights, information and processes so acquired.
5. To import, export and deal with pigs for the purposes of conducting pig research, to deliver pigs to persons in Zimbabwe for the purposes of pig research and enter into contracts in connection with the handling, transport, treatment, processing, marking, packing, storing, grading and preparation for market or export from Zimbabwe of pigs, pig carcasses and pig products.
6. To introduce and give effect to measures for—
  - (a) the improvement of, and the promotion of quality in, pig production in Zimbabwe such as pig recording, litter testing, herd accreditation, boar licensing, premium boar schemes and grants for imported pedigree stock; and
  - (b) the encouragement by means of advertisements of the consumption of pig products in Zimbabwe.
7. To enter into, renew, cancel or abandon any arrangements with any government or authority, local or otherwise, that may seem conducive to the Board's objects or any of them, and to obtain from any such government or authority any rights, privileges and concessions which the Board may think it desirable to obtain, and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.
8. To sell, exchange, lease, mortgage, dispose of, turn to account or otherwise deal with the assets of the Board or any part of the assets of the Board which are not required for the purposes of the Board for such consideration as the Board may determine.
9. In the exercise of the functions or the performance of the duties of the Board to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable and transferable instruments.
10. To insure against losses, damages, risks and liabilities which the Board may incur.
11. To make contracts and to enter into suretyships or give guarantees in connection with the exercise of the functions or the performance of the duties of the Board or the operations of the Board and to modify or rescind such contracts and to modify or rescind such suretyships or guarantees.
12. Subject to the Audit and Exchequer Act [*Chapter 22:03*], to raise moneys, temporarily or otherwise, by way of loan or by bank overdraft.
13. Subject to the Audit and Exchequer Act [*Chapter 22:03*], to invest moneys of the Board not immediately required by the Board in such manner as the Board may determine and to vary or realize investments so made.
14. To appoint and employ such managers, technical officers, secretaries, accountants, clerks, workmen and other employees as the Board may consider expedient and necessary for the exercise of the functions or the performance of the duties of the Board and for the purposes of the operations of the Board.
15. To pay such remuneration and allowances, grant such leave of absence and make such gifts, bonuses and the like to persons in the employment of the Board as the Board may consider fit.
16. To provide pecuniary benefits for persons in the employment of the Board on their retirement, resignation, discharge or other termination of service or in the event of their sickness or injury and for their dependants, and for this purpose to effect policies of insurance, establish pension or provident funds or make such other provision as may be necessary to secure for persons in the employment of the Board and their dependants any or all of the pecuniary benefits to which this paragraph relates.
17. To purchase, take on lease or in exchange or otherwise acquire dwelling-houses for occupation by persons in the employment of the Board.
18. To purchase land and construct thereon dwelling-houses for occupation by persons in the employment of the Board.

19. To sell or lease dwelling-houses and land for residential purposes to persons in the employment of the Board.
20. On such terms and conditions as the Board may, with the approval of the Minister responsible for finance, fix—
  - (a) to advance money to persons in the employment of the Board for the purchase of dwelling-houses or land for residential purposes, the construction of dwelling-houses, the improvement of dwelling-houses or land which are the property of persons in the employment of the Board and the discharge of existing liabilities thereon; and
  - (b) to guarantee loans made to persons in the employment of the Board or their spouses for the purchase of dwelling-houses or land for residential purposes, the construction of dwelling-houses and the improvement of dwelling-houses or land which are the property of persons in the employment of the Board or their spouses; and
  - (c) to provide security in respect of loans such as are described in subparagraph (b) by the deposit of securities in which the Board is hereby authorized to invest such moneys it may deem necessary for the purpose.
21. To grant such scholarships or bursaries as the Board considers to be in the interests of the pig industry on such terms and conditions as may be fixed by the Board in each particular case.
22. Generally, to do all such things as are incidental or conducive to the exercise of the functions or the performance of the duties of the Board or are incidental to the powers specified in this Schedule or which are calculated, directly or indirectly, to enhance the value of or develop the operations of the Board.

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