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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU


No. R. 1335

11 December 2001

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996 (ACT No. 47 OF 1996)

ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON APPLES

I, Angela Thokozile Didiza, Minister of Agriculture, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the Schedule.


A.T. DIDIZA,

Minister of Agriculture.

SCHEDULE

Definitions

1. In this Schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning, and unless the context otherwise indicates –

“apple producer” means a producer of apples intended for exports and fresh domestic consumption, as well as for the production of apple juice concentrate;

“exporter” means a person who trade apples for export for his own account, or acts as an agent on a commission basis on behalf of apple producers;

“municipal market” means the national fresh produce markets as defined from time to time;

“processor” means an apple juice concentrate manufacturer; and

“retailer” means a person who trades apples on a retail level on the domestic market.

A person shall have a choice to register as either a producer or an exporter or municipal market or retailer or processor. A person who is a producer as well as an exporter must register as a producer and as an exporter or retailer.

Purpose and aims of statutory measure and the relation thereof to the objectives of the Act

2. The levy is needed by the Deciduous Fruit Producers' Trust (DFPT) to fund research projects; information and technology transfer; plant improvement functions; information and market statistics; market development and access to new markets for apples.

These measures are necessary to ensure that continuous, timeous and accurate information relating to the apple industry, is available to all role players in order for them to make informed decisions in the spheres as indicated.

The measure will not be detrimental to the number of employment opportunities or fair labour practice and will support the statutory measures relating to registration and the rendering of returns applicable to apples.

The measure will be administered by DFPT, a trust established in terms of section 6(1) of the Trust Property Control Act, 1988 (Act No. 57 of 1988). DFPT will implement and administer the measure as set out in the Schedule on behalf of DFPT Finance, a company incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973).

Products to which statutory measure applies

3. This statutory measure shall apply to apples destined for export and domestic fresh consumption and the manufacturing of apple juice concentrate.

Area in which statutory measure applies

4. This statutory measure shall apply within the geographical area of the Republic of South Africa.

Imposition of levy

5. A levy is hereby imposed on apples.

Amount of levy

6. The amount of the levy shall be -
- (a) 1,5 c/kg on all apples on export and domestic volumes on municipal markets and retail level; and
 - (b) 0,6 c/kg on all apples destined for the manufacturing of apple juice concentrate by concentrate processing plants.

Persons by whom and to whom levy is payable

7. (1) The levy imposed in terms of clause 5 shall -
- (a) be payable by an apple exporter on behalf of the producer from which such apples have been procured in respect of all apples exported;
 - (b) be payable by a municipal market on behalf of the producer from which such apples have been procured in respect of all apples sold on that market;

- (c) be payable by a retailer on behalf of the producer from whom such apples have been procured in respect of apples procured by the retailer; and
 - (d) be payable by a processor on behalf of a producer of such apples in respect of all apples procured for manufacturing of apple juice concentrate.
- (2) A levy imposed in terms of clause 5 shall be payable to DFPT Finance (Section 21) in accordance with clause 8.

Payment of levy

8. (1) Payment of the levy shall be made not later than sixty days following the month end wherein a quantity of apples was delivered for export or for sale on a municipal market or via a retailer or processor, or sold via any other method.

(2) Payment shall be made by means of a cheque or electronic transfer in favour of DFPT Finance (Section 21), and shall –

- (a) when paid by cheque, be addressed to –

DFPT Finance
P.O. Box 163
PAARL
7622

- (b) when electronically transferred, be paid to the bank account obtainable from DFPT on request.

Commencement and period of validity

9. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 30 October 2005.

No. R. 1335

11 Desember 2001

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996

(WET No. 47 VAN 1996)

**INSTELLING VAN 'N STATUTÊRE MAATREËLS EN DIE BEPALING
VAN HEFFINGS OP APPELS**

Ek, Angela Thokozile Didiza, Minister van Landbou, handelende kragtens artikels 13 en 15 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996), stel hiermee die statutêre maatreël in die Bylae uiteengesit, in.


A.T. DIDIZA,

Minister van Landbou.

BYLAE

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet gegee is, daardie betekenis en, tensy uit die samehang anders blyk, beteken –

"appelprodusent" 'n produsent van appels wat vir vars uitvoere en die binnelandse vars mark en verbruik asook vir die verwerking van appelkonsentraat bestem is;

"handelaar" 'n persoon wat handel dryf met vars appels, op kleinhandelsvlak op die binnelandse mark;

"munisipale mark" die varsproduktemarkte soos omskryf van tyd tot tyd;

"uitvoerder" 'n persoon wat vars appels uitvoer, hetsy vir sy eie rekening, of as 'n kommissie-agent optree namens appelprodusente; en

"verwerker" 'n appelkonsentraatvervaardiger.

'n Persoon sal die keuse hê om óf as 'n produsent óf as uitvoerder of as munisipale mark of as handelaar of as verwerker te registreer. 'n Persoon wat 'n produsent sowel as 'n uitvoerder is, moet registreer as beide 'n produsent en 'n uitvoerder of handelaar.

Oogmerk en doelwitte van die statutêre maatreël en die verband daarvan met die oogmerk van die Wet

2. Die heffing word deur die Sagtevrugte Produsente Trust (SPT) benodig vir die befondsing van navorsingsprojekte, inligting en tegnologie-oordrag; plantverbeteringsfunksies; markinligting en statistiek; markontwikkeling en toegang tot nuwe markte vir appels.

Die maatreël is noodsaaklik om te verseker dat deurlopende, tydige en akkurate inligting rakende die appelbedryf beskikbaar is aan alle rolspelers sodat hulle ingeligte besluite kan neem op die terreine soos aangedui.

Die maatreël sal nie nadelig op werksgeleenthede en regverdige arbeidspraktyke inwerk nie en sal die statutêre maatreëls met betrekking tot registrasie en die indiening van opgawes van toepassing op appels ondersteun.

Die maatreël sal deur die SPT, 'n trust wat in terme van artikel 6(1) van die Wet op Trust Goedere, 1988 (Wet No. 57 van 1988) opgerig is, uitgevoer word. Die SPT sal die maatreëls implementeer en administreer soos uiteengesit in hierdie Bylae namens DFPT Finance, 'n maatskappy geïnkorporeer onder artikel 21 van die Maatskappy Wet, 1973 (Wet No. 61 van 1973).

Produk waarop die statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël is op appels wat bedoel is vir uitvoer en vars binnelandse verbruik en die vervaardiging van appelkonsentraat van toepassing.

Gebied waarin die maatreëls van toepassing is

4. Hierdie statutêre maatreël is van toepassing binne die geografiese gebied van die Republiek van Suid-Afrika.

Instel van 'n heffing

5. 'n Heffing word hiermee ingestel op appels.

Bedrag van heffing

6. Die bedrag van die heffing sal –

- (a) 1,5 c/kg op alle appels op uitgevoerde en binnelandse volumes op munisipale markte en kleinhandelsvlak; en
- (b) 0,6 c/kg op alle appels bestem vir die vervaardiging van appelkonsentraat deur konsentraataanlegte beloop.

Persone deur wie en aan wie die heffing betaalbaar is

7. (1) Die heffing wat in terme van klousule 5 ingestel is, sal –

- (a) betaalbaar wees deur 'n appelduitvoerder namens die produsent van wie sodanige appels vir uitvoere bekom is;
- (b) betaalbaar wees deur 'n munisipale mark namens die produsent van wie appels bekom is met betrekking tot alle appels wat op die mark verkoop is;

- (c) betaalbaar wees deur 'n kleinhandelaar namens die produsent van wie appels bekom is met betrekking tot appels deur die kleinhandelaar bekom is; en
- (d) betaalbaar wees deur 'n verwerker namens die produsent van appels met betrekking tot appels wat vir die vervaardiging van appelkonsentraat bekom is.

(2) Die heffings soos ingestel in terme van klousule 5 sal betaalbaar wees aan DFPT Finance (artikel 21) soos aangedui in klousule 8.

Betaling van heffing

8. (1) Betaling van die heffing sal geskied nie later nie as sestig dae na die maandeinde waarin die hoeveelheid appels vir uitvoer of vir verkoop op munisipale markte of via 'n kleinhandelaar of aan 'n verwerker gelewer is, of via enige ander wyse verkoop is.

(2) Betaling sal geskied deur middel van 'n tjek of elektroniese oordrag uitgemaak aan DFPT Finance (artikel 21), en sal –

- (a) wanneer per tjek betaal word, geadresseer word aan –

DFPT Finance

Posbus 163

PAARL

7622

- (b) wanneer elektronies oorgedra word, direk in die bankrekening inbetaal word wat op versoek van die SPT verkry kan word.

Inwerkingtreding en tydperk van geldigheid

9. Hierdie statutêre maatreël tree in werking op die datum van publikasie hiervan en verval op 30 Oktober 2005.

No. R. 1336

11 December 2001

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996

(ACT No. 47 OF 1996)

**ESTABLISHMENT OF STATUTORY MEASURE AND
DETERMINATION OF LEVIES ON PEARS**

I, Angela Thokozile Didiza, Minister of Agriculture, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the Schedule.


A.T. DIDIZA,

Minister of Agriculture.

SCHEDULE

Definitions

1. In this Schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning, and unless the context otherwise indicates –

"exporter" means a person who trade pears for export for his own account, or acts as an agent on a commission basis on behalf of pear producers;

"municipal market" means the national fresh produce markets as defined from time to time;

"pear producer" means a producer of pears intended for exports and fresh domestic consumption; and

"retailer" means a person who trades pears on a retail level on the domestic market.

A person shall have a choice to register as either a producer or an exporter or municipal market or retailer or processor. A person who is a producer as well as an exporter must register as a producer and as an exporter or retailer.

Purpose and aims of statutory measure and the relation thereof to the objectives of the Act

2. The levy is needed by the Deciduous Fruit Producers' Trust (DFPT) to fund research projects; information and technology transfer; plant improvement functions, information and market statistics; market development and access to new markets for pears.

These measures are necessary to ensure that continuous, timeous and accurate information relating to the pear industry, is available to all role players in order for them to make informed decisions in the spheres as indicated.

The measure will not be detrimental to the number of employment opportunities or fair labour practice and will support the statutory measures relating to registration and the rendering of returns applicable to pears.

The measure will be administered by DFPT, a trust established in terms of section 6(1) of the Trust Property Control Act, 1988 (Act No. 57 of 1988). DFPT will implement and administer the measure as set out in the Schedule on behalf of DFPT Finance, a company incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973).

Products to which statutory measure applies

3. This statutory measure shall apply to pears destined for export and domestic fresh consumption.

Area in which statutory measure applies

4. This statutory measure shall apply within the geographical area of the Republic of South Africa.

Imposition of levy

5. A levy is hereby imposed on pears.

Amount of levy

6. The amount of the levy shall be 1,5 c/kg on all pears on export and domestic volumes on municipal markets and retail level.

Persons by whom and to whom levy is payable

7. (1) The levy imposed in terms of clause 5 shall –
- (a) be payable by a pear exporter on behalf of the producer from which such pears have been procured in respect of all pears exported;
 - (b) be payable by a municipal market on behalf of the producer from which such pears have been procured in respect of all pears sold on that market; and
 - (c) be payable by a retailer on behalf of the producer from whom such pears have been procured in respect of pears proceeded by the retailer.

- (2) A levy imposed in terms of clause 5 shall be payable to DFPT Finance (section 21) in accordance with clause 8.

Payment of levy

8. (1) Payment of the levy shall be made not later than sixty days following the month end wherein a quantity of pears was delivered for export or for sale on a municipal market or via a retailer or processor, or sold via any other method.

(2) Payment shall be made by means of a cheque or electronic transfer in favour of DFPT Finance (section 21), and shall –

(a) when paid by cheque, be addressed to –

DFPT Finance
P.O. Box 163
PAARL
7622

(b) when electronically transferred, be paid to the bank account obtainable from DFPT on request.

Commencement and period of validity

9. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 30 October 2005.

No. R. 1336

11 Desember 2001

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996
(WET No. 47 VAN 1996)

INSTELLING VAN 'N STATUTÊRE MAATREËLS EN DIE
BEPALING VAN HEFFINGS OP PERE

Ek, Angela Thokozile Didiza, Minister van Landbou, handelende kragtens artikels 13 en 15 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996), stel hiermee die statutêre maatreeël in die Bylae uiteengesit, in.



A.T. DIDIZA,

Minister van Landbou.

BYLAE**Woordomskrywing**

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet gegee is, daardie betekenis en, tensy uit die samehang anders blyk, beteken –

"handelaar" 'n persoon wat handel dryf met vars pere op kleinhandelsvlak op die binnelandse mark;

"munisipale mark" die varsproduktemarkte soos omskryf van tyd tot tyd;

"peerprodusent" 'n produsent van pere wat vir vars uitvoere en die binnelandse vars mark en verbruik bestem is; en

"uitvoerder" 'n persoon wat vars pere uitvoer, hetsy vir sy eie rekening, of as 'n kommissie-agent optree namens peerprodusente.

'n Persoon sal die keuse hê om of as 'n produsent of as uitvoerder of as munisipale mark of as handelaar of as verwerker te registreer. 'n Persoon wat 'n produsent sowel as 'n uitvoerder is, moet registreer as beide 'n produsent en 'n uitvoerder of handelaar.

Oogmerk en doelwitte van die statutêre maatreël en die verband daarvan met die oogmerk van die Wet

2. Die heffing word deur die Sagtevrugte Produsente Trust (SPT) benodig vir die befondsing van navorsingsprojekte, inligting en tegnologie-oordrag; plantverbeteringsfunksies; markinligting en statistiek; markontwikkeling en toegang tot nuwe markte vir pere.

Die maatreëls is noodsaaklik om te verseker dat deurlopende, tydige en akkurate inligting rakende die peerbedryf beskikbaar is aan alle rolspeleers sodat hulle ingeligte besluite kan neem op die terreine soos aangedui.

Die maatreël sal nie nadelig op werksgeleenthede en regverdige arbeidspraktyke inwerk nie en sal die statutêre maatreëls met betrekking tot registrasie en die indiening van opgawes van toepassing op pere ondersteun.

Die maatreël sal deur die SPT, 'n trust wat in terme van artikel 6(1) van die Wet op Trust Goedere, 1988 (Wet No. 57 van 1988) opgerig is, uitgevoer word. Die SPT sal die maatreëls implementeer en administreer soos uiteengesit in hierdie Bylae namens DFPT Finance, 'n maatskappy geïnkorporeer onder artikel 21 van die Maatskappy Wet, 1973 (Wet No. 61 van 1973).

Produk waarop die statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël is op pere wat bedoel is vir uitvoer en vars binnelandse verbruik van toepassing.

Gebied waarin die statutêre maatreël van toepassing is

4. Hierdie statutêre maatreël is van toepassing binne die geografiese gebied van die Republiek van Suid-Afrika.

Instel van 'n heffing

5. 'n Heffing word hiermee ingestel op pere.

Bedrag van pere

6. Die bedrag van die heffing sal 1,5 c/kg op alle pere op uitgevoerde en binnelandse volumes op munisipale markte en kleinhandelsvlak beloop.

Persone deur wie en aan wie die heffing betaalbaar is

7. (1) Die heffing wat in terme van klousule 5 ingestel is, sal —
- (a) betaalbaar wees deur 'n peeruitvoerder namens die produsent van wie sodanige pere vir uitvoerê bekom is;
 - (b) betaalbaar wees deur 'n munisipale mark namens die produsent van wie pere bekom is met betrekking tot alle pere wat op die mark verkoop is; en
 - (c) betaalbaar wees deur 'n kleinhandelaar namens die produsent van wie pere bekom is met betrekking tot pere wat deur die kleinhandelaar bekom is.

(2) Die heffings soos ingestel in terme van klousule 5 sal betaalbaar wees aan DFPT Finance (artikel 21) soos aangedui in klousule 8.

Betaling van heffing

8. (1) Betaling van die heffing sal geskied nie later nie as sestig dae na die maandeinde waarin die hoeveelheid pere vir uitvoer of vir verkoop op munisipale markte of via 'n kleinhandelaar of aan 'n verwerker gelewer is, of via enige ander wyse verkoop is.

(2) Betaling sal geskied deur middel van 'n tjek of elektroniese oordrag uitgemaak aan DFPT Finance (artikel 21), en sal –

(a) wanneer per tjek betaal word, geadresseer word aan –

DFPT Finance

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(b) wanneer elektronies oorgedra word, direk in die bankrekening inbetaal word wat op versoek van die SPT verkry kan word.

Inwerktreding en tydperk van geldigheid

9. Hierdie statutêre maatreël tree in werking op die datum van publikasie hiervan en verval op 30 Oktober 2005.

No. R. 1337

11 December 2001

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996

(ACT No. 47 OF 1996)

**ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF PRODUCERS,
EXPORTERS, TRADERS AND PROCESSORS OF APPLES AND PEARS**

I, Angela Thokozile Didiza, Minister of Agriculture, acting under sections 13 and 19 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the Schedule.

**A.T. DIDIZA,**

Minister of Agriculture.

SCHEDULE

Definitions

1. In this Schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning, and unless the context otherwise indicates –

"apple and pear producer" means a producer of apples and pears intended for fresh apple and pear exports and domestic fresh consumption;

"exporter" means a person who trade fresh apples and pears for export for his own account, or acts as an agent on a commission basis on behalf of producers;

"municipal market" means the fresh produce markets as defined from time to time;

"processor" means an apple juice concentrate manufacturer; and

"retailer" means a person who trades with apples and pears on a retail level on the domestic market.

A person shall have a choice to register as either a producer or an exporter. A person who is a producer as well as an exporter must register as a producer and as an exporter.

Purpose and aims of statutory measure and the relation thereof to the objectives of the Act

2. The purpose and aims of the statutory measure is to compel the parties set out herein to register with the Deciduous Fruit Producers' Trust (DFPT). Registration is necessary to assist the DFPT in ensuring that continuous, timeous and accurate information relating to the products as defined, is available to all role players. Market information is deemed essential for all role players in order for them to make informed decisions. By combining compulsory registration with the keeping of information and the rendering of returns on an individual basis, market information for the whole of the industry can be processed and disseminated and will form the basis for the collection of levies where applicable and appropriate.

The establishment of the measure would assist in promoting the efficiency of the marketing of apple and pear products. The viability of the apple and pear industry should thus be enhanced. The measure will not be detrimental to the number of employment opportunities of fair labour practice.

It will be administered by the DFPT, a trust established in terms of section 6(1) of the Trust Property Control Act, 1988 (Act No. 57 of 1988). The DFPT will implement and administer the measure as set out in the Schedule.

Products to which statutory measure applies

3. This statutory measure shall apply to apples and pears intended for fresh domestic consumption and/or export and/or manufacturing of apple juice concentrate.

Area in which statutory measure applies

4. This statutory measure shall apply within the geographical area of the Republic of South Africa.

Registration of parties concerned

5. (1) All producers, exporters, traders and processors of apples and pears for fresh domestic consumption and/or export, shall register with the DFPT.

(2) A person shall have a choice to register as either a producer or exporter or trader or processor.

(3) A person who is a producer as well as an exporter or trader or processor shall register as a producer and as an exporter or trader or processor.

Application for registration

6. Application for registration shall –

(1) be made within 30 days of the commencement of this statutory measure, and in the case of a person becoming a party as contemplated in clause 5 after such date of commencement, within 30 days of becoming such a party;

(2) be made on the application form obtainable free of charge from DFPT;

- (3) be submitted, when forwarded by post, to –

DFPT
P.O. Box 163
PAARL
7622

- (4) when delivered by hand, be delivered to –

DFPT
258 Main Road
PAARL

- (5) when sent by telefax, be addressed to –

(021) 870-2915

- (6) when sent by E-mail, addressed to –

info@deciduous.co.za

Commencement and period of validity

7. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 30 October 2005.

No. R. 1337

11 Desember 2001

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996
(WET No. 47 VAN 1996)

**INSTELLING VAN STATUTÊRE MAATREËL: REGISTRASIE VAN PRODUSENTE,
UITVOERDERS, HANDELAARS EN VERWERKERS VAN APPELS EN PERE**

Ek, Angela Thokozile Didiza, Minister van Landbou, handelende kragtens artikels 13 en 19 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996), stel hiermee die statutêre maatreël in die Bylae uiteengesit, in.


A.T. DIDIZA,

Minister van Landbou.

BYLAE**Woordomskrywing**

1. In hierdie Byale het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken –

"appel- en peerprodusent" 'n produsent van appels en pere wat vir die vars appel- en peeruitvoere of vars binnelandse mark en verbruik bestem is;

"handelaar" 'n persoon wat handel dryf met vars appels en pere op kleinhandelsvlak op die binnelandse mark;

"munisipale mark" die varsproduktemarkte soos omskryf van tyd tot tyd;

"uitvoerder" 'n persoon wat vars appels en pere uitvoer, hetsy vir sy eie rekening, of as 'n kommissie-agent optree namens produsente; en

"verwerker" 'n appelkonsentraatvervaardiger.

'n Persoon sal die keuse hê om óf as 'n produsent óf as uitvoerder te registreer. 'n Persoon wat 'n produsent sowel as 'n uitvoerder is, moet registreer as beide 'n produsent en 'n uitvoerder.

Oogmerk en doelwitte van die statutêre maatreël en die verband daarvan met die oogmerke van die Wet

2. Die oogmerk en doelwitte van die statutêre maatreël is om die partye soos uiteengesit hierin te laat registreer by die Sagtevrugte Produsente Trust (SPT). Registrasie is noodsaaklik om die SPT in staat te stel om deurlopende, tydige en akkurate inligting oor die produkte soos gedefinieer, beskikbaar te maak aan alle rolspelers. Markinligting word geag noodsaaklik te wees vir alle rolspelers ten einde ingeligte besluite te kan neem. Deur die kombinerings van verpligte registrasie met die hou van inligting en die indiening van inligting op 'n individuele basis, kan markinligting vir die totale bedryf verwerk en beskikbaar gestel word en sal dit ook die basis vorm vir die vordering van heffings waar toepaslik.

Die instel van die maatreël sal die doeltreffendheid van die bemarking van appels en pere bevorder en verbeter. Die lewensvatbaarheid van die appel- en peerbedrywe sal derhalwe verbeter word. Die maatreël sal nie nadelig op werksgeleenthede en regverdige arbeidspraktyke inwerk nie.

Die maatreël sal deur die SPT, 'n trust wat in terme van artikel 6(1) van die Wet op Trust Goedere, 1988 (Wet No. 57 van 1988) opgerig is, uitgevoer word. Die SPT sal die maatreëls implementeer en administreer soos uiteengesig in hierdie Bylae.

Produkte waarop die statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël sal toegepas word op appels en pere wat bedoel is vir vars binne-landse verbruik en/of uitvoere en/of vervaardiging van appelkonsentraat.

Gebied waarin die statutêre maatreël van toepassing is

4. Hierdie statutêre maatreël is in die geografiese gebied van die Republiek van Suid-Afrika van toepassing.

Registrasie van geaffekteerde partye

5. (1) Alle produsente, uitvoerders, handelaars en verwerkers van appels en pere vir vars plaaslike verbruik en/of uitvoer sal by die SPT registreer.

(2) 'n Persoon sal die keuse hê om te registreer as óf 'n produsent óf uitvoerder óf handelaar.

(3) 'n Persoon wat 'n produsent sowel as 'n uitvoerder of handelaar of verwerker is, sal as produsent en as 'n uitvoerder óf handelaar óf verwerker registreer.

Aansoek om registrasie

6. Aansoek om registrasie sal –

(1) binne 30 dae na die instelling van hierdie statutêre maatreël, en in die geval van 'n persoon/instansie wat 'n party word soos aangedui in klousule 5 na sodanige datum van instelling so 'n party word, binne 30 dae nadat hy sodanige party geword het;

(2) gedoen word op die aansoekvorm wat gratis van die SPT verkry kan word;

- (3) ingedien word, wanneer aangestuur word per pos, na –

SPT

Posbus 163

PAARL

7622

- (4) wanneer per hand besorg word, afgelewer word by –

SPT

Hoofstraat 258

PAARL

- (5) wanneer per telefaks gestuur word, geadresseer aan –

(021) 870-2915

- (6) wanneer aangestuur word per e-pos, geadresseer aan –

info@deciduous.co.za

Inwerkingtreding en tydperk van geldigheid

7. Hierdie statutêre maatreël tree in werking op die datum van publikasie hiervan en verval op 30 Oktober 2005.

No. R. 1338

11 December 2001

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No. 47 OF 1996)

**ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS RELATING TO
TREES AS WELL AS PRODUCTION AND MARKETING INFORMATION OF APPLES AND PEARS**

I, Angela Thokozile Didiza, Minister of Agriculture, acting under sections 13 and 18 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the Schedule.



A.T. DIDIZA,

Minister of Agriculture.

SCHEDULE

Definitions

1. In this Schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning, and unless the context otherwise indicates –

"apple and pear producer" means a producer of apples and pears intended for fresh apple and pear exports and domestic fresh consumption;

"exporter" means a person who trade apples and pears for export for his own account, or acts as an agent on a commission basis on behalf of producers;

"municipal market" means the national fresh produce markets as defined from time to time;

"processor" means an apple juice concentrate manufacturer;

"retailer" means a person who trades with fresh apples and pears on a retail level on the domestic market; and

"trees" means trees intended for the production of apples and pears.

A person shall have a choice to register as either a producer or an exporter. A person who is a producer as well as an exporter must register as a producer **and** as an exporter.

Purpose and aims of statutory measure and the relation thereof to the objectives of the Act

2. The purpose and aims of the statutory measure is to compel the parties to register at the Deciduous Fruit Producers' Trust (DFPT). This is necessary to ensure that continuous, timeous and accurate information relating to the products as defined, is available to all role players. Market information is deemed essential for all role players in order for them to make informed decisions. By prescribing the keeping of records with the rendering of returns on an individual basis, market and production information for the apple and pear industry can be processed and disseminated.

The establishment of the measure should assist in promoting the efficiency of the marketing of products. The viability of the apple and pear industry should thus be enhanced. The measure will not be detrimental to the number of employment opportunities and fair labour practice. Any information obtained will be dealt with in a confidential manner and no sensitive or potentially sensitive client-specific information will be made available to any party without the prior approval of the party whose rights are affected.

The measure will be administered by DFPT, a trust established in terms of section 6(1) of the Trust Property Control Act, 1988 (Act No. 57 of 1988). DFPT will implement and administer the measure as set out in the Schedule.

Products to which statutory measure applies

3. This statutory measure shall apply to apples and pears intended for fresh domestic consumption and/or export and/or manufacturing of apple juice concentrate.

Area in which statutory measure shall apply

4. This measure shall apply within the geographical area of the Republic of South Africa.

Records to be kept and returns to be rendered

5. (1) All producers, exporters, traders and processors of apples and pears shall keep such records and render the returns as may be required by the DFPT relating to -

- (a) trees;
- (b) apples and pears destined for domestic fresh consumption and export; and
- (c) apples destined for the manufacturing of juice concentrate.

(2) The National Department of Agriculture or its assignee shall render a copy of all export certificates or furnish the information required by DFPT contained in such certificates within the period specified in subclause (4).

(3) The records referred to in subclause (1) shall -

- (a) be recorded on a computer or with ink in a book; and

(b) be kept at the registered premises of the person required to keep it for a period of at least three years.

(4) The returns referred to in subclause (1) shall be rendered on forms obtainable free of charge for this purpose from DFPT within 15 days after the end of the month in which the returns have been requested, and shall -

(a) be submitted, when forwarded by post, to -

DFPT
P.O. Box 163
PAARL
7622

(b) when delivered by hand, be delivered to -

DFPT
258 Main Road
PAARL

(c) when sent by telefax, be addressed to -

(021) 870-2915

(d) when sent by e-mail, addressed to -

info@deciduous.co.za

Commencement and period of validity

6. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 30 October 2005.

No. R. 1338

11 Desember 2001

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996

(WET No. 47 VAN 1996)

**INSTELLING VAN STATUTÊRE MAATREËL: AANTEKENINGE EN OPGAWES MET BETREKKING
TOT BOME ASOOK PRODUKSIE- EN BEMARKINGSINLIGTING VAN APPELS EN PERE**

Ek, Angela Thokozile Didiza, Minister van Landbou, handelende kragtens artikels 13 en 18 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996), stel hiermee die statutêre maatreël in die Bylae uiteengesit, in.


A.T. DIDIZA,

Minister van Landbou.

BYLAE**Woordomskrywing**

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken –

"appel- en peerprodusent" 'n produsent van appels en pere wat vir die vars appel- en peeruitvoere of vars binnelandse mark en verbruik bestem is;

"bome" bome bestem vir die produksie van appels en pere;

"handelaar" 'n persoon wat handel dryf met vars appels en pere op kleinhandelsvlak op die binnelandse mark;

"munisipale mark" die varsproduktemark soos omskryf van tyd tot tyd;

"uitvoerder" 'n persoon wat vars appel en pere uitvoer, hetsy vir sy eie rekening, of as 'n kommissie-agent optree namens 'n produsent of produsente; en

"verwerker" 'n appelkonsentraatvervaardiger.

'n Persoon sal die keuse hê om óf as 'n produsent óf as uitvoerder te registreer. 'n Persoon wat 'n produsent sowel as 'n uitvoerder is, moet registreer as beide 'n produsent en 'n uitvoerder.

Oogmerk en doelwitte van die statutêre maatreël en die verband daarvan met die oogmerke van die Wet

2. Die oogmerk en doelwitte van die statutêre maatreël is om die partye soos uiteengesit hierin te laat registreer by die Sagtevrugte Produsente Trust (SPT). Registrasie is noodsaaklik om die SPT in staat te stel om deurlopende, tydig en akkurate inligting oor die produkte soos gedefinieer, beskikbaar te maak aan alle rolspelers. Markinligting word geag noodsaaklik te wees vir alle rolspelers ten einde ingeligte besluite te kan neem. Deur verpligte hou van inligting en die indiening van inligting op 'n individuele basis, kan markinligting vir die totale bedryf verwerk en beskikbaar gestel word.

Die instel van die maatreël sal die doeltreffendheid van die bemarking van appels en pere bevorder en verbeter. Die lewensvatbaarheid van die appel- en peerbedrywe sal derhalwe verbeter word. Die maatreël sal nie nadelig op werksgeleenthede en regverdige arbeidspraktyke inwerk nie. Enige inligting wat op hierdie wyse verkry word sal vertroulik hanteer word en geen sensitiewe of potensieel sensitiewe kliënt spesifieke inligting sal aan enige party beskikbaar gemaak word sonder die vooraf goedkeuring van daardie partye wie se regte in enige mate geraak kan word nie.

Die maatreël sal deur die SPT, 'n trust wat in terme van artikel 6(1) van die Wet op Trust Goedere, 1988 (Wet No. 57 van 1988) opgerig is, uitgevoer word. Die SPT sal die maatreëls implementeer en administreer soos uiteengesit in hierdie Bylae.

Produkte waarop die statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël is op appels en pere wat bedoel is vir vars binnelandse verbruik en/of uitvoere en/of vervaardiging van appelkonsentraat, van toepassing.

Gebied waarin die statutêre maatreëls van toepassing is

4. Hierdie statutêre maatreël is in die geografiese gebied van die Republiek van Suid-Afrika van toepassing.

Aantekeninge wat gedoen en opgawes wat verskaf moet word

5. (1) Alle produsente, uitvoerders, handelaars en verwerkers van appels en pere moet sodanige aantekeninge hou en opgawes verskaf as wat die SPT mag verlang betreffende –

- (a) bome;
- (b) appels en pere bestem vir binnelandse vars verbruik en uitvoere; en
- (c) appels bestem vir vervaardiging van konsentraat.

(2) Die Nasionale Departement van Landbou of sy gevolmagtigde moet 'n kopie van alle uitvoersertifikate of sodanige inligting as wat die SPT verlang wat in daardie sertifikate vervat is, binne die tydperk in subklousule (4) voorgeskryf, aan die SPT verskaf.

(3) Die aantekeninge in subklousule (1) bedoel –

- (a) moet gehou word op 'n rekenaar of in ink in 'n boek; en

- (b) moet gehou word by die geregistreerde perseel van die persoon van wie dit verlang word om dit te hou vir ten minste drie jaar.

(4) Die opgawes in subklousule (1) na verwys, moet verskaf word op die vorms wat gratis vir die doel van SPT beskikbaar is binne 15 dae na die einde van die maand waarin die opgawes aangevra is, en moet –

- (a) geadresseer word, indien per pos gestuur, aan –

SPT

Posbus 163

PAARL

7622

- (b) wanneer per hand ingedien, afgelewer word te –

SPT

Hoofstraat 258

PAARL

- (c) wanneer per telefaks gestuur, gestuur word na –

(021) 870-2915

- (d) wanneer per e-pos gestuur, gestuur word na –

info@deciduous.co.za

Inwerkingtreding en tydperk van geldigheid

6. Hierdie statutêre maatregel tree in werking op die datum van publikasie hiervan en verval op 30 Oktober 2005.

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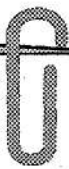
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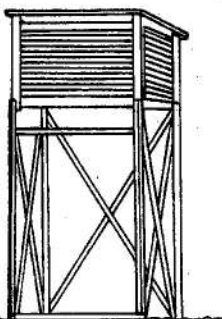
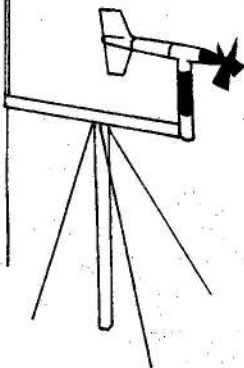
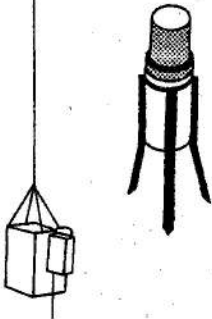
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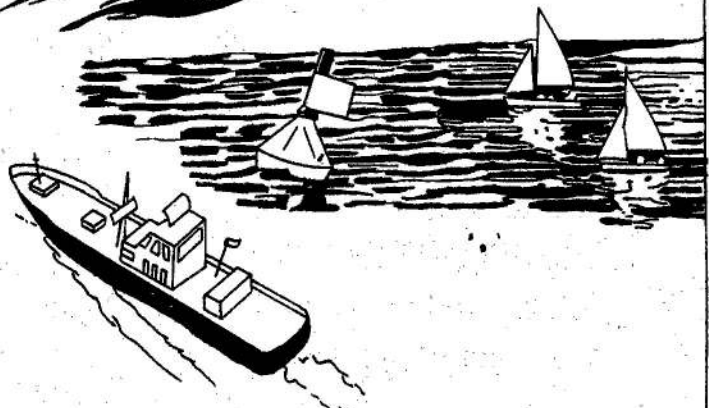
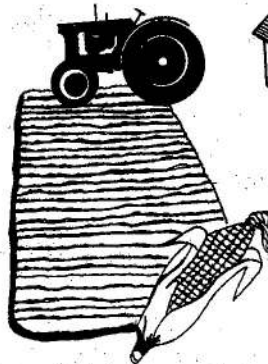
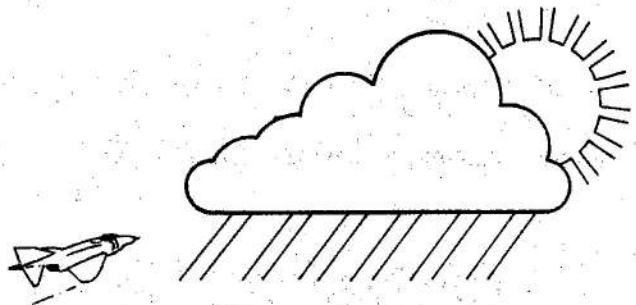
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