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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU

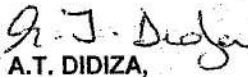
No. R. 1625

4 November 2003

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 for 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 for 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/or 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 and certification; market information and statistics; communication; trade and market access; and transformation and training 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 3c/kg on all pears on export (all classes) and domestic volumes on municipal markets and retail level (all classes);

Persons by whom and to whom levy is payable

7. (1) The levy imposed under clause 5 shall –
- (a) be payable by an 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 sold via any other method.
- (2) Payment shall be made by means of a cheque or electronic transfer in favour of DFPT Finance –
- (a) when paid by cheque, be addressed to –
- DFPT Finance
PO Box 163
PAARL
7622
- (b) when electronically transferred, be paid to the bank account obtainable from DFPT on request.

Use of levy

9. The Minister approve that -
- (a) at least 80% of the levy funds should be used for the core business functions e.g. research functions;
- (b) not more than 10% for administrative use;
- (c) at least 10% be allocated towards transformation.

Commencement and period of validity

10. This statutory measure shall come into operation on the date of publication hereof and shall lapse 4 years later.

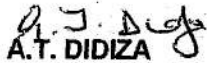
No. R. 1625

4 November 2003

WET OP DIE BEMARKING VAN LANDBOU PRODUKTE 1996
(WET NO. 47 VAN 1996)

INSEL VAN STATUTÊRE MAATREËLS EN DIE BEPALING VAN HEFFINGS OP PERE

Ek, Angela Thoko Didiza, Minister van Landbou, handelende kragtens artikels 13 en 15 van die Wet op die Bemarking van Landbou Produkte Wet, 1996 (Wet Nr 47 van 1996), stel die statutere maatregel in die Bylae uiteengesit, in.


A.T. DIDIZA

Minister vir Landbou

SKEDULE**Definisies**

1. In hierdie Skedule beteken enige woord of uitdrukking waarvoor 'n bedoeling in die Wet vervat is, daardie bedoeling of mening, tensy uitsamenhang anders blyk, beteken -

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

"Munisipale Mark" bedoel die nasionale varsprodukte markte soos omskryf en van tyd tot tyd gedefinieer;

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

"Uitvoerder" beteken 'n persoon wat vars pere uitvoer, hetsy vir sy eie rekening, of as 'n kommissie agent optree namens 'n peer produsent of produsente.

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

Doelwit en oogmerk van die statutêre maatreël en die verwantskap daarvan met die doelwitte van die Wet

2. Die heffing word deur die Sagtevrugte Produsente Trust (SPT) benodig vir die befondsing van navorsingsprojekte, inligting en tegnologie oordrag; plantverbeteringsfunksies en sertifisering; markinligting en statistiek; kommunikasie en markontwikkeling; handel en marktoegang; en transformasie en opleiding vir pere.

Die maatreël is nodig om die SPT instaat te stel om deurlopende, tydige en akkurate inligting oor die peerbedryf aan alle rolspelers beskikbaar te stel op die terreine soos aangedui.

Die maatreël sal nie nadelig op werkseleenthede en regverdige arbeidspraktyke inwerk nie en sal die maatreëls met betrekking tot registrasie en die indiening van rekords en verslae 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 57 van 1988) opgerig is, uitgevoer word. Die SPT sal die

maatreëls implementeer en administreer soos uiteengesit in hierdie Skedule namens DFPT Finance, 'n maatskappy ingelyf onder artikel 21 van die Maatskappy Wet, 1973 (Wet 61 van 1973).

Produkte waarop die statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël sal toegepas word op pere wat bedoel is vir uitvoer en/of vars binnelandse verbruik.

Area waarin die maatreëls toegepas sal word

4. Hierdie maatreël sal in die geografiese gebied van die Republiek van Suid-Afrika geld.

Instel van 'n heffing

5. 'n Heffing word hiermee ingestel op pere.

Bedrag van heffing

6. Die bedrag van die heffing sal beloop 3c/kg op alle pere op uitgevoerde (alle klasse) en binnelandse volumes op munisipale markte en kleinhandelsvlak (alle klasse).

Persone op wie die heffing van toepassing is en aan wie dit betaal word

7. (1) Die heffing wat in terme van klousule 5 ingestel word, sal –
- (a) betaalbaar wees deur 'n peer uitvoerder namens die produsent van wie sodanige pere vir uitvoere bekom is;
 - (b) betaalbaar 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 deur 'n handelaar namens die produsent van wie pere bekom is met betrekking tot pere wat deur die handelaar bekom is.
- (2) Die heffings soos ingestel in terme van klousule 5 sal betaalbaar wees aan DFPT Finance 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 handelaar 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, 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.

Gebruikmaking van heffing

9. Die Minister keurgoed dat-

- (a) ten minste 80% van die heffingsfondse behoort gebruik te word vir die kern besigheid bv navorsing funksies;
(b) nie meer as 1-% vir administratiewe gebruik nie; en
(c) ten minste 10% moet aan transformasie gealokeer word.

Inwerkingtreding en periode van toepassing

9. Hierdie statutêre maatreël sal in werking tree op die datum van publikasie hiervan en sa 4 jaar later verval.

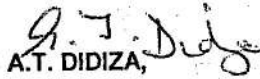
No. R. 1626

4 November 2003

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

ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON
APRICOTS

I, Angela Thokozile Didiza, Minister for 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 for 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 –

"apricot producer" means a producer of apricots intended for exports and/or fresh domestic consumption;

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

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

"retailer" means a person who trades fresh apricots 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. 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 and certification; market information and statistics; communication; trade and market access; and transformation and training for fresh apricots.

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

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 apricots.

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 apricots destined for export and/or 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 apricots.

Amount of levy

6. The amount of the levy shall be 8,5c/kg on all apricots on export (all classes) and domestic volumes (all classes).

Persons by whom and to whom levy shall be payable

7. (1) The levy imposed under clause 5 shall –
- (a) be payable by an apricot exporter on behalf of the producer from which such apricots have been procured in respect of all apricots exported;
 - (b) be payable by a municipal market on behalf of the producer from which such apricots have been procured in respect of all apricots sold on that market; and
 - (c) be payable by a retailer on behalf of the producer from which such apricots have been procured in respect of all apricots procured by that retailer.
- (2) A levy imposed under 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 of delivery of a quantity of apricots for export or delivery to be sold on a municipal market or via a retailer.
- (2) Payment shall be made by means of a cheque or electronic transfer in favour of DFPT Finance, and shall –

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

DFPT Finance

PO Box 163

PAARL

7622

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

Use of levy

9. The Minister approve that –

- (a) at least 80% of the levy funds should be used for the core business functions e.g. research functions;
- (b) not more than 10% for administration use; and
- (c) at least 10% be allocated towards transformation.

Commencement and period of validity

10. This statutory measure shall come into operation on the date of publication hereof and will lapse 4 years later.

No. R. 1626

4 November 2003

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1966
(WET No. 47 VAN 1966)

INSTELLING VAN 'N STATUTÊRE MAATREËL EN DIE BEPALING VAN
HEFFINGS OP APPELKOSE

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), die statutêre maatreël in die Bylae uiteengesit, in.


A.T. DIDIZA,

Minister vir 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 –

"appelkoos produsent" 'n produsent van appelkose wat vir uitvoere en/en die binnelandse vars mark en bestem is;

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

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

"uitvoerder" 'n persoon wat vars appelkose uitvoer, hetsy vir sy eie rekening, of 'n kommissie agent optree namens 'n produsent of produsente.

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

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

2. Die heffing word deur die Sagtevrugte Produsente Trust (SPT) benodig vir die befondsing van navorsingsprojekte, inligting en tegnologieoordrag; plantverbeteringsfunksies en sertifisering; markinligting en statistiek; kommunikasie; handel en markontwikkeling en toegang; en transformasie en opleiding vir vars appelkose te befonds.

Hierdie maatreëls is noodsaaklik om te verseker dat deurlopende, tydige en akkurate inligting raakende die appelkoos bedryf, beskikbaar is aan alle rolspelers sodat hulle ingeligte besluite kan neem.

Die maatreël sal nie nadelig die werksgeleenthede en regverdige arbeidspraktyke inwerk nie, en sal die statutêre maatreëls ten opsigte van registrasie aan die invordering van opgewes met betrekking tot appelkose 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, geadministreer 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 appelkose wat bedoel is vir uitvoere en vars binnelandse verbruik, van toepassing.

Gebied waarin die statutare maatreël van toepassing is

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

Instel van heffing

5. 'n Heffing word hierby ingestel op appelkose.

Bedrag van heffing

6. Die bedrag van die heffing sal 8,5c/kg op alle appelkose, op uitvoer en plaaslike volumes (alle klasse) 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 appelkoos uitvoerder namens die produsent van wie sodanige appelkose vir uitvoere bekom is.
 - (b) betaalbaar wees deur 'n munisipale mark namens die produsent van wie appelkose bekom is met betrekking tot appelkose wat op daardie mark verkoop is.
 - (c) betaalbaar wees deur 'n handelaar namens die produsent van wie appelkose bekom is met betrekking tot appelkose wat vanaf die produsent bekom is.
- (2) Die heffing soos ingestel in terme van klousule 5 sal betaalbaar wees aan die DFPT Finance soos aangedui in klousule 8.

Betaling van heffing

8. (1) Betaling van die heffing sal geskied nie later nie as sestig dae na die einde van die maand na aflewering van 'n hoeveelheid appelkose vir uitvoer of aflewering om verkoop te word op 'n munisipale mark of via 'n handelaar.

- (2) Betaling sal geskied deur middel van 'n tjek of elektroniese oordrag uitgemaak aan DFPT Finance, en sal –
- (a) wanneer per tjek betaal, geadresseer word aan –
DFPT Finance
Posbus 163
PAARL
7622
- (b) wanneer elektronies oorgedra, direk in die bankrekening inbetaal word wat op versoek van die SPT verkry kan word.

Gebruikmaking van heffing

9. Die Minister keurgoed dat –
- (a) ten minste 80% van die heffingsfondse behoort gebruik te word vir die kern besigheid bv navorsing funksies;
- (b) nie meer as 10% vir administratiewe gebruik nie; en
- (c) ten minste 10% moet aan transformasie gealokeer word.

Inwerkingtreding en tydperk van geldigheid

10. Hierdie statutêre maatreël tree in werking op die datum van publikasie hiervan en verval en sal 4 jaar later verval.

No. R. 1627

4 November 2003

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

ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS RELATING
TO VINES & TREES AS WELL AS PRODUCTION & MARKETING INFORMATION OF
TABLE GRAPES, PLUMS, NECTARINES & PEACHES, APRICOTS, APPLES AND PEARS

I, Angela Thokozile Didiza, Minister for 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 for 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 table grapes, stone fruit and pome fruit for export for his own account, or acts as an agent on a commission basis on behalf of producers;

"grape producer" means a producer of table grapes intended for fresh table grape exports and domestic fresh consumption;

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

"pome fruit producer" means a producer of apples and pears intended for fresh pome fruit exports and/or domestic fresh consumption, as well as apples for apple juice concentrate;

"processor" means an apple juice concentrate manufacturer;

"retailer" means a person who trades with fresh table grapes, and/or stone fruit and/or pome fruit on a retail level on the domestic market;

"stone fruit producer" means a producer of plums, peaches, nectarines and apricots intended for fresh stone fruit exports and/or domestic fresh consumption;

"trees" means trees intended for the production of apples, pears, plums, peaches, nectarines and apricots; and

"vines" means vines intended for the production of table grapes.

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 both a producer and 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 keep records and render returns to 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 table grape, pome fruit and the stone fruit 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 table grape, pome fruit and stone fruit industry should thus be enhanced. The measure will not be detrimental to the number of employment opportunities or 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 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 table grapes, apples, pears, plums, peaches, nectarines and apricots intended for fresh domestic consumption and/or export, and apples intended for processing of juice concentrate.

Area in which statutory measure shall apply

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

Records to be kept and returns to be rendered

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

- (a) vines and trees surveys;
 - (b) the volume of grapes, apples, pears, plums, peaches, nectarines and apricots destined for domestic fresh consumption and/or export; and
 - (c) the volume of apples destined for processing of juice concentrate.
- (1B) No records or returns shall be required in terms of this measure which disclose confidential information of a marketing nature, and in particular, no returns disclosing, inter alia, contracting parties; purchasers of fruit; prices of services or the prices obtained for fruit, or any similar information, shall be required to be furnished.
- (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;
 - (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.
 - (a) be submitted, when forwarded by post, to –

DFPT
PO Box 163
PAARL
7622
 - (b) when delivered by hand, be delivered to –

DFPT
Main Road 258
PAARL

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

021-872 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 4 years later.

No. R. 1627

4 November 2003

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

INSTELLING VAN 'N STATUTÊRE MAATREËL: AANTEKENINGE EN OPGAWES MET
BETREKKING TOT WINGERDSTOKKE EN BOME, ASOOK PRODUKSIE &
BEMARKINGSINLIGTING VAN TAFELDRIUWE, PRUIME, PERSKES & NEKTARIENS,
APPELKOSE, APPELS EN PERE

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


A.T. DIDIZA

Minister vir 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 –

"bome" bome bestem vir die produksie van pruime, perskes, nektariens, appelkose, appels en pere;

"druife produsent" 'n produsent van tafeldruife wat vir die vars tafeldruif uitvoere of vars binnelandse mark en verbruik bestem is;

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

"kernvrug produsent" 'n produsent van appels en pere wat vir vars kernvrug uitvoere en/of vars binnelandse mark en verbruik bestem is, asook appels vir verwerking na appelsap konsentraat;

"munisipale mark" die varsprodukte markte soos omskryf van tyd tot tyd;

"steenvrug produsent" 'n produsent van pruime, perskes, nektariens en appelkose wat vir die vars steenvrug uitvoere of vars binnelandse mark en verbruik bestem is;

"uitvoerder" 'n persoon wat vars tafeldruife / steenvrugte / kernvrugte uitvoer, hetsy vir sy eie rekening, of as 'n kommissie agent optree namens 'n produsent of produsente;

"verwerker" 'n appelkonsentraat vervaardiger; en

"wingerdstokke" wingerdstokke bestem vir die produksie van tafeldruife.

'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 instaat te stel om deurlopende, tydige en akkurate inligting oor die produkte soos gedefinieer, beskikbaar te maak aan alle rolspelers. Mark inligting word geag noodsaaklik te wees vir alle rolspelers ten einde ingeligte besluite te kan neem. Deur die kombinerende van verpligte registrasie met die hou van inligting en die indiening van inligting op 'n individuele basis, kan mark inligting 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 bemerking van 'tafeldruiwe / kernvrugte/ steenvrugte bevorder en verbeter. Die lewensvatbaarheid van die tafeldruiw / kernvrug / steenvrug bedrywe sal derhalwe verbeter word. Die maatreël sal nie nadelig op werkseleenthede 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 tafeldruiwe, pruime, perskes, nektariens, appelkose, appels en pere wat bedoel is vir vars binnelandse verbruik en/of uitvoere of appels vir appelsap konsentraat, van toepassing.

Gebied waarin die statutere maatreëls toepassing is

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

Aantekening wat gedoen en opgawes wat verskaf moet word

5. (1A) Alle produsente, uitvoerders en handelaars van tafeldruiwe, pruime, perskes,

nektariens, appelkose, appels en pere moet sodanige aantekeninge hou en opgawes verskaf as wat die SPT mag verlang betreffende -

- (a) Wingerstokke- en boomsensusse;
 - (b) Die volume van tafeldruiwe, pruime, perskes, nektariens, appelkose, appels en pere bestem vir binnelandse vars verbruik en/of uitvoere; en
 - (c) Die volume van appels bestem vir appelsap konsentraat.
- (1B) Geen rekords of opgawes sal in terme van hierdie maatreël verlang word wat enigsins vertroulike inligting van 'n bemarkingsaard, en spesifiek sal geen inligting wat onder andere kontrakterende partye, kopers van vrugte, koste van dienste, die pryse van vrugte, of enige soortgelyke inligting, verlang word nie.
- (2) Die National Departement van Landbou of sy gevolgmagtige moet 'n afskrif van alle uitvoer sertifikate of sodanige inligting as wat die SPT verlang word, voorsien binne die periode soos gespesifiseer in sub-klousule (4).
- (3) Die aantekeninge in sub-klousule (1) sal –
- (a) Gehou word op 'n rekenaar of in ink in 'n boek;
 - (b) gehou word by die geregistreerde perseel van die persoon van wie dit verlang word om sodanige rekords te hou vir 'n periode van drie jaar.
- (4) Die in sub-klousule (1), na verwys, moet verskaf word op die vorms wat gratis vir die doel van die SPT verkry kan word 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 maatreël tree in werking op die datum van publikasie hiervan en sal 4 jaar later verval.

No. R. 1628

4 November 2003

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

ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF
LEVIES ON PEACHES & NECTARINES

I, Angela Thokozile Didiza, Minister for 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 for 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 peaches & nectarines for export for his own account, or acts as an agent on a commission basis on behalf of peach and nectarine producers;

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

“peach and nectarine producer” means a producer of peaches and nectarines intended for exports and/or fresh domestic consumption; and

“retailer” means a person who trades peaches and nectarines 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. 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 and certification; market information and statistics; communication; trade and market access; and transformation and training for peaches and nectarines.

These measures are necessary to ensure that continuous, timeous and accurate information relating to the peach and nectarine 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 peaches and nectarines.

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 peaches and nectarines destined for export and/or domestic fresh consumption.

Area in which statutory measure shall apply

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 peaches and nectarines.

Amount of levy

6. The amount of the levy shall be 6,5c/kg on all peaches and nectarines on export (all classes) and domestic volumes on municipal markets and retail level (all classes).

Persons by whom and to whom levy shall be payable

7. (1) The levy imposed under clause 5 shall –
- (a) be payable by a peach and nectarine exporter on behalf of the producer from which such peaches and nectarines have been procured in respect of all peaches and nectarines exported;
 - (b) be payable by a municipal market on behalf of the producer from which such peaches and nectarines have been procured in respect of all peaches and nectarines sold on that market; and
 - (c) be payable by a retailer on behalf of the producer from which such peaches and nectarines have been procured in respect of all peaches and nectarines procured by that retailer.
 - (d) be payable by a producer of such cling peaches in respect of all cling peaches not sold via exports, municipal markets and retailers.
- (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 of delivery of a quantity of peaches and nectarines for export or delivery to be sold on a municipal market or via a retailer, or sold via any other manner.
- (2) Payment shall be made by means of a cheque or electronic transfer in favour of DFPT Finance, and shall –

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

DFPT Finance

PO Box 163

PAARL

7622

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

Use of levy

9. The Minister approve that –

- (a) at least 80% of the levy funds should be used for the core business functions e.g. research functions;
- (b) not more than 10% for administrative use; and
- (c) at least 10% be allocated towards transformation.

Commencement and period of validity

10. This statutory measure shall come into operation on the date of publication hereof and will lapse 4 years later.

No. R. 1628

4 November 2003

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

INSTELLING VAN STATUTÊRE MAATREËL EN DIE BEPALING VAN HEFFINGS OP PERSKES &
NEKTARIENS

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 vir 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 –

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

"munisipale mark" die nasionale varsprodukte markte soos omskryf van tyd tot tyd gedefinieer;

"perske en nektarien produsent" 'n produsent van perskes en nektariens bestem vir uitvoere en vars plaaslike verbruik; en

"uitvoerder" 'n persoon wat vars perskes en nektariens uitvoer, hetsy vir sy eie rekening, of as 'n kommissie agent optree namens 'n produsent of produsente.

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

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

2. Die heffing word deur die Sagtevrugte Produsente Trust (SPT) benodig om navorsingsprojekte, inligting en tegnologieoordrag; plantverbeteringsfunksies en sertifisering; markinligting en statistiek; kommunikasie; handel en marktoegang; en transformasie en opleiding vir perskes en nektariens te befonds.

Hierdie maatreëls is noodsaaklik om te verseker dat deurlopende, tydige en akkurate inligting rakende die perske en nektarienbedryf beskikbaar is aan alle rolspelers sodat hulle ingeligte besluite kan neem binne die terreine soos aangedui.

Hierdie maatreël sal nie die aantal werksgeleenthede of billike arbeidspraktyke nadelig raak nie en sal die statutêre maatreëls met betrekking tot registrasie en die indien van teruggawes van toepassing op perskes en nektariens ondersteun.

Die maatreël sal deur die SPT, 'n Trust wat in terme van seksie 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, 1973 (Wet No. 61 van 1973).

Produk waarop die statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël sal van toepassing wees op perskes en nektariens bestem vir uitvoer en plaaslike vars verbruik.

Gebied waarin die statutare maatreëls van toepassing is

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

Instel van 'n heffing

5. 'n Heffing word hiermee ingestel op Perskes en Nektariens.

Bedrag van heffing

6. Die bedrag van die heffing sal 6,5c/kg op alle perskes en nektariens vir uitvoer (alle klasse) en plaaslike volumes op munisipale markte en kleinhandelvlak (alle klasse) wees.

Persone deur wie en aan wie die heffing betaalbaar is

7. (1) Die heffing ingestel onder klousule 5 sal –
- (a) betaalbaar wees deur 'n perske en nektarien uitvoerder namens die produsent van wie sodanige perskes en nektariens vir uitvoere bekom is.
 - (b) betaalbaar wees deur 'n munisipale mark namens die produsent van wie sulke perskes en nektariens bekom is met betrekking tot van alle perskes en nektariens wat op daardie mark verkoop is.
 - (c) betaalbaar wees deur 'n handelaarnamens die produsent van wie sodanige perskes en nektariens bekom is met betrekking tot opsigte van alle perskes en nektariens.
- (2) Die heffing soos ingestel in terme van klousule 5 sal betaalbaar wees aan DFPT Finance soos aangedui in klousule 8.

Betaling van Heffing

8. (1) Betaling van die heffing sal geskied nie later nie as sestig dae na die einde van die maand van aflewering van 'n hoeveelheid perskes en nektariens vir uitvoer of aflewering om verkoop te word op 'n munisipale mark of via 'n handelaar, of via enige ander manier verkoop word.

- (2) Betaling sal geskied deur middel van 'n tjek of elektroniese oordrag uitgemaak aan DFPT Finance, en sal –
- (a) wanneer per tjek betaal, geadresseerde 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 verkryg kan word.

Gebruikmaking van heffing

9. Die Minister keurgoed dat -
- (a) ten minste 80% van die heffingsfonde behoort gebruik te word vir die kern besigheid bv navorsing funksies;
- (b) nie meer as 10% vir administratiewe gebruik nie; en
- (c) ten minste 10% moet aan transformasie gealokeer word.

Inwerkingtreding en tydperk van geldigheid

10. Hierdie statutêre maatreël tree in werking op die datum van publikasie hiervan en sal 4 jaar later verval.

No. R. 1629

4 November 2003

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 for 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 for 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/or 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;

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

"processor" means an apple juice concentrate manufacturer.

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 and certification; market information and statistics; communication; trade and market access; and transformation and training 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/or domestic fresh consumption, and the manufacturing of apple juice concentrate.

Area in which statutory measure applies

4. This statutory measure shall apply in 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) 3 c/kg on all apples on export (all classes) and/or domestic volumes on municipal markets and retail level (all classes); 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 under 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 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, and shall –
 - (a) when paid by cheque, be addressed to –

DFPT Finance
PO Box 163
PAARL
7622
 - (b) when electronically transferred, be paid to the bank account obtainable from DFPT on request.

Use of levy

- 9. The Minister approve that -
 - (a) at least 80% of the levy funds should be used for the core business functions e.g. research functions;
 - (b) not more than 10% for administration use; and
 - (c) at least 10% be allocated towards transformation.

Commencement and period of validity

- 10. This statutory measure shall come into operation on the date of publication hereof and will lapse 4 years later.

No. R. 1629

4 November 2003

WET OP DIE BEMARKING VAN LANDBOU PRODUKTE, 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 Wet, 1996 (Wet No. 47 van 1996), stel die statutêre maatreeël in die Bylae uiteengesit, in.


A.T. DIDIZA,

Minister vir Landbou .

BYLAE

Woordomskrywing

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

"appel produsent" 'n produsent van appels wat vir die 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 nasionale varsprodukte markte soos omskryf van tyd tot tyd gedefinieer;

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

"verwerker" 'n appel konsentraat vervaardiger.

'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 produsente 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 en sertifisering; markinligting en statistiek; kommunikasie; handel en marktoegang; en transformasie en opleiding vir appels.

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

Die maatreël sal nie nadelig op werkseleenthede en regverdige arbeidspraktyke inwerk nie en sal die maatreëls met betrekking tot registrasie en die indiening van rekords en verslae 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 die appels wat bedoel is vir uitvoer en/of vars binnelandse verbruik en die vervaardiging van appelkonsentraat van toepassing.

Gebied waarin die statutêre 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 beloop-
 - (a) 3c/kg op alle appels op uitgevoerde (alle klasse) en/of binnelandse volumes op munisipale markte en kleinhandelvlak (alle klasse);
 - (b) 0,6c/kg op alle appels bestem vir die vervaardiging van appel konsentraat deur konsentraat aanlegte.

Persone deur wie en aan die heffing betaalbaar is

7. (1) Die heffing wat in terme van klousule 5 ingestel is, sal –
 - (a) betaalbaar wees deur 'n appelluitvoerder 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 handelaar namens die produsent van wie appels bekom is met betrekking tot appels deur die handelaar bekom is; en

- (d) betaalbaar wees deur 'n verwerker namens die produsent van appels met betrekking tot appels wat vir die vervaardiging van appel konsentraat bekom is.
- (2) Die heffings soos ingestel in terme van klousule 5 sal betaalbaar wees aan DFPT Finance 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 handelaar 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, en sal –
 - (a) wanneer per tjek betaal word, geadresseer word aan –

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

Gebruikmaking van heffing

- 9. Die Minister keurgoed dat-
 - (a) ten minste 80% van die heffingsfondse behoort gebruik te word vir die kern besigheid bv navorsing funksies;
 - (b) nie meer as 10% vir administratiewe gebruik nie; en
 - (c) ten minste 10% moet aan transformasie geallokeer

Inwerkingtreding en tydperk van geldigheid

- 10. Hierdie statutêre maatreël tree in werking op die datum van publikasie hiervan en sal 4 jaar later verval.

No. R. 1630

4 November 2003

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996

(ACT No. 47 OF 1996)

ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON PLUMS

I, Angela Thokozile Didiza, Minister for 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 for 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 plums for export for his own account, or acts as an agent on a commission basis on behalf of plum producers;

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

"plum producer" means a producer of plums intended for exports and/or domestic fresh consumption; and

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

A person shall have a choice to register as either a producer or an exporter or a municipal market or a retailer. 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 and certification functions, market information and statistics; communication; trade related and market access issues, and transformation and training for plums.

These measures are necessary to ensure that continuous, timeous and accurate information relating to the plum 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 plums.

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 plums destined for export and/or 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 plums.

Amount of levy

6. The amount of the levy shall be:
- a) 6,5c/kg on all exported volumes (all classes); and
 - b) 3c/Kg on domestic volumes (all classes) on municipal markets and retail level.

Persons by whom and to whom levy shall be payable

7. (1) The levy imposed under clause 5 shall –
- (a) be payable by a plum exporter on behalf of the producer from which such plums have been procured in respect of all plums exported;
 - (b) be payable by a municipal market on behalf of the producer from which such plums have been procured in respect of all plums sold on that market; and
 - (c) be payable by a retailer on behalf of the producer from which such plums have been procured in respect of all plums procured by that retailer.
- (2) A levy imposed under clause 5 shall be payable to DFPT Finance 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 of delivery of a quantity of plums for export or delivery to be sold on a municipal market or via a retailers, or sold via any other manner.
- (2) Payment shall be made by means of a cheque or electronic transfer in favour of DFPT Finance, and shall –

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

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

Use of levy

9. The Minister approves that -

- (a) at least 80% of the levy funds should be used for the core business functions e.g. research functions;
- (b) not more than 10% for administration use; and
- (c) at least 10% be allocated towards transformation

Commencement and period of validity

10. This statutory measure shall come into operation on the date of publication hereof and will lapse 4 years later.


No. R. 1630

4 November 2003

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

INSTELLING VAN 'N STATUTÊRE MAATREËL EN DIE BEPALING VAN
HEFFINGS OP PRUIME

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 uiteengesit, in..


A.T. DIDIZA,

Minister vir Landbou .

BYLAE**Woordomskrywing**

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

"Handelaar" 'n persoon wat handel dryf met vars pruime op kleinhandelsvlak op die binnelandse mark;

"Munisipale Mark" die nasionale varsprodukte market soos omskryf van tyd tot tyd gedfinieer;

"Pruim Produsent" 'n produsent van pruime wat vir uitvoere en plaaslike vars verbruik bestem is; en

"Uitvoerder" 'n persoon wat handel dryf met pruime vir uitvoer vir sy eie rekening, of as 'n kommissie-agent optree namens pruim produsente.

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

Oogmerk en doelwit 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 tegnologieoordrag, plantverbeteringsfunksies en sertifisering, markinligting en statistiek; kommunikasie; handel en markontwikkeling; en transformasie en toegang van nuwe markte vir pruime.

Hierdie maatreëls is noodsaaklik om te verseker dat deurlopende, tydige en akkurate inligting rakend die pruimindustrie beskikbaar is vir alle rolspelers sodat hulle ingeligte besluite kan neem binne die terreine soos aangedui.

Die maatreël sal nie nadelig op werksgeleenthede en regverdige arbeidspraktyke inwerk nie en sal die statutêre maatreëls ten opsigte van registrasie en die invordering van opgawes met betrekking tot pruime 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 maatreëlsimplementeer en administreer soos uiteengesit in hierdie Bylae namens die 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 wees op pruime wat bedoel is vir uitvoer en/of vars binnelandse verbruik van toepassing.

Gebied waarin die statutare maatreëls van toepassing is

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

Instel van heffing

5. 'n Heffing word hiermee ingestel op Pruime.

Bedrag van heffing

6. Die bedrag van die heffing is-
- (a) 6,5c/kg op alle uitgevoerde volumes (alle klasse); en
 - (b) 3c/kg op alle binnelandse volumes op munisipale markte en kleinhandelsvlak (alle klasse).

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 pruiuitvoerder namens die produsent van wie sodanige pruime vir uitvoere bekom is;
 - (b) betaalbaar wees deur 'n munisipale mark namens die produsent van wie pruime bekom is met betrekking tot alle pruime wat op die mark verkoop is; en
 - (c) betaalbaar wees deur 'n handelaar namens die produsent van wie pruime bekom is met betrekking tot pruime wat deur die handelaar bekom is.
- (2) Die heffing soos ingestel in terme van klousule 5 sal betaalbaar wees aan die DFPT Finance 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 pruime vir uitvoer of vir verkoop op munisipale markte of via 'n kleinhandelaar vir verkoop, of via enige ander wyse verkoop is.

- (2) Betaling sal geskied deur middel van 'n tjek of elektroniese oordrag uitgemaak aan DFPT Finance –
- (a) wanneer per tjek betaal, geadresseer word aan –
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Posbus 163
PAARL
7622
- (b) wanneer elektronies oorgedra, betaal word in die bank rekening wat op aanvraag van die SPT verkrygbaar is.

Gebruikmaking van heffing

9. Die Minister keurgoed dat -
- (a) ten minste 80% van die heffingsfondse behoort gebruik te word vir die kern besigheid bv navorsing funksies;
- (b) nie meer as 10% vir administratiewe gebruik nie; en
- (c) ten minste as 10% moet aan transformasie gealokeer word.

Inwerkingtreding en tydperk van geldigheid

10. Hierdie statutêre maatreël tree in werking op die datum van publikasie hiervan en sal 4 jaar later verval.
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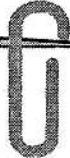
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