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GOVERNMENT NOTICES
GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE
DEPARTEMENT VAN LANDBOU

No. R. 975

19 October 2007

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

ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF PRODUCERS,
EXPORTERS, IMPORTERS, MUNICIPAL MARKETS AND TRADERS OF PLUMS,
PEACHES & NECTARINES, APRICOTS, APPLES AND PEARS
AND PROCESSORS OF APPLES.

I, Lulama Xingwana, Minister for 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.

L. XINGWANA

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 pome fruit and stone fruit for export for his own account, or acts as an agent on a commission basis on behalf of producers;

“Importer” means a person or trader who imports plums, peaches & nectarines, apricots, apples and pears for fresh consumption for sale on the domestic market.

“Municipal Market” means the 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 domestic fresh consumption, as well as for the production of apple juice concentrate;

“Processor” means an apple juice concentrate manufacturer, and;

“Retailer” means a person who trades with pome fruit and stone fruit on a retail level on the domestic market; and

“Stone Fruit Producer” means a producer of plums, peaches, nectarines and apricots intended for fresh stone fruit exports and domestic fresh consumption.

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

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 pome fruit and stone fruit products. The viability of the 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.

It will be administered by the DFPT, a trust established in terms of section 6(1) of the Trust Property Control Act, 1988 (Act 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 plums, peaches, nectarines, apricots, apples and pears intended for fresh domestic consumption and/or export and/or import and/or apples for juice concentrate processing.

Area in which measure shall apply

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

Registration of parties concerned

5. (1) All producers, exporters, importers, traders and municipal markets of pome fruit and stone fruit for fresh domestic consumption and/or export, and/or import and/or processors of apples shall register with the DFPT.
- (2) A person shall have a choice to register as either a producer or exporter or importer or trader.
- (3) A person who is a producer as well as a producer or exporter or importer or trader shall register as a producer and as a producer or exporter or importer or trader.

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
PO Box 163
PAARL
7622

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

DFPT
Main Road 258
PAARL

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

021-870 2915

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

info@dfpt.co.za

Commencement and period of validity

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

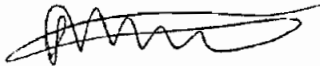
No. R. 975

19 Oktober 2007

BEMARKING VAN LANDBOU PRODUKTE WET, 1996
(WET Nr 47 VAN 1996)

INSEL VAN 'N STATUTÊRE MAATREËL : REGISTRASIE VAN PRODUSENTE,
UITVOERDERS, INVOERDERS EN HANDELAARS VAN PRUIME, PERSKES &
NEKTARIENS, APPELKOSE, APPELS EN PERE ASOOK VERWERKERS VAN APPELS.

Ek, Lulama Xingwana, Minister van Landbou, stel hiermee in terme van artikels 13 en 19 van die Bemarking van Landbou Produkte Wet, 1996 (Wet Nr 47 van 1996), die statutêre maatreël in soos uiteengesit in hierdie Skedule.



L. XINGWANA

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 die konteks die teendeel aantoon –

“Handelaar” 'n persoon wat handel dryf met vars steenvrugte op kleinhandelsvlak op die plaaslike mark;

“Invoerder” 'n persoon of handelaar wat vars pruime, perskes, nektariens, appelkose, appels en pere invoer vir verkope op die plaaslike mark.

“Kernvrug Produsent” 'n produsent van appels en pere wat vir vars appel en peer uitvoere of vars plaaslike mark en verbruik, asook vir verwerking van appels, bestem is;

“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 plaaslike mark en verbruik bestem is;

“Uitvoerder” 'n persoon wat vars steenvrugte uitvoer, hetsy vir sy eie rekening, of as 'n kommissie agent optree namens 'n produsent of produsente; en

“Verwerker” 'n appelkonsentraat vervaardiger.

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

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

2. Die doelwit en oogmerk 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 kombinerings 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 bemarking van steenvrugte en kernvrugte bevorder en verbeter. Die lewensvatbaarheid van die steenvrug en kernvrug bedrywe 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 57 van 1988) opgerig is, uitgevoer word. Die SPT sal die maatreëls implementeer en administreer soos uiteengesit in hierdie Skedule.

Produkte waarop die statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël sal toegepas word op pruime, perskes, nektariens, appelkose, appels en pere wat bedoel is vir vars plaaslike verbruik en/of uitvoere en/of invoere en/of appels vir verwerking.

Area waarin die maatreëls toegepas sal word

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

Registrasie van geaffekteerde partye

5. (1) Alle produsente, uitvoerders, invoerders en handelaars van kernvrugte en steenvrugte vir vars plaaslike verbruik en/of uitvoer en/of invoer en verwerkers van appels sal by die SPT registreer.
- (2) 'n Persoon sal 'n keuse hê om óf as produsent óf as uitvoerder óf as invoerder óf as handelaar óf as verwerker te registreer.
- (3) 'n Persoon wat beide 'n produsent sowel as 'n uitvoerder of invoerder of handelaar is, sal as produsent en as 'n uitvoerder of invoerder of handelaar, 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@dfpt.co.za

Inwerkingtreding en periode van toepassing

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

No. R. 976**19 October 2007**

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

ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON
APPLES

I, Lulama Xingwana, 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.

L. XINGWANA

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;

“Importer” means a person or trader who imports apples for sale on the domestic market.

“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 an importer or municipal market or retailer or processor. A person who is a producer as well as an exporter or importer must register as a producer and as an exporter or importer 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.

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 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 61 of 1973).

Products to which statutory measure applies.

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

Area in which measure shall apply

4. This 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) 3c/kg on all apples on export (all classes) and/or import (all classes) and/or domestic volumes on municipal markets and retail level (all classes);
 - (b) 0,6c/kg on all apples destined for the manufacturing of apple juice concentrate by concentrate processing plants.

Persons by whom and to whom levy shall be 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;
 - (d) be payable by an importer on apples for sale on the domestic market; and
 - (e) 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 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 wherein a quantity of apples was delivered for export, import 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.

It is hereby determined that in respect of levies collected –

9. The Minister approve that
- (a) approximately 70% of the funds shall be used for the core business function;
 - (b) not more than 10% of the funds shall be used for administration; and
 - (c) approximately 20% of the funds shall be used for 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.

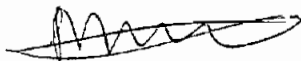
No. R. 976

19 Oktober 2007

BEMARKING VAN LANDBOU PRODUKTE WET, 1996
(WET Nr 47 VAN 1996)

INSEL VAN STATUTÊRE MAATREËLS EN DIE BEPALING VAN HEFFINGS OP APPELS

Ek, Lulama Xingwana, Minister van Landbou, stel hiermee in terme van artikels 13 en 15 van die Bemarking van Landbou Produkte Wet, 1996 (Wet Nr 47 van 1996), die statutêre maatreël in soos uiteengesit in hierdie Skedule.



L. XINGWANA

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 die konteks die teendeel aantoon –

“Appel Produsent” 'n produsent van appels wat vir die vars uitvoere en die plaaslike vars mark en verbruik, asook vir die verwerking van appelkonsentraat, bestem is;

“Handelaar” 'n persoon wat handel dryf met vars appels, op kleinhandelsviak op die plaaslike mark;

“Invoerder” 'n persoon of handelaar wat vars appels invoer vir verkope op die plaaslike mark.

“Munisipale Mark” die varsprodukte markte 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 'n produsent of produsente; en

“Verwerker” 'n appel konsentraat vervaardiger.

'n Persoon sal 'n keuse hê om óf as produsent óf as uitvoerder óf as invoerder óf as munisipale mark óf as handelaar óf as verwerker te registreer. 'n Persoon wat 'n produsent sowel as 'n uitvoerder of invoerder is, moet registreer as 'n produsent en 'n uitvoerder of invoerder 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; handel en marktoegang; en transformasie en opleiding vir appels.

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

Die maatreël sal nie nadelig op werksgeleenthede en regverdigde 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 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 appels wat bedoel is vir uitvoer en/of invoer en/of plaaslike vars verbruik en die vervaardiging van appel konsentraat.

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 appels.

Bedrag van heffing

6. Die bedrag van die heffing sal beloop:
 - (a) 3c/kg op alle appels op uitgevoerde (alle klasse) en/of ingevoerde (alle klasse) en/of plaaslike 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 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 deur 'n appel uitvoerder namens die produsent van wie sodanige appels vir uitvoere bekom is;

- (b) betaalbaar 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 deur 'n handelaar namens die produsent van wie appels bekom is met betrekking tot appels deur die handelaar bekom is;
 - (d) betaalbaar deur 'n invoerder wie appels invoer vir verkope op die plaaslike mark, en.
 - (e) betaalbaar 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, invoer 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 –

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 70% van die heffingsfonde behoort gebruik te word vir die kerne besigheid bv. Navorsing;

- (b) nie meer as 10% vir administratiewe gebruik nie; en
- (c) ten minste 20% moet aan transformasie gealokeer word.

Inwerkingtreding en periode van toepassing

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

No. R. 977**19 October 2007**

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 & MARKETING INFORMATION OF PLUMS,
NECTARINES & PEACHES, APRICOTS, APPLES AND PEARS

I, Lulama Xingwana, 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.

L. XINGWANA

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 stone fruit and pome fruit for export for his own account, or acts as an agent on a commission basis on behalf of producers;

“Importer” means a person or trader who imports plums, peaches & nectarines, apricots, apples and pears for fresh consumption for sale on the domestic market.

“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 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

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

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 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 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 apples, pears, plums, peaches, nectarines and apricots intended for fresh domestic consumption and/or export and/or import and apples intended for processing of juice concentrate.

Area in which measure shall apply

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

Records to be kept and returns to be rendered

5. (1A) All producers, exporters, importers, traders and processors of 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) trees surveys;
 - (b) the volume of apples, pears, plums, peaches, nectarines and apricots destined for domestic fresh consumption and/or export and/or import; 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
7622

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

021-870 2915

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

info@dfpt.co.za

Commencement and period of validity

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

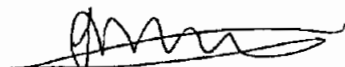
No. R. 977

19 Oktober 2007

BEMARKING VAN LANDBOU PRODUKTE WET, 1996
(WET Nr 47 VAN 1996)

INSEL VAN 'N STATUTÊRE MAATREËL: REKORDS EN OPGAWES MET BETREKKING
TOT BOME, ASOOK PRODUKSIE & BEMARKINGSINLIGTING VAN PRUIME, PERSKES &
NEKTARIENS, APPELKOSE, APPELS EN PERE

Ek, Lulama Xingwana, Minister van Landbou, stel hiermee in terme van artikels 13 en 18 van die Bemarking van Landbou Produkte Wet, 1996 (Wet Nr 47 van 1996), die statutêre maatreël in soos uiteengesit in hierdie Skedule.



L. XINGWANA

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 die konteks die teendeel aantoon –

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

"Handelaar" 'n persoon wat handel dryf met vars steenvrugte op kleinhandelsvlak op die plaaslike mark;

"Invoerder" 'n persoon of handelaar wat vars pruime, perskes, nektariens, appelkose, appels en pere invoer vir verkope op die plaaslike mark.

"Kernvrug Produsent" 'n produsent van appels en pere wat vir vars kernvrug uitvoere en/of vars plaaslike 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 plaaslike mark en verbruik bestem is;

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

"Verwerker" 'n appelkonsentraat vervaardiger; en

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

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

2. Die doelwit en oogmerk 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. Mark inligting 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 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 bemarking van kernvrugte en steenvrugte bevorder en verbeter. Die lewensvatbaarheid van die kernvrug en steenvrug bedrywe sal derhalwe verbeter word. Die maatreël sal nie nadelig op werkseleenthede en regverdigde 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 57 van 1988) opgerig is, uitgevoer word. Die SPT sal die maatreëls implementeer en administreer soos uiteengesit in hierdie Skedule.

Produkte waarop die statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël sal toegepas word op pruime, perskes, nektariens, appelkose, appels en pere wat bedoel is vir vars plaaslike verbruik en/of uitvoere en/of invoere of appels vir appelsap konsentraat.

Area waarin die maatreëls toegepas sal word

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

Rekords en opgawes wat gelewer moet word

5. (1A) Alle produsente, uitvoerders, invoerders en handelaars van pruime, perskes, nektariens, appelkose, appels en pere sal sulke rekords hou en opgawes indien soos deur die SPT verlang in verband met -
- (a) boomsensusse;
 - (b) Die volume van pruime, perskes, nektariens, appelkose, appels en pere bestem vir plaaslike vars verbruik en/of uitvoere en/of invoere; en
 - (c) Die volumes 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 Departement van Landbou of sy agent sal 'n afskrif van alle uitvoer sertifikate en ander inligting wat in sodanige sertifikate vervat is en deur die SPT verlang word, voorsien binne die periode soos gespesifiseer in sub-klousule (4).
- (3) Die opgawes soos verwys na in sub-klousule (1) sal -
- (a) vasgelê word per rekenaar of met 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 opgawes waarna verwys word in sub-klousule (1), sal ingedien word op vorms wat gratis by die SPT verkry kan word binne 15 dae na die einde van die maand waarin die opgawes aangevra is.
- (a) ingedien word, wanneer aangestuur word per pos, na -

SPT
Posbus 163
PAARL
7622

- (b) wanneer per hand besorg word, afgelewer word by -
- SPT
Hoofstraat 258
PAARL
- (c) wanneer per telefaks gestuur word, geadresseer aan –
- 021-870 2915
- (d) wanneer aangestuur word per e-pos, geadresseer aan -
- info@dfpt.co.za

Inwerkingtreding en periode van toepassing

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

No. R. 978**19 October 2007**

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

ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON PLUMS

I, Lulama Xingwana, 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.

L. XINGWANA

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;

"Importer" means a person or trader who imports plums for sale on the domestic market.

"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 an importer or a municipal market or a retailer. A person who is a producer as well as an exporter or importer must register as a producer and as an exporter or importer 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 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 61 of 1973).

Products to which statutory measure applies.

3. This statutory measure shall apply to plums destined for export and/or import and/or domestic fresh consumption.

Area in which measure shall apply

4. This measure shall apply in 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) 9,5c/kg on all export (all classes) and/or import volumes (all classes) and/or 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;
 - (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, and
 - (d) be payable by an importer on plums for sale on the domestic market.
- (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, import or delivery to be sold on a municipal market or via 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 –

DFPT Finance
PO Box 163
PAARL
7622

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

It is hereby determined that in respect of levies collected –

9. The Minister approve that –

- (a) approximately 70% of the funds shall be used for the core business function;
- (b) not more than 10% of the funds shall be used for administration; and
- (c) approximately 20% of the funds shall be used for transformation.

Commencement and period of validity

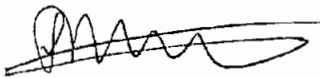
10. This statutory measure shall come into operation on the date of publication hereof and will lapse 4 years later.

No. R. 978**19 Oktober 2007**

WET OP BEMARKING VAN LANDBOUPRODUKTE, 1996
(WET Nr 47 van 1996)

INSTELLING VAN STATUTÊRE MAATREËL EN BEPALING VAN
HEFFINGS OP PRUIME

Ek, Lulama Xingwana, Minister van Landbou, stel hiermee in terme van artikels 13 en 15 van die Bemarking van Landbou Produkte Wet, 1996 (Wet Nr 47 van 1996), die statutêre maatreël in soos uiteengesit in hierdie Skedule.



L. XINGWANA

Minister vir Landbou

SKEDULE

Definisies

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

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

"Invoerder" 'n persoon of handelaar wat vars pruime invoer vir verkope op die plaaslike mark.

"Munisipale Mark" die varsprodukte markte soos omskryf van tyd tot tyd;

"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 'n keuse hê om óf as produsent óf as uitvoerder óf as invoerder óf as handelaar óf as munisipale mark te registreer. 'n Persoon wat 'n produsent sowel as 'n uitvoerder of invoerder is, moet registreer as 'n produsent en 'n uitvoerder of invoerder.

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 om navorsingsprojekte, inligting en tegnologie-oordrag, plantverbeteringsfunksies en sertifisering, markinligting en statistiek; kommunikasie; handel en marktoegang; en transformasie en opleiding, vir pruime.

Hierdie maatreëls is noodsaaklik om te verseker dat volgehoue, tydig en akkurate inligting met betrekking tot die pruimbedryf beskikbaar is vir alle rolspelers sodat hulle ingeligte besluite kan neem binne die terreine soos aangedui.

Hierdie maatreël sal nie die aantal werkseleenthede of billike arbeidspraktyke nadelig raak nie en sal die statutêre maatreëls met betrekking tot registrasie en die indien van opgawes van toepassing op pruime ondersteun.

Die maatreël sal deur die SPT, 'n trust wat in terme van seksie 6(1) van die Trust Eiendomsbeheerwet, 1988 (Wet 57 van 1988) opgerig is, geadminestreer word. Die SPT sal die maatreël soos in die Skedule uiteengesit, implementeer en administreer namens die DFPT

Finance, 'n maatskappy geïnkorporeer onder artikel 21 van die Wet op Maatskappye, 1973 (Wet 61 van 1973).

Produkte waarop die statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël sal van toepassing wees op pruime wat bedoel is vir uitvoer en/of invoer en/of plaaslike vars verbruik.

Area waarin die maatreëls toegepas sal word

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

Instel van 'n heffing

5. 'n Heffing word hierby ingestel op pruime.

Bedrag van heffing

6. Die bedrag van die heffing sal:
- (a) 9,5c/kg op alle uitgevoerde (alle klasse) en/of ingevoerde volumes (alle klasse) en/of plaaslike volumes op munisipale markte en kleinhandelsviak (alle klasse).

Persone deur wie en aan wie die heffing betaalbaar sal wees

7. (1) Die heffing ingestel onder klousule 5 sal –
- (a) betaalbaar deur 'n pruiuitvoerder namens die produsent van wie sodanige pruime vir uitvoere bekom is;
 - (b) betaalbaar deur 'n munisipale mark namens die produsent van wie pruime bekom is met betrekking tot alle pruime wat op die mark verkoop is;
 - (c) betaalbaar deur 'n handelaar namens die produsent van wie pruime bekom is met betrekking tot pruime wat deur die handelaar bekom is, en
 - (d) betaalbaar deur 'n invoerder wie pruime invoer vir verkope op die plaaslike mark.
- (2) 'n Heffing ingestel onder klousule 5 sal betaalbaar wees aan die DFPT Finance ingevolge 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 pruiwe vir uitvoer, invoer 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 ten gunste van DFPT Finance, en sal –
- (a) wanneer per tjek betaal, geadresseer word aan –
DFPT Finance
Posbus 163
PAARL
7622
- (b) wanneer elektronies oorgedra, betaal word in die bankrekening wat op aanvraag van die SPT verkrygbaar is.

Gebruikmaking van heffing

9. Die Minister keur goed dat –
- (a) ten minste 70% van die heffingsfondse behoort gebruik te word vir die kerne besigheid bv. Navorsing.
- (b) nie meer as 10% vir administratiewe gebruik nie; en
- (c) ten minste 20% moet aan transformasie gealokeer word.

Inwerkingtreëding en periode van toepassing

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

No. R. 979**19 October 2007**

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

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

I, Lulama Xingwana, 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.

L. XINGWANA

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 and nectarines for export for his own account, or acts as an agent on a commission basis on behalf of peach and nectarine producers;

“Importer” means a person or trader who imports peaches and nectarines for sale on the domestic market.

“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 an importer or municipal market or retailer. A person who is a producer as well as an exporter or importer must register as a producer and as an exporter or importer 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 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 61 of 1973).

Products to which statutory measure applies.

3. This statutory measure shall apply to peaches and nectarines destined for export and/or import and/or domestic fresh consumption.

Area in which measure shall apply

4. This measure shall apply in 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 7,5c/kg on all peaches and nectarines on export (all classes) and/or import (all classes) and/or 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;
 - (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, and
 - (d) be payable by an importer on peaches and nectarines for sale on the domestic market.
- (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 peaches and nectarines for export, import 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.

It is hereby determined that in respect of levies collected –

9. The Minister approve that
- (a) approximately 70% of the funds shall be used for the core business function;
- (b) not more than 10% of the funds shall be used for administration; and
- (c) approximately 20% of the funds shall be used for transformation.

Commencement and period of validity

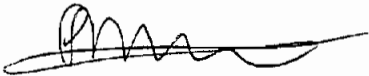
10. This statutory measure shall come into operation on the date of publication hereof and will lapse 4 years later.

No. R. 979**19 Oktober 2007**

WET OP BEMARKING VAN LANDBOUPRODUKTE, 1996
(WET Nr 47 VAN 1996)

INSTELLING VAN STATUTêRE MAATREël EN BEPALING VAN HEFFINGS OP PERSKES &
NEKTARIENS

Ek, Lulama Xingwana, Minister van Landbou, stel hiermee in terme van artikels 13 en 15 van die Bemarking van Landbou Produkte Wet, 1996 (Wet Nr 47 van 1996), die statutêre maatreël in soos uiteengesit in hierdie Skedule.



L. XINGWANA

Minister vir Landbou

SKEDULE

Definisies

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

"Handelaar" 'n persoon wat handel dryf met perskes en nektariens op kleinhandelsvlak op die plaaslike mark;

"Invoerder" 'n persoon of handelaar wat vars perskes en nektariens invoer vir verkope op die plaaslike mark.

"Munisipale Mark" die nasionale varsproduktemarkte soos 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 handel dryf met perskes en nektariens vir uitvoer vir sy eie rekening, of wat as 'n agent op 'n kommissie basis optree namens perske en nektarien produsente.

'n Persoon sal 'n keuse hê om óf as produsent óf as uitvoerder óf as invoerder óf as munisipale mark óf as handelaar te registreer. 'n Persoon wat 'n produsent sowel as 'n uitvoerder of invoerder is, moet registreer as 'n produsent en 'n uitvoerder of invoerder 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 om navorsingsprojekte, inligting en tegnologie-oordrag; plantverbeteringsfunksies en sertifisering; mark inligting en statistiek; kommunikasie; handel en marktoegang; en transformasie en opleiding vir perskes en nektariens te befonds.

Hierdie maatreëls is noodsaaklik om te verseker dat volgehoue, tydig en akkurate inligting met betrekking tot die perske en nektarienbedryf beskikbaar is vir alle rolspelers sodat hulle ingeligte besluite kan neem binne die terreine soos aangedui.

Hierdie maatreël sal nie die aantal werkseleenthede 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 57 van 1988) opgerig is, geadministreer word. Die SPT sal die maatreël soos in die Skedule uiteengesit, implementeer en administreer, namens DFPT Finance, 'n maatskappy geïnkorporeer onder artikel 21 van die Wet op Maatskappye, 1973 (Wet 61 van 1973).

Produkte waarop die statutêre maatreëls van toepassing is

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

Area waarin die maatreël toegepas sal word

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

Instel van 'n heffing

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

Bedrag van heffing

6. Die bedrag van die heffing sal wees 7,5c/kg op alle perskes en nektariens op uitvoer (alle klasse) en/of ingevoerde (alle klasse) en/of plaaslike volumes op munisipale markte en kleinhandelvlak (alle klasse).

Persone deur wie en aan wie die heffing betaalbaar sal wees

7. (1) Die heffing ingestel onder klousule 5 sal –
 - (a) betaalbaar deur 'n perske en nektarien uitvoerder namens die produsent van wie sulke perskes en nektariens verkry is ten opsigte van alle perskes en nektariens uitgevoer;
 - (b) betaalbaar deur 'n munisipale mark namens die produsent van wie sulke perskes en nektariens verkry is ten opsigte van alle perskes en nektariens wat op daardie mark verkoop is;
 - (c) betaalbaar deur 'n handelaar namens die produsent van wie sulke perskes en nektariens verkry is ten opsigte van alle perskes en nektariens deur daardie handelaar verkry, en
 - (d) betaalbaar deur 'n invoerder wie perskes en nektariens invoer vir verkope op die plaaslike mark.

- (2) 'n Heffing ingestel onder klousule 5 sal betaalbaar wees aan die DFPT Finance ingevolge 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, invoer 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 ten gunste van DFPT Finance, en sal –
- (a) wanneer per tjek betaal, geadresseerde word aan –
DFPT Finance
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 70% van die heffingsfondse behoort gebruik te word vir die kerne besigheid bv. Navorsing;
- (b) nie meer as 10% vir administratiewe gebruik nie; en
- (c) ten minste 20% moet aan transformasie gealokeer word.

Inwerkingtreëding en periode van toepassing

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

No. R. 980**19 October 2007**

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

ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON
PEARS

I, Lulama Xingwana, 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.

L. XINGWANA

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;

“Importer” means a person or trader who imports pears for sale on the domestic market.

“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 an importer or municipal market or retailer. A person who is a producer as well as an exporter or importer must register as a producer and as an exporter or importer 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 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 61 of 1973).

Products to which statutory measure applies.

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

Area in which measure shall apply

4. This measure shall apply in 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/or import (all classes) and/or 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 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;
 - (c) be payable by a retailer on behalf of the producer from whom such pears have been procured in respect of pears procured by the retailer, and
 - (d) be payable by an importer on pears for sale on the domestic market.

- (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 wherein a quantity of pears was delivered for export, import 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, 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.

It is hereby determined that in respect of levies collected –

9. The Minister approve that
- (a) approximately 70% of the funds shall be used for the core business function;
- (b) not more than 10% of the funds shall be used for administration; and
- (c) approximately 20% of the funds shall be used for 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.

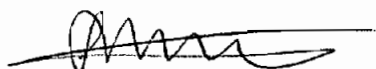
No. R. 980

19 Oktober 2007

BEMARKING VAN LANDBOU PRODUKTE WET, 1996
(WET Nr 47 VAN 1996)

INSEL VAN STATUTÊRE MAATREËLS EN DIE BEPALING VAN HEFFINGS OP PERE

Ek, Lulama Xingwana, Minister van Landbou, stel hiermee in terme van artikels 13 en 15 van die Bemarking van Landbou Produkte Wet, 1996 (Wet Nr 47 van 1996), die statutêre maatreef in soos uiteengesit in hierdie Skedule.



L. XINGWANA

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 die konteks die teendeel aantoon –

“Handelaar” beteken 'n persoon wat handel dryf met vars pere, op kleinhandelsvlak op die plaaslike mark;

“Invoerder” 'n persoon of handelaar wat vars pere invoer vir verkope op die plaaslike mark.

“Munisipale Mark” bedoel die varsprodukte markte soos omskryf van tyd tot tyd;

“Peer Produsent” beteken 'n produsent van pere wat vir die vars uitvoere en die plaaslike 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 produsent of produsente.

'n Persoon sal 'n keuse hê om óf as produsent óf as uitvoerder óf as invoerder óf as munisipale mark óf as handelaar te registreer. 'n Persoon wat 'n produsent sowel as 'n uitvoerder of invoerder is, moet registreer as 'n produsent en 'n uitvoerder of invoerder 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; handel en marktoegang; en transformasie en opleiding vir pere.

Die maatreël is nodig om die SPT instaat te stel om deurlopende, tydig 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 invoer en/of plaaslike vars 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/of ingevoerde (alle klasse) en/of plaaslike volumes op munisipale markte en kleinhandelvlak (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 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;
 - (c) betaalbaar deur 'n handelaar namens die produsent van wie pere bekom is met betrekking tot pere wat deur die handelaar bekom is, en
 - (d) betaalbaar deur 'n invoerder wie pere invoer vir verkope op die plaaslike mark.

- (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, invoer 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 70% van die heffingsfondse behoort gebruik te word vir die kerne besigheid bv. Navorsing;
- (b) nie meer as 10% vir administratiewe gebruik nie; en
- (c) ten minste 20% moet aan transformasie gealokeer word.

Inwerkingtreding en periode van toepassing

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

No. R. 982**19 October 2007**

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

ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON
APRICOTS

I, Lulama Xingwana, 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.

L. XINGWANA

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 apricots for export for his own account, or acts as an agent on a commission basis on behalf of apricot producers;

“Importer” means a person or trader who imports apricots for sale on the domestic market;

“Municipal Market” means the national fresh produce markets as defined from time to time; and

“Retailer” means a person who trades 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 an importer or municipal market or retailer. A person who is a producer as well as an exporter or importer must register as a producer and as an exporter or importer 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 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 61 of 1973).

Products to which statutory measure applies.

3. This statutory measure shall apply to apricots destined for export and/or import and/or domestic fresh consumption.

Area in which measure shall apply

4. This measure shall apply in 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 11c/kg on all apricots on export (all classes) and/or import (all classes) and/or 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;
 - (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, and
 - (d) be payable by an importer on apricots for sale on the domestic market.
- (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 apricots for export, import 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.

It is hereby determined that in respect of levies collected –

9. The Minister approve that

- (a) approximately 70% of the funds shall be used for the core business function;
- (b) not more than 10% of the funds shall be used for administration; and
- (c) approximately 20% of the funds shall be used for transformation.

Commencement and period of validity

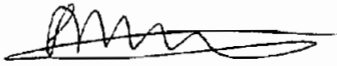
10. This statutory measure shall come into operation on the date of publication hereof and will lapse 4 years later.

No. R. 982**19 Oktober 2007**

WET OP BEMARKING VAN LANDBOUPRODUKTE, 1966
(WET Nr 47 VAN 1966)

INSTELLING VAN STATUTêRE MAATREêL EN BEPALING VAN
HEFFINGS OP APPELKOSE

Ek, Lulama Xingwana, Minister van Landbou, stel hiermee in terme van artikeis 13 en 15 van die Bemarking van Landbou Produkte Wet, 1996 (Wet Nr 47 van 1996), die statutêre maatreël in soos uiteengesit in hierdie Skedule.



L. XINGWANA

Minister vir Landbou

SKEDULE**Definisies**

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

"Appelkoos Produsent" 'n produsent van appelkose bestem vir uitvoere en/of vars plaaslike verbruik;

"Handelaar" 'n persoon wat handel dryf met appelkose op kleinhandelsvlak op die plaaslike mark;

"Invoerder" 'n persoon of handelaar wat vars appelkose invoer vir verkope op die plaaslike mark.

"Munisipale Mark" die nasionale varsproduktemarkte soos van tyd tot tyd gedefinieer; en

"Uitvoerder" 'n persoon wat handel dryf met appelkose vir uitvoer vir sy eie rekening, of wat as 'n agent op 'n kommissie basis optree namens appelkoos produsente.

'n Persoon sal 'n keuse hê om te registreer of as produsent of as uitvoerder of as invoerder of as munisipale mark of as handelaar. 'n Persoon wat 'n produsent sowel as 'n uitvoerder of invoerder is, moet registreer as 'n produsent en as 'n uitvoerder of invoerder 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 om navorsingsprojekte, -inligting en tegnologie-oordrag; plantverbeteringsfunksies en sertifisering; mark inligting en statistiek; kommunikasie; handel en marktoegang; en transformasie en opleiding vir vars appelkose te befonds.

Hierdie maatreëls is noodsaaklik om te verseker dat volgehoue, tydige en akkurate inligting met betrekking tot die appelkoosbedryf beskikbaar is vir alle rolspelers sodat hulle ingeligte besluite kan neem.

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

Die maatreël sal deur die SPT, 'n Trust wat in terme van seksie 6(1) van die Wet op Trust Goedere, 1988 (Wet 57 van 1988) opgerig is, geadministreer word. Die SPT sal die maatreël

soos in die Skedule uiteengesit, implementeer en administreer, namens DFPT Finance, 'n maatskappy geïnkorporeer onder artikel 21 van die Wet op Maatskappye, 1973 (Wet 61 van 1973).

Produkte waarop die statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël sal van toepassing wees op appelkose bestem vir uitvoer en/of invoer en/of plaaslike vars verbruik.

Area waarin die maatreël toegepas sal word

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

Instel van 'n heffing

5. 'n Heffing word hierby ingestel op appelkose.

Bedrag van heffing

6. Die bedrag van die heffing sal wees 11c/kg op alle appelkose, op uitvoer (alle klasse) en/of invoer (alle klasse) en/of plaaslike volumes (alle klasse).

Persone deur wie en aan wie die heffing betaalbaar sal wees

7. (1) Die heffing ingestel onder klousule 5 sal -
- (a) betaalbaar deur 'n appelkoos uitvoerder namens die produsent van wie sulke appelkose verkry is ten opsigte van alle appelkose uitgevoer;
 - (b) betaalbaar deur 'n munisipale mark namens die produsent van wie sulke appelkose verkry is ten opsigte van alle appelkose wat op daardie mark verkoop is;
 - (c) betaalbaar deur 'n handelaar namens die produsent van wie sulke appelkose verkry is ten opsigte van alle appelkose deur daardie handelaar verkry, en
 - (d) betaalbaar deur 'n invoerder wie appelkose invoer vir verkope op die plaaslike mark.
- (2) 'n Heffing ingestel onder klousule 5 sal betaalbaar wees aan die DFPT Finance ingevolge 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, invoer 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 ten gunste van DFPT Finance, en sal –
- (a) wanneer per tjek betaal, geadresseer word aan –
DFPT Finance
Posbus 163
PAARL
7622
- (b) wanneer elektronies oorgedra, betaal word in die bankrekening wat op aanvraag van die SPT verkrygbaar is.

Gebruikmaking van heffing

9. Die Minister keurgoed dat-
- (a) ten minste 70% van die heffingsfondse behoort gebruik te word vir die kerne besigheid by. Navorsing;
- (b) nie meer as 10% vir administratiewe gebruik nie; en
- (c) ten minste 20% moet aan transformasie gealokeer word.

Inwerkingtreëding en periode van toepassing

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