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GOVERNMENT NOTICES
GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE
DEPARTEMENT VAN LANDBOU

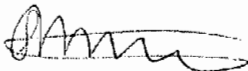
No. 605

4 June 2008

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

ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS
IN RESPECT OF MAIZE AND WHEAT IMPORTS AND EXPORTS

I, Lulama Xingwana, Minister of Agriculture, acting in terms of 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 of Agriculture

SCHEDULE

Definitions

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

"commercial purposes" means where an income, remuneration or benefit is obtained;

"end-consumer" means a person who consumes or processes maize and/or wheat (directly imported or locally produced maize and/or wheat) for commercial purposes, but who does not sell any resulting product;

"exporter" means a person who exports maize and/or wheat from South Africa, and this includes a person who administrates or handles the exports in the name of or on behalf of another person;

"handle" means to receive, store or dispatch maize and/or wheat for imports and/or exports;

"importer" means a person who imports maize and/or wheat into South Africa, and this includes a person who administrates or handles the imports in the name of or on behalf of another person;

"maize" means the threshed and unthreshed product of plants of *zea mays indentata*, *zea mays indurata* and *zea mays ceratina* or one or more of the hybrids of these;

"premises" means premises where locally produced or imported maize and/or wheat is handled for exports and/or imports and of which the person referred to is the owner or lessee or otherwise has control, and where such person has more than one such premises, it shall include all such premises;

"processor" means a person who mills, crushes, grinds to grits or otherwise processes maize and/or wheat, in any manner whatsoever, for the manufacture of maize and/or wheaten products with the aim of selling the resultant product;

"SAGIS" means the South African Grain Information Services, a company not for gain incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973);

"storer" means a person with storage facilities where maize and/or wheat is handled commercially for import and/or export purposes;

"the Act" means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996);

"wheat" means the kernels of the species *Triticum aestivum*, *Triticum durum*, *Triticum turgidum* and *Triticum polonicum*;

"white maize" means maize of which the endosperm has a white colour by nature; and

"yellow maize" means maize of which the endosperm has a yellow colour by nature.

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

2. The aim and objectives of this statutory measure are to compel any person directly and indirectly involved in imports and/or exports (e.g. end-consumers, importers, storers, exporters, processors, including any person, e.g. a producer, trader, transporter, agent, etc. who acts in the capacity of the aforementioned persons) of maize and/or wheat to keep records and submit returns to SAGIS. The statutory measure is deemed necessary in order to ensure that accurate import and export information in respect of maize and/or wheat is made available more frequently to all role-players and decision makers in the grain industry.

This statutory measure is deemed necessary to:

- Obtain complete and reliable information; and
- Assist the more efficient and effective planning, risk management and marketing of maize and/or wheat for food security.

SAGIS was specifically established for the purpose of handling information gathering, processing and dissemination on behalf of the various cereal and oil seed industries in South Africa. This statutory measure will be administered by SAGIS but as a task separate to its main task of monthly national marketing information.

SAGIS publishes macro maize and wheat import and export information on a regular basis for the grain industry and other interested parties. This information is obtained and furnished from the returns submitted to SAGIS. The information gathered by SAGIS by means of records and returns is available free of cost on SAGIS' website. This allows interested parties access whenever they need the information.

Product to which statutory measure applies

3. This statutory measure shall apply to whole maize and whole wheat locally produced or imported but shall exclude maize seed and wheat seed destined for planting purposes and exclude maize products and wheaten products imported and/or exported.

Area in which statutory measure applies

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

Records to be kept by end-consumers, importers, storers, exporters and processors of maize and/or wheat

5. (1) Each end-consumer, importer, storer, exporter and processor of maize and/or wheat shall keep complete records for each week (Saturday to Friday) in respect of maize and/or wheat imported or exported by him. These shall also include any person, e.g. a producer, trader, transporter, agent, etc. who acts in the capacity or on behalf of the aforementioned persons.

(2) Each person mentioned in sub clause (1), irrespective of whether or not he has premises, shall keep the following records:

(a) Imports- in respect of imported maize and/or wheat, records shall be kept of:

- (i) Name and address of importer and/or person on whose behalf imports are made.
- (ii) Quantity of maize and/or wheat imported per country of origin.
- (iii) Quantity of imported maize and/or wheat destined for:
 - (aa) consumption in South Africa.
 - (bb) exports per country of destination in Africa.
 - (cc) exports per country of destination overseas.

- (iv) Name of border post through which maize and/or wheat was imported.
 - (v) Name and address of the first premises where maize and/or wheat, imported through a border post, was handled.
 - (vi) Name of harbour and owner of harbour premises where the imported maize and/or wheat was handled.
 - (vii) Name and particulars of the vessel in which maize and/or wheat was imported.
- (b) Exports- in respect of maize and/or wheat that is exported, records shall be kept in respect of:
- (i) Name and address of the exporter and/or the person on behalf of whom the export took place.
 - (ii) Quantity of maize and/or wheat exported per country of origin namely:
 - (aa) Produced in South Africa.
 - (bb) Imports per country of origin in Africa.
 - (cc) Imports per country of origin overseas.
 - (iii) Quantity of maize and/or wheat exported per land of intended destination.
 - (iv) Name and address of the last premises from where maize and/or wheat was dispatched to a border post.
 - (v) Name of border post through which maize and/or wheat was exported.

- (vi) Name of harbour and owner of harbour premises where the exported maize and/or wheat was handled.
 - (vii) Name and particulars of the vessel in which maize and/or wheat was exported.
- (3) Records mentioned in sub clauses (1) to (2) shall be –
- (a) kept separately in respect of white and yellow maize and/or wheat;
 - (b) recorded on a computer or in ink in a book; and
 - (c) kept at the head office or usual place of business of the person who is required to keep it for a period of at least four years after the end of the period in respect of which such records were kept.

Returns to be submitted by end-consumers, importers, storers, exporters and processors of maize and wheat

6. (1) Every end-consumer, importer, storer, exporter and processor of maize and/or wheat shall, before noon, on a Monday of every week, or in the case of public holidays on a Monday, the first working day of the week, submit to SAGIS an accurate return in respect of his maize and/or wheat imports and/or exports. These shall also include any person, e.g. a producer, agent, trader, transporter etc. who acts in the capacity of the aforementioned persons.
- (2) The returns, as available at SAGIS' offices, shall be submitted for the physical exports and imports that realised during the period stated in clause 5(1).
- (3) The return shall be transmitted electronically to:
The fax number or e-mail address as furnished on the official return forms or as specifically requested by SAGIS.
- (4) The return shall be transmitted electronically to reach the general manager of SAGIS before or on the deadline date mentioned in sub clause (1).

- (5) A zero return shall be submitted if no maize and/or wheat was handled, imported or exported during the period of the return.

Commencement and period of validity

7. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 30 April 2012.

No. 605**4 Junie 2008**

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

INSTELLING VAN STATUTÊRE MAATREËL: AANTEKENINGE EN OPGAWES MET
BETREKKING TOT MIELIES EN KORING IN- EN UITVOERE

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

L XINGWANA
Minister van Landbou

BYLAEWoordomskrywing

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 –

“die Wet” die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No. 47 van 1996);

“eindverbruiker” ’n persoon wat mielies en/of koring vir kommersiële doeleindes verbruik of verwerk (direk ingevoerde of plaaslik geproduseerde mielies en/of koring), maar geen resulterende produk verkoop nie;

“geelmielies” mielies waarvan die endosperm van nature ’n geel kleur het;

“hanteer” ook ontvang, opberg of versend mielies en/of koring vir invoere en/of uitvoere;

“invoerder” ’n persoon wat mielies en/of koring na Suid-Afrika invoer, en sluit ook ’n persoon wat die invoer namens of ten behoeve van ’n ander persoon administreer of hanteer, in;

“kommersiële doeleindes” waar ’n inkomste, vergoeding of voordeel verkry word;

“koring” die korrels van die spesies *Triticum aestivum*, *Triticum durum*, *Triticum turgidum* en *Triticum polonicum*;

“mielies” die gedorste en ongedorste produk van plante van *zea mays indentata*, *zea mays indurata* en *zea mays ceratina* of een of meer kruisings daarvan;

“opberger” ’n persoon met opbergingsfasiliteite waar mielies en/of koring kommersieël hanteer word vir invoer en/of uitvoer doeleindes;

“perseel” ’n perseel waar plaaslik geproduseerde of ingevoerde mielies en/of koring hanteer word vir uitvoere en/of invoere en waarvan die persoon waarna verwys word die eienaar of huurder is of andersins die beheer oor het en, waar sodanige persoon meer as een so ’n perseel het, sluit dit al sulke persele in;

“SAGIS” die Suid-Afrikaanse Graan Inligtingsdiens, 'n maatskappy sonder winsoogmerk ingelyf kragtens artikel 21 van die Maatskappywet, 1973 (Wet No. 61 van 1973);

“uitvoerder” 'n persoon wat mielies en/of koring vanuit Suid-Afrika uitvoer, en sluit ook 'n persoon wat die uitvoere namens of ten behoeve van 'n ander persoon administreer of hanteer, in;

“verwerker” 'n persoon wat mielies en/of koring maal, breek, tot gruis maak of andersins verwerk of prosessee, op welke wyse ookal, vir die vervaardiging van mielieprodukte en/of koringprodukte met die doel om die resulterende produk te verkoop; en

“witmielies” mielies waarvan die endosperm van nature 'n wit kleur het.

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

2. Die doel en doelwitte van die statutêre maatreël is om enige persoon wat direk en indirek betrokke is by invoere en/of uitvoere (bv. eindverbruikers, invoerders, opbergers, uitvoerders, verwerkers, insluitende enige persone, bv. 'n produsent, handelaar, vervoerkontraakteur, agent, ens. wat in die hoedanigheid van die voorafgenoemde persone optree) van mielies en/of koring te verplig om aantekeninge te hou en opgawes aan SAGIS te verstrek. Die statutêre maatreël word noodsaaklik geag ten einde te verseker dat akkurate invoer en uitvoer inligting meer gereeld aan alle rolspelers en besluitnemers in die graanbedryf beskikbaar gestel word.

Hierdie statutêre maatreël word nodig geag ten einde:

- Volledige en betroubare inligting te verkry; en
- Ondersteuning te bied aan meer doeltreffende en effektiewe beplanning, risiko bestuur en bemarking van mielies en/of koring vir voedselsekuriteit.

SAGIS is spesifiek gestig vir die doel om inligtingversameling, -verwerking en -verspreiding namens die verskillende graan- en oliesadebedrywe in Suid-Afrika te behartig. Hierdie statutêre maatreël sal deur SAGIS administreer word, as 'n aparte taak van sy hoof taak van maandelikse nasionale markinligting.

SAGIS publiseer makro mielie en koring invoer en uitvoer inligting op 'n gereelde basis vir die graanbedryf en ander belanghebbende partye. Hierdie inligting word uit die opgawes wat aan SAGIS verstrek word, verkry en verskaf. Die inligting wat by SAGIS by wyse van aantekeninge en opgawes versamel word is gratis op SAGIS se webblad beskikbaar. Dit verseker dat alle belanghebbende partye toegang tot die inligting het wanneer hulle dit ook al nodig mag kry.

Produk waarop statutêre maatreël van toepassing is

3. Hierdie statutêre maatreël is op heelmielies en heerkoring wat plaaslik geproduseer of ingevoer is van toepassing, maar sluit mieliesaad en koringosaad bestem vir aanplantingsdoeleindes en ingevoerde en/of uitgevoerde mielieprodukte en koringprodukte uit.

Gebied waarin statutêre maatreël van toepassing is

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

Aantekeninge wat gehou moet word deur eindverbruikers, invoerders, opbergers, uitvoerders en verwerkers van mielies en/of koring

5. (1) Elke eindverbruiker, invoerder, opberger, uitvoerder en verwerker van mielies en/of koring moet volledige aantekeninge hou vir elke week (Saterdag tot Vrydag) in verband met mielies en/of koring wat deur hom ingevoer of uitgevoer is. Dit sluit ook enige persoon, bv. 'n produsent, handelaar, vervoerkontraakteur, agent, ens. wat optree in die hoedanigheid van of namens die voorafgenoemde persone, in.

(2) Elke persoon in subklousule (1) genoem, ongeag of hy oor 'n perseel beskik al dan nie, moet die volgende aantekeninge hou:

(a) Invoere- ten opsigte van ingevoerde mielies en/of koring, moet aantekeninge gehou word van:

(i) Naam en adres van invoerder en/of persoon namens wie ingevoer is.

(ii) Hoeveelheid mielies en/of koring ingevoer per land van oorsprong.

(iii) Hoeveelheid mielies en/of koring ingevoer en bestem vir:

(aa) verbruik in Suid-Afrika.

(bb) uitvoere per land van bestemming in Afrika.

- (cc) uitvoere per land van bestemming oorsee.

- (iv) Naam van grenspos waardeur mielies en/of koring ingevoer is.

- (v) Naam en adres van die eerste perseel waar mielies en/of koring wat deur 'n grenspos ingevoer is, hanteer is.

- (vi) Naam van hawe en eenaar van haweperseel waar die ingevoerde mielies en/of koring hanteer is.

- (vii) Naam en besonderhede van die vaartuig waarmee mielies en/of koring ingevoer is.

- (b) Uitvoere- ten opsigte van mielies en/of koring wat uitgevoer is, moet aantekeninge gehou word ten opsigte van:
 - (i) Naam en adres van die uitvoerder en/of persoon namens wie uitgevoer is.

 - (ii) Hoeveelheid mielies en/of koring uitgevoer per land van oorsprong naamlik:
 - (aa) Geproduseer in Suid-Afrika.

 - (bb) Invoere per land van oorsprong in Afrika.

 - (dd) Invoere per land van oorsprong oorsee.

 - (iii) Hoeveelheid mielies en/of koring uitgevoer per land van voorgenome bestemming.

 - (iv) Naam en adres van die laaste perseel vanwaar mielies en/of koring versend is na 'n grenspos.

 - (v) Naam van grenspos waardeur mielies en/of koring uitgevoer is.

 - (vi) Naam van hawe en eenaar van haweperseel waar die uitgevoerde mielies en/of koring hanteer is.

- (vii) Naam en besonderhede van die vaartuig waarmee mielies en/of koring uitgevoer is.
- (3) Die aantekeninge genoem in subklousules (1) tot (2) moet –
- (a) afsonderlik ten opsigte van wit- en geelmielies en koring gehou word;
 - (b) aangeteken word op 'n rekenaar of met ink in 'n boek; en
 - (c) by die hoofkantoor of gewone plek van besigheid van die persoon van wie vereis word om dit te hou, gehou word vir 'n tydperk van ten minste vier jaar na die einde van die tydperk ten opsigte waarvan sodanige aantekeninge gehou is.

Opgawes wat verstrek moet word deur eindverbruikers, invoerders, opbergers, uitvoerders en verwerkers van mielies en/of koring

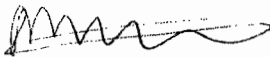
6. (1) Elke eindverbruiker, invoerder, opberger, uitvoerder en verwerker van mielies en/of koring moet voor twaalfuur, op 'n Maandag van elke week, of in die geval waar 'n publieke vakansiedag op 'n Maandag is, die eerste werksdag van die week, 'n akkurate opgawe aan SAGIS verstrek ten opsigte van mielies en/of koring deur hom ingevoer en/of uitgevoer. Dit sluit ook enige persoon, bv. 'n produsent, agent, handelaar, vervoerkontraakteur ens. wat optree in die hoedanigheid van die voorafgenoemde persone, in.
- (2) Die opgawes, soos beskikbaar by SAGIS se kantore, sal verstrek word vir die fisiese invoere en uitvoere wat gedurende die periode soos gestipuleer in klousule 5(1).
- (3) Die opgawe sal elektronies gestuur word aan:
Die faksnommer of e-pos adres soos op die amptelike opgawevorms verskyn of soos spesifiek deur SAGIS versoek is.
- (4) Die opgawe sal elektronies gestuur word om die hoofbestuurder van SAGIS te bereik voor of op die keerdatum genoem in subklousule (1).
- (5) 'n Nul-opgawe moet verstrek word indien daar geen mielies en/of koring gedurende dié periode van die opgawe hanteer, ingevoer of uitgevoer is nie.

Inwerkingtreding

7. Hierdie statutêre maatreël tree in werking op die datum van publikasie hiervan en verval op 30 April 2012.

No. 606**4 June 2008****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996****(ACT No. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE - RECORDS AND RETURNS IN RESPECT OF
MAIZE, OILSEEDS, SORGHUM AND WINTER CEREAL**

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

**L XINGWANA****Minister of Agriculture**

SCHEDULE

Definitions

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

“canola” means the seed of the rapeseed plant *Brassica Napus* and *B. campestris*;

“commercial purposes” means where an income, remuneration or benefit is obtained;

“end-consumer” means a person who consumes or processes grain or oilseeds for commercial purposes, but who does not sell any resulting product;

“exporter” means a person who exports grain or oilseeds from South Africa, and includes a person who arranges or handles the exports in the name of or on behalf of another person;

“grain” means maize, sorghum and winter cereal;

“groundnuts” means the underground fruit of the groundnut plant *Arachis hypogaeae*;

“handle” means receive, store, dispatch or process;

“importer” means a person who imports grain or oilseeds into South Africa, and includes a person who arranges or handles the imports in the name of or on behalf of another person;

"maize" means the threshed and unthreshed product of plants of *zea mays indentata*, *zea mays indurata* and *zea mays ceratina* or one or more of the hybrids of these;

"oilseeds" means canola, groundnuts, soybeans or sunflower seed;

"premises" means premises where locally produced or imported grain or oilseeds is handled and of which the person referred to is the owner or renter or otherwise has control, and where such person has more than one such premises, it shall include all such premises;

"processor" means any person who processes grain or oilseeds, in any manner or process whatsoever, to manufacture maize products, oilseed products, sorghum products or winter cereal products, including bio-fuel and drinking alcohol, with the aim of selling the resultant product;

"producer" means a person involved in the production of grains or oilseeds;

"SAGIS" means the South African Grain Information Service, an association not for gain incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973);

"sorghum" means the threshed ripe seed of plants *Sorghum bicolor (L.) Moench*;

"soybeans" means the seed of the soybean plant, *Glycine soya*;

"storer" means a person with storage facilities where 500 tons and more grain or oilseeds can be handled for commercial purposes;

"sunflower seed" means the seed of the sunflower plant *Helianthus annuus*;

"the Act" means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996) as amended;

"winter cereal" means wheat, barley and oats;

"white maize" means maize of which the endosperm has a white colour by nature; and

"yellow maize" means maize of which the endosperm has a yellow colour by nature.

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

2. The purpose and aims of this statutory measure are to compel end-consumers, importers, storers, exporters and processors of grain or oilseeds to keep records and furnish returns to SAGIS. These shall also include any person e.g. a producer who acts in the capacity of the aforementioned persons. The statutory measure is deemed necessary in order to ensure that market information in respect of grain and oilseeds is made available for all role-players in the relevant industry. Information gathered by SAGIS by means of records and returns is disseminated freely in the market place. Through the mandatory submission of monthly returns on an individual basis, market information for the whole of the country can be processed and disseminated in the marketplace.

This statutory measure will not only assist in improving market access for all market participants, but it should also assist in promoting the efficiency of the marketing of grain and oilseeds. Furthermore, the market information obtained in this manner, will promote the viability of the grain and oilseeds industries and the agricultural sector at large.

The statutory measure is administered by SAGIS. SAGIS was specifically established for the purpose of handling information gathering, processing and dissemination on behalf of the various grain and oilseeds industries in South Africa.

SAGIS publishes macro generic market information on a monthly basis for the grain and oilseeds industries and other interested parties. This information is obtained and furnished from the returns submitted to SAGIS. The information is published in a manner that is suitable to reach the majority of the role-players in the grain and oilseeds industries.

Product to which statutory measure applies

3. This statutory measure shall apply to:

- (a) maize, but shall exclude maize seed destined for planting purposes, maize on the cob for human consumption and maize used for silage;
- (b) sorghum but not seed sorghum or sorghum utilised as silage;
- (c) oilseeds; and
- (d) winter cereal.

Area in which statutory measure applies

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

Records to be kept by end-consumers, importers, storers, exporters and processors of maize, oilseeds, sorghum and winter cereal

5. (1) Each end-consumer, importer, storer, exporter and processor of grain and oilseeds shall keep complete records for each calendar month in respect of grain and oilseeds handled, imported or exported by him. These shall also include any person e.g. a producer who acts in the capacity of the aforementioned persons.

(2) Each person mentioned in subclause (1), irrespective of whether or not he has premises, shall keep the following records:

- (a) Opening stock- the opening stock of all grain or oilseeds physically on his premises on the first day of a calendar month.
- (b) Producer deliveries- all grain or oilseeds received direct from the farm of a producer on his premises according to province of production.
- (c) Imports- in respect of imported grain or oilseeds, records shall be kept of:
 - (i) Name and address of importer and person on whose behalf imports are made;
 - (ii) Quantity of grain or oilseeds and barley equivalent of barley malt imported per country of origin;
 - (iii) Name and particulars of the vessel in which a quantity of grain or oilseeds was imported;
 - (iv) Name of border post through which a quantity of grain or oilseeds was imported;
 - (v) Name and address of the first premises where grain or oilseeds imported through a border post was handled;
 - (vi) Name of harbour and owner of harbour premises where the imported grain or oilseeds was handled;

- (vii) Quantity of imported grain or oilseeds destined for:
 - (aa) consumption in South Africa;
 - (bb) exports per country of destination;

- (d) Other receipts- all grain or oilseeds received at the premises other than grain or oilseeds already declared above as producer deliveries and imports, including records of the name of the consigner and address of the premises from where the grain or oilseeds was dispatched as well as the mass of the grain or oilseeds received;

- (e) Grain or oilseeds processed- all grain or oilseeds processed on his premises, including separate records in respect of all quantities of grain or oilseeds processed:
 - (i) For exports.

 - (ii) For consumption in South Africa separately in respect of maize for:
 - (aa) human consumption (including drinking alcohol);
 - (bb) animal consumption;
 - (cc) industrial consumption; and
 - (dd) bio-fuel.

 - (iii) For consumption in South Africa separately in respect of sorghum for:
 - (aa) indoor malting process;
 - (bb) floor malting process;
 - (cc) meal market (including drinking alcohol);
 - (dd) rice and grits market - brew;
 - (ee) rice and grits market – consumers;
 - (ff) pet food market;

- (gg) poultry feed market;
- (hh) livestock feed market; and
- (ii) bio-fuel.

(iv) For consumption in South Africa separately in respect of oilseeds for:

- (aa) human consumption (canola excluded);
- (bb) animal consumption;
- (cc) oil and oil cake (including oil destined for bio-fuel);
- (dd) direct edible market (groundnuts);
- (ee) peanut butter market; and
- (ff) groundnut pods.

(v) For consumption in South Africa separately in respect of winter cereal for:

- (aa) human consumption (including drinking alcohol);
- (bb) animal consumption; and
- (cc) bio-fuel.

- (f) Gristing- all maize or winter cereal processed on his premises in the name of or on behalf of producers or other clients;
- (g) Seed for planting purposes – all oilseeds or winter cereal dispatched from his premises for planting purposes;
- (h) Grain and oilseeds dispatched to end-consumers- all grain or oilseeds dispatched from his premises to end-consumers, including separate records of the name and address of the premises of the end-consumer, as well as the mass of the grain or oilseeds dispatched;

- (i) Withdrawn by producers- all grain or oilseeds withdrawn from his premises by producers for their own purposes;

- (j) Exports- in respect of grain or oilseeds that is exported, records shall be kept of:
 - (i) Name and address of exporter and the person on behalf of whom the export takes place;
 - (ii) Quantity of grain and oilseeds or the equivalent of grain and oilseeds in a processed form exported per land of intended destination;
 - (iii) Name of border post through which a quantity of grain or oilseeds is exported;
 - (iv) Name and address of the last premises where grain or oilseeds was dispatched to a border post;
 - (v) Name of harbour and owner of harbour premises where the exported grain or oilseeds was handled;
 - (vi) Name and particulars of the vessel in which a quantity of grain or oilseeds is exported;

- (k) Other local dispatches- records shall be kept of all grain or oilseeds dispatched to other premises than those mentioned in (h), (i) and (j), including separate records of the name of the person and the address of the premises to which the grain or oilseeds was dispatched, as well as the mass of the grain or oilseeds dispatched;

- (l) Closing stock- the closing stock of all grain or oilseeds physically on his premises on the last day of a calendar month;

- (m) In transit- all grain or oilseeds dispatched from elsewhere, but not received on his premises on the last day of a relevant calendar month;
- (n) Storage on producer's farm- the quantity of grain or oilseeds that is in a storage facility on the producer's farm on the last day of a calendar month and of which the full ownership has already passed on to the keeper of the records.

(3) The records referred to in subclauses (1) and (2) shall be --

- (a) kept separately in respect of:
 - (i) white and yellow maize;
 - (ii) sweet and bitter sorghum;
 - (iii) choice, sundries and crushing grade groundnuts;
 - (iv) human and feed winter cereal.
- (b) recorded on a computer or in ink in a book; and
- (c) kept at the head office or usual place of business of the person who is required to keep them for a period of at least four years after the end of the period in respect of which such records were kept.

Returns to be rendered by end-consumers, importers, storers, exporters or processors of maize, oilseeds, sorghum and winter cereal

6. (1) Every end-consumer, importer, storer, exporter or processor of grain and oilseeds shall within 10 days of the end of each calendar month submit to SAGIS an accurate return in respect of grain or oilseeds handled, imported or exported by him. These shall also include any person, e.g a producer who acts in the capacity of the aforementioned persons.

(2) The returns shall be completed in ink and submitted on the forms available from SAGIS.

(3) The returns shall -

(a) if sent by mail, be addressed to -

The General Manager: SAGIS

P.O. Box 2267

Montanapark

0159, or

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

The General Manager: SAGIS

Montana Forum Building

Cnr Taaifontein and Tecomaria Streets

Montanapark x 57

Pretoria

(c) if sent electronically, be sent to:

Any of the fax numbers, e-mail addresses or any other electronic addresses as furnished on the official return forms.

(4) The return shall be posted, delivered or transmitted electronically to reach the General Manager of SAGIS before or on the deadline date mentioned in subclause (1);

(5) A zero return shall be submitted even if no grain or oilseeds was handled, imported or exported during the period of the return.

Commencement and period of validity

7. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 30 April 2012.

No. 606**4 Junie 2008****WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996****(WET No. 47 VAN 1996)****INSTELLING VAN STATUTÊRE MAATREËL - AANTEKENINGE EN OPGAWES MET BETREKKING
TOT MIELIES, OLIESADE, SORGHUM EN WINTERGRAAN**

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

L XINGWANA**Minister van Landbou**

BYLAE

Woordomskrywing

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

"canola" die saad van die raapsaad plant *Brassica Napus* en *B. campestris*;

"die Wet" die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No. 47 van 1996) soos gewysig;

"eindverbruiker" 'n persoon wat graan of oliesade vir kommersiële doeleindes verbruik of verwerk, maar geen resulterende produk verkoop nie;

"geelmielies" mielies waarvan die endosperm van nature 'n geel kleur het;

"graan" mielies, sorghum en wintergraan;

"grondbone" die ondergrondse vrug van die grondboonplant *Arachis hypogaeae*;

"hanteer" ook ontvang, opberg, versend of verwerk;

"invoerder" 'n persoon wat graan of oliesade na Suid-Afrika invoer, en dit sluit 'n persoon wat die invoer namens of ten behoeve van 'n ander persoon reël of hanteer, in;

"kommersiële doeleindes" waar 'n inkomste, vergoeding of voordeel verkry word;

“mielies” die gedorste en ongedorste produk van plante van *zea mays indentata*, *zea mays indurata* en *zea mays ceratina* of een of meer kruisings daarvan;

“oliesade” canola, grondbone, sojabone of sonneblomsaad;

“opberger” ‘n persoon met opbergingsfasiliteite van 500t en meer, waar graan of oliesade vir kommersiële doeleindes hanteer word;

“produsent” ‘n persoon betrokke by die produksie van graan of oliesade;

“perseel” ‘n perseel waar plaaslik geproduseerde of ingevoerde graan of oliesade hanteer word en waarvan die persoon waarna verwys word die eienaar of huurder is of andersins die beheer oor het en, waar sodanige persoon meer as een so ‘n perseel het, sluit dit al sulke persele in;

“SAGIS” die Suid-Afrikaanse Graan Inligtingsdiens, 'n maatskappy sonder winsoogmerk ingelyf kragtens artikel 21 van die Maatskappywet, 1973 (Wet No. 61 van 1973);

“sojabone” die saad van die sojaboonplant, *Glycine soya*;

“sonneblomsaad” die saad van die sonneblomplant *Helianthus annuus*;

“sorghum” die gedorste, ryp saad van die plante *Sorghum bicolor (L.) Moench*;

“uitvoerder” ‘n persoon wat graan of oliesade vanuit Suid-Afrika uitvoer, en dit sluit ‘n persoon wat uitvoere namens of ten behoeve van ‘n ander persoon reel of hanteer, in;

"verwerker" 'n persoon wat graan of oliesade op welke wyse of proses ookal verwerk vir die vervaardiging van mielieprodukte, oliesadeprodukte, sorghumprodukte of wintergraanprodukte, insluitend biobrandstof en drinkbare alkohol, met die doel om die resulterende produkte te verkoop;

"wintergraan" gars, hawer en koring; en

"witmielies" mielies waarvan die endosperm van nature 'n wit kleur het.

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

2. Die oogmerk en doelwitte van hierdie statutêre maatreël is om eindverbruikers, invoerders, opbergers, uitvoerders en verwerkers van graan of oliesade te verplig om aantekeninge te hou en opgawes aan SAGIS te verstrek. Dit sluit ook enige persoon, bv. 'n produsent wat optree in die hoedanigheid van die voorafgaande persone, in. Die statutêre maatreël word noodsaaklik geag ten einde te verseker dat markinligting aangaande graan en oliesade akkuraat aan alle rolspelers in die bedrywe beskikbaar gestel word. Inligting wat SAGIS deur middel van aantekeninge en opgawes versamel, word vrylik in die markplek versprei. Deur die verpligte verskaffing van maandelikse opgawes op 'n individuele basis, kan markinligting vir die hele land versamel, verwerk en in die markplek versprei word.

Hierdie statutêre maatreël sal nie slegs marktoegang vir alle markdeelnemers vergemaklik nie, maar behoort ook die doeltreffende bemerking van graan en oliesade te bevorder. Voorts sal die markinligting wat daardeur verkry word, die lewensvatbaarheid van die graan- en oliesadebedrywe en die landbousektor in die breë bevorder.

Hierdie statutêre maatreël word deur SAGIS geadministreer. SAGIS is spesifiek gestig vir die doel om inligtingversameling, -verwerking en -verspreiding namens die verskillende graan- en oliesadebedrywe in Suid-Afrika te behartig.

SAGIS publiseer makrogeneriese markinligting op 'n maandelikse basis vir die graan- en oliesadebedrywe en ander belanghebbende partye. Hierdie inligting word uit die opgawes wat aan SAGIS verstrekk word, verkry en verskaf. Die inligting word op 'n wyse wat geskik is om die meerderheid van die rolspelers in die graan- en oliesadebedrywe te bereik, gepubliseer.

Produk waarop statutêre maatreël van toepassing is

3. Hierdie statutêre maatreël is van toepassing op:

- (a) mielies, maar sluit mieliesaad bestem vir aanplantingsdoeleindes, groenmielies vir menslike gebruik en mielies aangewend vir kuilvoer uit;
- (b) sorghum, maar sluit sorghum bestem vir aanplantingsdoeleindes en sorghum aangewend vir kuilvoer uit;
- (c) oliesade; en
- (d) wintergraan.

Gebied waarin statutêre maatreël van toepassing is

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

Aantekeninge wat gehou moet word deur eindverbruikers, invoerders, opbergers, uitvoerders en verwerkers van mielies, oliesade, sorghum en wintergraan

5. (1) Elke eindverbruiker, invoerder, opberger, uitvoerder en verwerker van graan en oliesade moet vir elke kalendermaand volledige aantekeninge hou in verband met graan en oliesade wat deur hom hanteer, ingevoer of uitgevoer is. Dit sluit ook enige persoon, bv. 'n produsent wat optree in die hoedanigheid van die voorafgenoemde persone, in.
- (2) Elke persoon in subklousule (1) genoem, ongeag of hy oor 'n perseel beskik al dan nie, moet die volgende aantekeninge hou:
- (a) Beginvoorraad- die beginvoorraad van alle graan of oliesade fisies op sy perseel op die eerste dag van 'n kalendermaand;
 - (b) Produsentelewerings- alle graan of oliesade wat direk vanaf die plaas van 'n produsent op sy perseel ontvang word volgens provinsie waar die graan of oliesade geproduseer is;
 - (c) Invoere- ten opsigte van ingevoerde graan of oliesade moet aantekeninge gehou word van:
 - (i) Naam en adres van invoerder en persoon namens wie ingevoer is;
 - (ii) Hoeveelheid graan of oliesade en garsekwivalent van garsmout ingevoer per land van oorsprong;
 - (iii) Naam en besonderhede van vaartuig waarmee die hoeveelheid graan of oliesade ingevoer is;
 - (iv) Naam van grenspos waardeur die hoeveelheid graan of oliesade ingevoer is;

- (v) Naam en adres van die eerste perseel waar graan of oliesade wat deur 'n grenspos ingevoer is, hanteer is;
- (vi) Naam van hawe en eienaar van haweperseel waar die ingevoerde graan of oliesade hanteer is;
- (vii) Hoeveelheid ingevoerde graan of oliesade wat bestem is vir:
 - (aa) verbruik in Suid Afrika;
 - (bb) uitvoer per land van bestemming;
- (d) Ander ontvangstes- alle graan of oliesade wat op sy perseel ontvang word anders as die wat reeds hierbo verklaar is as produsente lewerings en invoere, insluitende aantekeninge van die naam van die afsender en adres van die perseel vanwaar die graan of oliesade versend is asook die massa van die graan of oliesade wat ontvang is;
- (e) Graan of oliesade verwerk- alle graan of oliesade wat op sy perseel verwerk word, insluitend afsonderlike aantekeninge ten opsigte van die hoeveelhede graan of oliesade verwerk:
 - (i) Vir uitvoere.
 - (ii) Vir verbruik in Suid-Afrika afsonderlik met betrekking tot mielies vir:
 - (aa) menslike verbruik (insluitend drinkbare alkohol);
 - (bb) dierlike verbruik;
 - (cc) industriële verbruik; en
 - (dd) bio-brandstof.

(iii) Vir verbruik in Suid-Afrika afsonderlik met betrekking tot sorghum vir:

- (aa) binnenshuise moutproses;
- (bb) vloermoutproses;
- (cc) meelmark (ingesluit drinkbare alkohol);
- (dd) rys en gruismark - brou;
- (ee) rys en gruismark – verbruikers;
- (ff) troeteldierkos;
- (gg) pluimvee-voermark;
- (hh) lewende hawe-voermark; en
- (ii) bio-brandstof.

(iv) Vir verbruik in Suid-Afrika afsonderlik met betrekking tot oliesade vir:

- (aa) menslike verbruik (canola uitgesluit);
- (bb) dierlike verbruik;
- (cc) olie en oliekoek (insluitend olie bestem vir bio-brandstof);
- (dd) direkte eetmark (grondbone);
- (ee) grondboonbottermark; en
- (ff) grondboonpeule.

(v) Vir verbruik in Suid-Afrika afsonderlik met betrekking tot wintergraan vir:

- (aa) menslike verbruik (insluitend drinkbare alkohol);
- (bb) dierlike verbruik; en
- (cc) bio-brandstof.

-
- (f) Klandisiemaal- alle mielies of wintergraan wat op sy perseel namens of ten behoewe van produsente of ander kliënte verwerk word;
- (g) Saad vir plantdoeleindes- alle oliesade of wintergraan wat vanaf sy perseel versend word vir aanplantingsdoeleindes;
- (h) Graan of oliesade versend na eindverbruikers- alle graan of oliesade wat vanaf sy perseel aan eindverbruikers versend word: Met dien verstande dat afsonderlike aantekeninge gehou word van die naam en adres van die perseel van die eindverbruiker asook die massa van die graan of oliesade wat versend word;
- (i) Onttrek deur produsente- alle graan of oliesade wat vanaf sy perseel deur produsente vir hul eie doeleindes onttrek is;
- (j) Uitvoere- ten opsigte van graan of oliesade wat uitgevoer word, moet aantekeninge gehou word ten opsigte van:
- (i) Naam en adres van uitvoerder en persoon namens wie uitgevoer word;
 - (ii) Hoeveelheid graan of oliesade of die ekwivalent van graan of oliesade in 'n verwerkte vorm uitgevoer per land van beoogde bestemming;
 - (iii) Naam van grenspos waardeur 'n hoeveelheid graan of oliesade uitgevoer word;
 - (iv) Naam en adres van die laaste perseel vanwaar graan of oliesade vir uitvoere versend is na 'n grenspos;
 - (v) Naam van hawe en eienaar van haweperseel waar die uitgevoerde graan of oliesade hanteer is;
 - (vi) Naam en besonderhede van die vaartuig waarmee 'n hoeveelheid graan of oliesade uitgevoer word.

- (k) Ander plaaslike versendings- aantekeninge moet gehou word van alle graan of oliesade wat versend is na persele anders as die vermeld in (h), (i) en (j): Met dien verstande dat afsonderlike aantekeninge gehou moet word van die naam van die persoon en die adres van die perseel waarheen die graan of oliesade versend is asook die massa van die graan of oliesade wat versend is;
 - (l) Eindvoorraad - die eindvoorraad van alle graan of oliesade fisies op sy perseel op die laaste dag van 'n kalendermaand;
 - (m) In transito- alle graan of oliesade wat van elders na sy perseel versend is maar nie op die laaste dag van 'n betrokke kalendermaand op sy perseel ontvang is nie;
 - (n) Opberging van graan of oliesade op produsent se plaas - die hoeveelheid graan of oliesade wat op die laaste dag van 'n kalendermaand in 'n opbergfasiliteit op die produsent se plaas is en waarvan die volle eienaarskap reeds na die houer van die aantekeninge oorgegaan het.
- (3) Die aantekeninge genoem in subklousule (1) tot (2) moet -
- (a) afsonderlik gehou word ten opsigte van:
 - (i) wit en geelmielies;
 - (ii) soet en bitter sorghum;
 - (iii) keur-, diverse- en persgrondbone; en
 - (iv) menslik- en voerwintergraan;
 - (b) aangeteken word op 'n rekenaar, of met ink in 'n boek; en

- (c) by die hoofkantoor of gewone plek van besigheid van die persoon van wie vereis word om dit te hou, gehou word vir 'n tydperk van ten minste vier jaar na die einde van die tydperk ten opsigte waarvan sodanige aantekeninge gehou is.

Opgawes wat verstrek moet word deur eindverbruikers, invoerders, opbergers, uitvoerders en verwerkers van mielies, oliesade, sorghum en wintergraan

6. (1) Elke eindverbruiker, invoerder, opberger, uitvoerder en verwerker van graan of oliesade moet binne 10 dae na die einde van elke kalendermaand, 'n akkurate opgawe aan SAGIS verstrek ten opsigte van graan of oliesade deur hom hanteer, ingevoer of uitgevoer. Dit sluit ook in enige persoon, bv. 'n produsent wat optree in die hoedanigheid van die voorafgenoemde persone.
- (2) Die opgawes moet in ink ingevul word en verstrek word op die vorms wat by SAGIS verkrygbaar is.
- (3) Die opgawe moet -
- (a) wanneer dit per pos gestuur word, geadresseer word aan -
- Die Hoofbestuurder: SAGIS
Posbus 2267
Montanapark
0159; of
- (b) wanneer per hand afgelewer, afgelewer word by -
- Die Hoofbestuurder: SAGIS

Montana Forum Gebou
H/v Taaifontein en Tecomariastraat
Montanapark x 57
Pretoria

(c) wanneer dit elektronies versend word, versend word na:

Enige van die faksnummers, e-pos adresse of enige ander elektroniese adresse soos aangedui op die opgawevorm.

(4) Die opgawe moet gestuur of afgelewer word om die Hoofbestuurder van SAGIS te bereik voor of op die keerdatum in subklousule (1) genoem.

(5) 'n Nul-opgawe moet verstrek word selfs indien daar geen graan of oliesade gedurende die tydperk van die opgawe hanteer, ingevoer of uitgevoer was nie.

Inwerkingtreding en tydperk van geldigheid

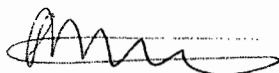
7. Hierdie statutêre maatreël tree in werking op die datum van publikasie hiervan en verval op 30 April 2012.

No. 607

4 June 2008

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996**(ACT No. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE - REGISTRATION OF CERTAIN PERSONS IN
RESPECT OF MAIZE, OILSEEDS, SORGHUM AND WINTER CEREAL**

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

**L XINGWANA****Minister of Agriculture**

SCHEDULE

Definitions

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

“canola” means the seed of the rapeseed plant *Brassica Napus* and *B. campestris*;

“commercial purposes” means where an income, remuneration or benefit is obtained;

“end-consumer” means a person who consumes or processes grain or oilseeds for commercial purposes, but who does not sell any resulting product;

“exporter” means a person who exports grain or oilseeds from South Africa, and includes a person who arranges or handles the exports in the name of or on behalf of another person;

“grain” means maize, sorghum and winter cereal;

“groundnuts” means the underground fruit of the groundnut plant *Arachis hypogaeae*;

“handle” means receive, store, dispatch or process;

“importer” means a person who imports grain or oilseeds into South Africa, and includes a person who arranges or handles the imports in the name of or on behalf of another person;

"maize" means the threshed and unthreshed product of plants of *zea mays indentata*, *zea mays indurata* and *zea mays ceratina* or one of more of the hybrids of these;

"oilseeds" means canola, groundnuts, soybeans or sunflower seed;

"premises" means premises where locally produced or imported grain or oilseeds is handled and of which the person referred to is the owner or renter or otherwise has control, and where such person has more than one such premises, it shall include all such premises;

"processor" means any person who processes grain or oilseeds, in any manner or process whatsoever, to manufacture maize products, oilseed products, sorghum products or winter cereal products, including bio-fuel and drinking alcohol, with the aim of selling the resultant product;

"producer" means any person involved in the production of grains or oilseeds;

"SAGIS" means the South African Grain Information Service, an association not for gain incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973);

"sorghum" means the threshed ripe seed of plants *Sorghum bicolor (L.) Moench*;

"soybeans" means the seed of the soybean plant, *Glycine soya*;

"storer" means a person with storage facilities where 500 tons and more grain or oilseeds can be handled for commercial purposes;

"sunflower seed" means the seed of the sunflower plant *Helianthus annuus*;

"the Act" means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996) as amended;

"winter cereal" means wheat, barley and oats;

"white maize" means maize of which the endosperm has a white colour by nature; and

"yellow maize" means maize of which the endosperm has a yellow colour by nature.

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

2. The purpose and aims of this statutory measure are to compel end-consumers, importers, storers, exporters and processors of grain or oilseeds to register with SAGIS. These shall also include any person e.g. a producer who acts in the capacity of the aforementioned persons. Registration of the said persons is necessary to enable SAGIS to make available continuous, timely and accurate market information in respect of grain or oilseeds to all role-players. It is essential that market information in the deregulated market be as accurate as possible in order to be able to make informed decisions. Through the combination of mandatory registration of the major role-players together with the submission of monthly returns on an individual basis, market information for the whole of the country can be processed and disseminated in the marketplace.

This statutory measure will not only assist in improving market access for all market participants, but it should also assist in promoting the efficiency of the marketing of grain and oilseeds. The viability of the grain and oilseeds industries will thus be promoted.

This statutory measure is administered by SAGIS. SAGIS was specifically established for the purpose of registration and information gathering, processing and dissemination in respect of the various grain and oilseed industries in South Africa.

Product to which statutory measure applies

3. This statutory measure shall apply to:

- (a) maize, but shall exclude maize seed destined for planting purposes, maize on the cob for human consumption and maize used for silage;
- (b) sorghum but exclude sorghum for planting purposes or sorghum utilised as silage;
- (c) oilseeds; and
- (d) winter cereal.

Area in which statutory measure applies

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

Registration of end-consumers, importers, storers, exporters and processors of maize, oilseeds, sorghum and winter cereal

5. (1) All end-consumers, importers, storers, exporters and processors of grain and oilseeds shall register as such with SAGIS in the manner set out in clause 6. These shall also include any person e.g. a producer who acts in the capacity of the aforementioned persons.

(2) Each person who becomes an end-consumer, importer, storer, exporter or processor after the date at which this statutory measure comes into force, shall register with SAGIS within 30 days after he became an end-consumer, importer, storer, exporter or processor.

(3) Each end-consumer, importer, storer, exporter or processor who registered with SAGIS in terms of Government Notice R.1045, R.1046, R.1047 and R.1048 of 27 October 2000 as amended, shall be deemed to be registered with SAGIS in terms of this statutory measure.

(4) Upon registration a certificate of registration will be issued by SAGIS to the applicant.

(5) The registration certificate issued in terms of subclause (4) shall expire when this statutory measure is revoked or when it is cancelled by SAGIS.

(6) Every end-consumer, importer, storer, exporter and processor of grain or oilseeds shall notify SAGIS in writing within 30 days after he has ceased to act in that capacity, whereupon his registration will be cancelled.

(7) The provisions of clause 6 shall apply mutatis mutandis to persons who were already registered with SAGIS at the time of this publication.

Application for registration as end-consumer, importer, storer, exporter or processor of maize, oilseeds, sorghum and winter cereal

6. (1) An application for registration in terms of clause 5 shall be made on the application form available from SAGIS.

(2) The application form shall be completed in ink by a person who is duly authorised and it shall be accompanied by the corroborating documentation as specified in the application form.

(3) The application form shall -

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

The General Manager: SAGIS
P.O. Box 2267
Montanapark
0159, or

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

The General Manager: SAGIS
Montana Forum Building
Cnr Taaifontein and Tecomaria Streets
Montanapark x 57
Pretoria

(c) if sent electronically, be sent to:

Any of the fax numbers, e-mail addresses or any other electronic addresses as they appear on the application form.

Commencement and period of validity

7. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 30 April 2012.

No. 607**4 Junie 2008****WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996****(WET No. 47 VAN 1996)****INSTELLING VAN STATUTÊRE MAATREËL - REGISTRASIE VAN SEKERE PERSONE MET
BETREKKING TOT MIELIES, OLIESADE, SORGHUM EN WINTERGRAAN**

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

L XINGWANA**Minister of Agriculture**

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 -

"canola" die saad van die raapsaad plant *Brassica Napus* en *B. campestris*;

"die Wet" die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No. 47 van 1996) soos gewysig;

"eindverbruiker" 'n persoon wat graan of oliesade vir kommersiële doeleindes verbruik of verwerk, maar geen resulterende produk verkoop nie;

"geelmielies" mielies waarvan die endosperm van nature 'n geel kleur het;

"graan" mielies, sorghum en wintergraan;

"grondbone" die ondergrondse vrug van die grondboonplant *Arachis hypogaeae*;

"hanteer" ook ontvang, opberg, versend of verwerk;

"invoerder" 'n persoon wat graan of oliesade na Suid-Afrika invoer, en dit sluit 'n persoon wat die invoer namens of ten behoeve van 'n ander persoon reel of hanteer, in;

"kommersiële doeleindes" waar 'n inkomste, vergoeding of voordeel verkry word;

"mielies" die gedorste en ongedorste produk van plante van *zea mays indentata*, *zea mays indurata* en *zea mays ceratina* of een of meer kruisings daarvan;

"oliesade" canola, grondbone, soja bone of sonneblomsaad;

"opberger" 'n persoon met opbergingsfasiliteite van 500t en meer, waar graan of oliesade vir kommersiële doeleindes hanteer word.

"produsent" 'n persoon betrokke by die produksie van graan of oliesade;

"perseel" 'n perseel waar plaaslik geproduseerde of ingevoerde graan of oliesade hanteer word en waarvan die persoon waarna verwys word die eienaar of huurder is of andersins die beheer oor het en, waar sodanige persoon meer as een so 'n perseel het, sluit dit al sulke persele in;

"SAGIS" die Suid-Afrikaanse Graan Inligtingsdiens, 'n maatskappy sonder winsoogmerk ingelyf kragtens artikel 21 van die Maatskappywet, 1973 (Wet No. 61 van 1973);

"sojabone" die saad van die sojaboonplant, *Glycine soya*;

"sonneblomsaad" die saad van die sonneblomplant *Helianthus annuus*;

"sorghum" die gedorste, ryp saad van die plante *Sorghum bicolor (L.) Moench*;

"uitvoerder" 'n persoon wat graan of oliesade vanuit Suid-Afrika uitvoer, en dit sluit 'n persoon wat uitvoere namens of ten behoeve van 'n ander persoon reel of hanteer, in;

"verwerker" 'n persoon wat graan of oliesade op welke wyse of proses ookal verwerk vir die vervaardiging van mielieprodukte, oliesadeprodukte, sorghumprodukte of wintergraanprodukte, insluitend biobrandstof en drinkbare alkohol, met die doel om die resulterende produkte te verkoop;

"wintergraan" gars, hawer en koring; en

"witmielies" mielies waarvan die endosperm van nature 'n wit kleur het.

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

2. Die oogmerk en doelwitte van hierdie statutêre maatreël is om eindverbruikers, invoerders, opbergers, uitvoerders en verwerkers van graan of oliesade te verplig om by SAGIS te registreer. Dit sluit ook enige persoon, bv. 'n produsent wat optree in die hoedanigheid van die voorafgaande persone, in. Registrasie van al die betrokke persone is nodig om SAGIS in staat te stel om deurlopende, tydige en akkurate markinligting aangaande graan of oliesade vir alle rolspelers beskikbaar te stel. Dit is nodig dat markinligting in 'n gedereguleerde mark so akkuraat as moontlik is ten einde alle rolspelers in staat te stel om ingeligte besluite te kan neem. Deur die kombinerende verpligte registrasie van die belangrikste rolspelers tesame met die verskaffing van maandelikse opgawes op 'n individuele basis, kan markinligting vir die hele land verwerk en in die markplek versprei word.

Hierdie statutêre maatreël sal nie slegs help om marktoegang vir alle markdeelnemers te verbeter nie, maar behoort ook te help om die doeltreffendheid van die bemarking van graan en oliesade te bevorder. Die lewensvatbaarheid van die graan- en oliesaadbedrywe word sodoende bevorder.

Hierdie statutêre maatreël word deur SAGIS geadministreer. SAGIS is spesifiek gestig vir die doel van registrasie en inligtingversameling, -verwerking en -verspreiding met betrekking tot die verskillende graan- en oliesaadbedrywe in Suid-Afrika.

Produk waarop statutêre maatreël van toepassing is

3. Hierdie statutêre maatreël is van toepassing op:

- (a) mielies, maar sluit mieliesaad bestem vir aanplantingsdoeleindes, groenmielies vir menslike gebruik en mielies aangewend vir kuilvoer uit;
- (b) sorghum, maar sluit sorghum bestem vir aanplantingsdoeleindes en sorghum aangewend vir kuilvoer uit;
- (c) oliesade; en
- (d) wintergraan.

Gebied waarin statutêre maatreël van toepassing is

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

Registrasie van eindverbruikers, invoerders, opbergers, uitvoerders en verwerkers van mielies, oliesade, sorghum en wintergraan

5. (1) Alle eindverbruikers, invoerders, opbergers, uitvoerders en verwerkers van graan en oliesade moet as sulks registreer by SAGIS op die wyse in klousule 6 uiteengesit. Dit sluit ook enige persoon, bv. 'n produsent wat optree in die hoedanigheid van die voorafgenoemde persone, in.

(2) Elke persoon wat 'n eindverbruiker, invoerder, opberger, uitvoerder of verwerker word na die datum van inwerkingtreding van hierdie statutêre maatreël, moet binne 30 dae nadat hy 'n eindverbruiker, invoerder, opberger, uitvoerder of verwerker geword het, by SAGIS registreer.

(3) Elke eindverbruiker, invoerder, opberger, uitvoerder en verwerker wat ingevolge Goewermentskennisgewings R.1045, R.1046, R.1047 en R.1048 van 27 Oktober 2000 soos gewysig by SAGIS geregistreer het, word geag om by SAGIS geregistreer te wees in terme van hierdie statutêre maatreël.

(4) By registrasie word 'n sertifikaat van registrasie deur SAGIS aan die applikant uitgereik.

(5) 'n Registrasiesertifikaat wat ingevolge subklousule (4) uitgereik word, verval wanneer hierdie maatreël herroep word of wanneer dit deur SAGIS gekanselleer word.

(6) Elke eindverbruiker, invoerder, opberger, uitvoerder en verwerker moet SAGIS binne 30 dae nadat hy ophou om in daardie hoedanigheid op te tree, skriftelik daarvan in kennis stel, waarop sy registrasie gekanselleer word.

(7) Die bepalings van subklousule 6 is *mutatis mutandis* van toepassing op persone wat reeds by SAGIS geregistreer is ten tye van hierdie publikasie.

Aansoek om registrasie as eindverbruiker, invoerder, opberger, uitvoerder of verwerker van mielies, oliesade, sorghum en wintergraan

6. (1) 'n Aansoek om registrasie ingevolge klousule 5 moet op die aansoekvorm wat by SAGIS verkrygbaar is, gedoen word.

(2) Die aansoekvorm moet in ink ingevul word deur 'n persoon wat behoorlik daartoe gemagtig is en moet vergesel word deur die stawende dokumentasie soos in die vorm gespesifiseer.

(3) Die aansoekvorm moet -

(a) wanneer dit per pos gestuur word, geadresseer wees aan -

Die Hoofbestuurder: SAGIS

Posbus 2267

Montanapark

0159;

(b) wanneer per hand afgelewer, afgelewer word by -

Die Hoofbestuurder: SAGIS

Montana Forumgebou

H/v Taaifontein en Tecomariastraat

Montanapark x 57

Pretoria; of

(c) wanneer dit elektronies versend word, versend word na:

Enige van die fax nommers, e-pos adresse of enige ander elektroniese adresse soos aangedui op die aansoekvorm.

Inwerkingtreëding en tydperk van geldigheid

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

April 2012.
