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GOVERNMENT NOTICES
GOEWERMENSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE
DEPARTEMENT VAN LANDBOU

No. 189

11 March 2010

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

**ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF A MARKET
DEVELOPMENT/CONSUMER EDUCATION LEVIES ON APRICOTS**

I, TINA JOEMAT-PETTERSSON, Minister for Agriculture, Forestry & Fisheries 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.

TINA JOEMAT-PETTERSSON

Minister for Agriculture, Forestry & Fisheries

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

“Apricot Producer” means a producer of apricots intended for exports; and

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

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

2. The levy is needed by the Deciduous Fruit Producers' Trust (DFPT) to fund a market development and consumer education campaign for export apricots.

This measure is necessary to generate the producer funding for a market development and consumer education campaign.

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 all apricots destined for export.

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 export apricots (all classes).

Amount of levy

6. The amount of the levy shall be R0,50 per standard 5 Kg carton or the equivalent rate per kilogram on all other sizes of export (all classes) cartons of apricots.

Persons by whom and to whom levy shall be payable

7. (1) The levy imposed under clause 5 shall be payable by an apricot producer or exporter on behalf of the producer from which such apricots have been procured in respect of all apricots exported;
- (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.
- (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.

Commencement and period of validity

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

No. 189

11 Maart 2010

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

**INSTELLING VAN STATUTÊRE MAATREËL EN BEPALING VAN 'N
HEFFING OP PERSKES EN NEKTARIENS VIR MARKONTWIKKELING/VERBRUIKERS
OPVOEDING**

Ek, TINA JOEMAT-PETTERSSON, Minister van Landbou, Bosbou en Visserij 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.

TINA JOEMAT-PETTERSSON

Minister vir Landbou, Bosbou en Visserij

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 –

“Perske en Nektarien Produsent” 'n produsent van perskes en nektariens wat vir uitvoer bestem is; en

“Uitvoerder” 'n persoon wat handel dryf met perskes en nektariens vir uitvoer vir sy eie rekening, of as 'n kommissie-agent optree namens perske en nektarien produsente.

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

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 'n markontwikkelings en verbruikers opvoeding strategie vir perskes en nektariens te implementeer.

Hierdie maatreël is nodig op produsente befondsing vir 'n markontwikkelings- en verbruikers opvoedingprogram te genereer.

Hierdie maatreël sal nie die aantal werksgeleenthede of billike arbeidspraktyke nadelig raak nie en sal die statutêre maatreëls met betrekking tot registrasie en die indien van opgawes van toepassing op perskes en nektariens 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, geadministreer 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 alle perskes en nektariens wat bedoel is vir uitvoer.

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 uitvoer perskes en nektariens (alle klasse).

Bedrag van heffing

6. Die bedrag van die heffing sal R0,50 per standaard 2,5 kg uitvoer karton of die ekwivalente gedeelte daarvan per kilogram vir alle ander uitvoer karton (alle klasse) groottes van perskes en nektariens beloop.

Persone deur wie en aan wie die heffing betaalbaar sal wees

7. (1) Die heffing ingestel onder klousule 5 sal betaalbaar wees deur 'n perske en nektarien produsent of perske en nektarien uitvoerders namens die produsent.
- (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 perskes en nektariens vir uitvoer gelewer 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 bank rekening wat op aanvraag van die SPT verkrygbaar is.

Inwerkingtreëding en periode van toepassing

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

No. 190**11 March 2010**

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

**ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF A MARKET
DEVELOPMENT/CONSUMER EDUCATION LEVIES ON APRICOTS**

I, TINA JOEMAT-PETTERSSON, Minister for Agriculture, Forestry & Fisheries 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.

TINA JOEMAT-PETTERSSON

Minister for Agriculture, Forestry & Fisheries

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

“Apricot Producer” means a producer of apricots intended for exports; and

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

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

2. The levy is needed by the Deciduous Fruit Producers' Trust (DFPT) to fund a market development and consumer education campaign for export apricots.

This measure is necessary to generate the producer funding for a market development and consumer education campaign.

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 all apricots destined for export.

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 export apricots (all classes).

Amount of levy

6. The amount of the levy shall be R0,50 per standard 5 Kg carton or the equivalent rate per kilogram on all other sizes of export (all classes) cartons of apricots.

Persons by whom and to whom levy shall be payable

7. (1) The levy imposed under clause 5 shall be payable by an apricot producer or exporter on behalf of the producer from which such apricots have been procured in respect of all apricots exported;
- (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.
- (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.

Commencement and period of validity

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

No. 190

11 Maart 2010

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

INSTELLING VAN STATUTÊRE MAATREËL EN BEPALING VAN 'N
HEFFING OP APPELKOSE VIR MARKONTWIKKELING/VERBRUIKERS OPVOEDING

Ek, TINA JOEMAT-PETTERSSON, Minister van Landbou, Bosbou en Vissery 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.

TINA JOEMAT-PETTERSSON

Minister vir Landbou, Bosbou en Vissery

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 wat vir uitvoer bestem is; en

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

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

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 'n markontwikkelings en verbruikers opvoeding strategie vir appelkose te implementeer.

Hierdie maatreël is nodig op produsente befondsing vir 'n markontwikkelings- en verbruikers opvoedingprogram te genereer.

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 appelkose 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, geadministreer 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 alle appelkose wat bedoel is vir uitvoer.

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 uitvoer appelkose (alle klasse).

Bedrag van heffing

6. Die bedrag van die heffing sal R0,50 per standaard 5 kg uitvoer karton of die ekwivalente gedeelte daarvan per kilogram vir alle ander uitvoer karton (alle klasse) groottes van appelkose beloop.

Persone deur wie en aan wie die heffing betaalbaar sal wees

7. (1) Die heffing ingestel onder klousule 5 sal betaalbaar wees deur 'n appelkoos produsent of appelkoos uitvoerders namens die produsent.
- (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 appelkose vir uitvoer gelewer 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 bank rekening wat op aanvraag van die SPT verkrygbaar is.

Inwerkingtreding en periode van toepassing

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

No. 191**11 March 2010**

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

**ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF A MARKET
DEVELOPMENT/CONSUMER EDUCATION LEVIES ON APPLES AND PEARS**

I, TINA JOEMAT-PETTERSSON, Minister for Agriculture, Forestry & Fisheries, 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.

TINA JOEMAT-PETTERSSON

Minister for Agriculture, Forestry & Fisheries

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 apples and pears for export for his own account, or acts as an agent on a commission basis on behalf of apple and pear producers;

“Apple Producer” means a producer of apples intended for exports;

“Pear Producer” means a producer of pears intended for exports; and

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

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

2. The levy is needed by the Deciduous Fruit Producers’ Trust (DFPT) to fund a market development and consumer education campaign for export apples and pears.

This measure is necessary to generate the producer funding for a market development and consumer education campaign.

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 and 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 all apples and pears destined for export.

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 export apples and pears (all classes).

Amount of levy

6. The amount of the levy shall be R0,35 per standard 12,5 Kg carton or the equivalent rate per kilogram on all other sizes of export (all classes) cartons of apples and pears.

Persons by whom and to whom levy shall be payable

7. (1) The levy imposed under clause 5 shall be payable by an apple and pear producer or exporter on behalf of the producer from which such apples or pears have been procured in respect of all apples and pears exported;
- (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 apples and pears for export.
- (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.

Commencement and period of validity

9. This statutory measure shall come into operation on the date of publication hereof and will lapse two (2) years later.

No. 191**11 Maart 2010****WET OP BEMARKING VAN LANDBOUPRODUKTE, 1996
(WET Nr 47 van 1996)****INSTELLING VAN STATUTÊRE MAATREËL EN BEPALING VAN 'N
HEFFING OP APPELS EN PERE VIR MARKONTWIKKELING/VERBRUIKERS OPVOEDING**

Ek, TINA JOEMAT-PETTERSSON, Minister van Landbou, Bosbou en Vissery, 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.

TINA JOEMAT-PETTERSSON

Minister vir Landbou, Bosbou en Vissery

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 –

“Appel Produsent” 'n produsent van appels wat vir uitvoer bestem is;

“Peer Produsent” 'n produsent van pere wat vir uitvoer bestem is; en

“Uitvoerder” 'n persoon wat handel dryf met appels en/of pere vir uitvoer vir sy eie rekening, of as 'n kommissie-agent optree namens appels en/of peer produsente.

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

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 'n markontwikkelings en verbruikers opvoeding strategie vir appels en pere te implementeer.

Hierdie maatreël is nodig op produsente befondsing vir 'n markontwikkelings- en verbruikers opvoedingprogram te genereer.

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 appels en pere 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, geadministreer 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 alle appels en pere wat bedoel is vir uitvoer.

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 uitvoer appels en pere (alle klasse).

Bedrag van heffing

6. Die bedrag van die heffing sal R0,35 per standaard 12,5 kg uitvoer karton of die ekwivalente gedeelte daarvan per kilogram vir alle ander uitvoer karton (alle klasse) groottes van appels en pere beloop.

Persone deur wie en aan wie die heffing betaalbaar sal wees

7. (1) Die heffing ingestel onder klousule 5 sal betaalbaar wees deur 'n appel en peer produsent of appel en peer uitvoerders namens die produsent.
- (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 appels en pere vir uitvoer gelewer 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 bank rekening wat op aanvraag van die SPT verkrygbaar is.

Inwerkingtreding en periode van toepassing

9. Hierdie statutêre maatreël sal in werking tree op die datum van publikasie hiervan en sal twee (2) jaar later verval.