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No. 34632

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CONTENTS**INHOUD**

No.	Page No.	Gazette No.	No.	Bladsy No.	Koerant No.
GOVERNMENT NOTICE			GOEWERMENSKENNISGEWINGS		
Agriculture, Forestry and Fisheries, Department of			Gesondheid, Departement van		
<i>Government Notices</i>			<i>Goewermentskennisgewing</i>		
R. 780			R. 803		
Marketing of Agricultural Products Act (47/1996): Establishment of statutory measure: Determination of levies on cultivated fynbos products	4	34632	Health Professions Act (56/1974): Regulations defining the scope of the profession of audiology	87	34632
R. 781			Landbou, Bosbou en Visserye, Departement van		
do.: do.: Records and returns relating to fynbos products as well as production and export information of cultivated fynbos products	12	34632	<i>Goewermentskennisgewings</i>		
R. 782			R. 780		
do.: do.: Registration of producers and exports of cultivated fynbos products	20	34632	Wet op die Bemaking van Landbouprodukte (47/1996): Instel van statutêre maatreël:--Bepaling van heffings op gekweekte fynbos produkte	8	34632
R. 783			R. 781		
do.: do.: Records and returns relating to trees as well as production and marketing information of plums, nectarines and peaches, apricots, apples and pears	28	34632	do.: do.: Rekords en opgawes met betrekking tot produksie en uitvoer van gekweekte fynbos produkte	16	34632
R. 784			R. 782		
do.: do.: Registration of producers, exports, importers, municipal markets and traders of plums, peaches and nectarines, apricots, apples and pears and processors of apples	38	34632	do.: do.: Registrasie van produsente en uitvoerders van gekweekte fynbos produkte	24	34632
R. 785			R. 783		
do.: do.: Determination of levies on apricots	46	34632	do.: do.: Aantekeninge en opgawes met betrekking tot bome, asook produksie en bemarkingsinligting van pruime, perskes en nektariens, appelkose, appels en pere	33	34632
R. 786			R. 784		
do.: do.: Determination of levies on apples	54	34632	do.: do.: Registrasie van produsente, uitvoerders, invoerders, munisipale markte en handelaars van pruime, perskes en nektariens, appelkose, appels en pere asook verwerkers van appels	42	34632
R. 787			R. 785		
do.: do.: Determination of levies on peaches and nectarines	63	34632	do.: do.: Bepaling van heffings op appelkose	50	34632
R. 788			R. 786		
do.: do.: Determination of levies on plums	71	34632	do.: do.: Bepalings van heffings op appels	59	34632
R. 789			R. 787		
do.: do.: Determination of levies on pears	79	34632	do.: do.: Bepalings van heffings op perskes en nektariens	67	34632
Health, Department of			R. 788		
<i>Government Notice</i>			do.: do.: Bepaling van heffings op pruime	75	34632
R. 803			R. 789		
Health Professions Act (56/1974): Regulations defining the scope of the profession of audiology	87	34632	do.: do.: Bepaling van heffings op pere	83	34632

IMPORTANT ANNOUNCEMENT

Closing times **PRIOR TO PUBLIC HOLIDAYS** for
GOVERNMENT NOTICES, GENERAL NOTICES,
REGULATION NOTICES AND PROCLAMATIONS

2011

The closing time is **15:00** sharp on the following days:

- ▶ **8 December**, Thursday, for the issue of Thursday **15 December 2011**
- ▶ **14 December**, Wednesday, for the issue of Friday **23 December 2011**
- ▶ **20 December**, Tuesday, for the issue of Friday **30 December 2011**
- ▶ **28 December**, Wednesday, for the issue of Friday **6 January 2012**

Late notices will be published in the subsequent issue, if under special circumstances, a late notice is accepted, a double tariff will be charged

The copy for a **SEPARATE Government Gazette** must be handed in not later than three calendar weeks before date of publication

BELANGRIKE AANKONDIGING

Sluitingstye **VOOR VAKANSIEDAE** vir
GOEWERMENTS-, ALGEMENE- & REGULASIE-
KENNISGEWINGS ASOOK PROKLAMASIES

2011

Die sluitingstyd is stiptelik **15:00** op die volgende dae:

- ▶ **8 Desember**, Donderdag, vir die uitgawe van Donderdag **15 Desember 2011**
- ▶ **14 Desember**, Woensdag, vir die uitgawe van Vrydag **23 Desember 2011**
- ▶ **20 Desember**, Dinsdag, vir die uitgawe van Vrydag **30 Desember 2011**
- ▶ **28 Desember**, Woensdag, vir die uitgawe van Vrydag **6 Januarie 2012**

Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word. Indien 'n laat kennisgewing wel, onder spesiale omstandighede, aanvaar word, sal 'n dubbeltarief gehef word

Wanneer 'n **APARTE Staatskoerant** verlang word moet die kople drie kalenderweke voor publikasie ingedien word

**GOVERNMENT NOTICES
GOEWERMENTSKENNISGEWINGS**

**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES
DEPARTEMENT VAN LANDBOU, BOSBOU EN VISSERYE**

No. R. 780

30 September 2011

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

**ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON
CULTIVATED FYNBOS PRODUCTS**

I, Tina Joemat-Pettersson, Minister for Agriculture, Forestry and 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.

T Joemat-Pettersson,

Minister for Agriculture, Forestry and 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 or organisation who exports cultivated fynbos products for his own account, or acts as an agent on behalf of producers and/or packers of cultivated fynbos products;

“Cultivated Fynbos” refers to plant material from the families *Proteaceae*, *Ericaceae*, *Restionaceae* and *Bruniaceae* including any derived plant material such as hybrids, selections or mutations produced and harvested from dedicated prepared dry land and/or irrigated planted areas;

“Packer” means a person or organisation who manufactures bouquets and other derived products utilising, inter alia, cultivated fynbos material;

“Producer” means a producer of cultivated fynbos products from dedicated prepared dry land and/or irrigated production conditions.

A person shall have a choice to register as either a producer or as a packer or as an exporter. A person has to register for each of the categories (producer, packer or exporter) for which he qualifies.

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

2. The levy is needed by Protea Producers SA to fund research projects, technical information and technology transfer; quality control, standards and certification; information and statistics; communication, market access; and transformation and training for the fynbos industry.

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

The measure will be administered by HORTGRO^{SERVICES}, a company established in terms of the Companies Act (as amended), 1973 (Act 61 of 1973). HORTGRO^{SERVICES} will implement and administer the measure, will ring-fence all fynbos levy income, and report on the utilisation of levy income as set out in the Schedule on behalf of PPSA within DFPT Finance, a company incorporated under section 21 of the Companies Act (as amended), 1973 (Act 61 of 1973).

Products to which statutory measure applies.

3. This statutory measure shall apply to all cultivated fynbos 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 cultivated fynbos products as defined.

Amount of levy

6. The amount of the levy shall be R1,60 per standard export carton and adjusted in the following 3 subsequent years to R1,72, R1,85 and R2,00 per standard export carton respectively during the levy period.

Persons by whom and to whom levy shall be payable

7. (1) The levy imposed under clause 5 shall be –
- (a) Payable by a cultivated fynbos producer;
 - (b) Payable by a packer on behalf of a cultivated fynbos producer; or
 - (c) Payable by an exporter on behalf of a cultivated fynbos producer.
- (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 (60) days following the month end wherein a quantity of cultivated fynbos was delivered for exports.

(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

7620

(b) when electronically transferred, be paid to the bank account obtainable from HORTGRO^{SERVICES} 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. R. 780

30 September 2011

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

**INSEL VAN STATUTÊRE MAATREËLS EN DIE BEPALING VAN HEFFINGS OP
GEKWEEKTE FYNBOS PRODUKTE**

Ek, Tina Joemat-Pettersson, Minister van Landbou, Bosbou en Visserye, handelende kragtens artikels 13 en 15 van die Bemarking van Landbouprodukte Wet, 1996 (Wet Nr 47 van 1996), stel hiermee die statutêre maatreël in soos in die Bylae uiteengesit, in.

T Joemat-Pettersson,

Minister vir Landbou, Bosbou en Visserye.

BYLAE**Definisies**

1. In hierdie Skedule beteken enige woord of uitdrukking waarvoor 'n bedoeling in die Wet vervat is, daardie bedoeling of mening het, tensy die konteks die teendeel aantoon –

“Gekweekte Fynbos” verwys na plantmateriaal van die familie *Proteaceae*, *Ericaceae*, *Restionaceae* en *Bruniaceae*, en verwante plantmateriaal soos hibriede, seleksies en mutasies wat geproduseer en geoes is van bewerkte droëland en/of besproeide geplante areas;

“Produsent” beteken 'n persoon wat gekweekte fynbos produkte op bewerkte droëland en/of besproeide geplante areas produseer;

“Uitvoerder” beteken 'n persoon of instansie wat gekweekte fynbos produkte uitvoer, hetsy vir sy eie rekening, of as 'n agent namens 'n produsent en/of verpakker van gekweekte fynbos optree;

“Verpakker” beteken 'n persoon of organisasie wat ruikers en/of ander verwante produkte met onder andere gekweekte fynbos materiaal, vervaardig;

'n Persoon sal die keuse hê om óf as 'n produsent óf as 'n verpakker óf as 'n uitvoerder te registreer. 'n Persoon moet vir elk van die kategorieë waarvoor hy kwalifiseer (produsent, verpakker of uitvoerder) registreer.

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

2. Die heffing word deur Protea Produsente SA (PPSA) benodig vir die befondsing van navorsings, tegniese inligting en tegnologie oordrag; gehalte versekering, standarde en sertifisering; inligting en statistiek; kommunikasie, marktoegang; en transformasie en opleiding vir die fynbos bedryf.

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

Die maatreël sal nie nadelig op werksgeleenthede en regverdige arbeidspraktyke inwerk nie en sal die maatreëls met betrekking tot registrasie en die indiening van rekords en verslae van toepassing op fynbos produkte ondersteun.

Die maatreël sal deur HORTGRO^{SERVICES}, 'n maatskappy wat in terme van die Maatskappy Wet (soos gewysig), 1973 (Wet 61 van 1973) opgerig is, administreer word. HORTGRO^{SERVICES} sal die maatreëls namens PPSA implementeer en administreer, alle fynbos heffings inkomste apart hou en daarvoor verslag doen soos uiteengesit in hierdie Skedule binne DFPT Finance, 'n maatskappy ingelyf onder artikel 21 van die Maatskappy Wet (soos gewysig), 1973 (Wet 61 van 1973).

Produkte waarop die statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël sal toegepas word op gekweekte fynbos produkte soos gedefinieer.

Area waarin die maatreëls toegepas sal word

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

Instel van 'n heffing

4. 'n Heffing word hiermee ingestel op gekweekte fynbos produkte.

Bedrag van heffing

5. Die bedrag van die heffing sal beloop R1.60 per standaard uitvoerkarton en sal vir die 3 opvolgende jare van hierdie heffingsperiode tot onderskeidelik R1.72, R1.85, R2.00 per standaard uitvoer karton aangepas word.

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

6. (1) Die heffing wat in terme van klousule 5 ingestel word, sal –
 - (a) Betaalbaar wees deur 'n gekweekte fynbos produsent; of
 - (b) Betaalbaar wees deur 'n verpakker namens die gekweekte fynbos Produsente; of
 - (c) Betaalbaar wees deur 'n gekweekte fynbos uitvoerder namens die Gekweekte fynbos produsent.
- (2) Die heffings soos ingestel in terme van klousule 5 sal betaalbaar wees aan DFPT Finance soos aangedui in klousule 8.

Betaling van heffing

7. (1) Betaling van die heffing sal geskied nie later nie as sesstg (60) dae na die maand einde waarin die hoeveelheid fynbos produkte uitgevoer 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
7620
- (b) wanneer elektronies oorgedra word, direk in die bankrekening inbetaal word wat op versoek van HORTGRO^{SERVICES} verkry kan word.

Inwerkingtreëding en periode van toepassing

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

No. R. 781

30 September 2011

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

**ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS RELATING
TO FYNBOS PRODUCTS AS WELL AS PRODUCTION AND EXPORT INFORMATION OF
CULTIVATED FYNBOS PRODUCTS**

I, Tina Joemat-Pettersson, Minister for Agriculture, Forestry and Fisheries, 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.

T Joemat-Pettersson,

Minister for Agriculture, Forestry and 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 or organisation who exports cultivated fynbos products for his own account, or acts as an agent on behalf of producers and/or packers of cultivated fynbos products;

“Cultivated Fynbos” refers to plant material from the families *Proteaceae*, *Ericaceae*, *Restionaceae* and *Bruniaceae* including any derived plant material such as hybrids, selections or mutations produced and harvested from dedicated prepared dry land and/or irrigated planted areas;

“Packer” means a person or organisation who manufactures bouquets and other derived products utilising, inter alia, cultivated fynbos material;

“Producer” means a producer of cultivated fynbos products from dedicated prepared dry land and/or irrigated production conditions.

A person shall have a choice to register as either a producer or as a packer or as an exporter. A person has to register for each of the categories (producer, packer or exporter) for which he qualifies.

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 Protea Producers SA (PPSA). This is necessary to ensure that continuous, timeous and accurate technical and other information relating to the products as defined, is available to all role players. Such 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, export and production information of fynbos products can be processed and disseminated.

The establishment of the measure should assist in promoting the efficiency of the marketing of fynbos products. The viability of the fynbos 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 may be affected.

The measure will be administered by HORTGRO^{SERVICES}, a company established in terms of the Companies Act (as amended), 1973 (Act 61 of 1973). HORTGRO^{SERVICES} will implement and administer the measure as set out in the Schedule on behalf of PPSA.

Products to which statutory measure applies.

3. This statutory measure shall apply to all cultivated fynbos products produced and exported.

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. (1) All producers, packers and exporters of cultivated fynbos products shall keep such records and render the returns as may be required by HORTGRO^{SERVICES}.
- (2) The National Department of Agriculture, Forestry and Fisheries or its assignee shall render a copy of all import certificates or furnish the information required by HORTGRO^{SERVICES} contained in such certificates within the period specified in sub-clause (4)
- (3) The records referred to in sub-clause (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 sub-clause (1) shall be rendered on forms obtainable free of charge for this purpose from HORTGRO^{SERVICES} within 15 days after the end of the month in which the returns have been requested.

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

HORTGRO^{SERVICES}
PO Box 163
PAARL
7620

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

HORTGRO^{SERVICES}
Main Road 258
PAARL

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

021-870 2915

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

info@hortgro.co.za

Commencement and period of validity

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

No. R. 781

30 September 2011

**WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996
(WET NO 47 VAN 1996)**

**INSEL VAN 'N STATUTÊRE MAATREËL: REKORDS EN OPGAWES MET BETREKking
TOT PRODUKSIE EN UITVOER VAN GEKweekTE FYNBOS PRODUKTE**

Ek, Tina Joemat-Pettersson, Minister van Landbou, Bosbou en Visserye handelende kragtens artikels 13 en 18 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet Nr 47 van 1996), die statutêre maatreël in soos in die Bylae uiteengesit.

T JOEMAT-PETTERSSON,

Minister vir Landbou, Bosbou en Visserye.

BYLAE**Definisies**

1. In hierdie Skedule beteken enige woord of uitdrukking waarvoor 'n bedoeling in die Wet vervat is, daardie bedoeling of mening het, tensy die konteks die teendeel aantoon –

“Gekweekte Fynbos” verwys na plantmateriaal van die familie *Proteaceae*, *Ericaceae*, *Restionaceae* en *Bruniaceae*, en verwante plantmateriaal soos hibriede, seleksies en mutasies wat geproduseer en geoes is van bewerkte droëland en/of besproeide geplante areas;

“Produsent” beteken 'n persoon wat gekweekte fynbos produkte op bewerkte droëland en/of besproeide geplante areas produseer;

“Uitvoerder” beteken 'n persoon of instansie wat gekweekte fynbos produkte uitvoer, hetsy vir sy eie rekening, of as 'n agent namens 'n produsent en/of verpakker van gekweekte fynbos optree;

“Verpakker” beteken 'n persoon of organisasie wat rulkers en/of ander verwante produkte met onder andere gekweekte fynbos materiaal, vervaardig;

'n Persoon sal die keuse hê om óf as 'n produsent óf as 'n verpakker óf as 'n uitvoerder te registreer. 'n Persoon moet vir elk van die kategorieë waarvoor hy kwalifiseer (produsent, verpakker of uitvoerder) registreer.

Oogmerke en doelwitte van die statutêre maatreël en die verwantskap daarvan met die oogmerke van die Wet

2. Die doelwit en oogmerk van die statutêre maatreël is om die partye soos uiteengesit hierin te laat registreer by Protea Produsente SA (PPSA). Registrasie is noodsaaklik om PPSA instaat te stel om deurlopende, tydige en akkurate tegniese en ander inligting oor die produkte soos gedefinieer, aan alle rolspelers beskikbaar te maak. Sodanige 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 opgawes op 'n individuele basis, kan generiese inligting vir die totale bedryf verwerk en beskikbaar gestel word en sal dit ook die basis vorm vir die vordering van heffings waar toepaslik.

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

Die maatreël sal deur HORTGRO^{SERVICES}, 'n maatskappy wat in terme van die Maatskappywet (soos gewysig), 1973 (Wet 61 van 1973) opgerig is, uitgevoer word. HORTGRO^{SERVICES} sal die maatreëls namens PPSA implementeer en administreer soos uiteengesit in hierdie Skedule.

Produkte waarop die statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël sal toegepas word op gekweekte fynbos produkte.

Area waarin die maatreëls toegepas sal word

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

Registrasie van geaffekteerde partye

5. (1A) Alle produsente, verpakkers en uitvoerders van gekweekte fynbosprodukte sal sulke rekords hou en opgawes indien soos deur HORTGRO^{SERVICES} verlang in verband met gekweekte fynbosprodukte.
- (1B) Geen rekords of opgawes sal in terme van hierdie maatreël verlang word wat enigsins vertroulike inligting van 'n bemerkingsaard, en spesifiek sal geen inligting wat onder andere kontrakterende partye, kopers van fynbosprodukte, koste van dienste, pryse van produkte, of enige soortgelyke inligting, verlang word nie.
- (2) Die Departement van Landbou, Bosbou en Visserye of sy agent sal 'n afskrif van alle uitvoer sertifikate en ander inligting wat in sodanige sertifikate vervat is en deur HORTGRO^{SERVICES} verlang word, voorsien binne die periode soos gespesifiseer in sub-klousule (4).

- (3) Die rekords soos verwys na in sub-klausule (1) sal –
- (a) vasgelê word per rekenaar of met Ink in 'n boek;
 - (b) gehou word by die geregistreerde perseel van die persoon of instansie van wie dit verlang word om sodanige rekords te hou vir 'n periode van drie jaar.
- (4) Die opgawes waarna verwys word in sub-klausule (1), sal ingedien word op vorms wat gratis by HORTGRO^{SERVICES} verkry kan word binne 15 dae na die einde van die maand waarin die opgawes aangevra is.
- (a) wanneer aangestuur word per pos, na –

HORTGRO^{SERVICES}
Posbus 163
PAARL
7620
 - (b) wanneer per hand besorg word, afgelewer word by -

HORTGRO^{SERVICES}
Hoofstraat 258
PAARL
 - (c) wanneer per telefaks gestuur word, geadresseer aan –

021-870 2915
 - (d) wanneer aangestuur word per e-pos, geadresseer aan -

info@hortgro.co.za

Inwerkingtreding en periode van toepassing

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

No. R. 782

30 September 2011

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

**ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF PRODUCERS AND
EXPORTERS OF CULTIVATED FYNBOS PRODUCTS**

I, Tina Joemat-Pettersson, Minister for Agriculture, Forestry and Fisheries 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.

T JOEMAT-PETTERSSON,

Minister for Agriculture, Forestry and 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 or organisation who exports cultivated fynbos products for his own account, or acts as an agent on behalf of producers and/or packers of cultivated fynbos products;

“Cultivated Fynbos” refers to plant material from the families *Proteaceae*, *Ericaceae*, *Restionaceae* and *Bruniaceae* including any derived plant material such as hybrids, selections or mutations produced and harvested from dedicated prepared dry land and/or irrigated planted areas;

“Packer” means a person or organisation who manufactures bouquets and other derived products utilising, inter alia, cultivated fynbos material;

“Producer” means a producer of cultivated fynbos products from dedicated prepared dry land and/or irrigated production conditions.

A person shall have a choice to register as either a producer or as a packer or as an exporter. A person has to register for each of the categories (producer, packer or exporter) for which he qualifies.

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 Protea Producers SA (PPSA). Registration is necessary to assist the PPSA in ensuring that continuous, timeous and accurate technical and other information relating to the fynbos industry, is available to all role players. Such 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, generic 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 production and marketing of fynbos products. The viability of the fynbos industry will thus be enhanced. The measure will not be detrimental to the number of employment opportunities or fair labour practice.

It will be administered on behalf of PPSA by HORTGRO^{SERVICES}, a company established in terms of the Companies Act (as amended), 1973 (Act 61 of 1973). HORTGRO^{SERVICES} 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 cultivated fynbos products destined for exports.

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, packers and exporters of cultivated fynbos products shall register with HORTGRO^{SERVICES}.
- (2) A person shall have a choice to register as either a producer, packer or exporter.
- (3) A person has to register for each of the categories (producer, packer or exporter) for which he qualifies.

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 HORTGRO^{SERVICES};

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

HORTGRO^{SERVICES}
PO Box 163
PAARL
7620

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

HORTGRO^{SERVICES}
Main Road 258
PAARL

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

021-870 2915

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

info@hortgro.co.za

Commencement and period of validity

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

No. R. 782

30 September 2011

**WET OP BEMARKING VAN LANDBOUPRODUKTE WET, 1996
(WET No 47 VAN 1996)**

**INSEL VAN 'N STATUTÊRE MAATREËL: REGISTRASIE VAN PRODUSENTE EN
UITVOERDERS VAN GEKWEKTE FYNBOS PRODUKTE**

Ek, Tina Joemat-Pettersson, Minister van Landbou, Bosbou en Visserye, handelende kragtens artikels 13 en 19 van die Bemarking van Landbou Produkte Wet, 1996 (Wet Nr 47 van 1996), stel hiermee die statutêre maatreël in soos in die Bylae uiteengesit, in.

T Joemat-Pettersson,

Minister vir Landbou, Bosbou en Visserye.

BYLAE**Definisies**

1. In hierdie Skedule beteken enige woord of uitdrukking waarvoor 'n bedoeling in die Wet vervat is, daardie bedoeling of mening het, tensy die konteks die teendeel aantoon –

“Gekweekte Fynbos” verwys na plantmateriaal van die familie *Proteaceae*, *Ericaceae*, *Restionaceae* en *Bruniaceae*, en verwante plantmateriaal soos hibriede, seleksies en mutasies wat geproduseer en geoes is van bewerkte droëland en/of besproeide geplante areas;

“Produsent” beteken 'n persoon wat gekweekte fynbos produkte op bewerkte droëland en/of besproeide geplante areas produseer;

“Uitvoerder” beteken 'n persoon of instansie wat gekweekte fynbos produkte uitvoer, hetsy vir sy eie rekening, of as 'n agent namens 'n produsent en/of verpakker van gekweekte fynbos optree;

“Verpakker” beteken 'n persoon of organisasie wat ruikers en/of ander verwante produkte met onder andere gekweekte fynbos materiaal, vervaardig;

'n Persoon sal die keuse hê om óf as 'n produsent óf as 'n verpakker óf as 'n uitvoerder te registreer. 'n Persoon moet vir elk van die kategorieë waarvoor hy kwalifiseer (produsent, verpakker of uitvoerder) registreer.

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 Protea Produsente SA (PPSA). Registrasie is noodsaaklik om PPSA instaat te stel om deurlopende, tydige en akkurate tegniese en ander inligting oor die fynbosbedryf, aan alle rolspelers beskikbaar te maak. Sodanige inligting word geag noodsaaklik te wees vir alle rolspelers ten einde ingelgte besluite te kan neem. Deur die kombinerings van verpligte registrasie met die hou van inligting en die indiening van opgawes op 'n individuele basis, kan generiese bedryfsinligting 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 produksie en bemarking van fynbosprodukte bevorder en verbeter. Die lewensvatbaarheid van die fynbosbedryf sal derhalwe verbeter word. Die maatreël sal nie nadellig op werksgeleenthede en regverdige arbeidspraktyke inwerk nie.

Die maatreël sal deur HORTGRO^{SERVICES}, 'n maatskappy wat in terme van die Maatkappywet (soos gewysig), 1973 (Wet 61 van 1973) opgerig is, uitgevoer word. HORTGRO^{SERVICES} sal die maatreëls namens PPSA implementeer en administreer soos uiteengesit in hierdie Skedule.

Produkte waarop die statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël sal toegepas word op alle gekweekte fynbos produkte wat plaaslik geproduseer en vir uitvoere aan uitvoerders gelewer word.

Area waarin die maatreëls toegepas sal word

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

Registrasie van geaffekteerde partye

5. (1) Alle produsente, verpakkers en uitvoerders van gekweekte fynbos produkte sal by HORTGRO^{SERVICES} registreer.
- (2) 'n Persoon sal die keuse hê om te registreer as óf 'n produsent óf as 'n uitvoerder of as 'n verpakker.
- (3) 'n Persoon moet vir elk van die kategorieë waarvoor hy kwalifiseer (produsent, verpakker of uitvoerder) 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 HORTGRO^{SERVICES} verkry kan word;

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

HORTGRO^{SERVICES}
Posbus 163
PAARL
7620

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

HORTGRO^{SERVICES}
Hoofstraat 258
PAARL

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

021- 870 2915

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

info@hortgro.co.za

Inwerkingtreding en periode van toepassing

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

No. R. 783

30 September 2011

**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, TINA JOEMAT-PETTERSSON, Minister of Agriculture, Forestry & Fisheries, 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.

T 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 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 HORTGRO^{SERVICES}. Registration 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 HORTGRO^{SERVICES}, a company established in terms of the Companies Act (as amended), 1973 (Act 61 of 1973). HORTGRO^{SERVICES} will implement and administer the measure as set out in the Schedule within DFPT Finance, a company incorporated under section 21 of the Companies Act (as amended), 1973 (Act 61 of 1973).

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 HORTGRO^{SERVICES} 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 HORTGRO^{SERVICES} 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 HORTGRO^{SERVICES} within 15 days after the end of the month in which the returns have been requested.
- (a) be submitted, when forwarded by post, to –

HORTGRO^{SERVICES}
PO Box 163
PAARL
7620

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

HORTGRO^{SERVICES}
Main Road 258
PAARL
7620

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

021-870 2915

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

info@hortgro.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. 783**30 September 2011**

**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, TINA JOEMAT-PETTERSSON, Minister van Landbou, Bosbou en Visserye, 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.**

T JOEMAT-PETTERSSON

Minister vir Landbou, Bosbou en Visserye

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 HORTGRO^{DIENSTE}. Registrasie is noodsaaklik om HORTGRO^{DIENSTE} in staat 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 kernvrugte en steenvrugte bevorder en verbeter. Die lewensvatbaarheid van die kernvrug en steenvrug bedrywe sal derhalwe verbeter word. Die maatreël sal nie nadellig op werksgeleenthede en regverdige arbeidspraktyke inwerk nie. Enige inligting wat op hierdie wyse verkry word sal vertroulik hanteer word en geen sensitiewe of potensieel sensitiewe kliënt spesifieke inligting sal aan enige party beskikbaar gemaak word sonder die vooraf goedkeuring van daardie partye wie se regte in enige mate geraak kan word nie.

Die maatreël sal deur HORTGRO^{DIENSTE}, 'n maatskappy wat in terme van die Maatskappy Wet (soos gewysig), 1973 (Wet 61 van 1973) opgerig is, administreer word. HORTGRO^{DIENSTE} sal die maatreëls implementeer en administreer soos uiteengesit in hierdie Skedule binne DFPT Finance, 'n maatskappy ingelyf onder artikel 21 van die Maatskappy Wet, (soos gewysig), 1973 (Wet 61 van 1973).

Produkte waarop die statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël sal toegepas word op prulme, 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 HORTGRO^{DIENSTE} 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 HORTGRO^{DIENSTE} 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 HORTGRO^{DIENSTE} 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 –

HORTGRO^{DIENSTE}

Posbus 163

PAARL

7620

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

HORTGRO^{DIENSTE}

Hoofstraat 258

PAARL

7620

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

021-870 2915

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

info@hortgro.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. 784

30 September 2011

**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, TINA JOEMAT-PETTERSSON, Minister of Agriculture, Forestry & Fisheries, 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.

T 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 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 HORTGRO^{SERVICES}. Registration is necessary to assist HORTGRO^{SERVICES} 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.

The measure will be administered by HORTGRO^{SERVICES}, a company established in terms of the Companies Act (as amended), 1973 (Act 61 of 1973). HORTGRO^{SERVICES} will implement and administer the measure as set out in the Schedule within DFPT Finance, a company incorporated under section 21 of the Companies Act (as amended), 1973 (Act 61 of 1973).

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 HORTGRO^{SERVICES}.
- (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 HORTGRO^{SERVICES};

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

HORTGRO^{SERVICES}
PO Box 163
PAARL
7622

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

HORTGRO^{SERVICES}
Main Road 258
PAARL

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

021-870 2915

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

info@hortgro.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. 784

30 September 2011

**WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996
(WET NO 47 VAN 1996)**

**INSTEL VAN 'N STATUTÊRE MAATREËL : REGISTRASIE VAN PRODUSENTE,
UITVOERDERS, INVOERDERS, MUNISIPALE MARKTE EN HANDELAARS VAN PRUIME,
PERSKES & NEKTARIENS, APPELKOSE, APPELS EN PERE ASOOK VERWERKERS
VAN APPELS**

Ek, TINA JOEMAT-PETTERSSON, Minister van Landbou, Bosbou en Visserye, handelende kragtens artikels 13 en 19 van die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No 47 van 1996), stel hiermee die statutêre maatreeel in die Bylae uiteengesit, in.

T JOEMAT-PETTERSSON,

Minister vir Landbou, Bosbou en Visserye.

BYLAE**Woordomskrywing**

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

“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.

Oogmerk en doel witte van die statutêre maatreël en die verwantskap daarvan met die oogmerke van die Wet

2. Die doelwit en oogmerk van die statutêre maatreël is om die partye soos uiteengesit hierin te laat registreer by HORTGRO^{DIENSTE}. Registrasie is noodsaaklik om HORTGRO^{DIENSTE} 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 bemerking 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 HORTGRO^{DIENSTE}, 'n maatskappy wat in terme van die Maatskappy Wet (soos gewysig), 1973 (Wet 61 van 1973) opgerig is, administreer word. HORTGRO^{DIENSTE} sal die maatreëls implementeer en administreer soos uiteengesit in hierdie Bylae binne DFPT Finance, 'n maatskappy ingelyf onder artikel 21 van die Maatskappy Wet, (soos gewysig), 1973 (Wet 61 van 1973).

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 is van toepassing binne die geografiese gebied van die Republiek van Suid-Afrika.

Registrasie van geaffekteerde partye

5. (1) Alle produsente, uitvoerders, invoerders en handelaars en munisipale markte van kernvrugte en steenvrugte vir vars plaaslike verbruik en/of uitvoer en/of invoer en verwerkers van appels sal by HORTGRO^{DIENSTE} 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 HORTGRO^{DIENTE} verkry kan word;
- (3) ingedien word, wanneer aangestuur word per pos, na –

HORTGRO^{DIENTE}
Posbus 163
PAARL
7620

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

HORTGRO^{DIENTE}
Hoofstraat 258
PAARL
7620

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

021- 870 2915

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

Info@hortgro.co.za

Inwerkingtreding en periode van toepassing

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

No. R. 785

30 September 2011

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

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

I, TINA JOEMAT-PETTERSSON, Minister of 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.

T 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 –

“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 HORTGRO^{SERVICES} 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 HORTGRO^{SERVICES}, a company established in terms of the Companies Act (as amended), 1973 (Act 61 of 1973). HORTGRO^{SERVICES} will implement and administer the measure as set out in the Schedule within DFPT Finance, a

company incorporated under section 21 of the Companies Act (as amended), 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:

	2011/12	2012/13	2013/14	2014/15
Fresh*	12,0 c/Kg	13,0 c/Kg	14,0 c/Kg	15,0 c/Kg

*Domestic, Exports and Imports

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
7620
- (b) when electronically transferred, be paid to the bank account obtainable from HORTGRO^{SERVICES} on request.

Commencement and period of validity

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

No. R. 785

30 September 2011

**WET OP BEMARKING VAN LANDBOUPRODUKTE, 1996
(WET NO 47 VAN 1996)**

**INSTELLING VAN STATUTÊRE MAATREËL EN BEPALING VAN
HEFFINGS OP APPELKOSE**

Ek, TINA JOEMAT-PETTERSSON, Minister van Landbou, Bosbou en Visserye, handelende kragtens artikels 13 en 19 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No 47 van 1996), stel hiermee die statutêre maatreel in die Bylae uiteengesit, in.

T JOEMAT-PETTERSSON,

Minister vir Landbou, Bosbou en Visserye.

BYLAE**Woordomskrywing**

1. In hierdie bylae beteken enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis, 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 vareproduktemarkte 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.

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

2. Die heffing word deur HORTGRO^{DIENSTE} 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 werksgeleenthede 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 HORTGRO^{DIENSTE}, 'n maatskappy wat in terme van die Maatskappy Wet (soos gewysig), 1973 (Wet 61 van 1973) opgerig is, administreer word. HORTGRO^{DIENSTE} sal

die maatreëls implementeer en administreer soos uiteengesit in hierdie Skedule binne DFPT Finance, 'n maatskappy ingelyf onder artikel 21 van die Maatskappy Wet, (soos gewysig), 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 is van toepassing binne die geografiese gebied van die Republiek van Suid-Afrika van toepassing.

Instel van 'n heffing

5. 'n Heffing word hierby ingestel op appelkose.

Bedrag van heffing

6. Die bedrag van die heffing sal wees:

	2011/12	2012/13	2013/14	2014/15
Vars*	12,0 c/Kg	13,0 c/Kg	14,0 c/Kg	15,0 c/Kg

*Plaaslik, Uitvoere en Invoere

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 is

7. (1) Die heffing ingestel onder klousule 5 sal -
- (a) betaalbaar wees deur 'n appelkoos uitvoerder namens die produsent van wie sulke appelkose verkry is ten opsigte van alle appelkose uitgevoer;
 - (b) betaalbaar wees 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 wees deur 'n handelaar namens die produsent van wie sulke appelkose verkry is ten opsigte van alle appelkose deur daardie handelaar verkry, en
 - (d) betaalbaar wees 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
7620
- (b) wanneer elektronies oorgedra, betaal word in die bank rekening wat op aanvraag van HORTGRO^{DIENSTE} 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. R. 786

30 September 2011

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

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

I, TINA JOEMAT-PETTERSSON, Minister of 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.

T 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 –

“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 HORTGRO^{SERVICES} 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 HORTGRO^{SERVICES}, a company established in terms of the Companies Act (as amended), 1973 (Act 61 of 1973). HORTGRO^{SERVICES} will implement and administer the measure as set out in the Schedule within DFPT Finance, a company incorporated under section 21 of the Companies Act (as amended), 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:

	2011/12	2012/13	2013/14	2014/15
Fresh *	3,2 c/Kg	3,4 c/Kg	3,6 c/Kg	3,75 c/Kg
Processing	R6.25/ton	R6.50/ton	R6.75/ton	R7/ton

*Domestic, Exports and Imports

- (a) 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) 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 of 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
7620
 - (b) when electronically transferred, be paid to the bank account obtainable from HORTGRO^{SERVICES} on request.

Commencement and period of validity

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

No. R. 786

30 September 2011

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

INSEL VAN STATUTÊRE MAATREËLS EN DIE BEPALING VAN HEFFINGS OP APPELS

Ek, TINA JOEMAT-PETTERSSON, Minister van Landbou, Bosbou en Visserye, handelende kragtens artikels 13 en 19 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No 47 van 1996), stel hiermeedie statutere maatreeel in die Bylae uiteengesit, in.

T JOEMAT-PETTERSSON,

Minister vir Landbou, Bosbou en Visserye.

BYLAE**Woordomskrywing**

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

“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 kleinhandelsvlak 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 appel 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.

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

2. Die heffing word deur HORTGRO^{DIENSTE} 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 om te verseker dat deurlopende, tydige en akkurate inligting oor die appelbedryf beskikbaar is aan alle rolspelers so dat hulle Ingeligte besluite kan neem.

Die maatreël sal nie nadelig op werkseleenthede en regverdige arbeidspraktyke inwerk nie en sal die maatreëls met betrekking tot registrasie en die indiening van rekords en verslae van toepassing op appels ondersteun.

Die maatreël sal deur HORTGRO^{DIENSTE}, 'n maatskappy wat in terme van die Maatskappy Wet (soos gewysig), 1973 (Wet 61 van 1973) opgerig is, administreer word. HORTGRO^{DIENSTE} sal die maatreëls implementeer en administreer soos uiteengesit in hierdie Skedule binne DFPT Finance, 'n maatskappy ingelyf onder artikel 21 van die Maatskappy Wet, (soos gewysig), 1973 (Wet 61 van 1973).

Produkte waarop die statutêre maatreëls van toepassing is

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

Instel van 'n heffing

5. 'n Heffing word hiermee ingestel op appels.

Bedrag van heffing

6. Die bedrag van die heffing sal wees:

	2011/12	2012/13	2013/14	2014/15
Vars*	3,2 c/Kg	3,4 c/Kg	3,6 c/Kg	3,75 c/Kg
Verwerk	R6.25/ton	R6.50/ton	R6.75/ton	R7/ton

*Plaaslik, Uitvoere en Invoere

- (a) op alle appels op uitgevoerde (alle klasse) en/of ingevoerde (alle klasse) en/of plaaslike volumes op munisipale markte en kleinhandelvlak (alle klasse);
- (b) op alle appels bestem vir die vervaardiging van appel konsentraat deur konsentraat aanlegte.

Persone deur wie en aan wie heffing betaalbaar is

7. (1) Die heffing wat in terme van klousule 5 ingestel is, sal –
- (a) betaalbaar wees deur 'n appel uitvoerder namens die produsent van wie sodanige appels vir uitvoere bekom is;

- (b) betaalbaar wees deur 'n munisipale mark namens die produsent van wie appels bekom is met betrekking tot alle appels wat op die mark verkoop is;
 - (c) betaalbaar wees deur 'n handelaar namens die produsent van wie appels bekom is met betrekking tot appels deur die handelaar bekom is;
 - (d) betaalbaar wees deur 'n invoerder wie appels invoer vir verkope op die plaaslike mark, en.
 - (e) betaalbaar wees deur 'n verwerker namens die produsent van appels met betrekking tot appels wat vir die vervaardiging van appel konsentraat bekom is.
- (2) Die heffings soos ingestel in terme van klousule 5 sal betaalbaar wees aan DFPT Finance soos aangedui in klousule 8.

Betaling van heffing

8. (1) Betaling van die heffing sal geskied nie later nie as sestig dae na die maandeinde waarin die hoeveelheid appels vir uitvoer, 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
7620
 - (b) wanneer elektronies oorgedra word, direk in die bankrekening inbetaal word wat op versoek van HORTGRO^{DIENSTE} verkry kan word.

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. R. 787

30 September 2011

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

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

I, TINA JOEMAT-PETTERSSON, Minister of 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.

T 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 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 HORTGRO^{SERVICES} 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 HORTGRO^{SERVICES}, a company established in terms of the Companies Act (as amended), 1973 (Act 61 of 1973). HORTGRO^{SERVICES} will

implement and administer the measure as set out in the Schedule within DFPT Finance, a company incorporated under section 21 of the Companies Act (as amended), 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:

	2011/12	2012/13	2013/14	2014/15
Fresh *	8,0 c/Kg	8,5 c/Kg	9,0 c/Kg	9,5 c/Kg

*Domestic, Exports and Imports

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
7620
- (b) when electronically transferred, be paid to the bank account obtainable from HORTGRO^{SERVICES} on request.

Commencement and period of validity

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

No. R. 787

30 September 2011

WET OP BEMARKING VAN LANDBOUPRODUKTE, 1996
(WET NO 47 VAN 1996)

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

Ek, TINA JOEMAT-PETTERSSON, Minister van Landbou, Bosbou en Visserye, handelende kragtens artikels 13 en 19 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No 47 van 1996), stil hiermee die statutêre maatreël in die bylae uiteengesit, in.

T JOEMAT-PETTERSSON,

Minister vir Landbou, Bosbou en Visserye.

BYLAE**Woordomskrywing**

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

“Handelaar” 'n persoon wat handel dryf met 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.

Oogmerk en doel witte van die statutêre maatreël en die verband daarvan met die oogmerke van die Wet

2. Die heffing word deur HORTGRO^{DIENSTE} 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, tydige 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 HORTGRO^{DIENSTE}, 'n maatskappy wat in terme van die Maatskappy Wet (soos gewysig), 1973 (Wet 61 van 1973) opgerig is, administreer word. HORTGRO^{DIENSTE} sal die maatreëls implementeer en administreer soos uiteengesit in hierdie Skedule binne DFPT Finance, 'n maatskappy ingelyf onder artikel 21 van die Maatskappy Wet, (soos gewysig), 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.

Gebied waarin die maatreël to van toepassing is

4. Hierdie maatreël is van toepassing 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:

	2011/12	2012/13	2013/14	2014/15
Vars*	8,0 c/Kg	8,5 c/Kg	9,0 c/Kg	9,5 c/Kg

*Plaaslik, Uitvoere en Invoere

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 wees 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 wees 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 wees 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 wees deur 'n invoerder wie perskes en nektarlens 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 nektarlens 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
7620
- (b) wanneer elektronies oorgedra, betaal word in die bank rekening wat op aanvraag van HORTGRO^{DIENSTE} 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. R. 788

30 September 2011

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

ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON PLUMS

I, TINA JOEMAT-PETTERSSON, Minister of 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.

T 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 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 HORTGRO^{SERVICES} 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 HORTGRO^{SERVICES}, a company established in terms of the Companies Act (as amended), 1973 (Act 61 of 1973). HORTGRO^{SERVICES} will implement and administer the measure as set out in the Schedule within DFPT Finance, a company incorporated under section 21 of the Companies Act (as amended), 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:

	2011/12	2012/13	2013/14	2014/15
Fresh*	10,25 c/Kg	11,0 c/Kg	11,75 c/Kg	12,5 c/Kg

*Domestic, Exports and Imports

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 a retailers, or sold via any other manner.

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

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

DFPT Finance
PO Box 163
PAARL
7620

(b) when electronically transferred, be paid to the bank account obtainable from HORTGRO^{SERVICES} on request.

Commencement and period of validity

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

No. R. 788

30 September 2011

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

**INSTELLING VAN STATUTÊRE MAATREËL EN BEPALING VAN
HEFFINGS OP PRUIME**

Ek, TINA JOEMAT-PETTERSSON, Minister van Landbou, Bosbou en Visserye, handelende kragtens artikels 13 en 19 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No 47 van 1996), stel hiermee die statutêre maatreeel in die Bylae uiteengesit, in.

T JOEMAT-PETTERSSON,

Minister vir Landbou, Bosbou en Visserye.

BYLAE

Woordomskrywing

1. In hierdie Bylae enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis het, 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 verbulk 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.

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

2. Die heffing word deur HORTGRO^{DIENSTE} 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, tydige 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 HORTGRO^{DIENSTE}, 'n maatskappy wat in terme van die Maatskappy Wet (soos gewysig), 1973 (Wet 61 van 1973) opgerig is, administreer word. HORTGRO^{DIENSTE} sal die maatreëls implementeer en administreer soos uiteengesit in hierdie Skedule binne DFPT

Finance, 'n maatskappy ingelyf onder artikel 21 van die Maatskappy Wet, (soos gewysig), 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.

Gebied waarin die maatreël to van toepassing is

4. Hierdie maatreël is van toepassing binne 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 wees:

	2011/12	2012/13	2013/14	2014/15
Vars*	10,25 c/Kg	11,0 c/Kg	11,75 c/Kg	12,5 c/Kg

*Plaaslik, Uitvoere en Invoere

op alle uitgevoerde (alle klasse) en/of ingevoerde volumes (alle klasse) en/of plaaslike volumes op munisipale markte en kleinhandelsvlak (alle klasse).

Persone deur wie en aan wie die heffing betaalbaar is

7. (1) Die heffing ingestel onder klousule 5 sal –
- (a) betaalbaar wees deur 'n pruiuitvoerder namens die produsent van wie sodanige pruime vir uitvoere bekom is;
 - (b) betaalbaar wees deur 'n munisipale mark namens die produsent van wie pruime bekom is met betrekking tot alle pruime wat op die mark verkoop is;
 - (c) betaalbaar wees deur 'n handelaar namens die produsent van wie pruime bekom is met betrekking tot pruime wat deur die handelaar bekom is, en
 - (d) betaalbaar wees 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 sesig dae na die maandeinde waarin die hoeveelheid pruime 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
7620
- (b) wanneer elektronies oorgedra, betaal word in die bank rekening wat op aanvraag van HORTGRO^{DIENSTE} 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. R. 789**30 September 2011**

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

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

I, TINA JOEMAT-PETTERSSON, Minister of 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.

T 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 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 HORTGRO^{SERVICES} 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 HORTGRO^{SERVICES}, a company established in terms of the Companies Act (as amended), 1973 (Act 61 of 1973). HORTGRO^{SERVICES} will implement and administer the measure as set out in the Schedule within DFPT Finance, a company incorporated under section 21 of the Companies Act (as amended), 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:

	2011/12	2012/13	2013/14	2014/15
Fresh *	3,2 c/Kg	3,4 c/Kg	3,6 c/Kg	3,75 c/Kg

*Domestic, Exports and Imports

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 a pear exporter on behalf of the producer from which such pears have been procured in respect of all pears exported;
 - (b) be payable by a municipal market on behalf of the producer from which such pears have been procured in respect of all pears sold on that market;
 - (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
7620

(b) when electronically transferred, be paid to the bank account obtainable from HORTGRO^{SERVICES} on request.

Commencement and period of validity

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

No. R. 789

30 September 2011

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

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

Ek, TINA JOEMAT-PETTERSSON, Minister van Landbou, Bosbou en Visserye, handelende kragtens artikels 13 en 19 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No 47 van 1996), stel hiermeedie statutere maatreef in die Bylae uiteengesit, in.

T JOEMAT-PETTERSSON,

Minister vir Landbou, Bosbou en Visserye.

BYLAE**Woordomskrywing**

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

“Handelaar” '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” die varsprodukte markte soos omskryf van tyd tot tyd;

“Peer Produsent” 'n produsent van pere wat vir die vars uitvoere en die plaaslike vars mark en verbruik bestem is; en

“Uitvoerder” 'n persoon wat vars pere uitvoer, hetsy vir sy eie rekening, of as 'n kommissie agent optree namens '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.

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

2. Die heffing word deur HORTGRO^{DIENSTE} 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 HORTGRO^{DIENSTE} in staat te stel om deurlopende, tydige en akkurate inligting oor die peerbedryf aan alle rolspelers beskikbaar te stel op die terreine soos aangedui.

Die maatreël sal nie nadelig op werksgeleenthede 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 HORTGRO^{DIENSTE}, 'n maatskappy wat in terme van die Maatskappy Wet (soos gewysig), 1973 (Wet 61 van 1973) opgerig is, administreer word. HORTGRO^{DIENSTE} sal die maatreëls implementeer en administreer soos uiteengesit in hierdie Skedule binne DFPT Finance, 'n maatskappy ingelyf onder artikel 21 van die Maatskappy Wet, (soos gewysig), 1973 (Wet 61 van 1973).

Produkte waarop die statutêre maatreëls van toepassing is

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

Area waarin die maatreëls toegepas is

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

Instel van 'n heffing

5. 'n Heffing word hiermee ingestel op pere.

Bedrag van heffing

6. Die bedrag van die heffing sal wees:

	2011/12	2012/13	2013/14	2014/15
Vars *	3,2 c/Kg	3,4 c/Kg	3,6 c/Kg	3,75 c/Kg

*Plaaslik, Uitvoere en Invoere

op alle pere op uitgevoerde (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 is

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

(d) betaalbaar wees 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 aangedul 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
7620

(b) wanneer elektronies oorgedra word, direk in die bankrekening inbetaal word wat op versoek van HORTGRO^{DIENSTE} verkry kan word.

Inwerkingtreëding en periode van toepassing

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

**DEPARTMENT OF HEALTH
DEPARTEMENT VAN GESONDHEID**

No. R. 803

30 September 2011

HEALTH PROFESSIONS ACT, 1974 (ACT NO.56 OF 1974)

REGULATIONS DEFINING THE SCOPE OF THE PROFESSION OF AUDIOLOGY

The Minister of Health intends, in terms of section 61 read with section 33(1) of the Health Professions Act, 1974 (Act No.56 of 1974) and on the recommendations of the Health Professions Council of South Africa, to make the regulations in the schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations to the Director-General: Department of Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Human Resource Stakeholder Relations and Management) within three months from the date of publication of this notice.

SCHEDULE

1. Definitions

In these regulations **“the Act”** means the Health Professions Act, 1974 (Act 56 of 1974), and any expression to which a meaning has been assigned in the Act bears that meaning unless the context otherwise indicates.

“board” means the Professional Board for Speech, Language and Hearing Professions established in terms of section 15 of the Act;

“section” means a section of the Act;

“**scope of the profession**” means the complete range of Audiology professional endeavours (within agreed boundaries) that includes the distinctive body of knowledge and skills, abilities and values for which professionals suitably educated and trained, and sufficiently experienced, have autonomy in performance of work; there is public recognition of the authority of the practitioner by virtue of operation within ethical standards, a service orientation, and making expertise available to others;

2. The following acts are hereby specified as acts which shall, for the purpose of the Act, be deemed to be acts pertaining to the scope of the profession of audiology:

Hearing, auditory and vestibular function

- (1) (a) Assessing and diagnosing dysfunction in hearing, auditory function and vestibular related balance disorders; assessing persons with cochlear implants and middle ear implantable devices; and following up on assessments of persons with cochlear implants and middle ear implantable devices;
- (b) Selecting, verifying, fitting, and dispensing hearing aids;
- (c) providing a comprehensive program of diagnostic, therapeutic services, devices, counselling, and other management strategies;
- (d) diagnosing vestibular disorders and management of vestibular rehabilitation; and (e) conducting research in audiology.

Clinical Services

- (2) Audiologists provide clinical services that include the following:
- (a) Prevention;
- (b) Identification or screening;
- (c) Assessment or evaluation;
- (d) Consultation;
- (e) Diagnosis;
- (f) Management;
- (g) Counselling;

Advocacy

- (5) (a) Advocacy for communication needs of all persons that may include advocating for the rights of persons suffering from hearing loss, auditory, or vestibular disorders;
- (b) Advocacy for issues (i.e., acoustic accessibility) that affect the rights of persons with normal hearing;
- (c) Consult with professionals of related services when needed;
- (d) Participate in development of an individualized education programme for school-age children or an individualized family service plan for children from birth to 36 months old;
- (e) Consult with educators as members of interdisciplinary teams about communication management, educational implications of hearing loss and other auditory dysfunction, educational programming, classroom acoustics, and large-area amplification systems for children with hearing loss and other auditory dysfunction;
- (f) Advocate for social inclusion and participation;
- (g) Consult about accessibility for persons with hearing loss and other auditory and vestibular dysfunction in public and private buildings, programs, and services;
- (h) Consult with individuals, public and private agencies, and governmental bodies, or as an expert witness regarding legal interpretations of audiology findings, effects of hearing loss and other auditory dysfunction, balance system impairments, and relevant noise-related considerations;
- (i) Case management and service as a liaison for the consumer, family, and agencies in order to monitor audiologic status and management and to make recommendations about educational and vocational programming;
- (j) Consultant to industry on the development of products and instrumentation related to the measurement and management of auditory or balance function;
- (k) Promoting professional services; and
- (l) Recruiting potential audiologists;

- (m) Active participation in professional organizations to contribute to best practices in the profession.

Identification

- (6) (a) Identifying dysfunction in hearing, auditory and vestibular systems;
- (b) Supervision, implementation, and follow-up of newborn and school hearing screening programs;
- (c) Screening for speech, language, cognitive communication disorders, and/or preferred communication modalities that may affect education, health, development or communication, and which may result in recommendations for rescreening or comprehensive speech-language pathology assessment or in referral for other examinations or services;
- (d) Identification of persons with, or at risk of suffering from hearing loss and other auditory dysfunction, balance impairments, tinnitus, and associated communication impairments; and
- (e) In collaboration with speech-language therapists, identification of persons at risk of developing speech-language impairments.

Assessment

- (7) (a) Assessing hearing, auditory and vestibular systems;
- (b) Conducting and interpreting behavioural, electroacoustic, and electrophysiologic methods to assess hearing, auditory function, balance, and related systems;
- (c) Measurement and interpretation of sensory and motor evoked potentials, electromyography, and other electrodiagnostic tests for purposes of neurophysiologic intra-operative monitoring and cranial nerve assessment;
- (d) Evaluation and management of persons with auditory-related processing disorders;
- (e) Evaluation and non-medical rehabilitation of persons with vestibular-related disorders;
- (f) Performance of otoscopy for audiological management or to provide a

- basis for medical referral;
- (g) Cerumen management to prevent obstruction of the external ear canal and amplification devices;
 - (h) Preparation of reports including interpreting data, summarising findings, generating recommendations and developing an audiologic treatment/ management plan; and
 - (i) Referrals to other professions, agencies, and/ or consumer organizations.

Habilitation or Rehabilitation

- (8) (a) Habilitation or rehabilitation of hearing, auditory function, and vestibular related balance systems;
- (b) evaluating, selecting, revivifying, fitting and dispensing hearing aid devices;
- (c) Assessment of persons suffering from hearing loss, for cochlear implants and provision of fitting, mapping, and audiologic rehabilitation to optimize device use;
- (d) Development of a culturally appropriate, audiologic rehabilitative management plan including, where appropriate:
 - (i) Recommendations for fitting and dispensing sensory aids, hearing aid devices, alerting systems, and captioning devices;
 - (ii) educating the consumer, family or caregivers in the use and adjustment of sensory aids, hearing aid devices, alerting systems, and captioning devices;
 - (iii) Counselling relating to psycho social aspects of hearing loss, and other auditory dysfunction, and processes to enhance communication competence;

- (iv) Skills training and consultation concerning environmental modifications to facilitate the development of receptive and expressive communication;
 - (v) Evaluation and modification of the audiologic management plan.
- (e) Provision of comprehensive audiologic rehabilitation services, including management procedures for speech and language habilitation or rehabilitation or both habilitation and rehabilitation including but not limited to speech-reading, auditory training, communication strategies, manual communication and counseling for psychosocial adjustment for persons with hearing loss or other auditory dysfunction and their families or caregivers;
 - (f) Consultation and provision of vestibular and balance rehabilitation therapy to persons with vestibular and balance impairments;
 - (g) Assessment and non-medical management of tinnitus using biofeedback, behavioral management, technology, and counselling;
 - (h) Provision of training to professionals of allied services when needed;
 - (i) Participation in the development of individualized education programmes for school-age children or individualized family service plan for children from birth to 36 months old;
 - (j) Provision of in-service programs for school personnel, and advising school districts in planning educational programs and accessibility for students with hearing loss and other auditory dysfunction;
 - (k) Measurement of noise levels and provision of recommendations for environmental modifications in order to reduce the noise level;
 - (l) Management of the selection, purchase, installation, and evaluation of large-area amplification systems.
 - (m) Facilitating the process of obtaining funding for equipment and services related to difficulties with hearing, auditory function and balance; and
 - (n) Serving as case managers, service delivery coordinators, and members of collaborative teams (e.g., individualized family service plan and individualized education program teams, transition planning teams).

Education and training

- (9) (a) Serving as educators and researchers in audiology;
- (b) Educating the public and fostering awareness of hearing, auditory function and balance disorders and the treatment thereof
- (c) Providing in-service training to persons suffering from hearing and audiology disorders, their families, caregivers, and other professionals;
- (d) Educating, supervising, and mentoring current and future audiologists
- (e) Educating, supervising, and managing Audiology assistants and other support personnel;
- (f) Measuring functional outcomes, consumer satisfaction, efficacy, effectiveness, and efficiency of practices and programs to maintain and improve the quality of audiologic services;
- (g) Designing and conducting basic and applied audiologic research to increase the knowledge base, to develop new methods and programs, and to determine the efficacy, effectiveness, and efficiency of assessment and treatment paradigms; disseminating research findings to other professionals and to the public; and
- (h) Serving as expert witnesses

Administration

- (10) (a) Administering and managing clinical and academic programs;
- (b) Participating in the development of policies, operational procedures in the workplace, and professional and technical standards; and
- (c) Supervising support personnel.

Practice settings:

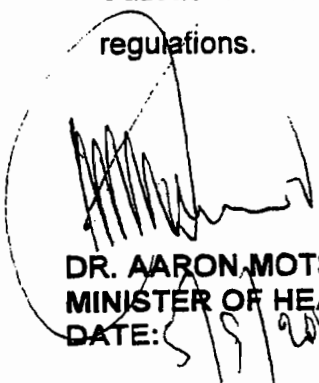
- (11) Audiologists provide audiology services in a variety of settings including, but not limited to day-care facilities: pre-schools; public and private schools: tertiary institutions of education ; public and private hospitals neonatal intensive care units: urban and rural clinics; university clinics; rehabilitation facilities; long term care facilities; behavioural, and mental health facilities; private practices; physician's office; person's residence; communities; industries; military research facilities; local provincial, and national institutions and government departments; and hearing aid companies.

Range of clients or patients:

- (12) Audiologists provide audiology services to persons of all age groups, their families, and groups from diverse linguistic and cultural backgrounds.
3. The listing of specific areas within these regulations does not exclude emerging areas of practice in this dynamic and continuously developing profession.

Repeal

4. The regulations published under Government Notice R889 in *Government Gazette* 11289 of 5 May 1988 will be repealed by the promulgation of these regulations.



DR. AARON MOTSOALEDI
MINISTER OF HEALTH
DATE: 5/9/2011
