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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 601

06 NOVEMBER 2015

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

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

I, SENZENI ZOKWANA, 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.

SENZENI ZOKWANA,
Minister of 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;

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

“**Peach and Nectarine Producer**” means a producer of peaches and nectarines intended for exports and/or fresh domestic consumption; and

“**Retailer**” means a person who trades peaches and nectarines on a retail level on the domestic market.

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

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

2. The levy is needed by HORTGRO 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 a company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008). HORTGRO will implement and administer the measure as set out in the Schedule within DFPT Finance, a non-profit company incorporated under the Companies Act (as amended), 2008 (Act 71 of 2008).

Products to which statutory measure applies.

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

Area in which 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:

	2015/16	2016/17	2017/18	2018/19
Fresh – Export and Domestic	10,0 c/Kg	10,6 c/Kg	11,3 c/Kg	12,0 c/Kg
Fresh - Exports	20 c/Kg	20 c/Kg	20 c/Kg	20 c/Kg

on all peaches and nectarines on export (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; and
 - (c) be payable by a retailer on behalf of the producer from which such peaches and nectarines have been procured in respect of all peaches and nectarines procured by that retailer.
- (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 of delivery of a quantity of peaches and nectarines for export or delivery to be sold on a municipal market or via a retailer, or sold via any other manner.
- (2) Payment shall be made by means of a cheque or electronic transfer in favour of DFPT Finance, and shall –
- (a) when paid by cheque, be addressed to –
DFPT Finance
PO Box 163
PAARL
7620
 - (b) when electronically transferred, be paid to the bank account obtainable from HORTGRO 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.

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 602

06 NOVEMBER 2015

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No. 47 OF 1996)**ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON
APPLES**

I, SENZENI ZOKWANA, 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.

SENZENI ZOKWANA,
Minister of 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;

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

“**Processor**” means an apple juice concentrate manufacturer.

“**Retailer**” means a person who trades apples on a retail level on the domestic market; and

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 must register as a producer and as an exporter or retailer.

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

2. The levy is needed by HORTGRO (Pty) Ltd 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, a company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008). HORTGRO will implement and administer the measure as set out in the Schedule within DFPT Finance, a company incorporated in terms of the Companies Act (as amended), 2008 (Act 71 of 2008).

Products to which statutory measure applies.

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

Area in which 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:

	2015/16	2016/17	2017/18	2018/19
Fresh – Export and Domestic	4,0 c/Kg	4,25 c/Kg	4,5 c/Kg	4,75 c/Kg
Fresh - Export	2,8 c/Kg	2,8 c/Kg	2,8 c/Kg	2,8 c/Kg
Processing	R7.40/ton	R7.80/ton	R8.30/ton	R8.75/ton

*Domestic, Exports and Imports

- (a) on all apples on export (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; and
 - (d) be payable by a processor on behalf of a producer of such apples in respect of all apples procured for manufacturing of apple juice concentrate.
- (2) A levy imposed 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 apples was delivered for export or for sale

on a municipal market or via a retailer or processor or sold via any other method.

- (2) Payment shall be made by means of a cheque or electronic transfer in favour of DFPT Finance, and shall –
- (a) when paid by cheque, be addressed to –
DFPT Finance
PO Box 163
PAARL
7620
 - (b) when electronically transferred, be paid to the bank account obtainable from HORTGRO 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.

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 603

06 NOVEMBER 2015

**MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON PLUMS**

I, SENZENI ZOKWANA, 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.

SENZENI ZOKWANA,
Minister of 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;

“**Municipal Market**” means a national fresh produce market as defined from time to time;

“**Plum Producer**” means a producer of plums intended for exports and/or domestic fresh consumption; and

“**Retailer**” means a person who trades fresh plums on a retail level on the domestic market.

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

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

2. The levy is needed by HORTGRO 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, a company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008). HORTGRO will implement and administer the measure as set out in the Schedule within DFPT Finance, a non-profit company incorporated under the Companies Act (as amended), 2008 (Act 71 of 2008).

Products to which statutory measure applies.

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

Area in which 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:

	2015/16	2016/17	2017/18	2018/19
Fresh – Export & Domestic	13,25 c/Kg	14,0 c/Kg	15,0 c/Kg	15,75 c/Kg
Fresh - Exports	9,5 c/Kg	9,5 c/Kg	9,5 c/Kg	9,5 c/Kg

on all export 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; and
 - (c) be payable by a retailer on behalf of the producer from which such plums have been procured in respect of all plums procured by that retailer.
- (2) A levy imposed under clause 5 shall be payable to DFPT Finance in accordance with clause 8.

Payment of levy

8. (1) Payment of the levy shall be made not later than sixty (60) days following the month end of delivery of a quantity of plums for export or delivery to be sold on a municipal market or via a retailers, or sold via any other manner.
- (2) Payment shall be made by means of a cheque or electronic transfer in favour of DFPT Finance, and shall –
- (a) when paid by cheque, be addressed to –
DFPT Finance
PO Box 163
PAARL
7620
 - (b) when electronically transferred, be paid to the bank account obtainable from HORTGRO 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.

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 604

06 NOVEMBER 2015

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No. 47 OF 1996)**ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON
APRICOTS**

I, SENZENI ZOKWANA, 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.

SENZENI ZOKWANA,
Minister of 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;

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

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

2. The levy is needed by HORTGRO (Pty) Ltd 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, a company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008). HORTGRO will implement and administer the measure as set out in the Schedule within DFPT Finance, a non-profit company incorporated under of the Companies Act (as amended), 2008 (Act 71 of 2008).

Products to which statutory measure applies.

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

Area in which 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:

	2015/16	2016/17	2017/18	2018/19
Fresh – Export and Domestic	16,0 c/Kg	17,0 c/Kg	18,0 c/Kg	19,0 c/Kg
Fresh - Exports	10,0 c/Kg	10,0 c/Kg	10,0 c/Kg	10,0 c/Kg

on all apricots on export (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; and
 - (c) be payable by a retailer on behalf of the producer from which such apricots have been procured in respect of all apricots procured by that retailer.
- (2) A levy imposed under clause 5 shall be payable to DFPT Finance 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 of delivery of a quantity of apricots for export or delivery to be sold on a municipal market or via a retailer.
- (2) Payment shall be made by means of a cheque or electronic transfer in favour of DFPT Finance, and shall –
- (a) when paid by cheque, be addressed to –
DFPT Finance
PO Box 163
PAARL
7620
 - (b) when electronically transferred, be paid to the bank account obtainable from HORTGRO 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.

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 605

06 NOVEMBER 2015

**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, SENZENI ZOKWANA, 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.

SENZENI ZOKWANA,
Minister of 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;

“**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. A person who is a producer as well as an exporter must register as a producer and as an exporter.

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

2. The purpose and aims of the statutory measure is to compel the parties set out herein to keep records and render returns to HORTGRO (Pty) Ltd. This is necessary to ensure that continuous, timeous and accurate information relating to the products as defined, is available to all role players. Market information is deemed essential for all role players in order for them to make informed decisions. By prescribing the keeping of records with the rendering of returns on an individual basis, market and production information for the pome fruit and the stone fruit industry can be processed and disseminated.

The establishment of the measure will 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 may be affected.

The measure will be administered by HORTGRO a company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008). HORTGRO will implement and administer the measure as set out in the Schedule within DFPT Finance, a non-profit company incorporated under the Companies Act (as amended), 2008 (Act 71 of 2008).

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 as well as 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, 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 relating to:
 - (a) tree surveys;
 - (b) the volume of apples, pears, plums, peaches, nectarines and apricots destined for domestic fresh consumption and/or export; and
 - (c) the volume of apples destined for processing of juice concentrate.
- (1B) No records or returns shall be required in terms of this measure which disclose confidential information of a marketing nature, and in particular, no returns disclosing, inter alia, contracting parties; purchasers of fruit; prices of services or the prices obtained for fruit, or any similar information, shall be required to be furnished.
- (2) The National Department of Agriculture, Forestry and Fisheries or its assignee shall render a copy of all export certificates or furnish the information required by HORTGRO 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 within fifteen (15) days after the end of the month in which the returns have been requested.
- (a) be submitted, when forwarded by post, to –
HORTGRO
PO Box 163
PAARL
7620
 - (b) when delivered by hand, be delivered to –
HORTGRO
Main Road 258
PAARL
7646
 - (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.

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 606

06 NOVEMBER 2015

**MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON
PEARS**

I, SENZENI ZOKWANA 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.

SENZENI ZOKWANA,
Minister of 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;

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

“**Pear Producer**” means a producer of pears intended for exports and/or fresh domestic consumption; and

“**Retailer**” means a person who trades pears on a retail level on the domestic market.

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

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

2. The levy is needed by HORTGRO 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, a company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008). HORTGRO will implement and administer the measure as set out in the Schedule within DFPT Finance, a non-profit company incorporated in terms of the Companies Act (as amended), 2008 (Act 71 of 2008).

Products to which statutory measure applies.

3. This statutory measure shall apply to pears destined for export 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:

	2015/16	2016/17	2017/18	2018/19
Fresh – Export & Domestic	4,0 c/Kg	4,25 c/Kg	4,5 c/Kg	4,75 c/Kg
Fresh - Exports	2,8 c/Kg	2,8 c/Kg	2,8 c/Kg	2,8 c/Kg

on all pears on export (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; and
- (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.

(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 pears was delivered for export or for sale on a municipal market or via a retailer, or sold via any other method.

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

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 607

06 NOVEMBER 2015

**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, SENZENI ZOKWANA, 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.

SENZENI ZOKWANA,
Minister of 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;

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

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

2. The purpose and aims of the statutory measure is to compel the parties set out herein to register with HORTGRO (Pty) Ltd. Registration is necessary to assist HORTGRO 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 will 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, a company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008). HORTGRO will implement and administer the measure as set out in the Schedule within DFPT Finance, a non-profit company incorporated under the Companies Act (as amended), 2008 (Act 71 of 2008).

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 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, traders and municipal markets of pome fruit and stone fruit for fresh domestic consumption and/or export and/or processors of apples shall register with HORTGRO.
- (2) A person shall have a choice to register as either a producer or exporter or trader.
- (3) A person who is a producer as well as a producer or exporter or trader shall register as a producer and as exporter or trader.

Application for registration

6. Application for registration shall –
- (1) be made within thirty (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 thirty (30) days of becoming such a party;
- (2) be made on the application form obtainable free of charge from HORTGRO;
- (3) be submitted, when forwarded by post, to –
HORTGRO
PO Box 163
PAARL
7620
- (4) when delivered by hand, be delivered to –
HORTGRO
Main Road 258
PAARL
7646
- (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.

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 608

06 NOVEMBER 2015

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996 (ACT NO. 47 OF 1996)**ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF GUIDELINE
PRICES: LEVIES RELATING TO PECAN NUTS AND PECAN NUT PRODUCTS**

I, Senzeni Zokwana, Minister of Agriculture, Forestry and Fisheries, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby –

- (a) establish the statutory measure set out in the Schedule; and
- (b) determine the guideline price, per kilogram, for –
 - (i) In shell pecan nuts as R38.25; and
 - (ii) Pecan nut kernels as R87.50.

SENZENI ZOKWANA,

Minister of 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 entity who exports pecan nuts or pecan nut products from South Africa and includes persons or entities who arranges or handles exports on behalf or in the name of someone else;

“**Grower**” means a person or entity involved in growing pecan nut trees to be sold for commercial gain, i.e. nurseries;

“**Importer**” means a person or entity that imports pecan nuts or pecan nut products into South Africa and includes persons or entities who arranges or handles imports on behalf or in the name of someone else;

“**Packer**” means a person or entity that buys or acquires pecan nuts and/or pecan nut products and packages it for resale; or packs its own products for retail sale;

“**Pecan nut industry**” means all participants and role players in the South African pecan nut industry;

“**Pecan nut kernels**” means shelled pecan nuts;

“**Pecan nut products**” means the processed products obtained from pecan nuts;

“**Pecan nut**” means the stone or pit of the fruit of the Pecan Nut tree Carya illinoensis;

“**Processor**” means a person or entity who sorts and/or cleans and/or shells and/or processes pecan nuts for resale;

“**Producer**” means a person or entity who grows pecan nut trees to produce pecan nuts for commercial gain; and

“**The Act**” means the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996).

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

2. The purpose and aims of this statutory measure are to provide financial support to the South African Pecan Nut Producers Association NPS (SAPPA) 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 the pecan nut industry.

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

The measure will be administered by SAPPa, a non-profit company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008). SAPPa 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 pecan nuts and pecan nut products, both from domestic source and on imported product.

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 pecan nuts and pecan nut products.

Amount of levy

6. The amounts of the levies (excluding Value Added Tax) will be as follows:

In shell pecan nuts	1 March 2016 to 28 February 2017	25c/kg
	1 March 2017 to 28 February 2018	25c/kg
	1 March 2018 to 28 February 2019	30c/kg
	1 March 2019 to 29 February 2020	30c/kg
Pecan nut kernels	1 March 2016 to 28 February 2017	50c/kg
	1 March 2017 to 28 February 2018	50c/kg
	1 March 2018 to 28 February 2019	60c/kg
	1 March 2019 to 29 February 2020	60c/kg

Persons by whom and to whom levy shall be payable

7. (1) The levy imposed under clause 5 shall –
- (a) be payable by a processor, packer or exporter on behalf of the producer from which such pecan nuts have been procured in respect of all pecan nuts processed, packed or exported;
 - (b) be payable by a processor or packer on behalf of a producer in respect of all pecan nuts sorted and/or cleaned and/or shelled and/or packed and/or processed for and returned to such a producer;
 - (c) be payable by an importer on all pecan nuts and pecan nut products imported; and
 - (d) be payable by a producer who packs his own pecan nuts or pecan nut products for retail sale.
- (2) A levy imposed under clause 5 shall be payable to SAPPa in accordance with clause 8.

Payment of levy

8. (1) Payment of the levy shall be made not later than thirty (30) days following the month end wherein the pecan nuts was delivered or imported or sold via any other method.
- (2) Payment shall be made by means of a cheque or electronic transfer in favour of SAPPA, and shall –
- (a) when paid by cheque, be addressed to –
- SAPPA
PO Box 32140
TOTIUSDAL
0127
- (b) when electronically transferred, be paid to the bank account obtainable from SAPPA on request.

Conditions of approval

9. This statutory measure is subject to the following conditions:
- (a) That 70% of levy income be spent on research, information and other functions, at least 20% on transformation (development of emerging farmers), and not more than 10% on administration;
- (b) That levies be accounted for, in a manner and to the extent acceptable to the Auditor-General, separately from any other funds or assets under the control of SAPPA, and audited by the Auditor-General; and
- (c) That after the lapsing of the levy, any surplus funds be utilised subject to the approval of the Minister.

Commencement and period of validity

10. This statutory measure shall come into operation on 1 March 2016 and will lapse 4 years later.

DEPARTEMENT VAN LANDBOU, BOSBOU EN VISSERYE**NO. R. 608****06 NOVEMBER 2015****WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996 (WET NO. 47 VAN 1996)****INSTELLING VAN STATUTÊRE MAATREËL EN BEPALINGS VAN RIGLYNPRYS:
HEFFINGS OP PEKANNEUTE EN PEKANNEUTPRODUKTE**

Ek, Senzeni Zokwana, Minister van Landbou, Bosbou en Visserye, handelende kragtens artikels 13 en 15 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996) –

- (a) stel hierby die statutêre maatreël in die Bylae uiteengesit in; en
- (b) bepaal hierby die riglynprys, per kilogram, vir –
 - (i) In Dop (Heel) Pekanneute as R38.25; en
 - (ii) Pekanneut Kerns as R87.50.

SENZENI ZOKWANA,

Minister van Landbou, Bosbou en Visserye.

BYLAE

Definisies

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

“**Die Wet**” beteken die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No 47 van 1996);

“**Invoerder**” beteken 'n persoon of instansie wat pekanneute of pekanneutprodukte na Suid-Afrika invoer en sluit ook persone of instansies in wat invoere namens of ten behoeve van 'n ander reël of hanteer;

“**Kweker**” beteken 'n persoon of instansie wat pekanneutbome kweek om verkoop te word vir kommersiële gewin;

“**Pekanneutbedryf**” beteken al die deelnemers en rolspelers in die Suid-Afrikaanse pekanneutbedryf;

“**Pekanneut**” beteken die steen of pit van die vrug van die Pekanneutboom *Carya illinoensis*;

“**Pekanneutkerns**” beteken uitgedopte pekanneute;

“**Pekanneutprodukte**” beteken die verwerkte produkte van pekanneute verkry;

“**Produsent**” beteken 'n persoon of instansie wat pekanneutbome aanplant om pekanneute vir kommersiële gewin te produseer;

“**Uitvoerder**” beteken 'n persoon of instansie wat pekanneute of pekanneutprodukte vanuit Suid-Afrika uitvoer en sluit ook persone of instansies in wat uitvoere namens of ten behoeve van 'n ander reël of hanteer;

“**Verpakker**” beteken 'n persoon of instansie wat pekanneute of pekanneutprodukte aankoop of verkry en verpak met die doel om dit te verhandel, of sy eie produk verpak om te verhandel; en

“**Verwerker**” beteken 'n persoon of instansie wat pekanneute sorteer en/of skoonmaak en/of uitdop en/of verwerk sodat dit aangebied kan word vir verkoop.

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

1. Die heffing word deur die Suid-Afrikaanse Pekanneutprodusente Assosiasie NPC (SAPPA) 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 die pekanneutbedryf.

Die maatreël is nodig om SAPPA instaat te stel om deurlopende, tydige en akkurate inligting oor die pekanneutbedryf 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 pekanneute en pekanneutprodukte ondersteun.

Die maatreël sal deur SAPP, 'n maatskappy sonder winsoogmerk wat in terme van die Maatskappy Wet (soos gewysig), 2008 (Wet 71 van 2008) opgerig is, administreer word. SAPP sal die maatreëls implementeer en administreer soos uiteengesit in hierdie Bylae.

Produkte waarop die statutêre maatreëls van toepassing is

2. Hierdie statutêre maatreël sal toegepas word op pekanneute en pekanneutprodukte wat plaaslik geproduseer word, sowel as enige pekanneute wat ingevoer word.

Area waarin die maatreëls toegepas sal word

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

Instel van 'n heffing

4. 'n Heffing word hiermee ingestel op pekanneute en pekanneutprodukte.

Bedrag van heffing

5. Die bedrag van die heffing (Belasting op Toegevoegde Waarde uitgesluit) is soos volg:

In Dop (Heel) Pekanneute	1 Maart 2016 tot 28 Februarie 2017	25c/kg
	1 Maart 2017 tot 28 Februarie 2018	25c/kg
	1 Maart 2018 tot 28 Februarie 2019	30c/kg
	1 Maart 2019 tot 29 Februarie 2020	30c/kg
Pekanneut Kerns	1 Maart 2016 tot 28 Februarie 2017	50c/kg
	1 Maart 2017 tot 28 Februarie 2018	50c/kg
	1 Maart 2018 tot 28 Februarie 2019	60c/kg
	1 Maart 2019 tot 29 Februarie 2020	60c/kg

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

7. (1) Die heffing wat in terme van klousule 5 ingestel word, sal –
 - (a) betaalbaar wees deur 'n verwerker, verpakker of uitvoerder op alle pekanneute namens die produsent van wie sodanige pekanneute vir verwerking, verpakking of uitvoere bekom is;
 - (b) betaalbaar wees deur 'n verwerker of verpakker op alle pekanneute namens 'n produsent wie sy eie pekanneute laat sorteer en/of skoonmaak en/of uitdop en/of verpak en/of verwerk en daarna terugneem.
 - (c) betaalbaar wees deur 'n invoerder op alle pekanneute en pekanneutprodukte wat ingevoer is; en
 - (d) betaalbaar wees deur 'n produsent wie sy eie pekanneute of pekanneutprodukte verpak en verkoop.
- (2) Die heffings soos ingestel in terme van klousule 5 sal betaalbaar wees aan SAPP soos aangedui in klousule 8.

Betaling van heffing

8. (1) Betaling van die heffing sal geskied nie later nie as dertig (30) dae na die maandeinde waarin die pekanneute gelewer of ingevoer is, of via enige ander wyse verkoop is.
- (2) Betaling sal geskied deur middel van 'n tjek of elektroniese oordrag uitgemaak aan SAPPa, en sal –
- (a) wanneer per tjek betaal word, geadresseer word aan –
- SAPPa
Posbus 32140
TOTIUSDAL
0127
- (b) wanneer elektronies oorgedra word, direk in die bankrekening inbetaal word wat op versoek van SAPPa verkry kan word.

Voorwaardes van goedkeuring

9. Hierdie statutêre heffings is onderworpe aan die volgende voorwaardes:
- (a) Dat 70% van heffingsinkomste spandeer word aan navorsing, inligting, en ander funksies, ten minste 20% op transformasie (ontwikkeling van swart boere) en nie meer as 10% op administrasie;
- (b) Dat die heffings bestuur word op 'n manier aanvaarbaar vir die Ouditeur-Generaal, apart van enige ander bates of fondse van SAPPa en geaudit word deur die Ouditeur-generaal; en
- (c) Dat die aanwending van enige surplusfondse wat na die heffingstermyn mag bestaan, onderhewig sal wees aan die goedkeuring van die Minister.

Inwerkingtreding en periode van toepassing

10. Hierdie statutêre maatreël sal in werking tree op 1 Maart 2016 en sal 4 jaar later verval.

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 609

06 NOVEMBER 2015

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

**ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS RELATING
TO PECAN NUT TREES AS WELL AS DOMESTIC PRODUCTION, PROCESSING,
IMPORTS AND EXPORTS OF PECAN NUTS AND PECAN NUT PRODUCTS.**

I, Senzeni Zokwana, 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.

SENZENI ZOKWANA,

Minister of 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 entity who exports pecan nuts or pecan nut products from South Africa and includes persons or entities who arranges or handles exports on behalf or in the name of someone else;

“**Grower**” means a person or entity involved in growing pecan nut trees to be sold for commercial gain, i.e. nurseries;

“**Importer**” means a person or entity that imports pecan nuts or pecan nut products into South Africa and includes persons or entities who arranges or handles imports on behalf of or in the name of someone else;

“**Packer**” means a person or entity that buys or acquires pecan nuts and/or pecan nut products and packages it for resale; or packs its own products for retail sale;

“**Pecan nut industry**” means all participants and role players in the South African pecan nut industry;

“**Pecan nut kernels**” means shelled pecan nuts;

“**Pecan nut products**” means the processed products obtained from pecan nuts;

“**Pecan nut**” means the stone or pit of the fruit of the Pecan Nut tree Carya illinoensis;

“**Processor**” means a person or entity who sorts and/or cleans and/or shells and/or processes pecan nuts for resale;

“**Producer**” means a person or entity who grows pecan nut trees to produce pecan nuts for commercial gain; and

“**The Act**” means the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996).

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

2. The purpose and aims of the statutory measure is to compel the parties set out herein to keep records and render returns to the South African Pecan Nut Producers Association NPC (SAPPA). This is necessary to ensure that continuous, timeous and accurate information relating to the products as defined, is available to all role players. Market information is deemed essential for all role players in order for them to make informed decisions. By prescribing the keeping of records with the rendering of returns on an individual basis, market and production information for the pecan nut industry can be processed and disseminated.

The establishment of the measure will assist in promoting the efficiency of the marketing of products. The viability of the pecan nut 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 SAPPa, a non-profit company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008). SAPPa 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 pecan nuts and pecan nut products, both from domestic source and on imported product.

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, processors, importers and exporters of pecan nuts and pecan nut products shall keep such records and render the returns as may be required by SAPPa relating to:
 - (a) Pecan nut trees;
 - (b) The volume of pecan nuts and/or pecan nut products produced ; and
 - (c) The volume of pecan nuts and/or pecan nut products imported and/or exported.
- (2) 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 pecan nuts products; prices of services or the prices obtained for product, or any similar information, shall be required to be furnished.
- (3) The National Department of Agriculture, Forestry and Fisheries or its assignee shall render a copy of all export certificates or furnish the information required by SAPPa contained in such certificates within the period specified in sub-clause (4)
- (4) 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.
- (5) The returns referred to in sub-clause (1) shall be rendered on forms obtainable free of charge for this purpose from SAPPa within fifteen (15) days after the end of the month in which the returns have been requested.
 - (a) be submitted, when forwarded by post, to –

SAPPa
PO Box 32140
TOTIUSDAL
0127

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

SAPPA
353 24th Avenue
Villieria
Pretoria
0186

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

012 329 9869

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

admin@sappamail.net

Commencement and period of validity

6. This statutory measure shall come into operation on 1 March 2016 and will lapse 4 years later.

DEPARTEMENT VAN LANDBOU, BOSBOU EN VISSERYE**NO. R. 609****06 NOVEMBER 2015****WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996 (WET NO. 47 VAN 1996)****INSTELLING VAN 'N STATUTÊRE MAATREËL: AANTEKENINGE EN OPGAWES MET
BETREKKING TOT PEKANNEUT BOME, PLAASLIKE PRODUKSIE, VERWERKING,
INVOER EN UITVOER VAN PEKANNEUTE EN PEKANNEUTPRODUKTE**

Ek, Senzeni Zokwana, Minister van Landbou, Bosbou en Visserye, stel hiermee in terme van artikels 13 en 18 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996), die statutêre maatreël in soos uiteengesit in hierdie Bylae.

SENZENI ZOKWANA,

Minister van Landbou, Bosbou en Visserye.

BYLAE**Definisies**

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

“**Die Wet**” beteken die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No 47 van 1996);

“**Invoerder**” beteken 'n persoon of instansie wat pekanneute of pekanneutprodukte na Suid-Afrika invoer en sluit ook persone of instansies in wat invoere namens of ten behoeve van 'n ander reël of hanteer;

“**Kweker**” beteken 'n persoon of instansie wat pekanneutbome kweek om verkoop te word vir kommersiële gewin;

“**Pekanneutbedryf**” beteken al die deelnemers en rolspelers in die Suid-Afrikaanse pekanneutbedryf;

“**Pekanneut**” beteken die steen of pit van die vrug van die Pekanneutboom Carya illinoensis;

“**Pekanneutkerns**” beteken uitgedopte pekanneute;

“**Pekanneutprodukte**” beteken die verwerkte produkte van pekanneute verkry;

“**Produsent**” beteken 'n persoon of instansie wat pekanneutbome aanplant om pekanneute vir kommersiële gewin te produseer;

“**Uitvoerder**” beteken 'n persoon of instansie wat pekanneute of pekanneutprodukte vanuit Suid-Afrika uitvoer en sluit ook persone of instansies in wat uitvoere namens of ten behoeve van 'n ander reël of hanteer;

“**Verpakker**” beteken 'n persoon of instansie wat pekanneute of pekanneutprodukte aankoop of verkry en verpak met die doel om dit te verhandel, of sy eie produk verpak om te verhandel; en

“**Verwerker**” beteken 'n persoon of instansie wat pekanneute sorteer en/of skoonmaak en/of uitdop en/of verwerk sodat dit aangebied kan word vir verkoop.

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 verplig om aantekeninge te hou en opgawes aan die Suid-Afrikaanse Pekanneutprodusente Assosiasie NPC (SAPPA) te verstrek. Dit is noodsaaklik om SAPPA instaat 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 kombinerende van verpligte registrasie met die hou van inligting en die indiening van inligting op 'n individuele basis, kan mark inligting vir die totale bedryf verwerk en beskikbaar gestel word en sal dit ook die basis vorm vir die vordering van heffings waar toepaslik.

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

Die maatreël sal deur SAPPA, 'n maatskappy sonder winsoogmerk wat in terme van die Maatskappy Wet (soos gewysig), 2008 (Wet 71 van 2008) opgerig is, administreer word. SAPPA sal die maatreëls implementeer en administreer soos uiteengesit in hierdie Bylae.

Produkte waarop die statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël sal toegepas word op pekanneute en pekanneutprodukte wat plaaslik geproduseer word, sowel as enige pekanneute wat ingevoer word.

Area waarin die maatreëls toegepas sal word

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

Aantekeninge en opgawes wat gelewer moet word

5. (1) Alle produsente, verwerkers, invoerders en uitvoerders moet vir elke kalendermaand volledige aantekeninge hou en opgawes indien soos deur SAPPA verlang in verband met -
 - a) Pekanneutbome;
 - b) Die volume van pekanneute en pekanneutprodukte geproduseer; en
 - c) Die volumes van pekanneute en pekanneutprodukte ingevoer en/of uitgevoer.
- (2) Geen aantekeninge 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 pekanneutprodukte, koste van dienste, die pryse van produkte, of enige soortgelyke inligting, verlang word nie.
- (3) 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 SAPPA verlang word, voorsien binne die periode soos gespesifiseer in sub-klousule (4).
- (4) Die aantekeninge 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 aantekeninge te hou vir 'n periode van drie jaar.
- (5) Die opgawes waarna verwys word in sub-klousule (1), sal ingedien word op vorms wat gratis by SAPPA verkry kan word binne vyftien (15) dae na die einde van die maand waarin die opgawes aangevra is.

- a) ingedien word, wanneer aangestuur word per pos, na –

SAPPA
Posbus 32140
TOTIUSDAL
0127

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

SAPPA
24ste Laan 353
Villieria
Pretoria
0186

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

012 329 9869

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

admin@sappamail.net

Inwerkingtreding en periode van toepassing

6. Hierdie statutêre maatreël sal in werking tree op 1 Maart 2016 en sal 4 jaar later verval.

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 610

06 NOVEMBER 2015

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

**ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF PRODUCERS,
PROCESSORS, IMPORTERS AND EXPORTERS OF PECAN NUTS AND PECAN NUT
PRODUCTS**

I, Senzeni Zokwana, 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.

SENZENI ZOKWANA,

Minister of 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 entity who exports pecan nuts or pecan nut products from South Africa and includes persons or entities who arranges or handles exports on behalf or in the name of someone else;

“**Grower**” means a person or entity involved in growing pecan nut trees to be sold for commercial gain, i.e. nurseries;

“**Importer**” means a person or entity who imports pecan nuts or pecan nut products into South Africa and includes persons or entities who arranges or handles imports on behalf or in the name of someone else;

“**Packer**” means a person or entity who buys or acquires pecan nuts and/or pecan nut products and packages it for resale; or packs its own products for retail sale;

“**Pecan nut industry**” means all participants and role players in the South African pecan nut industry;

“**Pecan nut kernels**” means shelled pecan nuts;

“**Pecan nut products**” means the processed products obtained from pecan nuts;

“**Pecan nut**” means the stone or pit of the fruit of the Pecan Nut tree Carya illinoensis;

“**Processor**” means a person or entity who sorts and/or cleans and/or shells and/or processes pecan nuts for resale;

“**Producer**” means a person or entity who grows pecan nut trees to produce pecan nuts for commercial gain; and

“**The Act**” means the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996).

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

2. The purpose and aims of the statutory measure is to compel the parties set out herein to register with the South African Pecan Nut Producers Association NPC (SAPPA). Registration is necessary to assist SAPPA 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 pecan nuts and pecan nut products. The viability of the pecan nut industry

will 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 SAPPA, a non-profit company established in terms of the Companies Act (as amended), 2008 (Act 71 of 2008). SAPPA 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 pecan nuts and pecan nut products, both from domestic source and on imported product.

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, growers, processors, packers, importers and exporters of pecan nuts and/or pecan nut products shall register with SAPPA in the manner prescribed in clause 6.
 - (2) Each person or entity who becomes a producer, grower, processor, packer, importer and/or exporter of pecan nuts and/or pecan nut products shall register with SAPPA.
 - (3) A person shall have a choice to register as either a producer or processor or importer or exporter.
 - (4) A person who is a producer as well as a processor or importer or exporter shall register as a producer and as processor or importer or exporter.

Application for registration

6. Application for registration shall –
 - (1) be made within thirty (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 thirty (30) days of becoming such a party;
 - (2) be made on the application form obtainable free of charge from SAPPA;
 - (3) be submitted, when forwarded by post, to –

SAPPA
PO Box 32140
TOTIUSDAL
0127
 - (4) when delivered by hand, be delivered to –

SAPPA

353 24th Avenue
Villieria
Pretoria
0186

- (5) when sent by telefax, be addressed to –
012 329 9869
- (6) when sent by E-mail, addressed to –
admin@sappamail.net

Commencement and period of validity

- 7. This statutory measure shall come into operation on 1 March 2016 and will lapse 4 years later.

DEPARTEMENT VAN LANDBOU, BOSBOU EN VISSERYE**NO. R. 610****06 NOVEMBER 2015****WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996 (WET NO. 47 VAN 1996)****INSTELLING VAN 'N STATUTÊRE MAATREËL: REGISTRASIE VAN PRODUSENTE,
VERWERKERS, INVOERDERS EN UITVOERDERS VAN PEKANNEUTE EN
PEKANNEUTPRODUKTE**

Ek, Senzeni Zokwana, Minister van Landbou, Bosbou en Visserye, stel hiermee in terme van artikels 13 en 19 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996), die statutêre maatreël in soos uiteengesit in hierdie Bylae.

SENZENI ZOKWANA,

Minister van Landbou, Bosbou en Visserye.

BYLAE

Definisies

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

“**Die Wet**” beteken die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No 47 van 1996);

“**Invoerder**” beteken 'n persoon of instansie wat pekanneute of pekanneutprodukte na Suid-Afrika invoer en sluit ook persone of instansies in wat invoere namens of ten behoeve van 'n ander reël of hanteer;

“**Kweker**” beteken 'n persoon of instansie wat pekanneutbome kweek om verkoop te word vir kommersiële gewin;

“**Pekanneutbedryf**” beteken al die deelnemers en rolspelers in die Suid-Afrikaanse pekanneutbedryf;

“**Pekanneut**” beteken die steen of pit van die vrug van die Pekanneutboom *Carya illinoensis*;

“**Pekanneutkerns**” beteken uitgedopte pekanneute;

“**Pekanneutprodukte**” beteken die verwerkte produkte van pekanneute verkry;

“**Produsent**” beteken 'n persoon of instansie wat pekanneutbome aanplant om pekanneute vir kommersiële gewin te produseer;

“**Uitvoerder**” beteken 'n persoon of instansie wat pekanneute of pekanneutprodukte vanuit Suid-Afrika uitvoer en sluit ook persone of instansies in wat uitvoere namens of ten behoeve van 'n ander reël of hanteer;

“**Verpakker**” beteken 'n persoon of instansie wat pekanneute of pekanneutprodukte aankoop of verkry en verpak met die doel om dit te verhandel, of sy eie produk verpak om te verhandel; en

“**Verwerker**” beteken 'n persoon of instansie wat pekanneute sorteer en/of skoonmaak en/of uitdop en/of verwerk sodat dit aangebied kan word vir verkoop.

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

2. Die doelwit en oogmerk van die statutêre maatreël is om die partye soos uiteengesit hierin, te laat registreer by die Suid-Afrikaanse Pekanneutprodusente Assosiasie NPC (SAPPA). Registrasie is noodsaaklik om SAPPA instaat te stel om deurlopende, tydige en akkurate inligting oor die produkte soos gedefinieer, beskikbaar te maak aan alle rolspelers. Mark inligting word geag noodsaaklik te wees vir alle rolspelers ten einde ingeligte besluite te kan neem. Deur die kombinerende van verpligte registrasie met die hou van inligting en die indiening van inligting op 'n individuele basis, kan mark inligting vir die totale bedryf verwerk en beskikbaar gestel word en sal dit ook die basis vorm vir die vordering van heffings waar toepaslik.

Die instel van die maatreël sal die doeltreffendheid van die bemaking van pekanneute en pekanneutprodukte bevorder en verbeter. Die lewensvatbaarheid van die

pekanneutbedryf sal derhalwe verbeter word. Die maatreël sal nie nadelig op werkseleenthede en regverdigde arbeidspraktyke inwerk nie.

Die maatreël sal deur SAPPA, 'n maatskappy sonder winsoogmerk wat in terme van die Maatskappy Wet (soos gewysig), 2008 (Wet 71 van 2008) opgerig is, administreer word. SAPPA sal die maatreëls implementeer en administreer soos uiteengesit in hierdie Bylae.

Produkte waarop die statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël sal toegepas word op pekanneute en pekanneutprodukte wat plaaslik geproduseer word, sowel as enige pekanneute wat ingevoer word.

Area waarin die maatreëls toegepas sal word

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

Registrasie van geaffekteerde partye

5. (1) Alle produsente, kwekers, verwerkers, verpakkers, invoerders en uitvoerders van pekanneute en/of pekanneutprodukte sal by SAPPA registreer soos aangedui in klousule 6.
- (2) Elke persoon wat 'n produsent, kweker, verwerker, verpakker, invoerder en/of uitvoerder van pekanneute en/of pekanneutprodukte word, sal by SAPPA registreer.
- (3) 'n Persoon sal 'n keuse hê om óf as produsent óf as verwerker óf as uitvoerder óf as invoerder te registreer.
- (4) 'n Persoon wat 'n produsent sowel as 'n verwerker of uitvoerder of invoerder is, sal as produsent en as 'n verwerker of uitvoerder of invoerder, registreer.

Aansoek om registrasie

6. Aansoek om registrasie sal –
 - (1) binne dertig (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, binne dertig (30) dae nadat hy sodanige party geword het;
 - (2) gedoen word op die aansoekvorm wat gratis van SAPPA verkry kan word;
 - (3) ingedien word, wanneer aangestuur word per pos, na –

SAPPA
Posbus 32140
TOTIUSDAL
0127

- (4) wanneer per hand besorg word, afgelewer word by –
SAPPA
24ste Laan 353
Villieria
Pretoria
0186
- (5) wanneer per telefaks gestuur word, geadresseer aan –
012 329 9869
- (6) wanneer aangestuur word per e-pos, geadresseer aan –
admin@sappamail.net

Inwerkingtreding en periode van toepassing

7. Hierdie statutêre maatreël sal in werking tree op 1 Maart 2016 en sal 4 jaar later verval.

DEPARTMENT OF DEFENCE

NO. R. 611

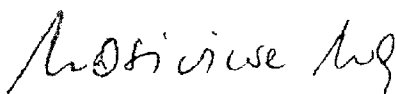
06 NOVEMBER 2015

OFFICE OF THE MILITARY OMBUD

MILITARY OMBUD ACT, 2012

MILITARY OMBUD COMPLAINTS REGULATIONS 2015

The Minister of Defence and Military Veterans has, under section 15 of the Military Ombud Act, 2012 (Act No. 4 of 2012) and after consultation with the Military Ombud, made the regulations in the Schedule.



Minister of Defence and Military Veterans

SCHEDULE

Definitions

1. In these Regulations, any word or expression to which a meaning has been assigned either in the Act or the Defence Act, 2002 (Act No. 42 of 2002), has the meaning so assigned and, unless the context otherwise indicates—

“**complainant**” means a member or former member of the Defence Force as contemplated in section 1 of the Defence Act, 2002, or a representative of a member of the Defence Force, or any member of the public who is not a member of the Defence Force;

“**complaint**” means a complaint, contemplated in section 4 of the Act;

“**Grievance Board**” means the Grievance Board contemplated in regulation 1 of the Individual Grievances Regulations of June 2010;

“**official conduct**” means any act or omission committed by a member of the Defence Force in execution of his or her duties, including that of a member deployed to another state;

“**the Act**” means the Military Ombud Act, 2012 (Act No. 4 of 2012);

“**the Defence Act**” means the Defence Act, 2002 (Act No. 42 of 2002); and

“**written**” or “**in writing**” means handwritten in ink or any form of electronic writing as contemplated in section 12 of the Electronic Communications and Transactions Act, 2002 (Act No. 25 of 2002).

Purpose and application

2. (1) The purpose of these Regulations is to give effect to section 15 of the Act as far as it applies to complaints as contemplated in section 4 of the Act.

(2) These Regulations apply to—

- (a) any member or former member of the Defence Force, or a person acting on behalf of a member, who lodges a complaint with the Office regarding the conditions of service of the member or former member; and
- (b) any member of the public who lodges a complaint regarding the official conduct of members of the Defence Force.

Procedure for lodging complaints

3. (1) A complainant must lodge a complaint with the Office in writing on a form substantially similar to Form 1, attached hereto as Annexure “A”.

(2) The complainant must ensure that the following information is contained in Form 1:

- (a) name, personal particulars, including contact details, gender, race and province where the complaint originated;
- (b) if a representative lodges the complaint on behalf of a member, proof of authorisation from the member to represent him or her;
- (c) the Service or structural component of the Defence Force, as contemplated in section 12(1) and (2) of the Defence Act, from which the complaint originates;
- (d) the nature of the complaint in question;
- (e) the grounds on which the complainant believes that an investigation is necessary; and
- (f) any other information relevant to the complaint.

(3) The complainant must sign the form and attach all relevant supporting documentation.

(4) The complainant may submit the complaint contemplated in sub regulation (1) to the Office by—

- (a) electronic mail in PDF format;
- (b) facsimile;
- (c) hand delivery to the address and contact details provided by the Office;
or
- (d) by such other means as the Ombud may, from time to time allow, with a view to making the Office accessible to all persons.

Timeframes for lodging of complaints

4. A complaint must be lodged with the Ombud

- (a) by a member or his or her representative, within a period of 180 days from the date on which the Grievance Board made its decision regarding his or her grievance known;

- (b) by a former member, within a period of 180 days from the date on which he or she became aware of the issue that gave rise to the complaint; and
- (c) by a member of the public who wishes to complain about the official conduct of a member of the Defence Force, within a period of 90 days from the date on which he or she became aware of the act or omission concerned.

Registration of complaints

5. The Ombud must, upon receipt of a complaint lodged as contemplated in regulation 3—

- (a) enter such complaint into a register, which must contain the information as contemplated in regulation 3(2);
- (b) allocate an official case reference number to the complaint; and
- (c) issue a written acknowledgment of receipt, including the case reference number contemplated in paragraph (b), to the complainant within 14 days of receipt of the complaint.

Condonation for late submission of complaints

6. (1) A complainant may submit an application for condonation, in writing, on a form substantially similar to Form 2, attached hereto as Annexure "B", to the Office in the manner contemplated in regulation 3(4).

(2) The Ombud may condone the late submission of a complaint after consideration of the information provided in the form contemplated in sub-regulation (1) and taking into account—

- (a) the reasons for the late submission;
- (b) the time taken to submit the complaint;
- (c) the prospects of success based on the merits of the complaint lodged;
- (d) possible prejudice to be suffered by the complainant if the matter is not investigated;

- (e) possible prejudice to any party having a substantial interest in the outcome of the complaint if the matter is or is not investigated; and
- (f) any other relevant factors.

(3) The Ombud must inform the complainant of the outcome of the application within 28 days of receipt thereof.

Method and conduct of investigation

7. (1) The Ombud must assess the information submitted in the complaint contemplated in regulation 3(1) to determine if he or she has jurisdiction to investigate it.

(2) The Ombud must, within 21 days after issuing an acknowledgment of receipt in terms of regulation 5(c), in writing, notify the complainant of his or her decision to—

- (a) investigate the complaint;
- (b) refuse to investigate the complaint and provide written reasons to the complainant for the refusal; or
- (c) request additional information or clarity on the information submitted.

(3) The Ombud may, in accordance with section 6(6) (a) of the Act, summon any person to appear before him or her and such summons must specify—

- (a) information relating to the name and, where known and where applicable, the residential address and occupation or status of person being summoned;
- (b) the reason for being summoned and the place, date and time for the appearance of the person;

(4) (a) The summons shall be served by any person authorised by the Ombud by delivering it to the person named therein or, if he cannot be found, by delivering it at his residence or place of employment or business to a

person apparently over the age of sixteen years and apparently residing or employed there.

- (b) A return by the person who served the summons that the service thereof has been effected in terms of paragraph (a), may, upon the failure of the person concerned to attend the relevant proceedings, be handed in at such proceedings and shall be prima facie proof of such service.
- (c) A summons must be served on a person so that he is in possession thereof at least fourteen days (Sundays and public holidays excluded) before the date appointed for the appearance.

(5) The Ombud must investigate a complaint subject to the provisions of the Act and must determine the format and the procedure to follow in conducting any investigation, based on an assessment of the information provided.

Short title

8. These Regulations are called the Military Ombud Complaints Regulations 2015, and come into operation on the date of publication in the *Government Gazette*.

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ANNEXURE A



FORM 1

MILITARY OMBUD COMPLAINT FORM

COMPLAINT IN TERMS OF SECTION 6(2) MILITARY OMBUD ACT 4 OF 2012

(Regulation 3)

UNDERTAKING:

I apply to the Military Ombud to investigate and consider my complaint. All relevant documentation is attached.

1. I _____, Identity number /Force number _____ declare that my complaint does not relate to:
 - The manner in which a military judge performs his or her functions in his or her capacity as a judge;
 - A matter that is pending before a military or civilian court; or
 - A matter on which a decision has been taken by a military or civilian court.
2. I understand the Military Ombud may refuse to investigate a complaint if:
 - An investigation may undermine channels of command or constitute insubordination in the Defence Force;
 - A complaint is not lodged within the prescribed time-frame.(Kindly attach the application for condonation if the complaint is not within the prescribed timeframe);
 - A member has not first used the mechanism available under the Individual Grievances Regulations, 2010, unless the complaint relates to problems inherent in the system which bring about an adverse result to the complainant;
 - A complaint was not lodged within the prescribed timeframe and condonation was not granted; or
 - A complaint was referred for arbitration, conciliation, mediation or negotiation to another competent tribunal or forum.
3. I understand and agree that by submitting this complaint:
 - The complaint and all information contained therein will be treated as confidential by the Military Ombud who will collect, store, process and share my personal information and use the information only in as far as it relates to the investigation and resolution of my complaint;
 - A finding of the Military Ombud does not affect my legal rights or privileges; and

CONFIDENTIAL

ANNEXURE A

- Should I not be satisfied with the decision of the Military Ombud, I may apply to the High Court for review against that decision in terms of section 13 of the Military Ombud Act 4 of 2012.

Complainant Signature

Person authorised to sign on behalf of the complainant (where applicable)

Date

CONFIDENTIAL

ANNEXURE A

MILITARY OMBUD COMPLAINT FORM

COMPLAINT IN TERMS OF SECTION 6(2) MILITARY OMBUD ACT 4 OF 2012

(Regulation 3)

Please Note:

1. Kindly complete the form in a legible manner and complete all relevant sections. **Please note that the following are compulsory.**
2. Where the contact person is not the complainant, please provide the relevant person's correct contact details. If the contact person is acting on behalf of the complainant, a *Power of Attorney* **must** accompany this form.
3. If you have previously referred your complaint for investigation, arbitration, conciliation, mediation or negotiation to another competent tribunal, forum or institution, kindly furnish the relevant details and applicable reference number.
4. Be as comprehensive as possible and provide as much factual detail as possible when completing this form. Ensure that you answer the following questions: **Who, What, When, How, Where** and **What** happened thereafter.
5. Attach all supporting documentation and evidence, which may include copies of photographs, copies of documentation, sworn statements of witnesses, copies of official documents given to you by the Department of Defence, or any other information that may assist the Military Ombud in conducting an investigation.
6. The Declaration and consent section of this form **must** be completed to authorise the Military Ombud to obtain copies of records and to access any information that relates to this complaint.

In which province in South Africa did the complaint originate?

- Eastern Cape
 Free State
 Gauteng
 Kwazulu Natal
 Limpopo
 Mpumalanga
 North West
 Northern Cape
 Western Cape

Where did you submit the complaint to the Military Ombud?

- Radio
 Attorney
 Newspaper
 Other Ombudsman
 By word of Mouth
 Department of Defence
 Other (please specify) _____

PARTICIPANTS COMPLAINT

Category of Complainant:

- Current SANDF Member
 Former Member of the SANDF
 Member of the Public
 Third Party (e.g. union rep, lawyer, etc.)

CONFIDENTIAL

ANNEXURE A

Please Note:

- If you are a member former member or member of the public complaining, complete section 1 & 4.
- If you are member of the public complaining about the official conduct of a member of the SANDF please also complete section 1 & 4 (note: only need to provide ID/Passport no.)
- If you are complaining on behalf of a member or former member, complete section 2, 3 & 4.
- Section 5, 6 & 7 is to be completed by all.

1. **PERSONAL DETAILS** (If you are the member , former member or member of the public lodging the complaint please complete this section only where applicable)

Please indicate your Gender and Race (*): (This information is required for statistical purposes)

Male Female Race: _____

Surname(*): _____ Full Names(*): _____

Title (Mr/Mrs/Miss/Ms/Dr/Prof)(*): _____ Rank: _____

ID/Passport Number(*): _____ Force Number: _____

Unit: _____ Service/Division: _____

Residential Address(*): _____

Postal Address(*): _____

City: _____ Province: _____ Postal Code: _____

Telephone(*) Home: _____ Cell: _____ Work: _____

Email Address: _____ Fax: _____

Have you submitted your grievance through the Department of Defence's Individual Grievances Regulations? (*): (To be completed by current members of the SANDF only)

Yes No

If yes:

- At which grievance office (Unit)? _____
- What is the Grievance ID Number? _____

CONFIDENTIAL

ANNEXURE A

2. DETAILS OF THIRD PARTY

Surname(*): _____ Full Names(*): _____

Title(Mr/Mrs/Miss/Ms/Dr/Prof(*): _____ Rank: _____

ID/Passport Number(*): _____ Force Number: _____

Unit: _____ Service/Division: _____

Institution: _____

Residential Address(*): _____

Postal Address(*): _____

City: _____ Province: _____ Postal Code: _____

Telephone(*) Home: _____ Cell: _____ Work: _____

Email Address: _____ Fax: _____

3. PERSONAL DETAILS OF AFFECTED PARTY

Please indicate the Gender and Race of the affected party (*): (This information is required for statistical purposes)

 Male Female

Race: _____

Surname(*): _____ Full Names(*): _____

Title (Mr/Mrs/Miss/Ms/Dr/Prof(*): _____ Rank: _____

ID/Passport Number(*): _____ Force Number: _____

Unit: _____ Service/Division: _____

Residential Address(*): _____

Postal Address(*): _____

City: _____ Province: _____ Postal Code: _____

Telephone(*) Home: _____ Cell: _____ Work: _____

Email Address: _____ Fax: _____

CONFIDENTIAL**ANNEXURE A****7. DECLARATION AND CONSENT:**

The consent granted to the Military Ombud in this paragraph authorises the Military Ombud to obtain copies of any records, to access any information which relates to this complaint and to contact any person or entity for the purposes of obtaining or verifying such information and/or documentation.

I _____ (name, surname, ID/Force number)
declare that to the best of my knowledge, the information provided in the complaint form is true and correct in every respect;

I confirm that I am complaining in my personal capacity / representative capacity.

I hereby consent to the release, to the Military Ombud, of copies of all documentation and/or information, including, but not limited to documentation or information, that in any way relates to this complaint arising from the circumstances detailed in the complaint form.

I further consent to and authorise the Military Ombud to contact any person or entity for purposes of obtaining or verifying such information and/or documentation.

Complainant Signature

Person authorised to sign on behalf of the complainant (where applicable)

Date

CONFIDENTIAL

ANNEXURE B



FORM 2

MILITARY OMBUD

APPLICATION FOR CONDONATION IN TERMS OF REGULATION 6(3)

NOTES ON COMPLETION OF THE SA MILITARY OMBUD CONDONATION FORM

1. A complaint must be referred to the Military Ombud within the time period for lodging complaints as provided in Regulation 4. If Regulation 4 is not complied with, an application must be made to the Military Ombud to condone the delay for the late submission of the complaint.
2. This application for condonation must accompany the fully completed complaint form and must be done on the affidavit (under oath / affirmation) included in this Form.
3. The calculation of the required days is done by excluding the first day and including the last day unless the last day happens to fall on a Sunday or any public holiday, in which case the last day would be the normal working day preceeding that Sunday or public holiday.
4. The Military Ombud considers the following when deciding whether or not to grant condonation.
 - The degree of lateness of the complaint;
 - The reasons for the lateness;
 - The prospects of success on the merits of the complaint;
 - The complainant's interest in the outcome of the complaint;
 - Any prejudice to the other party in the complaint; and
 - Any other relevant factors.
5. The above factors are not individually decisive but are interrelated and will be weighed one against the other. Thus a slight delay and a good explanation may help to compensate for prospects of success that may not be very strong.
6. It is therefore important that applicants for condonation provide a detailed explanation with sufficient support documentation to their averments.
7. The degree of lateness is the time period in relation to the date of the act or omission (or becoming aware thereof). It is thus important to indicate the date of the act or omission and or make it clear when the complainant became aware thereof.

CONFIDENTIAL**ANNEXURE B**

8. The applicant for condonation must indicate why, on a balance of probability, he or she will be likely to succeed against the Department with the complaint.
 9. The applicant for condonation must give a clear indication of the prejudice he or she will suffer if condonation is not granted and must also address the reasons he or she believes it will not be prejudicial to the Department if condonation is granted. Interest in the outcome of the complaint does not only relate to the personal importance of the complaint to the complainant, but should address the objective importance of the matter to the Department and other members and former members of the Department and/or the public. These may typically be complaints that have the potential to change policy, operating procedures, etcetera within the Department.
-

CONFIDENTIAL

ANNEXURE B

MILITARY OMBUD
APPLICATION FOR CONDONATION

Please Note:

Kindly complete the form in a legible manner and complete all the pages that are relevant to you. **Please note that the fields marked with an asterisk (*) are compulsory.**

PARTICULARS OF COMPLAINT

Category of Complainant (*):

- Current SANDF Member Former Member of the SANDF Member of the Public
- Third Party (e.g. union rep, lawyer, etc.)

PERSONAL DETAILS (if you are the member, former member or member of the public lodging the complaint please complete this section only where applicable)

Please indicate your Gender and Race (*): (This information is required for statistical purposes)

Male Female Race: _____

Surname (*): _____ Full Names
(*): _____

Title (Mr/Mrs/Miss/Ms/Dr/Prof (*): _____ Rank: _____

ID/Passport Number (*): _____ Force Number: _____

Unit: _____ Service/Division: _____

Residential Address (*): _____

Postal Address _____

City: _____ Province: _____ Postal Code: _____

Telephone (*) Home: _____ Cell: _____ Work: _____

Email Address: _____ Fax: _____

CONFIDENTIAL

ANNEXURE B

6. POSSIBLE PREJUDICE TO ANY PARTY HAVING A SUBSTANTIAL INTEREST IN THE OUTCOME OF THE COMPLAINT IF THE MATTER IS OR IS NOT INVESTIGATED

7. ANY OTHER RELEVANT FACTORS

SIGNATURE OF APPLICANT

Signed before me on _____ at _____ by _____ the deponent who acknowledges that he/she knows and understands the contents of the affidavit, had no objection to taking the oath/affirmation and considers it binding on his/her conscience.

Commissioner of Oaths:

Name: _____

Address: _____

Capacity: _____

DEPARTMENT OF LABOUR

NO. R. 612

06 NOVEMBER 2015

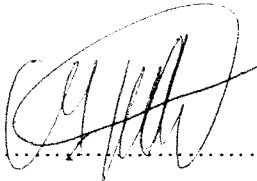
LABOUR RELATIONS ACT, 1995

CHANGE OF NAME OF AN EMPLOYERS' ORGANISATION

I, Malixole Ntleki, The Acting Registrar of Labour Relations, hereby notify, in terms of section 109(2) of the Labour Relations Act, 1995, that **Professional Caterers Association (PCA) (LR2/6/3/65)** resolved to change its name.

With effect from.....2015 -10- 29.....the employers' organisation is registered as **Proactive Employers' Association of South Africa (PEASA) (LR2/6/3/45)**.

The name of the employers' organisation is entered into the register of employers' organisations.



.....
M NTLEKI 2015 -10- 29
Acting Registrar of Labour Relations

DEPARTMENT OF LABOUR

NO. R. 613

06 NOVEMBER 2015

LABOUR RELATIONS ACT, 1995
NOTICE OF INTENTION TO CANCEL REGISTRATION OF AN
EMPLOYERS' ORGANISATION

I, Malixole Ntleki, Acting Registrar of Labour Relations, hereby, in terms of section 106(2B) give notice of my intention to cancel the registration of **Employers Organisation for the Cephalopod and Associated Fisheries (LR 2/6/3/599)** for the following reasons:

- The organisation failed to comply with section 98, 99 and 100 of the Act. The organisation has ceased to function in terms of its constitution

The organisation and all interested parties are hereby invited to make written representations as to why the registration should not be cancelled. **Only representations pertaining to this Notice under the following case number: 2015/199 will be considered.**

Objections must be lodged to me, c/o the Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA. [Postal address: Private Bag X117, PRETORIA, 0001 – Fax No. (012) 309 4156/4848, within 60 days of the date of this notice.



ACTING REGISTRAR OF LABOUR RELATIONS

2015 -10- 2 2

NATIONAL TREASURY

NO. R. 614

06 NOVEMBER 2015

DETERMINATION OF AMOUNTS FOR PURPOSES OF THE MILITARY PENSIONS ACT, 1976
(ACT 84 OF 1976)

1. The Minister of Finance has, in terms of the provisions of sections 1 and 5 of the Military Pensions Act, 1976 (Act 84 of 1976), read with section 3 (2) of the Act, determined that, with effect from 1 April 2015—
 - (a) for the purposes of formula I as defined in section 1 of the said Act, factor A of the said formula shall represent an amount—
 - (i) mentioned in the Schedule; or
 - (ii) the amount as determined by the Director-General to a minimum of **R69 602.64** according to which one of the said amounts is the most advantageous to the member:
 - (b) for the purposes of formula II, as defined in section 1 of the said Act, factor C of the said formula shall represent the amount of **R11 553.60** and
 - (c) the gratuity payable to the member who suffers from a pensionable disability which has in terms of the said Act been determined at 10 per cent or less shall be **R 7 704.00**;
 - (d) the gratuity payable to a member who suffers from a pensionable disability which has in terms of the said Act been determined at more than 10 per cent but less than 20 per cent shall be **R 15 405.00**.
2. All members who are in possession of a three-year bachelor's degree or a matriculation certificate and who have, immediately prior to 1 April 1998, received an amount as contemplated in paragraph 1 (a) of Government Notice No. R.1280 of 3 October 1997 shall receive an amount as set out in the Schedule.
3. Government Notice **No. R 916** of **2 October 2015** is hereby withdrawn.

Nhlanhla Nene, MP
Minister of Finance

SCHEDULE OF ANNUAL PENSIONS

Percentage disablement	Basic pension	Matriculation certificate	Three- year bachelor's degree
100	69 602.64	72 554.28	81 865.56
90	62 642.16	65 298.96	73 678.80
80	55 682.52	58 043.76	65 492.88
70	48 721.68	50 787.96	57 305.88
60	41 761.68	43 532.88	49 119.60
50	34 801.56	36 277.44	40 933.20
40	27 841.08	29 021.64	32 746.20
30	20 880.96	21 766.44	24 559.56
20	13 920.36	14 510.76	16 373.04

NASIONALE TESOURIE

NO. R. 614

06 NOVEMBER 2015

**BETALING VAN BEDRAE VIR DOELEINDES VAN DIE WET OP MILITÊRE PENSIOENE, 1976
(WET 84 VAN 1976)**

1. Die Minister van Finansies het kragtens die bepalings van artikels 1 en 5 van die Wet op Militêre Pensioene, 1976 (Wet 84 van 1976), saamgelees met artikel 3 (2) van die Wet, met ingang van 1 April 2015—
 - (a) vir die doeleindes van formule I, soos omskryf in artikel 1 van vermelde Wet, faktor A van bedoelde formule I, 'n bedrag voorstel—
 - (i) die toepaslike bedrag volgens die Bylae; of
 - (ii) die bedrag soos deur die Direkteur-generaal bepaal tot 'n minimum van **R 69 602.64** na gelang van watter een van sodanige bedrae vir die lid die voordeligste is;
 - (b) vir die doeleindes van formule II, soos omskryf in artikel 1 van vermelde Wet, faktor C van bedoelde formule die bedrag van **R11 553.60** voorgestel; en
 - (c) die gratifikasie betaalbaar aan 'n lid wat ly aan 'n pensioengewende ongeschiktheid wat ingevolge vermelde Wet op 10 persent of minder vasgestel is, bedra **R 7704.00**;
 - (d) die gratifikasie betaalbaar aan 'n lid wat ly aan 'n pensioengewende ongeschiktheid wat ingevolge vermelde Wet op meer as 10 persent en minder as 20 persent vasgestel is, bedra **R 15 405.00**
2. Alle lede wat in besit van 'n driejarige baccalaureusgraad of 'n matrikulasie sertifikaat is en wat onmiddellik voor 1 April 1998 'n bedrag bedoel in paragraaf 1 (a) van Goewermentskennisgewing No. R.1280 van 3 Oktober 1997 ontvang het, moet 'n bedrag soos uiteengesit in die Bylae ontvang.
3. Goewermentskennisgewing **No. R 916** of **2 Oktober 2015** word hierby herroep.

Nhlanhla Nene, LV
Minister van Finansies

BYLAE VAN JAARLIKSE PENSIOENE

Persentasie ongeskiktheid	Basiese pensioen	Matrikulasie-sertifikaat	Driejarige baccalaureus-graad
100	69 602.64	72 554.28	81 865.56
90	62 642.16	65 298.96	73 678.80
80	55 682.52	58 043.76	65 492.88
70	48 721.68	50 787.96	57 305.88
60	41 761.68	43 532.88	49 119.60
50	34 801.56	36 277.44	40 933.20
40	27 841.08	29 021.64	32 746.20
30	20 880.96	21 766.44	24 559.56
20	13 920.36	14 510.76	16 373.04

NO. R. 615

SOUTH AFRICAN REVENUE SERVICE

06 NOVEMBER 2015

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 2 (NO. 2/1/371)

In terms of section 56 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 2 to the said Act is hereby amended, **with retrospective effect from 25 March 2015**, to the extent set out in the Schedule hereto.



M JONAS
DEPUTY MINISTER OF FINANCE

SCHEDULE

By the deletion of the following:

Item	Tariff Heading	Code	CD	Description	Rebate Items	Imported from or Originating in	Rate of Anti-dumping duty
213.03	7005.29.05	01.08	84	Solar glass, of a thickness exceeding 2,5 mm but not exceeding 3 mm		India	720c/m ²
213.03	7005.29.05	03.08	83	Solar glass, of a thickness exceeding 2,5 mm but not exceeding 3 mm		China	802c/m ²
213.03	7005.29.05	04.08	88	Solar glass, of a thickness exceeding 3 mm but not exceeding 4 mm		India	886c/m ²
213.03	7005.29.05	06.08	87	Solar glass, of a thickness exceeding 3 mm but not exceeding 4 mm		China	802c/m ²
213.03	7005.29.05	08.08	86	Solar glass, of a thickness exceeding 4 mm but not exceeding 5 mm		China	802c/m ²
213.03	7005.29.05	09.08	80	Solar glass, of a thickness exceeding 5 mm but not exceeding 6 mm		India	1 387c/m ²
213.03	7005.29.05	11.08	88	Solar glass, of a thickness exceeding 5 mm but not exceeding 6 mm		China	802c/m ²

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 2 (NO. 2/1/371)

Kragtens artikel 56 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 2 by bogenoemde Wet hiermee gewysig, met terugwerkende krag vanaf 25 Maart 2015, in die mate in die Bylae hierby aangetoon.



M JONAS
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur die skraping van die volgende:

Item	Tariefpos	Kode	TS	Beskrywing	Kortingitem	Ingevoer vanaf of Oorspronklik van	Skaal van Anti-dumpingreg
213.03	7005.29.05	01.08	84	Son glas, met 'n dikte van meer as 2,5 mm maar hoogstens 3 mm		Indië	720c/m ²
213.03	7005.29.05	03.08	83	Son glas, met 'n dikte van meer as 2,5 mm maar hoogstens 3 mm		China	802c/m ²
213.03	7005.29.05	04.08	88	Son glas, met 'n dikte van meer as 3 mm maar hoogstens 4 mm		Indië	886c/m ²
213.03	7005.29.05	06.08	87	Son glass, met 'n dikte van meer as 3 mm maar hoogstens 4 mm		China	802c/m ²
213.03	7005.29.05	08.08	86	Son glas, met 'n dikte van meer as 4 mm maar hoogstens 5 mm		China	802c/m ²
213.03	7005.29.05	09.08	80	Son glas, met 'n dikte van meer as 5 mm maar hoogstens 6 mm		Indië	1 387c/m ²
213.03	7005.29.05	11.08	88	Son glas, met 'n dikte van meer as 5 mm maar hoogstens 6 mm		China	802c/m ²