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GAZETTE

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# Closing times for **ORDINARY WEEKLY** **REGULATION GAZETTE** **2018**

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

- **28 December 2017**, Thursday for the issue of Friday **05 January 2018**
- **05 January**, Friday for the issue of Friday **12 January 2018**
- **12 January**, Friday for the issue of Friday **19 January 2018**
- **19 January**, Friday for the issue of Friday **26 January 2018**
- **26 January**, Friday for the issue of Friday **02 February 2018**
- **02 February**, Friday for the issue of Friday **09 February 2018**
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- **02 March**, Friday for the issue of Friday **09 March 2018**
- **09 March**, Friday for the issue of Friday **16 March 2018**
- **15 March**, Thursday for the issue of Friday **23 March 2018**
- **22 March**, Thursday for the issue of Thursday **29 March 2018**
- **28 March**, Wednesday for the issue of Friday **06 April 2018**
- **06 April**, Friday for the issue of Friday **13 April 2018**
- **13 April**, Friday for the issue of Friday **20 April 2018**
- **19 April**, Thursday for the issue of Thursday **26 April 2018**
- **25 April**, Wednesday for the issue of Friday **04 May 2018**
- **04 May**, Friday for the issue of Friday **11 May 2018**
- **11 May**, Friday for the issue of Friday **18 May 2018**
- **18 May**, Friday for the issue of Friday **25 May 2018**
- **25 May**, Friday for the issue of Friday **01 June 2018**
- **01 June**, Friday for the issue of Friday **08 June 2018**
- **08 June**, Friday for the issue of Friday **15 June 2018**
- **15 June**, Friday for the issue of Friday **22 June 2018**
- **22 June**, Friday for the issue of Friday **29 June 2018**
- **29 June**, Friday for the issue of Friday **06 July 2018**
- **06 July**, Friday for the issue of Friday **13 July 2018**
- **13 July**, Friday for the issue of Friday **20 July 2018**
- **20 July**, Friday for the issue of Friday **27 July 2018**
- **27 July**, Friday for the issue of Friday **03 August 2018**
- **02 August**, Thursday for the issue of Friday **10 August 2018**
- **10 August**, Friday for the issue of Friday **17 August 2018**
- **17 August**, Friday for the issue of Friday **24 August 2018**
- **24 August**, Friday for the issue of Friday **31 August 2018**
- **31 August**, Friday for the issue of Friday **07 September 2018**
- **07 September**, Friday for the issue of Friday **14 September 2018**
- **14 September**, Friday for the issue of Friday **21 September 2018**
- **20 September**, Thursday for the issue of Friday **28 September 2018**
- **28 September**, Friday for the issue of Friday **05 October 2018**
- **05 October**, Friday for the issue of Friday **12 October 2018**
- **12 October**, Friday for the issue of Friday **19 October 2018**
- **19 October**, Friday for the issue of Friday **26 October 2018**
- **26 October**, Friday for the issue of Friday **02 November 2018**
- **02 November**, Friday for the issue of Friday **09 November 2018**
- **09 November**, Friday for the issue of Friday **16 November 2018**
- **16 November**, Friday for the issue of Friday **23 November 2018**
- **23 November**, Friday for the issue of Friday **30 November 2018**
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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES****NO. R. 734****20 JULY 2018****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996  
(ACT No. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS BY  
EXPORTERS, IMPORTERS, PROCESSORS AND PURCHASERS OF COTTON**

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

**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 –

“**contract ginning**” means seed cotton ginned by a ginner on behalf of another party without the ownership of the cotton passing over to the ginner;

“**cotton**” means cotton lint and seed cotton derived from the ball of the cotton plant (*Gossypium hirsutum*);

“**cotton lint**” means the fibre derived from the seed cotton after the seed cotton has been ginned;

“**Cotton South Africa**” means Cotton SA NPC a non-profit company registered in terms of the Companies Act, which operates under the name Cotton South Africa;

“**ginner**” means any person who gins seed cotton;

“**gin**” in relation to seed cotton, means to separate the seed and fibre in seed cotton and ginning has a corresponding meaning;

“**seed cotton**” means the lint and seed derived from the ball of the cotton plant (*Gossypium hirsutum*), before it has been ginned;

“**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 objectives of the Act.***

2. The purpose and aims of this statutory measure are to compel the following parties to keep records and furnish returns to Cotton South Africa: Persons who are parties to the purchase of seed cotton from producers; those persons who process seed cotton; persons who import or export cotton; and those persons who are parties to the purchase of cotton lint from producers or ginneries. This is deemed necessary to ensure that continuous, timeous and accurate market information relating to cotton is made available for all role-players. Information gathered by Cotton South Africa from the records and returns will be freely distributed to the market place. Market information is deemed essential for all role-players in a deregulated market, in order

for them to be able to make informed decisions. By the compulsory furnishing of monthly returns on an individual basis, market information for the whole of the country can be processed and disseminated to the market place.

The established of this statutory measure will not only enhance market access for all market participants but should also promote the efficiency of the marketing of cotton. Furthermore, proper market information will enhance the viability of the cotton industry and the agricultural sector at large. The measure will not be detrimental to the number of employment opportunities within the economy or fair labour practice.

This statutory measure will be administered by Cotton South Africa, a company incorporated under section 21 of the Companies Act, 1973 (Act No.61 of 1973). Cotton South Africa is appointed to implement, administer and enforce the intervention set out in the Schedule.

It is envisaged that Cotton South Africa will make available macro generic market information to the cotton industry and other interested parties on a monthly basis. This information will be obtained from the returns rendered to Cotton South Africa and will be supplied on a national basis. The information will furthermore be made available in a manner suitable to reach the majority of the role-players in the cotton industry.

***Products to which statutory measure applies***

3. This statutory measure shall apply to cotton.

***Area in which statutory measure applies***

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

***Records and returns to be kept and submitted by exporters, importers, processors, and purchasers of cotton***

5. (1) The following parties shall keep records and furnish returns with regard to cotton in his or her possession or under his or her control:

- a) Persons who are parties to the purchase of seed cotton from producers;
- b) those persons who process seed cotton;

- c) persons who import or export cotton; and
- d) those persons who are parties to the purchase of cotton lint from producers or ginnerers.

(2) Cotton South Africa shall make forms available to facilitate the process of submittance of returns.

(3) a) The return shall be submitted monthly, when forwarded by post to -

**Cotton South Africa**

**P.O. Box 912232**

**SILVERTON**

**0127; or**

- b) when delivered by hand delivered to –

**Cotton South Africa**

**Cotton South Africa Building**

**90 Cycad Place**

**off Watermeyer Street**

**Val de Grace Extension 10**

**PRETORIA**

**0184.**

(4) The return shall be submitted before or on the twentieth day of the month, following the month to which the records and returns relate, with the exception of the monthly crop return which have to reach Cotton South Africa not later than the end of the month to which the crop return relates.

(5) The records and returns shall in the case of the ginnerers, contain information with regard to the following:

- a) The month concerned;
- b) The marketing year applicable;
- c) The name and address of the ginnery concerned;
- d) with regard to seed cotton purchased from RSA producers, the following information:
  - (i) Cultivars;
  - (ii) opening stock in kg;
  - (iii) plus purchased stock during the month in kg;
  - (iv) less ginned stock during the month in kg;
  - (v) closing stock for the month in kg; and

- 
- e) with regard to seed cotton received from RSA producers for contract ginning, the following information:
- (i) Cultivars;
  - (ii) opening stock in kg;
  - (iii) plus stock received during the month in kg;
  - (iv) less ginned stock during the month in kg;
  - (v) closing stock for the month in kg; and
- f) with regard to seed cotton purchased from other persons or countries, the following information for the month concerned;
- (i) Person or country;
  - (ii) opening stock in kg;
  - (iii) plus purchased stock in kg;
  - (iv) less ginned stock in kg;
  - (v) closing stock in kg; and
- g) with regard to seed cotton received for contract ginning from other countries or persons other than RSA producers, the following information for the month concerned;
- (i) Person or country;
  - (ii) opening stock in kg;
  - (iii) plus received stock in kg;
  - (iv) less ginned stock in kg;
  - (v) closing stock in kg; and
- h) with regard to cotton lint produced from seed cotton purchased by the gin, the following information for the month concerned:
- (i) Opening stock in kg;
  - (ii) plus stock produced;
  - (iii) less sales in kg;
  - (iv) closing stock in kg;
- i) with regard to cotton lint produced from seed cotton received for contract ginning, the following information for the month concerned:
- (i) Opening stock in kg;
  - (ii) plus stock produced;
  - (iii) less stock delivered in kg;
  - (iv) closing stock in kg;

(6) A monthly crop return shall be submitted by the ginner which reflect the following information per production area and country, in respect of seed cotton that the gin expects to purchase and/or expects to contract gin:

- a) the month concerned;
- b) production year concerned;
- c) name and address of the ginner concerned;
- d) date on which report is submitted;
- e) area under which crop is planted;
- f) hectares under irrigation or dryland;
- g) estimated yield in kg seed cotton per hectare with regard to areas under irrigation or dryland;
- h) estimated crop in 200 kg lint bales;
- i) percentage handpicked; and
- j) percentage of crop ginned up to date.

(7) A monthly return shall be submitted by spinners which reflect the following information:

- a) the month concerned;
- b) the marketing year concerned
- c) name and address of spinner concerned;
- d) with regard to cotton lint purchased, the following information for the month concerned:
  - i. name of the seller
  - ii. date received;
  - iii. cotton lint purchased from each seller in kg; and
- e) with regard to cotton lint received, the following information:
  - i. the month concerned;
  - ii. cotton lint received in kg from South Africa, Swaziland, Zimbabwe and other countries;
  - iii. closing stock in kg; and
- f) with regard to the quantity cotton lint consumed, the following information:
  - i. the month concerned;



- ii. cotton lint consumed in kg from South Africa, Swaziland, Zimbabwe and other countries;
  - iii. closing stock in kg;
- (8) A monthly return shall be submitted by any person who import or export cotton, which reflect the following information:
- a) the month concerned;
  - b) the marketing year concerned;
  - c) name and address of person or instance concerned;
  - d) type of product imported or exported;
  - e) quantities or volume concerned in kg; and
  - f) origin and/or destination of each quantity or volume in kg.
- (9) A record system that reflects good accounting practice shall be introduced and kept by Cotton South Africa.
- (10) The records of Cotton South Africa, and agents if appointed, shall at least annually be audited by an internationally recognised firm of Chartered Accountants and in addition be subject to internal audits and controls as may be required by the Companies Act.

***Commencement and period of validity***

6. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 31 March 2022.

**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES****NO. R. 735****20 JULY 2018****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996  
(ACT No. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF  
EXPORTERS, IMPORTERS, PROCESSORS, PRODUCERS AND PURCHASERS  
OF COTTON**

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

**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 –

“**cotton**” means cotton lint and seed cotton derived from the ball of the cotton plant (*Gossypium hirsutum*);

“**cotton lint**” means the fibre derived from the seed cotton after the seed cotton has been ginned;

“**Cotton South Africa**” means Cotton SA NPC a non-profit company registered in terms of the Companies Act, which operates under the name Cotton South Africa;

“**ginner**” means any person who gins seed cotton;

“**gin**” in relation to seed cotton, means to separate the seed and fibre in seed cotton and ginning has a corresponding meaning;

“**seed cotton**” means the lint and seed derived from the ball of the cotton plant (*Gossypium hirsutum*), before it has been ginned;

“**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 objectives of the Act.***

2. The purpose and aims of this statutory measure are to compel the following parties to register with Cotton South Africa: All persons who produce seed cotton; all persons who are parties to the purchase of seed cotton from producers; those persons who process seed cotton; those persons who are parties to the purchase of cotton lint from producers or ginner; and those persons who import or export cotton. Registration is necessary to assist Cotton South Africa in ensuring that continuous, timeous and accurate market information relating to cotton is made available to all role-players. Market information is deemed essential for all role-players in a deregulated market, in order for them to be able to make informed decisions. By combining the compulsory registration with the furnishing of monthly returns on an individual basis, market

information for the whole of the country can be processed and disseminated to the market place.

The established of this statutory measure will not only assist in enhancing market access for all market participants but should also assist in promoting the efficiency of the marketing of cotton. The viability of the cotton industry will thus be enhanced. The measure will not be detrimental to the number of employment opportunities within the economy or fair labour practice.

This statutory measure will be administered by Cotton South Africa, a company incorporated under section 21 of the Companies Act, 1973 (Act No.61 of 1973). Cotton South Africa is appointed to implement, administer and enforce the intervention set out in the Schedule.

***Products to which statutory measure applies***

3. This statutory measure shall apply to cotton.

***Area in which statutory measure applies***

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

***Registration of parties concerned***

5. (1) The following parties shall register as such with Cotton South Africa in the manner set out in clause 6:

- a) All persons who produce seed cotton;
- b) all persons who are parties to the purchase of seed cotton from producers;
- c) those persons who process seed cotton;
- d) those persons who are parties to the purchase of cotton lint from producers or ginnerers; and
- e) those persons who import or export cotton.

(2) An application for registration in terms of subclause (1) shall be made within 30 days from the date of commencement of this statutory measure and, in case of a person becoming a party in terms of subclause (1) after such date of commencement, within 30 days of becoming a party in terms of subclause (1).

(3) The parties in terms of subclause (1) shall within 30 days of ceasing to be a party in terms of subclause (1) notify Cotton South Africa in writing thereof whereupon his or her registration shall be cancelled.

***Application for registration***

6. (1) Application for registration in terms of clause 5 shall be made on an application form, copies of which are obtainable free of charge from Cotton South Africa.

(2) The application form shall be completed in ink and signed by a person duly authorised thereto.

(3) a) The application form shall be submitted, when forwarded by post to -

**Cotton South Africa**

**P.O. Box 912232**

**SILVERTON**

**0127; or**

b) when delivered by hand delivered to –

**Cotton South Africa**

**Cotton South Africa Building**

**90 Cycad Place**

**off Watermeyer Street**

**Val de Grace Extension 10**

**PRETORIA**

**0184.**

***Commencement and period of validity***

7. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 31 March 2022.

**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES****NO. R. 736****20 JULY 2018****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996  
(ACT No. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF  
GUIDELINE PRICES: LEVY RELATING TO COTTON LINT**

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

- (a) establish the statutory measure set out in the Schedule hereto;
- (b) determine that the guideline price for cotton lint shall be 2261c per kilogram.

**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 –

“**cotton**” means cotton lint and seed cotton derived from the ball of the cotton plant (*Gossypium hirsutum*);

“**cotton lint**” means the fibre derived from the seed cotton after the seed cotton has been ginned;

“**Cotton South Africa**” means Cotton SA NPC a non-profit company registered in terms of the Companies Act, which operates under the name Cotton South Africa;

“**ginner**” means any person who gins seed cotton;

“**gin**” in relation to seed cotton, means to separate the seed and fibre in seed cotton and ginning has a corresponding meaning;

“**seed cotton**” means the lint and seed derived from the ball of the cotton plant (*Gossypium hirsutum*), before it has been ginned;

“**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 objectives of the Act.***

2. The purpose and aims of this statutory measure are to provide financial support for the following functions that the cotton industry has identified as essential and in the interest of the industry as a whole:

- (a) Rendering of information services to all role-players;
- (b) the promotion of cotton production and the demand;
- (c) the co-ordination of research;
- (d) the maintenance of quality standards and norms and the provision of training; and
- (e) the facilitation of the development of the emerging cotton production sector.

The maintenance of macro industry information is regarded as critical for strategic planning by the cotton industry. Proper and accurate market information that is available on a continuous and timeous manner, will not only increase market access for all market participants, but will also promote the efficiency of the marketing of cotton.

The promotion of the production of cotton can make a significant contribution towards the level of household food security in South Africa, particularly in the more arid regions of the country where other summer crops have regularly failed. It is furthermore important that perceptions be changed in terms of crops more suited to those areas to feature more strongly.

Research is essential for the furtherance of the primary cotton industry's competitive position, taking into account the extremely competitive marketing environment in which cotton compete and the steady decline in the cotton fibre market over the past few years. Research is also important for cotton cultivation by commercial and small-scale farmers. Studies in connection with cultivar characteristics such as yield tendencies, adaptability and yield stability, make it possible for the cotton producer to make meaningful cultivar choices for specific conditions.

Quality standards, grading and classification as well as independent arbitration services for quality disputes have to be maintained in order to promote the efficiency of cotton marketing *per se*. This function is deemed a basic precondition for the orderly marketing of cotton. Therefore, grading staff of co-operatives and processors of cotton also have to be trained on a continuous basis.

A portion of the funds collected by means of this levy will also be focused on small-scale farmers and the developing cotton industry.

The establishment of this statutory measure will not only assist in enhancing market access for all market participants but will also enhance the viability of the cotton industry. The establishment of this measure will in fact further all the objectives of the Act as stipulated in Section 2 thereof.



This statutory measure shall be administered by Cotton South Africa.

***Product to which statutory measure applies***

3. This statutory measure shall apply to cotton lint.

***Area in which statutory measure applies***

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

***Imposition of levy***

5. A levy is hereby imposed on all cotton lint, ginned by ginners from seed cotton.

***Amount of levy***

6. The levy shall amount to 26.5c per kilogram cotton lint produced, excluding VAT.

***Persons by whom and to whom levy is payable***

7. The levy imposed in terms of clause 5 and 6 shall -
  - (a) be payable by ginners; and
  - (b) be payable to Cotton South Africa.

***Payment of levy***

8. (1) Payment shall be made not later than the 20<sup>th</sup> day that follows the month during which the cotton lint on which the levy is payable, was produced.

(2) Payment shall be made by means of an electronic funds transfer, cheque, postal order or money order made out in favour of Cotton South Africa.

(3) a) The payment shall be submitted monthly, when forwarded by post to -  
**Cotton South Africa**  
**P.O. Box 912232**  
**SILVERTON**  
**0127;**

b) when delivered by hand delivered to –

**Cotton South Africa**

**Cotton South Africa Building**

**90 Cycad Place**

**off Watermeyer Street**

**Val de Grace Extension 10**

**PRETORIA**

**0184.**

***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 core functions, 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 Cotton SA, 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 April 2018 and shall lapse on 31 March 2022.

## DEPARTMENT OF LABOUR

NO. R. 737

20 JULY 2018

## LABOUR RELATIONS ACT, 1995

## REGISTRATION OF A TRADE UNION

I, Lehlohonolo Molefe, Registrar of Labour Relations, hereby notify, in terms of section 109(2) of the Labour Relations Act, 1995, that **South African Legal Union (SALU) (LR 2/6/2/2712)**—has been registered as a trade union with effect from

...10 July 2018.....



REGISTRAR OF LABOUR RELATIONS