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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 1276

02 DECEMBER 2020

**MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF A
DIFFERENTIATED LEVY ON PLANTED HECTARES FOR FUNDING OF AN INTEGRATED
AREA WIDE FRUIT FLY CONTROL PROGRAMME IN SPECIFIED PRODUCTION AREAS**

I, Angela Thokozile Didiza, Minister for Agriculture, Land Reform & Rural Development, 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.

**MRS AT DIDIZA, MP
MINISTER FOR AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT.**

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 –

“**Differentiated levy**” means a per hectare levy applicable to planted hectares in specified production regions;

“**Planted hectares**” means the total plantings of a specific producer of agreed products benefitting from the area wide fruit fly control programme in specified production regions;

“**Producer**” means a person producing products on planted hectares in specified production regions as agreed from time to time; and

“**Specified Production Regions**” means defined areas where producers have approved the implementation of this measure on all planted hectares included in such region.

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

2. The statutory levy is needed by the Fruit Industry to collect the producers' contribution for the integrated area wide fruit fly control programmes in specified production regions.

The measure will not be detrimental to the number of employment opportunities or fair labour practice and will support other statutory measures applicable in the fruit industry.

The measure will be utilized by FruitFly Africa (Pty) Ltd, an industry service entity established in terms of the Companies Act, 2008 (Act 71 of 2008 as amended). FruitFly Africa will administer and spend the collected funds on behalf of the producers in the specified production regions and will account and report separately thereon.

Products to which statutory measure applies

3. This statutory measure shall apply to all planted hectares in the specific production regions.

Area in which measure shall apply

4. This measure shall apply to the specified production regions as listed in this schedule.

Imposition of levy

5. A differentiated levy is hereby imposed on all planted hectares in the specific production regions as listed in this schedule.

Amount of the levy

6. The amount of the levy on the planted hectares in the specified production regions shall be:

- (1) In the production region generally known as Langkloof (Noll, Avontuur, Misgund, Louterwater):
 - R1,071/Hectare for the 12 month period from July 2020 to June 2021;
 - Not more than R1,135/hectare for the 12 month period from July 2021 to June 2022;
 - Not more than R1,203/hectare for the 12 month period from July 2022 to June 2023; and
 - Not more than R1,276/hectare for the 12 month period from July 2023 to June 2024.
- (2) In the production region generally known as Lower Orange River:
 - R1,005/Hectare for the 12 month period from July 2020 to June 2021;
 - Not more than R1,065/Hectare for the 12 month period from July 2021 to June 2022;
 - Not more than R1,129/hectare for the 12 month period from July 2022 to June 2023; and
 - Not more than R1,197/hectare for the 12 month period from July 2023 to June 2024.
- (3) In the production region generally known as the Elgin/Grabouw area:
 - R1,317/Hectare for the 12 month period from July 2020 to June 2021;
 - Not more than R1,396/Hectare for the 12 month period from July 2021 to June 2022;
 - Not more than R1,480/hectare for the 12 month period from July 2022 to June 2023; and
 - Not more than R1,569/hectare for the 12 month period from July 2023 to June 2024.
- (4) In the production region generally known as the Vyeboom (including Eerstehoop) area:
 - R1,133/Hectare for the 12 month period from July 2020 to June 2021;
 - Not more than R1,201/Hectare for the 12 month period from July 2021 to June 2022;
 - Not more than R1,273/hectare for the 12 month period from July 2022 to June 2023; and
 - Not more than R1,349/hectare for the 12 month period from July 2023 to June 2024.
- (5) In the production region generally known as the Hemel & Aarde area:
 - R1,157/Hectare for the 12 month period from July 2020 to June 2021;
 - Not more than R1,226/Hectare for the 12 month period from July 2021 to June 2022;
 - Not more than R1,300/hectare for the 12 month period from July 2022 to June 2023; and
 - Not more than R1,378/hectare for the 12 month period from July 2023 to June 2024.
- (6) In the production regions generally known as the Warm Bokkeveld area:
 - R1,292/Hectare for the 12 month period from July 2020 to June 2021;
 - Not more than R1,370/Hectare for the 12 month period from July 2021 to June 2022;
 - Not more than R1,452/hectare for the 12 month period from July 2022 to June 2023; and
 - Not more than R1,539/hectare for the 12 month period from July 2023 to June 2024.
- (7) In the production regions generally known as the Wolseley area:
 - R1,308/Hectare for the 12 month period from July 2020 to June 2021;
 - Not more than R1,386/Hectare for the 12 month period from July 2021 to June 2022;
 - Not more than R1,470/hectare for the 12 month period from July 2022 to June 2023; and

- Not more than R1,558/hectare for the 12 month period from July 2023 to June 2024.
- (8) In the production region generally known as the Tulbagh area:
- R1,550/Hectare for the 12 month period from July 2020 to June 2021;
 - Not more than R1,643/Hectare for the 12 month period from July 2021 to June 2022;
 - Not more than R1,742/hectare for the 12 month period from July 2022 to June 2023; and
 - Not more than R1,846/hectare for the 12 month period from July 2023 to June 2024.
- (9) In the production region generally known as the Hex River Valley (including De Wet and Brandwacht):
- R1,502/Hectare for the 12 month period from July 2020 to June 2021;
 - Not more than R1,592/Hectare for the 12 month period from July 2021 to June 2022;
 - Not more than R1,688/hectare for the 12 month period from July 2022 to June 2023; and
 - Not more than R1,789/hectare for the 12 month period from July 2023 to June 2024.
- (10) In the production region generally known as the Lower Orange River – Dried Grapes
- 7c/Kilogram (dried weight) for the 12 month period from July 2020 to June 2021;
 - Not more than 11c/Kilogram (dried weight) for the 12 month period from July 2021 to June 2022;
 - Not more than 12c/Kilogram (dried weight) for the 12 month period from July 2022 to June 2023; and
 - Not more than 13c/Kilogram (dried weight) for the 12 month period from July 2023 to June 2024.

Persons by whom and to whom levy shall be payable

10. (1) The levy imposed under clause 5 shall be payable by a producer or his nominee on behalf of the producer.
- (2) A levy imposed under clause 5 shall be payable to FruitFly Africa in accordance with clause 8.

Payment of a differentiated levy

11. (1) Payment of the levy shall be made by the producer or his nominee in the manner and according to the schedule as agreed on an annual basis with FruitFly Africa on condition that the differentiated levy will be paid fully in any 12 month cycle.
- (2) Payment shall be made by means of a cheque or electronic transfer in favour of FruitFly Africa, and shall –
- (a) when paid by cheque, be addressed to –
FruitFly Africa
PO Box 163
PAARL
7622
- (b) when electronically transferred, be paid to the bank account obtainable from FruitFly Africa on request.

Commencement and period of validity

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