

(28 October 2016 – to date)

## MARKETING OF AGRICULTURAL PRODUCTS ACT 47 OF 1996

*Government Notice 1597 in Government Gazette 17473 dated 2 October 1996. Commencement date: 1 January 1997 [Proc. No. R1 in Gazette No. 17711 dated 31 December 1996]*

### ESTABLISHMENT OF STATUTORY MEASURES AND DETERMINATION OF LEVIES ON TABLE GRAPES

*Government Notice R1346 in Government Gazette 40376 dated 28 October 2016. Commencement date: 28 October 2016*

I, Senzeni Zokwana, Minister for Agriculture, Forestry and Fisheries, acting under sections 13 and 15 of the Marketing of Agricultural Product Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the Schedule.

**SENZENI ZOKWANA,**  
**Minister for Agriculture, Forestry and Fisheries.**

#### Table of Contents

1. Definitions
2. Purpose and aims of statutory measure and the relation thereof to the objectives of the Act
3. Products to which statutory measure applies
4. Area in which measures applies
5. Imposition of levy
6. Amount of levy
7. Persons/Institutions by whom and to whom levy is payable
8. Payment of the Levy
9. Use of levy
10. Commencement and period of validity

#### SCHEDULE

##### 1. Definitions

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 indicates otherwise –

“**Exporter**” means a person who trades table grapes for export for his own account, or acts as an agent on a commission basis on behalf of table grape producers;

**“Grape Producers”** means a producer of table grapes;

**“SATI”** means the South African Table Grape Industry NPC, registration number 2002/024268/08, a non-profit company incorporated in terms of the Companies Act (No. 71 of 2008) whose members are farmers who produce Table Grapes within the borders of South Africa. SATI's principle office is 63 Main Street, Paarl, 7624, Western Cape, South Africa.

**"Table grapes"** means fresh table grapes;

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.

## **2. Purpose and aims of statutory measure and the relation thereof to the objectives of the Act**

The levy is needed by SATI to fund market access; information and communication; research and development programmes and technology transfer; transformation and training and administration for table grapes.

These measures are necessary to ensure that continuous, timeous and accurate information relating to the table grape 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 table grapes.

The measure will be implemented and administered by SATI.

## **3. Products to which statutory measure applies**

This statutory measure shall apply to volumes of table grapes inspected and passed for export.

## **4. Area in which measures applies**

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

## **5. Imposition of levy**

A levy is hereby imposed to be paid on volumes of table grapes inspected and passed for export.

## **6. Amount of levy**

Prepared by:

The levy shall be imposed on all inspected volumes of table grapes passed for export (all classes) at the following rates:

- 1 November 2016 to 31 October 2017 – 41,5 cents per 4.5 kg equivalent carton (9,22 cents per kg).
- 1 November 2017 to 31 October 2018 – 44,0 cents per 4.5 kg equivalent carton (9,78 cents per kg).
- 1 November 2018 to 31 October 2019 – 46,5 cents per 4.5 kg equivalent carton (10,33 cents per kg).
- 1 November 2019 to 31 October 2020 – 49,0 cents per 4.5 kg equivalent carton (10,89 cents per kg).

#### **7. Persons/Institutions by whom and to whom levy is payable**

- (1) The levy imposed under clause 5 shall be payable by a table grape exporter on behalf of the producer from which such table grapes have been procured in respect of all table grapes inspected and passed for export.
- (2) A levy imposed under clause 5 shall be payable to SATI in accordance with clause 8.

#### **8. Payment of the Levy**

- (1) Payment of the levy shall be made not later than 60 (sixty) days following the month end of the inspection of a quantity of table grapes for export. Any amount not paid within this period will be charged interest at a rate of 1% per month.
- (2) Payment shall be made by means of an electronic transfer in favour of and into the bank account of SATI (bank details obtainable from SATI on request).

#### **9. Use of levy**

The schedule provides that –

- (a) at least 70% of the levy funds should be used for the core business functions e.g. research;
- (b) not more than 10% for administrative use; and
- (c) at least 20% be allocated towards transformation

**10. Commencement and period of validity**

This statutory measure shall come into operation on the date of publication hereof and lapse four years later