



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID-AFRIKA

*Regulation Gazette*

**No. 9428**

*Regulasiekoerant*

Vol. 545

Pretoria, 25 November 2010

**No. 33803**

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**GOVERNMENT NOTICE  
GOEWERMENTSKENNISGEWING**

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

No. R. 1114

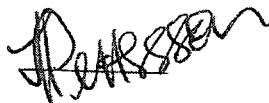
25 November 2010

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

**ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF GUIDELINE PRICE:  
MARKET DEVELOPMENT AND CONSUMER EDUCATION LEVY ON GRAPEFRUIT INTENDED  
FOR EXPORT**

I, TINA JOEMAT-PETTERSSON , Minister for Agriculture, Forestry & 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 that the guideline price for grapefruit intended for export shall be R3.24 /kg<sup>1</sup>



**TINA JOEMAT-PETTERSSON**

Minister for Agriculture, Forestry & Fisheries  
DATE: 21/11/2010

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<sup>1</sup> Based on this amount (the DIP return) the levy amounts to 0.0116%

## 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 –

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

“Exporter” means any person that exports Export Grapefruit, whether for his own account or on behalf of another person, and for purposes of this levy notice includes an Export Grapefruit Producer that exports for his own account or on behalf of another person;

“Export Grapefruit” means grapefruit intended for export;

“Export Grapefruit Producer” means a grower of Export Grapefruit; and

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

2. This levy application was brought by the Citrus Growers Association of South Africa (CGA), on behalf of grapefruit exporters. The levy is needed to fund a market development and consumer education campaign for grapefruit, primarily for the British and Japanese markets.

The statutory measure (levy) will primarily be funded by the growers of export grapefruit. The levy will not be detrimental to the number of employment opportunities in this agricultural sector or fair labour practice and is supported by statutory measures relating to registration and the rendering of returns applicable to citrus fruit.

The measure will be administered by the CGA, a company incorporated in terms of section 21 of the Companies Act, 1973, who already administers the other industry statutory measures (export citrus levy, registration and records and returns).

### Products to which statutory measure applies

3. This statutory measure shall apply to all Export Grapefruit.

### Area in which statutory measure shall apply

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

**Imposition of levy**

5. A levy is hereby imposed on Export Grapefruit of all classes.

**Amount of levy**

6. The amount of the levy shall be as indicated in the Table below:

<b>Year</b>	<b>Levy amount per 15 kg carton</b>
First year	R0.60
Second year	R0.65

**Persons by whom and to whom levy shall be payable**

7. (1) The levy imposed in terms of section 5 shall –

- (a) by payable by the Exporter; and
- (b) be payable to the CGA in the manner set out in section 8.

**Payment of levy**

8. (l) Payment of the levy must be made by the Exporter of that Export Grapefruit: Provided that -

- (a) in the event that an Exporter exports Export Grapefruit on behalf of an Export Grapefruit Producer, the Exporter may withhold the amount of the levy from any proceeds owed to such Export Grapefruit Producer, or the Exporter may collect the amount of such levy from the Export Grapefruit Producer concerned;
- (b) the Exporter shall be entitled to retain an administration fee of 1% of the levy thus deducted or collected in terms of paragraph (a) for his or her own account; and
- (c) an Export Grapefruit Producer who has paid a levy or from whose proceeds a levy has been withheld in terms of paragraph (a) may, if no Export Grapefruit was exported by or on behalf of that Export Grapefruit Producer to the United Kingdom or Japan during the levy period, in writing request the CGA to refund the levy amount.

(2) Payment of a levy contemplated in subsection (1)(a) shall be made no later than thirty days after the Export Grapefruit has been approved for export in terms of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), by means of a cheque or electronic transfer in favour of the CGA, and shall -

- (a) when forwarded by post, be addressed to -  
CGA  
P O Box 461  
Hillcrest  
3650
- (b) when electronically transferred, be transferred to –  
Bank: STANDARD BANK  
Branch: HILLCREST  
Branch Code: 04 57 26  
Account Number: 250 783 924  
Account Type: CURRENT  
Account Name: CITRUS GROWERS ASSOCIATION OF SOUTHERN  
AFRICA NO. 2

**Commencement and levy period**

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

No. R. 1114

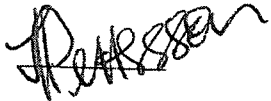
25 November 2010

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

**INSTELLING VAN STATUTÊRE MAATREËL EN BEPALING VAN RIGLYNPRYS:  
HEFFING VIR MARKONTWIKKELING EN VEBRUIKER OPLEIDING OP POMELOS WAT VIR  
UITVOER BESTEM IS**

Ek, TINA JOEMAT-PETTERSSON , 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 soos in die Bylae uiteengesit, in; en
- (b) bepaal hierby die riglynprys vir pomelos bestem vir uitvoer, as R3.24/kg<sup>2</sup> .



**TINA JOEMAT-PETTERSSON**

Minister van Lanbou, Bosbou en Visserye  
DATUM: 21/11/2010

<sup>2</sup> Gebaseer op hierdie bedrag (die DIP return) kom die heffing neer op 0.0116%

## BYLAE

### Woordomskrywing

1. In hierdie Bylae het elke woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis, en tensy die konteks andersins aandui, beteken-

“Uitvoerder” 'n persoon wat Uitvoer Pomelo's uitvoer, hetsy vir sy eie rekening of ten behoeve van 'n ander persoon, en vir doeleindes van die heffingskennisgewing sluit dit 'n Uitvoer Pomelo Produsent in wat vir sy eie rekening of ten behoeve van 'n ander persoon uitvoer;

“Uitvoer Pomelo” pomelo's wat vir uitvoer bestem is;

“Uitvoer Pomelo Produsent” 'n produsent van Uitvoer Pomelo's; en

“Wet” die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No. 47 van 1996).

### Doel van statutêre maatreël en verhouding met doelstellings van die Wet

2. Hierdie aansoek is gebring deur die Citrus Growers Association of South Africa (CGA), namens pomelo uitvoerders. Die heffing word benodig vir 'n markontwikkelings- en verbruikers-opleidingsveldtog, wat op die Britse en Japanese mark gerig is.

Die statutêre maatreël (heffing) word primêr befonds deur pomelo produsente. Die heffing sal nie nadelig wees vir werksgeleenthede binne hierdie landbou sektor of billike arbeidspraktyk nie, en word ondersteun deur statutêre maatreëls met betrekking tot registrasie en aantekeninge en opgawes op sitrus.

Die maatreël word geadminestreer deur die CGA, 'n artikel 21 maatskappy geïnkorporeer kragtens die Maatskappywet, 1973, wat alreeds die ander bedryfs statutêre maatreëls administreer (uitvoer sitrus heffing, registrasie en aantekeninge en opgawes).

### Produkte waarop statutêre maatreël van toepassing is

3. Hierdie statutêre maatreël is op alle Uitvoer Pomelo's van toepassing.

### Area waarbinne statutêre maatreël van toepassing is

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

**Oplegging van heffing**

5. 'n Heffing word hierby op Uitvoer Pomelo's van alle klasse opgelê.

**Bedrag van heffing**

6. Die bedrag van die heffing is soos in die Tabel hieronder aangedui:

Jaar	Heffingsbedrag per 15 kg karton
Jaar een	R0.60
Jaar twee	R0.65

**Persone deur wie en aan wie heffing betaalbaar is**

7.(1) Die heffing in terme van artikel 5 opgelê -

- (a) is deur die Uitvoerder betaalbaar; en
- (b) is betaalbaar aan die CGA op die wyse in artikel 8 uiteengesit.

**Payment of levy**

8. (l) Die heffing moet betaal word deur die Uivoerder van daardie Uitvoer Pomelo's: Met dien verstande -

- (a) dat in die geval waar 'n Uitvoerder Uitvoer Pomelo's namens 'n Uitvoer Pomelo Produsent uitvoer, die Uitvoerder die bedrag van die heffing kan weerhou van enige bedrae wat aan so 'n Uitvoer Pomelo Produsent verskuldig is, of die Uitvoerder kan die bedrag van daardie heffing van die betrokke Uitvoer Pomelo Produsent kollekteer;
  - (b) dat die Uitvoerder geregtig is om 'n administrasie fooi van 1% van die heffing aldus weerhou of gekollekteer, vir sy of haar eie rekening te weerhou;
  - (c) dat 'n Uitvoer Pomelo Produsent wat 'n heffing betaal het of van wie se opbrengs n heffing ingevolge paragraaf (a) weerhou is, skriftelik die CGA kan versoek om die heffingsbedrag terug te betaal indien geen Uitvoer Pomelo's deur of namens daardie Uitvoer Pomelo Produsent gedurende die heffingstermyn na die Verenigde Koningryk of Japan uitgevoer is nie.
- (2) Betaling van 'n heffing ingevolge subartikel (1)(a) moet gemaak word by wyse van 'n tjek of elektroniese oorplasing nie later as dertig dae nadat die Uitvoer Pomelo's vir uitvoer goedgekeur is kragtens die Wet op Landbouprodukstandaarde, 1990 (Wet No. 119 van 1990) nie, en moet -

- (a) indien gepos, geadresseer wees aan -  
CGA  
P 0 Box 461  
Hillcrest  
3650
- (b) indien elektronies oorgeplaas, oorgeplaas word na –  
Bank: STANDARD BANK  
Tak: HILLCREST  
Takkode: 04 57 26  
Rekening Nommer: 250 783 924  
Rekening Tipe: LOPEND  
Rekening Naam:: CITRUS GROWERS ASSOCIATION OF SOUTHERN  
AFRICA NO. 2

**Inwerkingtreding en heffingstermyn**

9. Hierdie statutêre maatreël tree op die datum van publikasie in werking en verval twee jaar later.
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Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001  
Publications: Tel: (012) 334-4508, 334-4509, 334-4510  
Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504  
Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737  
Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001  
Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510  
Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504  
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