

**DEPARTMENT OF AGRICULTURE
DEPARTEMENT VAN LANDBOU**

No. 931

16 November 2012

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

**ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF
LEVIES ON TABLE GRAPES**

I, Tina Joemat-Petterssen, 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 established the statutory measure set out in the Schedule.

**TINA JOEMAT-PETTERSSEN,
Minister for 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 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 fresh table grapes intended for table grape exports;

"SAT" means South African Table Grape Producers' Association, which is an association of farmers who produce table grapes within the borders of South Africa. The principle office of SAT is 2 Bergsig Avenue, Zomerlust Estate, Berg River Boulevard, Paarl, 7620, Western Cape, South Africa;

"SATI" means the South African Table Grape Industry, a section 21 company incorporated in terms of the Companies Act (61 of 1973) whose members are all members of SAT. SATI is the operational arm of SAT and its principle office is 2 Bergsig Avenue, Zomerlust Estate, Berg River Boulevard, Paarl, 7620, Western Cape, South Africa;

"Table grapes" means fresh table grapes; and

"Vines" means vines intended for the production of 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.

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

2. The levy is needed by the SAT to fund and facilitate 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 administered by SATI, a company established under Section 21 of the Companies Act, 1973 (Act 61 of 1973). SATI will implement and administer the measure as set out in the Schedule on behalf of SAT, a company incorporated under section 21 of the Companies Act, 1973 (Act 61 of 1973).

Products to which statutory measure applies

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

Area in which measures applies

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 to be paid on inspected volumes of table grapes passed for export.

Amount of levy

6. The amount of the levy shall be 8c/kg on all inspected volumes of table grapes passed for export (all classes). An amount of 1% interest will be charged on all overdue accounts.

Persons by whom levy and to whom levy is payable

7. (1) The levy imposed under clause 5 shall –
 - (a) 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 exported.

- (2) A levy imposed under clause 5 shall be payable to SATI in accordance with clause 8.

Payment Levy

8. (1) Payment of the levy shall be made not later than (30 days) following the month end of the inspection of a quantity of table grapes passed for export.
- (a) any payment not paid within this period will be charged interest at a rate of 1% per month.
- (2) Payment shall be made by means of a cheque or electronic transfer in favour of SATI, and shall –
- (a) when paid by cheque, be addressed to
- SATI
P O Box 2932
PAARL
7620
- (b) when electronically transferred, be paid to the bank account obtainable from SATI on request.

Use of levy

9. The minister approves 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 and training

Commencement and period of validity

10. This statutory measure shall come into operation on the date of publication hereof and lapse four (4) years later.