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CONTENTS**INHOUD**

No.		Page No.	Gazette No.	No.		Bladsy No.	Koerant No.
GOVERNMENT NOTICES				GOEWERMENTSKENNISGEWINGS			
Agriculture, Department of				Landbou, Departement van			
<i>Government Notices</i>				<i>Goewermentskennisgewings</i>			
R. 398	Marketing of Agricultural Products Act (47/1996): Establishment of statutory measure and determination of levies on dried fruit	3	27508	R. 398	Wet op Bemarking van Landbouprodukte (47/1996): Instelling van statutêre maatreëls en bepaling van riglynpryse: Heffing met betrekking tot droëvrugte	8	27508
R. 399	do.: Establishment of statutory measure: Registration of certain persons in respect of dried fruit	14	27508	R. 399	do.: Instelling van statutêre maatreëls: Registrasie van sekere persone met betrekking tot droëvrugte	19	27508
R. 400	do.: do.: Records and returns in respect of dried fruit	24	27508	R. 400	do.: do.: Aantekeninge en opgawes met betrekking tot droëvrugte	30	27508

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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU

No. R. 398

18 April 2005

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

ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF LEVIES ON DRIED FRUIT

I, Angela Thokozile Didiza, Minister of Agriculture, 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; and
- (b) determine that the levy for dried fruits shall be as set out in the Schedule.


A.T. DIDIZA

Minister of Agriculture.

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-

"currants" means the dried fruit obtained from seedless currant-type vine fruit;

"dried deciduous fruit" means apricots, apples, nectarines, pears, peaches, prunes and vine fruit (raisins, seedless raisins, sultanas and currants) where either in the whole, cut up or minced form, subjected to any acknowledged drying process during which the largest part of the moisture had been abstracted therefrom, irrespective whether having been treated with water or steam or any preservative;

"Dried Fruit Technical Services (DFTS)" means the company registered in terms of Section 21 of the Companies Act, 1973 (Act No. 61 of 1973) and which operates under the name Dried Fruit Technical Services (DFTS);

"exporter" means a person who exports dried fruit from South Africa, and includes a person who arranges or handles the exports in the name of or on behalf of another person;

"handle" means receive, store, dispatch or process;

"importer" means a person who imports dried fruit into South Africa, and this includes a person who arranges or handles the imports in the name of or on behalf of another person;

"packer" means a person who handles dried fruit and packs it for the purpose of sale;

"process" means to sort, clean, wash, cut, mince, mix or prepare to be packed for sale;

"producer" includes any person concerned in the production of dried fruit;

"prunes" means the dried fruit obtained from fruit of plants of *Prunis domestica* L;

"raisins" means the dried fruit other than currants, seedless raisins that is obtained from vine fruit;

"seedless raisins" means the dried fruit obtained from seedless non-currant type vine fruit, and is either lyed or lyed and bleached or unlyed and unbleached;

"The Act" means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996);

"vine fruit" means the fruits of the plants of *Vitis vinifera*.

Purpose and aims of statutory measures 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 dried fruit industry has identified as essential and in the interest of the industry as a whole:

- (a) Rendering of information services technology transfer, transformation and training and administration for the dried fruit industry.
- (b) the co-ordination and funding of research and development of the dried fruit industry;
- (c) the funding of plant improvement for the dried fruit industry;
- (d) to maintain international liaison.

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

The promotion of the production of dried fruit can make a significant contribution towards the level of household food security and job security in South Africa, particularly in the more arid regions of the country.

Research is essential for the furtherance of the primary dried fruit industry's competitive position, taking into account the extremely competitive marketing environment in which dried fruit compete. Research is also important for dried fruit 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 dried fruit producer to make meaningful cultivar choices for specific conditions.

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

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

This statutory measure shall be administered by Dried Fruit Technical Services (DFTS).

Product to which statutory measure applies

3. This statutory measure shall apply to all dried deciduous fruit as defined, produced in and imported into South Africa.

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 dried fruit bought or received by a packer or imported by a packer or processor or produced by a producer. A packer who has paid a levy may recover the amount of the levy from the person from which he has received the dried fruit on which the levy is payable, or who has produced the dried fruit.

Amount of levy

6. The levy shall amount to 4c per kilogram for dried vine fruit excluding VAT and 8c per kilogram for dried apricots, apples and peaches, 7c per kg for nectarines, pears, prunes and other dried fruits excluding VAT.

Guideline Price

7. Determine that the guideline price for dried fruit be:

	Guideline Price R/kg
Apricots	R10
Apples	R10
Peaches	R 9
Prunes	R 8
Nectarines	R 8
Pears	R 8
Golden raisins	R 5
Sultanas	R 5

Thompson Seedless raisins	R 4
Currants	R 5
Muscat Raisins	R 4

Persons by whom and to whom levy is payable

8. The levy imposed in terms of clause 5 shall
- (a) be payable by packers or processor on behalf of producers of dried fruit; and
 - (b) be payable to Dried Fruit Technical Services (DFTS) in accordance with clause 8.

"Payment of levy

9. (1) Payment shall be made not later than the 31st day of July of each year.
- (2) Payment shall be made by means of a cheque, postal order or electronic transfer in favour of Dried Fruit Technical Services (DFTS).
- (3) The payment shall
- (a) When forwarded by post, be addressed to
 - (b) When delivered by hand, be delivered to –
Dried Fruit Technical Services
P.O Box 426
Paarl
7620
 - (c) when electronically transferred, be paid to the bank account obtainable from DFTS on request.

Use of levy

10. The Minister approve that -
- (a) at least 80% of the levy funds should be used for the core business functions e.g. research functions;
 - (b) not more than 10% for administration use; and
 - (c) at least 10% be allocated towards transformation.

Commencement and period of validity

11. This statutory measure shall come into operation on the date of publication hereof and shall lapse on 31 March 2009.

No. R. 398

18 April 2005

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996

(WET No. 47 VAN 1996)

INSTELLING VAN STATUTÊRE MAATREËLS EN BEPALING VAN RIGLYNPRYSE: HEFFING MET
BETREKKING TOT DROëVRUGTE

Ek, Angela Thokozile Didiza, Minister van Landbou, handelende kragtens artikels 13 en 15 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996)-

- (a) stel hiermee die statutêre maatreëi in die Bylae uiteengesit, in; en
- (b) bepaal dat die heffing vir gedroogde vrugte is soos in die Bylae uiteengesit.


A. T. DIDIZA
Minister van Landbou.

BYLAE

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken

"die Wet" die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No. 47 van 1996);

"droëvrugte" appelkose, appels, nektariens, pere, perskes, pruimedante en wingerdvrugte (rosyne, pitlose rosyne, sultanas en korente) hetsy in die geheel, opgesnyde of gemaalde vorm, aan enige erkende drogingsproses onderwerp was, waartydens die grootste deel van die vog daaruit onttrek is, ongeag of dit behandel is met water of stoom of enige preserveermiddel;

"Droëvrugte Tegniese Dienste (D.T.D.)" 'n maatskappy ingelyf kragtens artikel 21 van die Maatskappywet, 1973 (Wet No. 61 van 1973) en wat onder die naam Droëvrugte Tegniese Dienste sake bedryf;

"hanteer" ook ontvang, opberg, versend of verwerk;

"invoerder" 'n persoon wat droëvrugte na Suid-Afrika invoer, en sluit ook 'n persoon wat die invoer namens of ten behoeve van 'n ander persoon reël of hanteer in;

"korente" die droëvrugte wat van pitlose korent-tipe wingerdvrugte verkry is;

"pitlose rosyne" die droëvrugte wat van pitlose nie-korent-tipe wingerdvrugte verkry is, en wat geloog of geloog en geswael of ongeloog en ongeswael is;

"produsent" ook enige persoon wat betrokke is by die produksie van droëvrugte;

"prosesseer" om droëvrugte te sorteer, skoonmaak, was en te verwerk sodat dit aangebied kan word vir verpakking en verkoop;

"pruimedante" die droëvrugte wat van vrugte van plante van *Prunus domestica* L. verkry is;

"rosyne" die droëvrugte anders as korente, pitlose rosyne en trosrosyne, wat van wingerdvrugte verkry is;

"uitvoerder" 'n persoon wat droëvrugte vanuit Suid-Afrika uitvoer en sluit ook 'n persoon wat die uitvoere namens 'n ander persoon reël of hanteer in;

"verpakker" 'n persoon wat droëvrugte hanteer en in 'n verpakking plaas met die doel om dit te verhandel of van die hand te sit vir enige vergoeding hoegenaamd;

"wingerdvrugte" die vrugte van plante van *Vitis vinifera*.

Oogmerk en doelwitte van statutêre maatreëls en die verband daarvan met die oogmerke van die Wet

2. Die oogmerk en doelwitte van hierdie statutêre maatreëls is om finansiële steun te verleen aan die volgende funksies wat as belangrik en in die belang van die industrie as 'n geheel geïdentifiseer is:

- (a) Die byhou van aantekeninge en opgewasse oor droëvrugte, tegnologie oordrag, transformasies en opleiding en administrasie vir droëvrugte te fasiliteer of te onderneem.
- (b) Om navorsing en ontwikkeling ten behoeve van die droëvrugtebedryf te befonds en te koördineer;
- (c) Om plantverbetering ten behoeve van die droëvrugtebedryf te befonds; en
- (d) Om internasionale skakeling in stand te hou.

Die onderhouding van makro-ekonomiese inligting word as krities beskou vir strategiese beplanning deur die droëvrugtebedryf, asook deur individuele direk geïmpakteerde groepe. Deeglike en akkurate inligting, wat beskikbaar is op 'n deurlopende en tydigse basis, sal marktoegang vir al die markdeelnemers verhoog en die doeltreffendheid van droëvrugtebemarking bevorder.

Die bevordering van droëvrugteproduksie kan 'n beduidende bydrae tot die vlak van voedselsekureit en werkskepping in Suid-Afrika lewer.

Navorsing is belangrik ten einde die mededingendheid van die droëvrugtebedryf in stand te hou en te bevorder, veral in die lig van die kompeterende bemarkingsomgewing. Navorsing is ook belangrik vir bewerking deur kommersiël en kleinboere. Die onderhoud van 'n effektiewe teelprogram en studies oor die eienskappe van kultivars soos opbrengsneigings, aanpasbaarheid, weerstandbiedendheid teen peste en plae en opbrengsstabiliteit, maak dit moontlik vir die droëvrugteprodusent om betekenisvolle kultivarkeuses te maak vir spesifieke toestande.

'n Gedeelte van die fondse wat deur die heffing gevorder sal word, sal ook vir projekte ten behoeve van kleinboere en die ontwikkelende droëvrugtebedryf aangewend word.

Die instelling van die statutêre maatreëls sal nie alleen marktoegang vir alle deelnemers bevorder nie maar sal ook die lewensvatbaarheid van die droëvrugtebedryf verseker. Die instelling van die maatreëls sal al die doelwitte van die Wet, soos in artikel 2 uiteengesit, bevorder.

Die statutêre maatreëls sal deur Droëvrugte Tegniese Dienste geadministreer word.

Produk waarop statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreël is op alle gedroogde sagtevrugte soos uiteengesit van toepassing wat geproduseer is in, of ingevoer is in die Republiek van Suid Afrika.

Gebied waarin statutêre maatreël van toepassing is

4. Hierdie statutêre maatreëls is in die geografiese gebied van die Republiek van Suid-Afrika van toepassing.

Instel van heffing

5. 'n Heffing word hiermee ingestel op droëvrugte aangekoop of ontvang of ingevoer deur 'n verpakker, prosesseerder of geproduseer deur 'n produsent. 'n Verpakker wat 'n heffing betaal het, mag die bedrag verhaal van die persoon van wie hy die droëvrugte ontvang het, wat die droëvrugte geproduseer het.

Bedrag van die heffing

6. Die heffing sal 4c per kilogram vir gedroogde wingerdvrugte BTW uitgesluit en 8c per kilogram vir gedroogde appelkose, appels en perskes, 7c per kg vir nektariens, pere, pruimedante en ander droëvrugte BTW uitgesluit beloop.

Riglynpryse

7. Bepaal dat die riglynprys vir droëvrugte sal wees:

	Riglynprys R/kg
Appelkose	R10
Appels	R10
Perskess	R 9
Pruime	R 8
Nektariens	R 8
Pere	R 8
Goue Rosyne	R 5
Sultanas	R 5
Thompson pitlose rosyne	R 4
Korente	R 5
Muscat Rosyne	R 4

Persone deur wie en aan wie heffing betaalbaar is

8. Die heffing wat opgelê is ingevolge klousule 5 sal-
- (a) betaalbaar wees deur die verpakkers of prosesseerders namens die produsent van droëvrugte; en
 - (b) betaalbaar wees aan Droëvrugte Tegniese Dienste.

Betaling van heffing

9. (1) Betaling sal nie later as die 31ste dag van Julie van elke jaar gemaak word.
- (2) Betaling sal geskied volgens tjek, of elektroniese oordrag wat uitgemaak word ten gunste van Droëvrugte Tegniese Dienste.
- (3) Betaling moet
- (a) wanneer per pos gestuur, geadresseer wees aan

Droëvrugte Tegniese Dienste
Posbus 426
Paarl
7620
 - (b) wanneer per hand afgelewer, afgelewer word by

Droëvrugte Tegniese Dienste
Hoofstraat 258
Paarl
7620

- (c) wanneer elektronies oorgedra, betaal word in die bankrekening wat op aanvraag van DTD verkrygbaar is.

Gebruikmaking van heffing

10. Die Minister keurgoed dat-

- (a) ten minste 80% van die heffingsfondse behoort gebruik te word vir die kern besigheid
bv navorsing funksies;
- (b) nie meer as 10% vir administratiewe gebruik nie; en
- (c) ten minste 10% moet aan transformasie gealokeer word.

Inwerkingtreding en tydperk van geldigheid

11. Hierdie statutêre maatreëls tree in werking op die datum van publikasie hiervan en verval op 31 Maart 2009.

No. R. 399

18 April 2005

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

ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF CERTAIN
PERSONS IN RESPECT OF DRIED FRUIT

I, Angela Thokozile Didiza, Minister of Agriculture, 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.


A.T. DIDIZA
Minister of Agriculture.

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

"currants" means the dried fruit obtained from seedless currant-type vine fruit;

"dried deciduous fruit" means apricots, apples, nectarines, pears, peaches, prunes and vine fruit (raisins, seedless raisins, sultanas and currants) where either in the whole, cut up or minced form, subjected to any acknowledged drying process during which the largest part of the moisture had been abstracted therefrom, irrespective whether having been treated with water or steam or any preservative;

"Dried Fruit Technical Services (DFTS)" means the company registered in terms of Section 21 of the Companies Act, 1973 (Act No. 61 of 1973) and which operates under the name Dried Fruit Technical Services (DFTS);

"exporter" means a person who exports dried fruit from South Africa, and includes a person who arranges or handles the exports in the name of or on behalf of another person;

"handle" means receive, store, dispatch or process;

"importer" means a person who imports dried fruit into South Africa, and this includes a person who arranges or handles the imports in the name of or on behalf of another person;

"packer" means a person who handles dried fruit and packs it for the purpose of sale;

"process" means to sort, clean, wash, cut, mince, mix or prepare to be packed for sale;

"producer" includes any person concerned in the production of dried fruit;

"prunes" means the dried fruit obtained from fruit of plants of *Prunis domestica* L;

"raisins" means the dried fruit other than currants, seedless raisins that is obtained from vine fruit;

"seedless raisins" means the dried fruit obtained from seedless non-currant type vine fruit, and is either lyed or lyed and bleached or unlyed and unbleached;

"The Act" means the Marketing of Agricultural Products Act 1996, (Act No. 47 of 1996);

"vine fruit" means the fruits of the plants of *Vitis vinifera*.

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

2. The purpose and aims of this statutory measure is to compel importers, packers, exporters and processors of dried fruit to register with Dried Fruit Technical Services (DFTS). These shall include any person, e.g. a producer who acts in the capacity of the aforementioned persons. Registration of the said persons is necessary to enable DFTS to make available continuous, timely and accurate market information in respect of dried fruit for all role-players. It is essential that market information in the deregulated market be as accurate as possible in order to be able to make informed decisions. Through the combination of mandatory registration of the major role-players together with the submission of monthly returns on an individual basis, market information for the whole country can be processed and disseminated in the marketplace.

This statutory measure will not only assist in improving market access for all market participants, but it should also assist in promoting the effectivity of the marketing of dried fruit. The viability of the dried fruit industry will thus be promoted. The measure will not be detrimental to the number of employment opportunities or fair labour practice.

Products to which statutory measure applies

3. This statutory measure shall apply to all dried deciduous fruit as defined.

Area in which statutory measure applies

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

Registration of importers, packers, exporters and processors of dried fruit

5.
 - (1) All importers, packers, exporters and processors of dried fruit shall register with DFTS in the manner prescribed in clause 6. These shall also include any person, e.g. a producer who acts in the capacity of the aforementioned persons.
 - (2) Each person who becomes an importer, packer, exporter or processor shall register with DFTS within 30 days after he became an importer, packer, exporter or processor.

- (3) Upon registration of an applicant by DFTS, a certificate of registration is issued to him.
- (4) The registration certificate issued in terms of sub-clause (3) shall expire when this statutory measure is revoked or when it is cancelled by DFTS.
- (5) The provisions of sub-clause (6) shall apply *mutatis mutandis* to persons who were already registered with DFTS at the time of this publication.
- (6) Every importer, packer, exporter or processor of dried fruit shall notify DFTS in writing within 30 days after he has ceased to act in that capacity, whereupon his registration will be cancelled.

Application for registration as importer, packers, exporter or processor of dried fruit

6. (1) An application for registration in terms of clause 5 shall be made on the application form available from DFTS.
- (2) The application form shall be completed in ink by a person who is duly authorised and it shall be accompanied by the corroborating documentation as specified in the application form.
- (3) The application form shall
 - (a) when forwarded by post, be addressed to :

The General Manager: DFTS
PO Box 426
Paarl
7620
 - (b) when delivered by hand, be delivered to :

The General Manager: DFTS
258 Main Street
Paarl
7620

- (c) when transmitted electronically, be sent to:

Any of the tax numbers, e-mail addresses or any other electronic addresses as they appear on the application form.

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 2009.

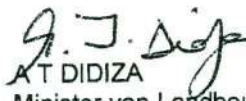
No. R. 399

18 April 2005

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

INSTELLING VAN STATUTÊRE MAATREËLS: REGISTRASIE VAN SEKERE
PERSONE MET BETREKKING TOT DROëVRUGTE

Ek, Angela Thokozile Didiza, Minister van Landbou, handelende kragtens artikels 13 en 19 van die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No. 47 van 1996), stel hiermee die statutêre maatreef in die Bylae uiteengesit, in.


A.T. DIDIZA
Minister van Landbou.

BYLAE

BGS 31 011

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken

"die Wet" die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No. 47 van 1996);

"droëvrugte" appelkose, appels, nektariens, pere, perskes, pruimedante en wingerdvrugte (rosyne, pitlose rosyne, sultanas en korente) hetsy in die geheel, opgesnyde of gemaalde vorm, aan enige erkende drogingsproses onderwerp was, waartydens die grootste deel van die vog daaruit onttrek is, ongeag of dit behandel is met water of stoom of enige preserveermiddel;

"Droëvrugte Tegniese Dienste (D.T.D)" 'n maatskappy ingelyf kragtens artikel 21 van die Maatskappywet, 1973 (Wet No. 61 van 1973) en wat onder die naam Droëvrugte Tegniese Dienste sake bedryf;

"hanteer" ook ontvang, opberg, versend of verwerk;

"invoerder" 'n persoon wat droëvrugte na Suid-Afrika invoer, en sluit ook 'n persoon wat die invoer namens of ten behoeve van 'n ander persoon reël of hanteer in;

"korente" die droëvrugte wat van pitlose korent-tipe wingerdvrugte verkry is;

"pitlose rosyne" die droëvrugte wat van pitlose nie-korent-tipe wingerdvrugte verkry is, en wat geloog of geloog en geswael of ongeloog en ongeswael is;

"produsent" ook enige persoon wat betrokke is by die produksie van droëvrugte;

"prosesseer" om droëvrugte te sorteer, skoonmaak, was en te verwerk sodat dit aangebied kan word vir verpakking en verkoop;

"pruimedante" die droëvrugte wat van vrugte van plante van *Prunus domestica* L. verkry is;

"rosyne" die droëvrugte anders as korente, pitlose rosyne en trosrosyne, wat van wingerdvrugte verkry is;

"uitvoerder" 'n persoon wat droëvrugte vanuit Suid-Afrika uitvoer en sluit ook 'n persoon wat die uitvoere namens 'n ander persoon reël of hanteer in;

"verpakker" 'n persoon wat droëvrugte hanteer en in 'n verpakking plaas met die doel om dit te verhandel of van die hand te sit vir enige vergoeding hoegenaamd;

"wingerdvrugte" die vrugte van plante van *Vitis vinifera*.

Oogmerk en doelwitte van statutêre maatreëls en die verband daarvan met die oogmerke van die Wet

2. Die oogmerk en doelwitte van hierdie statutêre maatreëls is om invoerders, verpakkers, uitvoerders en prosesseerders van droëvrugte te verplig om by Droëvrugte Tegniese Dienste (D.T.D.) te registreer. Dit sluit ook enige persoon, bv. 'n produsent wat optree in die hoedanigheid van die voorafgenoemde persone, in. Registrasie van al die betrokke Persone is nodig om D.T.D. in staat te stel om deurlopende, tydig en akkurate inligting aangaande droëvrugte vir alle rolspelers beskikbaar te stel. Dit is noodsaaklik dat inligting in 'n gedereguleerde mark so akkuraat as moontlik is ten einde alle rolspelers in staat te stel om ingeligte besluite te kan neem. Deur die kombinerende van verpligte registrasie van die belangrikste rolspelers tesame met die verskaffing van maandelikse opgawes op 'n individuele basis, kan inligting effektief verwerk en versprei word.

Hierdie statutêre maatreëls sal nie slegs help om marktoegang vir alle markdeelnemers te verbeter nie, maar behoort ook te help om die doeltreffendheid van die bemerking van droëvrugte te bevorder. Die lewensvatbaarheid van die droëvrugtebedryf word sodoende bevorder.

Produk waarop statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreëls is op alle gedroogde sagtevrugte van toepassing.

Gebied waarin statutêre maatreël van toepassing is.

4. Hierdie statutêre maatreëls is in die geografiese gebied van die Republiek van Suid-Afrika van toepassing.

Registrasie van invoerders, verpakkers, uitvoerders en prosesseerders van droëvrugte

5. (1) Alle invoerders, verpakkers, uitvoerders en prosesseerders van droëvrugte moet by D.T.D. registreer op die wyse in klousule 6 voorgeskryf. Dit sluit ook enige persoon, bv 'n produsent wat optree in die hoedanigheid van voorafgenoemde persone, in.
- (2) Elke persoon wat 'n invoerder, verpakker, uitvoerder of prosesseerder word moet binne 30 dae nadat hy 'n invoerder, verpakker, uitvoerder of prosesseerder, geword het, by D.T.D. registreer.
- (3) By registrasie van 'n applikant deur D.T.D. word 'n sertifikaat van registrasie aan hom uitgereik.
- (4) 'n Registrasiesertifikaat wat ingevolge subklousule (4) uitgereik word, verval wanneer hierdie statutêre maatreëls herroep word of wanneer dit deur D.T.D. gekanselleer word.
- (5) Die bepalings van subklousule (7) is *mutatis mutandis* van toepassing op Persone wat reeds by D.T.D. geregistreer is ten tye van hierdie publikasie.
- (6) Elke invoerder, verpakker, uitvoerder of prosesseerder van droëvrugte moet D.T.D. binne 30 dae nadat hy ophou om in daardie hoedanigheid op te tree, skriftelik daarvan in kennis stel waarop sy registrasie gekanselleer sal word.

Aansoek om registrasie as invoerder, verpakker, uitvoerder of prosesseerder van droëvrugte

6. (1) 'n Aansoek om registrasie in terme van klousule 5 moet op die aansoekvorm wat by D.T.D. verkrygbaar is, gedoen word.
- (2) Die aansoekvorm moet in ink ingevul word deur 'n persoon wat behoorlik daartoe gemagtig is en moet vergesel word deur die stawende dokumentasie soos in die aansoekvorm gespesifiseer.
- (3) Die aansoekvorm moet -
- (a) wanneer dit per pas gestuur word, geadresseer word aan:

Die Hoofbestuurder: D.T.D.
Posbus 426
Paarl
7620

- (b) wanneer per hand afgelewer word, afgelewer word by:

Die Hoofbestuurder: D.T.D.
Hoofstraat 258
Paarl
7620

- (c) wanneer elektronies gestuur word, gestuur word na:

Enige van die faksnommers, e-pos adresse of enige ander elektroniese
adresse soos op die aansoekvorm verskyn.

Inwerkingtreding en tydperk van geldigheid

7. Hierdie statutêre maatreëls tree in werking op die datum van publikasie hiervan en verval op 31 Maart 2009.

No. R. 400

18 April 2005

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996

(ACT No. 47 OF 1996)

ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS

IN RESPECT OF DRIED FRUIT

I, Angela Thokozile Didiza, Minister of Agriculture, 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.


A.T. DIDIZA
Minister of Agriculture.

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

"Currants" means the dried fruit obtained from seedless currant-type vine fruit;

"dried" deciduous fruit" means apricots, apples, nectarines, pears, peaches, prunes and vine fruit (raisins, seedless raisins, sultanas and currants) where either in the whole, cut up or minced form, subjected to any acknowledged drying process during which the largest part of the moisture had been abstracted therefrom, irrespective whether having been treated with water or steam or any preservative;

"Dried Fruit Technical Services (DFTS)" means the company registered in terms of Section 21 of the Companies Act, 1973 (Act No. 61 of 1973) and which operates under the name Dried Fruit Technical Services (DFTS);

"exporter" means a person who exports dried fruit from South Africa, and includes a person who arranges or handles the exports in the name of or on behalf of another person;

"handle" means receive, store, dispatch or process;

"importer" means a person who imports dried fruit into South Africa, and this includes a person who arranges or handles the imports in the name of or on behalf of another person;

"packer" means a person who handles dried fruit and packs it for the purpose of sale;

"process" means to sort, clean, wash, cut, mince, mix or prepare to be packed for sale;

"producer" includes any person concerned in the production of dried fruit;

"prunes" means the dried fruit obtained from fruit of plants of *Prunis. domestica* L;

"raisins" means the dried fruit other than currants, seedless raisins that is obtained from vine fruit;

"seedless raisins" means the dried fruit obtained from seedless non-currant type vine fruit, and is either lyed or lyed and bleached or unlyed and unbleached;

"The Act" means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996);

"vine fruit" means the fruits of the plants of *Vitis vinifera*;

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

2. The purpose and aims of this statutory measure is to compel importers, packers, exporters and processors of dried fruit to keep records and submit returns to Dried Fruit Technical Services (DFTS). These shall also include any person, e.g. a producer who acts in the capacity of the aforementioned persons. The statutory measure is deemed necessary in order to ensure that market information in respect of dried fruit is made available accurately to all role-players in the dried fruit industry. Information gathered by DFTS by means of records and returns is disseminated freely in the marketplace. Through the mandatory submission of monthly returns on an individual basis, market information for the whole country can be processed and disseminated in the marketplace.

This statutory measure will not only facilitate access for all participants, but it should also assist in promoting the effective marketing of dried fruit. Furthermore, the market information obtained in this *manner*, will promote the viability of the dried fruit industry and the agricultural sector at large.

Product to which statutory measure applies

3. This statutory measure shall apply to all dried deciduous fruit as defined.

Area in which statutory measure applies

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

Records to be kept by importers, packers, exporters and processors of dried fruit

5. (1) Each importer, packer, exporter and processor of dried fruit shall keep complete records for each calendar month in respect of dried fruit handled, imported or exported by him. These shall *also* include any person, e.g. a producer who acts in the capacity of the aforementioned persons.

-
- (2) Each person mentioned in sub-clause (1), irrespective of whether or not he has premises, shall keep the following records:
- (a) Opening stock - the opening stock of all dried fruit physically on his premises on the first day of a calendar month.
 - (b) Producer deliveries - all dried fruit received direct from the farm of a producer on his premises according to fruit kind of production.
 - (c) Imports - in respect of imported dried fruit, records shall be kept of:
 - (i) Name and address of importer and person on whose behalf imports are made.
 - (ii) Quantity of dried fruit imported per country of origin and per fruit kind.
 - (iii) Quantity of imported dried fruit destined for:
 - (aa) consumption in South Africa.
 - (bb) exports per country of destination.
 - (d) Other receipts - all dried fruit received at the premises other than dried fruit already declared above as producer deliveries and imports, including records of the name of the consignor and address of the premises from where the dried fruit was dispatched as well as the mass of the dried fruit received.
 - (e) Dried fruit processed - all dried fruit processed on his premises in the name of or on behalf of producers or other clients.
 - (f) Exports - in respect of dried fruit that is exported, records shall be kept in respect of:
 - (i) Name and address of the exporter and the person on behalf of whom the export takes place.

- (ii) Quantity of dried fruit per fruit kind exported per country of intended destination.
 - (iii) Name of harbour and owner of harbour premises where the exported dried fruit was handled.
 - (iv) Name and particulars of the vessel in which a quantity of dried fruit is - exported.
 - (g) Other local dispatches - records shall be kept of all dried fruit dispatched from his premises to other premises than those mentioned in (f), including separate records of the name of the person and the address of the premises to which the dried fruit was dispatched, as well as the mass per fruit kind dispatched.
 - (h) Closing stock - the closing stock of all dried fruit physically on his premises on the last day of a calendar month.
 - (i) Storage of dried fruit on producer's farm - the quantity of dried fruit that is in a storage facility on the producer's farm on the last day of a calendar month and of which the full ownership has already passed on to the keeper of the records.
- 3 Records mentioned in sub-clauses (1) to (2) shall be
- (a) recorded on a computer or in ink in a book; and
 - (b) kept at the head office or usual place of business of the person who is required to keep them for a period of at least four years after the end of the period in respect of which such records were kept.

Returns to be rendered by importers, packers, exporters and processors of dried fruit

6. (1) Each importer, packer, exporter and processor of dried fruit shall not later than the 31st day of July of each year furnish an accurately return to DFTS in respect of dried fruit handled, imported or exported by him. These shall also include any person, e.g. a producer who acts in the capacity of the aforementioned person.

- (2) The return shall be furnished on the form obtainable free of charge from DFTS, and shall be completed in ink.
- (3) The return shall
 - (a) when forwarded by post, be addressed to:

The General Manager: DFTS
PO Box 426
Paarl
7620
 - (b) when delivered by hand, be delivered to:

The General Manager: DFTS
258 Main Street
Paarl
7620
 - (c) when transmitted electronically, be sent to:

Any of the fax numbers, e-mail addresses or any other electronic addresses as furnished on the official return forms.
- (4) The return shall be forwarded, delivered or transmitted electronically to reach the general manager of DFTS before or on the return date mentioned in sub-clause (1).
- (5) A zero return shall be submitted if no dried fruit was handled, imported or exported during the period of the return.

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 2009.

No. R. 400

18 April 2005

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

INSTELLING VAN STATUTÊRE MAATREËL: AANTEKENINGE EN OPGAWES MET BETREKKING
TOT DROËVRUGTE

Ek, Angela Thokozile Didiza, Minister van Landbou, handelende kragtens artikels 13 en 18 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996), stel hiermee die statutêre maatreëls in 'die Bylae uiteengesit, in.


A.T. DIDIZA
Minister van Landbou.

BYLAE

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken

"die Wet" die Wet op die Bemaking van Landbouprodukte, 1996 (Wet No. 47 van 1996);

"droëvrugte" appelkose, appels, nektariens, pere, perskes, pruimedante en wingerdvrugte (rosyne, pitlose rosyne, sultanas en korente) hetsy in die geheel, opgesnyde of gemaalde vorm, aan enige erkende drogingsproses onderwerp was, waartydens die grootste deel van die vog daaruit onttrek is, ongeag of dit behandel is met water of stoom of enige preserveermiddel;

"Droëvrugte Tegniese Dienste (D.T.D.)" 'n maatskappy ingelyf kragtens artikel 21 van die Maatskappywet, 1973 (Wet No. 61 van 1973) en wat onder die naam DroëvrugteTegniese Dienste sake bedryf;

"hanteer" ook ontvang, opberg, versend of verwerk;

"invoerder" 'n persoon wat droëvrugte na Suid-Afrika invoer, en sluit ook 'n persoon wat die invoer namens of ten behoeve van 'n ander persoon reël of hanteer in;

"korente" die droëvrugte wat van pitlose korent-tipe wingerdvrugte verkry is;

"pitlose rosyne" die droëvrugte wat van pitlose nie-korent-tipe wingerdvrugte verkry is, en wat geloog of geloog en geswael of ongeloog en ongeswael is;

"produsent" ook enige persoon wat betrokke is by die produksie van droëvrugte;

"prosesseer" om droëvrugte te sorteer, skoonmaak, was en te verwerk sodat dit aangebied kan word vir verpakking en verkoop;

"pruimedante" die droëvrugte wat van vrugte van plante van *Prunus domestica* L. verkry is;

"rosyne" die droëvrugte anders as korente, pitlose rosyne en trosrosyne, wat van wingerdvrugte verkry is;

"uitvoerder" 'n persoon wat droëvrugte vanuit Suid-Afrika uitvoer en sluit ook 'n persoon wat die uitvoere namens 'n ander persoon reël of hanteer in;

"verpakker" 'n persoon wat droëvrugte hanteer en in 'n verpakking plaas met die deel om dit te verhandel of van die hand te sit vir enige vergoeding hoegenaamd;

"Wingerdvrugte" die vrugte van plante van *Vitis vinifera*.

Oogmerk en doelwitte van statutêre maatreëls en die verband daarvan met die oogmerke van die Wet

2. Die oogmerk en doelwitte van die statutêre maatreël is om invoerders, verpakkers, uitvoerders en prosesseerders van droëvrugte te verplig om aantekeninge te hou en opgawes aan Droëvrugte Tegnieëse Dienste (D.T.D.) te verstrek. Dit *sluit* ook in enige persoon, bv. 'n produsent wat optree in die hoedanigheid van die voorafgenoemde Persone. Die statutêre maatreëls word noodsaaklik geag ten einde te verseker dat markinligting aangaande droëvrugte akkuraat aan alle rolspelers in die droëvrugtebedryf beskikbaar gestel word. Inligting wat D.T.D. deur middel van aantekeninge en opgawes versamel, word vrylik in die markplek versprei. Deur die verpligte verskaffing van die maandelikse opgawes op 'n individuele basis, kan markinligting vir die hele land versamel, verwerk en in die markplek versprei word.

Hierdie statutêre maatreëls sal nie slegs marktoegang vir alle deelnemers vergemaklik nie, maar behoort ook die doeltreffende bemaking van droëvrugte te bevorder. Voorts sal die markinligting wat daardeur verkry word, die lewensvatbaarheid van die droëvrugtebedryf en die landbousektor in die bree bevorder. Die maatreël sal nie nadelig op werkgeleenthede en regverdige arbeidspraktyke inwerk nie. Enige inligting wat op hierdie wyse verkry word, sal vertroulik hanteer word.

Produk waarop statutêre maatreëls van toepassing is

3. Hierdie statutêre maatreëls is op alle gedroogde sagtevrugte van toepassing.

Gebied waarin statutêre maatreëls van toepassing is

4. Hierdie statutêre maatreëls is in die geografiese gebied van die Republiek van Suid-Afrika van toepassing.

Aantekeninge wat gehou moet word deur invoerders, opbergers, uitvoerders en verwerkers van droëvrugte

5. (1) Elke verpakker, invoerder, uitvoerder, opberger en prosesseerder van droëvrugte moet volledige rekords en aantekeninge hou in verband met droëvrugte wat deur horn hanteer, ingevoer of uitgevoer is. Dit sluit ook enige persoon, bv 'n produsent wat optree in die hoedanigheid van die voorafgenoemde persone, in.
- (2) Elke persoon in subklousule (1) genoem, ongeag of hy oor 'n perseel beskik al dan nie, moet die volgende aantekeninge hou:
- (a) Beginvoorraad - die beginvoorraad van alle droëvrugte fisies op sy perseel op die eerste dag van 'n kalendermaand volgens vrugsoort.
 - (b) Produsentelewing - alle droëvrugte wat direk vanaf die plaas van 'n produsent op sy perseel ontvang word volgens vrugsoort na aanleiding van produksie per vrugsoort.
 - (c) Invoere - ten opsigte van ingevoerde droëvrugte, moet aantekeninge gehou word van:
 - (i) Naam en adres van invoerder en persoon namens wie ingevoer is.
 - (ii) Hoeveelheid droëvrugte ingevoer per vrugsoort en per land van oorsprong.
 - (iii) Hoeveelheid ingevoerde droëvrugte wat bestem is vir:
 - (aa) Verbruik in Suid-Afrika.
 - (bb) Uitvoer per land van bestemming.
 - (d) Ander ontvangstes - alle droëvrugte wat op sy perseel ontvang word anders as droëvrugte wat hierbo reeds verklaar is as produsente lewerings en invoere, insluitende aantekeninge van die naam van die afsonder, vrugsoort en adres van die perseel vanwaar die droëvrugte versend is asook die massa van die droëvrugte wat ontvang is.
 - (e) Verwerk - alle droëvrugte wat op sy perseel namens of ten behoeve van produsente of ander kliente verwerk word.

- (f) Uitvoere - ten opsigte van droëvrugte wat uitgevoer word, moet aantekeninge gehou word ten opsigte van:
 - (i) Naam en adres van die uitvoerder en persoon namens wie uitgevoer word.
 - (ii) Hoeveelheid droëvrugte per vrugsoort uitgevoer per land van beoogde bestemming.
 - (iii) Naam van hawe en eienaar van haweperseel waar die uitgevoerde droëvrugte hanteer is.
 - (iv) Naam en besonderhede van die vaartuig waarmee 'n hoeveelheid droëvrugte uitgevoer word.
- (g) Ander plaaslike versendings - aantekeninge moet gehou word van alle droëvrugte wat versend is vanaf perseel na persele anders as die vermeld in (f): Met dien verstande dat afsonderlike aantekeninge moet gehou word van die naam van die persoon en die adres van die perseel waarheen die droëvrugte versend is asook die massa per vrugsoort wat versend is.
- (h) Eindvoorraad - die eindvoorraad van alla droëvrugte fisies op perseel op die laaste dag van 'n kalendermaand.
- (i) Opberging van droëvrugte op produsent se plaas - die hoeveelheid droëvrugte wat op die laaste dag van 'n kalendermaand in 'n opbergfasiliteit op 'n produsent se plaas is en waarvan die volle eienaarskap reeds na die houer van die aantekeninge oorgegaan het.

3 Die aantekeninge genoem in subklousules (1) tot (2) moet

- (a) aangeteken word op 'n rekenaar of met ink in 'n boek; en
- (b) by die hoofkantoor of gewone plek van besigheid van die persoon van wie vereis word om dit te hou, gehou word vir 'n tydperk van ten minste vier jaar na die einde van die tydperk ten opsigte waarvan sodanige aantekeninge gehou is.

Opgawes wat verstrek moet word deur invoerders, verpakkers, uitvoerders en prosesseerders van droëvrugte

6. (1) Elke invoerder, verpakker, uitvoerder en prosesseerders van droëvrugte moet nie later as die 31ste dag van Julie van elke jaar 'n akkurate opgawe aan Droëvrugte Tegnieiese Dienste verstrek ten opsigte van droëvrugte deur horn hanteer, ingevoer of uitgevoer. Dit sluit ook enige persoon, bv 'n produsent wat optree in die hoedanigheid van die voorafgenoemde persone, in.
- (2) Die opgawes moet verstrek word op die vorms wat gratis by D.T.D. verkrygbaar is, en moet in ink ingevul word.
- (3) Die opgawe moet
- (a) wanneer dit per pos gestuur word, geadresseer word aan :
- Die Hoofbestuurder: D.T.D.
Posbus 426
Paarl
7620
- (b) wanneer per hand afgelewer, afgelewer word by :
- Die Hoofbestuurder: D.T.D.
Hoofstraat 258
Paarl
7620
- (c) wanneer dit elektronies gestuur word, gestuur word na :
- Enige van die faksnommers, e-pos adresse of enige ander elektroniese adresse soos op die amptelike opgawevorms verskyn.
- (4) Die opgawe moet gepos, afgelewer of elektronies gestuur word om die hoofbestuurder van D.T.D; te bereik veer of op die keurdatum genoem in subklousule (1).
- (5) 'n Nul-opgawe moet verstrek word indien daar geen droëvrugte gedurende die periode van die opgawe hanteer, ingevoer of uitgevoer is nie.

Inwerkingtreding en tydperk van geldigheid

7. Hierdie statutêre maatreëls tree in werking op die datum van publikasie hiervan en verval op 31 Maart 2009.

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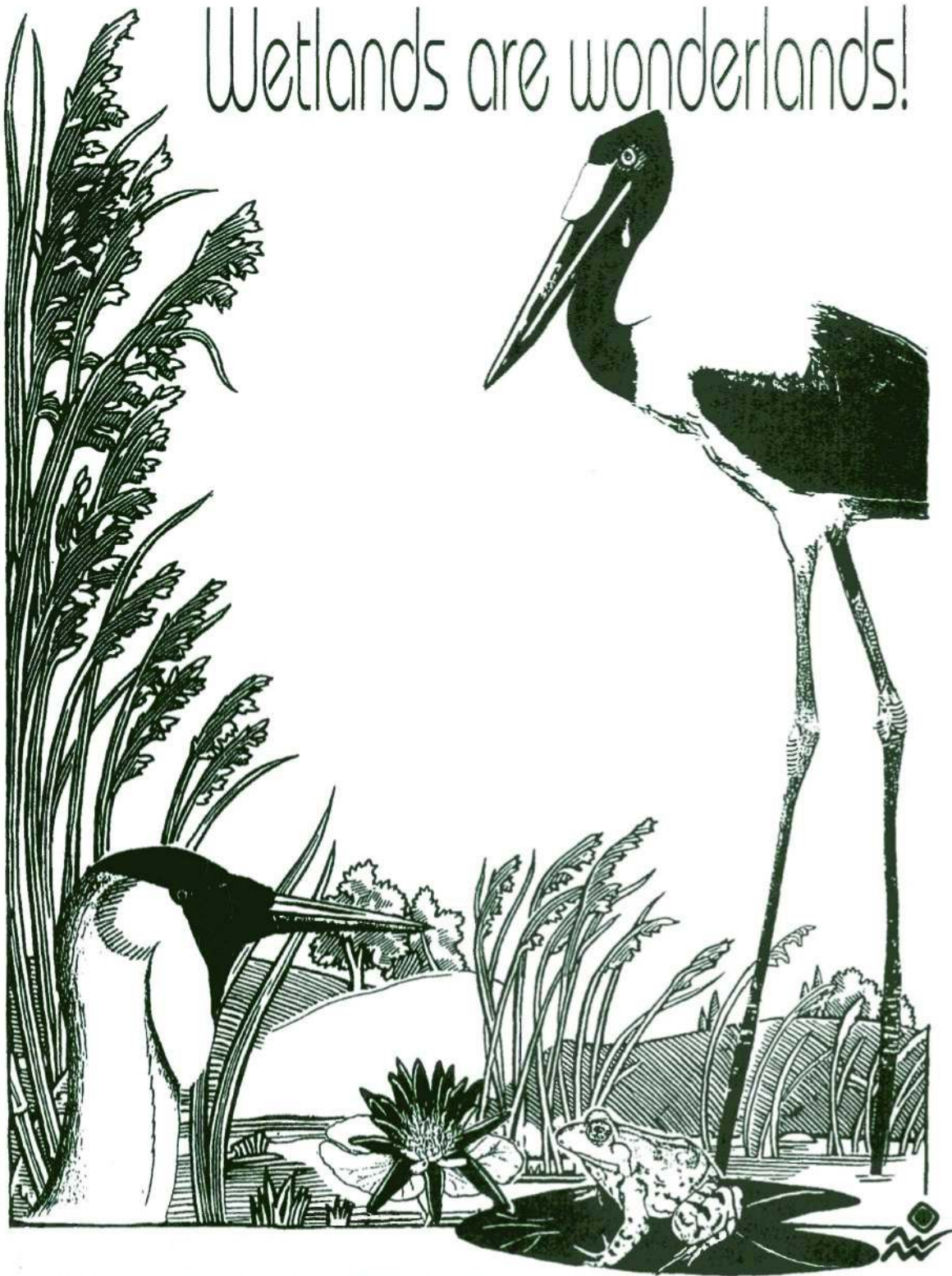
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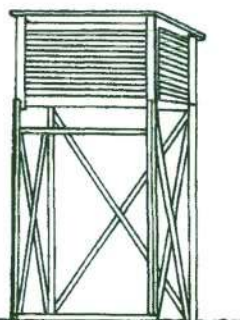
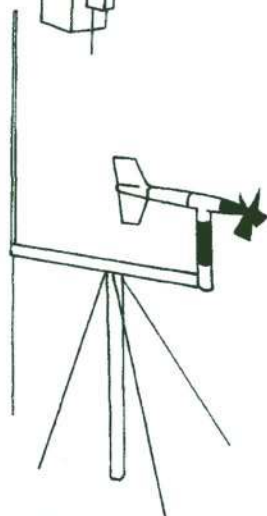
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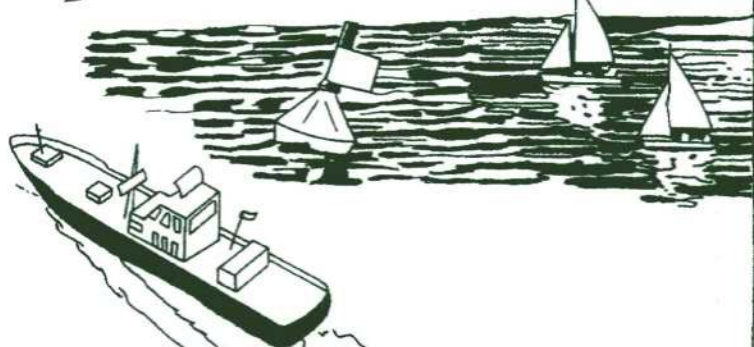
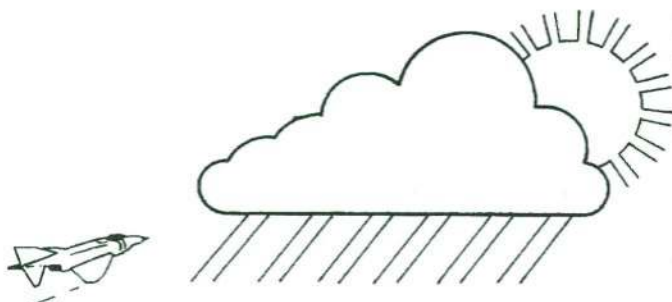


Department of Environmental Affairs and Tourism

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