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GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURE

No. R. 791 **4 May 1993**

MARKETING ACT, 1968
(ACT No. 59 OF 1968)

GENERAL LEVY ON MAIZE

I, Jacob Albertus van Wyk, Acting Minister of Agriculture, acting under section 46A of the Marketing Act, 1968 (Act No. 59 of 1968), hereby—

(a) impose a general levy on maize on the basis set out in the Schedule;

(b) declare that the said general levy shall come into operation on the date of publication thereof; and

(c) repeal Government Notice No. R. 887 of 24 April 1987 as amended by Government Notice No. R. 676 of 28 February 1992 with effect from the said date of commencement.

J. A. VAN WYK,
Acting Minister of Agriculture.

SCHEDULE

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning and, unless the context otherwise indicates—

"maize" means the threshed seed of the plants of *Zea Mays indurata, Zea Mays indentata* or a mixture of the threshed seed of such plants;

"production area" means the area consisting of the Provinces of the Transvaal and the Orange Free State, the Magisterial Districts of Gordonia, Hartswater, Hay, Herbert, Hopetown, Kenhardt, Kimberley, Philipstown, Prieska, Vryburg and Warrenton in the Cape Province, and the Magisterial Districts of Bergville, Dannhauser, Dundee, Estcourt, Glencoe, Klip River, Newcastle, Paulpietersburg, Utrecht and Vryheid in the Province of Natal;

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN LANDBOU

No. R. 791 **4 Mei 1993**

BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)

ALGEMENE HEFFING OP MIELIES

Ek, Jacob Albertus van Wyk, Waarnemende Minister van Landbou, handelende kragtens artikel 46A van die Bemarkingswet, 1968 (Wet No. 59 van 1968)—

(a) lê hierby 'n algemene heffing op mielies op die grondslag in die Bylae uiteengesit;

(b) verklaar hierby dat genoemde algemene heffing op die datum van publikasie hiervan in werking tree; en

(c) herroep hierby Goewermentskennisgewing No. R. 887 van 24 April 1987 soos gewysig deur Goewermentskennisgewing No. R. 676 van 28 Februarie 1992.

J. A. VAN WYK,
Waarnemende Minister van Landbou.

BYLAE

Woordomskrywing

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

"die Skema" die Somergraanskema gepubliseer by Proklamasie No. R. 45 van 1979, soos gewysig;

"mielies" die gedorste saad van plante van *Zea Mays indurata, Zea Mays indentata* of een of meer kruisings van die twee tipes, of 'n mengsel van die gedorste saad van sodanige plante;

"mieliesaad" mielies—

(a) van 'n variëteit waarvan die benaming aangeteken is in die variëteitslys wat ingevolge artikel 15 van die Plantverbeteringswet, 1976 (Wet No. 53 van 1976), gehou word;

"seed maize" means maize—

(a) of a variety of which the name has been entered in the varietal list kept in terms of section 15 of the Plant Improvement Act, 1976 (Act No. 53 of 1976);

(b) which is produced by a persn who is registered by the Board in terms of section 36 (1) of the Scheme as a producer of seed maize; and

(c) which is intended for use as propagating material as defined in the Plant Improvement Act, 1976;

"the Scheme" means the Summer Grain Scheme published by Proclamation No. R. 45 of 1979, as amended.

Imposition of general levy

2. (1) A general levy is hereby imposed on maize, excluding seed maize, that is—

(a) whether as such or as a maize product or as part of a maize product, sold by the producer thereof other than to or through the Board or to a miller trader, or utilised by him for any purpose other than his own household consumption or farming operations, if:

(i) such maize was produced in the production area; or

(ii) such maize was produced outside the production area and is thus sold or utilised within the production area;

(b) if such maize was produced outside the production area, sold by the producer thereof to a person who brings such maize into the production area.

(2) A general levy is hereby imposed on maize, excluding seed maize, that—

(a) was produced within the production area and is sold by the producer thereof:

(i) to a miller trader; or

(ii) under an exemption granted by the Board in terms of section 38 (b) of the Scheme;

(b) was produced outside the production area and is sold by the producer thereof to a miller trader in the production area.

(3) A levy and a special levy are hereby imposed on seed maize that—

(a) was produced within the production area and is sold by the producer thereof;

(b) was produced outside the production area and is sold by the producer thereof within the production area, or is sold by him to a person who brings such seed maize into the production area; and

(c) is exported from the Republic.

(b) wat geproduseer is deur iemand wat ingevolge artikel 36 (1) van die Skema as 'n produsent van mieliesaad by die Raad geregistreer is; en

(c) wat bestem is vir gebruik as voortplantingsmateriaal soos omskryf in die Plantverbeteringswet, 1976.

"produksiegebied" die gebied bestaande uit die provinsies Transvaal en die Oranje-Vrystaat, die landdrosdistrikte Gordonia, Hartswater, Hay, Herbert, Hopetown, Kenhardt, Kimberley, Philipstown, Prieska, Vryburg en Warrenton in die Kaapprovinsie, en die landdrosdistrikte Bergville, Dannhauser, Dundee, Estcourt, Glencoe, Kliprivier, Newcastle, Paulpietersburg, Utrecht en Vryheid in die provinsie Natal.

Oplegging van algemene heffing

2. (1) 'n Algemene heffing word hiermee opgelê op mielies, uitgesonderd mieliesaad, wat—

(a) hetsy as sodanig of as 'n mielieproduk of as 'n deel van 'n mielieproduk, deur die produsent daarvan verkoop word anders as aan of deur bemiddeling van die Raad of aan 'n meulenaarhandelaar of deur hom aangewend word op enige wyse behalwe vir sy eie huishoudelike of boerderydoeleindes, indien:

(i) sodanige mielies in die produksiegebied geproduseer is; of

(ii) sodanige mielies buite die produksiegebied geproduseer is en binne die produksiegebied aldus verkoop of aangewend word;

(b) buite die produksiegebied geproduseer is en deur die produsent daarvan verkoop word aan iemand wat sodanige mielies in die produksiegebied inbring.

(2) 'n Algemene heffing word hiermee opgelê op mielies, uitgesonderd mieliesaad, wat—

(a) binne die produksiegebied geproduseer is en deur die produsent daarvan verkoop word:

(i) aan 'n meulenaarhandelaar; of

(ii) ingevolge 'n vrystelling deur die Raad verleen uit hoofde van artikel 38 (b) van die Skema;

(b) buite die produksiegebied geproduseer is en deur die produsent daarvan aan 'n meulenaarhandelaar in die produksiegebied verkoop word.

(3) 'n Heffing en 'n spesiale heffing word hierby opgelê op mieliesaad wat—

(a) binne die produksiegebied geproduseer is en deur die produsent daarvan verkoop word;

(b) buite die produksiegebied geproduseer is en deur die produsent daarvan binne die produksiegebied verkoop word, of deur hom verkoop word aan 'n persoon wat sodanige mieliesaad in die produksiegebied inbring; en

(c) uit die Republiek uitgevoer word.

Rate of general levy

3. The rate of the general levy referred to in clause 2 shall—

(a) in the case of maize except seed maize be 0,02 per cent of the valuable consideration payable to a producer in respect of the sale of such maize; and

(b) in the case of a maize product, be 0,02 per cent of the valuable consideration in terms of money payable to a producer in respect of the sale of the maize that is used to manufacture that maize product; and

(c) in the case of seed maize, be 0,02 per cent of the highest valuable consideration that would have been payable to a producer in respect of the sale thereof if it was sold as maize to the Board on the date of sale of such seed maize.

Persons by whom general levy is payable

4. The general levy referred to in clause 2 shall—

(a) in the case of maize sold to or through the Board, be payable by the seller or the person on whose behalf it is so sold;

(b) in the case of maize or maize products sold to a person dealing in the course of trade with maize or maize products, be payable by the purchaser thereof;

(c) in the case of maize or maize products sold to a person other than a person dealing in the course of trade with maize or maize products, be payable by the seller thereof;

(d) in the case of maize or maize products utilised by the producer thereof for any purpose other than his own household consumption of farming operations, be payable by the producer who so utilises it; and

(e) in the case of seed maize, be payable by the producer thereof.

Recovery of general levy

5. A person referred to in clause 4 (a) may recover the amount paid or payable by him by way of such general levy, by deducting it from the amount payable to a producer in respect of the sale of maize on which the general levy is payable.

Koers van algemene heffing

3. Die koers van die algemene heffing in klousule 2 bedoel, is—

(a) in die geval van mielies, uitgesonderd mieliesaad, 0,02 persent van die geldwaardige teenprestasie wat aan 'n produsent ten opsigte van die verkoop daarvan betaalbaar is;

(b) in die geval van 'n mielieproduk, 0,02 persent van die geldwaardige teenprestasie wat aan 'n produsent ten opsigte van die verkoop van die mielies, wat gebruik is om daardie mielieproduk te vervaardig, betaalbaar is; en

(c) in die geval van mieliesaad, 0,02 persent van die hoogste geldwaardige teenprestasie wat aan 'n produsent ten opsigte van die verkoop daarvan betaalbaar sou wees indien dit as mielies aan die Raad verkoop sou word op die datum van verkoop van sodanige mieliesaad.

Persone deur wie algemene heffing betaalbaar is

4. Die algemene heffing in klousule 2 bedoel, is—

(a) in die geval van mielies wat aan of deur bemiddeling van die Raad verkoop word, betaalbaar deur die persoon deur wie of ten behoewe van wie dit aldus verkoop word;

(b) in die geval van mielies of mielieprodukte wat verkoop word aan iemand wat met mielies of mielieprodukte as 'n besigheid handel, deur die koper daarvan betaalbaar;

(c) in die geval van mielies of mielieprodukte wat verkoop word aan iemand anders as 'n persoon wat met mielies of mielieprodukte as 'n besigheid handel, deur die verkoper daarvan betaalbaar;

(d) in die geval van mielies of mielieprodukte wat deur die produsent daarvan aangewend word op enige wyse behalwe vir sy eie huishoudelike- of boerderydoeleindes, betaalbaar deur die produsent wat dit aldus aanwend; en

(e) in die geval van mieliesaad, deur die produsent daarvan betaalbaar.

Verhaal van algemene heffing

5. 'n Persoon in klousule 4 (a) bedoel, kan die bedrag wat deur hom as sodanige algemene heffing betaal of betaalbaar is, verhaal deur dit af te trek van die bedrag wat aan 'n produsent betaalbaar is ten opsigte van die verkoop van mielies waarop die algemene heffing betaalbaar is.

No. R. 792 **4 May 1993**

MARKETING ACT, 1968
(ACT No. 59 OF 1968)

SUMMER GRAIN SCHEME: LEVY AND SPECIAL LEVY ON MAIZE

I, Jacob Albertus van Wyk, Acting Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act No. 59 of 1968), that—

(a) I have in terms of section 80 of the said Act and under sections 23 and 24 of the Summer Grain Scheme published by Proclamation No. R. 45 of 1979, as amended, imposed the levy and special levy set out in the Schedule;

(b) the said levy and special levy shall come into operation on the date of publication hereof; and

No. R. 792 **4 Mei 1993**

BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)

SOMERGRAANSKEMA: HEFFING EN SPESIALE HEFFING OP MIELIES

Ek, Jacob Albertus van Wyk, Waarnemende Minister van Landbou, maak hiermee ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), bekend dat—

(a) ek ingevolge artikel 80 van genoemde Wet en kragtens artikels 23 en 24 van die Somergraanskema gepubliseer by Proklamasie No. R. 45 van 1979, soos gewysig, die heffing en spesiale heffing in die Bylae uiteengesit, opgelê het;

(b) genoemde heffing en spesiale heffing op die datum van publikasie hiervan in werking tree; en

(c) Government Notice No. R. 1286 of 1 May 1992 is repealed with effect from the said date of commencement.

J. A. VAN WYK,
Acting Minister of Agriculture.

SCHEDULE

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning, and unless the context otherwise indicates—

"class", with regard to maize, means a class referred to in the directions;

"miller trader" means a person who is registered as a miller trader under section 36 of the Scheme;

"production area" means the area consisting of the Provinces of the Transvaal and the Orange Free State, the Magisterial Districts of Gordonia, Hartswater, Hay, Herbert, Hopetown, Kenhardt, Kimberley, Philipstown, Prieska, Vryburg and Warrenton in the Cape Provice, and the Magisterial Districts of Bergville, Dannhauser, Dundee, Estcourt, Glencoe, Klip River, Newcastle, Paulpietersburg, Utrecht, and Vryheid in the Province of Natal;

"seed maize" means maize—

(a) of a variety of which the name has been entered in the varietal list kept in terms of section 15 of the Plant Improvement Act, 1976 (Act No. 53 of 1976);

(b) which is produced by a person who is registered with the Board in terms of section 36 (1) of the Scheme as a producer of seed maize; and

(c) which is intended for use as propagating material as defined in the Plant Improvement Act, 1976;

"the directions" means the directions which were issued in terms of section 34 (e) of the Scheme relating to the grading and packing of maize; and

"the Scheme" means the Summer Grain Scheme published by Proclamation No. R. 45 of 1979, as amended.

Imposition of levy and special levy

2. (1) A levy and a special levy are hereby imposed on maize, excluding seed maize, of a class specified in column 1 of Table A, that is—

(a) whether as such or as a maize product or as part of a maize product, sold by the producer thereof other than to or through the Board or to a miller trader, or utilised by him for any purpose other than his own household consumption or farming operations, if:

(i) Such maize was produced in the production area; or

(ii) such maize was produced outside the production area and is thus sold or utilised within the production area;

(c) Goewermentskennisgewing No. R. 1286 van 1 Mei 1992 met ingang van genoemde datum van inwerkingtreding herroep word.

J. A. VAN WYK,
Waarnemende Minister van Landbou.

BYLAE

Woordomskrywing

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

"die Skema" die Somergraanskema gepubliseer by Proklamasie No. R. 45 van 1979, soos gewysig;

"die voorskrifte" die voorskrifte betreffende die gradering en verpakking van mielies wat ingevolge artikel 34 (e) van die Skema uitgereik is;

"klas" met betrekking tot mielies, 'n klas in die voorskrifte bedoel;

"meulenaarhandelaar" 'n persoon wat kragtens artikel 36 van die Skema as 'n meulenaarhandelaar geregistreer is;

"mieliesaad" mielies—

(a) van 'n variëteit waarvan die benaming aangeteken is in die variëteitslys wat ingevolge artikel 15 van die Plantverbeteringswet, 1976 (Wet No. 53 van 1976), gehou word;

(b) wat geproduseer is deur iemand wat ingevolge artikel 36 (1) van die Skema as 'n produsent van mieliesaad by die Raad geregistreer is; en

(c) wat bestem is vir gebruik as voortplantingsmateriaal soos omskryf in die Plantverbeteringswet, 1976; en

"produksiegebied" die gebied bestaande uit die provinsies Transvaal en die Oranje-Vrystaat, die landdrosdistrikte Gordonia, Hartswater, Hay, Herbert, Hopetown, Kenhardt, Kimberley, Philipstown, Prieska, Vryburg en Warrenton in die Kaapprovinsie, en die landdrosdistrikte Bergville, Dannhauser, Dundee, Estcourt, Glencoe, Kliprivier, Newcastle, Paulpietersburg, Utrecht, en Vryheid in die provinsie Natal.

Oplegging van heffing en spesiale heffing

2. (1) 'n Heffing en 'n spesiale heffing word hiermee opgelê op mielies, uitgesonderd mieliesaad, van 'n klas in kolom 1 van Tabel A vermeld, wat—

(a) hetsy as sodanig of as 'n mielieproduk of as 'n deel van 'n mielieproduk, deur die produsent daarvan verkoop word anders as aan of deur bemiddeling van die Raad of aan 'n meulenaarhandelaar of deur hom aangewend word op enige wyse behalwe vir sy eie huishoudelike of boerderydoeleindes, indien:

(i) Sodanige mielies in die produksiegebied geproduseer is; of

(ii) sodanige mielies buite die produksiegebied geproduseer is en binne die produksiegebied aldus verkoop of aangewend word;

(b) if such maize was produced outside the production area, sold by the producer thereof to a person who brings such maize into the production area.

(2) A levy and a special levy are hereby imposed on maize, excluding seed maize, of a class specified in column 1 of Table B, that—

(a) was produced within the production area and is sold by the producer thereof—

(i) to a miller trader; or

(ii) under an exemption granted by the Board in terms of section 38 (b) of the Scheme;

(b) was produced outside the production area and is sold by the producer thereof to a miller trader in the production area.

(3) A levy and a special levy are hereby imposed on seed maize that—

(a) was produced within the production area and is sold by the producer thereof;

(b) was produced outside the production area and is sold by the producer thereof within the production area, or is sold by him to a person who brings such seed maize into the production area; and

(c) is exported from the Republic.

Amount of levy and special levy

3. (1) The amount of the levy and special levy referred to in clause 2 (1) shall respectively be as specified in column 2 and 3 of Table A opposite the class of maize concerned.

(2) The amount of the levy and special levy referred to in clause 2 (2) shall respectively be as specified in column 2 and 3 of Table B opposite the class of maize concerned.

(3) The amount of the levy and special levy referred to in clause 2 (3) shall respectively be R3,93 (R3,45 + 14% VAT) and R0,97 (R0,85 + 14% VAT) per ton of seed maize.

TABLE A

Class of maize	Levy per ton	Special levy per ton
1	2	3
White maize.............	R3,93 (R3,45 + 14% VAT)	R149,86 (R131,46 + 14% VAT)
Yellow maize	R3,93 (R3,45 + 14% VAT)	R104,26 (R91,46 + 14% VAT)
Sample class maize..	R3,93 (R3,45 + 14% VAT)	R104,26 (R91,46 + 14% VAT)

(b) buite die produksiegebied geproduseer is en deur die produsent daarvan verkoop word aan iemand wat sodanige mielies in die produksiegebied inbring.

(2) 'n Heffing en 'n spesiale heffing word hiermee opgelê op mielies, uitgesonderd mieliesaad, van 'n klas in kolom 1 van Tabel B vermeld, wat—

(a) binne die produksiegebied geproduseer is en deur die produsent daarvan verkoop word—

(i) aan 'n meulenaarhandelaar; of

(ii) ingevolge 'n vrystelling deur die Raad verleen uit hoofde van artikel 38 (b) van die Skema;

(b) buite die produksiegebied geproduseer is en deur die produsent daarvan aan 'n meulenaarhandelaar in die produksiegebied verkoop word.

(3) 'n Heffing en 'n spesiale heffing word hierby opgelê op mieliesaad wat—

(a) binne die produksiegebied geproduseer is en deur die produsent daarvan verkoop word;

(b) buite die produksiegebied geproduseer is en deur die produsent daarvan binne die produksiegebied verkoop word, of deur hom verkoop word aan 'n persoon wat sodanige mieliesaad in die produksiegebied inbring; en

(c) uit die Republiek uitgevoer word.

Bedrag van heffing en spesiale heffing

3. (1) Die bedrag van die heffing en spesiale heffing in klousule 2 (1) bedoel, is onderskeidelik soos in kolom 2 en 3 van Tabel A teenoor die betrokke klas mielies vermeld.

(2) Die bedrag van die heffing en spesiale heffing in klousule 2 (2) bedoel, is onderskeidelik soos in kolom 2 en 3 van Tabel B teenoor die betrokke klas mielies vermeld.

(3) Die bedrag van die heffing en spesiale heffing in klousule 2 (3) bedoel, is onderskeidelik R3,93 (R3,45 + 14% BTW) en R0,97 (R0,85 + 14% BTW) per ton mieliesaad.

TABEL A

Klas mielies	Heffing per ton	Spesiale heffing per ton
1	2	3
Wit mielies	R3,93 (R3,45 + 14% BTW)	R149,86 (R131,46 + 14% BTW)
Geelmielies	R3,93 (R3,45 + 14% BTW)	R104,26 (R91,46 + 14% BTW)
Monsterklasmielies...	R3,93 (R3,45 + 14% BTW)	R104,26 (R91,46 + 14% BTW)

TABLE B

Class of maize	Levy per ton	Special levy per ton
1	2	3
White maize	R3,93 (R3,45 + 14% VAT)	R129,34 (R113,46 + 14% VAT)
Yellow maize	R3,93 (R3,45 + 14% VAT)	R83,74 (R73,46 + 14% VAT)
Sample class maize	R3,93 (R3,45 + 14% VAT)	R83,74 (R73,46 + 14% VAT)

TABEL B

Klas mielies	Heffing per ton	Spesiale heffing per ton
1	2	3
Wit mielies	R3,93 (R3,45 + 14% BTW)	R129,34 (R113,46 + 14% BTW)
Geelmielies	R3,93 (R3,45 + 14% BTW)	R83,74 (R73,46 + 14% BTW)
Monsterklasmielies	R3,93 (R3,45 + 14% BTW)	R83,74 (R73,46 + 14% BTW)

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