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**GOVERNMENT NOTICES
GOEWERMENTSKENNISGEWINGS**

**DEPARTMENT OF AGRICULTURE
DEPARTEMENT VAN LANDBOU**

No. R. 993

26 October 2007

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

**ESTABLISHMENT OF STATUTORY MEASURES: RECORDS AND RETURNS BY
ABATTOIRS AND EXPORTERS OF LIVE PIGS**

I, Lulama Xingwana, Minister of Agriculture, acting under sections 10, 13 and 14 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the Schedule

**LULAMA XINGWANA
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 indicates otherwise –

“abattoir” means a slaughter facility as defined in section 1 of the Meat Safety Act, 2000 (Act No. 40 of 2000), save for those facilities that have been excluded by the levy administrator after application to the levy administrator as provided for in the registration notice;

“levy administrator” means the levy administrator as defined in the levy notice;

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

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

2. The purpose and aim of this statutory measure is to compel abattoirs to render records and returns to the levy administrator. This is necessary to ensure that continuous, timeous and accurate information relating to pigs slaughtered and marketed is available to all role players. Market information is deemed essential for all role players in order for them to make informed decisions. By prescribing the keeping of records with the rendering of returns on an individual basis, market information for the whole of the industry can be processed and disseminated. The establishment of the statutory measure should assist in promoting the efficiency of the marketing of meat. The viability of the pork industry should thus be enhanced.

The measure is not detrimental to any of the objectives of the Act and, in particular, shall not be detrimental to the number of employment opportunities or fair labour practice in the pork industry.

Confidential information of any person subject to this statutory measure obtained by the levy administrator through the implementation, administration and enforcement of this statutory measure shall be dealt with in accordance with section 23(2) of the Act.

The measure shall be administered by the levy administrator.

Products to which the statutory measure applies

3. This statutory measure shall apply to –
 - (a) pigs slaughtered by abattoirs for commercial use other than for own consumption, and
 - (b) pigs exported live.

Area in which statutory measure shall apply

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

Records to be kept, returns to be rendered and the enforcement thereof

5. (1) Abattoirs slaughtering pigs for commercial use other than for own consumption and exporters of live pigs, shall keep such records and render the returns as may be required by the levy administrator.
 - (2) The records referred to in sub-clause (1) shall –
 - (a) be recorded on a computer or with ink in a book;
 - (b) be kept at the registered premises of the person required to keep such records for a period of at least three years.
- 3) The returns referred to in sub-clause (1) shall be rendered on a form obtainable free of charge for this purpose from the levy administrator, and shall –
 - (a) be submitted, when forwarded by post, to

The Levy Administrator

P O Box 36802

MENLO PARK

0102

(b) when sent by telefax, be addressed to – 012 361 6004.

- 4) The implementation, administration and enforcement of the statutory measure established in these Regulations are entrusted to the levy administrator in terms of section 14 of the Act.

Commencement and period of validity

5. This statutory measure shall come into operation on 1 November 2007 and lapse on 31 October 2010.

No. R. 994

26 October 2007

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

**ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION BY ABATTOIRS AND
EXPORTERS OF LIVE PIGS**

I, Lulama Xingwana, Minister of Agriculture, acting under sections 10, 13 and 14 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the Schedule.

LULAMA XINGWANA
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 indicates otherwise –

“abattoir” means a slaughter facility as defined in section 1 of the Meat Safety Act, 2000 (Act No. 40 of 2000), save for those facilities that have been excluded¹ by the levy administrator after application to the levy administrator as provided for in the these regulations

“levy administrator” means the juristic person entrusted with the implementation, administration and enforcement of the statutory measure established under these Regulations, and identified in regulation 9 of the Schedule;

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

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

2. The purpose and aims of this statutory measure is to compel abattoirs slaughtering pigs to register with the levy administrator. This is necessary to ensure that continuous, timeous and accurate market information relating to pigs slaughtered and marketed is available to all role players. Market information is deemed essential for all role players in order for them to make informed decisions.

The establishment of the statutory measure should assist in promoting the efficiency of the marketing of pork. The viability of the pork industry should thus be enhanced.

The measure is not detrimental to any of the objectives of the Act and, in particular, shall not be detrimental to the number of employment opportunities or fair labour practice in the pork industry.

Confidential information of any person subject to this statutory measure obtained by the levy administrator through the implementation, administration and enforcement of this statutory measure shall be dealt with in accordance with section 23(2) of the Act.

The measure shall be administered by the levy administrator.

Product to which the statutory measure shall apply

3. This statutory measure shall apply to –
 - (a) pigs slaughtered by abattoirs for commercial use other than for own consumption, and
 - (b) pigs exported live

Area in which statutory measure shall apply

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

Registration and enforcement

5. (1) Abattoirs slaughtering pigs for commercial use other than own consumption and exporters of live pigs shall on an annual basis register and re-register with the levy administrator.
- (2) Registration shall be done immediately upon receipt of a registration form obtainable free of charge for this purpose from the levy administrator, and shall -
 - a) be submitted, when forwarded by mail, to
The Levy Administrator
PO Box 36802

MENLO PARK

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b) When sent by telefax, be addressed to 012 361 6004.

(3) Any abattoir as defined in the levy notice may apply to the levy administrator for exemption from the provisions of clause 5(1) and 5(2) of these regulations on the grounds that it is a welfare organisation as defined in terms of section 1 of the Value Added Tax Act, 1998 (Act no 89 of 1998).

(4) The implementation, administration and enforcement of the statutory measure established in terms of these Regulations are entrusted to the levy administrator in terms of section 14 of the Act.

Commencement and period of validity

6. This statutory measure shall come into operation on 1 November 2007 and lapses on 31 October 2010.

No. R. 995

26 October 2007

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

**ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF GUIDELINE
PRICE: LEVIES RELATING TO PIGS**

I, Lulama Xingwana, Minister of Agriculture, acting under sections 10, 13 and 14 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the Schedule.

L XINGWANA
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 indicates otherwise –

“abattoir” means a slaughter facility as defined in section 1 of the Meat Safety Act, 2000 (Act No. 40 of 2000), save for those facilities that have been excluded by the levy administrator after application to the levy administrator as provided for in the registration notice;

“head” means one pig irrespective of its age, size or weight;

“levy administrator” means the juristic person entrusted with the implementation, administration and enforcement of the statutory measure established under these Regulations, and identified in regulation 9 of the Schedule;

“owner” means the owner of a pig at the time of slaughter of that pig; and

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

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

2. The measure is required by the pork industry to fund –
 - (a) Empowerment and development of black emerging pork producers;
 - (b) Consumer education;
 - (c) Consumer Assurance;
 - (d) Research and development; and
 - (e) Industry liaison and information.

The levy is not detrimental to any of the objectives of the Act and, in particular, shall not be detrimental to the number of employment opportunities or fair labour practice in the pork industry.

The statutory measure shall be administered by the levy administrator, who shall act in terms of the mandate and on behalf of the South African Pork Producers' Organisation.

The statutory measure is necessary to finance the above-mentioned functions and the levy shall be utilised in accordance with the levy application. The Auditor-General shall also be responsible for auditing the statutory levies collected.

Employment of statutory levies

3. It is hereby determined that, in respect of levies collected –

- a) approximately 70% of the funds shall be used for the core business function;
- b) approximately 20% of the funds shall be used for transformation; and
- c) not more than 10% of the funds shall be used for administration.

Product to which statutory measure applies

4. This statutory measure shall apply to –

- (a) pigs slaughtered by abattoirs for commercial use other than for own consumption, and
- (b) pigs exported live

Area in which statutory measure applies

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

Determination of guideline price

6. The guideline price is determined as follows:
- a) R738 per pig slaughtered.
 - b) R738 per pig exported live.

Amount of levy

7. The amount of the levy payable:
- a) R6,00 per head (VAT excluded) for pigs slaughtered at abattoirs.
 - b) R6,00 for pigs (VAT excluded) exported live.

Persons by whom levy is payable

8. The levy imposed in terms of this notice shall be –
- a) paid to the abattoir by the owner at slaughter of such pig and the abattoir will then pay it over to the levy administrator.
 - b) payable by the exporter of live pigs at the point of exit and paid over to the levy administrator.

Payment and enforcement of levy

9. (1) The levy shall be paid to the levy administrator –
- a) by the fourteenth day of the month following the month in which the pigs were slaughtered;
 - b) by the fourteenth day of the month following the month in which the pigs were exported.
- (2) Payments shall be made by means of a cheque or electronic bank transfer in favour of the levy administrator, and shall –
- a) When paid by cheque, be addressed to –
The Levy Administrator

P O Box 36802
MENLO PARK
0102

b) When electronically transferred, be paid to the account number obtainable from the levy administrator.

(3) The implementation, administration and enforcement of the statutory measure established in these Regulations are entrusted to the levy administrator in terms of section 14 of the Act.

Commencement and period of validity

10. This statutory measure shall come into operation on 1 November 2007 and lapses on 31 October 2010.