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## GOVERNMENT NOTICES

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### DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

**No. 621**

**10 August 2012**

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

ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF A DIFFERENTIATED  
LEVY ON PLANTED HECTARES FOR FUNDING OF AN INTEGRATED AREA WIDE  
FRUIT FLY CONTROL PROGRAMME IN SPECIFIED PRODUCTION AREAS

I, Tina Joemat-Pettersson, Minister for Agriculture, Forestry and Fisheries, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996), hereby establish the statutory measure set out in the Schedule.

**T. JOEMAT-PETTERSSON,**  
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 otherwise indicates –

**“Planted hectares”** means the total plantings of a specific producer of agreed products benefitting from the area wide fruit fly control programme in specified production regions;

**“Producer”** means a person producing products on planted hectares in specified production regions as agreed from time to time;

**“Differentiated levy”** means a per hectare levy applicable to planted hectares in specified production regions;

**“Specified Production Regions”** means defined areas where producers have approved the implementation of this measure on all planted hectares included in such region.

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

2. The levy and measure is needed by the Fruit Industry to collect the producers' contribution to integrated area wide fruit fly control programmes in specified production regions.

The measure will not be detrimental to the number of employment opportunities or fair labour practice and will support other the statutory measures applicable to the fruit industry.

The measure will be administered by Hortgro Services (Pty) Ltd, an industry service entity established in terms of the Companies Act, 2008 (Act 71 of 2008 as amended). Hortgro Services will administer and spend the collected funds on behalf of the producers in the specified production regions and will account and report separately within DFPT Finance, a non-profit company incorporated under the Companies Act, 2008. (Act 71 of 2008 as amended), thereon.

### Products to which statutory measure applies.

3. This statutory measure shall apply to all planted hectares in the specific productions regions.

### Area in which measure shall apply

4. This measure shall apply to the specified production regions as listed in this schedule.

**Imposition of levy**

5. A differentiated levy is hereby imposed on all planted hectares in the specific production regions as listed in this schedule.

**Amount of the levy**

6. The amount of the levy on the planted hectares in the specified production regions shall be:

- (1) In the production region generally known as Langkloof:
- R175/Hectare for the 12 month period from July 2012 to June 2013;
  - Not more than R186/Hectare for the 12 month period from July 2013 to June 2014;
  - Not more than R880/hectare for the 12 month period from July 2014 to June 2015.
  - Not more than R940/hectare for the 12 month period from July 2015 to June 2016
- (2) In the production region generally known as Blouputs:
- R625/Hectare for the 12 month period from July 2012 to June 2013;
  - Not more than R665/Hectare for the 12 month period from July 2013 to June 2014;
  - Not more than R715/hectare for the 12 month period from July 2014 to June 2015.
  - Not more than R770/hectare for the 12 month period from July 2015 to June 2016.
- (3) In the production regions generally known as the Elgin, Grabouw, Vyeboom and Villiersdorp area, the Hemel-&-Aarde area, the Warm Bokkeveld area, the Wolseley and Tulbagh area:
- R775/Hectare for the 12 month period from July 2012 to June 2013;
  - Not more than R825/Hectare for the 12 month period from July 2013 to June 2014;
  - Not more than R875/hectare for the 12 month period from July 2014 to June 2015.
  - Not more than R935/hectare for the 12 month period from July 2015 to June 2016.
- (4) In the production region generally known as the Hex River Valley:
- R1,075/Hectare for the 12 month period from July 2012 to June 2013;
  - Not more than R1,150/Hectare for the 12 month period from July 2013 to June 2014;

- o Not more than R1,225/hectare for the 12 month period from July 2014 to June 2015.
- o Not more than R1,300/hectare for the 12 month period from July 2015 to June 2016.

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

7. (1) The levy imposed under clause 5 shall be payable by a producer or his nominee on behalf of the producer.
- (5) A levy imposed under clause 5 shall be payable to DFPT Finance in accordance with clause 8.

**Payment of a differentiated levy**

8. (1) Payment of the levy shall be made by the producer or his nominee in the manner and according to the schedule as agreed on an annual basis with DFPT Finance on condition that the differentiated levy will be paid fully in any 12 month cycle.
- (2) Payment shall be made by means of a cheque or electronic transfer in favour of DFPT Finance, and shall –
- (a) when paid by cheque, be addressed to –
- DFPT Finance  
PO Box 163  
PAARL  
7622
- (b) when electronically transferred, be paid to the bank account obtainable from Hortgro Services on request.

**Commencement and period of validity**

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