

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES**NO. R. 1460****02 DECEMBER 2016****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS
RELATING TO PERSONS INVOLVED IN THE EXPORT OF FRESH CITRUS
FRUIT**

I, Senzeni Zokwana, Minister of Agriculture, Forestry and Fisheries, 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 attached Schedule.

SENZENI ZOKWANA,
Minister of 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 -

"Agricultural Product Standards Act" means the Agricultural Product Standards Act, 1991 (Act No. 119 of 1991);

"CGA" means the Citrus Growers Association of Southern Africa, incorporated under the Companies Act, 2008 (Act No. 71 of 2008), with registration number 2000/010147/08;

"exporter" means an exporter of citrus fruit that exports citrus fruit on behalf of a producer, and includes a producer that exports on his own behalf or on behalf of other producers;

"export citrus fruit" means fresh citrus fruit intended for export;

"PPECB" means the Perishable Products Export Control Board established under the Perishable Products Export Control Act, 1983 (Act No. 9 of 1983);

"producer" means grower of export citrus fruit; and

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

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

2. (1) The purpose and aim of this statutory measure is to compel the parties set out herein to keep records and render returns to the CGA. This is necessary to ensure that the amount of levies paid by producers in terms of the levy imposed under the Act correlate with the total of fresh citrus fruit exported.

(2) By prescribing the keeping of records with the rendering of returns on an individual basis, this information can be correlated to ensure that all producers are actually paying what they are supposed to.

(3) The measure will be administered by the CGA.

Persons to which statutory measure applies

3. This statutory measure shall apply to the PPECB and all producers and exporters of export citrus fruit.

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 and returns to be rendered

5. (1) All exporters and all producers shall keep such records as may be required by the CGA relating to export citrus fruit produced, received, sold, exported or otherwise utilized, and render a copy thereof to the CGA.

(2) The PPECB shall keep record of all export certificates of citrus fruit approved for export under the Agricultural Product Standards Act, or the information required by the CGA contained in such certificates, and render a copy thereof to the CGA.

(3) The records referred to in sub-clause (1) shall -

- (a) be recorded on a computer or with ink in a book; and
- (b) be kept at the registered premises of the person required to keep it for a period of at least three years.

(4) The returns to be rendered in terms of sub-clauses (1) and (2) shall be submitted electronically within 15 days after the end of each calendar month, and shall -

- (a) when forwarded by post, be addressed to -
CGA
P.O. Box 461
Hillcrest
3650
- (b) when delivered by hand, be delivered to -
CGA
Unit 7
22 on Main
GILLITTS
- (c) when submitted by e-mail, be sent to -
robertm@cga.co.za

Commencement and validity

6. This statutory measure will be effective from 1 January 2017 and will lapse on 31 December 2020.