

NOTICE 1623 OF 2007**DEPARTMENT OF AGRICULTURE****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996****(ACT No. 47 OF 1996)****REQUEST FOR THE CONTINUATION OF STATUTORY MEASURES:****REGISTRATION, RECORDS AND RETURNS IN RESPECT OF****MAIZE, WINTER CEREALS, SORGHUM AND OILSEEDS**

It is hereby made known in terms of section 11 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), that the Minister of Agriculture has received a request for a continuation of statutory measures in terms of sections 18 and 19 of the said Act as set out in the Schedules hereto.

Directly affected groups are hereby invited to lodge support, objection or comments regarding the proposed continuation of the statutory measures with the National Agricultural Marketing Council within 14 days of the publication thereof.

Submissions should be in writing and be addressed to:

**The CEO
National Agricultural Marketing Council
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PRETORIA
0001
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**Mr Ronald Ramabulana
CEO: NATIONAL AGRICULTURAL MARKETING COUNCIL**

**REQUEST FOR THE CONTINUATION OF STATUTORY MEASURES:
REGISTRATION, RECORDS AND RETURNS IN RESPECT OF
MAIZE, WINTER CEREALS, SORGHUM AND OILSEEDS,
IN TERMS OF THE MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT NO 47 OF 1996), AS AMENDED**

1. STATUTORY MEASURES: REGISTRATION, RECORDS AND RETURNS

The statutory measures that is requested to be continued, is that the Minister, in terms of sections 10 and 13 of the Act, by notice in the Government Gazette, direct that:

- all end-consumers, importers, storers, exporters and processors of maize, oilseeds, sorghum or winter cereal shall register as such with SAGIS;
- each end-consumer, importer, storer, exporter and processor of maize, oilseeds, sorghum or winter cereal shall keep complete records for each calendar month in respect of maize, oilseeds, sorghum or winter cereal handled, imported or exported by him; and
- every end-consumer, importer, storer, exporter or processor of maize, oilseeds, sorghum and winter cereal shall within 15 days of the end of each calendar month submit to SAGIS an accurate return in respect of maize, oilseeds, sorghum or winter cereal handled, imported or exported by him.

2. INFORMATION REQUIRED BY SECTION 10 OF THE ACT

The particulars as required by section 10 of the Act to be included in a request for the establishment of a statutory measure, are as follows:

- 2.1 The statutory measure that is requested to be established, would relate to registration, records and returns.
- 2.2 The categories of directly affected groups which would probably be affected by the proposed extension of the statutory measures, are:
- End consumers: persons who consume or process maize, oilseeds, sorghum or winter cereal for commercial purposes, but who does not sell any resulting product;
 - Exporters: persons who export maize, oilseeds, sorghum or winter cereal from South Africa, and includes a person who arranges or handles the exports in the name of or on behalf of another person;
 - Importers: persons who import maize, oilseeds, sorghum or winter cereal into South Africa, and includes a person who arranges or handles the imports in the name of or on behalf of another person;
 - Processors: persons who process maize, oilseeds, sorghum or winter cereal, in any manner whatsoever, to manufacture maize products, oilseeds products, sorghum products or winter cereal products, including bio-fuel and drinking alcohol, with the aim of selling the resulting product; and
 - Storers: persons with storage facilities of 500 tons and more where maize, oilseeds, sorghum or winter cereal is handled for commercial purposes.

- 2.3 Support for the proposed extension of the statutory measures on maize, oilseeds, sorghum and winter cereal, by the different categories of directly affected and other groups in the grain and oilseeds industries were not yet given.
- 2.4 The proposed statutory measure will apply to the whole of the Republic of South Africa.
- 2.5 According to the applicant, the proposed extension of the statutory measures will further the objectives of the Act as stipulated in section 2(2) thereof. Such establishment will also not contravene section 2(3) of the Act.
- 2.6 The manner in which the objectives referred to in section 2(2) of the Act will be furthered (namely the increasing of market access for all market participants, the promotion of the efficiency of the marketing of agricultural products, the optimisation of export earnings from agricultural products and the enhancement of the viability of the agricultural sector), are summarised below:

" The statutory measures are deemed necessary in order to ensure that market information in respect of maize, oilseeds, sorghum and winter cereal is made available for all role-players in the relevant industry. Information gathered by SAGIS by means of records and returns is disseminated freely in the market place. Through the mandatory submission of monthly returns on an individual basis, market information for the whole of the country can be processed and disseminated in the marketplace.

These statutory measures will not only assist in improving market access for all market participants, but it should also assist in promoting the efficiency of the marketing of maize, oilseeds, sorghum and winter cereal. Furthermore, the market information obtained in this manner, will promote the viability of the cereal and oilseeds industries and the agricultural sector at large.

The statutory measures are administered by SAGIS. SAGIS was specifically established for the purpose of handling information gathering, processing and dissemination on behalf of the various cereal and oilseeds industries in South Africa.

SAGIS publishes macro generic market information on a monthly basis for the cereal and oilseed industries and other interested parties. This information is obtained and furnished from the returns submitted to SAGIS. The information is published in a manner that is suitable to reach the majority of the role-players in the cereal and oilseed industries."

- 2.7 If the Minister approves the application, the statutory measures will come into operation on the date of publication thereof in the Government Gazette and shall lapse on 30 April 2012.

- 2.8 The body that will be responsible for the administration of the statutory measure is the South African Grain Information Services (SAGIS), a company without profit motive incorporated in terms of section 21 of the Companies Act, 1973 (Act No 61 of 1973).
- 2.9 The Minister authorised and designated SAGIS inspectors for the inspection and enforcement functions of the statutory measure.