

NOTICE 419 OF 2011

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

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
AND
WEEKLY RECORDS AND RETURNS FOR IMPORTS AND EXPORTS
OF WHOLE MAIZE AND WHEAT**

REPLACEMENT OF NOTICE 320 OF 3 JUNE 2011

The National Agricultural Marketing Council (NAMC) received a request from the South African Grain Information Service (SAGIS), on behalf of the directly affected groups in the grains and oilseeds industries, for the continuation of statutory measures related to registration, records and returns, in terms of Section 10 of the Marketing of Agricultural Products Act, Act no 47 of 1996. The details of these statutory measures are as follow:

- 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;
- each end-consumer, importer, storer, exporter or processor of maize, oilseeds, sorghum and winter cereal shall within 10 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; and
- each end-consumer, importer, storer, exporter and processor shall keep weekly records and submit weekly returns to SAGIS for imports and exports of whole maize and whole wheat.

As the current statutory measures mentioned above will expire on 30 April 2012, SAGIS requested ministerial approval that the relevant statutory measures be continued for an indefinite period, or a further period of 4 years to lapse on 30 April 2016.

Letters of support for the proposed continuation of the statutory measures were provided to the NAMC by various directly affected groups in the grain and oilseeds industries.

According to SAGIS, the proposed continuation of the statutory measures will further the objectives referred to in section 2(2) of the Act (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), as summarised below:

"The information gathered and disseminated in terms of the mentioned statutory measures:

- Enables role-players to make informed decisions and to participate on an equal footing based on objective information;
- Could increase market access for all participants;
- Could improve the efficiency of the marketing of grain and oilseed products;
- Enhances the viability of the grains and oilseeds and the total agricultural sector; and
- Enhances food security as stock levels of grains and oilseeds stored by owners of commercial grain storage, are readily available on a national basis.

The statutory measures will not be detrimental to the number of employment opportunities within the economy or to fair labour practice."

The statutory measures are administered by SAGIS. SAGIS is a company without profit motive incorporated in terms of section 21 of the Companies Act, 1973. SAGIS was specifically established for the purpose of handling information gathering, processing and dissemination on behalf of the various grains and oilseeds industries in South Africa.

The NAMC took cognisance that the proposed continuation of the statutory measures as requested by SAGIS is consistent with the objectives of the Marketing of Agricultural Products Act, 1996 (Act no 47 of 1996), as amended. The request is being investigated by the NAMC and recommendations in this regard will be made to the Minister of Agriculture, Forestry and Fisheries.

Directly affected groups in the grains and oilseeds industries are kindly requested to submit any comments or objections with regard to the proposed continuation of the statutory measures to the NAMC in writing on or before 15 July 2011, to enable the Council to formulate its recommendation to the Minister in this regard.

Submissions should be addressed to:

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