

NOTICE 834 OF 2012**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES****MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996****(ACT No. 47 OF 1996)****ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF
PRODUCERS AND PERSONS DEALING WITH MOHAIR IN THE COURSE OF
TRADE**

I, Tina Joemat-Pettersson, Minister of Agriculture, Forestry and Fisheries, acting under sections 13 and 19 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the Schedule.

**TINA JOEMAT-PETTERSSON,
MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES.**

SCHEDULE

1. DEFINITIONS

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 -

“broker” means a person dealing with mohair in the course of trade by treating, keeping, conveying, selling or processing mohair on behalf of a producer or cause such actions to be taken on behalf of a producer.

“exporter” means a person dealing with mohair in the course of trade by exporting it from the Republic;

“importer” means a person dealing with mohair in the course of trade by importing it into the Republic;

“mohair” means the removed natural fleece of the angora goat (*Capra angoriensis*) in whatever form;

“Mohair SA” means Mohair South Africa Ltd, an association not for gain incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973), with registration number 1997/021800/09;

“processor” means a person dealing with mohair in the course of trade by scouring and combing it, or processing it in any other manner, or cause such actions to be taken;

“producer” means a person producing mohair or involved in the production of mohair;

“Republic” means the Republic of South Africa;

“the Act” means the Marketing of Agriculture Products Act, 1996 (Act No. 47 of 1996), as amended; and

“trader or mohair buyer” means a person dealing with mohair in the course of trade by buying and selling mohair.

2. PURPOSE AND AIMS OF STATUTORY MEASURE AND THE RELATION THEREOF TO OBJECTIVES OF THE ACT

The purpose and aim of this statutory measure is to provide a statutory mechanism for producers, brokers, traders or mohair buyers, processors, importers and exporters to register with Mohair SA. A central database of names and contact details of individuals and organizations involved in the production, trading, processing, exporting and importing of mohair supports the accurate and efficient gathering of data. The associated statutory measure of records and returns provide the framework for recording this data on a customized national mohair industry database.

Mohair SA's mandate and purpose is to facilitate access to the mohair market for all participants, to promote the efficiency of the Marketing of mohair and to optimize the export income from mohair as per the objective of the Act.

3. PRODUCT TO WHICH STATUTORY MEASURE APPLIES

This statutory measure shall apply to mohair.

4. AREA IN WHICH STATUTORY MEASURE APPLIES

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

5. REGISTRATION OF PRODUCERS, BROKERS, TRADERS, PROCESSORS, IMPORTERS AND EXPORTERS

- (1) All producers, brokers, traders, processors, importers and exporters shall register as such with Mohair SA in the manner set out in section 6.
- (2) An application for registration in terms of subsection (1) shall be made within 30 days from the date of commencement of this statutory measure and, in the case of of person becoming a producer, broker, trader, processor, importer and exporter after such date of commencement, within 30 days of becoming a producer, broker. trader, processor, importer and exporter.
- (3) Upon registration a certificate of registration shall be issued to the applicant.
- (4) A registration certificate issued in terms of subsection (3) shall lapse -
 - (a) on the date of expiry of this measure as granted by the Minister; or
 - (b) upon cancellation in terms of subsection (6) of this statutory measure.
- (5)
 - (a) An application for continued registration shall be lodged at least 30 days before the termination date in terms of subclause (4) (a) above.
 - (b) The provision of clause 6 shall *mutatis mutandis* apply to an application for continued registration.
- (6) Each producer, broker, trader, processor, importer and exporter shall within 30 days of ceasing to be a producer, broker, trader, processor, importer and exporter notify Mohair SA in writing thereof whereupon his or her registration shall be cancelled.

6. APPLICATION FOR REGISTRATION AS PRODUCER, BROKER, TRADER, PROCESSOR, IMPORTER AND EXPORTER

- (1) An application for registration shall be furnished in the form or manner determined by Mohair SA for this purpose, and shall, if furnished on paper, be completed in ink.
- (2) The application form shall -
 - (a) when forwarded by post, be addressed to -

The General Manager
Mohair SA
P.O. Box 2243
North End
PORT ELIZABETH
6056
 - (b) when delivered by hand, be delivered to -

The General Manager
Mohair SA
4-8 Jochla Road
Sydenham
PORT ELIZABETH
6001
 - (c) when submitted electronically, be submitted to an address supplied by Mohair SA on request.

7. COMMENCEMENT AND PERIOD OF VALIDITY

This statutory measure shall come into operation on the date of publication hereof and shall lapse on 31 July 2016.